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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Ms. JACKSON LEE).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
July 19, 2022.

I hereby appoint the Honorable SHELIA JACKSON LEE to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Margaret Grun Kibben, offered the following prayer:

Loving God, You have called those who believe in You to live in community, to love and support those in need, and to encourage each other in the faith. God, at times these seem like such easy tasks. All we need do is look around us, and we see fellow human beings in great want for so many things. And yet, we are reluctant to act, not knowing where to start, whom to help first, or what the right help is for us to give.

Open our eyes to those who are hungry, who need clothes, who thirst for the water that will satisfy their deepest needs. May we be the hands that lead even the stranger to find shelter in Your care.

Likewise, call us to ask how we can be of encouragement to one another. How do we serve one another that together we would be stepping stones and not stumbling blocks to the peace You would have us enjoy?

Despite our differences, despite our disagreements, cause us to look into the eyes of the other and see Your image, so then may we be at peace.

God of love and peace, be with us this day. In Your holy name we pray.
Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 11(a) of House Resolution 188, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Michigan (Mr. WALBERG) come forward and lead the House in the Pledge of Allegiance.

Mr. WALBERG led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

FUNDAMENTAL REPRODUCTIVE RIGHTS

(Ms. BROWN of Ohio asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BROWN of Ohio. Madam Speaker, it has been more than 3 weeks since the Supreme Court ignored the constitutional right to privacy that guaranteed women could make their own reproductive health decisions. Now, States are encouraged to restrict or ban abortion and birth control.

We are now witnessing the horrifying consequences of an extreme agenda to criminalize women's reproductive health decisions, including the arrest of doctors.

Americans overwhelmingly support protecting women's reproductive rights, and I stand here today to affirm their voices and carry out their will.

Last week, House Democrats passed two strong bills to defend women's right to decide. This week, we will once again ensure progress, not regression, when we pass the Right to Contraception Act.

Far-right extremists continue to wage an all-out war to control women's reproductive rights, but we will continue to put people over politics and ensure birth control access for all.

CONGRATULATING MIKE MCARAN

(Mr. WALBERG asked and was given permission to address the House for 1 minute.)

Mr. WALBERG. Madam Speaker, I rise today to offer my heartfelt congratulations to Superintendent Mike McAran as he celebrates his retirement and to recognize his many years of service. His contributions to the community are worthy of commendation.

Throughout his career, Mr. McAran served many roles within the education system, including as a history and English teacher in the Fraser school district, assistant principal and athletic director at Tecumseh High School, and principal of Sand Creek Community Schools, as well as a middle school in Tecumseh. He would eventually become the superintendent of Tecumseh schools and later the Morenci Area School District. In total, Mike McAran dedicated 56 years of his career to education.

Madam Speaker, I ask my colleagues to join me in celebrating the retirement of Mike McAran. I am proud to honor his work, accomplishments, and significant community impact. We thank him for his outstanding service and wish him all the best in his future endeavors.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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RECOGNIZING LYNN VALBUENA

(Mr. CORREA asked and was given permission to address the House for 1 minute.)

Mr. CORREA. Madam Speaker, today, I join the American Lung Association in recognizing an outstanding American and Californian, Lynn Valbuena, chairwoman of the San Manuel Band of Mission Indians.

On August 25, Chairwoman Valbuena will be honored by the American Lung Association for her contributions to healthcare both to her Tribal nation and to other Tribal nations across the United States.

Lynn has devoted her entire life to serving her Tribal nation and her community. In April, she was sworn in as chairwoman for the fifth nonconsecutive term.

I extend my congratulations to Chairwoman Lynn Valbuena for this well-deserved recognition and thank her for keeping up the good work.

ENOUGH OF THE JANUARY 6
WITCH HUNT

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Madam Speaker, Speaker PELOSI and her sham partisan committee are desperately trying to distract the American people from all the crises their party philosophy has caused.

The American people are not fooled. No amount of scripted, teleprompted, overproduced political soap opera can distract the American people from the pain they are feeling at the gas station, the grocery store, and the electric outlets, or the tightening of their purse strings, thanks to the Democrats' wage-killing price hikes.

It has been 18 months since Washington fell into Democrat one-party rule. Since then, inflation has skyrocketed; gas prices are at an all-time high; and we are headed into a recession.

Why is Speaker PELOSI and her sham January 6th Committee still obsessing over the former President?

While President Trump lives rent-free in Democrats' heads, Republicans are working on real solutions to help the American people. We are trying to rein in reckless spending to bring down inflation and restart American energy dominance.

Democrats should take notes. The polls show the American people want these solutions.

Enough of this nonsense January 6 witch hunt.

RECOGNIZING THE LEGACY OF
CHIEF MASTER SERGEANT
JAMES M. MCCOY

(Mr. FLOOD asked and was given permission to address the House for 1 minute.)

Mr. FLOOD. Madam Speaker, I rise today to recognize the legacy of Chief Master Sergeant James M. McCoy of Omaha. Recognizing his life of service, both public and private, the United States lost an outstanding leader and, certainly, Nebraska lost a friend.

Born in Creston, Iowa, he entered the Air Force at 18 years old in 1951. In 1979, he was named the sixth chief master sergeant of the United States Air Force. Whether as an instructor or part of a major command, he was an exceptional person, eventually being named one of the 12 Outstanding Airmen during his assignment with the Pacific Air Forces.

My district is home to Offutt Air Force Base, a pillar in our U.S. strategic defense. In 2007, its Airman Leadership School was named for McCoy, and in 2016, he was inducted into the Strategic Air Command Hall of Fame. Just recently, in 2021, the Air Force Association awarded McCoy its Lifetime Achievement Award in the school now bearing his name.

On behalf of the First District of Nebraska, I thank him and his family for his great service to his community and his Nation.

A WIN FOR U.S. FARMERS

(Mr. MANN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MANN. Madam Speaker, I rise today to celebrate a win for American farmers, ranchers, and agricultural producers.

Fertilizer prices have been skyrocketing for over a year now, with the cost of urea ammonium nitrate, in particular, rising to record highs. Since March, I have been urging the U.S. International Trade Commission to suspend duties on UAN imports from Trinidad and Tobago, and this week, they did just that.

On July 18, the U.S. International Trade Commission rejected imposing final duties on urea ammonium nitrate, UAN, in its determination that antidumping activity surrounding UAN fertilizers in Trinidad and Tobago did not harm the U.S. fertilizer industry. With this determination, the ITC has finally responded to my three letters dating back to March, the legislation I introduced in that same month, and my testimony before them in June, all urging reconsideration of the initial duties.

I am proud to lead the charge on this effort. I will continue to monitor the situation, and I look forward to seeing the immediate removal of duties on UAN imports from Trinidad and Tobago, which is the most immediate opportunity for a near-term, partial remedy to the high cost of fertilizer facing U.S. farmers.

JUSTICE FOR CYPRUS

(Ms. MALLIOTAKIS asked and was given permission to address the House for 1 minute.)

Ms. MALLIOTAKIS. Madam Speaker, 48 years this week, on July 20, 1974, the Turkish military invaded the Republic of Cyprus in direct violation of the Charter of the United Nations and international law.

To this day, there has been no accountability for the deaths, displacements, and destruction caused by this illegal invasion and occupation.

I urge the President, Secretary Blinken, and this body to join calls for the immediate removal of Turkish troops, the return of property to rightful owners, and the reunification of Cyprus.

Today Cyprus, Greece, and other nations in the eastern Mediterranean face more aggression and continued threats from Turkey under President Erdogan, who has threatened exclusive economic zones, ordered repeated military flyovers over the Greek islands, and undermined NATO sanctions on Russia and U.S. operations in Syria.

Despite Turkey's aggression, President Biden plans to sell U.S. fighter jets to Turkey. I thank my colleagues on both sides of the aisle for supporting our amendment last week to prevent this sale and our efforts to deliver justice for Cyprus once and for all.

SEC'S PROPOSED CLIMATE
CHANGE RULE

(Mr. ROSE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROSE. Madam Speaker, today, I rise today to bring attention to President Biden's Securities and Exchange Commission's proposed climate change rule.

As Tennesseans suffer from the impacts of record-breaking inflation that has driven the cost of almost everything through the roof, President Biden and his SEC are trying to implement a regulation that will make it harder and more expensive to produce the food and fiber that feeds the world.

We saw just last week that inflation is showing no signs of slowing down. The climate change rule proposed by Biden's SEC will only make it worse, as the farmers and ranchers who work so hard to feed us will spend copious amounts of time, effort, and money to comply with this rule, if it is even possible.

Biden's SEC has clearly overstepped its bounds, as Congress has never given them the authority to regulate carbon emissions. If President Biden were serious about lower prices, he would immediately hit the brakes on this proposed rule.

□ 1015

FIGHTING FOR WOMEN'S
REPRODUCTIVE RIGHTS

(Ms. GARCIA of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GARCIA of Texas. Madam Speaker, I rise today in support of House Democrats and their efforts today to protect women and their fundamental reproductive rights.

In my home State of Texas, more than 50,000 women had an abortion last year. These are women who made an extremely personal and intimate healthcare decision based on what is best for them, their families, and their future.

Yet, MAGA Republicans have never wanted these women to have these fundamental rights, and they aim to strip away their freedoms.

But to all the women and the families who may be scared and are listening across America right now, please hear me now:

House Democrats have your back. We trust women. We are fighting for you. We always have, and we always will.

PROVIDING FOR CONSIDERATION OF H.R. 8294, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2023; PROVIDING FOR CONSIDERATION OF H.R. 8373, RIGHT TO CONTRACEPTION ACT; PROVIDING FOR CONSIDERATION OF H.R. 8404, RESPECT FOR MARRIAGE ACT, AND FOR OTHER PURPOSES; AND FOR OTHER PURPOSES

Ms. SCANLON. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 1232 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1232

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 8294) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2023, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their respective designees. After general debate the bill shall be considered for amendment under the five-minute rule. An amendment in the nature of a substitute consisting of the text of Rules Committee Print 117-55 shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. Points of order against provisions in the bill, as amended, for failure to comply with clause 2 or clause 5(a) of rule XXI are waived.

SEC. 2. (a) No further amendment to the bill, as amended, shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution considered pursuant to subsection (b), amendments en bloc described in section

3 of this resolution, and pro forma amendments described in section 4 of this resolution.

(b) Each further amendment printed in part A of the report of the Committee on Rules not earlier considered as part of amendments en bloc pursuant to section 3 of this resolution shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment except as provided by section 4 of this resolution, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(c) All points of order against further amendments printed in part A of the report of the Committee on Rules or against amendments en bloc described in section 3 of this resolution are waived.

SEC. 3. It shall be in order at any time for the chair of the Committee on Appropriations or her designee to offer amendments en bloc consisting of further amendments printed in part A of the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their respective designees, shall not be subject to amendment except as provided by section 4 of this resolution, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

SEC. 4. During consideration of the bill for amendment, the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 5 pro forma amendments each at any point for the purpose of debate.

SEC. 5. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. In the case of sundry further amendments reported from the Committee, the question of their adoption shall be put to the House en gros and without division of the question. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

SEC. 6. During consideration of H.R. 8294, the Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Appropriations or her designee. The Chair may not entertain a motion to strike out the enacting words of the bill (as described in clause 9 of rule XVIII).

SEC. 7. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 8373) to protect a person's ability to access contraceptives and to engage in contraception, and to protect a health care provider's ability to provide contraceptives, contraception, and information related to contraception. All points of order against consideration of the bill are waived. The amendment printed in part B of the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the

chair and ranking minority member of the Committee on Energy and Commerce or their respective designees; and (2) one motion to recommit.

SEC. 8. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 8404) to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any further amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees; and (2) one motion to recommit.

SEC. 9. (a) At any time through the legislative day of Thursday, July 21, 2022, the Speaker may entertain motions offered by the Majority Leader or a designee that the House suspend the rules as though under clause 1 of rule XV with respect to multiple measures described in subsection (b), and the Chair shall put the question on any such motion without debate or intervening motion.

(b) A measure referred to in subsection (a) includes any measure that was the object of a motion to suspend the rules on the legislative day of July 18, 2022, in the form as so offered, on which the yeas and nays were ordered and further proceedings postponed pursuant to clause 8 of rule XX.

(c) Upon the offering of a motion pursuant to subsection (a) concerning multiple measures, the ordering of the yeas and nays on postponed motions to suspend the rules with respect to such measures is vacated to the end that all such motions are considered as withdrawn.

SEC. 10. House Resolution 1230 is hereby adopted.

SEC. 11. Clause 7 of rule XIII shall not apply to any resolution introduced prior to the date of adoption of this resolution.

The SPEAKER pro tempore. The gentlewoman from Pennsylvania is recognized for 1 hour.

Ms. SCANLON. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Pennsylvania (Mr. RESCHENTHALER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Ms. SCANLON. Madam Speaker, I ask unanimous consent that all Members be given 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Pennsylvania?

There was no objection.

Ms. SCANLON. Madam Speaker, on Monday the Committee on Rules met and reported a rule, House Resolution 1232, for three measures.

First, it provides for consideration of H.R. 8294 under a structured rule. The rule provides 1 hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations, makes in order 190 amendments, provides en bloc authority, allows the chair the ability to offer up to five pro

forma amendments, and provides one motion to recommit.

Second, the rule provides for consideration of H.R. 8373 under a closed rule. The rule provides 1 hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce, self-executes a manager's amendment, and provides one motion to recommit.

Third, the rule provides for consideration of H.R. 8404 under a closed rule. The rule provides 1 hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary and provides for one motion to recommit.

Finally, the rule provides the majority leader or his designee the ability to en bloc requested votes on suspension bills this week and deems passage of House Resolution 1230.

Madam Speaker, today's rule provides for consideration of three important bills—one that is part of the regular process of funding the government for the next year, and two that are emergency measures to respond to the ongoing assault by an extremist right-wing minority against Americans' individual rights and liberties.

The first bill is a package of bills called the minibus. This package of six annual appropriations bills provides funding for the Federal Government for the next fiscal year for a wide array of important government programs: Food and farming, transportation, housing, conservation and environmental protection, veterans programs, community development, and general operations of the Federal Government.

Thanks to the strong leadership of House Democrats on the Committee on Appropriations, today's bill makes major investments to meet the needs of Americans at this difficult point in time. When we talk about these huge budget bills each year, it can be overwhelming, so let's look at some concrete examples of how these bills are going to benefit our country.

This budget bill will increase funding for veterans' healthcare by \$20 billion, helping the VA to meet the health needs of our Nation's veterans. In addition to funding traditional health services for veterans, this bill will expand mental healthcare, including suicide prevention, improve women's healthcare, homeless assistance programs, substance use disorder programs, and invest in medical research to address veterans' unique health needs.

With the lack of affordable housing being one of the major issues impacting our communities across this country, this bill will increase funding for housing by \$9 billion and provide 140,000 more families and seniors with stable, affordable housing. It will get lead and radon out of public housing units and incentivize the construction of thousands of new units of affordable housing.

This bill will provide a \$7 billion boost for the Department of the Interior and the Environmental Protection Agency, which is funding for our national parks, our land and water conservation programs, and for enhanced enforcement of our environmental protection laws so that Americans of all ages and backgrounds—and our children—can have clean air to breathe and water to drink, and enjoy the natural wonders that our amazing country has to offer.

This bill provides a \$2 billion increase for programs that support public health, rural development, and fight hunger. Vital funding for SNAP and WIC will increase access to healthy foods for the 40 million Americans who rely upon our Nation's antihunger programs, improving their health and lowering the cost of living for those in need.

Funding for the FDA under this title will improve the safety and availability of baby formula. It will strengthen oversight of our food and drug safety laws and support supply chains for critical drugs and medical devices.

Funding for rural development will provide grants and low-cost financing to expand broadband and fix water infrastructure in rural communities, promoting community and economic development.

The bill also provides an additional \$4 billion in funding for government operations so that our Federal agencies can do the work that we all rely upon. Among other things, this boost will help the IRS improve its processing times and provide more taxpayers with help when filing. A stronger IRS will also be able to better enforce our tax laws to make sure that billionaires and large corporations pay their fair share.

This funding will more than triple the Election Security Grants program which provides funding to the States to secure our Federal elections by purchasing new technology and keeping ahead of bad actors who try to attack our elections. This funding has helped to make the U.S. elections so secure that anyone who says the 2020 election was stolen is either a liar or a fool.

This funding will encourage economic development by funding the Small Business Administration's lending programs and the Treasury Department's Community Development Financial Institutions. Combined, these programs are often the main source of financing for minority and women-owned small businesses, many of which are increasingly leading the way in creating jobs and economic opportunities.

The minibus also makes major investments in our servicemembers by increasing funding for housing and childcare on military installations.

□ 1030

This funding will provide more childcare services for the 1.2 million children of Active-Duty servicemembers, as well as the ability to construct

and remediate thousands of substandard units of military family housing.

Finally, this year's appropriations bills build on last year's successes with community project funding, which allows Members of Congress to better represent their districts and exercise Congress' responsibility to direct Federal spending, rather than delegating it.

Community project funding allows Members to support smart, high-impact investments in their districts in a way that is transparent and ethically sound. I thank the Appropriations Committee for their work to responsibly reinstate this opportunity.

Because of these rule changes, I have been able to bring millions of dollars back to my district for a variety of locally backed efforts ranging from mental health programs to community centers to workforce development. This year, I am proud to have secured funding for 15 projects totaling \$20 million for Pennsylvania's Fifth Congressional District.

Madam Speaker, obviously, I could keep going on about the amazing things that this bill will do, but all together the minibus is a strong investment in our country that will help working families, small businesses, and local communities, as well as helping to fight inflation, create jobs, and support economic development.

Funding the government is Congress' primary responsibility. It is right there in the beginning lines of Article I, Section 8 of the Constitution, that Congress has the power to provide for the common defense and general welfare of the United States.

With the consideration of these six appropriations bills this week, and the other six later this month, House Democrats are meeting their responsibility to the American people by passing a budget on time.

I say House Democrats because I am concerned that my Republican colleagues may follow their recent practice of refusing to work in a bipartisan manner to fund the government or to solve problems for the American people, and then voting against this bill when it comes to the floor.

Of course, over in the 50-50 Senate, where 10 Republican votes are needed to pass a budget bill, the Senators have not even begun consideration of any appropriations packages. Just like last year, House Democrats are passing funding bills on time while Republicans in the Senate are holding up the process for months by slow-walking negotiations and refusing to compromise.

Last year, this obstructive behavior by Senate Republicans meant that Congress didn't pass its 2022 budget until we were halfway through that year. That meant by the time the Federal Government received its 2022 funding, it only had 6 months left to use it. That is irresponsible. That is not good business, and it is not sound government.

At every turn, the filibuster and stonewalling by Republican Senators squash every single legislative initiative that comes their way.

Madam Speaker, this rule also brings two other critically important bills to the floor. Today's rule also provides for consideration of the Right to Contraception Act, a bill that would codify fundamental privacy rights relating to purchasing, using, and providing contraception; and the Respect for Marriage Act, which would codify the right to same-sex marriage in Federal law.

These are two basic freedoms that the overwhelming majority of Americans support, and that most Americans are surprised to learn are now under threat from an extremist rightwing minority in our Supreme Court and many Republican State legislatures across the country.

In the wake of the Dobbs decision, we immediately saw a number of States implement or try to pass abortion bans. The practical and tragic consequences of those decisions are growing every day with women and girls unable to get the healthcare they need, whether it is a 10-year-old rape victim in Ohio being denied medical care in her home State or a woman with an ectopic pregnancy in Missouri whose healthcare providers are withholding what is standard medical care because they fear prosecution under these laws.

These tragic stories will continue, and they will get worse. This is the world we live in in the aftermath of the extremist Dobbs decision. But the impact of the Dobbs decision does not end with abortion care. The extremist rightwing majority on the Supreme Court has put our country down a perilous path. They have shown us the harsh reality of judicial review—no objectivity, no textualism or originalism, this is just politics by other means.

The majority in Dobbs and others who hold this minority view are pushing a rightwing agenda that can be summed up as this: for all their talk about States' rights and individual freedoms, the rightwing majority is going to uphold the rights they support and take away the rights they oppose.

The two bills we consider today respond to the immediate threat articulated by Justice Thomas in his concurrence in the Dobbs decision—that he wants to overturn decisions that protect rights to contraception, same-sex marriage, et cetera. It is not just Justice Thomas, Justice Alito has joined him in similar concurrences; and, of course, he wrote the majority decision in Dobbs.

Rightwing legislators and Members of Congress are saying exactly what they want to do and introducing bills to do exactly this—to undermine the right to contraception and to undermine the right to same-sex marriage. These are not hypotheticals but very real threats.

In response to this insanity, the House must vote this week on the Right to Contraception Act and the Re-

spect for Marriage Act. The Right to Contraception Act would prohibit States from banning or restricting possession, sale, purchase, transportation, use, prescription of contraception, including birth control, IUDs, condoms, and other products that aid in family planning.

The Respect for Marriage Act will codify the current law of the land and protect the thousands of same-sex marriages and families across this country, who are now justifiably afraid that their families are under attack. I can't tell you how many constituents, colleagues, friends, and their children that I am hearing from in the wake of this decision and in the wake of Justice Thomas' explicit threat.

Both of these bills will protect rights enjoyed by Americans that are now being threatened by the Supreme Court minority view and their co-conspirators in the Republican Party. I am glad we are bringing these bills up for a vote so we can see who is going to vote for them and who is going to vote against them.

I am confident that House Democrats will provide the votes necessary to pass the bills. It is time for our colleagues across the aisle to stand up and be counted. Will they vote to protect these fundamental freedoms, or will they vote to let States take those freedoms away?

Today we will find out. Then we will see what our colleagues in the Senate will do. We are going to put these bills up for a vote, and the public can see, on the record, how their Representatives and Senators respond. At least everyone will know where their elected officials stand.

Madam Speaker, I reserve the balance of my time.

Mr. RESCHENTHALER. Madam Speaker, I thank the distinguished gentlewoman from my home State of Pennsylvania for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Madam Speaker, the rule before us today makes in order three pieces of legislation, including H.R. 8294, a bill to fund 6 of the 12 appropriations bills.

As a member of the Appropriations Committee, I want to just say I am extremely grateful to Ranking Member GRANGER and Chairwoman DELAURO for all the hard work that they put in, and also the committee staff. I know a lot of effort went into this legislation.

Unfortunately, the product before us was flawed from the very start. House Democrats drastically underfunded our national defense while providing major increases to the same social programs that have already received trillions of dollars in funding under the Biden administration.

It is clear that the Democrats' out-of-control spending has been the key driver to inflation. Don't take my word for it. Larry Summers, former economic adviser to President Biden, went so far as to call the American Rescue Plan "the least responsible macro-

economic policy we've had in the last 40 years." Again, that was Larry Summers, Democrat adviser to the President.

You know what? He was right. Last month, inflation hit 9.1 percent. That is the highest inflation rate in my lifetime. It is the highest inflation rate since 1981.

President Biden's inflation crisis has cost the American worker over \$3,000 in annual income, and the skyrocketing cost of goods and services will cost the average American family over \$6,000. That is what is so nefarious about inflation, it hits the working class and those on a fixed income the hardest.

Yet, the Big Government Democrats with their reckless spending policies have these six bills before us today included in the package. The six bills included in today's package received a total increase of 11 percent over the previous fiscal year with some accounts, like the Federal Trade Commission and the Office of Personnel Management, receiving double-digit and triple-digit percentage increases, which will, of course, fuel additional inflation.

Keep in mind, the Defense appropriations bill approved by the Appropriations Committee had just a 4.4 percent increase. Additionally, instead of addressing record-high gas prices, Democrats are pushing this partisan Green New Deal initiative that will only worsen Biden's energy crisis.

Under this measure, offshore oil and gas activities are restricted and oil and gas inspection fees are increased. This is just going to drive up the cost of energy for working families.

H.R. 8294 also includes numerous far-left, radical, liberal policies like allowing taxpayer dollars to fund abortions, and keeping our critical and strategic minerals in the ground. Alarming, it includes provisions that threaten our national security, including allowing for the closure of Guantanamo Bay, which houses some of the world's most dangerous terrorists. It also fails to modernize the nuclear weapons stockpile and complex, and provides incentives for illegal immigration.

Further, the rule before us today provides for consideration of H.R. 8373, which goes far beyond supporting access to contraception. Let me just be clear about this point. Not a single State in the Union, not a single general assembly in any State is debating considering making contraception illegal.

This poorly drafted bill has extreme provisions that could harm the health of women, send taxpayer dollars to Planned Parenthood and other abortion providers, and force people to violate their religious and sincerely held beliefs.

Madam Speaker, I, therefore, urge my colleagues to oppose this rule, and I reserve the balance of my time.

Ms. SCANLON. Madam Speaker, these appropriations bills are not going to make inflation worse. It is a bad-faith argument. Inflation is bad. It is

eating away at family paychecks not just here in America but all across the globe.

My colleague cited the recent inflation figures here in the U.S.—they are worse overseas. The economic shocks in supply chain disruptions caused by the pandemic and then exacerbated by Russia's invasion of Ukraine are hitting hard—yes, here at home and all across the world. There are things that we are doing to bring those prices down, and economic indicators show that prices are starting to come down. It doesn't deny the real pain that we are all feeling right now.

Second, which spending would he have eliminated? Would it have been the funding to develop vaccines and therapeutics? Maybe the funding to keep people in their homes during the pandemic? Would it be the funding that supported small businesses over the last several years, or maybe it is just the paycheck protection funding?

I think it is a hollow argument, and I think it is also worth noting that we are not seeing any alternative solutions.

Madam Speaker, I yield 2 minutes to the gentlewoman from North Carolina (Ms. ROSS), a distinguished member of the Rules Committee.

Ms. ROSS. Madam Speaker, I rise today to discuss the urgent need to protect access to contraception.

Just a few weeks ago, the Supreme Court's decision in *Dobbs v. Jackson Women's Health Organization* stripped millions of women of the right to abortion care. After this decision, draconian abortion bans in States across the country immediately went into effect.

In my own State of North Carolina, Republican leaders have made it abundantly clear that they will take any opportunity to restrict our rights. Perhaps even more sinister than this decision are the opinions that accompanied it.

Justice Clarence Thomas' concurring opinion laid the groundwork for even greater government interference in the personal and family decisions of our people, including the right to use contraception. Make no mistake, the American people will not go backward on contraception.

We must codify *Griswold v. Connecticut*, which has protected women's right to make decisions about their own contraceptive healthcare for decades.

This week, we are considering the Right to Contraception Act. This critical legislation will safeguard contraception and its access in the face of these extreme attacks. Americans overwhelmingly support the right to contraception.

Madam Speaker, I hope to hear from my colleagues across the aisle about how they could do anything other than support expanding contraception in the wake of the *Dobbs* decision.

If my colleagues want to prevent abortions, why would they restrict resources to women who want to avoid unintended pregnancies?

Madam Speaker, I fought to expand access to contraception in North Carolina with support from legislators on both sides of the aisle. Twenty years later it is extremely disappointing that we could be going backward.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. SCANLON. Madam Speaker, I yield an additional 1 minute to the gentlewoman from North Carolina.

□ 1045

Ms. ROSS. Madam Speaker, women across the country are more determined than ever to combat these relentless attacks on our freedom. I support the rule and the underlying bills.

Mr. RESCHENTHALER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, my friend and colleague from Pennsylvania asked me which programs I would cut funding from as if this were some kind of checkmate in floor debate. It is not because the answer is very obvious. I have an extensive list of where I would cut.

Just for starters, let's look at some of the increases in the appropriations package and, of course, where I would cut.

We have a 20 percent increase for the Environmental Protection Agency. That could be cut.

We have a \$1 billion increase for the Internal Revenue Service. That could be cut right there.

There is a 30 percent increase for the Federal Trade Commission. That could be cut. Don't take my word for it. Not one but two of the Commissioners of the FTC said that they don't even need this increase. There is money that you could cut right there, Madam Speaker.

There is a 12 percent increase to maintain and improve Federal buildings. I don't know if anybody across the aisle has been paying attention, but most of the people in these Federal buildings have been working remotely from home for the last 2 years. Yet, we need to increase funding to Federal buildings that are literally sitting empty as people work from home?

Then, we have a lot of bad ideas regarding climate. \$100 million is provided for the President's proposal to use the Defense Production Act authorities to accelerate domestic manufacturing of select clean energy technologies. That can be cut.

While we are talking about the shift to clean energy technologies, let's just be honest about who benefits from this. It is China because they are the ones who are selling the rare earth elements that are going into things like solar panels. By the way, they are bringing more nuclear power plants online and more coal-fired plants online while we hamstring our economy and our energy sector with these absurd climate change proposals.

I have more, actually, but for the sake of time and brevity, I will save them for later if the issue comes up.

Additionally, this notion that inflation is a worldwide issue, I am not sure when they stopped teaching economics in school, but we are the world's largest GDP. If we have inflation, then the world has inflation because we literally export it. That is just how economics works.

To blame Ukraine, Ukraine might play a part in this, but who is to blame for Ukraine? It is President Biden. It was the weakness and vacillation—his surrender in Afghanistan—that emboldened Putin. It was the vacillation. It was the “minor incursion” comment that he had that gave Vladimir Putin the green light to invade. Had he just been more resolute in our national security, then we could have deterred this invasion. So, he owns Ukraine, as well.

The gentlewoman from North Carolina brought up *Dobbs*. I want to quote the actual decision because I think a lot of the points in *Dobbs* were taken out of context. The Court made it clear in that decision that the decision on abortion should “not be misunderstood or mischaracterized . . . to cast doubt on precedents that do not concern abortion.”

The Court went out of its way to state that they are not concerned about contraception, despite the gentlewoman from North Carolina saying otherwise.

But let's go back to *Dobbs*. Since the point of the leak of the *Dobbs* draft Supreme Court decision, there have been 70 violent attacks and threats on churches, pregnancy centers, and pro-life organizations.

These attacks consist of vandalism. They consist of destruction of property, arson, and even included protesters breaching the Arizona State Capitol, forcing legislators to evacuate.

Radical pro-abortion groups have proudly declared “open season” on pro-life pregnancy centers while these organizations are providing critical resources to pregnant women, infants, and families.

Republicans want to protect public safety. We want to ensure pro-life organizations can continue helping women and babies in need. That is why if we defeat the previous question, I will personally offer an amendment to the rule to immediately consider H. Res. 1233, a resolution affirming the importance of pro-life crisis pregnancy centers, condemning the violent attacks by far-left extremist groups, and calling upon the Biden administration to use all law enforcement authorities to uphold public safety and protect the rights of pro-life facilities, groups, and churches.

Madam Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

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

There was no objection.

Mr. RESCENTIALER. Madam Speaker, I yield 7 minutes to the gentleman from Louisiana (Mr. JOHNSON). The vice chairman of the Republican Conference and sponsor of the resolution is here to explain the amendment.

Mr. JOHNSON of Louisiana. Madam Speaker, I am grateful for the opportunity. I thank the gentleman from Pennsylvania for handling the rule and highlighting this very important issue.

As he said, if the previous question is defeated, then Republicans will amend the rule to immediately consider H. Res. 1233. That is the resolution that condemns the spate of attacks that have recently occurred against pro-life facilities, groups, and churches in the wake of the Dobbs opinion.

Madam Speaker, these acts are reprehensible, but we shouldn't be surprised they are occurring all across the country. They have gone unchecked for far too long, ever since the draft Dobbs opinion was inexcusably leaked to the public in that unprecedented act.

Republicans immediately condemned that leak as a threat to the institution of the Court itself, as a threat to the Justices themselves as individuals, and as a threat to our very Republic. The Democrat leadership of this body did nothing.

Weeks went by as tensions grew. Protesters harassed sitting Supreme Court Justices, a clear violation of the black-letter Federal Law. Republicans filed a resolution condemning those acts. The Democrat leadership of this body did nothing even as threats continued to pour in against the Justices and their families.

The Senate acted. They unanimously passed legislation to extend security to the families of the Justices. I and many of my colleagues repeatedly called upon the Speaker of this House to bring this resolution to the floor so we could pass it here and send it to the President's desk. But do you know what we got, Madam Speaker? Nothing.

It was only when an attempt was actually made on the life of Justice Kavanaugh that the Speaker finally gave in. She finally brought that legislation to the floor so that we could push back against the angry mobs.

Madam Speaker, the leadership of this body has another opportunity before them today to, once again, push back against the mob. This has gotten out of hand.

Radical leftists were emboldened by the inaction of this body and the aftermath of a leaked opinion, and now they have targeted their violence against the very groups that care for women and their unborn children in their most vulnerable moments. It is unconscionable.

Here is a short list of some examples.

May 3, 2022: Individuals vandalized the Care Net Pregnancy Center in Frederick, Maryland, with pro-abortion graffiti, including the messages "not real clinic," "end forced motherhood," and go to Planned Parenthood instead.

May 5, 2022: Portland, Oregon, vandals smashed numerous windows and spray-painted graffiti on the Southeast Portland Pregnancy Resource Center.

May 7, 2022: Activists vandalized a crisis pregnancy center in Denton, Texas, with the radical pro-abortion messages "not a clinic" and "forced birth is murder."

May 7, 2022: In Fort Collins, Colorado, activists painted "my body, my choice" on the doors of a Catholic parish.

May 8, 2022, Mother's Day: Individuals attempted to break into the Oregon Right to Life office in Keizer, Oregon, reportedly igniting and throwing two Molotov cocktails at the building.

May 8, 2022: Vandals spray-painted pro-abortion messages such as "abortion is a right," "fake clinic," and "liars" on the side of a pro-life pregnancy center in Manassas, Virginia.

May 8, 2022: A pro-life nonprofit center in Madison, Wisconsin, was set ablaze and vandalized with the words "if abortions aren't safe, then you aren't either."

May 13, 2022: Activists left threatening messages on the front of the Alpha Pregnancy Center in Reisterstown, Maryland, including the messages "if abortions aren't safe, neither are you," "you're anti-choice, not pro-life," et cetera.

May 18, 2022: Vandals targeted a women's faith-based medical clinic in Auburn, Alabama, defacing the clinic's sign and staff members' vehicles.

May 25, 2022: In Lynnwood, Washington, anti-life activists smashed windows and vandalized the Next Step Pregnancy Center with the threat: "If abortion isn't safe, you aren't either."

June 2, 2022: Jane's Revenge claimed credit for an attack in which its members broke windows and scrawled messages, including "God loves abortion" and "fake clinic," at Agape Pregnancy Resource Center in Des Moines, Iowa.

June 3, 2022: Capitol Hill Crisis Pregnancy Center here in Washington, D.C., was the target of leftwing abortion extremists who threw red paint on the door, threw eggs at the window, and spray-painted the window with "Jane Says Revenge."

I have pages and pages of these. I don't think I need to belabor the point. It is every day now. It is out of control.

I am going to tell you, Madam Speaker, that this last one, July 11, on the list here, activists vandalized the Women's New Life Clinic in Baton Rouge, Louisiana, by spray-painting anti-life messages and "Jane's Revenge" on the exterior walls.

That last one is personal to me. The Women's New Life Clinic stands right next to the abortion provider in Baton Rouge and has offered hope to countless women over the years. Women's New Life Clinic is doing extraordinary work. I am proud to call many of the leaders of that clinic personal friends. They do not deserve the treatment that they have endured, but they certainly deserve the support of the House

of Representatives in condemning violence from the radical left.

America's pregnancy care centers provide absolutely essential services in all 50 States. There are 2,700 of these pregnancy centers. They serve millions of women every year. They are supported by over 10,000 medical professionals. I used to serve as legal counsel to a number of these groups, so I am telling you this from personal experience.

Madam Speaker, I can go on all day with these examples. I will spare you. I would assume that you recognize the obvious.

When will this body stand up against the mob? When will we restore law and order?

CHUCK SCHUMER stood on the steps of the Supreme Court itself and infamously called out Justices Kavanaugh and Gorsuch by name and said that we would release the whirlwind. Well, here it is. This shouldn't surprise us.

Madam Speaker, our side is ready to act. We are ready to do something. We have an obligation and responsibility to do it.

Madam Speaker, I urge a "no" vote on the previous question.

Ms. SCANLON. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I am so happy that my colleagues are rising to condemn political violence, but I find it disingenuous and maybe even a little one-sided when they only condemn political violence that they disagree with.

This previous question condemns violence, as my colleague just said, by the radical left but not the radical right. They are conveniently ignoring decades of violence, harassment, and even murder of abortion care providers and harassment of those seeking such care on a daily and weekly basis.

Why are they surprised by this political violence on this topic when this is a model that the anti-abortion forces have utilized for decades?

Also, on a more practical note, I am stunned that my colleague is seeking to reduce funding for the IRS. Any responsible Member of Congress who prioritizes constituent services knows that we receive hundreds and hundreds of calls every year, particularly in recent years, from people who are struggling to get a response from the IRS, who are struggling to get their much-needed tax refund, and who are struggling to get payments or straighten out difficulties. Why is that? It is because the IRS has been underfunded for decades.

The IRS is facing a crisis with retirements and with the inability to attract talent given the tight labor market. We need to fund the IRS again so that billionaires and large corporations pay their fair share.

Madam Speaker, I yield 1 minute to the gentleman from Texas (Ms. GARCIA).

Ms. GARCIA of Texas. Madam Speaker, it has been interesting to listen to

the debate. I feel like it is a rerun of the Judiciary Committee, which we all serve on.

I think we should tell the folks across the aisle to just spare us the indignation over this political violence because, as the manager so aptly characterized, they wrote the book on it. I can think of at least one doctor who was murdered and, I think, many others injured by bombings and harassment. It is just beyond the pale what has happened to abortion providers in the last decade.

I want to get back to appropriations because, Madam Speaker, that is really what I came to talk about.

The FY23 appropriations minibuss bill is something that I support. I am really pleased that many of the projects that were included in my request will come to fruition.

One of the six projects included in the bill is \$4 million for the Target Hunger Campus and Education Center, which will focus on hunger prevention and nutrition education for my constituents.

Also included is \$3 million for affordable housing construction projects in my district for Avenue Community Development, which, of course, will help us resolve some of the homelessness issues.

This bill also includes a request for almost \$3 million for enhancements to the University of Houston's Technology Bridge.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. SCANLON. Madam Speaker, I yield the gentlewoman an additional 30 seconds.

Ms. GARCIA of Texas. Madam Speaker, those are just three of the 15 projects that were funded. I think that when they talk about cutting and inflation, is this what they want to do, to stop a hunger project in my district? Do they want to stop making sure our kids get a good education? Just what is it they are doing?

Finally, Madam Speaker, just quickly, I also support, of course, the bill to protect a woman's right to birth control and the right of same-sex couples to marriage. So, Madam Speaker, there are so many reasons to support this rule and the underlying bills.

□ 1100

Mr. RESCHENTHALER. Madam Speaker, I yield myself such time as I may consume.

There was an—I don't know if you want to call it an allegation—an insinuation that the only time I speak to condemn violence is when it is violence that I don't agree with.

I want to be clear about something. I condemn all acts of political violence. I have been very consistent on that; so have my colleagues across the aisle.

Great example: The first time I ever spoke here on the House floor was in support of a resolution rejecting white supremacy, and I talked at length at that time of the Tree of Life synagogue

shooting that occurred in Squirrel Hill, Pennsylvania.

As you know, I am from the South Hills of Pittsburgh. I have a lot of friends that actually attend that synagogue. And again, the first time I spoke on the House floor was to condemn violence.

So I just want the RECORD to reflect my consistency on this issue and the consistency of my colleagues.

I wish my friends on the left would condemn violence that the left has done. It seems that they cherry-pick their own outrage.

But let's just get back to economics. Again, there was this notion floated that inflation is not as bad here as it is internationally, and this is a global problem. Again, it is a global problem because we are the world's largest GDP. We are exporting inflation.

But even with that said, inflation is far worse here than it is in the developed world. Our inflation, by reference, is 9.1 percent. Japan is at 2.4 percent. The U.K. is at 9.1 percent; they are the same as we are. Italy is at 8 percent; Canada, 7.7 percent; France, 5.8 percent.

Again, all those countries I listed, those nations in the developed world have inflation that is lower than where we are, with the exception of the U.K., which is the same. In Brazil—I should say this about Brazil. It is at 11.9 percent in Brazil.

So this idea that everybody is experiencing inflation, and that we have it easier, is just not accurate when you look at the numbers.

Now, I gave a list of what I would cut from the budget. It wasn't an exhaustive list, and neither is this, but I just want to give a few more examples.

\$75 million is allocated for public housing, energy efficiency and climate resilience upgrades. That could be cut. There is 75 million right there.

Funding for the FDA—and let's not forget, the FDA was the agency that failed to prevent the infant formula crisis. The Democrats are rewarding the FDA with a 10 percent increase. That can be cut.

And what is so insulting about a 10 percent increase to the FDA is, at the same time Democrats want to increase the funding to the FDA—again, the agency that led to the baby formula shortage—you have farmers and ranchers that are struggling to make ends meet and to actually harvest food because of the rising food costs and fertilizer costs, and there is no increase to them.

And I think one of the most outrageous items that can be cut is the \$90 million that is going to The Presidio park, a park that is in an incredibly affluent area of San Francisco, arguably, one of the wealthiest areas in the entire United States. Yet, that park is getting \$90 million, when those around that park can fund it.

And again, what is so insulting about this is we are not even giving allocations to places like Yellowstone and

Yosemite that are actually national parks. So those are just some of the areas I would cut.

Madam Speaker, I reserve the balance of my time.

Ms. SCANLON. Madam Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Madam Speaker, let me rise in support of and with rebuttal to my good friend, my other good friend from Pennsylvania.

It is well-known that the appropriations process is an investment in America, and so I rise to support the appropriations that will be presented to us in this rule T-HUD, Agriculture, Energy and Water, Financial Services, Interior, Military Construction, and Veterans.

I ask the question: Is anyone going to suggest that our military personnel do not need better housing, better schools, better facilities, and bases, both in the United States and across the world?

And so, investment in the American people I will never run away from, and I hope the Senate does not, as well.

And on the question of inflation, I want to remind my good friend from Pennsylvania, my other good friend, that the prices of gas at the pump are going down, because inflation is not pertaining to one administration; it is continuing. And the past administration dug the hole of the inflation that we are now in today.

I also want to make sure that every aspect of reproductive freedom is protected, and the contraceptive legislation should be strongly supported because people are running for their lives. Women are running for their lives because they do not have the lack of fear that they could be arrested; that they could be stopped; or a doctor could say: I am sorry, I cannot help you in your desperate time of need.

This rule is very important, and I support the underlying bills.

And finally, let me—as I was here, as we debated this concept of whether or not you are free in your private rights to make a decision of who you love, I support H.R. 8404 the rule provides for this because it says the “full faith and credit given to marriage equality.”

I want the LGBTQ community in Houston to hear me, the caucus to hear me, we are hearing your voices as well. And I want you to know that this bill includes, for the purpose of Federal law, rule, or regulation in which marital status is a factor, an individual shall be considered married if that individual's marriage is valid in the State where the marriage was entered into or, in the case of a marriage entered into outside any State, if the marriage is valid in the place where entered into and the marriage could have been entered into, it is safe.

The SPEAKER pro tempore (Ms. GARCIA of Texas). The time of the gentlewoman has expired.

Ms. SCANLON. Madam Speaker, I know we are running short on time, but I yield an additional 30 seconds to the gentlewoman.

Ms. JACKSON LEE. I believe this law is key to rejecting the interpretation of Justice Clarence Thomas, who indicated, or speculated, that other provisions or rights under privacy may be in jeopardy.

We should not jeopardize someone's right to love who they want to love, interracial marriages, marriages of any kind. And I support the Respect for Marriage Act and the underlying rule. I thank the gentlewoman for her graciousness.

Mr. RESCENTIALER. Madam Speaker, I have no further speakers at this time, and I yield myself the balance of my time.

Since Democrats jammed through their \$1.9 trillion stimulus bill last year, inflation is at an over 40-year high; the value of American paychecks has also fallen; and families are paying more for just about everything.

Yet, the rule before us makes in order a funding package that provides double-digit and triple-digit increases for nondefense programs that will further fuel Biden's inflation crisis.

And by the way, while this bill is providing double-digit and triple-digit increases for nondefense programs, the defense budget has only increased 4.4 percent. That is appalling.

H.R. 8294 also is packed with far-left liberal wish list items like taxpayer-funded abortion, rather than policies that will address Biden's economic crisis and fix our supply chains, secure our border, and invest in national security, and bring down gas and electricity costs through domestic energy production.

Clearly, the Democrats' spending and policy priorities are out of touch with everyday Americans. And that is just not me saying that. According to a poll, a shocking 75 percent of Americans are experiencing hardship because of Joe Biden and House Democrats' inflation crisis. And the majority of Americans expect the economy to get worse this year.

This bill, like the Democratic Party, is tone-deaf and out of touch.

I, therefore, urge my colleagues to vote "no" on the previous question and "no" on the rule, and I yield back the balance of my time.

Ms. SCANLON. Madam Speaker, I yield myself the balance of my time.

Today's rule is a testament to the hard work and leadership of the Appropriations Committee led by Chairwoman DELAUNO. I applaud the efforts of my colleagues on the Appropriations Committee and their staff to prepare legislation that meets the needs of everyday Americans; to grow our economy from the bottom up and the middle out, rather than relying, once again, on the failed trickle-down economics of the last 50 years.

Given the draconian consequences of failing to pass a budget, I encourage my colleagues in the House and Senate to move quickly in negotiating a final budget bill so we can fund the government on time. It is the responsible thing to do.

We cannot afford to govern from CR to CR, or to pass a budget bill halfway through the fiscal year.

And I am also incredibly grateful to my colleagues on the Energy and Commerce Committee and the Judiciary Committee for stepping up to present legislation to protect fundamental American freedoms that have been placed at risk by the rightwing majority of the Supreme Court in overturning *Roe v. Wade*.

I urge all of my colleagues to protect the right to contraception with the act of that name, and to repeal the statutory ban on same-sex marriage by approving the Respect for Marriage Act in its floor consideration.

At a time when Americans' rights are under attack by a well-funded, extremist minority which has seized control of the Supreme Court and some State legislatures, it is more important than ever for elected Members of Congress to use their legislative powers to protect and expand Americans' personal and fundamental freedoms.

So, Madam Speaker, I urge all of my colleagues to vote for the rule and the underlying legislation.

The material previously referred to by Mr. RESCENTIALER is as follows:

AMENDMENT TO HOUSE RESOLUTION 1232

At the end of the resolution, add the following:

SEC. 12. Immediately upon adoption of this resolution, the House shall proceed to the consideration in the House of the resolution (H. Res. 1233) expressing the sense of the House of Representatives condemning the recent attacks on pro-life facilities, groups, and churches. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution and preamble to adoption without intervening motion or demand for division of the question except one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. Clause 1(c) of rule XIX shall not apply to the consideration of House Resolution 1233.

Ms. SCANLON. Madam Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Ms. JACKSON LEE). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. RESCENTIALER. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 219, nays 199, not voting 12, as follows:

[Roll No. 365]

YEAS—219

Adams	Garcia (TX)	Norcross
Aguilar	Golden	O'Halloran
Allred	Gomez	Ocasio-Cortez
Auchincloss	Gonzalez,	Omar
Axne	Vicente	Pallone
Barragán	Gottheimer	Panetta
Bass	Green, Al (TX)	Pappas
Beatty	Grijalva	Pascarell
Bera	Harder (CA)	Payne
Beyer	Hayes	Perlmutter
Bishop (GA)	Higgins (NY)	Peters
Blumenauer	Himes	Phillips
Blunt Rochester	Horsford	Pingree
Bonamici	Houlihan	Pocan
Bourdeaux	Hoyer	Porter
Bowman	Huffman	Pressley
Boyle, Brendan	Jackson Lee	Price (NC)
F.	Jacobs (CA)	Quigley
Brown (MD)	Jayapal	Raskin
Brown (OH)	Jeffries	Rice (NY)
Brownley	Johnson (GA)	Ross
Bush	Johnson (TX)	Roybal-Allard
Bustos	Jones	Ruiz
Butterfield	Kahele	Ruppersberger
Carbajal	Kaptur	Rush
Cárdenas	Keating	Ryan
Carson	Kelly (IL)	Sánchez
Carter (LA)	Khanna	Sarbanes
Cartwright	Kildee	Scanlon
Case	Kilmer	Schakowsky
Casten	Kim (NJ)	Schiff
Castor (FL)	Kind	Schneider
Castro (TX)	Kirkpatrick	Schrader
Cherfilus-	Krishnamoorthi	Schrier
McCormick	Kuster	Scott (VA)
Chu	Lamb	Scott, David
Ciulline	Langevin	Sewell
Clark (MA)	Larsen (WA)	Sherman
Clarke (NY)	Larson (CT)	Sherrill
Cleaver	Lawrence	Sires
Clyburn	Lawson (FL)	Slotkin
Cohen	Lee (CA)	Smith (WA)
Connolly	Lee (NV)	Soto
Cooper	Leger Fernandez	Spanberger
Correa	Levin (CA)	Speier
Costa	Levin (MI)	Stansbury
Courtney	Lieu	Stanton
Craig	Lofgren	Stevens
Crist	Lowenthal	Strickland
Crow	Luria	Suozi
Cuellar	Lynch	Swalwell
Davids (KS)	Malinowski	Takano
Davis, Danny K.	Maloney,	Thompson (CA)
Dean	Carolyn B.	Thompson (MS)
DeFazio	Maloney, Sean	Titus
DeGette	Manning	Tlaib
DeLauro	Matsui	Tonko
DelBene	McBath	Torres (CA)
Demings	McCollum	Torres (NY)
DeSaulnier	McEachin	Trahan
Deutch	McGovern	Trone
Dingell	McNerney	Underwood
Doggett	Meeks	Vargas
Doyle, Michael	Meng	Veasey
F.	Mfume	Velázquez
Escobar	Moore (WI)	Wasserman
Eshoo	Morelle	Schultz
Espallat	Moulton	Waters
Evans	Mrvan	Watson Coleman
Fletcher	Murphy (FL)	Welch
Foster	Nadler	Wexton
Frankel, Lois	Napolitano	Wild
Galleo	Neal	Williams (GA)
Garamendi	Neguse	Wilson (FL)
Garcia (IL)	Newman	Yarmuth

NAYS—199

Aderholt	Brady	Comer
Allen	Brooks	Conway
Amodei	Buchanan	Crawford
Armstrong	Buck	Crenshaw
Arrington	Bucshon	Curtis
Babin	Budd	Davidson
Bacon	Burgess	DesJarlais
Baird	Calvert	Diaz-Balart
Balderson	Cammack	Donalds
Banks	Carey	Duncan
Barr	Carl	Dunn
Bentz	Carter (GA)	Ellzey
Bergman	Carter (TX)	Emmer
Bice (OK)	Cawthorn	Estes
Biggs	Chabot	Fallon
Bilirakis	Cline	Feenstra
Bishop (NC)	Cloud	Ferguson
Boebert	Clyde	Fischbach
Bost	Cole	Fitzgerald

Fitzpatrick Kelly (MS)
Fleischmann Kelly (PA)
Flood Kim (CA)
Flores Kustoff
Foxy LaHood
Franklin, C. LaMalfa
Scott Lamborn
Fulcher Latta
Gaetz LaTurner
Gallagher Lesko
Garbarino Letlow
Garcia (CA) Long
Gibbs Loudermilk
Gimenez Luetkemeyer
Gohmert Mace
Gonzales, Tony Malliotakis
Good (VA) Mann
Gooden (TX) Massie
Granger Mast
Graves (LA) McCarthy
Graves (MO) McCaul
Green (TN) McClain
Greene (GA) McClintock
Griffith McHenry
Grothman Meijer
Guest Meuser
Guthrie Miller (IL)
Harris Miller (WV)
Harshbarger Miller-Meeks
Hern Moolenaar
Herrell Mooney
Herrera Beutler Moore (AL)
Hill Moore (UT)
Hinson Mullin
Hollingsworth Murphy (NC)
Hudson Nehls
Huizenga Newhouse
Issa Norman
Jackson Obernolte
Jacobs (NY) Owens
Johnson (LA) Palazzo
Johnson (OH) Palmer
Johnson (SD) Pence
Jordan Perry
Joyce (OH) Pfluger
Joyce (PA) Posey
Katko Reschenthaler
Keller Rice (SC)

NOT VOTING—12

Burchett Gosar Kinzinger
Cheney Hartzler Lucas
Davis, Rodney Hice (GA) McKinley
Gonzalez (OH) Higgins (LA) Zeldin

□ 1155

Messrs. RUTHERFORD and CURTIS changed their vote from “yea” to “nay.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

MEMBERS RECORDED PURSUANT TO HOUSE
RESOLUTION 8, 117TH CONGRESS

Barragán Foster Newman (Beyer)
(Correa) (Spanberger) Pascarelli
Boyle, Brendan Gohmert (Weber
F. (Beyer) (TX)) Payne (Pallone)
Brown (MD) Gottheimer Pingree (Kuster)
(Evans) (Spanberger) Porter (Neguse)
Carter (LA) Houlihan Salazar (Waltz)
(Beatty) (Spanberger) Sessions (Babin)
Carter (TX) Kahele (Correa) Sires (Pallone)
(Weber (TX)) Kind (Beyer) Smucker (Keller)
Castro (TX) Kirkpatrick Taylor
(Correa) (Pallone) (McHenry)
Cawthorn (Gaetz) Lawson (FL) Thompson (MS)
Connolly (Beyer) (Evans) (Bishop (GA))
Crist Leger Fernandez Walorski
(Wasserman) (Correa) (Fischbach)
Schultz McEachin (Beyer) Williams (GA)
Demings (Kelly) Meng (Kuster) (Neguse)
(IL) Mfume (Evans) Wilson (FL)
DesJarlais Miller (WV) (Evans)
(Fleischmann) (Mooney) Wilson (SC) (Nor-
Fallon (Green) Moore (WI) man)
(TN)) (Beyer)

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. RESCHENTHALER. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 219, nays 200, not voting 11, as follows:

[Roll No. 366]

YEAS—219

Adams Garcia (TX)
Aguilar Golden
Allred Gomez
Auchincloss Gonzalez,
Axne Vicente
Barragán Gottheimer
Bass Green, Al (TX)
Beatty Grijalva
Bera Harder (CA)
Beyer Hayes
Bishop (GA) Higgins (NY)
Blumenauer Himes
Blunt Rochester Horsford
Bonamici Houlihan
Bourdeaux Hoyer
Bowman Huffman
Boyle, Brendan Jackson Lee
F. Jacobs (CA)
Brown (MD) Jayapal
Brown (OH) Jeffries
Brownley Johnson (GA)
Bush Johnson (TX)
Bustos Jones
Butterfield Kahele
Carbajal Kaptur
Cárdenas Keating
Carson Kelly (IL)
Carter (LA) Khanna
Cartwright Kildee
Case Kilmer
Casten Kim (NJ)
Castor (FL) Kind
Castro (TX) Kirkpatrick
Cherfilus- Krishnamoorthi
McCormick
Chu Lamb
Cicilline Langevin
Clark (MA) Larsen (WA)
Clarke (NY) Larson (CT)
Cleaver Lawrence
Clyburn Lawson (FL)
Cohen Lee (CA)
Connolly Lee (NV)
Cooper Leger Fernandez
Correa Levin (CA)
Costa Levin (MI)
Courtney Lieu
Craig Lofgren
Crist Lowenthal
Crow Luria
Cuellar Lynch
Davids Malinowski
Davis, Danny K. Maloney,
Dean Carolyn B.
DeFazio Maloney, Sean
DeGette Manning
DeLauro Matsui
DelBene McBath
Demings McCollum
DeSaulnier McEachin
Deutch McGovern
Dingell McNeerney
Doggett Meeks
Doyle, Michael Meng
F. Mfume
Escobar Moore (WI)
Eshoo Morelle
Espallat Moulton
Evans Watson Coleman
Fletcher Mrvan
Foster Murphy (FL)
Frankel, Lois Nadler
Gallego Napolitano
Galego Neal
Garamendi Neguse
Garcia (IL) Newman

NAYS—200

Aderholt Bacon
Allen Baird
Amodei Balderson
Armstrong Banks
Arrington Barr
Babin Bentz

Bost Graves (MO)
Brady Green (TN)
Brooks Greene (GA)
Buchanan Griffith
Buck Grothman
Bucshon Guest
Budd Guthrie
Burgess Harris
Calvert Harshbarger
Cammack Hern
Carey Herrell
Carl Herrera Beutler
Carter (GA) Hill
Carter (TX) Hinson
Cawthorn Hollingsworth
Chabot Hudson
Cline Huizenga
Cloud Issa
Clyde Jackson
Cole Jacobs (NY)
Comer Johnson (LA)
Conway Johnson (OH)
Crawford Johnson (SD)
Crenshaw Jordan
Curtis Joyce (OH)
Davidson Joyce (PA)
Davis, Rodney Katko
DesJarlais Keller
Diaz-Balart Kelly (MS)
Donalds Kelly (PA)
Duncan Kim (CA)
Dunn Kustoff
Ellzey LaHood
Emmer LaMalfa
Estes Lamborn
Fallon Latta
Feenstra LaTurner
Ferguson Lesko
Fischbach Letlow
Fitzgerald Long
Fitzpatrick Loudermilk
Fleischmann Luetkemeyer
Flood Mace
Flores Malliotakis
Foxy Mann
Franklin, C. Massie
Scott Mast
Fulcher McCarthy
Gaetz McCaul
Gallagher McClain
Garbarino McClintock
Garcia (CA) McHenry
Gibbs Meijer
Gimenez Meuser
Gohmert Miller (IL)
Gonzales, Tony Miller (WV)
Good (VA) Miller-Meeks
Gooden (TX) Moolenaar
Gosar Mooney
Granger Moore (AL)
Graves (LA) Moore (UT)

NOT VOTING—11

Burchett Hice (GA) McKinley
Cheney Higgins (LA) Smith (MO)
Gonzalez (OH) Kinzinger
Hartzler Lucas Zeldin

□ 1206

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE
RESOLUTION 8, 117TH CONGRESS

Barragán DesJarlais Leger Fernandez
(Correa) (Fleischmann) (Correa)
Boyle, Brendan Fallon (Green
F. (Beyer) (TN)) McEachin
(Beyer)
Brown (MD) Foster Meng (Kuster)
(Evans) (Spanberger) Mfume (Evans)
Carter (LA) Gohmert (Weber Miller (WV)
(Beatty) (TX)) (Mooney)
Carter (TX) Gosar (Gaetz) Moore (WI)
(Weber (TX)) Gottheimer (Beyer)
Castro (TX) (Spanberger) Newman (Beyer)
(Correa) Houlihan Pascarelli
Cawthorn (Gaetz) (Spanberger) (Pallone)
Connolly (Beyer) Kahele (Correa) Pingree (Kuster)
Crist Kind (Beyer) Porter (Neguse)
(Wasserman) Kirkpatrick Salazar (Waltz)
Schultz (Pallone) Sessions (Babin)
Demings (Kelly) Lawson (FL) Sires (Pallone)
(IL) (Evans) Smucker (Keller)

Taylor (McHenry)	Walorski (Fischbach)	Wilson (FL) (Evans)
Thompson (MS) (Bishop (GA))	Williams (GA) (Neguse)	Wilson (SC) (Norman)

ADOPTING CHANGES TO THE STANDING RULES, AND FOR OTHER PURPOSES

The SPEAKER pro tempore (Mrs. LAWRENCE). Pursuant to House Resolution 1232, H. Res. 1230 is hereby adopted.

The text of the resolution is as follows:

H. RES. 1230

Resolved,

SECTION 1. SEPARATE ORDER.

On any legislative day through the remainder of the One Hundred Seventeenth Congress, the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 2. CHANGES TO THE STANDING RULES.

(a) PRIVILEGED REPORTS BY THE COMMITTEE ON RULES.—Clause 6(a) of rule XIII is amended—

(1) in subparagraph (2), by striking “; or” and inserting a semicolon;

(2) by redesignating subparagraph (3) as subparagraph (4); and

(3) by inserting after subparagraph (2) the following new subparagraph:

“(3) when the proposed text of such a report has been made available to Members, Delegates, and the Resident Commissioner prior to the convening of that legislative day; or”.

(b) SUSPENSIONS.—Clause 1(a) of rule XV is amended by striking the second sentence.

SEC. 3. REMOTE VOTING BY PROXY.

Section 3(s) of House Resolution 8 is amended—

(1) in paragraph (2), by striking “and”;

(2) in paragraph (3), by striking the period and inserting “; and”; and

(3) by adding at the end the following new paragraphs:

“(4) any reference to ‘the House’ in sections 1(a) and 2(a)(2)(B) shall be construed to include a reference to the Committee of the Whole House on the State of the Union;

“(5) section 3(a)(1) shall not apply; and

“(6) for purposes of sections 1, 2, and 3 and regulations issued pursuant to section 6, the term ‘Members’ shall include Delegates and the Resident Commissioner and the term ‘state’ shall include territories and the District of Columbia, except that—

“(A) nothing in this paragraph authorizes Delegates or the Resident Commissioner to cast a vote in the House or record their presence in the House; and

“(B) Delegates and the Resident Commissioner may only be designated as a proxy by a Delegate or the Resident Commissioner.”.

RESPECT FOR MARRIAGE ACT

Mr. NADLER. Mr. Speaker, pursuant to House Resolution 1232, I call up the bill (H.R. 8404) to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. TORRES of New York). Pursuant to House Resolution 1232, the bill is considered read.

The text of the bill is as follows:

H.R. 8404

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Respect for Marriage Act”.

SEC. 2. REPEAL OF SECTION ADDED TO TITLE 28, UNITED STATES CODE, BY SECTION 2 OF THE DEFENSE OF MARRIAGE ACT.

Section 1738C of title 28, United States Code, is repealed.

SEC. 3. FULL FAITH AND CREDIT GIVEN TO MARRIAGE EQUALITY.

Chapter 115 of title 28, United States Code, as amended by this Act, is further amended by inserting after section 1738B the following:

“§ 1738C. Certain acts, records, and proceedings and the effect thereof

“(a) IN GENERAL.—No person acting under color of State law may deny—

“(1) full faith and credit to any public act, record, or judicial proceeding of any other State pertaining to a marriage between 2 individuals, on the basis of the sex, race, ethnicity, or national origin of those individuals; or

“(2) a right or claim arising from such a marriage on the basis that such marriage would not be recognized under the law of that State on the basis of the sex, race, ethnicity, or national origin of those individuals.

“(b) ENFORCEMENT BY ATTORNEY GENERAL.—The Attorney General may bring a civil action in the appropriate United States district court against any person who violates subsection (a) for declaratory and injunctive relief.

“(c) PRIVATE RIGHT OF ACTION.—Any person who is harmed by a violation of subsection (a) may bring a civil action in the appropriate United States district court against the person who violated such subsection for declaratory and injunctive relief.

“(d) STATE DEFINED.—In this section, the term ‘State’ has the meaning given such term under section 7 of title 1.”.

SEC. 4. MARRIAGE RECOGNITION.

Section 7 of title 1, United States Code, is amended to read as follows:

“§ 7. Marriage

“(a) For the purposes of any Federal law, rule, or regulation in which marital status is a factor, an individual shall be considered married if that individual’s marriage is valid in the State where the marriage was entered into or, in the case of a marriage entered into outside any State, if the marriage is valid in the place where entered into and the marriage could have been entered into in a State.

“(b) In this section, the term ‘State’ means a State, the District of Columbia, the Commonwealth of Puerto Rico, or any other territory or possession of the United States.

“(c) For purposes of subsection (a), in determining whether a marriage is valid in a State or the place where entered into, if outside of any State, only the law of the jurisdiction applicable at the time the marriage was entered into may be considered.”.

SEC. 5. SEVERABILITY.

If any provision of this Act, or any amendment made by this Act, or the application of such provision to any person, entity, government, or circumstance, is held to be unconstitutional, the remainder of this Act, or any amendment made thereby, or the application of such provision to all other persons, entities, governments, or circumstances, shall not be affected thereby.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees.

The gentleman from New York (Mr. NADLER) and the gentleman from Ohio (Mr. JORDAN) each will control 30 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. NADLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and insert extraneous material on H.R. 8404.

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

There was no objection.

Mr. NADLER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 8404 the Respect for Marriage Act would reaffirm that marriage equality is, and must remain, the law of the land.

Over the past several decades, millions of LGBTQ people in loving and supportive relationships have married and formed families, particularly after the Supreme Court ruled, in *Obergefell v. Hodges*, that the Constitution protects marriage equality.

An estimated 2 million children are being raised by LGBTQ families today. An enormous body of research shows that stable and loving families are the foundation for children’s well-being and success, and children do best when their families have the critical legal protections to care for one another.

Thankfully, marriage equality remains constitutionally protected, and there is no indication that it will be overturned in the foreseeable future. It is—and should forever be considered—settled law.

Nonetheless, the Supreme Court’s recent position in *Dobbs v. Jackson Women’s Health*, which extinguished the constitutional right to abortion, has raised concerns among some people that other rights rooted in the constitutional right to privacy may be at risk, notwithstanding the Court’s assurance that *Dobbs* was limited to abortion. This includes the right to marriage equality.

In fact, in a concurring opinion in *Dobbs*, Justice Clarence Thomas explicitly called on the Court to reconsider its decisions protecting other fundamental rights, including the right to same-sex marriage. And although Justice Thomas did not mention the right to interracial marriage, that right relies on the same constitutional doctrines as the right to same-sex marriage, and, therefore, it could be vulnerable to a legal challenge in the future as well.

Even if we accept the Court’s assurance in *Dobbs* that its decision does not call other rights into question, Congress should provide additional reassurance that marriage equality is a

matter of settled law. All married people who are building their lives together must know that the government will respect and recognize their marriages—for all time.

□ 1215

The Respect for Marriage Act, which I introduced with the co-chairs of the LGBTQ+ Equality Caucus, the chairs of the Congressional Tri-Caucus, and the House Democratic Caucus chair, HAKEEM JEFFRIES, is an updated version of the bill that I first introduced in 2009.

The first provision would repeal the odious Defense of Marriage Act, or DOMA—the 1996 law that discriminates against married same-sex couples. While that law was ruled unconstitutional, it remains on the books, and it must be removed.

The bill would also enshrine marriage equality for Federal law purposes and would ensure that States give full legal effect to valid out-of-state marriages regardless of the sex, race, ethnicity, or national origin of the individuals in the marriage.

This legislation would provide additional stability for the lives that families have built upon the foundation of our fundamental rights. Congress must pass the Respect for Marriage Act to dispel any concern or any uncertainty for families worried by the implications of the Dobbs decision. And it must pass the Respect for Marriage Act to enshrine in law the equality and liberty that our Constitution guarantees.

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

Mr. JORDAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we thought the Democrats were obsessed with President Trump, but Justice Thomas is a close second. This bill is simply the latest installment of the Democrats' campaign to delegitimize and attempt to intimidate the United States Supreme Court.

It started when President Trump nominated Brett Kavanaugh—that was just too much for the left to bear—and they launched a smear campaign in an attempt to derail his nomination.

Then we saw Senator SCHUMER stand on the steps—remember, a leader in the legislative branch—stand on the steps of the Supreme Court, a separate and equal branch of government, and threaten Supreme Court Justices. He said: I want to tell you, Gorsuch; I want to tell you, Kavanaugh, you've released the whirlwind, and you will pay the price. You won't know what hit you if you go forward with these awful decisions.

Just last month, a crazed individual attempted to assassinate Justice Kavanaugh in his home. An assassination attempt on a sitting Justice of the United States Supreme Court.

For months, Democrats on the Judiciary Committee have pursued this narrative that the Supreme Court is somehow illegitimate. Members of the

committee, including the chairman, have introduced a bill to pack the Court to add four associate Justices to our highest court.

The committee has held hearings that can only be interpreted as an attempt to lay the groundwork for an effort to impeach Justice Thomas. Today, the Democrats bring forward a bill that is completely unnecessary.

Why are the Democrats going down this path?

Because, frankly, they have nothing else. We are debating this bill today because it is July of an election year and inflation is at a level not seen in 40 years. It is the highest inflation rate in 41 years. The price of gas, the price of food, the price of daily necessities have skyrocketed. We are debating this bill today because illegal immigration is at unprecedented levels.

Last month, Customs and Border Patrol reported that we have already surpassed the prior years' total for encounters at our southern border, and we still have 3 months left in the fiscal year.

We are debating this bill today because they can't talk about the fact that our country is gripped by an epidemic of violent crime in every major urban area in this country. Every day, Americans are being assaulted, robbed, and murdered in our cities.

We are here because the Democrats have no answers and desperately hope that a manufactured crisis will help them in November. The Democrats want Americans to believe that the Supreme Court at any moment could step in and overturn its opinions in Obergefell and Loving—that is simply not true.

The very decision that Democrats say creates this threat explicitly denies it—explicitly disclaims it. Here is what the court said in the Dobbs decision. The Dobbs decision should not be misunderstood, mischaracterized to cast doubt on precedents that do not concern abortion.

The court condemned the idea that the Dobbs decision would lead to an overturning of other cases, stating, "Perhaps this is designed to stoke unfounded fear that our decision will imperil other rights."

It is this unfounded fear that brings us here today. We are here for a charade; we are here for political messaging. The Democrats can't run on their disastrous record, they can't run on any accomplishments. It is less than 4 months before an election and all Democrats can do is stoke unfounded fears, and so that is why we are here with this bill.

Mr. Speaker, I hope we can defeat it. I hope it doesn't pass. As I said, it is unnecessary and wrong. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the gentleman from Rhode Island (Mr. CICILLINE), the chair of the Equality Caucus and a member of the Judiciary Committee.

Mr. CICILLINE. Mr. Speaker, today's vote is about love. The love that cou-

ples have for each other and the government's role in respecting that love regardless of their sex or race. Same-sex couples and interracial couples get married for the same reason others get married: to make a lifelong commitment to the person they love.

Yet, for too long, our government has rejected that love. They told these couples they were less than—that their marriages weren't valid; that they didn't deserve the affirmation or protections that come with legal recognition.

The Supreme Court made clear in Loving, Windsor, and Obergefell that this rejection of interracial and same-sex couples and their commitment to one another was unconstitutional. Today, we have the opportunity to send a clear message to worried couples that the Federal Government will continue to recognize same-sex and interracial marriages, no matter what the future holds.

To Mr. JORDAN's suggestion that this is not necessary—tell it to the millions of LGBTQ families that are worried about the Supreme Court's intention to rip away more freedoms. They have taken away the freedom to reproductive care. They have hinted at taking away contraception. Justice Thomas urged them to look at marriage equality. This is real for families.

When you talk about inflation, all families are dealing with the cost of fuel and food, but we don't have to layer on top of that another fear about the sanctity of your marriage. This is about a fundamental fairness in our system, ensuring that people can marry the person they love.

If it is not necessary, then vote for it. If you are right that we are worried and we shouldn't be, reaffirm it. But don't hide behind that to justify your refusal to vote for marriage equality in this country, that every single American has the right to marry the person they love.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), a member of the Judiciary Committee.

Ms. JACKSON LEE. Mr. Speaker, I thank the sponsors of this legislation and the leadership of our chairman, and, as well, the millions of families that are, in fact, families.

My good friend from Ohio started out with the litany of violence, of which none of us stands for, we abhor violence. We believe in the freedom of speech and the right to petition. There are countless acts of violence against those who are seeking reproductive freedom and countless acts of violence against the LGBTQ community.

Listen to the violence against transgender parents just trying to help their children, or the violence that started in the early days of this community seeking their freedom and their rights. I know it well from the LGBTQ+ community in Houston and

the Caucus and the leaders who started out in those early years. I know that they suffered from just the simple position that they were different.

Mr. Speaker, I rise in support of the Constitution of the United States of America because that is what the Respect for Marriage Act exemplifies. It exemplifies a recognition of the Constitution. As the legislation says, the full credit and faith to marriage equality.

I believe that our friends have gotten it wrong. There is a constitutional right to privacy. And morally there is a right to love who you love and to establish a family as you desire.

It is horrific to believe that with the elimination of the precedent of 50 years of *Roe v. Wade*, one Justice decided to say, wait, there may be more. There may be an ending to marriage equality. There may be an ending to any number of constitutional rights.

Well, I am here today to say, I support enthusiastically H.R. 8404, the Respect for Marriage Act, codifying the constitutional right to privacy and the constitutional right to marriage.

Mr. Speaker, over and over again, I would ask my colleagues to vote for this legislation.

Mr. Speaker, I am proud to rise in strong support of H.R. 8404, the "Respect for Marriage Act."

This Act would enshrine in federal law marriage equality for same sex and interracial couples.

It would also repeal the discriminatory Defense of Marriage Act (DOMA) of 1996 that problematically defined marriage as between one man and one woman.

The Supreme Court's backwards ruling in *Dobbs v. Jackson Women's Health Organization* that was used to justify overturning the right to abortion could be weaponized in the future to strip away other fundamental rights, including the right to marriage equality.

In his concurring opinion in *Dobbs*, Justice Clarence Thomas explicitly called on the Supreme Court to reconsider its decisions protecting other fundamental rights, including the right to same-sex marriage recognized in *Obergefell v. Hodges*.

Although Justice Thomas conveniently chose not to mention the right to interracial marriage—a right he currently enjoys—that right relies on the same constitutional doctrines as the right to same-sex marriage, and, therefore, could also be on the chopping block.

The night before the *Dobbs* ruling, LGBTQI+ couples and people in interracial relationships went to sleep confident in the legality of their marriages.

They had no reason to believe that the next morning five individuals would pass a ruling that would strip women of their right to abortion and threaten the legality of their marriage unions.

On June 24th, amidst the horror of the Court's ruling against abortion rights, innocent LGBTQI+, Black, and Brown people had to also grapple with the possibility that the legality of their marriages might be violently stripped away.

We cannot and will not allow Republican lawmakers and Conservative Justices to toy with the rights of the American people.

That is why I strongly support the Respect for Marriage Act.

This act would ensure that an individual be considered married as long as the marriage was valid in the state where it was performed.

This ensures that same-sex and interracial couples would continue to enjoy equal treatment under federal law—as the Constitution requires.

This bill would go further by officially repealing the Defense of Marriage Act.

While the Supreme Court effectively rendered DOMA inert with its decision in *Obergefell*, this unconstitutional and discriminatory law, however, still officially remains on the books.

Therefore, H.R. 8404 would repeal DOMA once and for all.

The Respect for Marriage Act would also prohibit any person acting under color of state law from denying full faith and credit to an out-of-state marriage based on the sex, race, ethnicity or national origin of the individuals in the marriage.

It would also authorize the U.S. Attorney General to enforce these protections and would create recourses of action for any individual harmed by a violation of this provision.

If conservative lawmakers and Justices want to wage war against human and civil rights, we are ready to meet them toe for toe.

We will not back down for marriage equality.

We will not back down for racial justice.

We will ensure equal rights for all American people.

I strongly put my full support behind H.R. 8404, the Respect for Marriage Act, and encourage my colleagues to do the same.

Mr. JORDAN. Mr. Speaker, I yield myself such time as I may consume. The gentlewoman used the word "violence." Violence? Fifty crisis pregnancy centers and churches have been attacked in the last 11 weeks—50 in 11 weeks. Think about that.

As I said in my opening statement, the leader of the Senate stood on the steps of the Supreme Court and said to two specific Justices: You have released the whirlwind, and you will pay the price. The Speaker of this body waited 4 weeks to give protection to Supreme Court Justices' families after the left had posted online where her kids go to school, where their family attends church on Sunday morning. And in that interim, during that time after that bill had come out of the Senate unanimously, we had the assassination attempt on one of the Justices—one of the very Justices that the Senate Democrat leader had referenced in his comments on the steps of the Supreme Court.

And, of course, the Attorney General of the United States refuses to prosecute anyone who has protested at those Justices' homes in direct violation of the statute while the case was still pending in front of the court. Directly on point.

So concerns of violence—yeah, we all have concerns. She is right about one thing: We all have concerns about violence. But I just want everyone to understand what is going on as we speak. Fifty pregnancy centers and churches in 11 weeks. I don't know if we have

ever seen anything like that—that kind attack on the pro-life community.

Even so much that a witness who came in front of our committee for the second time—she was here a few months ago and came back the second time. The second time she had to bring security with her because of threats against her life.

Mr. Speaker, I yield such time as he may consume to the gentleman from Louisiana (Mr. JOHNSON), my good friend and the ranking member on the Constitution, Civil Rights and Civil Liberties Subcommittee on the Judiciary Committee.

Mr. JOHNSON of Louisiana. Mr. Speaker, I thank my good friend, a champion for freedom from Ohio (Mr. JORDAN). There is a lot to talk about here today, but I have to comment on what he just led in with and this violence that we supposedly all decry. It is a bit of a double standard, isn't it?

These care pregnancy centers are a vital institution in our country. They are in all 50 States. There are over 2,700 of these centers doing vital work every single day. They help millions of American women every year. They employ and work with over 10,000 medical professionals.

Do you know what their singular goal is?

It is to help women who are in difficult pregnancy situations, to help care for their unborn children. Who in the world could be opposed to that?

You know what?

Senator ELIZABETH WARREN spoke for a lot of our colleagues on the other side last week. She came out and shrieked they needed to be put out of business in her State. They needed to get rid of these centers. It is just incredible.

In the debate on the rule here on this floor in the last couple of hours, I went down the litany of all those 50 occurrences—at least the ones we know about, and there are more—where violence has been perpetrated against these centers—these people who are doing extraordinary work down in the trenches to help their fellow man.

I ran out of time, I could not list all of them and all of the vandalism and the destruction and the Molotov cocktails and the hatred that is spray-painted on the sides of these facilities that are funded, by the way, by churches and nonprofits and individuals who care about the sanctity of every single human life in America. Yet, there is just complete silence on the other side. That is a really sad statement about where we are.

□ 1230

I used to be legal counsel for a number of those care pregnancy centers, so I speak to this with personal experience.

Let me get to the issue of the day. This bill is just another superfluous exercise. This bill is completely and clearly unnecessary.

Do you know what, Mr. Speaker? The sponsors of this bill know that. They

know that we are in a very divisive time in the country, and they are doing this anyway.

This bill is not only unnecessary; it is more of the same. It is yet another effort to delegitimize the Supreme Court. As Mr. JORDAN explained, they have been doing that in earnest. Senator SCHUMER went to the steps of the Supreme Court and infamously called down the whirlwind on Justices Kavanaugh and Gorsuch. By the way, it led to a planned assassination of Justice Kavanaugh, all the lawless protests on their lawns, threatening their children, and doxing the addresses of Supreme Court Justices' children. It is just unconscionable. It is against the law, the plain letter of the law, yet crickets from the other side.

They want to delegitimize the Court. They tried to pack it. They want to put four liberal Justices on the Court because they are concerned about the conservative majority right now. It is a lawless approach and a lawless response to the lawlessness of the radical left. So, this is another effort to delegitimize the Supreme Court.

It is also a continued disregard, an utter and total disregard, for the regular order in this body. I will explain in just a moment why that is so perilous in a situation like this with a bill like this.

It is also more desperation to focus on anything other than their policy failures, which Mr. JORDAN articulated here a few moments ago.

Nonetheless, there is this bill before us today. Clearly, it is about simple fear-mongering. This is a partisan bill to make partisan arguments and to run ads in an election cycle. Do you know why we say that, Mr. Speaker? Because, as Mr. JORDAN said, in the Dobbs opinion, which supposedly precipitated all this, it is clear if you read the opinion that this is not only an unnecessary piece of legislation, but it is divisive and misleading, and they know it. Because why? Anybody can read the opinion for themselves. Justice Alito wrote the majority opinion, of course, and he clarified it.

I am a constitutional law attorney. I used to litigate cases about the Constitution, what it means, and how it should be applied. I did that for 20 years before I got to Congress. Scarcely is there ever language this clear written in a Supreme Court opinion.

Let me give you the quote again, Mr. Speaker, in case anybody missed it, in case you didn't see it or you didn't want to see it. Justice Alito said in the majority opinion: "And to ensure that our decision is not misunderstood or mischaracterized, we emphasize that our decision concerns the constitutional right to abortion and no other right." He continues: "Nothing in this opinion should be understood to cast doubt on precedents that do not concern abortion."

Does everybody hear that? I will say that again: "Nothing in this opinion should be understood to cast doubt on

precedents that do not concern abortion."

Do you know why, Mr. Speaker? Because abortion is a unique area of the law. Abortion is about taking the life of another unborn person, another person, so the Court recognized that this is different and distinct, and everybody knows that. Everybody recognizes that, even Justice Clarence Thomas, whom they have worked so hard to demonize.

If you look at page 119 of the opinion, Mr. Speaker, you can see it for yourself. Justice Thomas said: "The Court's abortion cases are unique . . . and no party has asked us to decide 'whether our entire Fourteenth Amendment jurisprudence must be preserved or revised' . . . Thus, I agree that"—and he quotes Justice Alito—nothing in the Court's opinion "should be understood to cast doubt on precedents that do not concern abortion."

That language is so clear. Anybody in this country can read that and understand obviously and plainly what that means, every civics student, every child. But, apparently, our friends on the other side don't like that language, or they don't want to see it, so they have manufactured this crisis, this de-meaning and divisive debate, trying to reopen Pandora's box that no one has opened except the Democrats.

This is crystal clear. We ought to take a moment to remember, too, what did not happen after the Obergefell ruling that did happen after the Dobbs ruling. Did anybody harass Justice Kennedy at his home after Obergefell was handed down? No. Did conservatives—those who adhere to the Judeo-Christian heritage of the country, Evangelicals, and Catholics—did anybody vandalize businesses to promote their own viewpoints? Absolutely not. Did Republicans call to abolish the filibuster and add Justices to the Court? No, because we respect the institutions of this Nation.

But that is exactly what we are seeing from the left: a death threat on a Justice, endless protests outside the homes of the Justices, threats on their children, and threats to pack the Court.

Mr. Speaker, we live in an extraordinarily divided time, and reopening this policy, which is under no threat of any legislative or judicial body anywhere, seems more like an attempt by Democrats to stoke fear before the November elections rather than bringing the country together.

Mr. Speaker, we could use an effort to bring the country together right now. To that end, since the Democrats refuse to discuss what Americans are most concerned with, I will take just a moment, since we have the moment here, to walk through the failures of the Democrat policies. It is a quick summary. I won't take long on it.

I have been doing townhalls back in my State of Louisiana, and I can tell you what the people are concerned about, Mr. Speaker.

They are concerned about soaring prices in the grocery store, at the gas pump, and their mortgages.

They are concerned about uninhibited illegal immigration at the border and the utter lawlessness that threatens the very sovereignty, safety, and security of our country.

They are deeply concerned about rising crime in our cities.

They are concerned about the stunning incompetence at the most basic functions of government from the Biden administration.

These are what I am hearing back home as I travel the district holding townhalls and talking to constituents. Those constituents sent us here—the voters, the people—to be their Representatives and to work on their behalf, to work on behalf of them and their ability to provide for their families with little government overreach into their lives.

From economic failures at home to failures on the border, the Democrats have time and time again refused to work with Republicans on how to address the issues at hand. Today is just another example. It is just more of the same. Here we go, from one vote on an unnecessary bill that is only being used as a distraction from those failures that I referenced to a vote on a spending bill that will only make those failures worse.

I mentioned that part of the problem here, too, is the Democrats are rushing this bill to the floor outside regular order. They just completely defied regular order. They released the text for this bill only hours before its consideration in the Rules Committee last night. Democrats have held no legislative hearing and no markups on this bill.

We serve on the Judiciary Committee. This would have been within our jurisdiction. They didn't bother to bring it to a committee.

I remember from civics class that they taught us that this is how a bill becomes a law: You go through the process; you go to the committee. We shouldn't even teach that to kids anymore because it doesn't happen here anymore.

But that recklessness, that carelessness, and that defiance of the rules, order, and tradition here have real consequences because one of the consequences in the language of this bill, just one by way of example, is on page 3 of this private right of action clause. It raised a lot of eyebrows. We didn't have time to analyze that, debate it, and thoughtfully talk about that approach. Would that declare open season on religious persons and institutions? I don't know. It is a question a lot of people are asking today, scratching their heads, but, again, we had no opportunity to delve into that, to talk about it, and debate it. Nothing. So, they present this bill, and they drop it on the country.

Again, I just would reiterate, in summary, people back home ask us, there

are lots of problems with things that are going on there, but this particular bill, what is the problem?

I just summarized it by saying that it is unnecessary, divisive, and misleading. What is worse is that the proponents of the legislation know that.

Mr. NADLER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, much of what the prior two speakers said was absolute nonsense. Some was true.

Unfortunately, pregnancy crisis centers have been the targets of terrorism, and that is deplorable. But so have abortion clinics. They didn't mention that. Abortion clinics have also been the targets of terrorism.

The murder of Dr. Bernard Slepian comes to mind. That is equally deplorable, and we should stop both of them if we can.

The rest of what they said was nonsense.

The Supreme Court logic, the substantive due process logic by which the Court overthrew *Roe v. Wade*, applies equally to *Obergefell*, to *Loving*, and to *Lawrence*, in other words, to the right to contraception, to the right to gay marriage, and to the right to interracial marriage, for that matter.

Justice Thomas mentioned all that specifically. Yes, he said, this case doesn't involve that. We are not deciding that yet, which is the portion of his concurrence that Mr. JOHNSON read, but read the rest of his concurrence where he said specifically that we should overrule or reconsider *Obergefell* and *Lawrence*, which is gay marriage, which is consensual sodomy.

He didn't mention *Loving*, though, for some reason, which is interracial marriage. Maybe the fact that he is intermarried and so is Senator McCONNELL had something to do with it. But the same logic applies there, so that is not nonsense.

Note that they offered no argument against this bill at all. We didn't hear anything about the merits of the bill.

Mr. Speaker, I yield 1 minute to the distinguished gentleman from Tennessee (Mr. COHEN), who is a member of the Judiciary Committee.

Mr. COHEN. Mr. Speaker, I am in support of this bill, and I think everybody should be in support of it.

It simply says that each State will recognize the other States' marriages and not deny a person the right to marry based on race, gender, or sexual orientation. It urges the Federal Government to do the same thing.

As far as what the Supreme Court said, that we should listen to this and listen to that, the Senate listened to Gorsuch and Kavanaugh when they said that *Roe v. Wade* is precedent. Do you want to listen to them?

Alito, when he was confirmed, said that *Roe v. Wade* is important precedent. Do you want to listen to him?

Listen to Thomas, who told you that we need to look at these cases, and we need to reconsider them. That is gay marriage. He didn't mention inter-

racial, but it is on the same theory. Of course, he is involved in an interracial marriage. He wouldn't be married to justice Ginni but for the *Loving* decision. He mentioned the other case of *Lawrence*.

We need to be concerned. This bill is an American bill. Everybody should be for it. The only reason to be against it is because you really don't want to go on record of being in favor of those rights that have been extended to Americans and that are potentially in jeopardy.

Mr. JORDAN. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. ROY), who is a member of the Judiciary Committee.

Mr. ROY. Mr. Speaker, I thank the gentleman from Ohio for yielding.

Mr. Speaker, my colleagues on the other side of the aisle paint with a broad brush stroke the language offered by Justice Clarence Thomas, a Justice whom I consider to be a friend, a great defender of the Constitution, and a great member of the United States Supreme Court despite being pilloried by the left and laid out as something other than the great patriot that he is.

In his concurrence, Justice Thomas wrote: "After overruling these demonstrably erroneous decisions, the question would remain whether other constitutional provisions guarantee the myriad rights that our substantive due process cases have generated. For example, we could consider whether any of the rights announced in this Court's substantive due process cases are 'privileges or immunities of citizens of the United States' protected by the Fourteenth Amendment."

Now, we could have a robust debate in the Judiciary Committee about this whole issue. We didn't do that. This bill was dropped on the body yesterday afternoon, an hour and a half before Rules. I went and testified before Rules, but we had no benefit of a debate in Judiciary Committee to have a deep discussion about this issue, about the constitutional implications. Nor did we have the ability to debate the reality that the words that this codifies *Obergefell* and *Loving* are simply false. It does no such thing.

I do think in this case, as the chairman pointed out, that it is a full faith and credit recognition issue, but a lot of the rhetoric coming from the left is that this somehow codifies those two opinions. It does not.

It does not do that because those opinions recognized rights under various legal theories, one of which is substantive due process, which Justice Thomas is pointing out he has concerns with because Justice Thomas has concerns with how we make law and how we recognize law. He has concerns about that, the how. It matters, and that is what Justice Thomas laid out. He never said anything about his conclusion on those specific questions but rather the how.

As my colleague from Ohio and my colleague from Louisiana both ade-

quately laid out, the majority opinion lays out very specifically their view about the implication of the Dobbs opinion on these other recognized rights under the previous precedent of the Court. But I think it merits noting that while we are here talking about the substance of the issue that it does matter when the Court steps in and makes law because we end up where we are right here. We end up in a situation with difficult decisions.

For example, when does life begin? When does it begin? When do we have a duty to protect that life?

We could have a very robust debate here in this body if we ever actually debated on the floor of the people's House, but we don't.

□ 1245

When does life begin? It is a complicated question. My colleagues on the other side of the aisle don't really want to have that discussion, right?

Does life begin at birth?

Does life begin before birth?

You say, Well, it is up to the mother. Well, it is not up to the mother a week after birth. We, society, protect that life, right?

So the debate is: Do you protect that life a week before birth? Do you protect that life at conception? These are actually, difficult complex questions involving faith, involving values, involving life.

But, no, no. We can't have a debate about that here and have a reasoned debate because the Court plucked that out from the people, and the Court manufactured an opinion to define when life begins and how we should deal with it.

Now, we are talking about other issues, talking about marriage. We have had opinions that deal with marriage.

Now, my colleagues on the other side of the aisle want to put forward a bill that is clearly political in nature.

They don't want to talk about inflation. They don't want to talk about wide-open borders. They don't want to talk about rampant crime. They don't want to talk about the state of this country, in decline, heading into a recession, where people are hurting across the country. They don't want to talk about that.

So they bring forward a political bill. And then they want to take different issues and policy choices, marriage, marriage based on race, marriage based on sex, that this body didn't define; that State legislatures did define in varying disagreeable terms across the Nation.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. JORDAN. Mr. Speaker, I yield an additional 2 minutes to the gentleman from Texas.

Mr. ROY. The court steps in in 2015 and now, we are 7 years into recognition of same-sex marriage. And we can have a debate about the policy of that decision, but the Court steps in and says, there you go.

And my colleagues on the other side of the aisle want to purposely, for political reasons, conflate lots of different issues.

And I think it is important that my colleagues on this side of the aisle understand what we are doing here today; that we are going to vote on the recognition of marriage, as a body, as representatives of the people. Okay?

Separate from whatever decision a court may make, we are going to make a decision here about the recognition of marriages across State lines where there are differences of opinion still to this day about how one defines marriage.

In the name of full faith and credit, you will go to the people of Texas, by our elected Representatives, to my Republicans on this side of the aisle, Republicans will be voting on this floor today on the question of whether the Federal Government should tell Texas what marriages they have to recognize, irrespective of what the Court has said.

That is a vote; that is a choice; that is a decision. We should not hide behind the use of the Equal Protection Clause with respect to marriage not being impacted because of race, to then say that marriage must be recognized for same-sex purposes by a vote by the body, by the people.

It is a choice, and we should understand that today, and we should understand what we are voting on since we never had the luxury or the benefit or the responsibility of debating this in the Judiciary Committee where we should have debated it.

Mr. NADLER. Mr. Speaker, I yield myself such time as I may consume.

Much of what the gentleman from Texas just said was irrelevant; but he made one correct point. He said that the bill before us today codifies Obergefell. It does, and if Obergefell is not overruled by the Supreme Court, it is not necessary, but it is also not harmful.

If Obergefell is overruled by the Supreme Court, as Justice Thomas hints it might be, then passing this bill becomes vital.

And as to recognizing marriage in one State or another State, obviously, if you get married in Texas and you go to Nevada, you don't get unmarried. You can't be married in one State and not in another State.

Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. GARCIA).

Ms. GARCIA of Texas. Mr. Speaker, I just want to say that I think we do understand what we are doing here today; and what we are doing is supporting people's right to love and their equal protection under the law, plain and simple.

Extreme, MAGA Republicans continue to weaponize our government institutions, turning them against the people they are called to protect.

The Respect for Marriage Act will make marriage equality the law of the land.

During Pride Month, the extreme Texas GOP openly declared, openly de-

clared, at their convention their homophobia and bigotry as part of their agenda. They are going as far as labelling same-sex couples as having an abnormal lifestyle.

We will not allow this rightwing obsession to impose their personal religious views on people's private lives to go any further.

To my colleagues across the aisle, and to the Texas GOP, marrying the person you love is not abnormal. It is, frankly, none of your business.

Abnormal is your obsession with what other people do in their private lives and in their homes.

"Love is love." "Amor es amor."

Mr. JORDAN. Mr. Speaker, I yield myself such time as I may consume.

The chairman of the full committee is right. This legislation would, in fact, codify Obergefell. But what it would also do is reverse the law in 35 States, where those States have said, marriage should be what—you know—traditional marriage. In fact, in 30 of those 35 States, the people of those respective States went to the ballot and voted for that.

So let's be clear. He is right. You can codify what the Court said in that decision, but it would undo what the people in the respective States, 35 States, either in 5 of those States through their elected Representatives in the legislature, or in 30 of those States where the people went to the voting booth and voted, it would undo that.

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

Mr. NADLER. Mr. Speaker, the Supreme Court, in the Obergefell decision, reversed the actions of the people in those 30 or 35 States.

Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. ESCOBAR).

Ms. ESCOBAR. Mr. Speaker, once again, we have gotten a glimpse into the dark future Republicans have in store for Americans unless we stop them.

The Republican-controlled Supreme Court hasn't just stripped women of the right to determine their own future by overturning *Roe v. Wade*, but Justice Clarence Thomas has invited attacks on access to contraceptives, private intimacy between adults, and marriage equality.

Last week, our House Democratic majority voted to codify *Roe v. Wade*, and this week, the House Democratic majority is here to defend your right to marry who you love. I rise in strong and urgent support of the Respect for Marriage Act.

Republicans are intent on turning back the clock to create a group of second-class citizens with limited rights. When they say they want to send these issues back to the States, that is code for wanting to ensure that State legislative bodies can eradicate civil rights protections.

If you think your hard-earned rights are protected, think again, because Republicans are coming for you. Democrats, however, are with you.

To the American public, take note of our votes, and who is with you and who is not.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the distinguished Speaker of the House.

Ms. PELOSI. Mr. Speaker, I am so honored to see you presiding over this very important legislation. And I thank the gentleman for yielding and for the leadership of bringing this important legislation to the floor. Mr. NADLER has been in the lead on this for decades.

Mr. Speaker, I rise today in strong support for the Respect for Marriage Act, bipartisan and bicameral legislation to enshrine into law a fundamental freedom, the right to marry whomever you choose.

As radical justices and rightwing politicians continue their assault on our basic rights, Democrats believe that the government has no place between you and the person you love.

Let us salute Judiciary Chairman JERRY NADLER for his persistent leadership on this issue. It was 13 years ago, Chairman NADLER, alongside then-Representative, now-Senator TAMMY BALDWIN, Senator DIANNE FEINSTEIN, and others introduced a bill by the same name to repeal the Defense of Marriage Act.

Defense of marriage; proposed by somebody who had been married three times. We don't know which marriage he was defending.

And today, we will finally achieve that long-held goal.

I really don't care how many times somebody is married. I care about how they try to impose their hypocrisy on others.

Thank you also to the Congressional LGBTQ+ Equality Caucus Chair DAVID CICILLINE, and all of the members of the Caucus, for being tireless voices in the fight for full equality.

Mr. Speaker, we are here because just 3 weeks ago, the Republican-controlled Supreme Court overturned *Roe v. Wade*, ripping away a woman's freedom over her most intimate health decisions.

These radical Justices took a wrecking ball to precedent of the court and privacy in the Constitution and placed even more of our cherished freedoms on the chopping block.

Don't take it from me. Indeed, as Associate Justice Clarence Thomas declared in his concurrence, this is what he said. These are his words: "... in future cases, we should reconsider all of this Court's substantive due process precedents, including *Griswold*, *Lawrence*, and *Obergefell*. Because any substantive due process decision is 'demonstrably erroneous,' we have a duty to 'correct the error' established by those precedents."

In total defiance of the precedents of the Supreme Court; in total defiance of what some of the candidates for Justice on the Supreme Court testified

that they supported, precedent. And they voted against it. And now, they want to go after other rights of privacy.

Make no mistake: While his legal reasoning is twisted and unsound, it is crucial that we take Justice Thomas and the extremist movement behind him at their word. This is what they intend to do.

Indeed, just yesterday, a Republican Senator declared that the Obergefell decision was clearly wrong, plainly suggesting rightwing interest in taking aim at marriage equality.

We must act now to defend same-sex and interracial marriages from this bigotry and extremism.

In the wake of the Dobbs decision, with marriage rights now squarely in Republican crosshairs, Democrats are ferociously fighting back.

With the landmark Respect for Marriage Act, we ensure that marriage equality remains the law of the land, now and for generations to come. Importantly, this legislation will repeal the unconstitutional and discriminatory Defense of Marriage Act.

The Republicans knew that the Defense of Marriage Act was unconstitutional when they passed it. You know how I know that? Because shortly thereafter, they introduced a bill to overturn—to make sure that the Defense of Marriage Act was not subjected to judicial review. Some of them proclaimed at that time that *Marbury v. Madison*, which established the principle of judicial review was wrongly decided, and they wanted to rid the process of judicial review from the Defense of Marriage Act, recognizing, admitting that they knew it cannot withstand judicial review.

So while it was sent to—the Defense of Marriage—to the dustbin of history with *United States v. Windsor* and *Obergefell v. Hodges*, our bill finally takes it off the books for good. That way, no future administration or majority in Congress can wield this appalling policy as a weapon against our LGBTQ loved ones.

This legislation also guarantees that no married couple can be denied equal protection under Federal law. This is really very important—from tax provisions to Social Security benefits, and more—even if the Court were to erase marriage freedom, God forbid.

Finally, this legislation blocks States from denying recognition to valid, out-of-state marriages, even if a State were to enact heinous restrictions.

By passing the Respect for Marriage Act today, House Democrats, in a bipartisan, bicameral—and I salute the Chairman for that announcement that he made—take another step to defend freedom for the American people.

□ 1300

Last week, our proud pro-choice, pro-women Democratic majority passed two major bills to restore and protect health freedom.

Our Ensuring Women's Right to Reproductive Freedom Act will ensure that the fundamental right to travel and obtain needed healthcare remains in the hands of the American people, not in those of extreme rightwing politicians which is the future House Republicans' desire.

Our Women's Health Protection Act will, once again, make the protections of *Roe v. Wade* the law of the land.

Later this week, the House will pass the Right to Contraception Act so that every couple may determine the size and timing of their families as protected by *Griswold v. Connecticut*.

Not just couples; people. Contraception. Contraception. Can you believe they are going after contraception? Well, believe it because they have been going after contraception for decades in the Congress.

Now the Associate Justices have given us clear warning that this is in their sights.

The contrast could not be clearer: While Democrats work to protect and expand freedom in our country, Republicans seek to punish and control our most intimate personal decisions.

Mr. Speaker, it is outrageous and unconscionable that today, a radical Republican Party seeks to wind back the clock on decades of hard-fought progress.

As we pass this landmark legislation today, we salute the generations of activists and advocates, organizers and mobilizers, who fought relentlessly to advance the all-American ideal of full equality for all.

I say often that our inside maneuvering can just go so far. The outside mobilization produces the best possible results.

Personally, it is with some emotion that I think about my close friends, the iconic Phyllis Lyon and Del Martin of San Francisco. They were an inspiration to so many of us in San Francisco, in California—indeed, the country—teaching us that equality is not about tolerance. It is about respect. It is about taking pride.

This bill makes crystal clear that every couple and their children—imagine if you are the children of a marriage equality or an interracial couple, and you see the Congress of the United States and the Supreme Court of the United States making an assault on your parents' marriage, how damaging that can be.

This bill makes crystal clear that every couple and their children have the fundamental freedom to take pride in their marriage and have their marriage respected under the law.

With that, I urge a strong—hopefully a strongly bipartisan vote for the Respect of Marriage Act. I, again, salute the chairman for his great work.

Mr. JORDAN. Mr. Speaker, the Speaker of the House just said, "Republicans knew the Defense of Marriage Act was unconstitutional when they passed it."

Did the 118 Democrats who voted for that legislation know the same thing?

Did the President of the United States, President Clinton, when he signed it into law, did he know it was unconstitutional?

I mean, I have heard some ridiculous things said on the House floor in my time here in the United States Congress, but that one—that one—was right up there.

Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. JOHNSON), my good friend.

Mr. JOHNSON of Louisiana. Mr. Speaker, I thank the gentleman for yielding.

We have just been treated to a master class of misinformation. The Speaker also just said, "Can you believe they are going after contraception?"

Give me a break. She knows that is not true. There is not a single Republican even talking about that or any of these other categories of the law. This is designed to divide the country. This bill is a shameful effort at that.

Mr. NADLER, when we were talking about our concerns about the care pregnancy centers being under assault, to make his case that pro-lifers are violent, he referenced the terrible murder of Mr. Slepian, an abortion provider, in 1998. That was a quarter century ago.

We are talking about the last 11 weeks. We have had 50 care pregnancy centers vandalized, attacked with Molotov cocktails, spray-painted, threats being made to Supreme Court Justices. There is no equivocation here at all.

Mr. COHEN implied that the conservative Justices misled the Senate in their confirmation hearings. We have got the receipts on that. It is demonstrably untrue.

Justice Samuel Alito, who wrote the majority opinion in *Dobbs*, said during his 2006 confirmation that *Roe* was "... an important precedent of the Supreme Court."

"It was decided in 1973, so it has been on the books for a long time."

But he declined to call the ruling "settled law."

Justice Thomas, in 1991 in his hearings, he declined to comment on his views on *Roe* at all. He said, "I do not think that at this time that I could maintain my impartiality as a member of the Judiciary and comment on that specific case."

Justice Gorsuch, 2017 confirmation hearings, he said *Roe* was "... a precedent of the U.S. Supreme Court. It was reaffirmed in *Casey* in 1992 and in several other cases."

"So a good judge will consider it as precedent of the U.S. Supreme Court worthy as treatment of precedent like any other."

However, he refused to signal how he would rule in future cases on abortion.

Justice Kavanaugh, 2018 confirmation hearings, echoed Gorsuch by saying that *Roe* was an "important precedent," but he indicated during his confirmation that he would be open to overturning "settled law," including

Roe, citing a long list of past Supreme Court cases.

Justice Barrett, she was much more reserved on the Roe precedent.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. JORDAN. Mr. Speaker, I yield an additional 1 minute to the gentleman from Louisiana (Mr. JOHNSON).

Mr. JOHNSON of Louisiana. Mr. Speaker, in her confirmation hearings in 2020, she said she was committed to obeying "all the rules of stare decisis," promising that "if a question comes up before me about whether Casey or any other case should be overruled, that I will follow the law of stare decisis, applying it as the Court is articulating it, applying all the factors, reliance, workability, being undermined by later facts in law, just all the standard factors." "I promise to do that for any issue that comes up."

She said that she had to remain neutral on it as an umpire, as they all did.

The record is clear. The quotes are there. Anybody can Google this. What they are presenting here on this floor is not true. It is demonstrably untrue, and they are doing it for partisan purposes. Every time they talk, they reaffirm our position on that.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New York (Mr. JONES), a member of the Judiciary Committee.

Mr. JONES. Mr. Speaker, I rise today because the far-right 6-3 majority on the Supreme Court is on a rampage against basic freedoms currently enjoyed by the American people.

In his concurring opinion in *Dobbs*, Justice Clarence Thomas gave us a heads-up that the Court is next coming for the ability of same-sex couples to get married.

I am one of only nine openly gay members of this body. For me, this is personal. I still remember where I was on June 24, 2011, the day the New York State legislature passed marriage equality.

I was living with my friends in New York City, but I was still closeted, and I was so afraid, still, that someone might find out the truth about my being gay.

So, instead, I closed the door to my room and cried tears of joy by my lonesome. Finally, my home State of New York had recognized me as a full human being, affirmed all of those scary, yet beautiful feelings that I had bottled up inside for decades; wondering, hoping one day that the world would change.

Four years later, the Supreme Court's decision in *Obergefell* sent this same message to millions of LGBTQ+ Americans. I remember being struck then by the words of Justice Kennedy who authored the opinion.

"It would misunderstand these men and women to say they disrespect the idea of marriage. Their plea is that they do respect it, respect it so deeply that they seek to find its fulfillment for themselves. Their hope is not to be

condemned to live in loneliness, excluded from one of civilization's oldest institutions. They ask only for equal dignity in the eyes of the law."

Well, since *Obergefell*, nearly 300,000 same-sex couples have been married. Imagine telling the next generation of Americans—my generation—that we no longer have the right to marry who we love. Congress can't allow that to happen.

I am proud to introduce along with my colleagues, including Representative NADLER, the Respect for Marriage Act, which would codify the right to marriage equality under Federal law, but we have to do more than that. We have to expand the Supreme Court of the United States to protect fundamental rights once and for all.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from New York, (Mr. SEAN PATRICK MALONEY).

Mr. SEAN PATRICK MALONEY of New York. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, the Republicans want to talk about anything but marriage equality today. It is almost like they don't have any good arguments to make on marriage equality.

Mr. Speaker, my husband, Randy, and I have been together for 30 years. We have raised three remarkable kids from diapers to college diplomas. During all those years, during all that time together, we have only been legally married since 2014. We had a 22-year engagement before an 8-year marriage.

When I was elected as a Member of Congress in 2012, my husband, Randy, couldn't have health insurance through this body. His spouse ID said companion on it, and we had to fight to get him one of these security pins we all wear.

But through hard work and a historic coalition, through great allies and partnerships, love won. On the day the Supreme Court decided we had equality rights for marriage in this country, a bunch of us stood in front of the Court and sang the national anthem because it is a beautiful thing when your country catches up to you.

Today, we are going to vote for the Respect for Marriage Act to decide and to make clear whether or not we will go back.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. NADLER. Mr. Speaker, I yield an additional 30 seconds to the gentleman from New York (Mr. SEAN PATRICK MALONEY).

Mr. SEAN PATRICK MALONEY of New York. Mr. Speaker, whether or not every American, despite their race or their sexuality, has the freedom to marry the person they love; it is a simple choice, and I know where I stand. Every Member of Congress will get to stand and be counted today, and you can choose between equality or discrimination.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California (Ms. CHU).

Ms. CHU. Mr. Speaker, I rise today in strong support of the Respect for Marriage Act to enshrine the right to marry the person you love under Federal law by repealing the discriminatory Defense of Marriage Act.

In the wake of the Supreme Court's overturning of *Roe v. Wade*, the doors have been swung wide open for unelected judges to further strip protections from the American people.

This crucial bill reaffirms our commitment to a promise of equality for all, erasing further discrimination still on the books against same-sex marriage, and protecting the constitutional right to marriage equality, including interracial marriage. We will not allow the clock to be rolled back even further.

Mr. Speaker, it is imperative we pass the Respect for Marriage Act.

Mr. JORDAN. Mr. Speaker, I yield back the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Wisconsin (Mr. POCAN).

Mr. POCAN. Mr. Speaker, this is a simple bill—whether or not you support current law on marriage in this country, which includes for the LGBT and the interracial couples across the Nation.

My friend from Ohio said this bill is unnecessary. This bill is very necessary because the extremist-packed Supreme Court recently took away a half a century of law on Roe.

In that decision, Justice Clarence Thomas said they should revisit marriage equality. We have people in this House and in the Senate, like Senator TED CRUZ, who have said the exact same thing.

Here is what I want, I want to make sure that my husband, Phil, can visit me in the hospital, should I have to go back again, like when I had a triple bypass a few years ago.

I want to ensure my husband has my earned benefits for retirement and Social Security. I want to make sure that my husband is taken care of just like your spouses are taken care of.

If I was the entity on the other side of the aisle, I would be more concerned when my own Member is accused of having cocaine-fueled orgies than worrying about the morality of my marriage.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Texas (Mr. ALLRED).

Mr. ALLRED. Mr. Speaker, we hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are Life, Liberty, and the pursuit of happiness.

With these words, our Founders summed up the entire theory of what

has become our constitutional Republic. But since the Supreme Court's ruling overturning *Roe v. Wade*, we have seen inalienable rights, like the right to choose how and who to form a family with, openly questioned by Justices on the Supreme Court and rightwing politicians.

Mr. Speaker, love is love. It took us far too long to recognize the right for same-sex couples to marry. Within 7 years since it was, millions of Americans have come to expect that they, too, will be able to fall in love and marry the person of their choosing.

What right could be more foundational? Their marriages, their family, their right to life, liberty, and the pursuit of happiness is worth protecting, and that is why I will proudly vote for the Respect for Marriage Act.

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Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New Jersey (Mr. NORCROSS).

Mr. NORCROSS. Mr. Speaker, before us is a bill, the Respect for Marriage Act.

I woke up this morning, got ready to come over to the Capitol, and as I often do, I glanced over to pictures of my family, and I glanced to a picture of my 9-month-old grandson. I couldn't be happier about the newest addition to our family. I couldn't be prouder of the two people who brought him into the world, my daughter Corey and her wife Hedy.

When my daughter told me she wanted to get married, I told her what every good parent should tell their children, that if this is the person you want to spend the rest of your life with, I couldn't be happier for you.

Shortly after that announcement of wanting to get married, my daughter had some terrible news. Her fiancée just found out she had breast cancer. With decisions facing them, they decided to get married right away.

Given all the complications that come with managing treatment, the decision to get married quickly was incredibly important. As I stood at their wedding, in a U.S. court, with a Federal judge presiding over their union, I knew it was only made possible because of a recent Supreme Court decision.

Today, we consider that legislation. That same Court has opened the door to dismantling families like mine, splitting this little guy's family apart potentially. We can't let that happen.

We are talking about marriage, two committed people, to make sure they have a secure family, and all we have to do is vote "yes." Don't complicate the issue. It is that simple.

I don't speak about the religious beliefs of my colleagues, but I have to ask: What God would find fault in this baby and his two mommies? There is nothing wrong with this. This is pure love. It is what we all should aspire to.

Mr. Speaker, I urge my colleagues to vote "yes" so we are equal in all States.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Rhode Island (Mr. LANGEVIN).

Mr. LANGEVIN. Mr. Speaker, I rise in strong support of H.R. 8404, the Respect for Marriage Act.

Like many Americans, I was deeply disturbed by Justice Thomas' opinion in *Dobbs v. Jackson*, which actually named marriage equality as the next piece of settled case law that he is intent on destroying.

Let's face it, marriage equality is at risk in America, and we must pass legislation to enshrine the right to marry for same sex and interracial couples before it is too late.

Early in my career, when I was a State representative, I supported legislation to ban discrimination based on sexual orientation. I remember discussing this bill with my late father, who grew up during the civil rights movement. He was no activist, but he firmly believed that all Americans should be entitled to equal civil rights.

Just like the Jim Crow laws, which legalized discrimination, that existed during his lifetime, he believed that our Nation's discriminatory treatment of LGBTQ Americans would mark a shameful chapter in our Nation's history.

When the Supreme Court legalized marriage equality, we turned a page granting equal protection under the law for all Americans, no matter who they love. But now I fear that future is no longer guaranteed.

Mr. Speaker, I urge my colleagues on both sides of the aisle to support this bill so that marriage equality remains the law of the land.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I am prepared to close, and I reserve the balance of my time.

Mr. JORDAN. Mr. Speaker, as I said at the outset and the gentleman from Louisiana (Mr. JOHNSON) and the gentleman from Texas (Mr. ROY) have said, we think this legislation is unnecessary.

Justice Alito was very clear—again, it has been read several times—the *Dobbs* decision should not be misunderstood or mischaracterized to cast doubt on precedents that do not concern abortion.

The Court couldn't have been clearer. The *Obergefell* decision undid what 35 States have as law in their respective States. Thirty of those States it was the vote of the people, as I said before. But this legislation is going to, I guess, just go after the decision of the respective States, and, as I said, the voters in those States.

I think it is also, as we have indicated, a further effort to intimidate the Court. We have had Senator SCHUMER's statements on the Supreme

Court steps, we have had the AG's inaction with regard to protestors at Justices' homes, and, of course, we have had the Democrats' introduction of a bill to add four Associate Justices to the Supreme Court to pack the Court, and not focus on some of the things that are so pressing.

I mean, Mr. JOHNSON was right when he talked about 50 attacks on churches and pro-life crisis pregnancy centers in 11 weeks. That last clause is important. In that short a time frame, that sustained effort by the left to go after the pro-life community and places of worship is as wrong as it gets. I would love to have a hearing on that issue and what actions we might be able to take to help stop that because that is not supposed to happen in our great country.

Mr. Speaker, I urge a "no" vote on the legislation, and I yield back the balance of my time.

Mr. NADLER. Mr. Speaker, the Respect for Marriage Act provides additional stability for the millions of American married couples and families that have ordered their lives around the constitutional guarantee of marriage equality. It has nothing to do with attacks on abortion clinics. It has nothing to do with attacks on so-called pregnancy crisis centers. It has to do with marriage.

This legislation repeals an unconstitutional and discriminatory statute that the Court has effectively rendered inoperative, but which remains on the books. It is time to appeal this abhorrent law and fix the mistake that Congress made a generation ago while we reinforce and cement current law.

As I pointed out before, the *Obergefell* decision is a decision of the Supreme Court. If that decision is not overturned, this bill is unnecessary but harmless. If that decision is overturned, this bill is crucial, and we don't know what this Court is going to do. Despite what Justice Alito said, Justice Thomas suggested that the decision on gay marriage ought to be overruled.

We have seen this Court overrule other precedent in *Dobbs*, so who can be confident that the Court will not overturn the *Lawrence* decision or, rather, the *Obergefell* decision? Who can be confident of that? The answer is no one.

As to the gentleman from Ohio's comment that the people in, I think he said, 33 States or whatever have decided that gay marriage should not be, and it should be up to the people of each State, that is absurd. And that is why we have one of the provisions of this bill. You can't be married in Texas and not be married in New York or vice versa. You can't lose your marriage status by crossing a State line.

This legislation is very necessary to make sure that people have the right to remain married, that gay couples have the right to get married, have the right to stay married, and that is why leading national organizations have endorsed the bill, including the ACLU,

the Equality Federation, Family Equality Council, Freedom for All Americans, GLAAD, the Human Rights Campaign, Lambda Legal, The Leadership Conference on Civil and Human Rights, the National Black Justice Coalition, the National Center for Lesbian Rights, the National Women's Law Center, and PFLAG. They know what is going on. They know what is at stake.

Mr. Speaker, this is a long overdue bill. I urge my colleagues to support it, and I yield back the balance of my time.

Mr. HOYER. Mr. Speaker, the Supreme Court's ruling in *Dobbs v. Jackson* demonstrated not only the extremist majority of justices' disregard for constitutional precedent; it also showed their disregard for the individual liberties of the American people. As if depriving women of their constitutional right to reproductive health care weren't enough, Justice Thomas' concurring opinion specifically opened the door to the overturning of *United States v. Windsor* and *Obergefell v. Hodges*—and implicitly we can read this to mean *Loving v. Virginia* as well. These cases established constitutional protections for same-sex and interracial marriage in America.

Today, 1.1 million Americans arc in same-sex marriages. Almost ten times as many are in interracial marriages. One of the very first votes I took as a young state senator in Maryland after my first election to public office was to repeal our state's vile and racist anti-miscegenation law. That was in 1967, five years after the Supreme Court's decision in *Loving v. Virginia*. Fifty-five years have now passed since that ruling. It has been nine and seven years, respectively, since the *Windsor* and *Obergefell* rulings. Americans have become used to knowing that they have a constitutional right to equal marriage. Indeed, American women had gotten used to the security of knowing that they had a constitutional right to reproductive choice for forty-nine years until last month.

Just as was the case with the immediate aftermath of the *Dobbs* ruling, at least thirty-five states already have laws or amendments in their state constitution that would outlaw same-sex marriage if *Obergefell* were overturned. We must do everything in our power to ensure that Republican-controlled state legislatures don't have the opportunity to restrict the rights of LGBTQ or interracial couples in America. Neither government officials nor Supreme Court justices should be able to decide that consenting American adults cannot marry. That's why I'm bringing the Respect for Marriage Act to the Floor today to codify the marriage equality precedents set by *Loving*, *Windsor*, and *Obergefell* into federal statute.

I want to thank Chairman NADLER, Rep. CICILLINE, all the Co-Chairs of the LGBTQ+ Equality Caucus, Chairwoman BEATTY, Chairman RUIZ, Chairwoman CHU, and Democratic Caucus Chairman JEFFRIES for taking the lead on this crucial legislation.

We cannot afford to underestimate the risk to marriage equality. We cannot afford to be complacent and take for granted the rights we have under the constitution as Americans. The millions of same-sex and interracial couples throughout the United States should not have to live with the fear that extremist Supreme Court justices—who act as though they are

legislators—could end legal recognition for their families or prevent millions of others from being able to build families with equal legal status. They deserve the assurance that their marriages will always be recognized in every city, county, and state across the country. That is the overwhelming consensus of the American people, and it is the clear view of our constitution.

I urge my colleagues to join me in voting 'yes' on this legislation to protect and respect marriages across our country.

Ms. LEE of California. Mr. Speaker, I rise today to support the Respect for Marriage Act of 2022. Thank you to Judiciary Chair JERROLD NADLER for introducing H.R. 8404, LGBTQ+ Equality Caucus Chair DAVID CICILLINE, and Tri-Caucus Chairs for your leadership to fight for equal rights for all communities.

Everyone should have the equal right to marry whomever they love—whatever their identity, race or ethnicity.

While the Supreme Court ruled the discriminatory Defense of Marriage Act unconstitutional, in the wake of the Court's decision to overturn *Roe*, we cannot rely on the Court alone to protect our rights. First, they attacked our reproductive rights, but next, they'll attack our right to marriage. What's next?

It is unconscionable that any person should face a situation where their marriage is threatened or rendered invalid because of the dangerous whims of the few who want to take this country backwards.

Mr. Speaker, I urge the entire House to support this bill, protect our right to marriage, and defend our people from the senseless assault on our liberties.

The SPEAKER pro tempore. Pursuant to House Resolution 1232, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. JORDAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Adrian Swann, one of his secretaries.

MOTION TO SUSPEND THE RULES AND PASS CERTAIN BILLS

Ms. DELAURO. Mr. Speaker, pursuant to section 9 of House Resolution 1232, I move to suspend the rules and

pass, H.R. 1286, H.R. 2024, H.R. 3222, H.R. 6337, and H.R. 7002.

The Clerk read the titles of the bills. The text of the bills are as follows:

SOUTHERN CAMPAIGN OF THE REVOLUTION
NATIONAL HERITAGE CORRIDOR ACT OF 2021
H.R. 1286

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Southern Campaign of the Revolution National Heritage Corridor Act of 2021".

SEC. 2. DEFINITIONS.

In this Act:

(1) NATIONAL HERITAGE CORRIDOR.—The term "National Heritage Corridor" means the Southern Campaign of the Revolution National Heritage Corridor established by section 3(a).

(2) LOCAL COORDINATING ENTITY.—The term "Local Coordinating Entity" means the local coordinating entity for the National Heritage Corridor.

(3) MANAGEMENT PLAN.—The term "management plan" means the management plan for the National Heritage Corridor required under section 5(a).

(4) MAP.—The term "map" means the map entitled "Southern Campaign of the Revolution Proposed National Heritage Corridor", numbered 257/177.271, and dated September 2021.

(5) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(6) STATES.—The term "States" means the States of South Carolina and North Carolina.

SEC. 3. ESTABLISHMENT OF SOUTHERN CAMPAIGN OF THE REVOLUTION NATIONAL HERITAGE CORRIDOR.

(a) IN GENERAL.—There is established the Southern Campaign of the Revolution National Heritage Corridor in the States of North Carolina and South Carolina, as generally depicted on the map.

(b) LOCAL COORDINATING ENTITY.—The University of South Carolina shall serve as the local coordinating entity for the National Heritage Corridor.

SEC. 4. ADMINISTRATION.

(a) AUTHORITIES.—For purposes of carrying out the management plan for the National Heritage Corridor, the Secretary acting through the local coordinating entity may use amounts made available under this Act—

(1) to make grants to the States or a political subdivision of the States, Indian Tribes, nonprofit organizations, and other persons;

(2) to enter into cooperative agreements with, or provide technical assistance to, the States or a political subdivision of the States, Indian Tribes, nonprofit organizations, and other interested parties;

(3) to hire and compensate staff, which shall include individuals with expertise in natural, cultural, and historical resources protection and heritage programming;

(4) to obtain money or services from any source, including any money or services that are provided under any other Federal law or program, provided that any money specifically authorized for National Heritage areas shall be subject to a 50 percent cost-share requirement;

(5) to contract for goods or services; and

(6) to undertake or be a catalyst for any other activity that furthers the purposes of the National Heritage Corridor and is consistent with the approved management plan.

(b) DUTIES.—The local coordinating entity for the National Heritage Corridor shall—

(1) in accordance with section 5, prepare and submit a management plan for the National Heritage Corridor to the Secretary;

(2) assist Federal agencies, the States or a political subdivision of the States, Indian Tribes, regional planning organizations, nonprofit organizations, and other interested parties in carrying out the approved management plan by—

(A) carrying out programs and projects that recognize, protect, and enhance important resource values in the National Heritage Corridor;

(B) establishing and maintaining interpretive exhibits and programs in the National Heritage Corridor;

(C) developing recreational, interpretive, and educational opportunities in the National Heritage Corridor;

(D) increasing public awareness of, and appreciation for, natural, historical, scenic, and cultural resources of the National Heritage Corridor;

(E) protecting and restoring historic sites and buildings in the National Heritage Corridor that are consistent with the themes of the National Heritage Corridor;

(F) ensuring that clear, consistent, and appropriate signs identifying points of public access and sites of interest are posted throughout the National Heritage Corridor; and

(G) promoting a wide range of partnerships among the Federal Government, State, Tribal, and local governments, organizations, and individuals to further the purposes of the National Heritage Corridor;

(3) consider the interests of diverse units of government, businesses, organizations, and individuals in the National Heritage Corridor in the preparation and implementation of the management plan;

(4) conduct meetings open to the public not less frequently than semiannually regarding the development and implementation of the management plan; and

(5) for any year that Federal funds have been received under this Act—

(A) submit to the Secretary an annual report that describes the activities, expenses, and income of the local coordinating entity (including grants to any other entities during the year that the report is made);

(B) make available to the Secretary for audit all records relating to the expenditure of the funds and any matching funds; and

(C) encourage by appropriate means economic viability that is consistent with the National Heritage Corridor.

(c) **PROHIBITION ON THE ACQUISITION OF REAL PROPERTY.**—The local coordinating entity shall not use Federal funds to acquire real property or any interest in real property.

SEC. 5. MANAGEMENT PLAN.

(a) **IN GENERAL.**—Not later than 3 years after the date of enactment of this Act, the local coordinating entity shall submit to the Secretary for approval a proposed management plan for the National Heritage Corridor.

(b) **REQUIREMENTS.**—The management plan shall—

(1) incorporate an integrated and cooperative approach for the protection, enhancement, and interpretation of the natural, cultural, historic, scenic, and recreational resources of the National Heritage Corridor;

(2) take into consideration Federal, State, local, and Tribal plans and treaty rights;

(3) include—

(A) an inventory of—

(i) the resources located in the National Heritage Corridor; and

(ii) any other property in the National Heritage Corridor that—

(I) is related to the themes of the National Heritage Corridor; and

(II) should be preserved, restored, managed, or maintained because of the significations of the property;

(B) comprehensive policies, strategies, and recommendations for conservation, funding, management, and development of the National Heritage Corridor;

(C) a description of the actions that the Federal Government, State, Tribal, and local governments, private organizations, and individuals have agreed to take to protect the natural, historical, cultural, scenic, and recreational resources of the National Heritage Corridor;

(D) a program of implementation for the management plan by the local coordinating entity that includes a description of—

(i) actions to facilitate ongoing collaboration among partners to promote plans for resource protection, restoration, and construction; and

(ii) specific commitments for implementation that have been made by the local coordinating entity or any unit of government, organization, or individual for the first 5 years of operation;

(E) the identification of sources of funding for carrying out the management plan;

(F) analysis and recommendations for means by which Federal, State, local, and Tribal programs, including the role of the National Park Service in the Corridor, may best be coordinated to carry out this Act; and

(G) an interpretative plan for the National Heritage Corridor; and

(4) recommend policies and strategies for resource management that consider and detail the application of appropriate land and water management techniques, including the development of intergovernmental and interagency cooperative agreements to protect the natural, historical, cultural, educational, scenic, and recreational resources of the National Heritage Corridor.

(c) **DEADLINE.**—If a proposed management plan is not submitted to the Secretary by the date that is 3 years after the date of enactment of this Act, the local coordinating entity shall be ineligible to receive additional funding under this Act until the date that the Secretary receives and approves the management plan.

(d) **APPROVAL OR DISAPPROVAL OF MANAGEMENT PLAN.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of receipt of the management plan under section 5, the Secretary, in consultation with States and Tribal governments, shall approve or disapprove the management plan.

(2) **CRITERIA FOR APPROVAL.**—In determining whether to approve the management plan, the Secretary shall consider whether—

(A) the local coordinating entity is representative of the diverse interests of the National Heritage Corridor, including Federal, State, Tribal, and local governments, natural and historic resources protection organizations, educational institutions, businesses, recreational organizations;

(B) the local coordinating entity has afforded adequate opportunity, including public hearings, for public and governmental involvement in the preparation of the management plan; and

(C) the resource preservation and interpretation strategies contained in the management plan would adequately protect the natural, historical, and cultural resources of the National Heritage Corridor.

(3) **ACTION FOLLOWING DISAPPROVAL.**—If the Secretary disapproves the management plan, the Secretary shall—

(A) advise the local coordinating entity in writing of the reasons for the disapproval;

(B) make recommendations for revisions to the management plan; and

(C) not later than 180 days after the receipt of any proposed revision of the management plan from the local coordinating entity, approve or disapprove the proposed revision.

(4) **AMENDMENTS.**—

(A) **IN GENERAL.**—The Secretary shall approve or disapprove each amendment to the management plan that the Secretary determines make a substantial change to the management plan.

(B) **USE OF FUNDS.**—The local coordinating entity shall not use Federal funds to carry out any amendments to the management plan until the Secretary has approved the amendments.

SEC. 6. RELATIONSHIP TO OTHER FEDERAL AGENCIES.

(a) **IN GENERAL.**—Nothing in this Act affects the authority of a Federal agency to provide technical or financial assistance under any other law.

(b) **CONSULTATION AND COORDINATION.**—The head of any Federal agency planning to con-

duct activities that may have an impact on the National Heritage Corridor is encouraged to consult and coordinate the activities with the Secretary and the local coordinating entity to the maximum extent practicable.

(c) **OTHER FEDERAL AGENCIES.**—Nothing in this section—

(1) modifies, alters, or amends any law or regulation authorizing a Federal agency to manage Federal land under the jurisdiction of the Federal agency;

(2) limits the discretion of a Federal land manager to implement an approved land use plan within the boundaries of the National Heritage Corridor; or

(3) modifies, alters, or amends any authorized use of Federal land under the jurisdiction of a Federal agency.

SEC. 7. PRIVATE PROPERTY AND REGULATORY PROTECTIONS.

Nothing in this Act—

(1) abridges the rights of any property owner (whether public or private), including the right to refrain from participating in any plan, project, program, or activity conducted within the National Heritage Corridor;

(2) requires any property owner—

(A) to permit public access (including access by Federal, State, or local agencies) to the property of the property owner; or

(B) to modify public access or use of property of the property owner under any other Federal, State, or local law;

(3) alters any duly adopted land use regulation, approved land use plan, or other regulatory authority of any Federal, State, Tribal, or local agency;

(4) conveys any land use or other regulatory authority to the local coordinating entity;

(5) authorizes or implies the reservation or appropriation of water or water rights;

(6) enlarges or diminishes the treaty rights of any Indian Tribe within the National Heritage Corridor;

(7) diminishes—

(A) the authority of the States to manage fish and wildlife, including the regulation of fishing and hunting, within the National Heritage Corridor; or

(B) the authority of Indian Tribes to regulate members of Indian Tribes with respect to fishing, hunting, and gathering in the exercise of treaty rights; or

(8) creates any liability, or affects any liability under any other law, of any private property owner with respect to any person injured on the private property.

SEC. 8. EVALUATION AND REPORT.

(a) **IN GENERAL.**—For the National Heritage Corridor, not later than 3 years before the date specified under section 9, the Secretary shall—

(1) conduct an evaluation of the accomplishments of the National Heritage Corridor; and

(2) prepare a report in accordance with subsection (c).

(b) **EVALUATION.**—An evaluation conducted under subsection (a)(1) shall—

(1) assess the progress of the local coordinating entity with respect to—

(A) accomplishing the purposes of the National Heritage Corridor; and

(B) achieving the goals and objectives of the approved management plan for the National Heritage Corridor;

(2) analyze the investments of the Federal Government, State, Tribal, and local governments, and private entities in the National Heritage Corridor to determine the impact of the investments; and

(3) review the management structure, partnership relationships, and funding of the National Heritage Corridor for purposes of identifying the critical components for sustainability of the National Heritage Corridor.

(c) **REPORT.**—Based on the evaluation conducted under subsection (a)(1), the Secretary shall submit to the Committee on Energy and

Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that includes recommendations for the future role of the National Park Service, if any, with respect to the National Heritage Corridor.

SEC. 9. TERMINATION OF AUTHORITY.

The authority of the Secretary to provide assistance under this Act terminates on the date that is 15 years after the date of enactment of this Act.

SOUTHERN MARYLAND NATIONAL HERITAGE AREA ACT H.R. 2024

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Southern Maryland National Heritage Area Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) **NATIONAL HERITAGE AREA.**—The term “National Heritage Area” means the Southern Maryland National Heritage Area established by section 3(a).

(2) **LOCAL COORDINATING ENTITY.**—The term “Local Coordinating Entity” means the local coordinating entity for the National Heritage Area designated by this Act.

(3) **MANAGEMENT PLAN.**—The term “management plan” means the management plan for the Heritage Area required under section 5(a).

(4) **MAP.**—The term “map” means the map entitled “Southern Maryland National Heritage Area Proposed Boundary”, numbered 672/177,225, and dated August 2021.

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

(6) **STATE.**—The term “State” means the State of Maryland.

SEC. 3. ESTABLISHMENT OF SOUTHERN MARYLAND NATIONAL HERITAGE AREA.

(a) **IN GENERAL.**—There is established the Southern Maryland National Heritage Area in the State of Maryland, to consist of land in St. Mary’s, Calvert, Charles, and Prince George’s Counties in the State, as generally depicted on the map.

(b) **LOCAL COORDINATING ENTITY.**—The Tri-County Council for Southern Maryland shall serve as the local coordinating entity for the National Heritage Area designated by subsection (a).

SEC. 4. ADMINISTRATION.

(a) **AUTHORITIES.**—For purposes of carrying out the management plan for the National Heritage Area, the Secretary acting through the Local Coordinating Entity may use amounts made available under section 9—

(1) to make grants to the State or a political subdivisions of the State, Indian Tribes, nonprofit organizations, and other persons;

(2) to enter into cooperative agreements with, or provide technical assistance to, the State or a political subdivision of the State, Indian Tribes, nonprofit organizations, and other interested parties;

(3) to hire and compensate staff, which shall include individuals with expertise in natural, cultural, and historical resources protection and heritage programming;

(4) to obtain money or services from any source, including any money or services that are provided under any other Federal law or program, provided that any money specifically authorized for National Heritage areas shall be subject to a 50 percent cost-share requirement;

(5) to contract for goods or services; and

(6) to undertake or be a catalyst for any other activity that furthers the purposes of the National Heritage Area and is consistent with the approved management plan.

(b) **DUTIES.**—The Local Coordinating Entity shall—

(1) in accordance with section 5, prepare and submit a management plan for the National Heritage Area to the Secretary;

(2) assist Federal agencies, the State or a political subdivision of the State, Indian Tribes, regional planning organizations, nonprofit organizations, and other interested parties in carrying out the approved management plan by—

(A) carrying out programs and projects that recognize, protect, and enhance important resource values in the National Heritage Area;

(B) establishing and maintaining interpretive exhibits and programs in the National Heritage Area;

(C) developing recreational, interpretive, and educational opportunities in the National Heritage Area;

(D) increasing public awareness of, and appreciation for, natural, historical, scenic, and cultural resources of the National Heritage Area;

(E) protecting and restoring historic sites and buildings in the National Heritage Area that are consistent with the themes of the National Heritage Area;

(F) ensuring that clear, consistent, and appropriate signs identifying points of public access and sites of interest are posted throughout the National Heritage Area; and

(G) promoting a wide range of partnerships among the Federal Government, State, Tribal, and local governments, organizations, and individuals to further the purposes of the National Heritage Area;

(3) consider the interests of diverse units of government, businesses, organizations, and individuals in the National Heritage Area in the preparation and implementation of the management plan;

(4) conduct meetings open to the public not less frequently than semiannually regarding the development and implementation of the management plan; and

(5) for any year that Federal funds have been appropriated to carry out this Act—

(A) submit to the Secretary an annual report that describes the activities, expenses, and income of the Local Coordinating Entity (including grants to any other entities during the year that the report is made);

(B) make available to the Secretary for audit all records relating to the expenditure of the funds and any matching funds; and

(C) encourage by appropriate means economic viability that is consistent with the National Heritage Area.

(c) **PROHIBITION ON THE ACQUISITION OF REAL PROPERTY.**—The Local Coordinating Entity shall not use Federal funds to acquire real property or any interest in real property.

SEC. 5. MANAGEMENT PLAN.

(a) **IN GENERAL.**—Not later than 3 years after the date of enactment of this Act, the Local Coordinating Entity shall submit to the Secretary for approval a proposed management plan for the National Heritage Area.

(b) **REQUIREMENTS.**—The management plan shall—

(1) incorporate an integrated and cooperative approach for the protection, enhancement, and interpretation of the natural, cultural, historic, scenic, and recreational resources of the National Heritage Area;

(2) take into consideration Federal, State, local, and Tribal plans and treaty rights;

(3) include—

(A) an inventory of—

(i) the resources located in the National Heritage Area; and

(ii) any other property in the National Heritage Area that—

(I) is related to the themes of the National Heritage Area; and

(II) should be preserved, restored, managed, or maintained because of the significance of the property;

(B) comprehensive policies, strategies, and recommendations for the conservation, funding, management, and development of the National Heritage Area;

(C) a description of activities that the Federal Government, State, Tribal, and local governments, private organizations, and individuals have agreed to carry out to protect the natural, historical, cultural, scenic, and recreational resources of the National Heritage Area;

(D) a program of implementation for the management plan by the Local Coordinating Entity that includes a description of—

(i) actions to facilitate ongoing collaboration among partners to promote plans for resource protection, restoration, and construction; and

(ii) specific commitments for implementation that have been made by the Local Coordinating Entity or any unit of government, organization, or individual for the first 5 years of operation;

(E) the identification of sources of funding for carrying out the management plan;

(F) analysis and recommendations for means by which Federal, State, local, and Tribal programs, including the role of the National Park Service in the National Heritage Area, may best be coordinated to carry out this Act; and

(G) an interpretive plan for the National Heritage Area; and

(4) recommend policies and strategies for resource management that consider and detail the application of appropriate land and water management techniques, including the development of intergovernmental and interagency cooperative agreements to protect the natural, historical, cultural, educational, scenic, and recreational resources of the National Heritage Area.

(c) **DEADLINE.**—If a proposed management plan is not submitted to the Secretary by the date that is 3 years after the date of enactment of the Act, the Local Coordinating Entity shall be ineligible to receive additional funding under this Act until the date on which the Secretary approves the management plan.

(d) **APPROVAL OR DISAPPROVAL OF MANAGEMENT PLAN.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of receipt of the management plan under this section, the Secretary, in consultation with State and Tribal governments, shall approve or disapprove the management plan.

(2) **CRITERIA FOR APPROVAL.**—In determining whether to approve the management plan, the Secretary shall consider whether—

(A) the Local Coordinating Entity is representative of the diverse interests of the National Heritage Area, including Federal, State, Tribal, and local governments, natural and historic resource protection organizations, educational institutions, businesses, and recreational organizations;

(B) the Local Coordinating Entity has afforded adequate opportunity, including public hearings, for public and governmental involvement in the preparation of the management plan; and

(C) the resource protection and interpretation strategies contained in the management plan, if implemented, would adequately protect the natural, historical, and cultural resources of the National Heritage Area.

(3) **ACTION FOLLOWING DISAPPROVAL.**—If the Secretary disapproves the management plan under paragraph (1), the Secretary shall—

(A) advise the Local Coordinating Entity in writing of the reasons for the disapproval;

(B) make recommendations for revisions to the management plan; and

(C) not later than 180 days after the receipt of any proposed revision of the management plan from the Local Coordinating Entity, approve or disapprove the proposed revision.

(4) **AMENDMENTS.**—

(A) **IN GENERAL.**—The Secretary shall approve or disapprove each amendment of the management plan that the Secretary determines make a substantial change to the management plan.

(B) **USE OF FUNDS.**—The Local Coordinating Entity shall not use Federal funds authorized by this Act to carry out any amendment to the management plan until the Secretary has approved the amendment.

SEC. 6. RELATIONSHIP TO OTHER FEDERAL AGENCIES.

(a) **IN GENERAL.**—Nothing in this Act affects the authority of a Federal agency to provide technical or financial assistance under any other law.

(b) **CONSULTATION AND COORDINATION.**—The head of any Federal agency planning to conduct activities that may have an impact on the National Heritage Area is encouraged to consult and coordinate the activities with the Secretary and the Local Coordinating Entity to the maximum extent practicable.

(c) **OTHER FEDERAL AGENCIES.**—Nothing in this Act—

(1) modifies, alters, or amends any law or regulations authorizing a Federal agency to manage Federal land under the jurisdiction of the Federal agency;

(2) limits the discretion of a Federal land manager to implement an approved land use plan within the boundaries of the National Heritage Area; or

(3) modifies, alters, or amends any authorized use of Federal land under the jurisdiction of a Federal agency.

SEC. 7. PRIVATE PROPERTY AND REGULATORY PROTECTIONS.

Nothing in this Act—

(1) abridges the rights of any property owner (whether public or private), including the right to refrain from participating in any plan, project, program, or activity conducted within the National Heritage Area;

(2) requires any property owner—

(A) to permit public access (including access by Federal, State, or local agencies) to the property of the property owner; or

(B) to modify public access or use of property of the property owner under any other Federal, State, or local law;

(3) alters any duly adopted land use regulation, approved land use plan, or other regulatory authority of any Federal, State, Tribal, or local agency;

(4) conveys any land use or other regulatory authority to the Local Coordinating Entity;

(5) authorizes or implies the reservation or appropriation of water or water rights;

(6) enlarges or diminishes the treaty rights of any Indian Tribe within the National Heritage Area;

(7) diminishes—

(A) the authority of the State to manage fish and wildlife, including the regulation of fishing and hunting, within the National Heritage Area; or

(B) the authority of Indian Tribes to regulate members of Indian Tribes with respect to fishing, hunting, and gathering in the exercise of treaty rights; or

(8) creates any liability, or affects any liability under any other law, of any private property owner with respect to any person injured on the private property.

SEC. 8. EVALUATION AND REPORT.

(a) **IN GENERAL.**—For the National Heritage Area, not later than 3 years before the date specified under section 9, the Secretary shall—

(1) conduct an evaluation of the accomplishments of the National Heritage Area; and

(2) prepare a report in accordance with subsection (c).

(b) **EVALUATION.**—An evaluation conducted under subsection (a)(1) shall—

(1) assess the progress of the Local Coordinating Entity with respect to—

(A) accomplishing the purposes of the National Heritage Area; and

(B) achieving the goals and objectives of the approved management plan for the National Heritage Area;

(2) analyze the investments of the Federal Government, State, Tribal, and local governments, and private entities in the National Heritage Area to determine the impact of the investments; and

(3) review the management structure, partnership relationships, and funding of the National Heritage Area for purposes of identifying the critical components for sustainability of the National Heritage Area.

(c) **REPORT.**—Based on the evaluation conducted under subsection (a)(1), the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that includes recommendations for the future role of the National Park Service, if any, with respect to the National Heritage Area.

SEC. 9. TERMINATION OF AUTHORITY.

The authority of the Secretary to provide assistance under this Act terminates on the date that is 15 years after the date of enactment of this Act.

ALABAMA BLACK BELT NATIONAL HERITAGE
AREA ACT
H.R. 3222

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Alabama Black Belt National Heritage Area Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) **NATIONAL HERITAGE AREA.**—The term “National Heritage Area” means the Alabama Black Belt National Heritage Area established by section 3(a).

(2) **LOCAL COORDINATING ENTITY.**—The term “local coordinating entity” means the local coordinating entity for the National Heritage Area.

(3) **MANAGEMENT PLAN.**—The term “management plan” means the management plan for the National Heritage Area prepared under section 5(a).

(4) **MAP.**—The term “map” means the map entitled “Alabama Black Belt Proposed National Heritage Area”, numbered 258/177,272, and dated September 2021.

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

(6) **STATE.**—The term “State” means the State of Alabama.

SEC. 3. ESTABLISHMENT OF ALABAMA BLACK BELT NATIONAL HERITAGE AREA.

(a) **IN GENERAL.**—There is established the Alabama Black Belt National Heritage Area in the State of Alabama, to consist of land in Bibb, Bullock, Butler, Choctaw, Clarke, Conecuh, Dallas, Greene, Hale, Lowndes, Macon, Marengo, Monroe, Montgomery, Perry, Pickens, Sumter, Washington, and Wilcox counties in the State, as generally depicted on the map.

(b) **LOCAL COORDINATING ENTITY.**—The Center for the Study of the Black Belt at the University of West Alabama shall serve as the local coordinating entity for the National Heritage Area.

SEC. 4. ADMINISTRATION.

(a) **AUTHORITIES.**—For purposes of carrying out the management plan for the National Heritage Area, the Secretary acting through the local coordinating entity may use amounts made available under this Act—

(1) to make grants to the State or a political subdivision of the State, Indian Tribes, nonprofit organizations, and other persons;

(2) to enter into cooperative agreements with, or provide technical assistance to, the State or a political subdivision of the State, Indian Tribes, nonprofit organizations, and other interested parties;

(3) to hire and compensate staff, which shall include individuals with expertise in natural, cultural, and historical resources protection and heritage programming;

(4) to obtain money or services from any source, including any money or services that are provided under any other Federal law or program, provided that any money specifically au-

thorized for National Heritage areas shall be subject to a 50 percent cost-share requirement;

(5) to contract for goods or services; and

(6) to undertake or be a catalyst for any other activity that furthers the purposes of the National Heritage Area and is consistent with the approved management plan.

(b) **DUTIES.**—The local coordinating entity for the National Heritage Area shall—

(1) in accordance with section 5, prepare and submit a management plan for the National Heritage Area to the Secretary;

(2) assist Federal agencies, the State or a political subdivision of the State, Indian Tribes, regional planning organizations, nonprofit organizations, and other interested parties in carrying out the approved management plan by—

(A) carrying out programs and projects that recognize, protect, and enhance important resource values in the National Heritage Area;

(B) establishing and maintaining interpretive exhibits and programs in the National Heritage Area;

(C) developing recreational, interpretive, and educational opportunities in the National Heritage Area;

(D) increasing public awareness of, and appreciation for, natural, historical, scenic, and cultural resources of the National Heritage Area;

(E) protecting and restoring historic sites and buildings in the National Heritage Area that are consistent with the themes of the National Heritage Area;

(F) ensuring that clear, consistent, and appropriate signs identifying points of public access and sites of interest are posted throughout the National Heritage Area; and

(G) promoting a wide range of partnerships among the Federal Government, State, Tribal, and local governments, organizations, and individuals to further the purposes of the National Heritage Area;

(3) consider the interests of diverse units of government, businesses, organizations, and individuals in the National Heritage Area in the preparation and implementation of the management plan;

(4) conduct meetings open to the public not less frequently than semiannually regarding the development and implementation of the management plan;

(5) for any year that Federal funds have been received under this Act—

(A) submit to the Secretary an annual report that describes the activities, expenses, and income of the local coordinating entity (including grants to any other entities during the year that the report is made);

(B) make available to the Secretary for audit all records relating to the expenditure of the funds and any matching funds; and

(C) encourage by appropriate means economic viability that is consistent with the National Heritage Area.

(c) **PROHIBITION ON THE ACQUISITION OF REAL PROPERTY.**—The local coordinating entity shall not use Federal funds to acquire real property or any interest in real property.

SEC. 5. MANAGEMENT PLAN.

(a) **IN GENERAL.**—Not later than 3 years after the date of enactment of this Act, the local coordinating entity of the National Heritage Area shall submit to the Secretary for approval a proposed management plan for the National Heritage Area.

(b) **REQUIREMENTS.**—The management plan shall—

(1) incorporate an integrated and cooperative approach for the protection, enhancement, and interpretation of the natural, cultural, historic, scenic, and recreational resources of the National Heritage Area;

(2) take into consideration Federal, State, local, and Tribal plans and treaty rights;

(3) include—

(A) an inventory of—

(i) the resources located in the National Heritage Area; and

(ii) any other property in the National Heritage Area that—

(I) is related to the themes of the National Heritage Area; and

(II) should be preserved, restored, managed, or maintained because of the significance of the property;

(B) comprehensive policies, strategies, and recommendations for the conservation, funding, management, and development of the National Heritage Area;

(C) a description of activities that the Federal Government, State, Tribal, and local governments, private organizations, and individuals have agreed to carry out to protect the natural, historical, cultural, scenic, and recreational resources of the National Heritage Area;

(D) a program of implementation for the management plan by the local coordinating entity that includes a description of—

(i) actions to facilitate ongoing collaboration among partners to promote plans for resource protection, restoration, and construction; and

(ii) specific commitments for implementation that have been made by the local coordinating entity or any unit of government, organization, or individual for the first 5 years of operation;

(E) the identification of sources of funding for carrying out the management plan;

(F) analysis and recommendations for means by which Federal, State, local, and Tribal programs, including the role of the National Park Service in the National Heritage Area, may best be coordinated to carry out this Act; and

(G) an interpretive plan for the National Heritage Area; and

(4) recommend policies and strategies for resource management that consider and detail the application of appropriate land and water management techniques, including the development of intergovernmental and interagency cooperative agreements to protect the natural, historical, cultural, educational, scenic, and recreational resources of the National Heritage Area.

(c) **DEADLINE.**—If a proposed management plan is not submitted to the Secretary by the date that is 3 years after the date of enactment of this Act, the local coordinating entity shall be ineligible to receive additional funding under this Act until the date on which the Secretary approves the management plan.

(d) **APPROVAL OR DISAPPROVAL OF MANAGEMENT PLAN.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of receipt of the management plan under this section, the Secretary, in consultation with State and Tribal governments, shall approve or disapprove the management plan.

(2) **CRITERIA FOR APPROVAL.**—In determining whether to approve the management plan, the Secretary shall consider whether—

(A) the local coordinating entity is representative of the diverse interests of the National Heritage Area, including the Federal, State, Tribal, and local governments, natural and historic resource protection organizations, educational institutions, businesses, and recreational organizations;

(B) the local coordinating entity has afforded adequate opportunity, including public hearings, for public and governmental involvement in the preparation of the management plan; and

(C) the resource protection and interpretation strategies contained in the management plan, if implemented, would adequately protect the natural, historical, and cultural resources of the National Heritage Area.

(3) **ACTION FOLLOWING DISAPPROVAL.**—If the Secretary disapproves the management plan under paragraph (1), the Secretary shall—

(A) advise the local coordinating entity in writing the reasons for the disapproval;

(B) make recommendations for revisions to the management plan; and

(C) not later than 180 days after the receipt of any proposed revision of the management plan

from the local coordinating entity, approve or disapprove the proposed revision.

(4) **AMENDMENTS.**—

(A) **IN GENERAL.**—The Secretary shall approve or disapprove each amendment to the management plan that the Secretary determines make a substantial change to the management plan.

(B) **USE OF FUNDS.**—The local coordinating entity shall not use Federal funds to carry out any amendment to the management plan until the date on which the Secretary has approved the amendment.

SEC. 6. RELATIONSHIP TO OTHER FEDERAL AGENCIES.

(a) **IN GENERAL.**—Nothing in this Act affects the authority of a Federal agency to provide technical or financial assistance under any other law.

(b) **CONSULTATION AND COORDINATION.**—The head of any Federal agency planning to conduct activities that may have an impact on the National Heritage Area is encouraged to consult and coordinate the activities with the Secretary and the local coordinating entity to the maximum extent practicable.

(c) **OTHER FEDERAL AGENCIES.**—Nothing in this Act—

(1) modifies, alters, or amends any law or regulations authorizing a Federal agency to manage Federal land under the jurisdiction of the Federal agency;

(2) limits the discretion of a Federal land manager to implement an approved land use plan within the boundaries of the National Heritage Area; or

(3) modifies, alters, or amends any authorized use of Federal land under the jurisdiction of a Federal agency.

SEC. 7. PRIVATE PROPERTY AND REGULATORY PROTECTIONS.

Nothing in this Act—

(1) abridges the rights of any property owner (whether public or private), including the right to refrain from participating in any plan, project, program, or activity conducted within the National Heritage Area;

(2) requires any property owner—

(A) to permit public access (including access by Federal, State, or local agencies) to the property of the property owner; or

(B) to modify public access or use of property of the property owner under any other Federal, State, or local law;

(3) alters any duly adopted land use regulation, approved land use plan, or other regulatory authority of any Federal, State, Tribal, or local agency;

(4) conveys any land use or other regulatory authority to the local coordinating entity;

(5) authorizes or implies the reservation or appropriation of water or water rights;

(6) enlarges or diminishes the treaty rights of any Indian Tribe within the National Heritage Area;

(7) diminishes—

(A) the authority of the State to manage fish and wildlife, including the regulation of fishing and hunting, within the National Heritage Area; or

(B) the authority of Indian Tribes to regulate members of Indian Tribes with respect to fishing, hunting, and gathering in the exercise of treaty rights; or

(8) creates any liability, or affects any liability under any other law, of any private property owner with respect to any person injured on the private property.

SEC. 8. EVALUATION AND REPORT.

(a) **IN GENERAL.**—For the National Heritage Area, not later than 3 years before the date specified under section 9, the Secretary shall—

(1) conduct an evaluation of the accomplishments of the National Heritage Area; and

(2) prepare a report in accordance with subsection (c).

(b) **EVALUATION.**—An evaluation conducted under subsection (a)(1) shall—

(1) assess the progress of the local coordinating entity with respect to—

(A) accomplishing the purposes of the National Heritage Area; and

(B) achieving the goals and objectives of the approved management plan for the National Heritage Area;

(2) analyze the investments of the Federal Government, State, Tribal, and local governments, and private entities in the National Heritage Area to determine the impact of the investments; and

(3) review the management structure, partnership relationships, and funding of the National Heritage Area for purposes of identifying the critical components for sustainability of the National Heritage Area.

(c) **REPORT.**—Based on the evaluation conducted under subsection (a)(1), the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that includes recommendations for the future role of the National Park Service, if any, with respect to the National Heritage Area.

SEC. 9. TERMINATION OF AUTHORITY.

The authority of the Secretary to provide assistance under this Act terminates on the date that is 15 years after the date of enactment of this Act.

BIKING ON LONG-DISTANCE TRAILS ACT

H.R. 6337

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Biking on Long-Distance Trails Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) **FEDERAL RECREATIONAL LANDS.**—The term “Federal recreational lands” has the meaning given the term “Federal recreational lands and waters” in section 802(5) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801(5)).

(2) **LONG-DISTANCE BIKE TRAIL.**—The term “long-distance bike trail” means a continuous route, consisting of 1 or more trails or rights-of-way, that—

(A) is not less than 80 miles in length;

(B) primarily makes use of dirt or natural surface trails;

(C) may require connections along paved or other improved roads;

(D) does not include Federal recreational lands where mountain biking or related activities are not consistent with management requirements for those Federal recreational lands; and

(E) to the maximum extent practicable, makes use of trails and roads that were on Federal recreational lands on or before the date of the enactment of this Act.

(3) **SECRETARIES.**—The term “Secretaries” means the Secretary of the Interior and the Secretary of Agriculture, acting jointly.

(4) **SECRETARY CONCERNED.**—The term “Secretary concerned” means the following:

(A) The Secretary of the Interior, with respect to Federal recreational lands under the jurisdiction of that Secretary.

(B) The Secretary of Agriculture, with respect to Federal recreational lands under the jurisdiction of that Secretary.

SEC. 3. LONG-DISTANCE BIKE TRAILS ON FEDERAL RECREATIONAL LANDS.

(a) **IDENTIFICATION OF LONG-DISTANCE TRAILS.**—Not later than 18 months after the date of the enactment of this Act, the Secretaries shall identify—

(1) not fewer than 10 long-distance bike trails that make use of trails and roads in existence on the date of the enactment of this Act; and

(2) not fewer than 10 areas in which there is an opportunity to develop or complete a trail that would qualify as a long-distance bike trail.

(b) **PUBLIC COMMENT.**—*The Secretaries shall—*
(1) develop a process to allow members of the public to comment regarding the identification of trails and areas under subsection (a); and

(2) consider the identification, development, and completion of long-distance bike trails in a geographically equitable manner.

(c) **MAPS, SIGNAGE, AND PROMOTIONAL MATERIALS.**—*For any long-distance bike trail identified under subsection (a), the Secretary concerned may—*

(1) publish and distribute maps, install signage, and issue promotional materials; and

(2) coordinate with stakeholders to leverage any non-Federal resources necessary for the stewardship, development, or completion of trails.

(d) **REPORT.**—*Not later than 2 years after the date of the enactment of this Act, the Secretaries, in partnership with interested organizations, shall prepare and publish a report that lists the trails identified under subsection (a), including a summary of public comments received in accordance with the process developed under subsection (b).*

(e) **CONFLICT AVOIDANCE WITH OTHER USES.**—*The Secretary concerned shall ensure that each long-distance bike trail or area identified under subsection (a)—*

(1) does not conflict with—

(A) the uses, before the date of the enactment of this Act, of any trail or road that is part of that long-distance bike trail;

(B) multiple-use areas where biking, hiking, horseback riding, or use by pack and saddle stock are existing uses on the date of the enactment of this Act;

(C) the purposes for which any trail was or is established under the National Trails System Act (16 U.S.C. 1241 et seq.); and

(D) any area managed under the Wilderness Act (16 U.S.C. 1131 et seq.); and

(2) complies with land use and management plans of the Federal recreational lands that are part of that long-distance bike trail.

GATEWAY SOLIDARITY ACT

H.R. 7002

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Gateway Solidarity Act”.

SEC. 2. ILLUMINATION OF THE GATEWAY ARCH IN SUPPORT OF UKRAINE.

To show support and solidarity with the Ukrainian people, the Secretary of the Interior shall illuminate the Gateway Arch in St. Louis, Missouri, by blue and yellow lights—

(A) in 2022, within 15 days following enactment of this act, for no fewer than 5 consecutive days; and

(B) annually on August 24, in recognition of Ukrainian Independence Day, until the President reports to Congress that the government of the Russian Federation has ceased its destabilizing activities with respect to the sovereignty and territorial integrity of Ukraine.

The SPEAKER pro tempore. Pursuant to House Resolution 1232, the ordering of the yeas and nays on postponed motions to suspend the rules with respect to such measures is vacated to the end that all such motions are considered as withdrawn.

The question is on the motion offered by the gentlewoman from Connecticut (Ms. DELAURO) that the House suspend the rules and pass the bills.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. JORDAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2023

GENERAL LEAVE

Ms. DELAURO. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 8294.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Connecticut?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 1232 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 8294.

The Chair appoints the gentlewoman from North Carolina (Ms. MANNING) to preside over the Committee of the Whole.

□ 1329

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 8294) making appropriations for the Departments of Transportation, and Housing and Urban Development, and Related Agencies for the fiscal year ending September 30, 2023, and for other purposes, with Ms. MANNING in the chair.

The Clerk read the title of the bill.

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

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

The gentlewoman from Connecticut (Ms. DELAURO) and the gentlewoman from Texas (Ms. GRANGER) each will control 30 minutes.

The Chair recognizes the gentlewoman from Connecticut.

□ 1330

Ms. DELAURO. Madam Chair, I yield myself such time as I may consume.

Over this last year, Congress began to restore our investments after the years of disinvestment that working families, the middle class, and vulnerable people believe was wrong. Spending has favored the biggest corporations and special interests, which got heard first in Washington. But hard-working Americans are still paying high taxes and have not seen a pay increase in years.

The spike in the cost of living, gas prices, and rent are blows to so many. That has guided our priorities, and it has guided these bills.

In the Appropriations Committee, we were determined to put together bills that ensure we offset the rise in prices produced by blocked supply chains, the greed of oil companies, and the Russian invasion of Ukraine.

H.R. 8294, the package of the six 2023 appropriations bills before us, provides the critical funding America needs. Instead of catering to big corporations and the wealthy, we uphold our commitment with this legislation that helps lower the cost of living, creates American jobs, gives working families a better shot, and supports small businesses. As we do so, we tackle our Nation's and the world's toughest crises.

We reach some of our most vulnerable Americans by funding the programs that keep roofs over the heads of millions and keep food on the tables of millions more. We strengthen nutrition assistance through WIC, food stamps, and child nutrition programs like school meals. We increase access to affordable housing with rental assistance programs and improve the safety and living conditions of those in public housing. We also expand opportunities for families with support for homeownership programs.

These bills help invigorate rural communities as we expand broadband, strengthen water programs in rural areas, and invest in single-family home loans.

We support Native Americans and honor the Federal Government's responsibilities to Native families by investing in strong and resilient Tribal communities, including through housing, education, and healthcare programs.

We also transform the ways we meet the needs of our veterans, who deserve and who have earned our support, including the 9.2 million veterans who rely on the VA for their healthcare, by increasing funding for medical programs. For the first time ever, we put VA medical care into its own funding category so that funding for veterans does not have to compete with other critical programs.

Supporting those who protect us also means protecting servicemembers and their families and communities all over our Nation. We invest in our national security and improve our military readiness through robust investments in critical military installations at home and abroad and in the well-being of our servicemembers and their families.

At the same time, we also make our communities safer by supporting victims while fighting crime, violence, and corruption.

This package strengthens our capacity to work for all Americans. We ensure the IRS has the resources to crack down on big corporations and the wealthy who do not pay their fair share and provide better customer service to families navigating the tax system. We protect consumers with more funding for critical consumer protection agencies by strengthening our food safety

infrastructure, including oversight of the baby formula industry.

We do this while bolstering economic development in distressed communities and strengthening our economy and our economic growth by supporting small businesses and entrepreneurs as they pursue the American Dream. We create jobs and put Americans to work rebuilding our infrastructure. We help small businesses grow and thrive, foster the green energy jobs of tomorrow, and support a skilled and growing workforce.

We confront the existential threat of climate change and strengthen our resiliency on various fronts, including by investing in cleaner, safer, and more affordable American energy, advancing climate science, conserving our land and water, expanding environmental enforcement, and embracing stronger environmental justice efforts.

Finally, with inclusion of nearly 2,700 community project funding requests totaling over \$6 billion, we are directly meeting the needs of Americans everywhere in ways that will have a profound and lasting impact.

When taken together, this package meets the moment at a time when so many want to see critical changes in our priorities. It reaches every corner of our Nation to give hardworking Americans, the middle class, and the vulnerable a better shot. I urge my colleagues to support these bills.

I thank the subcommittee staff, led by our clerks, for all of their work: Christina Monroe with the Transportation, and Housing and Urban Development, and Related Agencies Subcommittee; Martha Foley with the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittee; Scott McKee with the Energy and Water Development, and Related Agencies Subcommittee; Matt Smith with Financial Services and General Government Subcommittee; Rita Culp with the Interior, Environment, and Related Agencies Subcommittee; and Jenny Neuscheler with the Military Construction, Veterans Affairs, and Related Agencies Subcommittee.

I also thank all the subcommittee chairs and ranking members for their efforts and their dedication to these efforts. Interior, Environment, and Related Agencies Subcommittee Chair PINGREE is not here today, but I specifically thank her for her work. This bill makes transformative investments in our environment, and this is in large part because of her relentless advocacy.

Madam Chair, I urge support for the bill, and I reserve the balance of my time.

Ms. GRANGER. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I rise today in opposition to H.R. 8294, a package of six appropriations bills.

As we sit here today, inflation is 9.1 percent above last year, the highest it has been in more than 40 years. Econo-

mists recommend that American households budget an extra \$5,000 this year to cover rising prices. That is over \$400 a month. Many families simply can't afford this.

Under this administration, prices of everyday goods are skyrocketing. For example, gas prices hit an unprecedented \$5 a gallon; energy services, like electricity and natural gas, are up 19 percent; and groceries have increased over 12 percent, the highest jump since 1979.

Americans are paying more for just about everything. The social spending pushed by Members on the other side of the aisle is a key driver of today's inflation. Simply put, record-high spending by the government means record-high prices for the American people. Unfortunately, the bills before us do not reduce spending or reflect the economic realities we face.

Many of these bills receive double-digit percentage increases, including a 70 percent increase for Financial Services and General Government, an 18 percent increase for Interior-Environment, and a 12.2 percent increase for Transportation-Housing and Urban Development.

At a time when Americans are struggling to pay for gas and groceries, the Federal Government should be reducing spending. We should prioritize core responsibilities, such as our national security, and we must cut extravagant social programs.

In addition to my concerns about funding levels, the policies proposed in these bills do not reflect a bipartisan agreement. In particular, the bills before us today drop longstanding pro-life protections that prevent taxpayer funding for abortions. The bills allow for the closure and transfer of dangerous criminals from Guantanamo Bay to the United States and worsen our Nation's energy crisis.

Just a few months ago, we were able to come to an agreement and enact the fiscal year 2022 appropriations bills. Those bills continued longstanding policies supported in the past by Members of both parties and drop new controversial provisions. I hope we will be able to do the same this year so that those bills can get to the President's desk and be signed into law.

Madam Chair, I urge a "no" vote, and I reserve the balance of my time.

Ms. DELAURO. Madam Chair, I yield 4 minutes to the gentlewoman from Ohio (Ms. KAPTUR), the chairwoman of the Subcommittee on Energy and Water Development, and Related Agencies.

Ms. KAPTUR. Madam Chair, I thank Chair DELAURO very much for her indefatigable leadership of this committee in service to the American people. I also thank Ranking Member GRANGER, as well as the dedicated staff. Special plaudits to Ranking Member SIMPSON, a hardworking, serious Member of Congress who devotes his considerable talents to real challenges facing our Nation.

Our 2023 Energy and Water bill takes a significant step forward to secure American energy independence, rebuild critical infrastructure, foster scientific innovation, and sustain life on our corner of Mother Earth.

We meet at a time when Lake Mead, once the largest water reservoir in the United States, is now at record-low levels due to a punishing Western drought across seven States that is sucking the Colorado River dry. London, England, has experienced its hottest day at 104 degrees, and forest fires are raging now across Europe and in our Nation, as well.

Madam Chair, 6,600 wildland firefighters and support personnel are containing 85 large fires and complexes that have already burned over 3 million acres in 13 of our States. Fourteen new large fires have been reported, seven in Texas, two in Alaska, two in Washington, and one each in Arizona, California, and Idaho.

In addition, Putin's unjust war against Ukraine crystalizes how essential having a comprehensive energy independence strategy is for our Nation, for our economy, and surely for our security.

America has been making great progress since the Department of Energy was established in 1977, but we are not at home plate in energy independence. With this bill, we are rounding second base and running hard toward third on our way to home plate. We are diversifying across many energy sectors that hold promise and are climate-friendly: advanced nuclear, hydrogen, solar, and wind, but also thermal heat recapture, conservation, and so much more.

In traditional sectors since 2010, oil production has doubled, and natural gas production is about 60 percent higher. But, of course, those supplies are finite. We must advance to infinite energy sources for the long haul of our country and world.

Our bill invests over \$56 billion for America's energy and water priorities while supporting good-paying jobs across the country. Key investments include \$48.2 billion for the Department of Energy, \$3.3 billion above enacted. Within the Department of Energy, as our citizens experience water shortages, wildfires, and fiercer weather events, energy efficiency and renewable energy receive record funding of \$4 billion—yes, an \$800 million increase above enacted. We live in unusual times.

That includes a new office of State and community energy programs that receives \$562 million to increase energy affordability at a time of inflation and transform our energy economy by working more cooperatively with State, local, and community-level partners.

ARPA-E receives \$550 million, \$100 million above enacted, to literally invent a new energy future for this country.

The Office of Science receives \$8 billion, \$525 million above enacted, which

is so vital to America's energy innovation and research in the physical sciences.

The new Defense Production Act Domestic Clean Energy Accelerator receives \$100 million to expand domestic manufacturing and help America lead in solar and other clean energy industries that are being hacked every day by, frankly, our political enemies.

We responsibly fund our nuclear deterrent while increasing funding for nonproliferation programs.

The bill provides nearly \$11 billion, \$2.8 billion above the budget request, to rebuild our water infrastructure and respond to the severe Western drought.

The CHAIR. The time of the gentleman has expired.

Ms. DELAURO. Madam Chair, I yield an additional 1 minute to the gentleman from Ohio.

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These investments in the Army Corps of Engineers and Bureau of Reclamation are critical to protecting and supplying communities in every district of our Nation.

Our bill increases funding for regional commissions which promote economic development in economically challenged regions and distressed counties across our country. Our bill will strengthen the foundational components that underpin every aspect of decent life in our Nation and represents a strategic investment in America's future, without question.

Madam Chair, I thank the staff who worked tirelessly to put this bill together: Scott McKee, Brian Smith, Will Ostertag, Daniela Todesco, Eric Lipka, John Howes, and Angie Giancarlo.

Ms. GRANGER. Madam Chair, I yield 5 minutes to the gentleman from Idaho (Mr. SIMPSON), the ranking member of Energy and Water Development, and Related Agencies Subcommittee.

Mr. SIMPSON. Madam Chair, I thank the gentlewoman for yielding time.

Madam Chair, I rise today in opposition to H.R. 8294, the six-bill fiscal year 2023 appropriations package that includes the Energy and Water Development appropriations bill.

Unfortunately, these bills are based on funding levels that passed the House without any Republican support—zero Republican support. Like the President's budget request, the majority's Energy and Water bill overfunds certain nondefense programs and shortchanges our national security needs.

For example, the bill before us is below the budget request for weapons activities and naval reactors—a budget request that many of us considered insufficient to address the current global threats.

We must uphold our Nation's strong nuclear deterrence posture, and to do that, we must adequately fund the activities necessary to maintain a safe, reliable, and effective stockpile. Yet, the bill before us cuts some of these programs below last year, below the budget request, and leaves other items completely out.

On the other hand, the bill increases energy efficiency and renewable energy activities by more than 25 percent over last year's—and that is on top of the tens of billions—I repeat—tens of billions of dollars in the infrastructure bill programs that are in the early stages of implementation.

The bill includes funding for the President's proposal to use the Defense Production Act for nonemergency issues. For instance, even the Department of Energy has indicated that there is no supply shortage of insulation. Yet, the administration is claiming it is such an emergency that it justifies use of the Defense Production Act.

With inflation at the highest levels in 40 years, we need to be more judicious about how much and where we allocate our discretionary appropriations.

While Republicans have concerns with the overall direction of this bill, I would note there are also programs that, if considered individually, House Republicans could support. For example, strong support for the Army Corps of Engineers including specific Community Project Funding and additional programmatic funding that has long been a bipartisan priority.

Of great importance to me, of course, is the Department of Energy's Nuclear Energy program. I appreciate that the bill continues support for:

Work on microreactors, including the MARVEL program.

Work to ensure a supply of high-assay low-enriched uranium, which will be necessary for many of the next generation of reactors.

The Advanced Reactors Demonstration Program; and

The national laboratories infrastructure necessary to enable these other activities to succeed.

I would like to work with my colleagues as we move the bill forward to better support the Advanced Small Modular Reactors demonstration program.

The NuScale SMR is the first ever NRC-approved SMR design, and we need to ensure this demonstration succeeds.

Madam Chair, before I yield back, I would acknowledge Energy and Water Development and Related Agencies Chairwoman KAPTUR's continued commitment to addressing individual Member priorities on both sides of the aisle. I thank the chair for that consideration, and she has been a pleasure to work with across the aisle.

I also thank the staff for their hard work over the past several months, particularly Scott, Brian, Will, Daniela, and Jaime of the majority staff; Angie and Austin of the minority staff; and Sarah in my personal staff.

Finally, I thank Chairwoman DELAURO and Ranking Member GRANGER of the full committee for their leadership and support of the important programs in this bill and doing the appropriations process in regular order.

Ms. DELAURO. Madam Chair, I yield myself such time as I may consume. Before I yield to the gentleman from North Carolina, I would say that Chairman PRICE, this will be the last time he brings an appropriations bill to the floor of the House of Representatives. I think I speak for all of us when I say that his honesty, his integrity, his commitment to the legislative process and making it work for the people, not only in his district but all over the United States, is really pretty extraordinary.

I quote from Shirley Chisholm, the first African-American woman who was elected to the House of Representatives, when she said that public service is the rent you pay for space on this Earth.

DAVID PRICE has paid that rent over and over and over again.

Madam Chair, it gives me great pleasure to yield 6 minutes to the gentleman from North Carolina (Mr. PRICE), the chairman of the Transportation, and Housing, and Urban Development, and Related Agencies Subcommittee.

Mr. PRICE of North Carolina. Madam Chair, I thank the chairwoman for those kind and generous words. And I do rise in strong support of this critical legislation. As chairman of the Transportation, and Housing and Urban Development, and Related Agencies Subcommittee, or T-HUD as we call it, I first thank my partner and ranking member, MARIO DIAZ-BALART, for his cooperative and collaborative relationship this year and for many years prior, including when our roles were reversed.

Madam Chair, the bipartisan work we do in assembling our subcommittee bills reflects an earlier era when the Appropriations Committee presented a united front throughout the process. That era, regrettably, has passed, but the cooperative work remains at the subcommittee level. What we have done has made this a better bill, and hopefully will help us achieve agreement eventually and finalize T-HUD and other bills.

Division A of the bill, the T-HUD section, represents our continued commitment to upgrading our aging transportation infrastructure, addressing our Nation's affordable housing and homelessness crises, bolstering our resiliency in the face of climate change and natural disasters, remedying inequities and disparities in our housing and transportation systems, and prioritizing safety—whether that is eliminating hazards in public housing or improving the certification of aircraft.

Overall, the bill includes \$90.9 billion in discretionary funding; that is an increase of \$9.85 billion over the current year.

The bill also provides \$77.6 billion to fully fund programs that utilize the Highway Trust Fund as part of last year's historic and bipartisan Infrastructure Investment and Jobs Act.

For housing, we continue to ensure housing stability for five million people by fully renewing all Housing Choice Vouchers and meeting the renewal needs of public housing, homeless assistance grants, and several other initiatives. This is coupled with new investments, including more than 140,000 new tenant-based vouchers for low-income families and people experiencing or at risk of homelessness, over 5,600 new affordable housing units for seniors and people with disabilities, and more than 6,700 new vouchers for veterans experiencing homelessness and youth aging out of foster care.

The bill also provides an 8 percent increase for the HOME program, an 11 percent increase for NeighborWorks programs, and a historic 29 percent increase for Choice Neighborhoods, a program that, like housing for the elderly and for people with disabilities, our subcommittee has brought back into production after they were on life support.

I was able to see some of these life-changing investments firsthand in my own State in Winston-Salem, where I toured a Choice Neighborhood with my colleague, KATHY MANNING. And there are more to come.

Importantly, the bill provides, for the first time, a major investment in our Nation's manufactured housing, by providing \$500 million for a new program to preserve and revitalize this essential form of housing that has been too long overlooked. Many of these communities have faced significant infrastructure and resiliency challenges. This bill recognizes the opportunities that will come from direct investments in manufactured housing, a portion of our housing stock that provides for over 20 million people.

On the transportation side, the bill upholds the commitment to respond to transportation needs across all modes: highways, transit, rail, aviation, bike and pedestrian projects, and ports. It invests in the safety and reliability of our passenger and freight rail systems, including a combined \$1.2 billion for the CRISI program and the Federal-State Partnership for Intercity Passenger Rail. That has been and remains a signature emphasis of our subcommittee.

I am particularly proud of this aspect of the bill as we build out the Raleigh to Richmond corridor, the next step in the Southeast Corridor from Washington to Charlotte and eventually Atlanta. These regional corridors represent the future of passenger rail in this country, and they are critical to reducing congestion and lowering greenhouse gas emissions.

The bill also provides robust funding for our transit infrastructure, including \$3 billion for Capital Investment Grants, or New Starts, to create new transit routes nationwide, and \$646 million for Transit Infrastructure Grants to help transit agencies innovate and improve public transit.

Madam Chair, before closing, I, too, thank our staff for their immeasurable

contributions to this bill and for guiding the Members and staff on both sides of the aisle through this process.

Starting with our wonderful chief clerk, Christina Monroe, as well as Josephine Eckert, Winnie Chang, Xavier Arriaga, Samhita Subramanian, and Rachel Keyes, along with Leigh Whitaker on my personal staff, and Doug Disrud on the minority side.

Since this is my last time presenting the T-HUD bill, I also want to mention all of the staff who helped me and my colleagues through the subcommittee process since I took on the ranking member and eventually the chairman's role. That includes three previous clerks: Kate Hallahan, Joe Carlisle, Matt Washington; and it includes Angela Ohm, Sarah Puro, Becky Salay, Jenny Neuscheler, and Gladys Barcena at the subcommittee, as well as Laura Thrift, Kate Roetzer, Sean Maxwell, and Nora Blalock from my own staff. A hearty thanks to all of you.

Mr. Chairman, in closing, this year's T-HUD will make forward-looking investments in our housing and transportation infrastructure while bolstering safety and uplifting vulnerable populations. It will benefit communities across America and lay a strong foundation for economic growth and resiliency.

Mr. Chair, I urge my colleagues to support this legislation.

Ms. GRANGER. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. DIAZ-BALART), the ranking member of the Transportation, and Housing and Urban Development Subcommittee.

Mr. DIAZ-BALART. Mr. Chairman, I rise in opposition to the bill in its current form but there are some really good things in this legislation, and I will talk about why I can't support it at this time.

But first, I thank my dear friend, Chairman PRICE, for his work on the T-HUD portion of the bill, and, most importantly, as the chairwoman said, for his lifetime of honorable service to this country.

I know that the committee and Congress will miss Mr. PRICE. He has been, frankly, a privilege to work with. Not that we don't have disagreements, but we always work through those disagreements in a respectful, open process.

Evidence of his life and his service can be found in this bill as well as other past T-HUD bills. One example, Mr. Chairman, is the manufactured housing initiative that will, frankly, help revitalize communities across the Nation. Chairman PRICE listened to stakeholders and developed this innovative program with his characteristic deep understanding of policy.

I have said—and I know he doesn't feel it is a negative thing, on the contrary, I say it with great compliment—that he is a total policy wand, Mr. Chairman. And this is one of those areas where you see his policy involvement.

Some of you may not know that the Committee on Appropriations unanimously voted to name this efficiently the Preservation and Reinvestment Initiative for Community Enhancement, PRICE, after Chairman PRICE. And I thank the chairman for including the funding that he did for port infrastructure. I would also mention that he and I, and the entire T-HUD Committee, have always made safety a priority, and this bill continues in that tradition.

The bill modernizes air traffic control systems to make sure that they are the safest in the world, as well as it makes progress in road and rail safety.

We share a priority of supporting American innovation, whether it is automated vehicles to unmanned aircraft to commercial space, this bill makes key investments in those areas as well. And it provides over \$3 billion above last year, just to maintain HUD's current rental assistance programs. And that is something that, obviously, we all support, but I want to mention that those are things that once we do, we have to continue to fund every single year. Obviously, I support renewing this assistance, especially to the elderly, our disabled, and our veterans.

Again, much of the HUD spending in this bill will create new liabilities for future years. For example, the bill expands Section 8—a program that obviously we all know about—by \$1.1 billion.

This new spending would, in essence, require several billion dollars for renewals in future years. So, in essence, it becomes a de facto mandatory requirement which creates many, many issues.

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Let me be clear. I cannot support the bill at its current spending level. The bill was written under unrealistic top-line numbers, set by the majority. As a result, this bill has an overall increase of 12 percent above last year, which is, again, not acceptable. Inflation is at a 40-year high.

The Acting CHAIR (Mr. PHILLIPS). The time of the gentleman has expired.

Ms. GRANGER. Mr. Chair, I yield an additional 1 minute to the gentleman from Florida.

Mr. DIAZ-BALART. Mr. Chair, inflation is at a 40-year high. Contrary to what some say, we cannot address inflation by spending more money—by continuing to spend more and more money. Instead, we need an agreement that reduces excessive spending that balances defense and nondefense spending, and, again, removes all of the controversial riders.

Once that happens, Mr. Chair, I am confident that we will be able to reach an agreement that this House and the majority and the minority can live with.

Again, I thank Chairman PRICE for his leadership, his friendship, and openness. He will be missed. I would be remiss if I didn't thank the chairwoman

and the ranking member of the full committee for their leadership.

I am confident that we will eventually be able to have numbers that we can live with and have a bipartisan bill, but until then, I have to oppose the bill.

Ms. DELAURO. Mr. Chair, I yield 4 minutes to the gentleman from Georgia (Mr. BISHOP), the chairman of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittee.

Mr. BISHOP of Georgia. Mr. Chair, I rise in support of H.R. 8294. As chairman of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittee, I am pleased to highlight the national priorities funded in our division.

The impact of the agriculture division is far-reaching and it touches the lives of every single American. We all eat the food, rely on the medicine and the medical devices, and wear products made from fibers, such as cotton, that are made possible by this bill.

Our fiscal year 2023 allocation is \$27.2 billion, which is \$2 billion over the fiscal year 2022 bill. The bill provides \$4.2 billion for Rural Development initiatives, including more than \$560 million for broadband expansion to provide economic development opportunities and improved education and healthcare services. The bill continues important funding for the Community Facilities Program that supports everything from libraries and fire stations to childcare centers and nursing homes.

Our bill fully funds the SNAP, WIC, and Child Nutrition programs. It continues to enhance fruit and vegetable benefits for women and children and provides additional protections for SNAP recipients. We have record-high funding for the Food for Peace program, \$1.8 billion, and \$265 million for the McGovern-Dole program, critically needed in light of the global food crisis that has worsened following the Russian invasion of Ukraine.

The bill provides \$3.8 billion for agriculture research, which helps the United States produce the most abundant and affordable food in the world, and provides \$3.1 billion in farm and conservation programs, which includes funding to address the impacts of climate change.

The Food and Drug Administration is funded at \$3.6 billion in discretionary funding. There are important increases to help combat the opioid crisis, support unannounced inspections of foreign drug manufacturing facilities, and ensure the safety of infant formula.

Finally, the bill provides funding for 134 Community Project Funding requests for members, totaling over \$191 million.

Mr. Chair, I urge my colleagues to support this bill. I thank the ranking member, Dr. HARRIS, and his staff for helping produce this bill. I thank my personal staff and the subcommittee staff for their extraordinary work on the bill. Of course, I thank Chair-

woman DELAURO and Ranking Member GRANGER, as well as the majority and minority staffs of the full committee.

Ms. GRANGER. Mr. Chair, I yield 6 minutes to the gentleman from Ohio (Mr. JOYCE), the ranking member of the Interior, Environment, and Related Agencies Subcommittee.

Mr. JOYCE of Ohio. Mr. Chair, I rise today in opposition to H.R. 8294.

Before I get into the details of the Interior-Environment section of the bill, I thank Chairwoman DELAURO and Ranking Member GRANGER for their leadership on the Appropriations Committee.

I also extend my sincere thanks to CHELLIE PINGREE, the chair of the Interior, Environment, and Related Agencies Subcommittee. Chair PINGREE has been a fair leader, and I appreciate the work she has done on the many bipartisan priorities in the Interior bill, and to her staff for their tireless efforts.

The Interior bill provides funding for many important and critical programs that help conserve and protect our Nation's most critical natural, cultural, and environmental resources. More than that, it makes investments that matter to communities, businesses, and industries across the country.

The bill provides strong support for our National Parks, helps fight catastrophic wildfires, addresses our aging infrastructure, and fully funds the Payment in Lieu of Taxes, or PILT program.

I am grateful for my home district in Ohio that the bill provides increased funding for the Great Lakes Restoration Initiative. The GLRI funding is critical in our work to restore and protect the lakes for future generations.

Finally, I am pleased the bill advances longstanding efforts to increase the Federal commitment to honor our treaties and trust responsibilities with the American Indians and Alaskan Natives by providing a \$12.6 billion investment in Indian Country; and a new provision that will help ensure sovereignty of Tribal laws.

Unfortunately, while I am supportive of many of the bipartisan components of the bill, I am unable to support it today given serious spending and policy concerns.

First and foremost, the bill fails to recognize the situation the country is now in and reverse this administration's assault on conventional energy production.

It eliminates longstanding, bipartisan provisions and adds new, controversial policy riders that would weaken U.S. energy and mineral security by limiting domestic development of these and other natural resources.

Given the rising energy costs and unprecedented prices we are seeing at the gas pump, it is now more important than ever that we continue to support our all-of-the-above energy strategy.

New provisions would prevent and disincentivize domestic production, only making us more dependent on our adversaries. Simply put, these provi-

sions undermine the American energy sector and fail to put American industries and the American people first.

Similar riders were dropped from the final conference agreement last year, and the same must be done again before this bill can be signed into law.

We must also address the spending in this bill before we can reach a final agreement. With a top-line increase of nearly \$7 billion in double-digit increases across many of the agencies, the spending is simply irresponsible in the absence of a broader, fiscally responsible Federal budget.

With record-high inflation under this administration, now is the time to limit spending. The Federal Government must make the tough choices to live within its means and work to rein in Federal spending to protect families from inflationary pressures and future generations from crippling debt.

It is the combination of these funding and policy reasons that I cannot support the bill at this time.

I look forward to supporting amendments to improve H.R. 8294, including one to remove a harmful rider on trophy permits, and my amendment to add limits on the burdensome SEC climate rule.

The SEC, which has no mandate to regulate carbon emissions, wants public companies to disclose new climate-related information, including greenhouse gas emissions. These requirements have already lessened investor enthusiasm for domestic drilling and oil protection.

At the same time, my friends on the other side of the aisle ask our energy producers to expand capacity—which, of course, requires investment.

Make no mistake, this rule will impact businesses of all kinds—small and large, public and private, energy and non-energy.

Under this rule, many public companies will be required to disclose not only their greenhouse gas emissions, but also the emissions of businesses upstream and downstream in their value chain.

Congress created the SEC to protect investors, maintain fair, orderly, and efficient markets, and facilitate capital formation—not to set climate policy.

Unfortunately, the agency has lost its focus. I look forward to the debate on these key issues across all our appropriations bills and am committed to working with Chair PINGREE and our colleagues as the fiscal year 2023 process moves forward to craft legislation that can receive bipartisan support.

Until then, I strongly urge my colleagues to vote “no” on this package.

Ms. DELAURO. Mr. Chair, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the distinguished Speaker of the House of Representatives.

Ms. PELOSI. Mr. Chair, I thank the gentlewoman for yielding. I thank her for her unsurpassed leadership as chair of the Appropriations Committee, for

reflecting the values of our country, based on her leadership in terms of listening to the American people and meeting their kitchen-table needs, and, again, advancing us into the future.

We said about many of these initiatives: When we pass this, we will be making history. Not only that, we will be making progress, thanks to the leadership of Chairwoman ROSA DELAURO, chair of the committee. It is a source of great joy to me because I served on the committee with her, saw her leadership then and now as chair.

Let me just describe—people say: What is a minibus?

A minibus is a minibus. It is not an omnibus. Sometimes we would have a bill that contained all of the appropriations bills. Omni, all. Omnibus. This is a minibus, which contains six of the bills—six very important pieces of legislation—and hopefully we will move soon to pass the others.

With these bills, our Democratic majority advances many of our Nation's cherished principles and priorities, including job creation, expanding opportunity, and protecting health and well-being.

Let us salute the masterful Chairwoman ROSA DELAURO, a maestro of the appropriations process, who is a constant source of inspiration, leadership, and strategic thinking for all of us.

I also thank our cardinals for their hard work in carefully crafting each of these six very important bills contained in this minibus. You are called a cardinal if you rise to be a chair of one of the subcommittees of Appropriations. It is a great honor.

Mr. Chair, I do want to acknowledge the work of Chairman SANFORD BISHOP. We just heard from him about food, agriculture, rural development, et cetera.

Chairwoman MARCY KAPTUR, Energy and Water Development.

Chairman MIKE QUIGLEY, Financial Services and General Government.

Chairwoman CHELLIE PINGREE, Interior-Environment.

Chairwoman DEBBIE WASSERMAN SCHULTZ, Military Construction and Veterans Affairs.

Chairman DAVID PRICE, Transportation, and Housing and Urban Development. Mr. PRICE will be leaving us at the end of this term, but his legacy will be with our country for a long time to come.

Mr. Chair, I thank our colleague on the other side of the aisle for acknowledging Mr. PRICE's work, and naming a portion of the Transportation, and Housing and Urban Development bill in his name. Mr. DIAZ-BALART, I thank you for that beautiful recognition of Chairman PRICE. He certainly is revered on our side of the aisle, and we appreciate the bipartisan recognition of his leadership.

Mr. Chair, the House's Appropriations minibus will have an immediate impact on people's lives because it puts working families first.

This package defends health and well-being: improving the safety and

security of our Nation's food supply. A vote for this bill is a vote for the safety of our Nation's food supply. A vote against it is a vote against the safety of our Nation's food supply.

The bill supports the WIC program—Women, Infants, and Children—food stamps, and other initiatives that keep our families fed.

This package strengthens economic security with strong investments to expand access to safe, affordable housing—thank you, Mr. PRICE—support small business growth, and protect the interests of American consumers.

In doing so, these bills advance President Biden's commitment to putting justice and equity front and center, moving to close economic disparities weighing heaviest on communities of color and low-income families.

At the same time, this package will further power Democrats' mission to rebuild our Nation while reinvigorating the middle class.

Our bipartisan infrastructure law that was bipartisan and passed last year was a monumental step forward. Now, this legislation builds on that bipartisan progress: creating good-paying American jobs, rehabilitating our crumbling infrastructure; securing critical funding for roads, bridges, ports and rail, transit and aviation, and more; and improving the strength and resilience of our water systems.

This is a health issue in addition to a commerce issue. These investments lay a crucial economic foundation, better equipping our Nation to compete and win in the 21st century economy.

This package is also about protecting and preserving our planet—a responsibility we owe our children and grandchildren and future generations.

The investments in this legislation, Mr. Chair, are another strong step toward independent, affordable, clean energy jobs for the future: whether spurring innovation in new, sustainable technologies; strengthening community resilience to mitigate climate disaster; or conserving our cherished public lands.

Anyone who watches the news these days sees the impact on the climate crisis on our planet.

□ 1415

Throughout Europe, there are record heat waves. In our own country, we have had scores of our hottest record days, scores of them in our own country. The climate crisis is a real one. There is a short fuse on it. We must act. We cannot ignore the signs or the governance and the protections that go with it.

Preserving clean air and clean water for our children is a public health issue. The air they breathe and the water they drink is an immediate health issue. It is an economic necessity, creating good-paying jobs in the industries of the future while staving off catastrophic costs of inaction.

A matter of national security is preventing violent conflicts over resources

and habitat. You have droughts; you have rising sea levels; you have encroachment of deserts; and you have change in the thermal management of the planet, Mr. Chair. All of this contributes to competition for habitats and resources, and our National Security Advisors tell us that that can be a cause of conflict, in addition to the toll it takes on people.

For many of us, it is a moral issue if you believe as I do that this is God's creation and that we have a moral responsibility to be good stewards of it. That is one purpose. But if you don't share that view, you do understand that we have a moral responsibility to our children to pass on the planet in a responsible way for future generations. This is one of the Democratic majority's top priorities, and we will never stop fighting for the climate action that we need.

Finally, and importantly—one of my favorite subjects—this package honors our Nation's sacred duty to our veterans, their families, and their caregivers. A vote for this bill is a vote for our veterans, their families, and their caregivers with robust support for veterans' healthcare, which covers more than 7 million patients, with more resources to build essential VA infrastructure, and with increased funding to address mental health, substance abuse disorder, the scourge of veteran homelessness, and much more.

As we do so, we honor the truth when the military says that, on the battlefield, we leave no soldier behind, and when they come home, we leave no veteran behind.

Mr. Chair, Democrats believe that governance is a powerful force for good when we invest in what we value most as a nation—protection of our people, their health, their safety, the planet, the air they breathe, the water they drink, and security for our country. Today, our Democratic majority advances appropriations legislation that furthers that mission with funding that will meet the needs of American families in every corner of our country, and we take an important step to advance President Biden's inspiring vision of building a better America for all with liberty and equity for all.

Mr. Chair, I urge a strong bipartisan vote for this minibus package. I salute our cardinals for their great leadership, and I again pay homage to the chair of the committee, Madam Chair ROSA DELAURO, for her extraordinary leadership.

Ms. GRANGER. Mr. Chair, I yield 4 minutes to the gentleman from Maryland (Mr. HARRIS), who is the acting ranking member of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies.

Mr. HARRIS. Mr. Chair, I thank Ranking Member GRANGER for yielding.

Mr. Chair, I rise in opposition to H.R. 8294, which includes the FY23 Agriculture, Rural Development, Food and

Drug Administration, and Related Agencies appropriations bill.

First, I thank Chair DELAULO and Ranking Member GRANGER for their leadership in moving these bills through the appropriations process. I also thank the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittee chairman, Mr. BISHOP, for his leadership in crafting a bill that funds a number of programs with broad bipartisan support, such as rural broadband programs, critical ag research programs, and protections to ensure we have safe food, drugs, and medical devices.

While there are many things to like about this bill, the total discretionary spending level of \$27.2 billion, or an 8 percent increase over the previous year's funding, does not acknowledge the economic reality that our Nation faces.

A stunning 88 percent of Americans believe our country is on the wrong track, according to a recent poll by the Monmouth University Polling Institute. That is what Americans are talking about around their kitchen tables.

Just last week, inflation jumped again to a 40-year high of 9.1 percent. We can't keep ignoring this situation. Americans have figured out that more government spending only ends in higher prices for the American people and adds to the inflation problem created by this Congress and the Biden administration's reckless and immoral spending included in this minibus.

In this vein, this division of the minibus provides unsustainable funding increases across the board, most notably for the Food and Drug Administration, which would receive an overwhelming and unnecessary 10 percent increase. A lot of American families wish they were getting a 10 percent increase in their paychecks. Based on how the FDA has handled the infant formula crisis, it is clear that strong leadership is needed at the FDA, not this unnecessary increase in funding.

The bill also includes increased benefits for the WIC program, a great program, but those increased benefits were intended to be a temporary, one-time increase included in the American Rescue Plan. I understand the importance of making sure WIC participants have access to fruits and vegetables. However, this bill is taking a temporary increase in response to COVID and including it in the regular, ongoing program as if to make these increased benefits permanent without regard to the inflationary pressures of out-of-control government spending that is already squeezing taxpayers.

I am also extremely concerned about providing the administration with unlimited spending authority for the Supplemental Nutrition Assistance Program, or SNAP, at the end of the next fiscal year. The administration claims this authority is needed for an unexpected increase in SNAP participation, but the President continues to tout

record-low unemployment rates, which should translate into a decrease in SNAP participation. Furthermore, the program has a reserve fund totaling up to \$9 billion already to address unexpected participation increases should they unexpectedly occur, so providing USDA with a blank check is just simply irresponsible.

In times like these, as stewards of taxpayer dollars, Congress must make tough decisions in the greater interest of the American people. While I support a number of programs in the bill, I cannot support the bill at this unsustainable spending level.

This bill touches the lives of every American, and I hope we can find common ground to support America's farmers, ranchers, and rural communities. As this process moves forward, I am committed to working with Chairman BISHOP, Chair DELAULO, Ranking Member GRANGER, and the rest of our colleagues to resolve these differences.

Mr. Chair, I urge my colleagues to oppose this bill.

Ms. DELAULO. Mr. Chair, I yield 4 minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), who is the chair of the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies.

Ms. WASSERMAN SCHULTZ. Mr. Chair, I thank the gentlewoman for yielding.

Mr. Chair, I rise in strong support of H.R. 8294, the appropriations minibus for fiscal year 2023.

I really want to start out my remarks, Mr. Chair, by saying what a joy it is to work with my counterpart, Judge Carter, as our ranking member. He and I really worked hand in glove. We are personal friends, and we worked very closely together, along with the ranking member, Ms. GRANGER, and Ms. DELAULO. In a very divisive process, it is really nice to have met and befriended someone like Judge Carter. I wish him the best.

By now, we all know President Biden's wise words: "Don't tell me what you value. Show me your budget, and I will tell you what you value."

This minibus truly reflects our values, the values of promoting progress and opportunity, and protecting those who most need it. That is why I take tremendous pride in this bill as the Military Construction, Veterans Affairs, and Related Agencies Subcommittee chair. It is a statement of principled values, especially with its strong support for veterans, servicemembers, and their families.

We steer \$15.1 billion to critical military infrastructure, such as new barracks and child development centers, and focus on ensuring that family housing is clear of mold, lead, and contaminants. We invest in climate and energy resilience projects and devote \$200 million to PFAS contamination cleanup at closed installations.

We provide more to NATO security and support the infrastructure necessary for wartime, peace, and deter-

rence operations by bolstering requirements to confront Russian aggression and protect our European allies.

This bill improves the quality of life on military installations and honors servicemembers and their families once they leave these facilities by ensuring veterans receive the care and support they earned. We do it by providing the Department of Veterans Affairs with \$135 billion to boost medical research and fully fund medical care. We make major investments in women's health, mental health, suicide prevention, and homelessness programs, and we tackle the disability claims backlog.

The bill also tackles two issues close to my and many Members' hearts. It includes a prohibition on the painful scientific testing on dogs and cats, and it also makes permanent VA's authority to offer a full range of fertility treatment. That means expanding eligibility to include partners in addition to spouses, removing discrimination against same-sex couples, and allowing the use of donated sperm and eggs in IVF.

Outside of MILCON-VA, the Energy and Water bill appropriates a record \$407 million for Everglades restoration. The river of grass is the lifeblood of south Florida, and the chance to make this level of historic progress is hugely significant toward our restoration efforts.

I am proud that this bill makes it a priority to reduce the number of injuries and deaths associated with pools and spas. We will save lives by increasing funding by pool safety grants to \$2.5 million. Drowning poses a significant public health risk to our Nation's children, remaining the number one cause of unintentional death for children younger than 5 years old in this country.

Additionally, the Interior bill reflects the importance of protecting our coastlines from greedy oil companies by prohibiting the Department of the Interior from conducting offshore oil and gas leasing activities along Florida's coasts.

It also funds valuable community projects, and in my district, that means critical infrastructure, clean transit, and improved water quality in Hollywood, Southwest Ranches, and Sunrise.

Finally, our values are reflected by how Congress confronts the dramatic rise in highway fatalities. New data shows we lost ground in our fight to end drunk driving, the leading cause of highway deaths. But this bill directs the DOT to take immediate steps to save lives by requiring the National Highway Traffic Safety Administration to issue a rule requiring all new passenger vehicles to be equipped with advanced alcohol monitoring technology. This technology will save an estimated 9,400 lives a year. For reference, airbags save 3,000 lives annually. According to Mothers Against Drunk Driving, this may be the most significant motor vehicle safety rulemaking ever undertaken in terms of the lives it can save.

We have a chance to enhance, improve, and save millions of lives by passing this minibus, and I respectfully urge my colleagues to support these cherished American values.

Lastly, Mr. Chair, I thank my incredible staff for all the work that they did to bring this remarkable piece of legislation to the floor.

Ms. GRANGER. Mr. Chair, I yield 2 minutes to the gentleman from Virginia (Mr. CLINE), who is a member of the Appropriations Committee.

Mr. CLINE. Mr. Chair, it is with sadness that I come to the floor to speak against this measure.

We had opportunities in the Appropriations Committee to work across the aisle to address the concerns of the minority and to fund the priorities of this country and its people. Unfortunately, with a 40-year high in inflation, CPI rising to 9.1 percent in June, \$30 trillion in debt, and the CBO recently predicting \$1.6 trillion in deficits over the next decade, business as usual can no longer be contemplated.

We must take action to secure the financial stability of this country for the future, for our children, for their children, and for future generations. We have to return to fiscal sanity through these appropriations bills to rein in inflation and rescue this economy.

Transportation-Housing and Urban Development has an increase of more than 12 percent; Agriculture an increase of 8 percent; Financial Services and General Government an increase of 17 percent over FY22; Interior, 18 percent increase; MILCON, more than 10 percent above 2022.

All of these bills contain important priorities, but they also contain excessive amounts of waste and liberal priorities that are not in keeping with the priorities of the American people, so I urge their defeat.

Mr. Chair, I thank the gentlewoman from Texas for her hard work in trying to get our priorities considered.

I look forward to continuing to work to ensure that fiscal responsibility is the watchword of the day and that the American people have their tax dollars looked after by the Appropriations Committee.

□ 1430

Ms. DELAURO. Mr. Chairman, I yield 4 minutes to the gentleman from Illinois (Mr. QUIGLEY), the chairman of the Financial Services and General Government Subcommittee.

Mr. QUIGLEY. Mr. Chair, as the chairman of the Financial Services and General Government Subcommittee, I rise today in strong support of the FY23 Financial Services and General Government Appropriations bill.

First, I thank the staff on both sides for their efforts in drafting this bill and preparing it to come to the House floor.

I also want to thank my colleague, the ranking member, Mr. WOMACK, for his hard work and collaboration on this bill. He has been thoughtful in his

input and, frankly, a pleasure to work with.

The FSGG bill includes \$29.8 billion in funding, an increase of \$4.3 billion over last year.

For Treasury, the bill includes \$15.6 billion, \$1.3 billion above last year. Within that level, there is \$336 million for CDFIs, an increase of \$41 million. The IRS gets \$13.6 billion, an increase of \$1 billion over the 2022 level.

For ONDCP, \$462 million, including \$300 million for the High Intensity Drug Trafficking Areas program and \$110 million for the Drug-Free Communities Program.

For the Judiciary, \$8.6 billion, within this amount, \$128 million is targeted for judiciary security, cybersecurity, and information technology modernization. For the Supreme Court, \$143 million, \$30 million above last year, included in this increase is funding to provide for enhanced security services.

For the Consumer Product Safety Commission, \$166.3 million, \$27.3 million above last year, including \$2.5 million for Pool Safety Grants.

For Election Security Grants, \$400 million, an increase of \$325 million above last year. These grants will help State and local governments protect our democracy through fair and secure elections.

For the GSA, \$1.1 billion over last year, including \$500 million for a new FBI headquarters. Also included, \$100 million for both the Electric Vehicle Fund and the Technology Modernization Fund.

For SBA, \$1.1 billion, \$77 million above last year. This fund includes \$326 million for the Entrepreneurial Development Programs.

We have solid increases for the Federal Communications Commission, Securities and Exchange Commission, OPM, the Archives, and the Federal Trade Commission.

The bill is silent on the civilian pay increase, allowing the proposed 4.6 percent increase to take effect.

We removed harmful riders to the bill, including the Hyde restrictions, three “dark money” riders, and the D.C. cannabis rider.

We include language making Dreamers eligible for Federal employment.

And finally, I am proud this bill was able to include 98 percent of Members’ Community Project Funding requests, including from Democrats and Republicans. This funding will go directly to important projects in Members’ districts connected with the SBA, GSA, and the National Archives.

I urge all Members to support the bill.

Ms. GRANGER. Mr. Chairman, as I said before, the bills before us do not reflect the economic realities we face. At a time of record-high inflation, the Federal Government should be reducing not increasing spending. The priorities included in these bills are simply out of touch with what the American people need.

I urge my colleagues to vote “no,” and I yield back the balance of my time.

Ms. DELAURO. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, first, let me just say, I thank the ranking member (Ms. GRANGER) for her commitment and her dedication to the Appropriations Committee and the process, a place where she has spent a number of years in the various subcommittees, and it is an honor to work with her in this effort.

I applaud the funding bills that help the middle class, working families, and small businesses, in what are desperate times. And that is what these bills do is to provide that kind of assistance to these families. I am proud to support these bills.

I listened to my colleagues about inflation, what they failed to mention, which has been really demonstrated, is that we are looking at oil companies who have consolidated; and what they are doing is buying back their stock, instead of lowering the price of gas.

They now have 26 million acres of Federal land in which they could deal with extraction, and they have the permits, but they refuse to do it. They are in the business of buying back their stock, thereby increasing inflation by keeping gas prices high.

We have the same situation in the meat industry with meat, poultry, and pork, which is continuing to raise the price because of the consolidation.

I would just mention one other thing. In the recommendations to vote “no” on this package, it just is interesting to look at what my colleagues view as not wanting to do; that is, to provide an increase for the Internal Revenue Service. Why is that money provided to the IRS? It is really to look at those corporations who are not paying their fair share of taxes.

So they are not much interested in seeing them pay their fair share of taxes, or the wealthiest of individuals who don't pay their fair share of taxes.

They also do not want to provide money for women, infants, and children for food. They don't want to provide money for food security, for people who are on the food stamp program.

They don't want to do anything for domestic manufacturing on clean energy, which could lower the cost of energy. So, there is a bit of disingenuousness on what we are doing with the cost.

I am proud to support these bills. I urge my colleagues to support the six-bill appropriations package, and I yield back the balance of my time.

Ms. PINGREE. Mr. Chair, I rise to support the Fiscal Year 2023 Interior, Environment, and Related Agencies appropriations bill.

I thank Ranking Member JOYCE for his collaboration and partnership through this process, and I am grateful for the leadership of Chairwoman DELAURO, and Ranking Member GRANGER.

The fiscal year 2023 Interior, Environment and Related Agencies bill provides a total of \$44.8 billion dollars. This is an increase of

\$6.8 billion dollars over last year's enacted level, which is an 18 percent increase. Last year, we made unprecedented investments to fight the climate crisis, return science as the foundation for decision-making, dedicate the highest level of federal funding to the arts and humanities ever, and continue our commitment to tribal nations.

This bill continues to build on those successes. Through the investments made in this bill, our country will be better positioned to confront the climate crisis. Just last month, we witnessed Yellowstone, America's first national park, experience devastating flooding that triggered mudslides, resulting in its emergency closure and leaving damage that will take years to rebuild. Only weeks later, a destructive wildfire threatened to destroy the giant sequoias of Yosemite National Park. These tragedies underscored how vulnerable our ecosystems and species are to the impacts of climate change.

That is why the investments in this bill, such as the 15 percent increase for the land management agencies, will be meaningful for climate adaptation and resiliency efforts on our public lands. The bill also invests in renewable energy, both on and offshore, to provide opportunities for growth in this sector—creating good paying American jobs. And we make historic investments for science and environmental protection, providing the funding necessary to build a strong EPA.

In addition to these critical investments to protect our natural resources, the bill also includes strong funding for cultural resources by fostering the Arts and Humanities. The bill provides \$414 million for both the National Endowment for the Arts and the National Endowment for the Humanities. These funds benefit all of our districts and are a positive tool for economic development, education, and community building.

And finally, this bill supports Native American families by investing in a strong and resilient Indian Country, including through education and health care programs.

This is a strong bill. Through its investments, the Interior bill takes a whole-of-government approach to securing a safe and habitable world for future generations. I urge my colleagues to support.

The Acting CHAIR. All time for general debate has now expired.

Pursuant to the rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 117-55 is adopted and the bill, as amended, is considered read.

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

H.R. 8294

BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Transportation, Housing and Urban Development, Agriculture, Rural Development, Energy and Water Development, Financial Services and General Government, Interior, Environment, Military Construction, and Veterans Affairs Appropriations Act, 2023”.

SEC. 2. REFERENCES TO ACT.

Except as expressly provided otherwise, any reference to “this Act” contained in any division of this Act shall be treated as referring only to the provisions of that division.

SEC. 3. REFERENCES TO REPORT.

(a) TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2023.—Any reference to a “report accompanying this Act” contained in division A of this Act shall be treated as a reference to House Report 117-402. The effect of such Report shall be limited to division A and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, division A.

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

(c) ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2023.—Any reference to a “report accompanying this Act” contained in division C of this Act shall be treated as a reference to House Report 117-394. The effect of such Report shall be limited to division C and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, division C.

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

(e) DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2023.—Any reference to a “report accompanying this Act” contained in division E of this Act shall be treated as a reference to House Report 117-400. The effect of such Report shall be limited to division E and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, division E.

(f) MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2023.—Any reference to a “report accompanying this Act” contained in division F of this Act shall be treated as a reference to House Report 117-391. The effect of such Report shall be limited to division F and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, division F.

SEC. 4. STATEMENT OF APPROPRIATIONS.

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

DIVISION A—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2023

TITLE I

DEPARTMENT OF TRANSPORTATION OFFICE OF THE SECRETARY SALARIES AND EXPENSES

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

- (1) \$3,569,000 shall be available for the immediate Office of the Secretary;
- (2) \$1,277,000 shall be available for the immediate Office of the Deputy Secretary;
- (3) \$27,089,000 shall be available for the Office of the General Counsel;
- (4) \$17,400,000 shall be available for the Office of the Under Secretary of Transportation for Policy;
- (5) \$21,026,000 shall be available for the Office of the Assistant Secretary for Budget and Programs;
- (6) \$3,968,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs;
- (7) \$42,402,000 shall be available for the Office of the Assistant Secretary for Administration;

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

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

(10) \$18,533,000 shall be available for the Office of Intelligence, Security, and Emergency Response;

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

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

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

Provided further, That the Secretary of Transportation (referred to in this title as the “Secretary”) is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: Provided further, That no appropriation for any office shall be increased or decreased by more than 7 percent by all such transfers: Provided further, That any change in funding greater than 7 percent shall be subject to the requirements of section 405 of this Act: Provided further, That not to exceed \$70,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: Provided further, That notwithstanding any other provision of law, there may be credited to this appropriation up to \$2,500,000 in funds received in user fees.

RESEARCH AND TECHNOLOGY

For necessary expenses related to the Office of the Assistant Secretary for Research and Technology, \$66,963,000, of which \$52,780,000 shall remain available until expended: Provided, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training: Provided further, That any reference in law, regulation, judicial proceedings, or elsewhere to the Research and Innovative Technology Administration shall continue to be deemed to be a reference to the Office of the Assistant Secretary for Research and Technology of the Department of Transportation.

NATIONAL INFRASTRUCTURE INVESTMENTS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out section 6702 of title 49, United States Code, \$775,000,000, to remain available until expended: Provided, That section 6702(f)(2) of title 49, United States Code, shall not apply to amounts made available under this heading in this Act: Provided further, That of amounts made available under this heading in this Act, not less than \$30,000,000 shall be awarded to projects in historically disadvantaged communities or areas of persistent poverty as such term is defined under section 6702(a)(1) of title 49, United States Code: Provided further, That section 6702(g) of title 49, United States Code, shall not apply to amounts made available under this heading in this Act: Provided further, That of the amounts made available under this heading in this Act not less than 5 percent shall be made available for the planning, preparation, or design of eligible projects and shall prioritize transit, transit oriented development, multimodal, intercity passenger rail, and pedestrian projects: Provided further, That grants awarded under this heading in this Act for eligible projects for planning, preparation, or design shall not be subject to a minimum grant size: Provided further, That in distributing amounts made available under this heading in this Act, the Secretary shall take such measures so as to ensure an equitable geographic distribution of funds, an appropriate balance in addressing the needs of urban and rural areas, including Tribal areas, and the investment in a variety of transportation modes: Provided further, That section 6702(c)(2)(C) of

title 49, United States Code, shall not apply to amounts made available under this heading in this Act: Provided further, That a grant award under this heading in this Act shall be not greater than \$50,000,000: Provided further, That section 6702(c)(3) of title 49, United States Code, shall not apply to amounts made available under this heading in this Act: Provided further, That not more than 15 percent of the amounts made available under this heading in this Act may be awarded to projects in a single state: Provided further, That for amounts made available under this heading in this Act, the Secretary shall give priority to projects that require a contribution of Federal funds in order to complete an overall financing package: Provided further, That section 6702(f)(1) of title 49, United States Code, shall not apply to amounts made available under this heading in this Act: Provided further, That of the amounts awarded under this heading in this Act, not more than 50 percent shall be allocated for eligible projects located in rural areas and not more than 50 percent shall be allocated for eligible projects located in urbanized areas: Provided further, That for the purpose of determining if an award for planning, preparation, or design under this heading in this Act is an urban award, the project location is the location of the project being planned, prepared, or designed: Provided further, That the Secretary shall apply to projects under this heading the Federal requirements that the Secretary determines are appropriate based on the purpose of the National Infrastructure Investments program, the requirements expressly stated under this heading, the requirements expressly stated in chapter 67 of title 49, United States Code, and the Federal requirements applicable to comparable projects supported by other Department of Transportation financial assistance programs, including domestic preference requirements, contracting opportunities for small and disadvantaged businesses, and labor practices: Provided further, That the Secretary may retain up to 2 percent of the amounts made available under this heading in this Act, and may transfer portions of such amounts to the Administrators of the Federal Aviation Administration, the Federal Highway Administration, the Federal Transit Administration, the Federal Railroad Administration and the Maritime Administration to fund the award and oversight of grants and credit assistance made under the program authorized under section 6702 of title 49, United States Code: Provided further, That for amounts made available under this heading in this Act, the Secretary shall consider and award projects based solely on the selection criteria as identified under paragraphs (3) and (4) of section 6702(d) of title 49, United States Code.

THRIVING COMMUNITIES INITIATIVE
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for a thriving communities program, \$100,000,000, to remain available until September 30, 2025: Provided, That the Secretary of Transportation shall make such amounts available for technical assistance and cooperative agreements to develop and implement technical assistance, planning, and capacity building to improve and foster thriving communities through transportation improvements: Provided further, That the Secretary may enter into cooperative agreements with philanthropic entities, non-profit organizations, other Federal agencies, state or local governments and their agencies, Indian Tribes, or other technical assistance providers, to provide such technical assistance, planning, and capacity building to state, local, or Tribal governments, United States territories, metropolitan planning organizations, transit agencies, or other political subdivisions of state or local governments: Provided further, That to be eligible for a cooperative agreement under this heading, a recipient shall provide assistance to entities described in the preceding proviso on engaging in public plan-

ning processes with residents, local businesses, non-profit organizations, and to the extent practicable, philanthropic organizations, educational institutions, or other community stakeholders: Provided further, That such cooperative agreements shall facilitate the planning and development of transportation and community revitalization activities supported by the Department of Transportation under titles 23, 46, and 49, United States Code, that increase mobility, reduce pollution from transportation sources, expand affordable transportation options, facilitate efficient land use, preserve or expand jobs, improve housing conditions, enhance connections to health care, education, and food security, or improve health outcomes: Provided further, That the Secretary may prioritize assistance provided with amounts made available under this heading to communities that have disproportionate rates of pollution and poor air quality, communities experiencing disproportionate effects (as defined by Executive Order No. 12898), areas of persistent poverty as defined in section 6702(a)(1) of title 49, United States Code, or historically disadvantaged communities: Provided further, That the preceding proviso shall not prevent the Secretary from providing assistance with amounts made available under this heading to entities described in the second proviso under this heading that request assistance through the thriving communities program: Provided further, That planning and technical assistance made available under this heading may include pre-application assistance for capital projects eligible under titles 23, 46, and 49, United States Code: Provided further, That the Secretary may retain amounts made available under this heading for the necessary administrative expenses of (1) developing and disseminating best practices, modeling, and cost-benefit analysis methodologies to assist entities described in the second proviso under this heading with applications for financial assistance programs under titles 23, 46, and 49, United States Code, and (2) award, administration, and oversight of cooperative agreements to carry out the provisions under this heading: Provided further, That such amounts and payments as may be necessary to carry out the thriving communities program may be transferred to appropriate accounts of other operating administrations within the Department of Transportation: Provided further, That the Secretary shall notify the House and Senate Committees on Appropriations not later than 3 business days prior to a transfer carried out under the preceding proviso.

NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU

For necessary expenses of the National Surface Transportation and Innovative Finance Bureau as authorized by 49 U.S.C. 116, \$3,800,000, to remain available until expended: Provided, That the Secretary may collect and spend fees, as authorized by title 23, United States Code, to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal Government of servicing such credit instruments: Provided further, That such fees are available until expended to pay for such costs: Provided further, That such amounts are in addition to other amounts made available for such purposes and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code.

RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM

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

FINANCIAL MANAGEMENT CAPITAL

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

CYBER SECURITY INITIATIVES

For necessary expenses for cyber security initiatives, including necessary upgrades to network and information technology infrastructure, improvement of identity management and authentication capabilities, securing and protecting data, implementation of Federal cyber security initiatives, and implementation of enhanced security controls on agency computers and mobile devices, \$48,100,000, to remain available until September 30, 2024.

OFFICE OF CIVIL RIGHTS

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

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, \$19,648,000, to remain available until expended: Provided, That of such amount, \$7,136,000 shall be for necessary expenses of the Interagency Infrastructure Permitting Improvement Center (IIPIC): Provided further, That there may be transferred to this appropriation, to remain available until expended, amounts transferred from other Federal agencies for expenses incurred under this heading for IIPIC activities not related to transportation infrastructure: Provided further, That the tools and analysis developed by the IIPIC shall be available to other Federal agencies for the permitting and review of major infrastructure projects not related to transportation only to the extent that other Federal agencies provide funding to the Department in accordance with the preceding proviso.

WORKING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed \$505,285,000, shall be paid from appropriations made available to the Department of Transportation: Provided, That such services shall be provided on a competitive basis to entities within the Department of Transportation: Provided further, That the limitation in the preceding proviso on operating expenses shall not apply to entities external to the Department of Transportation or for funds provided in Public Law 117-58: Provided further, That no funds made available by this Act to an agency of the Department shall be transferred to the Working Capital Fund without majority approval of the Working Capital Fund Steering Committee and approval of the Secretary: Provided further, That no assessments may be levied against any program, budget activity, sub-activity, or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND OUTREACH

For necessary expenses for small and disadvantaged business utilization and outreach activities, \$7,094,000, to remain available until September 30, 2024: Provided, That notwithstanding section 332 of title 49, United States Code, such amounts may be used for business opportunities related to any mode of transportation: Provided further, That appropriations made available under this heading shall be available for any purpose consistent with prior year appropriations that were made available under the heading "Office of the Secretary—Minority Business Resource Center Program".

PAYMENTS TO AIR CARRIERS
(AIRPORT AND AIRWAY TRUST FUND)

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

ELECTRIC VEHICLE FLEET
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the Department's transition to the General Services Administration's leased vehicle fleet, and for the purchase of zero emission passenger motor vehicles and supporting charging or fueling infrastructure, \$11,000,000, to remain available until September 30, 2025: Provided, That such amounts are in addition to amounts otherwise available for such purposes: Provided further, That amounts made available under this heading may be transferred to other accounts of the Department of Transportation for the purposes specified under this heading: Provided further, That the Secretary shall notify the House and Senate Committees on Appropriations not later than 3 business days prior to a transfer carried out under the preceding proviso.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE
SECRETARY OF TRANSPORTATION

SEC. 101. None of the funds made available by this Act to the Department of Transportation may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the operating administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for congressional notification.

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

SEC. 103. In addition to authority provided by section 327 of title 49, United States Code, the Department's Working Capital Fund is authorized to provide partial or full payments in advance and accept subsequent reimbursements from all Federal agencies from available funds for transit benefit distribution services that are necessary to carry out the Federal transit pass transportation fringe benefit program under Executive Order No. 13150 and section 3049 of SAFETEA-LU (5 U.S.C. 7905 note): Provided, That the Department shall maintain a reasonable operating reserve in the Working Capital Fund, to be expended in advance to provide uninterrupted transit benefits to Government employees: Provided further, That such reserve shall not exceed 1 month of benefits payable and may be used only for the purpose of providing for the continuation of transit benefits: Provided further, That the Working Capital Fund shall be fully reimbursed by each customer

agency from available funds for the actual cost of the transit benefit.

SEC. 104. Receipts collected in the Department's Working Capital Fund, as authorized by section 327 of title 49, United States Code, for unused transit and van pool benefits, in an amount not to exceed 10 percent of fiscal year 2023 collections, shall be available until expended in the Department's Working Capital Fund to provide contractual services in support of section 189 of this Act: Provided, That obligations in fiscal year 2023 of such collections shall not exceed \$1,000,000.

SEC. 105. None of the funds in this title may be obligated or expended for retention or senior executive bonuses for an employee of the Department of Transportation without the prior written approval of the Assistant Secretary for Administration.

SEC. 106. In addition to authority provided by section 327 of title 49, United States Code, the Department's Administrative Working Capital Fund is hereby authorized to transfer information technology equipment, software, and systems from Departmental sources or other entities and collect and maintain a reserve at rates which will return full cost of transferred assets.

SEC. 107. None of the funds provided in this Act to the Department of Transportation may be used to provide credit assistance unless not less than 3 days before any application approval to provide credit assistance under sections 603 and 604 of title 23, United States Code, the Secretary provides notification in writing to the following committees: the House and Senate Committees on Appropriations; the Committee on Environment and Public Works and the Committee on Banking, Housing and Urban Affairs of the Senate; and the Committee on Transportation and Infrastructure of the House of Representatives: Provided, That such notification shall include, but not be limited to, the name of the project sponsor; a description of the project; whether credit assistance will be provided as a direct loan, loan guarantee, or line of credit; and the amount of credit assistance.

FEDERAL AVIATION ADMINISTRATION
OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, the lease or purchase of passenger motor vehicles for replacement only, \$11,870,000,000, to remain available until September 30, 2024, of which \$9,993,821,000 to be derived from the Airport and Airway Trust Fund: Provided, That of the amounts made available under this heading—

- (1) not less than \$1,645,018,000 shall be available for aviation safety activities;
- (2) \$8,760,044,000 shall be available for air traffic organization activities;
- (3) \$33,675,000 shall be available for commercial space transportation activities;
- (4) \$915,049,000 shall be available for finance and management activities;
- (5) \$65,581,000 shall be available for NextGen and operations planning activities;
- (6) \$153,447,000 shall be available for security and hazardous materials safety; and
- (7) \$297,186,000 shall be available for staff offices:

Provided further, That not to exceed 5 percent of any budget activity, except for aviation safety budget activity, may be transferred to any budget activity under this heading: Provided further, That no transfer may increase or decrease any appropriation under this heading by more than 5 percent: Provided further, That any transfer in excess of 5 percent shall be treated as a reprogramming of funds under section 405 of

this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That not later than 60 days after the submission of the budget request, the Administrator of the Federal Aviation Administration shall transmit to Congress an annual update to the report submitted to Congress in December 2004 pursuant to section 221 of the Vision 100-Century of Aviation Reauthorization Act (49 U.S.C. 40101 note): Provided further, That the amounts made available under this heading shall be reduced by \$100,000 for each day after 60 days after the submission of the budget request that such report has not been transmitted to Congress: Provided further, That not later than 60 days after the submission of the budget request, the Administrator shall transmit to Congress a companion report that describes a comprehensive strategy for staffing, hiring, and training flight standards and aircraft certification staff in a format similar to the one utilized for the controller staffing plan, including stated attrition estimates and numerical hiring goals by fiscal year: Provided further, That the amounts made available under this heading shall be reduced by \$100,000 for each day after the date that is 60 days after the submission of the budget request that such report has not been submitted to Congress: Provided further, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: Provided further, That none of the funds made available by this Act shall be available for new applicants for the second career training program: Provided further, That none of the funds made available by this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: Provided further, That there may be credited to this appropriation, as offsetting collections, funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: Provided further, That of the amounts made available under this heading, not less than \$187,800,000 shall be used to fund direct operations of the current air traffic control towers in the contract tower program, including the contract tower cost share program, and any airport that is currently qualified or that will qualify for the program during the fiscal year: Provided further, That none of the funds made available by this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund: Provided further, That none of the funds appropriated or otherwise made available by this Act or any other Act may be used to eliminate the Contract Weather Observers program at any airport.

FACILITIES AND EQUIPMENT
(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of national airspace systems and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal

Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds made available under this heading, including aircraft for aviation regulation and certification; to be derived from the Airport and Airway Trust Fund, \$2,900,000,000, of which \$570,000,000 is for personnel and related expenses and shall remain available until September 30, 2024, \$1,803,600,000 is for equipment and shall remain available until September 30, 2025, and \$526,400,000 is for facilities and shall remain available until September 30, 2027: Provided, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment, improvement, and modernization of national airspace systems: Provided further, That not later than 60 days after submission of the budget request, the Secretary of Transportation shall transmit to the Congress an investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2024 through 2028, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget: Provided further, That section 405 of this Act shall apply to amounts made available under this heading in title VIII of the Infrastructure Investments and Jobs Appropriations Act (division J of Public Law 117-58): Provided further, That the amounts specified for each Budget Line Item in the table included in the "Facilities and Equipment Spend Plan for Fiscal Year 2023 Infrastructure Investment and Jobs Act Funding" section of the Federal Aviation Administration FY 2023 President's Budget, as submitted to the House and Senate Committees on Appropriations, shall be the baseline for application of reprogramming and transfer authorities for the current fiscal year pursuant to paragraph (7) of such section 405 for amounts referred to in the preceding proviso: Provided further, That, notwithstanding paragraphs (5) and (6) of such section 405, unless prior approval is received from the House and Senate Committees on Appropriations, not to exceed 10 percent of any funding level specified for projects and activities in the table referred to in the preceding proviso may be transferred to any other funding level specified for projects and activities in such table and no transfer of such funding levels may increase or decrease any funding level in such table by more than 10 percent.

RESEARCH, ENGINEERING, AND DEVELOPMENT
(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, \$260,500,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2025: Provided, That there may be credited to this appropriation as offsetting collections, funds received from States, counties, municipalities, other public authorities, and private sources, which shall be available for expenses incurred for research, engineering, and development: Provided further, That amounts made available under this heading shall be used in accordance with the report accompanying this Act: Provided further, That not to exceed 10 percent of any funding level specified under this heading in the report accompanying this Act may be transferred to any other funding level specified under this heading in the report accompanying this Act: Provided further, That no transfer may increase or decrease any funding level by more than 10 percent: Provided further, That any transfer in excess of 10 percent shall be treated as a reprogramming of funds under section 405 of this

Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

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

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, \$3,350,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: Provided, That none of the amounts made available under this heading shall be available for the planning or execution of programs the obligations for which are in excess of \$3,350,000,000, in fiscal year 2023, notwithstanding section 47117(g) of title 49, United States Code: Provided further, That none of the amounts made available under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: Provided further, That notwithstanding section 47109(a) of title 49, United States Code, the Government's share of allowable project costs under paragraph (2) of such section for subgrants or paragraph (3) of such section shall be 95 percent for a project at other than a large or medium hub airport that is a successive phase of a multi-phased construction project for which the project sponsor received a grant in fiscal year 2011 for the construction project: Provided further, That notwithstanding any other provision of law, of amounts limited under this heading, not less than \$137,372,000 shall be available for administration, \$15,000,000 shall be available for the Airport Cooperative Research Program, \$40,828,000 shall be available for Airport Technology Research, and \$10,000,000, to remain available until expended, shall be available and transferred to "Office of the Secretary, Salaries and Expenses" to carry out the Small Community Air Service Development Program: Provided further, That in addition to airports eligible under section 41743 of title 49, United States Code, such program may include the participation of an airport that serves a community or consortium that is not larger than a small hub airport, according to FAA hub classifications effective at the time the Office of the Secretary issues a request for proposals.

GRANTS-IN-AID FOR AIRPORTS

For an additional amount for "Grants-In-Aid for Airports", to enable the Secretary of Transportation to make grants for projects as authorized by subchapter 1 of chapter 471 and subchapter 1 of chapter 475 of title 49, United States Code, \$272,604,000, to remain available through September 30, 2025: Provided, That amounts made available under this heading shall be derived from the general fund, and such funds shall not be subject to apportionment formulas, special apportionment categories, or minimum percentages under chapter 471 of title 49, United States Code: Provided further, That of the amounts made available under this heading, \$172,604,000 is for Community Project Funding for the purposes, and in the amounts, specified for this account in the table titled "Transportation, Housing and Urban Development Incor-

poration of Community Project Funding Items" included in the report accompanying this Act: Provided further, That any funds made available under this heading in this Act that remain available after the distribution of funds under the preceding proviso shall be available to the Secretary to distribute as discretionary grants to airports: Provided further, That the amounts made available under this heading shall not be subject to any limitation on obligations for the Grants-in-Aid for Airports program set forth in any Act: Provided further, That the Administrator of the Federal Aviation Administration may retain up to 0.5 percent of the amounts made available under this heading to fund the award and oversight by the Administrator of grants made under this heading.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION
ADMINISTRATION

SEC. 110. None of the funds made available by this Act may be used to compensate in excess of 600 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2023.

SEC. 111. None of the funds made available by this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: Provided, That the prohibition on the use of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on "below-market" rates for these items or to grant assurances that require airport sponsors to provide land without cost to the Federal Aviation Administration for air traffic control facilities.

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

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

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

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

SEC. 116. Notwithstanding any other provision of law, none of the funds made available under this Act or any prior Act may be used to implement or to continue to implement any limitation on the ability of any owner or operator of a private aircraft to obtain, upon a request to the Administrator of the Federal Aviation Administration, a blocking of that owner's or operator's aircraft registration number, Mode S transponder code, flight identification, call sign, or similar identifying information from any ground based display to the public that would allow the real-time or near real-time flight tracking of that aircraft's movements, except data made available to a Government agency, for the non-commercial flights of that owner or operator.

SEC. 117. None of the funds made available by this Act shall be available for salaries and expenses of more than nine political and Presidential appointees in the Federal Aviation Administration.

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

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

SEC. 119A. None of the funds made available by or limited by this Act may be used to change weight restrictions or prior permission rules at Teterboro airport in Teterboro, New Jersey.

SEC. 119B. None of the funds made available by this Act may be used by the Administrator of the Federal Aviation Administration to withhold from consideration and approval any new application for participation in the Contract Tower Program, or for reevaluation of Cost-share Program participants so long as the Federal Aviation Administration has received an application from the airport, and so long as the Administrator determines such tower is eligible using the factors set forth in Federal Aviation Administration published establishment criteria.

SEC. 119C. None of the funds made available by this Act may be used to open, close, redesignate as a lesser office, or reorganize a regional office, the aeronautical center, or the technical center unless the Administrator submits a request for the reprogramming of funds under section 405 of this Act.

SEC. 119D. The Federal Aviation Administration Administrative Services Franchise Fund may be reimbursed after performance or paid in advance from funds available to the Federal Aviation Administration and other Federal agencies for which the Fund performs services.

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

(1) during the period of time beginning on October 5, 2018 and ending on December 31, 2021; or

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

SEC. 119F. Of the funds provided under the heading "Grants-in-aid for Airports", up to \$3,500,000 shall be for necessary expenses, including an independent verification regime, to provide reimbursement to airport sponsors that do not provide gateway operations and providers of general aviation ground support services, or other aviation tenants, located at those airports closed during a temporary flight restriction (TFR) for any residence of the President that is designated or identified to be secured by the United States Secret Service, and for direct and incremental financial losses incurred while such airports are closed solely due to the actions of the Federal Government: Provided, That no funds shall be obligated or distributed to airport sponsors that do not provide gateway operations and providers of general aviation ground support services until an independent audit is completed: Provided further, That losses incurred as a result of violations of law, or through fault or negligence, of such operators and service providers or of third parties (including airports) are not eligible for reimbursements: Provided further, That obligation and expenditure of funds

are conditional upon full release of the United States Government for all claims for financial losses resulting from such actions.

FEDERAL HIGHWAY ADMINISTRATION
LIMITATION ON ADMINISTRATIVE EXPENSES
(HIGHWAY TRUST FUND)
(INCLUDING TRANSFER OF FUNDS)

Not to exceed \$476,783,991 together with advances and reimbursements received by the Federal Highway Administration, shall be obligated for necessary expenses for administration and operation of the Federal Highway Administration or transferred to the Appalachian Regional Commission for administrative activities associated with the Appalachian Development Highway System.

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

Funds available for the implementation or execution of authorized Federal-aid highway and highway safety construction programs shall not exceed total obligations of \$58,764,510,674 for fiscal year 2023: Provided, That the limitation on obligations under this heading shall only apply to contract authority authorized from the Highway Trust Fund (other than the Mass Transit Account), unless otherwise specified in law.

(LIQUIDATION OF CONTRACT AUTHORIZATION)
(HIGHWAY TRUST FUND)

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

HIGHWAY INFRASTRUCTURE PROGRAMS
(INCLUDING TRANSFER OF FUNDS)

There is hereby appropriated to the Secretary \$1,755,060,641: Provided, That the funds made available under this heading shall be derived from the general fund, shall be in addition to any funds provided for fiscal year 2023 in this or any other Act for: (1) "Federal-aid Highways" under chapter 1 of title 23, United States Code; or (2) the Appalachian Development Highway System as authorized under section 1069(y) of Public Law 102-240, and shall not affect the distribution or amount of funds provided in any other Act: Provided further, That section 11101(e) of Public Law 117-58 shall apply to amounts made available under this heading: Provided further, That unless otherwise specified, amounts made available under this heading shall be available until September 30, 2026, and shall not be subject to any limitation on obligations for Federal-aid highways or highway safety construction programs set forth in any Act making annual appropriations: Provided further, That of the funds made available under this heading, the Federal Highway Administration may retain an amount of \$3,000,000, to remain available until expended, to fund the oversight of projects carried out with funds made available under this heading: Provided further, That of the funds made available under this heading—

(1) \$1,275,060,641 shall be made available for Community Project Funding for the purposes, and in the amounts, specified for this account in the table titled "Transportation, Housing and Urban Development Incorporation of Community Project Funding Items" included in the report accompanying this Act: Provided, That, except as otherwise provided under this heading, the funds made available under this paragraph shall be administered as if apportioned under chapter 1 of title 23, United States Code: Provided further, That funds made available under this paragraph that are used for Tribal projects shall be administered as if allocated under chapter 2 of title 23, United States Code, except that the set-asides described in subparagraph

(C) of section 202(b)(3) of title 23, United States Code, and subsections (a)(6), (c), and (e) of section 202 of such title, and section 1123(h)(1) of MAP-21 (as amended by Public Law 117-58), shall not apply to such funds;

(2) \$100,000,000 shall be for necessary expenses for construction of the Appalachian Development Highway System as authorized under section 1069(y) of Public Law 102-240: Provided, That for the purposes of funds made available under this paragraph, the term "Appalachian State" means a State that contains 1 or more counties (including any political subdivision located within the area) in the Appalachian region as defined in section 14102(a) of title 40, United States Code: Provided further, That funds made available under this heading for construction of the Appalachian Development Highway System shall remain available until expended: Provided further, That, except as provided in the following proviso, funds made available under this heading for construction of the Appalachian Development Highway System shall be administered as if apportioned under chapter 1 of title 23, United States Code: Provided further, That a project carried out with funds made available under this heading for construction of the Appalachian Development Highway System shall be carried out in the same manner as a project under section 14501 of title 40, United States Code: Provided further, That subject to the following proviso, funds made available under this heading for construction of the Appalachian Development Highway System shall be apportioned to the Appalachian States according to the percentages derived from the 2021 Appalachian Development Highway System Cost-to-Complete Estimate, adopted in Appalachian Regional Commission Resolution Number 788, and confirmed as each Appalachian State's relative share of the estimated remaining need to complete the Appalachian Development Highway System, adjusted to exclude those corridors that such States have no current plans to complete, as reported in the 2013 Appalachian Development Highway System Completion Report, unless those States have modified and assigned a higher priority for completion of an Appalachian Development Highway System corridor, as reported in the 2021 Appalachian Development Highway System Future Outlook: Provided further, That the Secretary shall adjust apportionments made under the preceding proviso so that no Appalachian State shall be apportioned an amount in excess of 30 percent of the amount made available for construction of the Appalachian Development Highway System under this heading: Provided further, That the Secretary shall consult with the Appalachian Regional Commission in making adjustments under the preceding two provisos: Provided further, That the Federal share of the costs for which an expenditure is made for construction of the Appalachian Development Highway System under this heading shall be up to 100 percent;

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

(4) \$12,000,000 shall be for the regional infrastructure accelerator demonstration program authorized under section 1441 of the FAST Act (23 U.S.C. 601 note): Provided, That for funds made available under this paragraph, the Federal share of the costs shall be, at the option of the recipient, up to 100 percent;

(5) \$30,000,000 shall be for the national scenic byways program under section 162 of title 23, United States Code: Provided, That, except as otherwise provided under this heading, the funds made available under this paragraph shall be administered as if apportioned under chapter 1 of title 23, United States Code;

(6) \$100,000,000 shall be for the safe streets and roads for all grant program under section 24112

of the Infrastructure Investment and Jobs Act (23 U.S.C. 402 note), to remain available until expended: Provided, That notwithstanding section 24112(c)(2)(B) of Pub. L. 117-58, of the total amount made available under this paragraph in this Act, the Secretary may award less than 40 percent to eligible projects described in 24112(a)(3)(A) of Pub. L. 117-58, but shall award not less than 20 percent to such projects: Provided further, That amounts made available under this paragraph in this Act may be transferred to and merged with the appropriations for "Office of the Secretary";

(7) \$100,000,000 shall be for the active transportation infrastructure investment program under section 11529 of the Infrastructure Investment and Jobs Act (23 U.S.C. 217 note), to remain available until expended: Provided, That, except as otherwise provided under such section or this heading, the funds made available under this paragraph shall be administered as if apportioned under chapter 1 of title 23, United States Code;

(8) \$55,000,000 shall be for the healthy streets program under section 11406 of the Infrastructure Investment and Jobs Act (23 U.S.C. 149 note): Provided, That, except as otherwise provided under such section or this heading, the funds made available under this paragraph shall be administered as if apportioned under chapter 1 of title 23, United States Code; and

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

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

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

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

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

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

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

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

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

(3) determine the proportion that—

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

(B) the total of the sums authorized to be appropriated for the Federal-aid highway and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (11) of subsection (b) and sums authorized to be appropriated for section 119 of title 23, United States Code, equal to the amount referred to in subsection (b)(12) for such fiscal year), less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under authorized Federal-aid highway and highway safety construction programs, or apportioned by the Secretary under sections 202 or 204 of title 23, United States Code, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for such fiscal year; and

(5) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highway and highway safety construction programs that are apportioned by the Secretary under title 23, United States Code (other than the amounts apportioned for the National Highway Performance Program in section 119 of title 23, United States Code, that are exempt from the limitation under subsection (b)(12) and the amounts apportioned under sections 202 and 204 of that title) in the proportion that—

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

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to all States for such fiscal year.

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

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

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

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

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

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);

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

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

(9) Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only to the extent that the obligation authority has not lapsed or been used;

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

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

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

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall, after August 1 of such fiscal year—

(1) revise a distribution of the obligation limitation made available under subsection (a) if an amount distributed cannot be obligated during that fiscal year; and

(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 144 (as in effect on the day before the date of enactment of Public Law 112-141) and 104 of title 23, United States Code.

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

(1) IN GENERAL.—Except as provided in paragraph (2), the obligation limitation for Federal-aid highways shall apply to contract authority for transportation research programs carried out under—

(A) chapter 5 of title 23, United States Code; (B) title VI of the Fixing America's Surface Transportation Act; and

(C) title III of division A of the Infrastructure Investment and Jobs Act (Public Law 117-58).

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

(A) remain available for a period of 4 fiscal years; and

(B) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

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

(A) are authorized to be appropriated for such fiscal year for Federal-aid highway programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for such fiscal year because of the imposition of any obligation limitation for such fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (a)(5).

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

SEC. 121. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to chapter 63 of title 49, United States Code, may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: Provided, That such funds shall be subject to the obligation limitation for Federal-aid highway and highway safety construction programs.

SEC. 122. Not less than 15 days prior to waiving, under his or her statutory authority, any Buy America requirement for Federal-aid highways projects, the Secretary of Transportation shall make an informal public notice and comment opportunity on the intent to issue such waiver and the reasons therefor: Provided, That the Secretary shall provide an annual report to the House and Senate Committees on Appropriations on any waivers granted under the Buy America requirements.

SEC. 123. None of the funds made available in this Act may be used to make a grant for a project under section 117 of title 23, United States Code, unless the Secretary, at least 60 days before making a grant under that section, provides written notification to the House and Senate Committees on Appropriations of the proposed grant, including an evaluation and justification for the project and the amount of the proposed grant award: Provided, That the written notification required in the preceding proviso shall be made not later than 180 days after the date of enactment of this Act.

SEC. 124. (a) A State or territory, as defined in section 165 of title 23, United States Code, may use for any project eligible under section 133(b) of title 23 or section 165 of title 23 and located within the boundary of the State or territory any earmarked amount, and any associated obligation limitation: Provided, That the Department of Transportation for the State or territory for which the earmarked amount was originally

designated or directed notifies the Secretary of its intent to use its authority under this section and submits an annual report to the Secretary identifying the projects to which the funding would be applied. Notwithstanding the original period of availability of funds to be obligated under this section, such funds and associated obligation limitation shall remain available for obligation for a period of 3 fiscal years after the fiscal year in which the Secretary is notified. The Federal share of the cost of a project carried out with funds made available under this section shall be the same as associated with the earmark.

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

(1) congressionally directed spending, as defined in rule XLIV of the Standing Rules of the Senate, identified in a prior law, report, or joint explanatory statement, which was authorized to be appropriated or appropriated more than 10 fiscal years prior to the current fiscal year, and administered by the Federal Highway Administration; or

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

(c) The authority under subsection (a) may be exercised only for those projects or activities that have obligated less than 10 percent of the amount made available for obligation as of October 1 of the current fiscal year, and shall be applied to projects within the same general geographic area within 25 miles for which the funding was designated, except that a State or territory may apply such authority to unexpended balances of funds from projects or activities the State or territory certifies have been closed and for which payments have been made under a final voucher.

(d) The Secretary shall submit consolidated reports of the information provided by the States and territories annually to the House and Senate Committees on Appropriations.

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

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION) (LIMITATION ON OBLIGATIONS) (HIGHWAY TRUST FUND)

For payment of obligations incurred in the implementation, execution, and administration of motor carrier safety operations and programs pursuant to section 31110 of title 49, United States Code, \$367,500,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended: Provided, That funds available for implementation, execution, or administration of motor carrier safety operations and programs authorized under title 49, United States Code, shall not exceed total obligations of \$367,500,000, for “Motor Carrier Safety Operations and Programs” for fiscal year 2023, of which \$14,073,000, to remain available for obligation until September 30, 2025, is for the research and technology program, and of which not less than \$63,098,000, to remain available for obligation until September 30, 2025, is for development, modernization, enhancement, and continued operation and maintenance of information technology and information management.

MOTOR CARRIER SAFETY GRANTS (LIQUIDATION OF CONTRACT AUTHORIZATION) (LIMITATION ON OBLIGATIONS) (HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out sections 31102, 31103, 31104, and 31313 of title 49, United States Code, \$506,150,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: Provided, That funds available for the implementation or execution of motor carrier safety programs shall not exceed total obligations of \$506,150,000 in fiscal year 2023 for “Motor Carrier Safety Grants”: Provided further, That of the amounts made available under this heading—

(1) \$398,500,000, to remain available for obligation until September 30, 2024, shall be for the motor carrier safety assistance program;

(2) \$42,650,000, to remain available for obligation until September 30, 2024, shall be for the commercial driver’s license program implementation program;

(3) \$58,800,000, to remain available for obligation until September 30, 2024, shall be for the high priority program;

(4) \$1,200,000, to remain available for obligation until September 30, 2024, shall be for the commercial motor vehicle operators grant program; and

(5) \$5,000,000, to remain available for obligation until September 30, 2024, shall be for the commercial motor vehicle enforcement training and support grant program.

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

SEC. 130. The Federal Motor Carrier Safety Administration shall update annual inspection regulations under Appendix G to subchapter B of chapter III of title 49, Code of Federal Regulations, as recommended by GAO-19-264.

SEC. 131. None of the funds appropriated or otherwise made available to the Department of Transportation by this Act or any other Act may be obligated or expended to implement, administer, or enforce the requirements of section 31137 of title 49, United States Code, or any regulation issued by the Secretary pursuant to such section, with respect to the use of electronic logging devices by operators of commercial motor vehicles, as such term is defined in section 31132 of such title, who are transporting livestock, as such term is defined in section 602 of the Emergency Livestock Feed Assistance Act of 1988 (7 U.S.C. 1471), or insects.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION OPERATIONS AND RESEARCH

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

OPERATIONS AND RESEARCH (LIQUIDATION OF CONTRACT AUTHORIZATION) (LIMITATION ON OBLIGATIONS) (HIGHWAY TRUST FUND)

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

(1) \$190,000,000 shall be for programs authorized under section 403 of title 23, United States Code, including behavioral research on Automated Driving Systems and Advanced Driver Assistance Systems and improving consumer responses to safety recalls, and section 25024 of the Infrastructure Investment and Jobs Act (Public Law 117-58); and

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

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

HIGHWAY TRAFFIC SAFETY GRANTS (LIQUIDATION OF CONTRACT AUTHORIZATION) (LIMITATION ON OBLIGATIONS) (HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out provisions of sections 402, 404, and 405 of title 23, United States Code, and grant administration expenses under chapter 4 of title 23, United States Code, to remain available until expended, \$795,220,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account): Provided, That none of the funds in this Act shall be available for the planning or execution of programs for which the total obligations in fiscal year 2023 are in excess of \$795,220,000 for programs authorized under sections 402, 404, and 405 of title 23, United States Code, and grant administration expenses under chapter 4 of title 23, United States Code: Provided further, That of the sums appropriated under this heading—

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

(2) \$346,500,000 shall be for “National Priority Safety Programs” under section 405 of title 23, United States Code;

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

(4) \$39,520,000 shall be for grant administrative expenses under chapter 4 of title 23, United States Code:

Provided further, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local or private buildings or structures: Provided further, That not to exceed \$500,000 of the funds made available for “National Priority Safety Programs” under section 405 of title 23, United States Code, for “Impaired Driving Countermeasures” (as described in subsection (d) of that section) shall be available for technical assistance to the States: Provided further, That with respect to the “Transfers” provision under section 405(a)(8) of title 23, United States Code, any amounts transferred to increase the amounts made available under section 402 shall include the obligation authority for such amounts: Provided further, That the Administrator shall notify the House and Senate Committees on Appropriations of any exercise of the authority granted under the preceding proviso or under section 405(a)(8) of title 23, United States Code, within 5 days.

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

SEC. 140. An additional \$130,000 shall be made available to the National Highway Traffic Safety Administration, out of the amount limited for section 402 of title 23, United States Code, to pay for travel and related expenses for State management reviews and to pay for core competency development training and related expenses for highway safety staff.

SEC. 141. The limitations on obligations for the programs of the National Highway Traffic Safety Administration set in this Act shall not apply to obligations for which obligation authority was made available in previous public laws but only to the extent that the obligation authority has not lapsed or been used.

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

FEDERAL RAILROAD ADMINISTRATION
SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, \$250,449,000, of which \$25,000,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, \$47,000,000, to remain available until expended: Provided, That of the amounts made available under this heading, up to \$3,000,000 shall be available pursuant to section 20108(d) of title 49, United States Code, for the construction, alteration, and repair of buildings and improvements at the Transportation Technology Center.

FEDERAL-STATE PARTNERSHIP FOR INTERCITY
PASSENGER RAIL

For necessary expenses related to Federal-State Partnership for Intercity Passenger Rail grants as authorized by section 24911 of title 49, United States Code, \$555,000,000, to remain available until expended: Provided, That amounts made available under the heading “Northeast Corridor Grants to the National Railroad Passenger Corporation” in this Act may be used as non-Federal share for projects located on the Northeast Corridor selected for award under section 24911 of title 49, United States Code, notwithstanding subsection (f) of such section: Provided further, That amounts made available under the heading “National Network Grants to the National Railroad Passenger Corporation” in this Act may be used as non-Federal share for projects not located on the Northeast Corridor selected for award under section 24911 of title 49, United States Code, notwithstanding subsection (f) of such section: Provided further, That the Secretary may withhold up to 2 percent of the amounts made available under this heading in this Act for the costs of award and project management oversight of grants carried out under title 49, United States Code.

CONSOLIDATED RAIL INFRASTRUCTURE AND
SAFETY IMPROVEMENTS

For necessary expenses related to Consolidated Rail Infrastructure and Safety Improvements grants, as authorized by section 22907 of title 49, United States Code, \$630,000,000, to remain available until expended: Provided, That of the amounts made available under this heading in this Act—

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

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

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

Provided further, That for amounts made available under this heading, eligible projects under section 22907(c)(8) of title 49, United States Code, shall also include railroad systems planning (including the preparation of regional

intercity passenger rail plans and State Rail Plans) and railroad project development activities (including railroad project planning, preliminary engineering, design, environmental analysis, feasibility studies, and the development and analysis of project alternatives): Provided further, That section 22907(e)(1)(A) of title 49, United States Code, shall not apply to amounts made available under this heading: Provided further, That section 22907(e)(1)(A) of title 49, United States Code, shall not apply to amounts made available under this heading in previous fiscal years if such funds are announced in a notice of funding opportunity that includes funds made available under this heading: Provided further, That unobligated balances remaining after 6 years after the date of enactment of this Act may be used for any eligible project under section 22907(c) of title 49, United States Code: Provided further, That the Secretary may withhold up to 2 percent of the amounts made available under this heading in this Act for the costs of award and project management oversight of grants carried out under title 49, United States Code.

NORTHEAST CORRIDOR GRANTS TO THE NATIONAL
RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for activities associated with the Northeast Corridor as authorized by section 22101(a) of the Infrastructure Investment and Jobs Act (Public Law 117–58), \$882,000,000, to remain available until expended: Provided, That the Secretary may retain up to one-half of 1 percent of the amounts made available under both this heading in this Act and the “National Network Grants to the National Railroad Passenger Corporation” heading in this Act to fund the costs of project management and oversight of activities authorized by section 22101(c) of the Infrastructure Investment and Jobs Act (Public Law 117–58): Provided further, That in addition to the project management oversight funds authorized under section 22101(c) of the Infrastructure Investment and Jobs Act (Public Law 117–58), the Secretary may retain up to an additional \$1,000,000 of the amounts made available under this heading in this Act to fund expenses associated with the Northeast Corridor Commission established under section 24905 of title 49, United States Code: Provided further, That notwithstanding section 24911(f) of title 49, United States Code, amounts made available under this heading in this Act may be used as non-Federal share for projects located on the Northeast Corridor selected for award under section 24911 of title 49, United States Code.

NATIONAL NETWORK GRANTS TO THE NATIONAL
RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for activities associated with the National Network as authorized by section 22101(b) of the Infrastructure Investment and Jobs Act (Public Law 117–58), \$1,463,000,000, to remain available until expended: Provided, That the National Railroad Passenger Corporation may use up to 10 percent of the amounts made available under this heading in this Act to support planning and capital costs, and operating assistance consistent with the Federal funding limitations under section 22908 of title 49, United States Code, of corridors selected under section 25101 of title 49, United States Code, that are operated by the National Railroad Passenger Corporation: Provided further, That notwithstanding section 24911(f) of title 49, United States Code, amounts made available under this heading in this Act may be used as non-Federal share for projects not located on the Northeast Corridor selected for award under section 24911 of title 49, United States Code: Provided further, That none of the funds made available under this heading in this Act shall be used by Amtrak to give notice under subsection (a) or (c) of section 24706 of title 49, United States Code, with

respect to long-distance routes (as defined in section 24102 of title 49, United States Code) on which Amtrak is the sole operator on a host railroad’s line and a positive train control system is not required by law or regulation, or, except in an emergency or during maintenance or construction outages impacting such routes, to otherwise discontinue, reduce the frequency of, suspend, or substantially alter the route of rail service on any portion of such route operated in fiscal year 2018, including implementation of service permitted by section 24305(a)(3)(A) of title 49, United States Code, in lieu of rail service.

ADMINISTRATIVE PROVISIONS—FEDERAL
RAILROAD ADMINISTRATION

(INCLUDING RESCISSION)

(INCLUDING TRANSFER OF FUNDS)

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

SEC. 151. Amounts made available in this and prior Acts to the Secretary or to the Federal Railroad Administration for the costs of award, administration, and project management oversight of financial assistance which are administered by the Federal Railroad Administration may be transferred to the Federal Railroad Administration’s “Financial Assistance Oversight and Technical Assistance” account for necessary expenses to support the award, administration, project management oversight, and technical assistance of financial assistance administered by the Federal Railroad Administration, in the same manner as appropriated in this and prior Acts: Provided, That this section shall not apply to amounts that were previously designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

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

SEC. 153. Amounts transferred to a “Financial Assistance Oversight and Technical Assistance” account pursuant to section 802 of title VIII of the Infrastructure Investment and Jobs Appropriations Act (division J of Public Law 117–58), as amended by section 156 of this title, from amounts appropriated for fiscal year 2023 may also be used by the Federal Railroad Administration for the Northeast Corridor Commission established under section 24905 of title 49, United States Code, and for the State-Supported Route Committee established under section 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) of H. Res. 1151 (117th Congress) as engrossed in the House of Representatives on June 8, 2022.

SEC. 154. The matter under the heading “Department of Transportation—Federal Railroad Administration—Northeast Corridor Grants to the National Railroad Passenger Corporation” in title VIII of division J of Public Law 117–58 is amended—

(1) in the fourth proviso, by striking “Secretary of Transportation shall submit” and inserting “Secretary of Transportation, in consultation with Amtrak, shall submit”;

(2) in the fifth proviso, by striking “Secretary of Transportation shall submit” and inserting “Secretary of Transportation, in consultation with Amtrak, shall prepare and submit”;

(3) in the tenth proviso, by striking “, to facilitate a coordinated and efficient delivery of projects carried out under this heading in this Act”;

Provided, That amounts repurposed by the amendments made 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) of H. Res. 1151 (117th Congress) as engrossed in the House of Representatives on June 8, 2022.

SEC. 155. The matter under the heading “Department of Transportation—Federal Railroad Administration—National Network Grants to the National Railroad Passenger Corporation” in title VIII of division J of Public Law 117–58 is amended—

(1) in the third proviso, by striking “Secretary of Transportation shall submit” and inserting “Secretary of Transportation, in consultation with Amtrak, shall submit”;

(2) in the fourth proviso, by striking “Secretary of Transportation shall submit” and inserting “Secretary of Transportation, in consultation with Amtrak, shall prepare and submit”;

Provided, That amounts repurposed by the amendments made 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) of H. Res. 1151 (117th Congress) as engrossed in the House of Representatives on June 8, 2022.

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

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

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

Provided, That amounts repurposed by the amendments made 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) of H. Res. 1151 (117th Congress) as engrossed in the House of Representatives on June 8, 2022.

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

FEDERAL TRANSIT ADMINISTRATION
TRANSIT FORMULA GRANTS
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

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

TRANSIT INFRASTRUCTURE GRANTS

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

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

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

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

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

(5) \$267,428,324 shall be for Community Project Funding for the purposes, and in the amounts, specified for this account in the table titled “Transportation, Housing and Urban Development Incorporation of Community Project Funding Items” included in the report accompanying this Act: Provided, That unless otherwise specified, applicable requirements under chapter 53 of title 49, United States Code, shall apply to amounts made available in this paragraph, except that the Federal share of the costs for a project in this paragraph shall be in an amount equal to 80 percent of the net costs of the project, unless the Secretary approves a higher maximum Federal share of the net costs of the project consistent with administration of similar projects funded under chapter 53 of title 49, United States Code;

(6) \$2,000,000 shall be for administrative expenses and ongoing program management over-

sight as authorized under sections 5334 and 5338(c)(2) of title 49, United States Code, including for administering amounts made available for Community Project Funding in paragraph (5) under this heading in this Act, and shall be in addition to any other appropriations available for such purpose;

(7) \$30,000,000 shall be for ferry service for rural communities under section 71103 of the Infrastructure Investment and Jobs Act (Public Law 117–58): Provided, That for amounts made available in this paragraph, notwithstanding section 71103(a)(2)(B), eligible service shall include passenger ferry service that serves at least two rural areas with a single segment over 20 miles between the two rural areas and is not otherwise eligible under section 5307(h) of title 49, United States Code: Provided further, That entities that provide eligible service pursuant to the preceding proviso may use amounts made available in this paragraph for public transportation capital projects to support any ferry service between two rural areas: Provided further, That entities eligible for amounts made available in this paragraph shall only provide ferry service to rural areas; and

(8) \$50,000,000 shall be for integrated smart mobility grants to recipients eligible under sections 5307 and 5311 of title 49, United States Code, for planning and capital projects eligible under chapter 53 of such title that support the adoption of innovative approaches to mobility that will improve safety, accessibility, air-quality, and equity in access to community services and economic opportunities: Provided, That such innovative approaches may include changes to service frequencies, patterns, areas of coverage, and first and last mile options such as optimizing transit route planning and using integrated travel planning and payment systems; fare improvement projects; deployment of transit ambassadors; data and systems integration; and other activities designed to improve public transportation services: Provided further, That the Secretary shall give preference to projects that will improve access to jobs and affordable housing; enhance connections to health care, education, and food security; improve health outcomes; address how individuals without access to advanced technology will benefit from such innovative solutions; or include job retention and retraining for current employees: Provided further, That the Secretary shall award not less than 5 but not more than 10 integrated smart mobility grants with amounts made available in this paragraph: Provided further, That the Secretary shall award, to not less than 3 distinct recipients, not less than 1 such grant to a recipient eligible under section 5307 of title 49, United States Code, not less than 1 such grant to a recipient eligible under section 5311 of title 49, United States Code, and not less than 1 such grant to a recipient eligible under sections 5307 or 5311 of title 49, United States Code, that provides commuter rail passenger transportation: Provided further, That capital and operating expenses shall be eligible for amounts made available in this paragraph: Provided further, That an eligible subrecipient under section 5307 or 5311 of title 49, United States Code, shall be eligible to be a direct recipient: Provided further, That the Federal share for planning and capital projects funded with amounts made available in this paragraph shall not exceed 80 percent of the net project cost: Provided further, That the Federal share for operating expenses funded with amounts made available in this paragraph shall not exceed 50 percent of the net project cost: Provided further, That the Secretary shall not waive requirements in section 5333 of title 49, United States Code, for projects funded with amounts made available in this paragraph: Provided further, That unless otherwise specified, applicable requirements under chapter 53 of title 49, United States Code, shall apply to amounts made available in this paragraph:

Provided further, That amounts made available under this heading in this Act shall be derived from the general fund: Provided further, That amounts made available under this heading in this Act shall not be subject to any limitation on obligations for transit programs set forth in this or any other Act.

TECHNICAL ASSISTANCE AND TRAINING

For necessary expenses to carry out section 5314 of title 49, United States Code, \$8,000,000, to remain available until September 30, 2024: Provided, That the assistance provided under this heading does not duplicate the activities of section 5311(b) or section 5312 of title 49, United States Code: Provided further, That amounts made available under this heading are in addition to any other amounts made available for such purposes: Provided further, That amounts made available under this heading shall not be subject to any limitation on obligations set forth in this or any other Act.

CAPITAL INVESTMENT GRANTS

For necessary expenses to carry out fixed guideway capital investment grants under section 5309 of title 49, United States Code, and section 3005(b) of the Fixing America's Surface Transportation Act (Public Law 114-94), \$3,012,000,000, to remain available until expended: Provided, That of the amounts made available under this heading in this Act, \$1,897,166,000 shall be available for projects authorized under section 5309(d) of title 49, United States Code, \$40,714,000 shall be available for projects authorized under section 5309(e) of title 49, United States Code, \$94,000,000 shall be available for projects authorized under section 5309(h) of title 49, United States Code, and \$350,000,000 shall be available for projects authorized under section 3005(b) of the Fixing America's Surface Transportation Act (Public Law 114-94): Provided further, That the Secretary shall continue to administer the capital investment grants program in accordance with the procedural and substantive requirements of section 5309 of title 49, United States Code, and of section 3005(b) of the Fixing America's Surface Transportation Act (Public Law 114-94): Provided further, That projects that receive a grant agreement under the Expedited Project Delivery for Capital Investment Grants Pilot Program under section 3005(b) of the Fixing America's Surface Transportation Act (Public Law 114-94) shall be deemed eligible for funding provided for projects under section 5309 of title 49, United States Code, without further evaluation or rating under such section: Provided further, That such funding shall not exceed the Federal share under section 3005(b) of the Fixing America's Surface Transportation Act (Public Law 114-94): Provided further, That upon submission to the Congress of the fiscal year 2024 President's budget, the Secretary of Transportation shall transmit to Congress the annual report on capital investment grants, including proposed allocations for fiscal year 2024.

GRANTS TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

For grants to the Washington Metropolitan Area Transit Authority as authorized under section 601 of division B of the Passenger Rail Investment and Improvement Act of 2008 (Public Law 110-432), \$150,000,000, to remain available until expended: Provided, That the Secretary of Transportation shall approve grants for capital and preventive maintenance expenditures for the Washington Metropolitan Area Transit Authority only after receiving and reviewing a request for each specific project: Provided further, That the Secretary shall determine that the Washington Metropolitan Area Transit Authority has placed the highest priority on those investments that will improve the safety of the system before approving such grants.

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

SEC. 160. The limitations on obligations for the programs of the Federal Transit Administration

shall not apply to any authority under section 5338 of title 49, United States Code, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 161. Notwithstanding any other provision of law, funds appropriated or limited by this Act under the heading "Capital Investment Grants" of the Federal Transit Administration for projects specified in this Act or identified in the report accompanying this Act not obligated by September 30, 2026, and other recoveries, shall be directed to projects eligible to use the funds for the purposes for which they were originally provided.

SEC. 162. Notwithstanding any other provision of law, any funds appropriated before October 1, 2022, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure, may be transferred to and administered under the most recent appropriation heading for any such section.

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

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

SEC. 165. Of the amounts made available under the heading "Department of Transportation—Federal Transit Administration—Capital Investment Grants" in this Act, \$600,000,000 shall be made available for allocation to recipients with existing full funding grant agreements under sections 5309(d) and 5309(e) of title 49, United States Code, that received allocations for fiscal year 2022 and have either (1) a capital investment grant share of 40 percent or less; or (2) signed a full funding grant agreement between January 20, 2017 and January 20, 2021: Provided, That recipients with projects open for revenue service shall not be eligible to receive an allocation of funding under this section: Provided further, That amounts shall be provided to recipients proportionally based on the non-capital investment grant share of the project: Provided further, That no project may receive an allocation of more than 40 percent of the total amount in this section: Provided further, That the Secretary shall proportionally distribute funds in excess of such 40 percent to recipients for which the percent of funds does not exceed 40 percent: Provided further, That a recipient may not receive an allocation of funding under this section if the recipient has (1) expended less than 75 percent of the allocations received under paragraph (4) of section 3401(b) of the American Rescue Plan Act of 2021 (Public Law 117-2); and (2) expended less than 50 percent of the federal operating assistance allocations received under section 5307 of title 49, United States Code, in the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116-136), the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (Public Law 116-260), or the American Rescue Plan Act of 2021 (Public Law 117-2): Provided further, That amounts allocated pursuant to this section shall be provided to eligible recipients notwithstanding the limitation of any calculation of the maximum amount of Federal financial assistance for the project under section 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 "Federal 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 September 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 funding allocated under sections 5307 or 5311 of such title to an urbanized area, state, or territory in fiscal year 2023 may be obligated for such purpose from available amounts allocated in fiscal year 2023 or prior years.

GREAT LAKES ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Great Lakes St. Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE (HARBOR MAINTENANCE TRUST FUND)

For necessary expenses to conduct the operations, maintenance, and capital infrastructure activities on portions of the St. Lawrence Seaway owned, operated, and maintained by the Great Lakes St. Lawrence Seaway Development Corporation, \$41,500,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to section 210 of the Water Resources Development Act of 1986 (33 U.S.C. 2238): Provided, That of the amounts made available under this heading, not less than \$14,800,000 shall be for the seaway infrastructure program: Provided further, That not more than \$1,000,000 of the unobligated balances from the amounts made available for capital asset renewal activities under this heading or under the heading "Saint Lawrence Seaway Development Corporation—Operations and Maintenance" in any prior Act shall be for activities pursuant to section 984(a)(12) of title 33, United States Code.

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

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

CABLE SECURITY FLEET

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

TANKER SECURITY PROGRAM

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

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law,

\$192,000,000: Provided, That of the amounts made available under this heading—

(1) \$87,848,000, to remain available until September 30, 2024, shall be for the operations of the United States Merchant Marine Academy;

(2) \$11,900,000, to remain available until expended, shall be for facilities maintenance and repair, and equipment, at the United States Merchant Marine Academy;

(3) \$6,000,000, to remain available until September 30, 2024 shall be for the Maritime Environmental and Technical Assistance program authorized under section 50307 of title 46, United States Code; and

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

Provided further, That the Administrator of the Maritime Administration shall transmit to the House and Senate Committees on Appropriations the annual report on sexual assault and sexual harassment at the United States Merchant Marine Academy as required pursuant to section 3510 of the National Defense Authorization Act for fiscal year 2017 (46 U.S.C. 51318): Provided further, That available balances under this heading for the Short Sea Transportation Program (now known as the America's Marine Highway Program) from prior year recoveries shall be available to carry out activities authorized under paragraphs (1) and (3) of section 55601(b) of title 46, United States Code.

STATE MARITIME ACADEMY OPERATIONS

For necessary expenses of operations, support, and training activities for State Maritime Academies, \$77,700,000: Provided, That of the amounts made available under this heading—

(1) \$30,500,000, to remain available until expended, shall be for maintenance, repair, life extension, insurance, and capacity improvement of National Defense Reserve Fleet training ships, and for support of training ship operations at the State Maritime Academies, of which not more than \$8,000,000, to remain available until expended, shall be for expenses related to training mariners; and for costs associated with training vessel sharing pursuant to section 51504(g)(3) of title 46, United States Code, for costs associated with mobilizing, operating and demobilizing the vessel, including travel costs for students, faculty and crew, the costs of the general agent, crew costs, fuel, insurance, operational fees, and vessel hire costs, as determined by the Secretary;

(2) \$35,000,000, to remain available until expended, shall be for the National Security Multi-Mission Vessel Program, including funds for construction, planning, administration, design of school ships, and necessary expenses to construct infrastructure to berth such ships;

(3) \$2,400,000, to remain available until September 30, 2027, shall be for the Student Incentive Program;

(4) \$3,800,000, to remain available until expended, shall be for training ship fuel assistance; and

(5) \$6,000,000, to remain available until September 30, 2024, shall be for direct payments for State Maritime Academies.

ASSISTANCE TO SMALL SHIPYARDS

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

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, \$6,000,000, to remain available until expended.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the guaranteed loan program, \$3,000,000, which

shall be transferred to and merged with the appropriations for "Maritime Administration—Operations and Training".

PORT INFRASTRUCTURE DEVELOPMENT PROGRAM

To make grants to improve port facilities as authorized under section 54301 of title 46, United States Code, \$300,000,000, to remain available until expended: Provided, That projects eligible for amounts made available under this heading in this Act shall be projects for coastal seaports, inland river ports, or Great Lakes ports: Provided further, That of the amounts made available under this heading in this Act, not less than \$275,000,000 shall be for coastal seaports or Great Lakes ports: Provided further, That amounts made available under this heading in this Act may not be used for the purchase or installation of fully automated cargo handling equipment or terminal infrastructure that is designed for fully automated cargo handling equipment: Provided further, That for the purposes of the preceding proviso, "fully automated cargo handling equipment" means cargo handling equipment that is remotely operated or remotely monitored and does not require the exercise of human intervention or control: Provided further, That for grants awarded under this heading in this Act, the minimum grant size shall be \$1,000,000: Provided further, That the proceeds of Federal credit assistance under chapter 6 of title 23, United States Code, or chapter 224 of title 49, United States Code, shall be considered to be part of the non-Federal share of project costs if the loan is repayable from non-Federal funds, unless otherwise requested.

ADMINISTRATIVE PROVISION—MARITIME ADMINISTRATION

SEC. 170. Notwithstanding any other provision of this Act, in addition to any existing authority, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration: Provided, That payments received therefor shall be credited to the appropriation charged with the cost thereof and shall remain available until expended: Provided further, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be deposited into the Treasury as miscellaneous receipts.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

OPERATIONAL EXPENSES

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

HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, \$70,710,500, to remain available until September 30, 2025, of which \$1,000,000 shall be made available for carrying out section 5107(i) of title 49, United States Code: Provided, That up to \$800,000 in fees collected under section 5108(g) of title 49, United States Code, shall be deposited in the general fund of the Treasury as offsetting receipts: Provided further, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to carry out a pipeline safety program, as authorized by section 60107

of title 49, United States Code, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990 (Public Law 101-380), \$187,800,000, to remain available until September 30, 2025, of which \$29,000,000 shall be derived from the Oil Spill Liability Trust Fund; of which \$151,400,000 shall be derived from the Pipeline Safety Fund; of which \$400,000 shall be derived from the fees collected under section 60303 of title 49, United States Code, and deposited in the Liquefied Natural Gas Siting Account for compliance reviews of liquefied natural gas facilities; and of which \$7,000,000 shall be derived from fees collected under section 60302 of title 49, United States Code, and deposited in the Underground Natural Gas Storage Facility Safety Account for the purpose of carrying out section 60141 of title 49, United States Code: Provided, That not less than \$1,058,000 of the amounts made available under this heading shall be for the One-Call State grant program: Provided further, That any amounts made available under this heading in this Act or in prior Acts for research contracts, grants, cooperative agreements or research other transactions agreements ("OTAs") shall require written notification to the House and Senate Committees on Appropriations not less than 3 full business days before such research contracts, grants, cooperative agreements, or research OTAs are announced by the Department of Transportation: Provided further, That the Secretary shall transmit to the House and Senate Committees on Appropriations the report on pipeline safety testing enhancement as required pursuant to section 105 of the Protecting our Infrastructure of Pipelines and Enhancing Safety Act of 2020 (division R of Public Law 116-260): Provided further, That the Secretary may obligate amounts made available under this heading to engineer, erect, alter, and repair buildings or make any other public improvements for research facilities at the Transportation Technology Center after the Secretary submits an updated research plan and the report in the preceding proviso to the House and Senate Committees on Appropriations and after such plan and report in the preceding proviso are approved by the House and Senate Committees on Appropriations.

EMERGENCY PREPAREDNESS GRANTS

(LIMITATION ON OBLIGATIONS)

(EMERGENCY PREPAREDNESS FUND)

For expenses necessary to carry out the Emergency Preparedness Grants program, not more than \$28,318,000 shall remain available until September 30, 2025, from amounts made available by section 5116(h) and subsections (b) and (c) of section 5128 of title 49, United States Code: Provided, That notwithstanding section 5116(h)(4) of title 49, United States Code, not more than 4 percent of the amounts made available from this account shall be available to pay the administrative costs of carrying out sections 5116, 5107(e), and 5108(g)(2) of title 49, United States Code: Provided further, That notwithstanding subsections (b) and (c) of section 5128 of title 49, United States Code, and the limitation on obligations provided under this heading, prior year recoveries recognized in the current year shall be available to develop and deliver hazardous materials emergency response training for emergency responders, including response activities for the transportation of crude oil, ethanol, flammable liquids, and other hazardous commodities by rail, consistent with National Fire Protection Association standards, and to make such training available through an electronic format: Provided further, That the prior year recoveries made available under this heading shall also be available to carry out sections 5116(a)(1)(C), 5116(h), 5116(i), 5116(j), and 5107(e) of title 49, United States Code.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General to carry out the provisions of

the Inspector General Act of 1978, as amended, \$108,073,000: Provided, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App.), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department of Transportation.

GENERAL PROVISIONS—DEPARTMENT OF
TRANSPORTATION

SEC. 180. (a) During the current fiscal year, applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code.

(b) During the current fiscal year, applicable appropriations to the Department and its operating administrations shall be available for the purchase, maintenance, operation, and deployment of unmanned aircraft systems that advance the missions of the Department of Transportation or an operating administration of the Department of Transportation.

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

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

SEC. 182. (a) No recipient of amounts made available by this Act shall disseminate personal information (as defined in section 2725(3) of title 18, United States Code) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in section 2725(1) of title 18, United States Code, except as provided in section 2721 of title 18, United States Code, for a use permitted under section 2721 of title 18, United States Code.

(b) Notwithstanding subsection (a), the Secretary shall not withhold amounts made available by this Act for any grantee if a State is in noncompliance with this provision.

SEC. 183. None of the funds made available by this Act shall be available for salaries and expenses of more than 125 political and Presidential appointees in the Department of Transportation: Provided, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 184. Funds received by the Federal Highway Administration and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's "Federal-Aid Highways" account and to the Federal Railroad Administration's "Safety and Operations" account, except for State rail safety inspectors participating in training pursuant to section 20105 of title 49, United States Code.

SEC. 185. None of the funds made available by this Act or in title VIII of division J of the Infrastructure Investment and Jobs Act (Public Law 117-58) to the Department of Transportation may be used to make a loan, loan guarantee, line of credit, letter of intent, federally funded cooperative agreement, full funding grant agreement, or discretionary grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project competitively selected to receive any

discretionary grant award, letter of intent, loan commitment, loan guarantee commitment, line of credit commitment, federally funded cooperative agreement, or full funding grant agreement is announced by the Department or its operating administrations: Provided, That the Secretary of Transportation shall provide the House and Senate Committees on Appropriations with a comprehensive list of all such loans, loan guarantees, lines of credit, letters of intent, federally funded cooperative agreements, full funding grant agreements, and discretionary grants prior to the notification required under the preceding proviso: Provided further, That the Secretary gives concurrent notification to the House and Senate Committees on Appropriations for any "quick release" of funds from the emergency relief program: Provided further, That no notification shall involve funds that are not available for obligation.

SEC. 186. Rebates, refunds, incentive payments, minor fees, and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to organizational units of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 187. Notwithstanding any other provision of law, if any funds provided by or limited by this Act are subject to a reprogramming action that requires notice to be provided to the House and Senate Committees on Appropriations, transmission of such reprogramming notice shall be provided solely to the House and Senate Committees on Appropriations, and such reprogramming action shall be approved or denied solely by the House and Senate Committees on Appropriations: Provided, That the Secretary of Transportation may provide notice to other congressional committees of the action of the House and Senate Committees on Appropriations on such reprogramming but not sooner than 30 days after the date on which the reprogramming action has been approved or denied by the House and Senate Committees on Appropriations.

SEC. 188. Funds appropriated by this Act to the operating administrations may be obligated for the Office of the Secretary for the costs related to assessments or reimbursable agreements only when such amounts are for the costs of goods and services that are purchased to provide a direct benefit to the applicable operating administration or administrations.

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

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

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

(2) that the grant recipient will include appropriate provisions in its bid document ensuring that the contractor does not displace any of its

existing employees in order to satisfy such hiring preference; and

(3) that any increase in the cost of labor, training, or delays resulting from the use of such hiring preference does not delay or displace any transportation project in the applicable Statewide Transportation Improvement Program or Transportation Improvement Program.

SEC. 191. The Secretary of Transportation shall coordinate with the Secretary of Homeland Security to ensure that best practices for Industrial Control Systems Procurement are up-to-date and shall ensure that systems procured with funds provided under this title were procured using such practices.

This title may be cited as the "Department of Transportation Appropriations Act, 2023".

TITLE II

DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT

MANAGEMENT AND ADMINISTRATION

EXECUTIVE OFFICES

For necessary salaries and expenses for Executive Offices, which shall be comprised of the offices of the Secretary, Deputy Secretary, Adjudicatory Services, Congressional and Intergovernmental Relations, Public Affairs, Small and Disadvantaged Business Utilization, and the Center for Faith-Based and Neighborhood Partnerships, \$18,000,000, to remain available until September 30, 2024: Provided, That not to exceed \$25,000 of the amount made available under this heading shall be available to the Secretary of Housing and Urban Development (referred to in this title as "the Secretary") for official reception and representation expenses as the Secretary may determine.

ADMINISTRATIVE SUPPORT OFFICES

For necessary salaries and expenses for Administrative Support Offices, \$690,900,000, to remain available until September 30, 2024: Provided, That of the sums appropriated under this heading—

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

(2) \$126,100,000 shall be available for the Office of the General Counsel, of which not less than \$18,500,000 shall be for the Departmental Enforcement Center;

(3) \$239,566,000 shall be available for the Office of Administration, of which not less than \$3,500,000 may be for modernization and deferred maintenance of the Weaver Building;

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

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

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

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

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

Provided further, That funds made available under this heading may be used for necessary administrative and non-administrative expenses of the Department, not otherwise provided for, including purchase of uniforms, or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code: Provided further, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that directly support program activities funded in this title: Provided further, That the Secretary shall provide the House and Senate Committees on Appropriations quarterly written notification regarding the status of pending congressional reports: Provided further, That the Secretary shall provide in electronic form all signed reports required by Congress.

PROGRAM OFFICES

For necessary salaries and expenses for Program Offices, \$1,091,200,000, to remain available until September 30, 2024: Provided, That of the sums appropriated under this heading—

- (1) \$285,900,000 shall be available for the Office of Public and Indian Housing;
- (2) \$158,100,000 shall be available for the Office of Community Planning and Development;
- (3) \$488,500,000 shall be available for the Office of Housing, of which not less than \$13,000,000 shall be for the Office of Recapitalization;
- (4) \$41,600,000 shall be available for the Office of Policy Development and Research;
- (5) \$105,800,000 shall be available for the Office of Fair Housing and Equal Opportunity; and
- (6) \$11,300,000 shall be available for the Office of Lead Hazard Control and Healthy Homes.

WORKING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

For the working capital fund for the Department of Housing and Urban Development (referred to in this paragraph as the “Fund”), pursuant, in part, to section 7(f) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(f)), amounts transferred, including reimbursements pursuant to section 7(f), to the Fund under this heading shall be available only for Federal shared services used by offices and agencies of the Department, and for any such portion of any office or agency’s printing, records management, space renovation, furniture, or supply services the Secretary has determined shall be provided through the Fund, and the operational expenses of the Fund: Provided, That amounts within the Fund shall not be available to provide services not specifically authorized under this heading: Provided further, That upon a determination by the Secretary that any other service (or portion thereof) authorized under this heading shall be provided through the Fund, amounts made available in this title for salaries and expenses under the headings “Executive Offices”, “Administrative Support Offices”, “Program Offices”, and “Government National Mortgage Association”, for such services shall be transferred to the Fund, to remain available until expended: Provided further, That the Secretary shall notify the House and Senate Committees on Appropriations of its plans for executing such transfers at least 15 days in advance of such transfers.

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

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

- (1) \$26,184,000,000 shall be available for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act) and including renewal of other special purpose incremental vouchers: Provided, That notwithstanding any other provision of law, from amounts provided under this paragraph and any carryover, the Secretary for the calendar year 2023 funding cycle shall provide renewal funding for each public housing agency based on validated voucher management system (VMS) leasing and cost data for the prior calendar year and by applying an inflation factor as established by the Secretary, by notice pub-

lished in the Federal Register, and by making any necessary adjustments for the costs associated with the first-time renewal of vouchers under this paragraph including tenant protection and Choice Neighborhoods vouchers: Provided further, That funds provided under this paragraph and prior Acts may be used to fund a total number of unit months under lease which exceeds a public housing agency’s authorized level of units under contract, except for public housing agencies participating in the Moving to Work (MTW) demonstration, which are instead governed in accordance with the requirements of the MTW demonstration program or their MTW agreements, if any: Provided further, That amounts repurposed pursuant to the preceding proviso 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) of H. Res. 1151 (117th Congress) as engrossed in the House of Representatives on June 8, 2022: Provided further, That costs associated with any forgone increases in tenant rent payments due to the implementation of rent incentives as authorized pursuant to waivers or alternative requirements of the Jobs-Plus initiative as described under the heading “Self-Sufficiency Programs” shall be renewed: Provided further, That costs associated with any forgone increases in tenant rent payments due to the implementation of rent incentives as authorized pursuant to waivers or alternative requirements of the Jobs-Plus initiative as described under the heading “Self-Sufficiency Programs” shall be renewed: Provided further, That the Secretary shall, to the extent necessary to stay within the amount specified under this paragraph (except as otherwise modified under this paragraph), prorate each public housing agency’s allocation otherwise established pursuant to this paragraph: Provided further, That except as provided in the following provisos, the entire amount specified under this paragraph (except as otherwise modified under this paragraph) shall be obligated to the public housing agencies based on the allocation and pro rata method described above, and the Secretary shall notify public housing agencies of their annual budget by the latter of 60 days after the date of enactment of this Act or March 1, 2023: Provided further, That the Secretary may extend the notification period with the prior written approval of the House and Senate Committees on Appropriations: Provided further, That public housing agencies participating in the MTW demonstration shall be funded in accordance with the requirements of the MTW demonstration program or their MTW agreements, if any, and shall be subject to the same pro rata adjustments under the preceding provisos: Provided further, That the Secretary may offset public housing agencies’ calendar year 2023 allocations based on the excess amounts of public housing agencies’ net restricted assets accounts, including HUD-held programmatic reserves (in accordance with VMS data in calendar year 2022 that is verifiable and complete), as determined by the Secretary: Provided further, That public housing agencies participating in the MTW demonstration shall also be subject to the offset, as determined by the Secretary, excluding amounts subject to the single fund budget authority provisions of their MTW agreements, from the agencies’ calendar year 2023 MTW funding allocation: Provided further, That the Secretary shall use any offset referred to in the preceding two provisos throughout the calendar year to prevent the termination of rental assistance for families as the result of insufficient funding, as determined by the Secretary, and to avoid or reduce the proration of renewal funding allocations: Provided further, That up to \$100,000,000 shall be available only:

(1) for adjustments in the allocations for public housing agencies, after application for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in renewal costs of vouchers resulting from unforeseen circumstances or from portability under section 8(r) of the Act; (2) for vouchers that were not in use during the previous 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act, or an adjustment for a funding obligation not yet expended in the previous calendar year for a MTW-eligible activity to develop affordable housing for an agency added to the MTW demonstration under the expansion authority provided in section 239 of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2016 (division L of Public Law 114-113); (3) for adjustments for costs associated with HUD-Veterans Affairs Supportive Housing (HUD-VASH) vouchers; (4) for public housing agencies that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required to terminate rental assistance as a result of insufficient funding; (5) for adjustments in the allocations for public housing agencies that (i) are leasing a lower-than-average percentage of their authorized vouchers, (ii) have low amounts of budget authority in their net restricted assets accounts and HUD-held programmatic reserves, relative to other agencies, and (iii) are not participating in the Moving to Work demonstration, to enable such agencies to lease more vouchers; (6) for withheld payments in accordance with section 8(o)(8)(A)(ii) of the Act for months in the previous calendar year that were subsequently paid by the public housing agency after the agency’s actual costs were validated; and (7) for public housing agencies that have experienced increased costs or loss of units in an area for which the President declared a disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.);

(2) \$230,000,000 shall be for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to section 18 of the Act, conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses (including victims of violent crimes) in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, Choice Neighborhood vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance or for project-based assistance to prevent the displacement of unassisted elderly tenants currently residing in section 202 properties financed between 1959 and 1974 that are refinanced pursuant to Public Law 106-569, as amended, or under the authority as provided under this Act: Provided, That of the amounts made available under this paragraph, up to \$10,000,000 shall be available to provide public housing agencies with enhanced vouchers for families residing in State-assisted projects financed between 1970 and 1979 that were subject to a use agreement under the Low-Income Housing Preservation and Resident Homeownership Act of 1990 (title VI of Public Law 101-625; LIHPRA) or the Emergency Low Income Housing Preservation Act of 1987 (title II of Public Law 100-242; ELIHPA) on the date the affordability protections at such projects expire or terminate during calendar years 2022 and 2023: Provided further, That that the State housing finance agency shall submit the request to the Secretary for enhanced vouchers for families residing in such eligible State-assisted projects no

later than the latter of 120 days prior to the expiration or termination of affordability protections at such projects or 120 days after enactment of this Act: Provided further, That such enhanced vouchers shall not be considered replacement vouchers: Provided further, That when a public housing development is submitted for demolition or disposition under section 18 of the Act, the Secretary may provide section 8 rental assistance when the units pose an imminent health and safety risk to residents: Provided further, That the Secretary may provide section 8 rental assistance from amounts made available under this paragraph for units assisted under a project-based subsidy contract funded under the "Project-Based Rental Assistance" heading under this title where the owner has received a Notice of Default and the units pose an imminent health and safety risk to residents: Provided further, That to the extent that the Secretary determines that such units are not feasible for continued rental assistance payments or transfer of the subsidy contract associated with such units to another project or projects and owner or owners, any remaining amounts associated with such units under such contract shall be recaptured and such recaptured amounts, in an amount equal to the cost of rental assistance provided pursuant to the previous proviso, up to the total amounts recaptured, shall be transferred to and merged with amounts under this paragraph: Provided further, That of the amounts made available under this paragraph, no less than \$5,000,000 may be available to provide tenant protection assistance, not otherwise provided under this paragraph, to residents residing in low vacancy areas and who may have to pay rents greater than 30 percent of household income, as the result of: (A) the maturity of a HUD-insured, HUD-held or section 202 loan that requires the permission of the Secretary prior to loan prepayment; (B) the expiration of a rental assistance contract for which the tenants are not eligible for enhanced voucher or tenant protection assistance under existing law; or (C) the expiration of affordability restrictions accompanying a mortgage or preservation program administered by the Secretary: Provided further, That such tenant protection assistance made available under the preceding proviso may be provided under the authority of section 8(t) or section 8(o)(13) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t)): Provided further, That the Secretary shall issue guidance to implement the previous two provisos, including, but not limited to, requirements for defining eligible at-risk households not later than 60 days after the date of enactment of this Act: Provided further, That any tenant protection voucher made available from amounts under this paragraph shall not be reissued by any public housing agency, except the replacement vouchers as defined by the Secretary by notice, when the initial family that received any such voucher no longer receives such voucher, and the authority for any public housing agency to issue any such voucher shall cease to exist: Provided further, That the Secretary may only provide replacement vouchers for units that were occupied within the previous 24 months that cease to be available as assisted housing, subject only to the availability of funds;

(3) \$2,756,932,000 shall be for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to \$10,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, including fees associated with section 8 tenant protection rental assistance, the administration of disaster related vouchers, HUD-VASH vouchers, and other special purpose incremental vouchers: Provided, That no less than \$2,746,932,000 of the amount provided in this paragraph shall be allocated to public housing agencies for the calendar year 2023 funding

cycle based on section 8(q) of the Act (and related Appropriation Act provisions) as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105-276): Provided further, That if the amounts made available under this paragraph are insufficient to pay the amounts determined under the preceding proviso, the Secretary may decrease the amounts allocated to agencies by a uniform percentage applicable to all agencies receiving funding under this paragraph or may, to the extent necessary to provide full payment of amounts determined under the preceding proviso, utilize unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading from prior fiscal years, excluding special purpose vouchers, notwithstanding the purposes for which such amounts were appropriated: Provided further, That all public housing agencies participating in the MTW demonstration shall be funded in accordance with the requirements of the MTW demonstration program or their MTW agreements, if any, and shall be subject to the same uniform percentage decrease as under the preceding proviso: Provided further, That amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities;

(4) \$667,000,000 for the renewal of tenant-based assistance contracts under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), including necessary administrative expenses: Provided, That administrative and other expenses of public housing agencies in administering the special purpose vouchers in this paragraph shall be funded under the same terms and be subject to the same pro rata reduction as the percent decrease for administrative and other expenses to public housing agencies under paragraph (3) of this heading: Provided further, That up to \$10,000,000 shall be available only (1) for adjustments in the allocation for public housing agencies, after applications for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in Mainstream renewal costs resulting from unforeseen circumstances, and (2) for public housing agencies that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required to terminate the rental assistance for Mainstream families as a result of insufficient funding: Provided further, That the Secretary shall allocate amounts under the preceding proviso based on need, as determined by the Secretary: Provided further, That of the amounts made available under this paragraph, up to \$5,000,000 shall be available for a pilot program for public housing agencies that partner with administering entities under the Projects for Assistance in Transition from Homelessness (PATH) program as authorized by the Stewart B. McKinney Homeless Assistance Amendments Act of 1990 or other eligible entities, as determined by the Secretary, to assist persons with serious mental illness: Provided further, That the amounts made available in the preceding proviso shall be for incremental rental voucher assistance, including project-based vouchers, under such section 811 for non-elderly persons with serious mental illness, and for administrative and other expenses of public housing agencies: Provided further, That in awarding assistance under such pilot program the Secretary may give bonus points to public housing agencies giving preference to individuals referred from the Coordinated Entry System (CES) or operating a Family Self-Sufficiency program: Provided further, That in administering such pilot program, the Secretary may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the use of funds made available under such pilot

(except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such voucher assistance: Provided further, That upon turnover, section 811 special purpose vouchers funded under this heading in this or prior Acts, or under any other heading in prior Acts, shall be provided to non-elderly persons with disabilities;

(5) Of the amounts provided under paragraph (1) up to \$5,000,000 shall be for rental assistance and associated administrative fees for Tribal HUD-VASH to serve Native American veterans that are homeless or at-risk of homelessness living on or near a reservation or other Indian areas: Provided, That such amount shall be made available for renewal grants to recipients that received assistance under prior Acts under the Tribal HUD-VASH program: Provided further, That the Secretary shall be authorized to specify criteria for renewal grants, including data on the utilization of assistance reported by grant recipients: Provided further, That such assistance shall be administered in accordance with program requirements under the Native American Housing Assistance and Self-Determination Act of 1996 and modeled after the HUD-VASH program: Provided further, That the Secretary shall be authorized to waive, or specify alternative requirements for any provision of any statute or regulation that the Secretary administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such assistance: Provided further, That grant recipients shall report to the Secretary on utilization of such rental assistance and other program data, as prescribed by the Secretary: Provided further, That the Secretary may reallocate, as determined by the Secretary, amounts returned or recaptured from awards under the Tribal HUD-VASH program under prior Acts to existing recipients under the Tribal HUD-VASH program;

(6) \$50,000,000 for incremental rental voucher assistance for use through a supported housing program administered in conjunction with the Department of Veterans Affairs as authorized under section 8(o)(19) of the United States Housing Act of 1937: Provided, That the Secretary of Housing and Urban Development shall make such funding available, notwithstanding section 203 (competition provision) of this title, to public housing agencies that partner with eligible VA Medical Centers or other entities as designated by the Secretary of the Department of Veterans Affairs, based on geographical need for such assistance as identified by the Secretary of the Department of Veterans Affairs, public housing agency administrative performance, and other factors as specified by the Secretary of Housing and Urban Development in consultation with the Secretary of the Department of Veterans Affairs: Provided further, That of the amounts made available under this paragraph, up to \$5,000,000 may be allocated to public housing agencies administering temporary case management and supportive services to HUD-VASH eligible veterans that have not yet received a referral from the Department of Veterans Affairs: Provided further, That the Secretary of Housing and Urban Development may waive, or specify alternative requirements for (in consultation with the Secretary of the Department of Veterans Affairs), any provision of any statute or regulation that the Secretary of Housing and Urban Development administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by

the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such voucher assistance: Provided further, That assistance made available under this paragraph shall continue to remain available for homeless veterans upon turn-over;

(7) \$30,000,000 shall be made available for the family unification program as authorized under section 8(x) of the Act: Provided, That the amounts made available under this paragraph are provided as follows:

(A) \$5,000,000 shall be for new incremental voucher assistance: Provided, That the assistance made available under this subparagraph shall continue to remain available for family unification upon turnover; and

(B) \$25,000,000 shall be for new incremental voucher assistance to assist eligible youth as defined by such section 8(x)(2)(B): Provided, That assistance made available under this subparagraph shall continue to remain available for such eligible youth upon turnover: Provided further, That of the total amount made available under this subparagraph, up to \$15,000,000 shall be available on a noncompetitive basis to public housing agencies that partner with public child welfare agencies to identify such eligible youth, that request such assistance to timely assist such eligible youth, and that meet any other criteria as specified by the Secretary: Provided further, That the Secretary shall review utilization of the assistance made available under the preceding proviso, at an interval to be determined by the Secretary, and unutilized voucher assistance that is no longer needed shall be recaptured by the Secretary and reallocated pursuant to the preceding proviso:

Provided further, That for any public housing agency administering voucher assistance appropriated in a prior Act under the family unification program, or made available and competitively selected under this paragraph, that determines that it no longer has an identified need for such assistance upon turnover, such agency shall notify the Secretary, and the Secretary shall recapture such assistance from the agency and reallocate it to any other public housing agency or agencies based on need for voucher assistance in connection with such specified program or eligible youth, as applicable;

(8) \$1,100,000,000 shall be made available for new incremental voucher assistance under section 8(o) of the United States Housing Act of 1937 to be allocated pursuant to a method, as determined by the Secretary, which may include a formula that may include such factors as severe cost burden, overcrowding, substandard housing for very low-income renters, homelessness, and administrative capacity, where such allocation method shall include both rural and urban areas: Provided, That the Secretary may specify additional terms and conditions to ensure that public housing agencies provide vouchers for use by survivors of domestic violence, or individuals and families who are homeless, as defined in section 103(a) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302(a)), or at risk of homelessness, as defined in section 401(1) of such Act (42 U.S.C. 11360(1));

(9) \$25,000,000 shall be for mobility-related services, as defined by the Secretary, for voucher families with children modeled after services provided in connection with the mobility demonstration authorized under section 235 of division G of the Consolidated Appropriations Act, 2019 (42 U.S.C. 1437f note; Public Law 116-6): Provided, That the Secretary shall make funding available to public housing agencies on a competitive basis and shall give preference to public housing agencies with higher concentrations of housing choice voucher families with children residing in high-poverty neighborhoods: Provided further, That the Secretary may recapture from the public housing agencies unused balances based on utilization of such awards and reallocate such amounts to any other public housing agency or agencies based

on need for such mobility-related services as identified under such competition; and

(10) the Secretary shall separately track all special purpose vouchers funded under this heading: Provided, That the Secretary may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the use of funds made available for new incremental voucher assistance or renewals for the Mainstream program, the HUD-VASH program (in consultation with the Secretary of the Department of Veterans Affairs), and the family unification program (including the Foster Youth to Independence program) in this and prior Acts (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of voucher assistance in such respective programs.

HOUSING CERTIFICATE FUND (INCLUDING RESCISSIONS)

Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading "Annual Contributions for Assisted Housing" and the heading "Project-Based Rental Assistance", for fiscal year 2023 and prior years may be used for renewal of or amendments to section 8 project-based contracts and for performance-based contract administrators, notwithstanding the purposes for which such funds were appropriated: Provided, That any obligated balances of contract authority from fiscal year 1974 and prior fiscal years that have been terminated shall be rescinded: Provided further, That amounts heretofore recaptured, or recaptured during the current fiscal year, from section 8 project-based contracts from source years fiscal year 1975 through fiscal year 1987 are hereby rescinded, and an amount of additional new budget authority, equivalent to the amount rescinded is hereby appropriated, to remain available until expended, for the purposes set forth under this heading, in addition to amounts otherwise available.

PUBLIC HOUSING FUND

For 2023 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)) (the "Act"), and to carry out capital and management activities for public housing agencies, as authorized under section 9(d) of the Act (42 U.S.C. 1437g(d)), \$8,733,500,000, to remain available until September 30, 2026: Provided, That the amounts made available under this heading are provided as follows:

(1) \$5,038,500,000 shall be available to the Secretary to allocate pursuant to the Operating Fund formula at part 990 of title 24, Code of Federal Regulations, for 2023 payments: Provided, That the amount of any forgone increases in tenant rent payments due to the implementation of rent incentives as authorized pursuant to waivers or alternative requirements of the Jobs-Plus initiative as described under the heading "Self-Sufficiency Programs" shall be factored into the PHA's general operating fund eligibility pursuant to such formula;

(2) \$25,000,000 shall be available to the Secretary to allocate pursuant to a need-based application process notwithstanding section 203 of this title and not subject to such Operating Fund formula to public housing agencies that experience, or are at risk of, financial shortfalls, as determined by the Secretary: Provided, That after all such shortfall needs are met, the Secretary may distribute any remaining funds to all public housing agencies on a pro-rata basis pursuant to such Operating Fund formula;

(3) \$3,400,000,000 shall be available to the Secretary to allocate pursuant to the Capital Fund

formula at section 905.400 of title 24, Code of Federal Regulations: Provided, That for funds provided under this paragraph, the limitation in section 9(g)(1) of the Act shall be 25 percent: Provided further, That the Secretary may waive the limitation in the preceding proviso to allow public housing agencies to fund activities authorized under section 9(e)(1)(C) of the Act: Provided further, That the Secretary shall notify public housing agencies requesting waivers under the preceding proviso if the request is approved or denied within 14 days of submitting the request: Provided further, That from the funds made available under this paragraph, the Secretary shall provide bonus awards in fiscal year 2023 to public housing agencies that are designated high performers: Provided further, That the Department shall notify public housing agencies of their formula allocation within 60 days of enactment of this Act;

(4) \$65,000,000 shall be available for the Secretary to make grants, notwithstanding section 203 of this title, to public housing agencies for emergency capital needs, including safety and security measures necessary to address crime and drug-related activity, as well as needs resulting from unforeseen or unpreventable emergencies and natural disasters excluding Presidentially declared emergencies and natural disasters under the Robert T. Stafford Disaster Relief and Emergency Act (42 U.S.C. 5121 et seq.) occurring in fiscal year 2023, of which \$45,000,000 shall be available for public housing agencies under administrative and judicial receiverships or under the control of a Federal monitor: Provided, That of the amount made available under this paragraph, not less than \$10,000,000 shall be for safety and security measures: Provided further, That in addition to the amount in the preceding proviso for such safety and security measures, any amounts that remain available, after all applications received on or before September 30, 2024, for emergency capital needs have been processed, shall be allocated to public housing agencies for such safety and security measures;

(5) \$65,000,000 shall be for competitive grants to public housing agencies to evaluate and reduce residential health hazards in public housing, including lead-based paint (by carrying out the activities of risk assessments, abatement, and interim controls, as those terms are defined in section 1004 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851b)), carbon monoxide, mold, radon, and fire safety: Provided, That not less than \$25,000,000 of the amounts provided under this paragraph shall be awarded for evaluating and reducing lead-based paint hazards: Provided further, That for purposes of environmental review, a grant under this paragraph shall be considered funds for projects or activities under title I of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) for purposes of section 26 of such Act (42 U.S.C. 1437a) and shall be subject to the regulations implementing such section: Provided further, That amounts made available under this paragraph shall be combined with amounts made available under the sixth paragraph under this heading in the Consolidated Appropriations Act, 2021 (Public Law 116-260) and shall be used in accordance with the purposes and requirements under this paragraph: Provided further, That amounts made available under this paragraph may be used for competitive grants to public housing agencies that improve water and energy efficiency, or reduce the risk of harm to occupants or property from natural hazards;

(6) \$15,000,000 shall be to support the costs of administrative and judicial receiverships and for competitive grants to PHAs in receivership, designated troubled or substandard, or otherwise at risk, as determined by the Secretary, for costs associated with public housing asset improvement, in addition to other amounts for that purpose provided under any heading under this title;

(7) \$50,000,000 shall be to support ongoing public housing financial and physical assessment activities;

(8) \$75,000,000 shall be available to improve the energy or water efficiency or climate resilience of public housing, including for competitive grants to public housing agencies for capital improvements to achieve such purposes: Provided, That of the amounts made available under this paragraph, up to \$20,000,000, shall be available for utility benchmarking, including research and evaluations, technical assistance, to develop systems and tools necessary to collect and analyze PHA utility benchmarking data, to remain available until September 30, 2026: Provided further, That for purposes of environmental review, grants under this paragraph shall be considered funds for projects or activities under title I of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) for purposes of section 26 of such Act (42 U.S.C. 1437a) and shall be subject to the regulations implementing such section:

Provided further, That notwithstanding any other provision of law or regulation, during fiscal year 2023, the Secretary of Housing and Urban Development may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) of the Act regarding the extension of the time periods under such section: Provided further, That for purposes of such section 9(j), the term “obligate” means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future.

CHOICE NEIGHBORHOODS INITIATIVE

For competitive grants under the Choice Neighborhoods Initiative (subject to section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v) unless otherwise specified under this heading), for transformation, rehabilitation, and replacement housing needs of public and HUD-assisted housing and to transform neighborhoods of poverty into functioning, sustainable, mixed-income neighborhoods with appropriate services, schools, public assets, transportation, and access to jobs, \$450,000,000, to remain available until September 30, 2027: Provided, That grant funds may be used for resident and community services, community development, and affordable housing needs in the community, and for conversion of vacant or foreclosed properties to affordable housing: Provided further, That not more than 20 percent of the amount of any grant made with amounts made available under this heading may be used for necessary supportive services notwithstanding subsection (d)(1)(L) of such section 24: Provided further, That the use of amounts made available under this heading shall not be deemed to be for public housing, notwithstanding section 3(b)(1) of such Act: Provided further, That grantees shall commit to an additional period of affordability determined by the Secretary of not fewer than 20 years: Provided further, That the Secretary may specify a period of affordability that is less than 20 years with respect to owner-occupied homeownership units developed with grants from amounts made available under this heading: Provided further, That grantees shall provide a match in State, local, other Federal, or private funds: Provided further, That grantees may include local governments, Tribal entities, public housing agencies, and nonprofit organizations: Provided further, That for-profit developers may apply jointly with a public entity: Provided further, That for purposes of environmental review, a grantee shall be treated as a public housing agency under section 26 of the United States Housing Act of 1937 (42 U.S.C. 1437a), and grants made with amounts available under this heading shall be subject to the regulations issued by the Secretary to implement such section: Provided further, That of the amounts made available under

this heading, not less than \$225,000,000 shall be awarded to public housing agencies: Provided further, That such grantees shall create partnerships with other local organizations, including assisted housing owners, service agencies, and resident organizations: Provided further, That the Secretary shall consult with the Secretaries of Education, Labor, Transportation, Health and Human Services, Agriculture, and Commerce, the Attorney General, and the Administrator of the Environmental Protection Agency to coordinate and leverage other appropriate Federal resources: Provided further, That not more than \$10,000,000 of the amounts made available under this heading may be provided as grants to undertake comprehensive local planning with input from residents and the community: Provided further, That unobligated balances, including recaptures, remaining from amounts made available under the heading “Revitalization of Severely Distressed Public Housing (HOPE VI)” in fiscal year 2011 and prior fiscal years may be used for purposes under this heading, notwithstanding the purposes for which such amounts were appropriated: Provided further, That the Secretary shall make grant awards not later than 1 year after the date of enactment of this Act in such amounts that the Secretary determines: Provided further, That notwithstanding section 24(o) of the United States Housing Act of 1937 (42 U.S.C. 1437v(o)), the Secretary may, until September 30, 2023, obligate any available unobligated balances made available under this heading in this or any prior Act.

SELF-SUFFICIENCY PROGRAMS

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

(1) \$125,000,000 shall be for the Family Self-Sufficiency program to support family self-sufficiency coordinators under section 23 of the United States Housing Act of 1937 (42 U.S.C. 1437u), to promote the development of local strategies to coordinate the use of assistance under sections 8 and 9 of such Act with public and private resources, and enable eligible families to achieve economic independence and self-sufficiency: Provided, That the Secretary may, by Federal Register notice, waive or specify alternative requirements under subsections (b)(3), (b)(4), (b)(5), or (c)(1) of section 23 of such Act in order to facilitate the operation of a unified self-sufficiency program for individuals receiving assistance under different provisions of such Act, as determined by the Secretary: Provided further, That an owner or sponsor of a multifamily property receiving project-based rental assistance under section 8 of such Act shall be eligible to receive awards from the Secretary under this paragraph in this and prior Acts to support family self-sufficiency coordinators as established in the final rule “Streamlining and Implementation of Economic Growth, Regulatory Relief, and Consumer Protection Act Changes to Family Self-Sufficiency (FSS) Program” published in the Federal Register on May 17, 2022 (87 Fed. Reg. 30020): Provided further, That owners or sponsors of a multifamily property receiving project-based rental assistance under section 8 of such Act may voluntarily make a Family Self-Sufficiency program available to the assisted tenants of such property in accordance with procedures established by the Secretary: Provided further, That such procedures established pursuant to the preceding proviso shall permit participating tenants to accrue escrow funds in accordance with section 23(d)(2) of such Act and shall allow owners to use funding from residual receipt accounts to hire coordinators for their own Family Self-Sufficiency program;

(2) \$35,000,000 shall be for the Resident Opportunity and Self-Sufficiency program to provide for supportive services, service coordinators, and

congregate services as authorized by section 34 of the United States Housing Act of 1937 (42 U.S.C. 1437z-6) and the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.): Provided, That amounts made available under this paragraph may be made available for grant renewal for the Resident Opportunity and Self-Sufficiency program for any public housing agency or owner of a multifamily property receiving project-based rental assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) that lost any amount of funding for the Resident Opportunity and Self-Sufficiency program as a result of participation in the program created under the heading “Rental Assistance Demonstration” in the Department of Housing and Urban Development Appropriations Act, 2012 (Public Law 112-55), as amended (42 U.S.C. 1437f note); and

(3) \$15,000,000 shall be for a Jobs-Plus initiative, modeled after the Jobs-Plus demonstration: Provided, That funding provided under this paragraph shall be available for competitive grants to partnerships between public housing authorities or owners or sponsors of multifamily properties receiving project-based rental assistance under section 8, that, in partnership with local workforce investment boards established under section 107 of the Workforce Innovation and Opportunity Act of 2014 (29 U.S.C. 3122), and other agencies and organizations provide support to help public housing residents, or tenants residing in units assisted under a project-based section 8 contract (including section 8(o)(13) of the United States Housing Act of 1937), obtain employment or increase earnings, or both: Provided further, That applicants must demonstrate the ability to provide services to residents, partner with workforce investment boards, and leverage service dollars: Provided further, That the Secretary may allow public housing agencies to request exemptions from rent and income limitation requirements under sections 3 and 6 of the United States Housing Act of 1937 (42 U.S.C. 1437a, 1437d), as necessary to implement the Jobs-Plus program, on such terms and conditions as the Secretary may approve upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective implementation of the Jobs-Plus initiative as a voluntary program for residents: Provided further, That the Secretary shall publish by notice in the Federal Register any waivers or alternative requirements pursuant to the preceding proviso no later than 10 days before the effective date of such notice: Provided further, That the costs of any rent incentives as authorized pursuant to such waivers or alternative requirements shall not be charged against the competitive grant amounts made available under this paragraph.

NATIVE AMERICAN PROGRAMS

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

(1) \$772,000,000 shall be for the Native American Housing Block Grants program, as authorized under title I of NAHASDA: Provided, That, notwithstanding NAHASDA, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race census data and with the need component based on multi-race census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: Provided further, That the Secretary shall notify grantees of their formula allocation not

later than 60 days after the date of enactment of this Act;

(2) \$150,000,000 shall be for competitive grants under the Native American Housing Block Grants program, as authorized under title I of NAHASDA: Provided, That the Secretary shall obligate such amount for competitive grants to eligible recipients authorized under NAHASDA that apply for funds: Provided further, That in awarding amounts made available in this paragraph, the Secretary shall consider need and administrative capacity, and shall give priority to projects that will spur construction and rehabilitation of housing: Provided further, That a grant funded pursuant to this paragraph shall be in an amount not greater than \$7,500,000: Provided further, That any amounts transferred for the necessary costs of administering and overseeing the obligation and expenditure of such amounts in prior Acts may also be used for the necessary costs of administering and overseeing such amounts;

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

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

(5) \$7,000,000, in addition to amounts otherwise available for such purposes, shall be for providing training and technical assistance to Indian tribes, Indian housing authorities, and tribally designated housing entities, to support the inspection of Indian housing units, for contract expertise, and for training and technical assistance related to amounts made available under this heading and other headings in this Act for the needs of Native American families and Indian country: Provided, That of the amounts made available in this paragraph, not less than \$2,000,000 shall be for a national organization as authorized under section 703 of NAHASDA (25 U.S.C. 4212): Provided further, That amounts made available in this paragraph may be used, contracted, or competed as determined by the Secretary: Provided further, That notwithstanding chapter 63 of title 31, United States Code (commonly known as the Federal Grant and Cooperative Agreements Act of 1977), the amounts made available in this paragraph may be used by the Secretary to enter into cooperative agreements with public and private organizations, agencies, institutions, and other technical assistance providers to support the administration of negotiated rulemaking under section 106 of NAHASDA (25 U.S.C. 4116), the administration of the allocation formula under section 302 of NAHASDA (25 U.S.C. 4152), and the administration of performance tracking and reporting under section 407 of NAHASDA (25 U.S.C. 4167).

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Commu-

nity Development Act of 1992 (12 U.S.C. 1715z–13a), \$5,521,000, to remain available until expended: Provided, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a): Provided further, That amounts made available in this and prior Acts for the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a), that are unobligated, including recaptures and carryover, shall be available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$1,400,000,000, to remain available until September 30, 2024.

NATIVE HAWAIIAN HOUSING BLOCK GRANT

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

NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

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

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), \$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.

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, 2026, unless otherwise specified: Provided, That of the total amount provided under this heading, \$3,300,000,000 is for carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301 et seq.) (in this heading “the Act”): Provided further, That unless explicitly provided for under this heading, not to exceed 20 percent of any grant made with funds made available under this heading shall be expended for planning and management development and administration: Provided further, That a metropolitan city, urban county, unit of general local government, or insular area that directly or indirectly receives funds under this heading may not sell, trade, or otherwise transfer all or any portion of such funds to another such entity in exchange for any other funds, credits, or non-Federal considerations, but shall use such funds for activities eligible under title I of the Act: Provided further, That notwithstanding section 105(e)(1) of the Act, no funds made available under this heading may be provided to a for-profit entity for an economic

development project under section 105(a)(17) unless such project has been evaluated and selected in accordance with guidelines required under subsection (e)(2) of section 105: Provided further, That of the total amount provided under this heading, \$25,000,000 shall be for activities authorized under section 8071 of the SUPPORT for Patients and Communities Act (Public Law 115–271): Provided further, That the funds allocated pursuant to the preceding proviso shall not adversely affect the amount of any formula assistance received by a State under the first proviso: Provided further, That the Secretary shall allocate the funds for such activities based on the notice establishing the funding formula published in 84 FR 16027 (April 17, 2019) except that the formula shall use age-adjusted rates of drug overdose deaths for 2019 based on data from the Centers for Disease Control and Prevention: Provided further, That of the total amount made available under this heading, \$1,974,157,664 shall be available for grants for the Economic Development Initiative (EDI) for the purposes, and in amounts, specified for Community Project Funding in the table titled “Transportation, Housing and Urban Development Incorporation of Community Project Funding Items” included in the report accompanying this Act: Provided further, That none of the amounts made available in the preceding proviso shall be used for reimbursement of expenses incurred prior to the obligation of funds: Provided further, That the Department of Housing and Urban Development shall notify grantees of their formula allocation within 60 days of enactment of this Act: Provided further, That for fiscal year 2023 section 105(a)(8) of the Act (42 U.S.C. 5305(a)(8)) and section 570.201(e) of title 24, Code of Federal Regulations, shall not apply for public services activities to prevent, prepare for, and respond to homelessness and emergency rental assistance needs.

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a), during fiscal year 2023, commitments to guarantee loans under section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5308), any part of which is guaranteed, shall not exceed a total principal amount of \$300,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in subsection (k) of such section 108: Provided, That the Secretary shall collect fees from borrowers, notwithstanding subsection (m) of such section 108, to result in a credit subsidy cost of zero for guaranteeing such loans, and any such fees shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: Provided further, That such commitment authority funded by fees may be used to guarantee, or make commitments to guarantee, notes or other obligations issued by any State on behalf of non-entitlement communities in the State in accordance with the requirements of such section 108: Provided further, That any State receiving such a guarantee or commitment under the preceding proviso shall distribute all funds subject to such guarantee to the units of general local government in non-entitlement areas that received the commitment: Provided further, That \$60,000,000, to remain available until September 30, 2025, shall be for competitive economic development grants, as authorized by section 108(q) of the Housing and Community Development Act of 1974, as amended, for projects that improve community resilience by supporting distributed clean energy plus storage, flood-control infrastructure, or redevelopment of brownfields or grayfields, such as foreclosed, vacant, contaminated, abandoned, or blighted properties, obsolete manufactured housing, vacant shopping malls, landfills, or otherwise underutilized commercial or industrial properties: Provided further, That no funds made available under this heading may be used to establish loan loss

reserves for the section 108 Community Development Loan Guarantee program: Provided further, That amounts made available under this heading may be used for the payment of costs associated with private sector financing of debt obligations and fees collected in connection with the section 108 Community Development Loan Guarantee program.

HOME INVESTMENT PARTNERSHIPS PROGRAM

For the HOME Investment Partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended (42 U.S.C. 12721 et seq.), \$1,675,000,000, to remain available until September 30, 2026: Provided, That of the amount made available under this heading, up to \$50,000,000 shall be for awards to States and insular areas for assistance to homebuyers as authorized under section 212(a)(1) of such Act (42 U.S.C. 12742(a)(1)), in addition to amounts made otherwise available for such purpose: Provided further, That amounts made available under the preceding proviso shall be allocated in the same manner as other amounts made available under this heading, except that amounts that would have been reserved and allocated to units of general local government within the State pursuant to section 217 of such Act (42 U.S.C. 12747) shall be provided to the State: Provided further, That the Secretary may waive or specify alternative requirements for any provision of such Act in connection with the use of amounts made available under the preceding two provisos (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment) upon a finding that any such waivers or alternative requirements are necessary to expedite or facilitate the use of amounts awarded pursuant to the preceding provisos: Provided further, That notwithstanding section 231(b) of such Act (24 U.S.C. 12771(b)), all unobligated balances remaining from amounts recaptured pursuant to such section that remain available until expended shall be combined with amounts made available under this heading and allocated in accordance with the formula under section 217(b)(1)(A) of such Act (42 U.S.C. 12747(b)(1)(A)): Provided further, That the Department shall notify grantees of their formula allocations not later than 60 days after enactment of this Act: Provided further, That section 218(g) of such Act (42 U.S.C. 12748(g)) shall not apply with respect to the right of a jurisdiction to draw funds from its HOME Investment Trust Fund that otherwise expired or would expire in any calendar year from 2016 through 2025 under that section: Provided further, That section 231(b) of such Act (42 U.S.C. 12771(b)) shall not apply to any uninvested funds that otherwise were deducted or would be deducted from the line of credit in the participating jurisdiction's HOME Investment Trust Fund in any calendar year from 2018 through 2025 under that section.

PRESERVATION AND REINVESTMENT INITIATIVE FOR COMMUNITY ENHANCEMENT

For competitive grants to preserve and revitalize manufactured housing and eligible manufactured housing communities (including pre-1976 mobile homes) under title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301 et seq.), \$500,000,000, to remain available until September 30, 2027: Provided, That recipients of grants provided with amounts made available under this heading shall be States, units of general local government, resident-owned manufactured housing communities, cooperatives, nonprofit entities including consortia of nonprofit entities, community development financial institutions, Indian Tribes and Tribally designated housing entities, or other entities approved by the Secretary: Provided further, That the Secretary may approve entities for selection that partner with one or several residents of such eligible communities or that propose to implement a grant program that would assist residents of such eligible communities: Provided further, That eligible uses of

such grants may include infrastructure, planning, resident and community services (including relocation assistance and eviction prevention), resiliency activities, and providing other assistance to residents or owners of manufactured homes, which may include providing assistance for manufactured housing land and site acquisition: Provided further, That, except as determined by the Secretary, participation in this program shall not encumber the future transfer of title or use of property by the residents, owners, or communities: Provided further, That when selecting recipients, the Secretary shall prioritize applications that primarily benefit low- or moderately low-income residents and preserve long-term housing affordability for residents of manufactured housing or a manufactured housing community: Provided further, That eligible manufactured housing communities may include those that are—

(1) owned by the residents of the manufactured housing community through a resident-controlled entity, as defined by the Secretary; or

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

Provided further, That, of the amounts made available under this heading, \$50,000,000 shall be for a pilot program for the Secretary to provide grants to assist in the redevelopment of manufactured housing communities (including pre-1976 mobile homes) as replacement housing that is affordable, as defined by the Secretary: Provided further, That each such redevelopment project shall provide, for each unit of single-family manufactured housing (including pre-1976 mobile homes) replaced under the project, up to 4 dwelling units of such affordable housing: Provided further, That the Secretary shall define eligible activities for grant assistance under the pilot program, which may include relocation assistance or buy-outs for residents of a manufactured housing community or downpayment assistance for such residents: Provided further, That the Secretary shall require each grantee under the pilot program to supplement the amount of the grant with non-Federal amounts exceeding 50 percent of the grant: Provided further, That resiliency activities means the reconstruction, repair, or replacement of manufactured housing and manufactured housing communities to protect the health and safety of manufactured housing residents and to address weatherization and energy efficiency needs, except that for pre-1976 mobile homes, funds made available under this heading may be used only for replacement: Provided further, That the Secretary may waive or specify alternative requirements for any provision of any statute or regulation that the Secretary administers in connection with the use of amounts made available under this heading (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding that such waiver or alternative requirement is necessary to facilitate the use of such amounts.

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

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

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

(2) \$45,000,000 shall be for the second, third, and fourth capacity building entities specified in section 4(a) of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), of which not less than \$5,000,000 shall be for rural capacity building activities: Provided, That for purposes of

awarding grants from amounts made available in this paragraph, the Secretary may enter into multiyear agreements, as appropriate, subject to the availability of annual appropriations; and

(3) \$5,000,000 shall be for capacity building by national rural housing organizations having experience assessing national rural conditions and providing financing, training, technical assistance, information, and research to local nonprofit organizations, local governments, and Indian Tribes serving high need rural communities.

HOMELESS ASSISTANCE GRANTS

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

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

(2) \$3,200,000,000 shall be for the Continuum of Care program authorized under subtitle C of such title IV (42 U.S.C. 11381 et seq.) and the Rural Housing Stability Assistance programs authorized under subtitle D of such title IV (42 U.S.C. 11408): Provided, That the Secretary shall prioritize funding under the Continuum of Care program to continuums of care that have demonstrated a capacity to reallocate funding from lower performing projects to higher performing projects: Provided further, That the Secretary shall provide incentives to create projects that coordinate with housing providers and healthcare organizations to provide permanent supportive housing and rapid re-housing services: Provided further, That for fiscal year 2023 the Secretary may establish by notice an alternative maximum amount for administrative costs related to the requirements described in paragraphs (1) and (2) of section 402(f) of subtitle A of such title IV of no more than 5 percent or \$50,000, whichever is greater, notwithstanding the 3 percent limitation in section 423(a)(10) of such subtitle C: Provided further, That of the amounts made available for the Continuum of Care program under this paragraph, not less than \$75,000,000 shall be for grants for new rapid re-housing projects and supportive service projects providing coordinated entry, and for eligible activities that the Secretary determines to be critical in order to assist survivors of domestic violence, dating violence, sexual assault, or stalking: Provided further, That amounts made available for the Continuum of Care program under this heading in this Act and any remaining unobligated balances from prior Acts may be used to competitively or non-competitively renew or replace grants for youth homeless demonstration projects under the Continuum of Care program, notwithstanding any conflict with the requirements of the Continuum of Care program;

(3) \$7,000,000 shall be for the national homeless data analysis project: Provided, That notwithstanding the provisions of the Federal Grant and Cooperative Agreements Act of 1977 (31 U.S.C. 6301–6308), the amounts made available under this paragraph and any remaining unobligated balances under this heading for such purposes in prior Acts may be used by the Secretary to enter into cooperative agreements with such entities as may be determined by the Secretary, including public and private organizations, agencies, and institutions; and

(4) \$107,000,000 shall be to implement projects to demonstrate how a comprehensive approach to serving homeless youth, age 24 and under, in up to 25 communities with a priority for communities with substantial rural populations in up to eight locations, can dramatically reduce

youth homelessness: Provided, That of the amount made available under this paragraph, not less than \$25,000,000 shall be for youth homelessness system improvement grants to support communities, including but not limited to the communities assisted under the matter preceding this proviso, in establishing and implementing a response system for youth homelessness, or for improving their existing system: Provided further, That of the amount made available under this paragraph, up to \$10,000,000 shall be to provide technical assistance to communities, including but not limited to the communities assisted in the preceding proviso and the matter preceding such proviso, on improving system responses to youth homelessness, and collection, analysis, use, and reporting of data and performance measures under the comprehensive approaches to serve homeless youth, in addition to and in coordination with other technical assistance funds provided under this title: Provided further, That the Secretary may use up to 10 percent of the amount made available under the preceding proviso to build the capacity of current technical assistance providers or to train new technical assistance providers with verifiable prior experience with systems and programs for youth experiencing homelessness:

Provided further, That youth aged 24 and under seeking assistance under this heading shall not be required to provide third party documentation to establish their eligibility under subsection (a) or (b) of section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302) to receive services: Provided further, That unaccompanied youth aged 24 and under or families headed by youth aged 24 and under who are living in unsafe situations may be served by youth-serving providers funded under this heading: Provided further, That persons eligible under section 103(a)(5) of the McKinney-Vento Homeless Assistance Act may be served by any project funded under this heading to provide both transitional housing and rapid rehousing: Provided further, That for all matching funds requirements applicable to funds made available under this heading for this fiscal year and prior fiscal years, a grantee may use (or could have used) as a source of match funds other funds administered by the Secretary and other Federal agencies unless there is (or was) a specific statutory prohibition on any such use of any such funds: Provided further, That none of the funds made available under this heading shall be available to provide funding for new projects, except for projects created through reallocation, unless the Secretary determines that the continuum of care has demonstrated that projects are evaluated and ranked based on the degree to which they improve the continuum of care's system performance: Provided further, That any unobligated amounts remaining from funds made available under this heading in fiscal year 2012 and prior years for project-based rental assistance for rehabilitation projects with 10-year grant terms may be used for purposes under this heading, notwithstanding the purposes for which such funds were appropriated: Provided further, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading in fiscal year 2019 or prior years, except for rental assistance amounts that were recaptured and made available until expended, shall be available for the current purposes authorized under this heading in addition to the purposes for which such funds originally were appropriated.

HOUSING PROGRAMS

PROJECT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) (in this heading "the Act"), not otherwise provided for, \$14,540,000,000, to remain available until expended, shall be avail-

able on October 1, 2022 (in addition to the \$400,000,000 previously appropriated under this heading that became available October 1, 2022), and \$400,000,000, to remain available until expended, shall be available on October 1, 2023: Provided, That the amounts made available under this heading shall be for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11401), for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this heading: Provided further, That the amount of any forgone increases in tenant rent payments due to the implementation of rent incentives as authorized pursuant to waivers or alternative requirements of the Jobs-Plus initiative as described under the heading "Self-Sufficiency Programs" shall be factored into housing assistance payments under project-based subsidy contracts: Provided further, That of the total amounts made available under this heading, not to exceed \$375,000,000 shall be for performance-based contract administrators or contractors for section 8 project-based assistance, for carrying out 42 U.S.C. 1437(f): Provided further, That the Secretary may also use such amounts in the preceding proviso for performance-based contract administrators or contractors for the administration of: interest reduction payments pursuant to section 236(a) of the National Housing Act (12 U.S.C. 1715z-1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z-1(f)(2)); project rental assistance contracts for the elderly under section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q); project rental assistance contracts for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)); project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86-372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86-372; 73 Stat. 667): Provided further, That amounts recaptured under this heading, the heading "Annual Contributions for Assisted Housing", or the heading "Housing Certificate Fund", may be used for renewals of or amendments to section 8 project-based contracts or for performance-based contract administrators or contractors, notwithstanding the purposes for which such amounts were appropriated: Provided further, That, notwithstanding any other provision of law, upon the request of the Secretary, project funds that are held in residual receipts accounts for any project subject to a section 8 project-based Housing Assistance Payments contract that authorizes the Department or a housing finance agency to require that surplus project funds be deposited in an interest-bearing residual receipts account and that are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until expended: Provided further, That amounts deposited pursuant to the preceding proviso shall be available in addition to the amount otherwise provided under this heading for uses authorized under this heading: Provided further, That of the total amounts made available under this heading, not to exceed \$250,000,000 shall be available for rent adjustments authorized under section 515(d) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (as added by section

234(a) of this Act): Provided further, That of the total amounts made available under this heading, not to exceed \$25,000,000 shall be available for adjustments under section 524(h) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (as added by section 234(b) of this Act) necessary to address health and safety deficiencies: Provided further, That up to 2 percent of the total amounts made available in the preceding two provisos shall be for administrative contract costs, including for carrying out due diligence and underwriting functions for evaluating owners' requests and for technical assistance activities: Provided further, That of the total amounts made available under this heading, not to exceed \$31,000,000 shall be available for budget based adjustments for service coordinators for the elderly: Provided further, That any additional amounts for rent adjustments or supplemental contract funding authorized under the preceding four provisos shall be combined with other amounts obligated to such contracts and the combined total amount shall be available for all purposes under such contracts.

HOUSING FOR THE ELDERLY

For capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959 (12 U.S.C. 1701q), for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 5-year term, for senior preservation rental assistance contracts, including renewals, as authorized by section 811(e) of the American Homeownership and Economic Opportunity Act of 2000 (12 U.S.C. 1701q note), and for supportive services associated with the housing, \$1,200,000,000 to remain available until September 30, 2026: Provided, That of the amount made available under this heading, up to \$125,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects: Provided further, That any funding for existing service coordinators under the preceding proviso shall be provided within 120 days of enactment of this Act: Provided further, That amounts made available under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 projects: Provided further, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: Provided further, That upon request of the Secretary, project funds that are held in residual receipts accounts for any project subject to a section 202 project rental assistance contract, and that upon termination of such contract are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to remain available until September 30, 2026: Provided further, That amounts deposited in this account pursuant to the preceding proviso shall be available, in addition to the amounts otherwise provided by this heading, for the purposes authorized under this heading: Provided further, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading shall be available for the current purposes authorized under this heading in addition to the purposes for which such funds originally were appropriated: Provided further, That of the total amount made available under this heading, up to \$25,000,000 shall be used to expand the supply of intergenerational dwelling units (as such term is defined in section 202 of the Legacy Act of 2003 (12 U.S.C. 1701q note)) for elderly caregivers raising children: Provided further, That for the purposes of the preceding proviso the Secretary may

waive, or specify alternative requirements for, any provision of section 202 of the Housing Act of 1959 (12 U.S.C. 1701q) in order to facilitate the development of such units, except for requirements related to fair housing, nondiscrimination, labor standards, and the environment: Provided further, That of the total amount made available under this heading, up to \$6,000,000 shall be used by the Secretary to support preservation transactions of housing for the elderly originally developed with a capital advance and assisted by a project rental assistance contract under the provisions of section 202(c) of the Housing Act of 1959.

HOUSING FOR PERSONS WITH DISABILITIES

For capital advances, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act, for project assistance contracts pursuant to subsection (h) of section 202 of the Housing Act of 1959, as added by section 205(a) of the Housing and Community Development Amendments of 1978 (Public Law 95-557: 92 Stat. 2090), including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 5-year term, for project rental assistance to State housing finance agencies and other appropriate entities as authorized under section 811(b)(3) of the Cranston-Gonzalez National Affordable Housing Act, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, \$400,000,000, to remain available until September 30, 2026: Provided, That amounts made available under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 811 projects: Provided further, That, upon the request of the Secretary, project funds that are held in residual receipts accounts for any project subject to a section 811 project rental assistance contract, and that upon termination of such contract are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to remain available until September 30, 2026: Provided further, That amounts deposited in this account pursuant to the preceding proviso shall be available in addition to the amounts otherwise provided by this heading for the purposes authorized under this heading: Provided further, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading shall be used for the current purposes authorized under this heading in addition to the purposes for which such funds originally were appropriated.

HOUSING COUNSELING ASSISTANCE

For contracts, grants, and other assistance excluding loans, as authorized under section 106 of the Housing and Urban Development Act of 1968, as amended, \$70,000,000, to remain available until September 30, 2024, including up to \$4,500,000 for administrative contract services: Provided, That funds shall be used for providing counseling and advice to tenants and homeowners, both current and prospective, with respect to property maintenance, financial management or literacy, and such other matters as may be appropriate to assist them in improving their housing conditions, meeting their financial needs, and fulfilling the responsibilities of tenancy or homeownership; for program administration; and for housing counselor training: Provided further, That for purposes of awarding grants from amounts provided under this heading, the Secretary may enter into multiyear agreements, as appropriate, subject to the availability of annual appropriations.

PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), up to \$14,000,000, to remain available until expended, of which \$14,000,000 shall be derived from the Manufactured Housing Fees Trust Fund (established under section 620(e) of such Act (42 U.S.C. 5419(e)): Provided, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: Provided further, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2023 so as to result in a final fiscal year 2023 appropriation from the general fund estimated at zero, and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2023 appropriation: Provided further, That for the dispute resolution and installation programs, the Secretary may assess and collect fees from any program participant: Provided further, That such collections shall be deposited into the Trust Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620 of such Act, for necessary expenses of such Act: Provided further, That, notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

New commitments to guarantee single family loans insured under the Mutual Mortgage Insurance Fund shall not exceed \$400,000,000,000, to remain available until September 30, 2024: Provided, That during fiscal year 2023, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed \$1,000,000: Provided further, That the foregoing amount in the preceding proviso shall be for loans to non-profit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund: Provided further, That for administrative contract expenses of the Federal Housing Administration, \$150,000,000, to remain available until September 30, 2024: Provided further, That notwithstanding the limitation in the first sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z-20(g)), during fiscal year 2023 the Secretary may insure and enter into new commitments to insure mortgages under section 255 of the National Housing Act only to the extent that the net credit subsidy cost for such insurance does not exceed zero.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

New commitments to guarantee loans insured under the General and Special Risk Insurance Funds, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z-3 and 1735c), shall not exceed \$35,000,000,000 in total loan principal, any part of which is to be guaranteed, to remain available until September 30, 2024: Provided, That during fiscal year 2023, gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed \$1,000,000, which shall be for loans to nonprofit and governmental entities in connection with the sale of single family real properties owned by the Secretary and formerly insured under such Act.

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

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed \$900,000,000,000, to remain available until September 30, 2024: Provided, That \$33,500,000, to remain available until September 30, 2024, shall be for necessary salaries and expenses of the Government National Mortgage Association: Provided further, That to the extent that guaranteed loan commitments exceed \$155,000,000,000 on or before April 1, 2023 an additional \$100 for necessary salaries and expenses shall be available until expended for each \$1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below \$1,000,000), but in no case shall funds made available by this proviso exceed \$3,000,000: Provided further, That receipts from Commitment and Multiclass fees collected pursuant to title III of the National Housing Act (12 U.S.C. 1716 et seq.) shall be credited as offsetting collections to this account.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z-1 et seq.), including carrying out the functions of the Secretary of Housing and Urban Development under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, and for technical assistance, \$160,000,000, to remain available until September 30, 2024: Provided, That with respect to amounts made available under this heading, notwithstanding section 203 of this title, the Secretary may enter into cooperative agreements with philanthropic entities, other Federal agencies, State or local governments and their agencies, Indian Tribes, tribally designated housing entities, or colleges or universities for research projects: Provided further, That with respect to the preceding proviso, such partners to the cooperative agreements shall contribute at least a 50 percent match toward the cost of the project: Provided further, That for non-competitive agreements entered into in accordance with the preceding two provisos, the Secretary shall comply with section 2(b) of the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282, 31 U.S.C. note) in lieu of compliance with section 102(a)(4)(C) of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545(a)(4)(C)) with respect to documentation of award decisions: Provided further, That prior to obligation of technical assistance funding, the Secretary shall submit a plan to the House and Senate Committees on Appropriations on how the Secretary will allocate funding for this activity at least 30 days prior to obligation: Provided further, That none of the funds provided under this heading may be available for the doctoral dissertation research grant program: Provided further, That an additional \$20,000,000, to remain available until September 30, 2025, shall be for competitive grants to nonprofit or governmental entities to provide legal assistance (including assistance related to pre-trial activities, trial activities, post-trial activities and alternative dispute resolution) at no cost to eligible low-income tenants at risk of or subject to eviction: Provided further, That in awarding grants under the preceding proviso, the Secretary shall give preference to applicants that include a marketing strategy for residents of areas with high rates of eviction, have experience providing no-cost legal assistance to low-income individuals, including those with limited English proficiency or disabilities, and have sufficient capacity to administer such assistance,

and may select unfunded or partially funded eligible applicants identified in the previous competition: Provided further, That the Secretary shall ensure, to the extent practicable, that the proportion of eligible tenants living in rural areas who will receive legal assistance with grant funds made available under this heading is not less than the overall proportion of eligible tenants who live in rural areas.

FAIR HOUSING AND EQUAL OPPORTUNITY
FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.), and section 561 of the Housing and Community Development Act of 1987 (42 U.S.C. 3616a), \$86,000,000, to remain available until September 30, 2024: Provided, That notwithstanding section 3302 of title 31, United States Code, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to develop on-line courses and provide such training: Provided further, That none of the funds made available under this heading may be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant, or loan: Provided further, That of the funds made available under this heading, \$1,000,000 shall be available to the Secretary for the creation and promotion of translated materials and other programs that support the assistance of persons with limited English proficiency in utilizing the services provided by the Department of Housing and Urban Development.

OFFICE OF LEAD HAZARD CONTROL AND
HEALTHY HOMES

LEAD HAZARD REDUCTION
(INCLUDING TRANSFER OF FUNDS)

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

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

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

(A) \$5,000,000 shall be for the implementation of projects in up to five communities that are served by both the Healthy Homes Initiative and the Department of Energy weatherization programs to demonstrate whether the coordination of Healthy Homes remediation activities with weatherization activities achieves cost savings and better outcomes in improving the safety and quality of homes; and

(B) \$10,000,000 shall be for grants to experienced non-profit organizations, States, local governments, or public housing agencies for safety and functional home modification repairs and renovations to meet the needs of low-income elderly homeowners to enable them to remain in their primary residence: Provided, That of the total amount made available under this subparagraph no less than \$3,000,000 shall be available to meet such needs in communities with substantial rural populations;

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

(4) Up to \$2,000,000 in total of the amounts made available under paragraphs (2) and (3) may be transferred to the heading "Research and Technology" for the purposes of conducting research and studies and for use in accordance with the provisos under that heading for non-competitive agreements;

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

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

Provided further, That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of law that further the purposes of such Act, a grant under the Healthy Homes Initiative, or the Lead Technical Studies program, or other demonstrations or programs under this heading or under prior appropriations Acts for such purposes under this heading, or under the heading "Housing for the Elderly" under prior Appropriations Acts, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: Provided further, That each applicant for a grant or cooperative agreement under this heading shall certify adequate capacity that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a notice of funding opportunity: Provided further, That amounts made available under this heading, except for amounts in paragraphs (2)(B) for home modification repairs and renovations, in this or prior appropriations Acts, still remaining available, may be used for any purpose under this heading notwithstanding the purpose for which such amounts were appropriated if a program competition is undersubscribed and there are other program competitions under this heading that are oversubscribed.

INFORMATION TECHNOLOGY FUND

For Department-wide and program-specific information technology systems and infrastructure, \$382,000,000, to remain available until September 30, 2025, of which up to \$16,746,000 shall be for development, modernization, and enhancement projects, including planning for such projects: Provided, That not more than 10 percent of the funds made available under this heading for development, modernization, and enhancement may be obligated until the Secretary submits and the House and Senate Committees on Appropriations approve a plan that—

(1) identifies for each development, modernization, and enhancement project to be funded from available balances, including carry-over—

(A) plain language summaries of the project scope;

(B) the estimated total project cost; and

(C) key milestones to be met; and

(2) identifies for each major modernization project—

(A) the functional and performance capabilities to be delivered and the mission benefits to be realized;

(B) the estimated life-cycle cost;

(C) key milestones to be met through the project end date, including any identified system decommissioning;

(D) a description of the procurement strategy and governance structure for the project and the number of HUD staff and contractors supporting the project; and

(E) certification from the Chief Information Officer that each project is compliant with the Department's enterprise architecture, life-cycle management and capital planning and investment control requirements:

Provided further, That not later than 30 days after the end of each quarter, the Secretary shall submit an updated report to the Committees on Appropriations of the House of Representatives and the Senate summarizing the status, cost and plan for all modernization projects; and for each major modernization project with an approved project plan, identifying—

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

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

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

OFFICE OF INSPECTOR GENERAL

For necessary salaries and expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, \$140,000,000: Provided, That the Inspector General shall have independent authority over all personnel and acquisition issues within this office.

GENERAL PROVISIONS—DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT
(INCLUDING TRANSFER OF FUNDS)

(INCLUDING RESCISSION)

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437f note) shall be rescinded or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

SEC. 202. None of the funds made available by this Act may be used to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a non-frivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 203. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title II of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545).

SEC. 204. Section 7 of the Department of Housing and Urban Development Act (42 U.S.C. 3535)

is amended by adding at the end the following new subsection:

“(u)(1) Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1).

“(2) Corporations and agencies of the Department of Housing and Urban Development which are subject to chapter 91 of title 31, United States Code, are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of such title as may be necessary in carrying out the programs set forth in the budget for such corporation or agency except as hereinafter provided: Provided, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in an appropriations Act (unless such loans are in support of other forms of assistance provided for in appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.”

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

SEC. 206. The Secretary shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured, and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

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

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

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

(c) The transfer authorized in subsection (a) is subject to the following conditions:

(1) NUMBER AND BEDROOM SIZE OF UNITS.—

(A) For occupied units in the transferring project: The number of low-income and very low-income units and the configuration (i.e., bedroom size) provided by the transferring

project shall be no less than when transferred to the receiving project or projects and the net dollar amount of Federal assistance provided to the transferring project shall remain the same in the receiving project or projects.

(B) For unoccupied units in the transferring project: The Secretary may authorize a reduction in the number of dwelling units in the receiving project or projects to allow for a reconfiguration of bedroom sizes to meet current market demands, as determined by the Secretary and provided there is no increase in the project-based assistance budget authority.

(2) The transferring project shall, as determined by the Secretary, be either physically obsolete or economically nonviable, or be reasonably expected to become economically nonviable when complying with state or Federal requirements for community integration and reduced concentration of individuals with disabilities.

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

(4) The owner or mortgagor of the transferring project shall notify and consult with the tenants residing in the transferring project and provide a certification of approval by all appropriate local governmental officials.

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

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

(7) If either the transferring project or the receiving project or projects meets the condition specified in subsection (d)(2)(A), any lien on the receiving project resulting from additional financing obtained by the owner shall be subordinate to any FHA-insured mortgage lien transferred to, or placed on, such project by the Secretary, except that the Secretary may waive this requirement upon determination that such a waiver is necessary to facilitate the financing of acquisition, construction, and/or rehabilitation of the receiving project or projects.

(8) If the transferring project meets the requirements of subsection (d)(2), the owner or mortgagor of the receiving project or projects shall execute and record either a continuation of the existing use agreement or a new use agreement for the project where, in either case, any use restrictions in such agreement are of no lesser duration than the existing use restrictions.

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

(d) For purposes of this section—

(1) the terms “low-income” and “very low-income” shall have the meanings provided by the statute and/or regulations governing the program under which the project is insured or assisted;

(2) the term “multifamily housing project” means housing that meets one of the following conditions—

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

(B) housing that has project-based assistance attached to the structure including projects undergoing mark to market debt restructuring under the Multifamily Assisted Housing Reform and Affordability Housing Act;

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

(D) housing that is assisted under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q), as such section existed before the enactment of the Cranston-Gonzales National Affordable Housing Act;

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

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

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

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

(B) assistance for housing constructed or substantially rehabilitated pursuant to assistance provided under section 8(b)(2) of such Act (as such section existed immediately before October 1, 1983);

(C) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s);

(D) interest reduction payments under section 236 and/or additional assistance payments under section 236(f)(2) of the National Housing Act (12 U.S.C. 1715e–1);

(E) assistance payments made under section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q(c)(2)); and

(F) assistance payments made under section 811(d)(2) of the Cranston-Gonzales National Affordable Housing Act (42 U.S.C. 8013(d)(2));

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

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

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

(e) RESEARCH REPORT.—The Secretary shall conduct an evaluation of the transfer authority under this section, including the effect of such transfers on the operational efficiency, contract rents, physical and financial conditions, and long-term preservation of the affected properties. The Secretary shall publish by notice in the Federal Register the terms and conditions, including criteria for approval by the Department of Housing and Urban Development, of transfers pursuant to this section no later than 30 days before the effective date of such notice.

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

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

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child;

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

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

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

(b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition and any other required fees and charges) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or from an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except for a person over the age of 23 with dependent children.

SEC. 210. The funds made available for Native Alaskans under paragraph (1) under the heading “Native American Programs” in title II of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005, and only such recipients shall be eligible to apply for funds made available under paragraph (2) of such heading.

SEC. 211. Notwithstanding any other provision of law, in fiscal year 2023, in managing and disposing of any multifamily property that is owned or has a mortgage held by the Secretary of Housing and Urban Development, and during the process of foreclosure on any property with a contract for rental assistance payments under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) or any other Federal programs, the Secretary shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 and other programs that are attached to any dwelling units in the property. To the extent the Secretary determines, in consultation with the tenants and the local government that such a multifamily property owned or having a mortgage held by the Secretary is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (in this section “MAHRAA”) (42 U.S.C. 1437f note), and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect prior to foreclosure, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other available remedies, such as partial abatements or receivership. After disposition of any multifamily property described in this section, the contract and allowable rent levels on such properties shall be subject to the requirements under section 524 of MAHRAA.

SEC. 212. Public housing agencies that own and operate 400 or fewer public housing units may elect to be exempt from any asset management requirement imposed by the Secretary in connection with the operating fund rule: Provided, That an agency seeking a discontinuance of a reduction of subsidy under the operating fund formula shall not be exempt from asset management requirements.

SEC. 213. With respect to the use of amounts provided in this Act and in future Acts for the operation, capital improvement, and management of public housing as authorized by sections 9(d) and 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(d),(e)), the Secretary shall not impose any requirement or guideline relating to asset management that restricts or limits in any way the use of capital funds for central office costs pursuant to paragraph (1) or (2) of section 9(g) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): Provided, That a public housing agency may not use capital funds authorized under section 9(d) for activities that are eligible under section 9(e) for assistance with amounts from the operating fund in excess of the amounts permitted under paragraph (1) or (2) of section 9(g).

SEC. 214. No official or employee of the Department of Housing and Urban Development shall be designated as an allotment holder unless the Office of the Chief Financial Officer has determined that such allotment holder has implemented an adequate system of funds control

and has received training in funds control procedures and directives. The Chief Financial Officer shall ensure that there is a trained allotment holder for each HUD appropriation under the accounts “Executive Offices”, “Administrative Support Offices”, “Program Offices”, “Government National Mortgage Association—Guarantees of Mortgage-Backed Securities Loan Guarantee Program Account”, and “Office of Inspector General” within the Department of Housing and Urban Development.

SEC. 215. The Secretary shall, for fiscal year 2023, notify the public through the Federal Register and other means, as determined appropriate, of the issuance of a notice of funding opportunity (NOFO) for any program or discretionary fund administered by the Secretary that is to be competitively awarded. Notwithstanding any other provision of law, for fiscal year 2023, the Secretary may make the NOFO available only on the Internet at the appropriate Government website or through other electronic media, as determined by the Secretary.

SEC. 216. Payment of attorney fees in program-related litigation shall be paid from the individual program office and Office of General Counsel salaries and expenses appropriations.

SEC. 217. The Secretary is authorized to transfer up to 10 percent or \$5,000,000, whichever is less, of funds appropriated for any office under the headings “Administrative Support Offices” or “Program Offices” to any other such office under such headings: Provided, That no appropriation for any such office under such headings shall be increased or decreased by more than 10 percent or \$5,000,000, whichever is less, without prior written approval of the House and Senate Committees on Appropriations: Provided further, That the Secretary shall provide notification to such Committees 3 business days in advance of any such transfers under this section up to 10 percent or \$5,000,000, whichever is less.

SEC. 218. (a) Any entity receiving housing assistance payments shall maintain decent, safe, and sanitary conditions, as determined by the Secretary, and comply with any standards under applicable State or local laws, rules, ordinances, or regulations relating to the physical condition of any property covered under a housing assistance payment contract.

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

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

(2) fails to certify in writing to the Secretary within 3 days that all Exigent Health and Safety deficiencies identified by the inspector at the project have been corrected.

Such requirements shall apply to insured and noninsured projects with assistance attached to the units under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), but shall not apply to such units assisted under section 8(o)(13) of such Act (42 U.S.C. 1437f(o)(13)) or to public housing units assisted with capital or operating funds under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g).

(c)(1) Within 15 days of the issuance of the Real Estate Assessment Center (“REAC”) inspection, the Secretary shall provide the owner with a Notice of Default with a specified timetable, determined by the Secretary, for correcting all deficiencies. The Secretary shall provide a copy of the Notice of Default to the tenants, the local government, any mortgagees, and any contract administrator. If the owner’s appeal results in a UPCS score of 60 or above, the Secretary may withdraw the Notice of Default.

(2) At the end of the time period for correcting all deficiencies specified in the Notice of Default, if the owner fails to fully correct such deficiencies, the Secretary shall take one or more of the following actions, and provide additional notice of those actions to the owner and the parties specified above—

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

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

(C) abate the section 8 contract, including partial abatement, as determined by the Secretary, until all deficiencies have been corrected;

(D) pursue transfer of the project to an owner, approved by the Secretary under established procedures, who will be obligated to promptly make all required repairs and to accept renewal of the assistance contract if such renewal is offered;

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

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

(G) seek judicial appointment of a receiver to manage the property and cure all project deficiencies or seek a judicial order of specific performance requiring the owner to cure all project deficiencies;

(H) work with the owner, lender, or other related party to stabilize the property in an attempt to preserve the property through compliance, transfer of ownership, or an infusion of capital provided by a third-party that requires time to effectuate; or

(I) take any other regulatory or contractual remedies available as deemed necessary and appropriate by the Secretary.

(d) The Secretary shall take appropriate steps to ensure that project-based contracts remain in effect, subject to the exercise of contractual abatement remedies to assist relocation of tenants for major threats to health and safety after written notice to and informed consent of the affected tenants and use of other remedies set forth above. To the extent the Secretary determines, in consultation with the tenants and the local government, that the property is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of—

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

(2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance.

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

(1) identification of the property level enforcement actions being taken to address such conditions, including imposition of civil money penalties and termination of subsidies, and identification of properties that have such conditions multiple times;

(2) identification of property level actions that the Department of Housing and Urban Development is taking to protect tenants of such identified properties; and

(3) any administrative or legislative recommendations to further improve the living conditions at properties covered under a housing assistance payment contract.

The first report shall be submitted to the Senate and House Committees on Appropriations not later than 30 days after the enactment of

this Act, and the second report shall be submitted within 180 days of the transmittal of the first report.

SEC. 219. None of the funds made available by this Act, or any other Act, for purposes authorized under section 8 (only with respect to the tenant-based rental assistance program) and section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), may be used by any public housing agency for any amount of salary, including bonuses, for the chief executive officer of which, or any other official or employee of which, that exceeds the annual rate of basic pay payable for a position at level IV of the Executive Schedule at any time during any public housing agency fiscal year 2023.

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

SEC. 221. None of the funds made available in this Act shall be used by the Federal Housing Administration, the Government National Mortgage Association, or the Department of Housing and Urban Development to insure, securitize, or establish a Federal guarantee of any mortgage or mortgage backed security that refinances or otherwise replaces a mortgage that has been subject to eminent domain condemnation or seizure, by a State, municipality, or any other political subdivision of a State.

SEC. 222. None of the funds made available by this Act may be used to terminate the status of a unit of general local government as a metropolitan city (as defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302)) with respect to grants under section 106 of such Act (42 U.S.C. 5306).

SEC. 223. Amounts made available by this Act that are appropriated, allocated, advanced on a reimbursable basis, or transferred to the Office of Policy Development and Research of the Department of Housing and Urban Development and functions thereof, for research, evaluation, or statistical purposes, and that are unexpended at the time of completion of a contract, grant, or cooperative agreement, may be deobligated and shall immediately become available and may be reobligated in that fiscal year or the subsequent fiscal year for the research, evaluation, or statistical purposes for which the amounts are made available to that Office subject to reprogramming requirements in section 405 of this Act.

SEC. 224. None of the funds provided in this Act or any other Act may be used for awards, including performance, special act, or spot, for any employee of the Department of Housing and Urban Development subject to administrative discipline (including suspension from work), in this fiscal year, but this prohibition shall not be effective prior to the effective date of any such administrative discipline or after any final decision over-turning such discipline.

SEC. 225. With respect to grant amounts awarded under the heading “Homeless Assistance Grants” for fiscal years 2015 through 2023 for the Continuum of Care (CoC) program as authorized under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act, costs paid by program income of grant recipients may count toward meeting the recipient’s matching requirements, provided the costs are eligible CoC costs that supplement the recipient’s CoC program.

SEC. 226. (a) From amounts made available under this title under the heading “Homeless Assistance Grants”, the Secretary may award 1-year transition grants to recipients of funds for activities under subtitle C of the McKinney-

Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.) to transition from one Continuum of Care program component to another.

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

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

SEC. 228. Any public housing agency designated as a Moving to Work agency pursuant to section 239 of division L of Public Law 114–113 (42 U.S.C. 1437f note; 129 Stat. 2897) may, upon such designation, use funds (except for special purpose funding, including special purpose vouchers) previously allocated to any such public housing agency under section 8 or 9 of the United States Housing Act of 1937, including any reserve funds held by the public housing agency or funds held by the Department of Housing and Urban Development, pursuant to the authority for use of section 8 or 9 funding provided under such section and section 204 of title II of the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 1996 (Public Law 104–134; 110 Stat. 1321–28), notwithstanding the purposes for which such funds were appropriated.

SEC. 229. None of the amounts made available by this Act may be used to prohibit any public housing agency under receivership or the direction of a Federal monitor from applying for, receiving, or using funds made available under the heading “Public Housing Fund” for competitive grants to evaluate and reduce lead-based paint hazards in this Act or that remain available and not awarded from prior Acts, or be used to prohibit a public housing agency from using such funds to carry out any required work pursuant to a settlement agreement, consent decree, voluntary agreement, or similar document for a violation of the Lead Safe Housing or Lead Disclosure Rules.

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

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

(b) Funds previously made available in the Consolidated Appropriations Act, 2017 (Public Law 115–31) for the “Choice Neighborhoods Initiative” that were available for obligation through fiscal year 2019 are to remain available through fiscal year 2025 for the liquidation of valid obligations incurred in fiscal years 2017 through 2019.

(c) Funds previously made available in the Consolidated Appropriations Act, 2018 (Public Law 115–141) for the “Choice Neighborhoods Initiative” that were available for obligation through fiscal year 2020 are to remain available through fiscal year 2026 for the liquidation of valid obligations incurred in fiscal years 2018 through 2020.

(d) Funds previously made available in the Consolidated Appropriations Act, 2019 (Public Law 116–6) for the “Choice Neighborhoods Initiative” that were available for obligation through fiscal year 2021 are to remain available through fiscal year 2027 for the liquidation of valid obligations incurred in fiscal years 2019 through 2021.

(e) Funds previously made available in the Further Consolidated Appropriations Act, 2020

(Public Law 116–94) for the “Choice Neighborhoods Initiative” that were available for obligation through fiscal year 2022 are to remain available through fiscal year 2028 for the liquidation of valid obligations incurred in fiscal years 2020 through 2022.

(f) Funds previously made available in the Consolidated Appropriations Act, 2021 (Public Law 116–260) for the “Choice Neighborhoods Initiative” that were available for obligation through fiscal year 2023 are to remain available through fiscal year 2029 for the liquidation of valid obligations incurred in fiscal years 2021 through 2023.

SEC. 232. For fiscal year 2023, if the Secretary determines or has determined, for any prior formula grant allocation administered by the Secretary under a program under the headings “Public and Indian Housing”, “Community Planning and Development”, or “Housing Programs” in this title, that a recipient received an allocation greater than the amount such recipient should have received for a formula allocation cycle pursuant to applicable statutes and regulations, the Secretary may adjust for any such funding error in the next applicable formula allocation cycle by (a) offsetting each such recipient’s formula allocation (if eligible for a formula allocation in the next applicable formula allocation cycle) by the amount of any such funding error; and (b) reallocating any available balances that are attributable to the offset to the recipient or recipients that would have been allocated additional funds in the formula allocation cycle in which any such error occurred (if such recipient or recipients are eligible for a formula allocation in the next applicable formula allocation cycle) in an amount proportionate to such recipient’s eligibility under the next applicable formula allocation cycle formula: Provided, That all offsets and reallocations from such available balances shall be recorded against funds available for the next applicable formula allocation cycle: Provided further, That the term “next applicable formula allocation cycle” means the first formula allocation cycle for a program that is reasonably available for correction following such a Secretarial determination: Provided further, That if, upon request by a recipient and giving consideration to all Federal resources available to the recipient for the same grant purposes, the Secretary determines that the offset in a next applicable formula allocation cycle would critically impair the recipient’s ability to accomplish the purpose of the formula grant, the Secretary may adjust for the funding error across two or more formula allocation cycles.

SEC. 233. (a) Amounts made available in paragraphs (1) and (2) under the heading “Native American Programs” in title XII of division B of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136) which were allocated or awarded to Indian tribes or tribally designated housing entities, and which are not accepted as of the date of enactment of this Act, are voluntarily returned, or otherwise recaptured for any reason, may be used by the Secretary to make additional grants for the same purpose and under the same terms and conditions as amounts appropriated by section 11003(a)(2) of the American Rescue Plan Act of 2021 (Public Law 117–2).

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

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

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

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

“(1) demonstrates that—

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

“(B) the rent adjustment or renewal contract is necessary to support commercially reasonable financing (including any required debt service coverage and replacement reserve) for rehabilitation necessary to ensure the long-term sustainability of the project, as determined by the Secretary, and in the event the owner or purchaser fails to implement the rehabilitation as required by the Secretary, the Secretary may take such action against the owner or purchaser as allowed by law; and

“(2) agrees to—

“(A) extend the affordability and use restrictions required under 514(e)(6) for an additional twenty years; and

“(B) enter into a binding commitment to continue to renew such contract for and during such extended term, provided that after the affordability and use restrictions required under 514(e)(6) have been maintained for a term of 30 years:

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

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

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

“(h) RENT ADJUSTMENTS TO ADDRESS DISTRESS.—In the case of a section 8 contract that will be eligible for renewal under this section when it expires or terminates, notwithstanding any provision of contract or law regarding the adjustment of rents, including such a provision in this section, the Secretary may adjust such rents, subject to the availability of funds for such rent adjustments, to rent levels that are equal to the lesser of budget-based rents or comparable market rents for the market area at the request of an owner or purchaser who demonstrates that such rent adjustment is needed to address project health and safety deficiencies and that—

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

“(2) the rent adjustment is necessary to support commercially reasonable financing (including any required debt service coverage and replacement reserve) for rehabilitation necessary to ensure the long-term sustainability of the project, as determined by the Secretary, and in the event the owner or purchaser fails to implement the rehabilitation as required by the Secretary, the Secretary may take such action against the owner or purchaser as allowed by law.”; and

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

SEC. 235. Of the amounts made available under the heading “Project-Based Rental As-

sistance” in prior Acts, up to \$1,300,000 may be transferred to Treasury Account 86-X-0148 for the liquidation of obligations incurred in fiscal year 2018 in connection with the continued provision of interest reduction payments authorized under section 236 of the National Housing Act (12 U.S.C. 1715z-1).

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

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

(1) be subject to remedies for noncompliance; or

(2) bear responsibility for absorbing such cost of duplicative benefits and returning an amount equal to any duplicative benefits paid to the grantee’s funds available for use under such heading, unless the Secretary, upon the request of a grantee issues a public determination by publication in the Federal Register that it is not in the best interest of the Federal Government to pursue such remedies.

(c) Notwithstanding any other provision of law, any grantee of funds referred to in subsection (a) of this section may request a waiver from the Secretary of Housing and Urban Development of any recoupment by the Secretary of such funds for amounts owed by persons who have received such assistance from such funds and who have been defrauded, or after receiving assistance, have filed for bankruptcy, gone through a foreclosure procedure on property that received such assistance, or are deceased. If the grantee self-certifies to the Secretary in such request that it has verified that the individual conditions of each person it is requesting a waiver for meets one of the conditions specified in the preceding sentence, the Secretary may grant such waivers on the basis of grantee self-certification, issue a public determination by publication in the Federal Register that it is not in the best interest of the Federal Government to pursue such recoupment, and may conduct oversight to verify grantee self-certification and subject the grantee to remedies for noncompliance for any amounts that have not met such requirements.

(d) Amounts repurposed pursuant to this section that were previously designated by the Congress as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 or a concurrent resolution on the budget are designated 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) of H. Res. 1151 (117th Congress) as engrossed in the House of Representatives on June 8, 2022.

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

This title may be cited as the “Department of Housing and Urban Development Appropriations Act, 2023”.

TITLE III

RELATED AGENCIES

ACCESS BOARD

SALARIES AND EXPENSES

For expenses necessary for the Access Board, as authorized by section 502 of the Rehabilitation Act of 1973 (29 U.S.C. 792), \$9,850,000: Provided, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

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

NATIONAL RAILROAD PASSENGER CORPORATION

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General for the National Railroad Passenger Corporation to carry out the provisions of the Inspector General Act of 1978 (5 U.S.C. App. 3), \$27,935,000: Provided, That the Inspector General shall have all necessary authority, in carrying out the duties specified in such Act, to investigate allegations of fraud, including false statements to the Government under section 1001 of title 18, United States Code, by any person or entity that is subject to regulation by the National Railroad Passenger Corporation: Provided further, That the Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, subject to the applicable laws and regulations that govern the obtaining of such services within the National Railroad Passenger Corporation: Provided further, That the Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General, subject to the applicable laws and regulations that govern such selections, appointments, and employment within the National Railroad Passenger Corporation: Provided further, That concurrent with the President’s budget request for fiscal year 2024, the Inspector General shall submit to the House and Senate Committees on Appropriations a budget request for fiscal year 2024 in similar format and substance to budget requests submitted by executive agencies of the Federal Government.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by section 3109 of title 5, United States Code, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS-15; uniforms, or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code, \$129,300,000, of which not to exceed \$2,000 may be used for official reception and representation expenses: Provided, That the amounts made available to the National Transportation Safety Board in this Act include amounts necessary to make lease payments on an obligation incurred in fiscal year 2001 for a capital lease.

NEIGHBORHOOD REINVESTMENT CORPORATION
PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), \$185,000,000.

SURFACE TRANSPORTATION BOARD
SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by section 3109 of title 5, United States Code, \$42,029,000: Provided, That of the amounts made available under this heading, not less than \$1,000,000 shall be for the necessary salaries and expenses to implement section 22309 of the Infrastructure Investment and Jobs Act (Public Law 117–58), and for other activities as appropriate as determined by the Surface Transportation Board: Provided further, That, notwithstanding any other provision of law, not to exceed \$1,250,000 from fees established by the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: Provided further, That the amounts made available under this heading from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2023, to result in a final appropriation from the general fund estimated at not more than \$40,779,000.

UNITED STATES INTERAGENCY COUNCIL ON
HOMELESSNESS
OPERATING EXPENSES

For necessary expenses, including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code, of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, \$4,580,000.

TITLE IV

GENERAL PROVISIONS—THIS ACT

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

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

SEC. 403. The expenditure of any appropriation under this Act for any consulting service through a procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

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

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

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

(5) is offensive to, or designed to change, participants’ personal values or lifestyle outside the workplace.

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

SEC. 405. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2023, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates a new program;

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

(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress;

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

(5) augments existing programs, projects, or activities in excess of \$5,000,000 or 10 percent, whichever is less;

(6) reduces existing programs, projects, or activities by \$5,000,000 or 10 percent, whichever is less; or

(7) creates, reorganizes, or restructures a branch, division, office, bureau, board, commission, agency, administration, or department different from the budget justifications submitted to the Committees on Appropriations or the table accompanying the report accompanying this Act, whichever is more detailed, unless prior approval is received from the House and Senate Committees on Appropriations:

Provided, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the Senate and of the House of Representatives to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: Provided further, That the report shall include—

(A) a table for each appropriation with a separate column to display the prior year enacted level, the President’s budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(B) a delineation in the table for each appropriation and its respective prior year enacted level by object class and program, project, and activity as detailed in this Act, the table accompanying the report accompanying this Act, accompanying reports of the House and Senate Committee on Appropriations, or in the budget appendix for the respective appropriations, whichever is more detailed, and shall apply to all items for which a dollar amount is specified and to all programs for which new budget (obligational) authority is provided, as well as to discretionary grants and discretionary grant allocations; and

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

SEC. 406. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2023 from appropriations made available for salaries and expenses for fiscal year 2023 in this Act, shall remain available through September 30, 2024, for each such account for the purposes authorized: Provided, That a request shall be submitted to the House and Senate Committees on Appropriations for approval prior to the expenditure of such funds: Provided further, That these requests shall be made in compliance with reprogramming guidelines under section 405 of this Act.

SEC. 407. No funds in this Act may be used to support any Federal, State, or local projects

that seek to use the power of eminent domain, unless eminent domain is employed only for a public use: Provided, That for purposes of this section, public use shall not be construed to include economic development that primarily benefits private entities: Provided further, That any use of funds for mass transit, railroad, airport, seaport or highway projects, as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water-related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfields as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Public Law 107–118) shall be considered a public use for purposes of eminent domain.

SEC. 408. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

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

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

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

SEC. 412. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of a single agency or department of the United States Government, who are stationed in the United States, at any single international conference unless the relevant Secretary reports to the House and Senate Committees on Appropriations at least 5 days in advance that such attendance is important to the national interest: Provided, That for purposes of this section the term “international conference” shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

SEC. 413. None of the funds appropriated or otherwise made available under this Act may be used by the Surface Transportation Board to charge or collect any filing fee for rate or practice complaints filed with the Board in an amount in excess of the amount authorized for district court civil suit filing fees under section 1914 of title 28, United States Code.

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

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

SEC. 415. (a) None of the funds made available in this Act may be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5

U.S.C. App.), or to prevent or impede that Inspector General's access to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to the Inspector General and expressly limits the Inspector General's right of access.

(b) A department or agency covered by this section shall provide its Inspector General with access to all such records, documents, and other materials in a timely manner.

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

(d) Each Inspector General covered by this section shall report to the Committees on Appropriations of the House of Representatives and the Senate within 5 calendar days any failures to comply with this requirement.

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

SEC. 417. Within the amounts appropriated in this Act, funding shall be allocated in the amounts specified for those projects and purposes delineated in the table titled "Transportation, Housing and Urban Development Incorporation of Community Project Funding Items" included in the report accompanying this Act.

SEC. 418. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his or her period of active military or naval service, and has within 90 days after his or her release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his or her former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his or her former position and has not been restored thereto.

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

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

This division may be cited as the "Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2023".

DIVISION B—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2023

TITLE I

AGRICULTURAL PROGRAMS

PROCESSING, RESEARCH, AND MARKETING

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary, \$69,845,000, of which not to exceed \$8,432,000 shall be available for the immediate Office of the Secretary; not to exceed \$1,396,000 shall be available for the Office of Homeland Security; not to exceed \$5,190,000 shall be available for the Office of Tribal Relations; not to exceed \$11,287,000 shall be available for the Office of Partnerships and Public Engagement, of which \$1,500,000 shall be for 7 U.S.C. 2279(c)(5); not to exceed \$28,822,000 shall be available for the Office of the Assistant Secretary for Administration, of which \$27,116,000 shall be available for Departmental Administration to provide for necessary expenses for management support services to offices of the Department and for general administration, security, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department: Provided, That funds made available by this Act to an agency in the Administration mission area for salaries and expenses are available to fund up to one administrative support staff for the Office; not to exceed \$4,609,000 shall be available for the Office of Assistant Secretary for Congressional Relations and Intergovernmental Affairs to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch; and not to exceed \$10,109,000 shall be available for the Office of Communications: Provided further, That the Secretary of Agriculture is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: Provided further, That no appropriation for any office shall be increased or decreased by more than 5 percent: Provided further, That not to exceed \$22,000 of the amount made available under this paragraph for the immediate Office of the Secretary shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: Provided further, That the amount made available under this heading for Departmental Administration shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558: Provided further, That funds made available under this heading for the Office of the Assistant Secretary for Congressional Relations and Intergovernmental Affairs shall be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: Provided further, That no funds made available under this heading for the Office of Assistant Secretary for Congressional Relations may be obligated after 30 days from the date of enactment of this Act, unless the Secretary has notified the Committees on Appropriations of both Houses of Congress on the allocation of these funds by USDA agency: Provided further, That during any 30 day notification period referenced in section 716 of this Act, the Secretary of Agriculture shall take no action to begin implementation of the action that is subject to section 716 of this Act or make any public announcement of such action in any form.

EXECUTIVE OPERATIONS

OFFICE OF THE CHIEF ECONOMIST

For necessary expenses of the Office of the Chief Economist, \$30,181,000, of which \$8,000,000 shall be for grants or cooperative agreements for

policy research under 7 U.S.C. 3155: Provided, That of the amounts made available under this heading, \$500,000 shall be available to carry out section 224 of subtitle A of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6924), as amended by section 12504 of Public Law 115–334.

OFFICE OF HEARINGS AND APPEALS

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

OFFICE OF BUDGET AND PROGRAM ANALYSIS

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

OFFICE OF THE CHIEF INFORMATION OFFICER

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

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, \$9,559,000.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

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

OFFICE OF CIVIL RIGHTS

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

AGRICULTURE BUILDINGS AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 121, for programs and activities of the Department which are included in this Act, and for alterations and other actions needed for the Department and its agencies to consolidate unneeded space into configurations suitable for release to the Administrator of General Services, and for the operation, maintenance, improvement, and repair of Agriculture buildings and facilities, and for related costs, \$68,858,000, to remain available until expended.

HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) and the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), \$8,581,000, to remain available until expended: Provided, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

OFFICE OF SAFETY, SECURITY, AND PROTECTION

For necessary expenses of the Office of Safety, Security, and Protection, \$21,800,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, including employment pursuant to the Inspector General Act of 1978 (Public Law 95–452; 5 U.S.C. App.), \$111,061,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978 (Public Law 95–452; 5 U.S.C. App.), and including not to exceed \$125,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to the Inspector General Act of 1978 (Public Law

95–452; 5 U.S.C. App.) and section 1337 of the Agriculture and Food Act of 1981 (Public Law 97–98).

OFFICE OF THE GENERAL COUNSEL

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

OFFICE OF ETHICS

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

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

For necessary expenses of the Office of the Under Secretary for Research, Education, and Economics, \$3,384,000: Provided, That funds made available by this Act to an agency in the Research, Education, and Economics mission area for salaries and expenses are available to fund up to one administrative support staff for the Office: Provided further, That of the amounts made available under this heading, \$2,000,000 shall be made available for the Office of the Chief Scientist.

ECONOMIC RESEARCH SERVICE

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

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service, \$211,023,000, of which up to \$66,361,000 shall be available until expended for the Census of Agriculture: Provided, That amounts made available for the Census of Agriculture may be used to conduct Current Industrial Report surveys subject to 7 U.S.C. 2204g(d) and (f).

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Agricultural Research Service and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed \$100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, \$1,737,629,000: Provided, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: Provided further, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed \$500,000, except for greenhouses which shall each be limited to \$1,800,000, except for 10 buildings to be constructed or improved at a cost not to exceed \$1,100,000 each, and except for four buildings to be constructed at a cost not to exceed \$5,000,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or \$500,000, whichever is greater: Provided further, That appropriations hereunder shall be available for entering into lease agreements at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by the Agricultural Research Service and a condition of the lease shall be that any facility shall be owned, operated, and maintained by the non-Federal entity and shall be removed upon the expiration or termination of the lease agreement: Provided further, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: Provided further, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center: Provided further, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): Provided further, That

appropriations hereunder shall be available for granting easements at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by, and acceptable to, the Agricultural Research Service and a condition of the easements shall be that upon completion the facility shall be accepted by the Secretary, subject to the availability of funds herein, if the Secretary finds that acceptance of the facility is in the interest of the United States: Provided further, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

BUILDINGS AND FACILITIES

For the acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, \$57,305,000 to remain available until expended, of which \$25,900,000 shall be for the purposes, and in the amounts, specified for this account in the table titled “Community Project Funding” in the report accompanying this Act.

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, \$1,142,021,000, which shall be for the purposes, and in the amounts, specified in the table titled “National Institute of Food and Agriculture, Research and Education Activities” in the report accompanying this Act: Provided, That funds for research grants for 1994 institutions, education grants for 1890 institutions, Hispanic serving institutions education grants, capacity building for non-land-grant colleges of agriculture, the agriculture and food research initiative, veterinary medicine loan repayment, multicultural scholars, graduate fellowship and institution challenge grants, grants management systems, tribal colleges education equity grants, and scholarships at 1890 institutions shall remain available until expended: Provided further, That each institution eligible to receive funds under the Evans-Allen program receives no less than \$1,000,000: Provided further, That funds for education grants for Alaska Native and Native Hawaiian-serving institutions be made available to individual eligible institutions or consortia of eligible institutions with funds awarded equally to each of the States of Alaska and Hawaii: Provided further, That funds for providing grants for food and agricultural sciences for Alaska Native and Native Hawaiian-Serving institutions and for Insular Areas shall remain available until September 30, 2024: Provided further, That funds for education grants for 1890 institutions shall be made available to institutions eligible to receive funds under 7 U.S.C. 3221 and 3222: Provided further, That not more than 5 percent of the amounts made available by this or any other Act to carry out the Agriculture and Food Research Initiative under 7 U.S.C. 3157 may be retained by the Secretary of Agriculture to pay administrative costs incurred by the Secretary in carrying out that authority.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

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

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, the Northern Marianas, and American Samoa, \$586,502,000, which shall be for the purposes, and in the amounts, specified in the table

titled “National Institute of Food and Agriculture, Extension Activities” in the report accompanying this Act: Provided, That funds for extension services at 1994 institutions and for facility improvements at 1890 institutions shall remain available until expended: Provided further, That institutions eligible to receive funds under 7 U.S.C. 3221 for cooperative extension receive no less than \$1,000,000: Provided further, That funds for cooperative extension under sections 3(b) and (c) of the Smith-Lever Act (7 U.S.C. 343(b) and (c)) and section 208(c) of Public Law 93–471 shall be available for retirement and employees’ compensation costs for extension agents.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension grants programs, including necessary administrative expenses, \$39,500,000, which shall be for the purposes, and in the amounts, specified in the table titled “National Institute of Food and Agriculture, Integrated Activities” in the report accompanying this Act: Provided, That funds for the Food and Agriculture Defense Initiative shall remain available until September 30, 2024: Provided further, That notwithstanding any other provision of law, indirect costs shall not be charged against any Extension Implementation Program Area grant awarded under the Crop Protection/Pest Management Program (7 U.S.C. 7626).

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary expenses of the Office of the Under Secretary for Marketing and Regulatory Programs, \$1,617,000: Provided, That funds made available by this Act to an agency in the Marketing and Regulatory Programs mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Animal and Plant Health Inspection Service, including up to \$30,000 for representation allowances and for expenses pursuant to the Foreign Service Act of 1980 (22 U.S.C. 4085), \$1,164,209,000, of which \$530,000, to remain available until expended, shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds (“contingency fund”) to the extent necessary to meet emergency conditions; of which \$15,950,000, to remain available until expended, shall be used for the cotton pests program, including for cost share purposes or for debt retirement for active eradication zones; of which \$39,183,000, to remain available until expended, shall be for Animal Health Technical Services; of which \$4,096,000 shall be for activities under the authority of the Horse Protection Act of 1970, as amended (15 U.S.C. 1831); of which \$64,930,000, to remain available until expended, shall be used to support avian health; of which \$4,251,000, to remain available until expended, shall be for information technology infrastructure; of which \$219,698,000, to remain available until expended, shall be for specialty crop pests; of which, \$14,986,000, to remain available until expended, shall be for field crop and rangeland ecosystem pests; of which \$24,067,000, to remain available until expended, shall be for zoonotic disease management; of which \$44,117,000, to remain available until expended, shall be for emergency preparedness and response; of which \$62,562,000, to remain available until expended, shall be for tree and wood pests; of which \$6,528,000, to remain available until expended, shall be for the National Veterinary Stockpile; of which up to \$1,500,000, to remain available until expended, shall be for the scrapie program for indemnities; of which \$2,500,000, to remain available until expended, shall be for the wildlife damage management program for aviation

safety: Provided, That of amounts available under this heading for wildlife services methods development, \$1,000,000 shall remain available until expended: Provided further, That of amounts available under this heading for the screwworm program, \$4,990,000 shall remain available until expended; of which \$24,527,000, to remain available until expended, shall be used to carry out the science program and transition activities for the National Bio and Agro-defense Facility located in Manhattan, Kansas: Provided further, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: Provided further, That this appropriation shall be available for the purchase, replacement, operation, and maintenance of aircraft: Provided further, That in addition, in emergencies which threaten any segment of the agricultural production industry of the United States, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with sections 10411 and 10417 of the Animal Health Protection Act (7 U.S.C. 8310 and 8316) and sections 431 and 442 of the Plant Protection Act (7 U.S.C. 7751 and 7772), and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: Provided further, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 2023, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be reimbursed to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

BUILDINGS AND FACILITIES

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

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

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

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

LIMITATION ON ADMINISTRATIVE EXPENSES

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

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

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

PAYMENTS TO STATES AND POSSESSIONS

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

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

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

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

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

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed \$10,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$1,180,364,000; and in addition, \$1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1327 of the Food, Agriculture, Conservation and Trade Act of 1990 (7 U.S.C. 138f): Provided, That funds provided for the Public Health Data Communication Infrastructure system shall remain available until expended: Provided further, That no fewer than 148 full-time equivalent positions shall be employed during fiscal year 2023 for purposes dedicated solely to inspections and enforcement related to the Humane Methods of Slaughter Act (7 U.S.C. 1901 et seq.): Provided further, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

TITLE II

FARM PRODUCTION AND CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FARM PRODUCTION AND CONSERVATION

For necessary expenses of the Office of the Under Secretary for Farm Production and Conservation, \$1,727,000: Provided, That funds made available by this Act to an agency in the Farm Production and Conservation mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

FARM PRODUCTION AND CONSERVATION BUSINESS CENTER

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farm Production and Conservation Business Center, \$257,684,000: Provided, That \$60,228,000 of amounts appropriated for the current fiscal year pursuant to section 1241(a) of the Farm Security and Rural Investment Act of 1985 (16 U.S.C. 3841(a)) shall be transferred to and merged with this account.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farm Service Agency, \$1,229,396,000: Provided, That not more than 50 percent of the funding made available under this heading for information technology related to farm program delivery may be obligated until the Secretary submits to the Committees on Appropriations of both Houses of Congress, and receives written or electronic notification of receipt from such Committees of, a plan for expenditure that (1) identifies for each project/investment over \$25,000 (a) the functional and performance capabilities to be delivered and the mission benefits to be realized, (b) the estimated lifecycle cost for the entirety of the project/investment, including estimates for development as well as maintenance and operations, and (c) key milestones to be met; (2) demonstrates that each project/investment is, (a) consistent with the Farm Service Agency Information Technology Roadmap, (b) being managed in accordance with applicable lifecycle management policies and guidance, and (c) subject to the applicable Department's capital planning and investment control requirements; and (3) has been reviewed by the Government Accountability Office and approved by the Committees on Appropriations of both Houses of Congress: Provided further, That the agency shall submit a report by the end of the fourth quarter of fiscal year 2023 to the Committees on Appropriations of both Houses of Congress and the Government Accountability Office, that identifies for each project/investment that is operational (a) current performance against key indicators of customer satisfaction, (b) current performance of service level agreements or other technical metrics, (c) current performance against a pre-established cost baseline, (d) a detailed breakdown of current and planned spending on operational enhancements or upgrades, and (e) an assessment of whether the investment continues to meet business needs as intended as well as alternatives to the investment: Provided further, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: Provided further, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: Provided further, That of the amount appropriated under this heading, \$696,594,000 shall be made available to county committees, to remain available until expended: Provided further, That, notwithstanding the preceding proviso, any funds made available to county committees in the current

fiscal year that the Administrator of the Farm Service Agency deems to exceed or not meet the amount needed for the county committees may be transferred to or from the Farm Service Agency for necessary expenses: Provided further, That none of the funds available to the Farm Service Agency shall be used to close Farm Service Agency county offices: Provided further, That none of the funds available to the Farm Service Agency shall be used to permanently relocate county based employees that would result in an office with two or fewer employees without prior notification and approval of the Committees on Appropriations of both Houses of Congress.

STATE MEDIATION GRANTS

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

GRASSROOTS SOURCE WATER PROTECTION PROGRAM

For necessary expenses to carry out wellhead or groundwater protection activities under section 12400 of the Food Security Act of 1985 (16 U.S.C. 3839bb–2), \$6,500,000, to remain available until expended.

DAIRY INDEMNITY PROGRAM (INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, such sums as may be necessary, to remain available until expended: Provided, That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387, 114 Stat. 1549A–12).

GEOGRAPHICALLY DISADVANTAGED FARMERS AND RANCHERS

For necessary expenses to carry out direct reimbursement payments to geographically disadvantaged farmers and ranchers under section 1621 of the Food Conservation, and Energy Act of 2008 (7 U.S.C. 8792), \$3,000,000, to remain available until expended.

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT (INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, emergency loans (7 U.S.C. 1961 et seq.), Indian tribe land acquisition loans (25 U.S.C. 5136), boll weevil loans (7 U.S.C. 1989), guaranteed conservation loans (7 U.S.C. 1924 et seq.), relending program (7 U.S.C. 1936c), and Indian highly fractionated land loans (25 U.S.C. 5136) to be available from funds in the Agricultural Credit Insurance Fund, as follows: \$3,500,000,000 for guaranteed farm ownership loans and \$3,100,000,000 for farm ownership direct loans; \$2,118,491,000 for unsubsidized guaranteed operating loans and \$1,633,333,000 for direct operating loans; emergency loans, \$4,062,000; Indian tribe land acquisition loans, \$20,000,000; guaranteed conservation loans, \$150,000,000; relending program, \$61,426,000; Indian highly fractionated land loans, \$5,000,000; and for boll weevil eradication program loans, \$60,000,000: Provided, That the Secretary shall deem the pink bollworm to be a boll weevil for the purpose of boll weevil eradication program loans.

For the cost of direct and guaranteed loans and grants, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: \$249,000 for emergency loans, to remain available until expended; and \$23,520,000 for direct farm operating loans, \$11,228,000 for unsubsidized guaranteed farm operating loans, \$10,983,000 for the relending program, and \$894,000 for Indian highly fractionated land loans.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$326,461,000: Provided, That of this amount, \$305,803,000 shall be transferred to and merged with the appropriation for “Farm Service Agency, Salaries and Expenses”.

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership, operating and conservation direct loans and guaranteed loans may be transferred among these programs: Provided, That the Committees on Appropriations of both Houses of Congress are notified at least 15 days in advance of any transfer.

RISK MANAGEMENT AGENCY SALARIES AND EXPENSES

For necessary expenses of the Risk Management Agency, \$75,443,000; of which \$4,500,000 shall be available to conduct research and development and carry out contracting and partnerships as described under subsections 522(c) and (d) of the Federal Crop Insurance Act, as amended (7 U.S.C. 1522(c) and (d)), in addition to amounts otherwise provided for such purposes: Provided, That \$1,000,000 of the amount appropriated under this heading in this Act shall be available for compliance and integrity activities required under section 516(b)(2)(C) of the Federal Crop Insurance Act of 1938 (7 U.S.C. 1516(b)(2)(C)), and shall be in addition to amounts otherwise provided for such purpose: Provided further, That not to exceed \$1,000 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

NATURAL RESOURCES CONSERVATION SERVICE CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed \$100 pursuant to the Act of August 3, 1956 (7 U.S.C. 2268a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, \$1,023,777,000, to remain available until September 30, 2024, of which up to \$22,973,000 shall be for the purposes, and in the amounts, specified for this account in the table titled “Community Project Funding” in the report accompanying this Act: Provided further, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed \$250,000: Provided further, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a.

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to surveys and investigations, engineering operations, works of improvement, and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001–1005 and 1007–1009) and in accordance with the provisions of laws relating to the activities of the Department, \$95,000,000, to remain available until expended: Provided, That for funds provided by this Act or any other prior Act, the limitation regarding the size of the watershed or subwatershed exceeding two hundred and fifty

thousand acres in which such activities can be undertaken shall only apply for activities undertaken for the primary purpose of flood prevention (including structural and land treatment measures): Provided further, That of the amounts made available under this heading, \$10,000,000 shall be allocated to projects and activities that can commence promptly following enactment; that address regional priorities for flood prevention, agricultural water management, inefficient irrigation systems, fish and wildlife habitat, or watershed protection; or that address authorized ongoing projects under the authorities of section 13 of the Flood Control Act of December 22, 1944 (Public Law 78–534) with a primary purpose of watershed protection by preventing floodwater damage and stabilizing stream channels, tributaries, and banks to reduce erosion and sediment transport.

WATERSHED REHABILITATION PROGRAM

Under the authorities of section 14 of the Watershed Protection and Flood Prevention Act, \$5,000,000 is provided.

HEALTHY FORESTS RESERVE PROGRAM

For necessary expenses to carry out the Healthy Forests Reserve Program under the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6571–6578), \$10,000,000, to remain available until expended.

URBAN AGRICULTURE AND INNOVATIVE PRODUCTION

For necessary expenses to carry out the Urban Agriculture and Innovative Production Program under section 222 of subtitle A of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6923), as added by section 12302 of Public Law 115–334, \$13,500,000.

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act (7 U.S.C. 1516), such sums as may be necessary, to remain available until expended.

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

(INCLUDING TRANSFERS OF FUNDS)

For the current fiscal year, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a–11): Provided, That of the funds available to the Commodity Credit Corporation under section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i) for the conduct of its business with the Foreign Agricultural Service, up to \$5,000,000 may be transferred to and used by the Foreign Agricultural Service for information resource management activities of the Foreign Agricultural Service that are not related to Commodity Credit Corporation business.

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

For the current fiscal year, the Commodity Credit Corporation shall not expend more than \$15,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9607(g)), and section 6001 of the Solid Waste Disposal Act (42 U.S.C. 6961).

TITLE III

RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary expenses of the Office of the Under Secretary for Rural Development, \$1,620,000: Provided, That funds made available by this Act to an agency in the Rural Development mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

RURAL DEVELOPMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of Rural Development programs, including activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; \$401,976,000: Provided, That of the amount made available under this heading, up to \$5,000,000, to remain available until September 30, 2024, shall be for the Rural Partners Network activities of the Department of Agriculture, and may be transferred to other agencies of the Department for such purpose, consistent with the missions and authorities of such agencies: Provided further, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support Rural Development programs: Provided further, That in addition to any other funds appropriated for purposes authorized by section 502(i) of the Housing Act of 1949 (42 U.S.C. 1472(i)), any amounts collected under such section, as amended by this Act, will immediately be credited to this account and will remain available until expended for such purposes.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: \$1,500,000,000 shall be for direct loans, \$12,000,000 shall be for a single family housing relending demonstration program for Native American Tribes, and \$30,000,000,000 shall be for unsubsidized guaranteed loans; \$28,000,000 for section 504 housing repair loans; \$150,000,000 for section 515 rental housing; \$300,000,000 for section 538 guaranteed multi-family housing loans; \$10,000,000 for credit sales of single family housing acquired property; \$5,000,000 for section 523 self-help housing land development loans; and \$5,000,000 for section 524 site development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, \$55,650,000 shall be for direct loans; \$3,948,000 shall be for a single family housing relending demonstration program for Native American Tribes; section 504 housing repair loans, \$2,324,000; section 523 self-help housing land development loans, \$267,000; section 524 site development loans, \$208,000; and repair, rehabilitation, and new construction of section 515 rental housing, \$28,665,000: Provided, That to support the loan program level for section 538 guaranteed loans made available under this heading the Secretary may charge or adjust any fees to cover the projected cost of such loan guarantees pursuant to the provisions of the Credit Reform Act of 1990 (2 U.S.C. 661 et seq.), and the interest on such loans may not be subsidized: Provided further, That applicants in communities that have a current rural area waiver under section 541 of the Housing Act of 1949 (42 U.S.C. 1490q) shall be treated as living in a rural area for purposes of section 502 guaranteed loans provided under this heading: Pro-

vided further, That of the amounts available under this paragraph for section 502 direct loans, no less than \$5,000,000 shall be available for direct loans for individuals whose homes will be built pursuant to a program funded with a mutual and self-help housing grant authorized by section 523 of the Housing Act of 1949 until June 1, 2023: Provided further, That the Secretary shall implement provisions to provide incentives to nonprofit organizations and public housing authorities to facilitate the acquisition of Rural Housing Service (RHS) multifamily housing properties by such nonprofit organizations and public housing authorities that commit to keep such properties in the RHS multifamily housing program for a period of time as determined by the Secretary, with such incentives to include, but not be limited to, the following: allow such nonprofit entities and public housing authorities to earn a Return on Investment on their own resources to include proceeds from low income housing tax credit syndication, own contributions, grants, and developer loans at favorable rates and terms, invested in a deal; and allow reimbursement of organizational costs associated with owner's oversight of asset referred to as "Asset Management Fee" of up to \$7,500 per property.

In addition, for the cost of direct loans and grants, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, \$40,000,000, to remain available until expended, for a demonstration program for the preservation and revitalization of the sections 514, 515, and 516 multi-family rental housing properties to restructure existing USDA multi-family housing loans, as the Secretary deems appropriate, expressly for the purposes of ensuring the project has sufficient resources to preserve the project for the purpose of providing safe and affordable housing for low-income residents and farm laborers including reducing or eliminating interest; deferring loan payments, subordinating, reducing or re-amortizing loan debt; and other financial assistance including advances, payments and incentives (including the ability of owners to obtain reasonable returns on investment) required by the Secretary: Provided, That the Secretary shall, as part of the preservation and revitalization agreement, obtain a restrictive use agreement consistent with the terms of the restructuring: Provided further, That any balances, including obligated balances, available for all demonstration programs for the preservation and revitalization of sections 514, 515, and 516 multi-family rental housing properties in the "Multi-Family Housing Revitalization Program Account" shall be transferred to and merged with this account, and shall also be available for the preservation and revitalization of sections 514, 515, and 516 multi-family rental housing properties, including the restructuring of existing USDA multi-family housing loans: Provided further, That following the transfer of balances described in the preceding proviso, any adjustments to obligations for demonstration programs for the preservation and revitalization of sections 514, 515, and 516 multi-family rental housing properties that would otherwise be incurred in the "Multi-Family Housing Revitalization Program Account" shall be made in this account from amounts transferred to this account under the preceding proviso.

In addition, for the cost of direct loans, grants, and contracts, as authorized by sections 514 and 516 of the Housing Act of 1949 (42 U.S.C. 1484, 1486), \$18,126,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts: Provided, That any balances available for the Farm Labor Program Account shall be transferred to and merged with this account.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$412,254,000 shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) of the Housing Act of 1949 or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, \$1,493,926,000, of which \$40,000,000 shall be available until September 30, 2024; and in addition such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: Provided, That rental assistance agreements entered into or renewed during the current fiscal year shall be funded for a one-year period: Provided further, That of the amounts made available under this heading, not less than \$8,000,000 shall be available for newly constructed units financed under section 514 and 516 of the Housing Act of 1949: Provided further, That upon request by an owner of a project financed by an existing loan under section 514 or 515 of the Act, the Secretary may renew the rental assistance agreement for a period of 20 years or until the term of such loan has expired, subject to annual appropriations: Provided further, That any unexpended balances remaining at the end of such one-year agreements may be transferred and used for purposes of any debt reduction, maintenance, repair, or rehabilitation of any existing projects; preservation; and rental assistance activities authorized under title V of the Act: Provided further, That rental assistance provided under agreements entered into prior to fiscal year 2023 for a farm labor multi-family housing project financed under section 514 or 516 of the Act may not be recaptured for use in another project until such assistance has remained unused for a period of 12 consecutive months, if such project has a waiting list of tenants seeking such assistance or the project has rental assistance eligible tenants who are not receiving such assistance: Provided further, That such recaptured rental assistance shall, to the extent practicable, be applied to another farm labor multi-family housing project financed under section 514 or 516 of the Act: Provided further, That except as provided in the fifth proviso under this heading and notwithstanding any other provision of the Act, the Secretary may recapture rental assistance provided under agreements entered into prior to fiscal year 2023 for a project that the Secretary determines no longer needs rental assistance and use such recaptured funds for current needs.

RURAL HOUSING VOUCHER ACCOUNT

For the rural housing voucher program as authorized under section 542 of the Housing Act of 1949, but notwithstanding subsection (b) of such section, \$38,000,000, to remain available until expended: Provided, That the funds made available under this heading shall be available for rural housing vouchers to any low-income household (including those not receiving rental assistance) residing in a property financed with a section 515 loan which has been prepaid or otherwise paid off after September 30, 2005: Provided further, That the amount of such voucher shall be the difference between comparable market rent for the section 515 unit and the tenant paid rent for such unit: Provided further, That funds made available for such vouchers shall be subject to the availability of annual appropriations: Provided further, That the Secretary shall, to the maximum extent practicable, administer such vouchers with current regulations and administrative guidance applicable to section 8 housing vouchers administered by the Secretary of the Department of Housing and Urban Development: Provided further, That in addition to any other available funds, the Secretary may expend not more than \$1,000,000 total, from the program funds made available under this heading, for administrative expenses for activities funded under this heading.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), \$33,000,000, to remain available until expended.

RURAL HOUSING ASSISTANCE GRANTS

For grants for very low-income housing repair and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, and 1490m, \$48,000,000, to remain available until expended.

RURAL COMMUNITY FACILITIES PROGRAM
ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, \$2,800,000,000 for direct loans and \$650,000,000 for guaranteed loans.

For the cost of direct loans, loan guarantees and grants, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, for rural community facilities programs as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, \$194,865,000, to remain available until expended, of which up to \$126,865,000 shall be for the purposes, and in the amounts, specified for this account in the table titled "Community Project Funding" in the report accompanying this Act: Provided, That \$8,000,000 of the amount appropriated under this heading shall be available for a Rural Community Development Initiative: Provided further, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations, low-income rural communities, and Federally Recognized Native American Tribes to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: Provided further, That such funds shall be made available to qualified private, nonprofit and public intermediary organizations proposing to carry out a program of financial and technical assistance: Provided further, That such intermediary organizations shall provide matching funds from other sources, including Federal funds for related activities, in an amount not less than funds provided: Provided further, That any unobligated balances from prior year appropriations under this heading for the cost of direct loans, loan guarantees and grants, including amounts deobligated or cancelled, may be made available to cover the subsidy costs for direct loans and or loan guarantees under this heading in this fiscal year: Provided further, That no amounts may be made available pursuant to the preceding proviso from amounts that were designated by the Congress as an emergency requirement pursuant to a Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, or that were specified in the table titled "Community Project Funding/Congressionally Directed Spending" in the explanatory statement for Division A of Public Law 117–103 described in section 4 in the matter preceding such division A: Provided further, That \$10,000,000 of the amount appropriated under this heading shall be available for community facilities grants to tribal colleges, as authorized by section 306(a)(19) of such Act: Provided further, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

RURAL BUSINESS—COOPERATIVE SERVICE

RURAL BUSINESS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of loan guarantees and grants, for the rural business development programs au-

thorized by section 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.

INTERMEDIARY RELENDING PROGRAM FUND
ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the principal amount of direct loans, as authorized by the Intermediary Relending Program Fund Account (7 U.S.C. 1936b), \$18,889,000.

For the cost of direct loans, \$3,313,000, as authorized by the Intermediary Relending Program Fund Account (7 U.S.C. 1936b), of which \$331,000 shall be available through June 30, 2023, for Federally Recognized Native American Tribes; and of which \$663,000 shall be available through June 30, 2023, for Mississippi Delta Region counties (as determined in accordance with Public Law 100–460): Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, for administrative expenses to carry out the direct loan programs, \$4,468,000 shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM
ACCOUNT

For the principal amount of direct loans, as authorized under section 313B(a) of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, \$50,000,000.

The cost of grants authorized under section 313B(a) of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects shall not exceed \$10,000,000.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), \$27,600,000, of which \$2,800,000 shall be for cooperative agreements for the appropriate technology transfer for rural areas program: Provided, That not to exceed \$3,000,000 shall be for grants for cooperative development centers, individual cooperatives, or groups of cooperatives that serve socially disadvantaged groups and a majority of the boards of directors or governing boards of which are comprised of individuals who are members of socially disadvantaged groups; and of which \$16,000,000, to remain available until expended, shall be for value-added agricultural product market development grants, as authorized by section 210A of the Agricultural Marketing Act of 1946, of

which \$3,000,000, to remain available until expended, shall be for Agriculture Innovation Centers authorized pursuant to section 6402 of Public Law 107–171.

RURAL MICROENTREPRENEUR ASSISTANCE
PROGRAM

For the principal amount of direct loans authorized by section 379E of the Consolidated Farm and Rural Development Act (U.S.C. 2008s), \$25,000,000.

For the cost of loans and grants, \$6,000,000 under the same terms and conditions as authorized by section 379E of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008s).

RURAL ENERGY FOR AMERICA PROGRAM

For the cost of a program of loan guarantees and grants, under the same terms and conditions as authorized by section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107), \$10,045,000: Provided, That the cost of loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

HEALTHY FOOD FINANCING INITIATIVE

For the cost of loans and grants that is consistent with section 243 of subtitle D of title II of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6953), as added by section 4206 of the Agricultural Act of 2014, for necessary expenses of the Secretary to support projects that provide access to healthy food in underserved areas, to create and preserve quality jobs, and to revitalize low-income communities, \$5,000,000, to remain available until expended: Provided, That such costs of loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

RURAL UTILITIES SERVICE

RURAL WATER AND WASTE DISPOSAL PROGRAM
ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by section 306 and described in section 381E(d)(2) of the Consolidated Farm and Rural Development Act, as follows: \$1,450,000,000 for direct loans; and \$50,000,000 for guaranteed loans.

For the cost of loan guarantees and grants, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, for rural water, waste water, waste disposal, and solid waste management programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B and described in sections 306C(a)(2), 306D, 306E, and 381E(d)(2) of the Consolidated Farm and Rural Development Act, \$685,072,000, to remain available until expended, of which not to exceed \$1,000,000 shall be available for the rural utilities program described in section 306(a)(2)(B) of such Act, and of which not to exceed \$5,000,000 shall be available for the rural utilities program described in section 306E of such Act: Provided, That not to exceed \$15,000,000 of the amount appropriated under this heading shall be for grants authorized by section 306A(i)(2) of the Consolidated Farm and Rural Development Act in addition to funding authorized by section 306A(i)(1) of such Act: Provided further, That \$70,000,000 of the amount appropriated under this heading shall be for loans and grants including water and waste disposal systems grants authorized by section 306C(a)(2)(B) and section 306D of the Consolidated Farm and Rural Development Act, and Federally Recognized Native American Tribes authorized by 306C(a)(1) of such Act: Provided further, That funding provided for section 306D of the Consolidated Farm and Rural Development Act may be provided to a consortium formed pursuant to section 325 of Public Law 105–83: Provided further, That not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by the State of Alaska for

training and technical assistance programs and not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by a consortium formed pursuant to section 325 of Public Law 105–83 for training and technical assistance programs: Provided further, That not to exceed \$37,500,000 of the amount appropriated under this heading shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, unless the Secretary makes a determination of extreme need, of which \$8,500,000 shall be made available for a grant to a qualified nonprofit multi-State regional technical assistance organization, with experience in working with small communities on water and waste water problems, the principal purpose of such grant shall be to assist rural communities with populations of 3,300 or less, in improving the planning, financing, development, operation, and management of water and waste water systems, and of which not less than \$800,000 shall be for a qualified national Native American organization to provide technical assistance for rural water systems for tribal communities: Provided further, That not to exceed \$20,762,000 of the amount appropriated under this heading shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: Provided further, That not to exceed \$4,000,000 of the amounts made available under this heading shall be for solid waste management grants: Provided further, That \$10,000,000 of the amount appropriated under this heading shall be transferred to, and merged with, the Rural Utilities Service, High Energy Cost Grants Account to provide grants authorized under section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a): Provided further, That any prior year balances for high-energy cost grants authorized by section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a) shall be transferred to and merged with the Rural Utilities Service, High Energy Cost Grants Account: Provided further, That not to exceed \$6,810,000 of the amounts appropriated under this heading shall be available as the Secretary deems appropriate for water and waste direct one percent loans for distressed communities: Provided further, That if the Secretary determines that any portion of the amount made available for one percent loans is not needed for such loans, the Secretary may use such amounts, for grants authorized by section 306(a)(2) of the Consolidated Farm and Rural Development Act: Provided further, That if any funds made available for the direct loan subsidy costs remain unobligated after July 31, 2024, such unobligated balances may be used for grant programs funded under this heading: Provided further, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

RURAL ELECTRIFICATION AND
TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT
(INCLUDING TRANSFER OF FUNDS)

The principal amount of direct and guaranteed loans as authorized by sections 4, 305, 306, and 317 of the Rural Electrification Act of 1936 (7 U.S.C. 904, 935, 936, and 940g) shall be made as follows: loans made pursuant to section 306, guaranteed electric loans, \$2,167,000,000; loans made pursuant to sections 4, notwithstanding 4(c)(2), of that Act, and 317, notwithstanding 317(c), of that Act, cost-of-money direct loans, \$4,333,000,000; loans made pursuant to section 313A of that Act, guaranteed underwriting loans, \$800,000,000; and for loans made pursuant to section 305(d)(2) of that Act, cost of money telecommunications loans, \$690,000,000.

For the cost of direct loans as authorized by section 305(d)(2) of the Rural Electrification Act of 1936 (7 U.S.C. 935(d)(2)), including the cost of modifying loans, as defined in section 502 of the

Congressional Budget Act of 1974, cost of money rural telecommunications loans, \$3,726,000.

In addition, \$11,500,000 to remain available until expended, to carry out section 6407 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107a): Provided, That the energy efficiency measures supported by the funding in this paragraph shall contribute in a demonstrable way to the reduction of greenhouse gases.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$33,270,000, which shall be transferred to and merged with the appropriation for “Rural Development, Salaries and Expenses”.

DISTANCE LEARNING, TELEMEDICINE, AND
BROADBAND PROGRAM

For grants for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq., \$60,000,000, to remain available until expended: Provided, That \$3,000,000 shall be made available for grants authorized by section 379G of the Consolidated Farm and Rural Development Act: Provided further, That funding provided under this heading for grants under section 379G of the Consolidated Farm and Rural Development Act may only be provided to entities that meet all of the eligibility criteria for a consortium as established by this section.

For the cost of broadband loans, as authorized by sections 601 and 602 of the Rural Electrification Act, \$2,000,000, to remain available until expended: Provided, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

For the broadband loan and grant pilot program established by section 779 of division A of the Consolidated Appropriations Act, 2018 (Public Law 115–141) under the Rural Electrification Act of 1936, as amended (7 U.S.C. 901 et seq.), \$465,513,000, to remain available until expended, of which up to \$15,513,000 shall be for the purposes, and in the amounts, specified for this account in the table titled “Community Project Funding” in the report accompanying this Act: Provided, That the Secretary may award grants described in section 601(a) of the Rural Electrification Act of 1936, as amended (7 U.S.C. 950bb(a)) for the purposes of carrying out such pilot program: Provided further, That the cost of direct loans shall be defined in section 502 of the Congressional Budget Act of 1974: Provided further, That at least 90 percent of the households to be served by a project receiving a loan or grant under the pilot program shall be in a rural area without sufficient access to broadband: Provided further, That for purposes of such pilot program, a rural area without sufficient access to broadband shall be defined as twenty-five megabytes per second downstream and three megabytes per second upstream: Provided further, That to the extent possible, projects receiving funds provided under the pilot program must build out service to at least one hundred megabytes per second downstream, and twenty megabytes per second upstream: Provided further, That an entity to which a loan or grant is made under the pilot program shall not use the loan or grant to overbuild or duplicate broadband service in a service area by any entity that has received a broadband loan from the Rural Utilities Service unless such service is not provided sufficient access to broadband at the minimum service threshold: Provided further, That not more than four percent of the funds made available in this paragraph can be used for administrative costs to carry out the pilot program and up to three percent of funds made available in this paragraph may be available for technical assistance and pre-development planning activities to support the most rural communities: Provided further, That the Rural Utilities Service is directed to expedite program delivery methods that would implement this paragraph: Provided further, That for purposes of this paragraph, the Secretary shall adhere to the no-

tice, reporting and service area assessment requirements set forth in section 701 of the Rural Electrification Act (7 U.S.C. 950cc).

In addition, \$35,000,000, to remain available until expended, for the Community Connect Grant Program authorized by 7 U.S.C. 950bb–3.

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD,
NUTRITION, AND CONSUMER SERVICES

For necessary expenses of the Office of the Under Secretary for Food, Nutrition, and Consumer Services, \$1,376,000: Provided, That funds made available by this Act to an agency in the Food, Nutrition and Consumer Services mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; \$28,619,957,000 to remain available through September 30, 2024, of which such sums as are made available under section 14222(b)(1) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246), as amended by this Act, shall be merged with and available for the same time period and purposes as provided herein: Provided, That of the total amount available, \$20,162,000 shall be available to carry out section 19 of the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.): Provided further, That of the total amount available, \$21,005,000 shall be available to carry out studies and evaluations and shall remain available until expended: Provided further, That of the total amount available, \$12,000,000 shall remain available until expended to carry out section 18(g) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769(g)): Provided further, That notwithstanding section 18(g)(3)(C) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769(g)(3)(C)), the total grant amount provided to a farm to school grant recipient in fiscal year 2023 shall not exceed \$500,000: Provided further, That of the total amount available, \$40,000,000 shall be available to provide competitive grants to State agencies for subgrants to local educational agencies and schools to purchase the equipment, with a value of greater than \$1,000, needed to serve healthier meals, improve food safety, and to help support the establishment, maintenance, or expansion of the school breakfast program: Provided further, That of the total amount available, \$50,000,000 shall remain available until expended to carry out section 749(g) of the Agriculture Appropriations Act of 2010 (Public Law 111–80): Provided further, That of the total amount available, \$10,000,000 shall be available until September 30, 2024 to carry out section 23 of the Child Nutrition Act of 1966 (42 U.S.C. 1793), of which \$2,000,000 shall be for grants under such section to the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, Guam, and American Samoa: Provided further, That section 26(d) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769g(d)) is amended in the first sentence by striking “2010 through 2023” and inserting “2010 through 2024”: Provided further, That section 9(h)(3) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(h)(3)) is amended in the first sentence by striking “For fiscal year 2022” and inserting “For fiscal year 2023”: Provided further, That section 9(h)(4) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(h)(4)) is amended in the first sentence by striking “For fiscal year 2022” and inserting “For fiscal year 2023”.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), \$6,000,000,000, to remain available through September 30, 2024: Provided, That notwithstanding section 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(10)), not less than \$90,000,000 shall be used for breastfeeding peer counselors and other related activities, and \$14,000,000 shall be used for infrastructure: Provided further, That the Secretary shall use funds made available under this heading to increase the amount of a cash-value voucher for women and children participants to an amount recommended by the National Academies of Science, Engineering and Medicine and adjusted for inflation: Provided further, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: Provided further, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act: Provided further, That upon termination of a federally mandated vendor moratorium and subject to terms and conditions established by the Secretary, the Secretary may waive the requirement at 7 CFR 246.12(g)(6) at the request of a State agency.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

For necessary expenses to carry out the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), \$111,180,895,000, of which \$3,000,000,000, to remain available through September 30, 2025, shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: Provided, That funds provided herein shall be expended in accordance with section 16 of the Food and Nutrition Act of 2008: Provided further, That of the funds made available under this heading, \$998,000 may be used to provide nutrition education services to State agencies and Federally Recognized Tribes participating in the Food Distribution Program on Indian Reservations: Provided further, That of the funds made available under this heading, \$3,000,000, to remain available until September 30, 2024, shall be used to carry out section 4003(b) of Public Law 115-334 relating to demonstration projects for tribal organizations: Provided further, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: Provided further, That funds made available for Employment and Training under this heading shall remain available through September 30, 2024: Provided further, That funds made available under this heading for section 28(d)(1), section 4(b), and section 27(a) of the Food and Nutrition Act of 2008 shall remain available through September 30, 2024: Provided further, That none of the funds made available under this heading may be obligated or expended in contravention of section 213A of the Immigration and Nationality Act (8 U.S.C. 1183A): Provided further, That funds made available under this heading may be used to enter into contracts and employ staff to conduct studies, evaluations, or to conduct activities related to program integrity provided that such activities are authorized by the Food and Nutrition Act of 2008.

For making, after June 30 of the current fiscal year, benefit payments to individuals, and payments to States or other non-Federal entities, pursuant to the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), for unanticipated costs incurred for the last three months of the fiscal year, such sums as may be necessary.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out disaster assistance and the Commodity Supplemental

Food Program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note); the Emergency Food Assistance Act of 1983; special assistance for the nuclear affected islands, as authorized by section 103(f)(2) of the Compact of Free Association Amendments Act of 2003 (Public Law 108-188); and the Farmers' Market Nutrition Program, as authorized by section 17(m) of the Child Nutrition Act of 1966, \$469,710,000, to remain available through September 30, 2024: Provided, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: Provided further, That notwithstanding any other provision of law, effective with funds made available in fiscal year 2023 to support the Seniors Farmers' Market Nutrition Program, as authorized by section 4402 of the Farm Security and Rural Investment Act of 2002, such funds shall remain available through September 30, 2024: Provided further, That of the funds made available under section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)), the Secretary may use up to 20 percent for costs associated with the distribution of commodities.

NUTRITION PROGRAMS ADMINISTRATION

For necessary administrative expenses of the Food and Nutrition Service for carrying out any domestic nutrition assistance program, \$231,378,000: Provided, That of the funds provided herein, \$2,000,000 shall be used for the purposes of section 4404 of Public Law 107-171, as amended by section 4401 of Public Law 110-246.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR TRADE AND FOREIGN AGRICULTURAL AFFAIRS

For necessary expenses of the Office of the Under Secretary for Trade and Foreign Agricultural Affairs, \$932,000: Provided, That funds made available by this Act to any agency in the Trade and Foreign Agricultural Affairs mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

OFFICE OF CODEX ALIMENTARIUS

For necessary expenses of the Office of Codex Alimentarius, \$4,922,000, including not to exceed \$40,000 for official reception and representation expenses.

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including not to exceed \$250,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$234,913,000, of which no more than 6 percent shall remain available until September 30, 2024, for overseas operations to include the payment of locally employed staff: Provided, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development: Provided further, That funds made available for middle-income country training programs, funds made available for the Borlaug International Agricultural Science and Technology Fellowship program, and up to \$2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service, shall remain available until expended.

FOOD FOR PEACE TITLE II GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered

prior years' costs, including interest thereon, under the Food for Peace Act (Public Law 83-480), for commodities supplied in connection with dispositions abroad under title II of said Act, \$1,800,000,000, to remain available until expended.

MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM GRANTS

For necessary expenses to carry out the provisions of section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o-1), \$265,000,000, to remain available until expended: Provided, That the Commodity Credit Corporation is authorized to provide the services, facilities, and authorities for the purpose of implementing such section, subject to reimbursement from amounts provided herein: Provided further, That of the amount made available under this heading, not more than 10 percent, but not less than \$26,500,000, shall remain available until expended to purchase agricultural commodities as described in subsection 3107(a)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o-1(a)(2)).

COMMODITY CREDIT CORPORATION EXPORT (LOANS) CREDIT GUARANTEE PROGRAM ACCOUNT (INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's Export Guarantee Program, GSM 102 and GSM 103, \$6,063,000, to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, which shall be transferred to and merged with the appropriation for "Foreign Agricultural Service, Salaries and Expenses".

TITLE VI

RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92-313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; in addition to amounts appropriated to the FDA Innovation Account, for carrying out the activities described in section 1002(b)(4) of the 21st Century Cures Act (Public Law 114-255); for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed \$25,000; and notwithstanding section 521 of Public Law 107-188; \$6,484,171,000: Provided, That of the amount provided under this heading, \$1,224,132,000 shall be derived from prescription drug user fees authorized by 21 U.S.C. 379h, and shall be credited to this account and remain available until expended; \$248,342,000 shall be derived from medical device user fees authorized by 21 U.S.C. 379j, and shall be credited to this account and remain available until expended; \$550,449,000 shall be derived from human generic drug user fees authorized by 21 U.S.C. 379j-42, and shall be credited to this account and remain available until expended; \$40,841,000 shall be derived from biosimilar biological product user fees authorized by 21 U.S.C. 379j-52, and shall be credited to this account and remain available until expended; \$32,238,000 shall be derived from animal drug user fees authorized by 21 U.S.C. 379j-12, and shall be credited to this account and remain available until expended; \$29,459,000 shall be derived from generic new animal drug user fees authorized by 21 U.S.C. 379j-21, and shall be credited to this account and remain available

until expended; \$712,000,000 shall be derived from tobacco product user fees authorized by 21 U.S.C. 387s, and shall be credited to this account and remain available until expended: Provided further, That in addition to and notwithstanding any other provision under this heading, amounts collected for prescription drug user fees, medical device user fees, human generic drug user fees, biosimilar biological product user fees, animal drug user fees, and generic new animal drug user fees that exceed the respective fiscal year 2023 limitations are appropriated and shall be credited to this account and remain available until expended: Provided further, That fees derived from prescription drug, medical device, human generic drug, biosimilar biological product, animal drug, and generic new animal drug assessments for fiscal year 2023, including any such fees collected prior to fiscal year 2023 but credited for fiscal year 2023, shall be subject to the fiscal year 2023 limitations: Provided further, That the Secretary may accept payment during fiscal year 2023 of user fees specified under this heading and authorized for fiscal year 2024, prior to the due date for such fees, and that amounts of such fees assessed for fiscal year 2024 for which the Secretary accepts payment in fiscal year 2023 shall not be included in amounts under this heading: Provided further, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: Provided further, That of the total amount appropriated: (1) \$1,244,007,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs, of which no less than \$15,000,000 shall be used for inspections of foreign seafood manufacturers and field examinations of imported seafood; (2) \$2,225,209,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs, of which no less than \$10,000,000 shall be for pilots to increase unannounced foreign inspections and shall remain available until expended, and \$15,000,000 shall be for coordinating programs and activities of the Food and Drug Administration with those of the Drug Enforcement Administration and U.S. Customs and Border Protection to combat the illicit importation of opioids, including fentanyl, through international mail facilities and land ports-of entry; (3) \$477,782,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) \$295,999,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) \$682,221,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) \$77,893,000 shall be for the National Center for Toxicological Research; (7) \$677,165,000 shall be for the Center for Tobacco Products and for related field activities in the Office of Regulatory Affairs; (8) \$216,603,000 shall be for Rent and Related activities, of which \$56,011,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent; (9) \$237,917,000 shall be for payments to the General Services Administration for rent; and (10) \$349,375,000 shall be for other activities, including the Office of the Commissioner of Food and Drugs, the Office of Food Policy and Response, the Office of Operations, the Office of the Chief Scientist, and central services for these offices: Provided further, That not to exceed \$25,000 of this amount shall be for official reception and representation expenses, not otherwise provided for, as determined by the Commissioner: Provided further, That any transfer of funds pursuant to, and for the administration of, section 770(n) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379dd(n)) shall only be from amounts made available under this heading for other activities and shall not exceed \$2,000,000: Provided further, That of the amounts that are made available under this

heading for "other activities", and that are not derived from user fees, \$1,500,000 shall be transferred to and merged with the appropriation for "Department of Health and Human Services—Office of Inspector General" for oversight of the programs and operations of the Food and Drug Administration and shall be in addition to funds otherwise made available for oversight of the Food and Drug Administration: Provided further, That funds may be transferred from one specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

In addition, mammography user fees authorized by 42 U.S.C. 263b, export certification user fees authorized by 21 U.S.C. 381, priority review user fees authorized by 21 U.S.C. 360n and 360ff, food and feed recall fees, food reinspection fees, and voluntary qualified importer program fees authorized by 21 U.S.C. 379j–31, outsourcing facility fees authorized by 21 U.S.C. 379j–62, prescription drug wholesale distributor licensing and inspection fees authorized by 21 U.S.C. 353(e)(3), third-party logistics provider licensing and inspection fees authorized by 21 U.S.C. 360eee–3(c)(1), third-party auditor fees authorized by 21 U.S.C. 384d(c)(8), medical countermeasure priority review voucher user fees authorized by 21 U.S.C. 360bbb–4a, and fees relating to over-the-counter monograph drugs authorized by 21 U.S.C. 379j–72 shall be credited to this account, to remain available until expended.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, demolition, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, \$16,000,000, to remain available until expended.

FDA INNOVATION ACCOUNT, CURES ACT (INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the purposes described under section 1002(b)(4) of the 21st Century Cures Act, in addition to amounts available for such purposes under the heading "Salaries and Expenses", \$50,000,000, to remain available until expended: Provided, That amounts appropriated in this paragraph are appropriated pursuant to section 1002(b)(3) of the 21st Century Cures Act, are to be derived from amounts transferred under section 1002(b)(2)(A) of such Act, and may be transferred by the Commissioner of Food and Drugs to the appropriation for "Department of Health and Human Services Food and Drug Administration Salaries and Expenses" solely for the purposes provided in such Act: Provided further, That upon a determination by the Commissioner that funds transferred pursuant to the previous proviso are not necessary for the purposes provided, such amounts may be transferred back to the account: Provided further, That such transfer authority is in addition to any other transfer authority provided by law.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION (INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles, and the rental of space (to include multiple year leases), in the District of Columbia and elsewhere, \$365,000,000, including not to exceed \$3,000 for official reception and representation expenses, and not to exceed \$25,000 for the expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, of which not less than \$20,000,000 shall remain available until September 30, 2024, and of which not less than \$4,567,000 shall be for expenses of the Office of the Inspector General: Provided, That notwithstanding the limitations in 31 U.S.C. 1553, amounts provided under this

heading are available for the liquidation of obligations equal to current year payments on leases entered into prior to the date of enactment of this Act: Provided further, That for the purpose of recording and liquidating any lease obligations that should have been recorded and liquidated against accounts closed pursuant to 31 U.S.C. 1552, and consistent with the preceding proviso, such amounts shall be transferred to and recorded in a no-year account in the Treasury, which has been established for the sole purpose of recording adjustments for and liquidating such unpaid obligations.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$88,500,000 (from assessments collected from farm credit institutions, including the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: Provided, That this limitation shall not apply to expenses associated with receiverships: Provided further, That the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress: Provided further, That the purposes of section 3.7(b)(2)(A)(i) of the Farm Credit Act of 1971 (12 U.S.C. 2128(b)(2)(A)(i)), the Farm Credit Administration may exempt, an amount in its sole discretion, from the application of the limitation provided in that clause of export loans described in the clause guaranteed or insured in a manner other than described in subclause (II) of the clause.

TITLE VII GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

SEC. 701. The Secretary may use any appropriations made available to the Department of Agriculture in this Act to purchase new passenger motor vehicles, in addition to specific appropriations for this purpose, so long as the total number of vehicles purchased in fiscal year 2023 does not exceed the number of vehicles owned or leased in fiscal year 2018: Provided, That, prior to purchasing additional motor vehicles, the Secretary must determine that such vehicles are necessary for transportation safety, to reduce operational costs, and for the protection of life, property, and public safety: Provided further, That the Secretary may not increase the Department of Agriculture's fleet above the 2018 level unless the Secretary notifies in writing, and receives approval from, the Committees on Appropriations of both Houses of Congress within 30 days of the notification.

SEC. 702. Notwithstanding any other provision of this Act, the Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or any other available unobligated discretionary balances that are remaining available of the Department of Agriculture to the Working Capital Fund for the acquisition of property, plant and equipment and for the improvement, delivery, and implementation of Department financial, and administrative information technology services, and other support systems necessary for the delivery of financial, administrative, and information technology services, including cloud adoption and migration, of primary benefit to the agencies of the Department of Agriculture, such transferred funds to remain available until expended: Provided, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior approval of the agency administrator: Provided further, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: Provided further, That none of the funds appropriated by

this Act or made available to the Department's Working Capital Fund shall be available for obligation or expenditure to make any changes to the Department's National Finance Center without written notification to and prior approval of the Committees on Appropriations of both Houses of Congress as required by section 716 of this Act: Provided further, That none of the funds appropriated by this Act or made available to the Department's Working Capital Fund shall be available for obligation or expenditure to initiate, plan, develop, implement, or make any changes to remove or relocate any systems, missions, personnel, or functions of the offices of the Chief Financial Officer and the Chief Information Officer, co-located with or from the National Finance Center prior to written notification to and prior approval of the Committee on Appropriations of both Houses of Congress and in accordance with the requirements of section 716 of this Act: Provided further, That the National Finance Center Information Technology Services Division personnel and data center management responsibilities, and control of any functions, missions, and systems for current and future human resources management and integrated personnel and payroll systems (PPS) and functions provided by the Chief Financial Officer and the Chief Information Officer shall remain in the National Finance Center and under the management responsibility and administrative control of the National Finance Center: Provided further, That the Secretary of Agriculture and the offices of the Chief Financial Officer shall actively market to existing and new Departments and other government agencies National Finance Center shared services including, but not limited to, payroll, financial management, and human capital shared services and allow the National Finance Center to perform technology upgrades: Provided further, That of annual income amounts in the Working Capital Fund of the Department of Agriculture attributable to the amounts in excess of the true costs of the shared services provided by the National Finance Center and budgeted for the National Finance Center, the Secretary shall reserve not more than 4 percent for the replacement or acquisition of capital equipment, including equipment for the improvement, delivery, and implementation of financial, administrative, and information technology services, and other systems of the National Finance Center or to pay any unforeseen, extraordinary cost of the National Finance Center: Provided further, That none of the amounts reserved shall be available for obligation unless the Secretary submits written notification of the obligation to the Committees on Appropriations of both Houses of Congress: Provided further, That the limitations on the obligation of funds pending notification to Congressional Committees shall not apply to any obligation that, as determined by the Secretary, is necessary to respond to a declared state of emergency that significantly impacts the operations of the National Finance Center; or to evacuate employees of the National Finance Center to a safe haven to continue operations of the National Finance Center.

SEC. 703. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 704. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 705. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year for the following accounts: the Rural Development Loan Fund program account, the Rural Electrification and Telecommunication Loans program account, and the Rural Housing Insurance Fund program account.

SEC. 706. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: Provided, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: Provided further, That notwithstanding section 11319 of title 40, United States Code, none of the funds available to the Department of Agriculture for information technology shall be obligated for projects, contracts, or other agreements over \$25,000 prior to receipt of written approval by the Chief Information Officer: Provided further, That the Chief Information Officer may authorize an agency to obligate funds without written approval from the Chief Information Officer for projects, contracts, or other agreements up to \$250,000 based upon the performance of an agency measured against the performance plan requirements described in the explanatory statement accompanying Public Law 113-235.

SEC. 707. Funds made available under section 524(b) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year.

SEC. 708. Notwithstanding any other provision of law, any former Rural Utilities Service borrower that has repaid or prepaid an insured, direct or guaranteed loan under the Rural Electrification Act of 1936, or any not-for-profit utility that is eligible to receive an insured or direct loan under such Act, shall be eligible for assistance under section 313B(a) of such Act in the same manner as a borrower under such Act.

SEC. 709. (a) Except as otherwise specifically provided by law, not more than \$20,000,000 in unobligated balances from appropriations made available for salaries and expenses in this Act for the Farm Service Agency shall remain available through September 30, 2024, for information technology expenses.

(b) Except as otherwise specifically provided by law, not more than \$20,000,000 in unobligated balances from appropriations made available for salaries and expenses in this Act for the Rural Development mission area shall remain available through September 30, 2024, for information technology expenses.

SEC. 710. None of the funds appropriated or otherwise made available by this Act may be used for first-class travel by the employees of agencies funded by this Act in contravention of sections 301-10.122 through 301-10.124 of title 41, Code of Federal Regulations.

SEC. 711. In the case of each program established or amended by the Agricultural Act of 2014 (Public Law 113-79) or by a successor to that Act, other than by title I or subtitle A of title III of such Act, or programs for which indefinite amounts were provided in that Act, that is authorized or required to be carried out using funds of the Commodity Credit Corporation—

(1) such funds shall be available for salaries and related administrative expenses, including technical assistance, associated with the implementation of the program, without regard to the limitation on the total amount of allotments and

fund transfers contained in section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i); and

(2) the use of such funds for such purpose shall not be considered to be a fund transfer or allotment for purposes of applying the limitation on the total amount of allotments and fund transfers contained in such section.

SEC. 712. Of the funds made available by this Act, not more than \$2,900,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

SEC. 713. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

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

SEC. 714. Notwithstanding subsection (b) of section 14222 of Public Law 110-246 (7 U.S.C. 612c-6; in this section referred to as "section 14222"), none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out a program under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c; in this section referred to as "section 32") in excess of \$1,483,309,000 (exclusive of carryover appropriations from prior fiscal years), as follows: Child Nutrition Programs Entitlement Commodities—\$485,000,000; State Option Contracts—\$5,000,000; Removal of Defective Commodities—\$2,500,000; Administration of section 32 Commodity Purchases—\$37,178,000: Provided, That, of the total funds made available in the matter preceding this proviso that remain unobligated on October 1, 2023, such unobligated balances shall carryover into fiscal year 2024 and shall remain available until expended for any of the purposes of section 32, except that any such carryover funds used in accordance with clause (3) of section 32 may not exceed \$350,000,000 and may not be obligated until the Secretary of Agriculture provides written notification of the expenditures to the Committees on Appropriations of both Houses of Congress at least two weeks in advance: Provided further, That, with the exception of any available carryover funds authorized in any prior appropriations Act to be used for the purposes of clause (3) of section 32, none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries or expenses of any employee of the Department of Agriculture to carry out clause (3) of section 32.

SEC. 715. None of the funds appropriated by this or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's budget submission to the Congress for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the budget unless such budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2024 appropriations Act.

SEC. 716. (a) None of the funds provided by this Act, or provided by previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this

Act, shall be available for obligation or expenditure through a reprogramming, transfer of funds, or reimbursements as authorized by the Economy Act, or in the case of the Department of Agriculture, through use of the authority provided by section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or section 8 of Public Law 89-106 (7 U.S.C. 2263), that—

- (1) creates new programs;
- (2) eliminates a program, project, or activity;
- (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;
- (4) relocates an office or employees;
- (5) reorganizes offices, programs, or activities;

or

- (6) contracts out or privatizes any functions or activities presently performed by Federal employees;

unless the Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission (as the case may be) notifies in writing and receives approval from the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming of such funds or the use of such authority.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming or use of the authorities referred to in subsection (a) involving funds in excess of \$500,000 or 10 percent, whichever is less, that—

- (1) augments existing programs, projects, or activities;
- (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission (as the case may be) notifies in writing and receives approval from the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming or transfer of such funds or the use of such authority.

(c) The Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission shall notify in writing and receive approval from the Committees on Appropriations of both Houses of Congress before implementing any program or activity not carried out during the previous fiscal year unless the program or activity is funded by this Act or specifically funded by any other Act.

(d) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for—

- (1) modifying major capital investments funding levels, including information technology systems, that involves increasing or decreasing funds in the current fiscal year for the individual investment in excess of \$500,000 or 10 percent of the total cost, whichever is less;

(2) realigning or reorganizing new, current, or vacant positions or agency activities or functions to establish a center, office, branch, or similar entity with five or more personnel; or

(3) carrying out activities or functions that were not described in the budget request; unless the agencies funded by this Act notify, in writing, the Committees on Appropriations of both Houses of Congress at least 30 days in advance of using the funds for these purposes.

(e) As described in this section, no funds may be used for any activities unless the Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission receives from the Committee on Appropriations of both Houses of Congress written or electronic mail confirmation of receipt of the notification as required in this section.

SEC. 717. Notwithstanding section 310B(g)(5) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(g)(5)), the Secretary may assess a one-time fee for any guaranteed business and industry loan in an amount that does not exceed 3 percent of the guaranteed principal portion of the loan.

SEC. 718. None of the funds appropriated or otherwise made available to the Department of Agriculture, the Food and Drug Administration, the Commodity Futures Trading Commission, or the Farm Credit Administration shall be used to transmit or otherwise make available reports, questions, or responses to questions that are a result of information requested for the appropriations hearing process to any non-Department of Agriculture, non-Department of Health and Human Services, non-Commodity Futures Trading Commission, or non-Farm Credit Administration employee.

SEC. 719. Unless otherwise authorized by existing law, none of the funds provided in this Act, may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 720. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act or any other Act to any other agency or office of the Department for more than 60 days in a fiscal year unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 721. Not later than 30 days after the date of enactment of this Act, the Secretary of Agriculture, the Commissioner of the Food and Drug Administration, the Chairman of the Commodity Futures Trading Commission, and the Chairman of the Farm Credit Administration shall submit to the Committees on Appropriations of both Houses of Congress a detailed spending plan by program, project, and activity for all the funds made available under this Act including appropriated user fees, as defined in the report accompanying this Act.

SEC. 722. None of the funds made available by this Act may be used to propose, promulgate, or implement any rule, or take any other action with respect to, allowing or requiring information intended for a prescribing health care professional, in the case of a drug or biological product subject to section 503(b)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)), to be distributed to such professional electronically (in lieu of in paper form) unless and until a Federal law is enacted to allow or require such distribution.

SEC. 723. For the purposes of determining eligibility or level of program assistance for Rural Development programs the Secretary shall not include incarcerated prison populations.

SEC. 724. For loans and loan guarantees that do not require budget authority and the program level has been established in this Act, the Secretary of Agriculture may increase the program level for such loans and loan guarantees by not more than 25 percent: Provided, That

prior to the Secretary implementing such an increase, the Secretary notifies, in writing, the Committees on Appropriations of both Houses of Congress at least 15 days in advance.

SEC. 725. None of the credit card refunds or rebates transferred to the Working Capital Fund pursuant to section 729 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2002 (7 U.S.C. 2235a; Public Law 107-76) shall be available for obligation without written notification to, and the prior approval of, the Committees on Appropriations of both Houses of Congress: Provided, That the refunds or rebates so transferred shall be available for obligation only for the acquisition of property, plant and equipment, including equipment for the improvement, delivery, and implementation of Departmental financial management, information technology, and other support systems necessary for the delivery of financial, administrative, and information technology services, including cloud adoption and migration, of primary benefit to the agencies of the Department of Agriculture.

SEC. 726. None of the funds made available by this Act may be used to implement, administer, or enforce the “variety” requirements of the final rule entitled “Enhancing Retailer Standards in the Supplemental Nutrition Assistance Program (SNAP)” published by the Department of Agriculture in the Federal Register on December 15, 2016 (81 Fed. Reg. 90675) until the Secretary of Agriculture amends the definition of the term “variety” as defined in section 278.1(b)(1)(ii)(C) of title 7, Code of Federal Regulations, and “variety” as applied in the definition of the term “staple food” as defined in section 271.2 of title 7, Code of Federal Regulations, to increase the number of items that qualify as acceptable varieties in each staple food category so that the total number of such items in each staple food category exceeds the number of such items in each staple food category included in the final rule as published on December 15, 2016: Provided, That until the Secretary promulgates such regulatory amendments, the Secretary shall apply the requirements regarding acceptable varieties and breadth of stock to Supplemental Nutrition Assistance Program retailers that were in effect on the day before the date of the enactment of the Agricultural Act of 2014 (Public Law 113-79).

SEC. 727. In carrying out subsection (h) of section 502 of the Housing Act of 1949 (42 U.S.C. 1472), the Secretary of Agriculture shall have the same authority with respect to loans guaranteed under such section and eligible lenders for such loans as the Secretary has under subsections (h) and (j) of section 538 of such Act (42 U.S.C. 1490p-2) with respect to loans guaranteed under such section 538 and eligible lenders for such loans.

SEC. 728. None of the funds appropriated or otherwise made available by this Act shall be available for the United States Department of Agriculture to propose, finalize or implement any regulation that would promulgate new user fees pursuant to 31 U.S.C. 9701 after the date of the enactment of this Act.

SEC. 729. For fiscal year 2023, the Secretary shall establish a process under which an establishment in the Chesapeake Bay area that is subject to examination and inspection under section 6 of the Federal Meat Inspection Act solely due to the establishment's processing of domestic, wild caught, invasive blue catfish (*Ictalurus furcatus*), may apply for a waiver of such examination and inspection requirements if the establishment is subject to inspection under the Seafood Hazard Analysis Critical Control Points Program of the Food and Drug Administration and the establishment attests that it applies existing Seafood Hazard Critical Control Points Program for all species processed at the establishment.

SEC. 730. Notwithstanding any provision of law that regulates the calculation and payment of overtime and holiday pay for FSIS inspectors,

the Secretary may charge establishments subject to the inspection requirements of the Poultry Products Inspection Act, 21 U.S.C. 451 et seq., the Federal Meat Inspection Act, 21 U.S.C. 601 et seq., and the Egg Products Inspection Act, 21 U.S.C. 1031 et seq., for the cost of inspection services provided outside of an establishment's approved inspection shifts, and for inspection services provided on Federal holidays: Provided, That any sums charged pursuant to this paragraph shall be deemed as overtime pay or holiday pay under section 1001(d) of the American Rescue Plan Act of 2021 (Public Law 117–2, 135 Stat. 242): Provided further, That sums received by the Secretary under this paragraph shall, in addition to other available funds, remain available until expended to the Secretary without further appropriation for the purpose of funding all costs associated with FSIS inspections.

SEC. 731. (a) The Secretary of Agriculture shall—

(1) conduct audits in a manner that evaluates the following factors in the country or region being audited, as applicable—

- (A) veterinary control and oversight;
- (B) disease history and vaccination practices;
- (C) livestock demographics and traceability;
- (D) epidemiological separation from potential sources of infection;
- (E) surveillance practices;
- (F) diagnostic laboratory capabilities; and
- (G) emergency preparedness and response;

and

(2) promptly make publicly available the final reports of any audits or reviews conducted pursuant to subsection (1).

(b) This section shall be applied in a manner consistent with United States obligations under its international trade agreements.

SEC. 732. None of the funds made available by this Act may be used to implement section 3.7(f) of the Farm Credit Act of 1971 in a manner inconsistent with section 343(a)(13) of the Consolidated Farm and Rural Development Act.

SEC. 733. In this fiscal year and thereafter, and notwithstanding any other provision of law, none of the funds made available by this Act may be used to carry out any activities or incur any expense related to the issuance of licenses under section 3 of the Animal Welfare Act (7 U.S.C. 2133), or the renewal of such licenses, to class B dealers who sell Random Source dogs and cats for use in research, experiments, teaching, or testing.

SEC. 734. (a)(1) No Federal funds made available for this fiscal year for the rural water, waste water, waste disposal, and solid waste management programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926 et seq.) shall be used for a project for the construction, alteration, maintenance, or repair of a public water or wastewater system unless all of the iron and steel products used in the project are produced in the United States.

(2) In this section, the term “iron and steel products” means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.

(b) Subsection (a) shall not apply in any case or category of cases in which the Secretary of Agriculture (in this section referred to as the “Secretary”) or the designee of the Secretary finds that—

(1) applying subsection (a) would be inconsistent with the public interest;

(2) iron and steel products are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or

(3) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

(c) If the Secretary or the designee receives a request for a waiver under this section, the Sec-

retary or the designee shall make available to the public on an informal basis a copy of the request and information available to the Secretary or the designee concerning the request, and shall allow for informal public input on the request for at least 15 days prior to making a finding based on the request. The Secretary or the designee shall make the request and accompanying information available by electronic means, including on the official public Internet Web site of the Department.

(d) This section shall be applied in a manner consistent with United States obligations under international agreements.

(e) The Secretary may retain up to 0.25 percent of the funds appropriated in this Act for “Rural Utilities Service—Rural Water and Waste Disposal Program Account” for carrying out the provisions described in subsection (a)(1) for management and oversight of the requirements of this section.

(f) Subsection (a) shall not apply with respect to a project for which the engineering plans and specifications include use of iron and steel products otherwise prohibited by such subsection if the plans and specifications have received required approvals from State agencies prior to the date of enactment of this Act.

(g) For purposes of this section, the terms “United States” and “State” shall include each of the several States, the District of Columbia, and each Federally recognized Indian Tribe.

SEC. 735. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 736. Of the total amounts made available by this Act for direct loans and grants under the following headings: “Rural Housing Service—Rural Housing Insurance Fund Program Account”; “Rural Housing Service—Mutual and Self-Help Housing Grants”; “Rural Housing Service—Rural Housing Assistance Grants”; “Rural Housing Service—Rural Community Facilities Program Account”; “Rural Business-Cooperative Service—Rural Business Program Account”; “Rural Business-Cooperative Service—Rural Economic Development Loans Program Account”; “Rural Business-Cooperative Service—Rural Cooperative Development Grants”; “Rural Business-Cooperative Service—Rural Microentrepreneur Assistance Program”; “Rural Utilities Service—Rural Water and Waste Disposal Program Account”; “Rural Utilities Service—Rural Electrification and Telecommunications Loans Program Account”; and “Rural Utilities Service—Distance Learning, Telemedicine, and Broadband Program”, to the maximum extent feasible, at least 10 percent of the funds shall be allocated for assistance in persistent poverty counties under this section, including, notwithstanding any other provision regarding population limits, any county seat of such a persistent poverty county that has a population that does not exceed the authorized population limit by more than 10 percent: Provided, That for purposes of this section, the term “persistent poverty counties” means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses, and 2007–2011 American Community Survey 5-year average, or any territory or possession of the United States: Provided further, That with respect to specific activities for which program levels have been made available by this Act that are not supported by budget authority, the requirements of this section shall be applied to such program level.

SEC. 737. None of the funds made available by this Act may be used to notify a sponsor or otherwise acknowledge receipt of a submission for an exemption for investigational use of a drug or biological product under section 505(i) of the Federal Food, Drug, and Cosmetic Act (21

U.S.C. 355(i)) or section 351(a)(3) of the Public Health Service Act (42 U.S.C. 262(a)(3)) in research in which a human embryo is intentionally created or modified to include a heritable genetic modification. Any such submission shall be deemed to have not been received by the Secretary, and the exemption may not go into effect.

SEC. 738. None of the funds made available by this or any other Act may be used to enforce the final rule promulgated by the Food and Drug Administration entitled “Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption,” and published on November 27, 2015, with respect to the regulation of entities that grow, harvest, pack, or hold wine grapes, hops, pulse crops, or almonds.

SEC. 739. There is hereby appropriated \$5,000,000, to remain available until September 30, 2024, for a pilot program for the National Institute of Food and Agriculture to provide grants to nonprofit organizations for programs and services to establish and enhance farming and ranching opportunities for military veterans.

SEC. 740. For school years 2022–2023 and 2023–2024, none of the funds made available by this Act may be used to implement or enforce the matter following the first comma in the second sentence of footnote (c) of section 220.8(c) of title 7, Code of Federal Regulations, with respect to the substitution of vegetables for fruits under the school breakfast program established under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773).

SEC. 741. None of the funds made available by this Act or any other Act may be used—

(1) in contravention of section 7606 of the Agricultural Act of 2014 (7 U.S.C. 5940), subtitle G of the Agricultural Marketing Act of 1946, or section 10114 of the Agriculture Improvement Act of 2018; or

(2) to prohibit the transportation, processing, sale, or use of hemp, or seeds of such plant, that is grown or cultivated in accordance with section 7606 of the Agricultural Act of 2014 or Subtitle G of the Agricultural Marketing Act of 1946, within or outside the State in which the hemp is grown or cultivated.

SEC. 742. There is hereby appropriated \$3,000,000, to remain available until expended, for grants under section 12502 of Public Law 115–334.

SEC. 743. There is hereby appropriated \$1,000,000 to carry out section 3307 of Public Law 115–334.

SEC. 744. The Secretary of Agriculture may waive the matching funds requirement under section 412(g) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632(g)).

SEC. 745. There is hereby appropriated \$2,000,000, to remain available until expended, for a pilot program for the Secretary to provide grants to qualified non-profit organizations and public housing authorities to provide technical assistance, including financial and legal services, to RHS multi-family housing borrowers to facilitate the acquisition of RHS multi-family housing properties in areas where the Secretary determines a risk of loss of affordable housing, by non-profit housing organizations and public housing authorities as authorized by law that commit to keep such properties in the RHS multi-family housing program for a period of time as determined by the Secretary.

SEC. 746. There is hereby appropriated \$3,000,000, to carry out section 4208 of Public Law 115–334, including for project locations in additional regions and timely completion of required reporting to Congress.

SEC. 747. There is hereby appropriated \$5,000,000 to carry out section 12301 of Public Law 115–334, Farming Opportunities Training and Outreach.

SEC. 748. In response to an eligible community where the drinking water supplies are inadequate due to a natural disaster, as determined

by the Secretary, including drought or severe weather, the Secretary may provide potable water through the Emergency Community Water Assistance Grant Program for an additional period of time not to exceed 120 days beyond the established period provided under the Program in order to protect public health.

SEC. 749. Funds made available under title II of the Food for Peace Act (7 U.S.C. 1721 et seq.) may only be used to provide assistance to recipient nations if adequate monitoring and controls, as determined by the Administrator, are in place to ensure that emergency food aid is received by the intended beneficiaries in areas affected by food shortages and not diverted for unauthorized or inappropriate purposes.

SEC. 750. In this fiscal year and thereafter, and notwithstanding any other provision of law, ARS facilities as described in the “Memorandum of Understanding Between the U.S. Department of Agriculture Animal and Plant Health Inspection Service (APHIS) and the U.S. Department of Agriculture Agricultural Research Service (ARS) Concerning Laboratory Animal Welfare” (16-6100-0103—MU Revision 16-1) shall be inspected by APHIS for compliance with the Animal Welfare Act and its regulations and standards.

SEC. 751. None of the funds made available by this Act may be used to procure raw or processed poultry products imported into the United States from the People’s Republic of China for use in the school lunch program under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), the Child and Adult Care Food Program under section 17 of such Act (42 U.S.C. 1766), the Summer Food Service Program for Children under section 13 of such Act (42 U.S.C. 1761), or the school breakfast program under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.).

SEC. 752. For school year 2023–2024, only a school food authority that had a negative balance in the nonprofit school food service account as of June 30, 2022, shall be required to establish a price for paid lunches in accordance with section 12(p) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760(p)).

SEC. 753. There is hereby appropriated \$2,000,000, to remain available until expended, for the Secretary of Agriculture to carry out a pilot program that assists rural hospitals to improve long-term operations and financial health by providing technical assistance through analysis of current hospital management practices.

SEC. 754. Any funds made available by this or any other Act that the Secretary withholds pursuant to section 1668(g)(2) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5921(g)(2)), as amended, shall be available for grants for biotechnology risk assessment research: Provided, That the Secretary may transfer such funds among appropriations of the Department of Agriculture for purposes of making such grants.

SEC. 755. Hereafter, none of the funds made available by this Act or any other Act, may be used to pay the salaries or expenses of personnel to implement any activities related to:

(a) the permitting of non-recording of observed violations of the Animal Welfare Act or its regulations on official inspection reports; or

(b) the prioritizing of education or collaborative approaches to violations or noncompliance ahead of enforcement under the Animal Welfare Act.

SEC. 756. There is hereby appropriated \$400,000 to carry out section 1672(g)(4)(B) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925(g)(4)(B)) as amended by section 7209 of Public Law 115–334.

SEC. 757. For necessary expenses associated with cotton classing activities pursuant to 7 U.S.C. 55, to include equipment and facility upgrades, and in addition to any other funds made available for this purpose, there is appropriated \$4,000,000, to remain available until September 30, 2024: Provided, That amounts made available

in this section shall be treated as funds collected by fees authorized under Mar. 4, 1923, ch. 288, §5, 42 Stat. 1518, as amended (7 U.S.C. 55).

SEC. 758. Notwithstanding any other provision of law, no funds available to the Department of Agriculture may be used to move any staff office or any agency from the mission area in which it was located on August 1, 2018, to any other mission area or office within the Department in the absence of the enactment of specific legislation affirming such move.

SEC. 759. The Secretary, acting through the Chief of the Natural Resources Conservation Service, may use funds appropriated under this Act or any other Act for the Watershed and Flood Prevention Operations Program and the Watershed Rehabilitation Program carried out pursuant to the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001 et seq.), and for the Emergency Watershed Protection Program carried out pursuant to section 403 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203) to provide technical services for such programs pursuant to section 1252(a)(1) of the Food Security Act of 1985 (16 U.S.C. 3851(a)(1)), notwithstanding subsection (c) of such section.

SEC. 760. In administering the pilot program established by section 779 of division A of the Consolidated Appropriations Act, 2018 (Public Law 115–141), the Secretary of Agriculture may, for purposes of determining entities eligible to receive assistance, consider those communities which are “Areas Rural in Character”: Provided, That not more than 10 percent of the funds made available under the heading “Distance Learning, Telemedicine, and Broadband Program” for the purposes of the pilot program established by section 779 of Public Law 115–141 may be used for this purpose.

SEC. 761. There is hereby appropriated \$29,700,000 for the Goodfellow Federal facility, to remain available until expended, which shall be transferred to and merged with the appropriation for “Food Safety and Inspection Service”.

SEC. 762. Hereafter, none of the funds made available by this Act or any other Act may be used to pay the salaries or expenses of personnel—

(1) to inspect horses under section 3 of the Federal Meat Inspection Act (21 U.S.C. 603);

(2) to inspect horses under section 903 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 1901 note; Public Law 104–127); or

(3) to implement or enforce section 352.19 of title 9, Code of Federal Regulations (or a successor regulation).

SEC. 763. There is appropriated to the Department of Agriculture, for an additional amount for “Agricultural Programs—Processing, Research, and Marketing—Office of the Secretary”, \$5,000,000, which shall remain available until expended, for necessary expenses, under such terms and conditions determined by the Secretary, related to testing soil, water, or agricultural products for per- and polyfluoroalkyl substances (PFAS) at the request of an agricultural producer, assisting agricultural producers affected by PFAS contamination with costs related to mitigate the impacts to their operation that have resulted from such contamination and indemnifying agricultural producers for the value of unmarketable crops, livestock, and other agricultural products related to PFAS contamination: Provided, That the Secretary shall prioritize such assistance to agricultural producers in states and territories that have established a tolerance threshold for PFAS in a food or agricultural product: Provided further, That, not later than 90 days after the end of fiscal year 2023, the Secretary shall submit a report to the Congress specifying the type, amount, and method of such assistance by state and territory and the status of the amounts obligated and plans for further expenditure, and include improvements that can be made to U.S. Department of Agriculture programs, either adminis-

tratively or legislatively, to increase support for agricultural producers impacted by PFAS contamination and to enhance scientific knowledge on PFAS uptake in crops and livestock and PFAS mitigation and remediation methods and disseminate such knowledge to agricultural producers.

SEC. 764. Any future compliance date for any provision of the Food and Drug Administration’s final rule entitled “Milk and Cream Products and Yogurt Products; Final Rule To Revoke the Standards for Lowfat Yogurt and Nonfat Yogurt and To Amend the Standard for Yogurt” (86 Fed. Reg. 31117, June 11, 2021) for which the agency is exercising enforcement discretion or that is stayed as a result of objections timely filed under 21 U.S.C. 371(e)(2), shall be established no earlier than January 1 of the year that is three years after either:

(a) Final action upon such objection(s) is taken by the Secretary of Health and Human Services; or

(b) The party withdraws such objection(s).

SEC. 765. In addition to the amount of reimbursement for administrative and operating expenses available for crop insurance contracts described in subsection (a)(2)(F) of section III of the 2023 Standard Reinsurance Agreement (SRA) that cover agricultural commodities described in section 101 of title I of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note), there is hereby appropriated \$50,000,000, to remain available until expended, to pay, with respect to such contracts for the 2021 reinsurance year, an amount that is equal to the difference between the amount to be paid pursuant to the SRA for the applicable reinsurance year and the amount that would be paid if such contracts were not subject to a reduction described in subsection (a)(2)(G) of section III of the SRA but subject to a reimbursement rate equal to 17.5 percent of the net book premium.

SEC. 766. There is appropriated to the Department of Agriculture, for an additional amount for “Agricultural Programs—Processing, Research, and Marketing—Office of the Secretary”, \$10,000,000, which shall remain available until expended, for necessary expenses to address assistance for disasters occurring in calendar year 2022.

SEC. 767. In addition to amounts otherwise available, there is appropriated to the Secretary of Agriculture \$50,000,000, to remain available until September 30, 2023, to provide relief payments for frontline grocery workers through the Farmworker and Food Worker Relief Grant Program of the Agricultural Marketing Service.

SEC. 768. None of the funds made available by this Act may be used to review or approve an application under section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)) or section 351(a)(3) of the Public Health Service Act (42 U.S.C. 262(a)(3)) that is submitted by a sponsor located in Russia, unless such application is for a drug that is intended to treat a serious or life-threatening condition and for which there is an unmet medical treatment need.

SEC. 769. The Secretary of Agriculture shall take such actions as may be necessary to prohibit the purchase of agricultural land located in the United States by companies owned, in full or in part, by the People’s Republic of China, Russia, North Korea, or Iran.

This division may be cited as the “Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2023”.

DIVISION C—ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2023

TITLE I

CORPS OF ENGINEERS—CIVIL DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of

the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related efforts.

INVESTIGATIONS

For expenses necessary where authorized by law for the collection and study of basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related needs; for surveys and detailed studies, and plans and specifications of proposed river and harbor, flood and storm damage reduction, shore protection, and aquatic ecosystem restoration projects, and related efforts prior to construction; for restudy of authorized projects; and for miscellaneous investigations, and, when authorized by law, surveys and detailed studies, and plans and specifications of projects prior to construction, \$160,000,000, to remain available until expended: Provided, That the Secretary shall not deviate from the work plan, once the plan has been submitted to the Committees on Appropriations of both Houses of Congress.

CONSTRUCTION

For expenses necessary for the construction of river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related projects authorized by law; for conducting detailed studies, and plans and specifications, of such projects (including those involving participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such detailed studies, and plans and specifications, shall not constitute a commitment of the Government to construction); \$2,475,152,000, to remain available until expended; of which \$43,011,000 shall be derived from the Harbor Maintenance Trust Fund to cover the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program; and of which such sums as are necessary to cover 35 percent of the costs of construction, replacement, rehabilitation, and expansion of inland waterways projects shall be derived from the Inland Waterways Trust Fund, except as otherwise specifically provided for in law: Provided, That the Secretary shall not deviate from the work plan, once the plan has been submitted to the Committees on Appropriations of both Houses of Congress.

MISSISSIPPI RIVER AND TRIBUTARIES

For expenses necessary for flood damage reduction projects and related efforts in the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, \$350,000,000, to remain available until expended, of which \$10,315,000 shall be derived from the Harbor Maintenance Trust Fund to cover the Federal share of eligible operation and maintenance costs for inland harbors: Provided, That the Secretary shall not deviate from the work plan, once the plan has been submitted to the Committees on Appropriations of both Houses of Congress.

OPERATION AND MAINTENANCE

For expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law; providing security for infrastructure owned or operated by the Corps, including administrative buildings and laboratories; maintaining harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce, where authorized by law; surveying and charting northern and northwestern lakes and connecting waters; clearing and straightening channels; and removing obstructions to navigation, \$5,150,000,000, to remain available until expended, of which \$2,264,674,000 shall be derived from the Harbor Maintenance Trust

Fund to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels, and for inland harbors; of which \$56,000,000, to be derived from the general fund of the Treasury, shall be to carry out section 2106(c) of Public Law 113-121 (33 U.S.C. 2238c(c)) and is designated as being for such purpose pursuant to section 14003(2)(B) of the CARES Act (Public Law 116-136); of which such sums as become available from the special account for the Corps of Engineers established by the Land and Water Conservation Fund Act of 1965 shall be derived from that account for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas at which outdoor recreation is available; and of which such sums as become available from fees collected under section 217 of Public Law 104-303 shall be used to cover the cost of operation and maintenance of the dredged material disposal facilities for which such fees have been collected: Provided, That 1 percent of the total amount of funds provided for each of the programs, projects, or activities funded under this heading shall not be allocated to a field operating activity prior to the beginning of the fourth quarter of the fiscal year and shall be available for use by the Chief of Engineers to fund such emergency activities as the Chief of Engineers determines to be necessary and appropriate, and that the Chief of Engineers shall allocate during the fourth quarter any remaining funds which have not been used for emergency activities proportionally in accordance with the amounts provided for the programs, projects, or activities: Provided, That the Secretary shall not deviate from the work plan, once the plan has been submitted to the Committees on Appropriations of both Houses of Congress.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, \$213,000,000, to remain available until September 30, 2024.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites in the United States resulting from work performed as part of the Nation's early atomic energy program, \$278,338,000, to remain available until expended.

FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary to prepare for flood, hurricane, and other natural disasters and support emergency operations, repairs, and other activities in response to such disasters as authorized by law, \$35,000,000, to remain available until expended.

EXPENSES

For expenses necessary for the supervision and general administration of the civil works program in the headquarters of the Corps of Engineers and the offices of the Division Engineers; and for costs of management and operation of the Humphreys Engineer Center Support Activity, the Institute for Water Resources, the United States Army Engineer Research and Development Center, and the United States Army Corps of Engineers Finance Center allocable to the civil works program, \$215,000,000, to remain available until September 30, 2024, of which not to exceed \$5,000 may be used for official reception and representation purposes and only during the current fiscal year: Provided, That no part of any other appropriation provided in this title shall be available to fund the civil works activities of the Office of the Chief of Engineers or the civil works executive direction and management activities of the division offices: Provided further, That any Flood Control and Coastal Emergencies appropriation may be used to fund the supervision and general administration of emergency operations, repairs, and other activities in response to any flood, hurricane, or other natural disaster.

OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS

For the Office of the Assistant Secretary of the Army for Civil Works as authorized by 10 U.S.C. 3016(b)(3), \$5,000,000, to remain available until September 30, 2024: Provided, That not more than 75 percent of such amount may be obligated or expended until the Assistant Secretary submits to the Committees on Appropriations of both Houses of Congress the report required under section 101(d) of this Act and a work plan that allocates at least 95 percent of the additional funding provided under each heading in this title, as designated under such heading in the report accompanying this Act, to specific programs, projects, or activities.

WATER INFRASTRUCTURE FINANCE AND INNOVATION PROGRAM ACCOUNT

For administrative expenses to carry out the direct and guaranteed loan programs authorized by the Water Infrastructure Finance and Innovation Act of 2014, notwithstanding subsections (b)(2) and (c) of section 5033 of such Act, \$7,200,000, to remain available until September 30, 2024.

GENERAL PROVISIONS—CORPS OF ENGINEERS—CIVIL

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. (a) None of the funds provided in title I of this Act, or provided by previous appropriations Acts to the agencies or entities funded in title I of this Act that remain available for obligation or expenditure in fiscal year 2023, shall be available for obligation or expenditure through a reprogramming of funds that:

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

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

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

(4) proposes to use funds directed for a specific activity for a different purpose, unless prior approval is received from the Committees on Appropriations of both Houses of Congress;

(5) augments or reduces existing programs, projects, or activities in excess of the amounts contained in paragraphs (6) through (10), unless prior approval is received from the Committees on Appropriations of both Houses of Congress;

(6) INVESTIGATIONS.—For a base level over \$100,000, reprogramming of 25 percent of the base amount up to a limit of \$150,000 per project, study or activity is allowed: Provided, That for a base level less than \$100,000, the reprogramming limit is \$25,000: Provided further, That up to \$25,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation for existing obligations and concomitant administrative expenses;

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

(8) OPERATION AND MAINTENANCE.—Unlimited reprogramming authority is granted for the Corps to be able to respond to emergencies: Provided, That the Chief of Engineers shall notify the Committees on Appropriations of both Houses of Congress of these emergency actions as soon thereafter as practicable: Provided further, That for a base level over \$1,000,000, reprogramming of 15 percent of the base amount up to a limit of \$5,000,000 per project, study, or activity is allowed: Provided further, That for a

base level less than \$1,000,000, the reprogramming limit is \$150,000: Provided further, That \$150,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation;

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

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

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

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

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

(1) A table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if applicable, and the fiscal year enacted level; and

(2) A delineation in the table for each appropriation both by object class and program, project and activity as detailed in the budget appendix for the respective appropriations; and

(3) An identification of items of special congressional interest.

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

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

SEC. 104. The Secretary of the Army may transfer to the Fish and Wildlife Service, and the Fish and Wildlife Service may accept and expend, up to \$5,400,000 of funds provided in this title under the heading "Operation and Maintenance" to mitigate for fisheries lost due to Corps of Engineers projects.

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

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

SEC. 107. None of the funds made available by this Act or any other Act may be used to reorganize or to transfer the Civil Works functions or authority of the Corps of Engineers or the Sec-

retary of the Army to another department or agency.

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

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, \$23,000,000, to remain available until expended, of which \$5,000,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission: Provided, That of the amount provided under this heading, \$1,600,000 shall be available until September 30, 2024, for expenses necessary in carrying out related responsibilities of the Secretary of the Interior: Provided further, That for fiscal year 2023, of the amount made available to the Commission under this Act or any other Act, the Commission may use an amount not to exceed \$1,880,000 for administrative expenses.

BUREAU OF RECLAMATION

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

WATER AND RELATED RESOURCES

(INCLUDING TRANSFERS OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance, and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, federally recognized Indian tribes, and others, \$1,747,101,000, to remain available until expended, of which \$22,165,000 shall be available for transfer to the Upper Colorado River Basin Fund and \$7,584,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund: Provided, That \$500,000 shall be available for transfer into the Aging Infrastructure Account established by section 9603(d)(1) of the Omnibus Public Land Management Act of 2009, as amended (43 U.S.C. 510b(d)(1)): Provided further, That such transfers, except for the transfer authorized by the preceding proviso, may be increased or decreased within the overall appropriation under this heading: Provided further, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund, the Water Storage Enhancement Receipts account established by section 4011(e) of Public Law 114-322, or the Bureau of Reclamation special fee account established by 16 U.S.C. 6806 shall be derived from that Fund or account: Provided further, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which the funds were contributed: Provided further, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: Provided further, That of the amounts made available under this heading, \$10,000,000 shall be deposited in the San Gabriel Basin Restoration Fund established by section 110 of title I of division B of appendix D of Public Law 106-554: Provided further, That of the amounts provided herein, funds may be used for high-priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, habitat restoration, improvement, and acquisition provisions of the Central Valley

Project Improvement Act, such sums as may be collected in fiscal year 2023 in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), and 3405(f) of Public Law 102-575, to remain available until expended: Provided, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102-575: Provided further, That none of the funds made available under this heading may be used for the acquisition or leasing of water for in-stream purposes if the water is already committed to in-stream purposes by a court adopted decree or order.

CALIFORNIA BAY-DELTA RESTORATION

(INCLUDING TRANSFERS OF FUNDS)

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

POLICY AND ADMINISTRATION

For expenses necessary for policy, administration, and related functions in the Office of the Commissioner, the Denver office, and offices in the six regions of the Bureau of Reclamation, to remain available until September 30, 2024, \$65,079,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in section 4(o) of the Act of December 5, 1924 (43 U.S.C. 377): Provided, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

ADMINISTRATIVE PROVISION

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

GENERAL PROVISIONS—DEPARTMENT OF THE INTERIOR

SEC. 201. (a) None of the funds provided in title II of this Act for Water and Related Resources, or provided by previous or subsequent appropriations Acts to the agencies or entities funded in title II of this Act for Water and Related Resources that remain available for obligation or expenditure in fiscal year 2023, shall be available for obligation or expenditure through a reprogramming of funds that—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SEC. 203. Section 9504(e) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 42 U.S.C. 10364(e)) is amended by striking “\$750,000,000” and inserting “\$820,000,000”.

SEC. 204. (a) Title I of Public Law 108–361 (the Calfed Bay-Delta Authorization Act) is amended by striking “2022” each place it appears and inserting “2023”.

(b) Section 103(f)(4)(A) of Public Law 108–361 (the Calfed Bay-Delta Authorization Act) is amended by striking “\$25,000,000” and inserting “\$30,000,000”.

SEC. 205. Section 9106(g)(2) of Public Law 111–11 (Omnibus Public Land Management Act of 2009) is amended by striking “2022” and inserting “2023”.

SEC. 206. (a) Section 104(c) of the Reclamation States Emergency Drought Relief Act of 1991 (Public Law 102–250; 43 U.S.C. 2214(c)) is amended by striking “2022” and inserting “2023”.

(b) Section 301 of the Reclamation States Emergency Drought Relief Act of 1991 (Public Law 102–250; 43 U.S.C. 2241) is amended by striking “2022” and inserting “2023” and by striking “\$120,000,000” and inserting “\$130,000,000”.

SEC. 207. Section 529(b)(3) of the Water Resources Development Act of 2000 (Public Law 106–541), as amended, is amended by striking “\$30,000,000” and inserting “\$40,000,000”.

SEC. 208. None of the funds provided in this Act may be used for the Shasta Dam and Reservoir Enlargement Project.

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY EFFICIENCY AND RENEWABLE ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy efficiency and renewable energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$4,000,000,000, to remain available until expended: Provided, That of such amount, \$245,000,000 shall be available until September 30, 2024, for program direction.

CYBERSECURITY, ENERGY SECURITY, AND EMERGENCY RESPONSE

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy sector cybersecurity, energy security, and emergency response activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$205,000,000, to remain available until expended: Provided, That of such amount, \$24,000,000 shall be available until September 30, 2024, for program direction.

ELECTRICITY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for electricity activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$350,000,000, to remain available until expended: Provided, That of such amount, \$23,000,000 shall be available until September 30, 2024, for program direction.

NUCLEAR ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for nuclear energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$1,779,800,000, to remain available until expended: Provided, That of such amount, \$85,000,000 shall be available until September 30, 2024, for program direction: Provided further, That for the purpose of section 954(a)(6) of the Energy Policy Act of 2005, as amended, the only amount available shall be from the amount specified as including that purpose in the “Bill” column in the “Department of Energy” table in-

cluded under the heading “Title III—Department of Energy” in the report accompanying this Act.

FOSSIL ENERGY AND CARBON MANAGEMENT

For Department of Energy expenses necessary in carrying out fossil energy and carbon management research and development activities, under the authority of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), \$880,000,000, to remain available until expended: Provided, That of such amount \$70,000,000 shall be available until September 30, 2024, for program direction.

ENERGY PROJECTS

For Department of Energy expenses necessary in carrying out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), \$117,326,652, to remain available until expended, for the projects, and in the amounts, specified in the table titled “Community Project Funding Department of Energy Projects” in the report accompanying this Act.

NAVAL PETROLEUM AND OIL SHALE RESERVES

For Department of Energy expenses necessary to carry out naval petroleum and oil shale reserve activities, \$13,004,000, to remain available until expended: Provided, That notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

STRATEGIC PETROLEUM RESERVE

For Department of Energy expenses necessary for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), \$214,175,000, to remain available until expended.

SPR PETROLEUM ACCOUNT

For the acquisition, transportation, and injection of petroleum products, and for other necessary expenses pursuant to the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 et seq.), sections 403 and 404 of the Bipartisan Budget Act of 2015 (42 U.S.C. 6241, 6239 note), section 32204 of the Fixing America's Surface Transportation Act (42 U.S.C. 6241 note), and section 30204 of the Bipartisan Budget Act of 2018 (42 U.S.C. 6241 note), \$8,000,000, to remain available until expended.

NORTHEAST HOME HEATING OIL RESERVE

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

ENERGY INFORMATION ADMINISTRATION

For Department of Energy expenses necessary in carrying out the activities of the Energy Information Administration, \$144,480,000, to remain available until expended.

NON-DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of one passenger motor vehicle, \$333,863,000, to remain available until expended: Provided, That in addition, fees collected pursuant to subsection

(b)(1) of section 6939f of title 42, United States Code, and deposited under this heading in fiscal year 2023 pursuant to section 309 of title III of division C of Public Law 116-94 are appropriated, to remain available until expended, for mercury storage costs.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For Department of Energy expenses necessary in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions, and other activities of title II of the Atomic Energy Act of 1954, and title X, subtitle A, of the Energy Policy Act of 1992, \$823,321,000, to be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, to remain available until expended, of which \$14,800,000 shall be available in accordance with title X, subtitle A, of the Energy Policy Act of 1992.

SCIENCE

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and purchase of not more than 35 passenger motor vehicles, including one ambulance, for replacement only, \$8,000,000,000, to remain available until expended: Provided, That of such amount, \$211,211,000 shall be available until September 30, 2024, for program direction.

NUCLEAR WASTE DISPOSAL

For Department of Energy expenses necessary for nuclear waste disposal activities to carry out the purposes of the Nuclear Waste Policy Act of 1982, Public Law 97-425, as amended, \$10,205,000, to remain available until expended, which shall be derived from the Nuclear Waste Fund.

TECHNOLOGY TRANSITIONS

For Department of Energy expenses necessary for carrying out the activities of technology transitions, \$23,058,000, to remain available until expended: Provided, That of such amount, \$13,183,000 shall be available until September 30, 2024, for program direction.

CLEAN ENERGY DEMONSTRATIONS

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for clean energy demonstrations in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$189,000,000, to remain available until expended: Provided, That of such amount, \$25,000,000 shall be available until September 30, 2024, for program direction.

DEFENSE PRODUCTION ACT DOMESTIC CLEAN ENERGY ACCELERATOR

For activities by the Department of Energy pursuant to titles I, III, and VII of the Defense Production Act of 1950 (50 U.S.C. subchapters I, II, and III), notwithstanding the requirements of section 303(a)(1) through (a)(6) of such Act, \$100,000,000, to remain available until expended, which shall be obligated and expended by the Secretary of Energy as if delegated the necessary authorities conferred by the Defense Production Act of 1950, and which shall be for expanding the domestic production capability for solar, transformers, electric grid components, fuel cells, electrolyzers, heat pumps, and insulation, of which up to \$5,000,000 shall be available until September 30, 2024, for administrative expenses.

ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

For Department of Energy expenses necessary in carrying out the activities authorized by section 5012 of the America COMPETES Act (Public Law 110-69), \$550,000,000, to remain available until expended: Provided, That of such amount, \$45,000,000 shall be available until September 30, 2024, for program direction.

TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM

Such sums as are derived from amounts received from borrowers pursuant to section 1702(b) of the Energy Policy Act of 2005 under this heading in prior Acts, shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: Provided, That for necessary administrative expenses of the Title 17 Innovative Technology Loan Guarantee Program, as authorized, \$66,206,000 is appropriated, to remain available until September 30, 2024: Provided further, That up to \$66,206,000 of fees collected in fiscal year 2023 pursuant to section 1702(h) of the Energy Policy Act of 2005 shall be credited as offsetting collections under this heading and used for necessary administrative expenses in this appropriation and shall remain available until September 30, 2024: Provided further, That to the extent that fees collected in fiscal year 2023 exceed \$66,206,000, those excess amounts shall be credited as offsetting collections under this heading and available in future fiscal years only to the extent provided in advance in appropriations Acts: Provided further, That the sum herein appropriated from the general fund shall be reduced (1) as such fees are received during fiscal year 2023 (estimated at \$35,000,000) and (2) to the extent that any remaining general fund appropriations can be derived from fees collected in previous fiscal years that are not otherwise appropriated, so as to result in a final fiscal year 2023 appropriation from the general fund estimated at \$0: Provided further, That the Department of Energy shall not subordinate any loan obligation to other financing in violation of section 1702 of the Energy Policy Act of 2005 or subordinate any Guaranteed Obligation to any loan or other debt obligations in violation of section 609.10 of title 10, Code of Federal Regulations.

ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOAN PROGRAM

For Department of Energy administrative expenses necessary in carrying out the Advanced Technology Vehicles Manufacturing Loan Program, \$9,800,000, to remain available until September 30, 2024.

TRIBAL ENERGY LOAN GUARANTEE PROGRAM

For the cost of direct and guaranteed loans for the Tribal Energy Loan Guarantee Program under section 2602(c) of the Energy Policy Act of 1992 (25 U.S.C. 3502(c)), \$8,000,000, to remain available until expended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a): Provided further, That in this fiscal year and subsequent fiscal years, under section 2602(c) of the Energy Policy Act of 1992 (25 U.S.C. 3502(c)), the Secretary of Energy may also provide direct loans, as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a): Provided further, That such direct loans shall be made through the Federal Financing Bank, with the full faith and credit of the United States Government on the principal and interest: Provided further, That any funds previously appropriated for the cost of loan guarantees under section 2602(c) of the Energy Policy Act of 1992 (25 U.S.C. 3502(c)) may also be used, in this fiscal year and subsequent fiscal years, for the cost of direct loans provided under such section of such Act.

In addition, for Department of Energy administrative expenses necessary in carrying out the Tribal Energy Loan Guarantee Program,

\$2,000,000, to remain available until September 30, 2024.

INDIAN ENERGY POLICY AND PROGRAMS

For necessary expenses for Indian Energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), \$75,000,000, to remain available until expended: Provided, That of the amount appropriated under this heading, \$15,000,000 shall be available until September 30, 2024, for program direction.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), \$407,715,000, to remain available until September 30, 2024, including the hire of passenger motor vehicles and official reception and representation expenses not to exceed \$30,000, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): Provided, That such increases in cost of work are offset by revenue increases of the same or greater amount: Provided further, That moneys received by the Department for miscellaneous revenues estimated to total \$100,578,000 in fiscal year 2023 may be retained and used for operating expenses within this account, as authorized by section 201 of Public Law 95-238, notwithstanding the provisions of 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2023 appropriation from the general fund estimated at not more than \$307,137,000.

OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$92,000,000, to remain available until September 30, 2024.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$16,333,065,000, to remain available until expended: Provided, That of such amount, \$130,070,000 shall be available until September 30, 2024, for program direction.

DEFENSE NUCLEAR NONPROLIFERATION

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for defense nuclear nonproliferation activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$2,424,000,000, to remain available until expended.

NAVAL REACTORS

(INCLUDING TRANSFER OF FUNDS)

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion,

\$2,000,000,000, to remain available until expended, of which, \$99,747,000 shall be transferred to "Department of Energy—Energy Programs—Nuclear Energy", for the Advanced Test Reactor: Provided, That of such amount, \$58,525,000 shall be available until September 30, 2024, for program direction.

FEDERAL SALARIES AND EXPENSES

For expenses necessary for Federal Salaries and Expenses in the National Nuclear Security Administration, \$475,000,000, to remain available until September 30, 2024, including official reception and representation expenses not to exceed \$17,000.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$6,722,521,000, to remain available until expended: Provided, That of such amount, \$317,002,000 shall be available until September 30, 2024, for program direction.

DEFENSE URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING (INCLUDING TRANSFER OF FUNDS)

For an additional amount for atomic energy defense environmental cleanup activities for Department of Energy contributions for uranium enrichment decontamination and decommissioning activities, \$823,321,000, to be deposited into the Defense Environmental Cleanup account, which shall be transferred to the Uranium Enrichment Decontamination and Decommissioning Fund.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense, other defense activities, and classified activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$1,027,554,000, to remain available until expended: Provided, That of such amount, \$359,734,000 shall be available until September 30, 2024, for program direction.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93-454, are approved for the Colville Tribes Residents Fish Hatchery Expansion, Chief Joseph Hatchery Water Quality Project, and Umatilla Hatchery Facility Project and, in addition, for official reception and representation expenses in an amount not to exceed \$5,000: Provided, That during fiscal year 2023, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For expenses necessary for operation and maintenance of power transmission facilities and for marketing electric power and energy, including transmission wheeling and ancillary services, pursuant to section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, \$8,173,000, including official reception and representation expenses in an amount not to exceed \$1,500, to remain available until expended: Provided, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944, up to \$8,173,000

collected by the Southeastern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the Southeastern Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2023 appropriation estimated at not more than \$0: Provided further, That notwithstanding 31 U.S.C. 3302, up to \$78,696,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For expenses necessary for operation and maintenance of power transmission facilities and for marketing electric power and energy, for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed \$1,500 in carrying out section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the Southwestern Power Administration, \$53,488,000, to remain available until expended: Provided, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), up to \$42,880,000 collected by the Southwestern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Southwestern Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2023 appropriation estimated at not more than \$10,608,000: Provided further, That notwithstanding 31 U.S.C. 3302, up to \$70,000,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

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

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, \$299,573,000, including official reception and representation expenses in an amount not to exceed \$1,500, to remain available until expended, of which \$299,573,000 shall be derived from the Department of the Interior Reclamation Fund: Provided, That notwithstanding 31 U.S.C. 3302, section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), and section 1 of the Interior Department Appropriation Act, 1939 (43 U.S.C. 392a), up to \$200,841,000 collected by the Western Area Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain

available until expended, for the sole purpose of funding the annual expenses of the Western Area Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2023 appropriation estimated at not more than \$98,732,000, of which \$98,732,000 is derived from the Reclamation Fund: Provided further, That notwithstanding 31 U.S.C. 3302, up to \$350,083,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, \$6,330,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 2 of the Act of June 18, 1954 (68 Stat. 255): Provided, That notwithstanding the provisions of that Act and of 31 U.S.C. 3302, up to \$6,102,000 collected by the Western Area Power Administration from the sale of power and related services from the Falcon and Amistad Dams shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the hydroelectric facilities of these Dams and associated Western Area Power Administration activities: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2023 appropriation estimated at not more than \$228,000: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred: Provided further, That for fiscal year 2023, the Administrator of the Western Area Power Administration may accept up to \$1,598,000 in funds contributed by United States power customers of the Falcon and Amistad Dams for deposit into the Falcon and Amistad Operating and Maintenance Fund, and such funds shall be available for the purpose for which contributed in like manner as if said sums had been specifically appropriated for such purpose: Provided further, That any such funds shall be available without further appropriation and without fiscal year limitation for use by the Commissioner of the United States Section of the International Boundary and Water Commission for the sole purpose of operating, maintaining, repairing, rehabilitating, replacing, or upgrading the hydroelectric facilities at these Dams in accordance with agreements reached between the Administrator, Commissioner, and the power customers.

FEDERAL ENERGY REGULATORY COMMISSION SALARIES AND EXPENSES

For expenses necessary for the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, official reception and representation expenses not to exceed \$3,000, and the hire of passenger motor vehicles, \$508,400,000, to remain available until expended: Provided, That notwithstanding any other provision of law, not to exceed \$508,400,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2023 shall

be retained and used for expenses necessary in this account, and shall remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as revenues are received during fiscal year 2023 so as to result in a final fiscal year 2023 appropriation from the general fund estimated at not more than \$0.

GENERAL PROVISIONS—DEPARTMENT OF ENERGY

(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

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

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

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

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

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

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

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

(e) The amounts made available by this title may be reprogrammed for any program, project, or activity, and the Department shall notify, and obtain the prior approval of, the Committees on Appropriations of both Houses of Con-

gress at least 30 days prior to the use of any proposed reprogramming that would cause any program, project, or activity funding level to increase or decrease by more than \$5,000,000 or 10 percent, whichever is less, during the time period covered by this Act.

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

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

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

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

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

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

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

SEC. 302. Funds appropriated by this or any other Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 3094) during fiscal year 2023 until the enactment of the Intelligence Authorization Act for fiscal year 2023.

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

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

SEC. 305. Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), upon a determination by the President in this fiscal year that a regional supply shortage of refined petroleum product of significant scope and duration exists, that a severe increase in the price of refined petroleum product will likely result from such shortage, and that a draw down and sale of refined petroleum product would assist directly and significantly in reducing the adverse impact of such shortage, the Secretary of Energy may draw down and sell refined petroleum product from the Strategic Petroleum Reserve. Proceeds from a sale under this section shall be deposited into the SPR Petroleum Account established in section 167 of the Energy Policy and Conservation Act (42 U.S.C. 6247), and such amounts shall be available for obligation, without fiscal year limitation, consistent with that section.

SEC. 306. No funds shall be transferred directly from “Department of Energy—Power

Marketing Administration—Colorado River Basins Power Marketing Fund, Western Area Power Administration” to the general fund of the Treasury in the current fiscal year.

SEC. 307. All unavailable collections currently in the United States Enrichment Corporation Fund shall be transferred to and merged with the Uranium Enrichment Decontamination and Decommissioning Fund and shall be available only to the extent provided in advance in appropriations Acts.

SEC. 308. Subparagraphs (B) and (C) of section 40401(a)(2) of Public Law 117–58, paragraph (3) of section 1702(r) of the Energy Policy Act of 2005 (42 U.S.C. 16512(r)(3)) as added by section 40401(c)(2)(C) of Public Law 117–58, and subsection (l) of section 136 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013(l)), are hereby repealed.

SEC. 309. Of the unobligated balances from amounts made available in the first proviso of section 1425 of the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (Public Law 112–10) for the cost of loan guarantees under section 1703 of the Energy Policy Act of 2005, \$150,000,000 are hereby rescinded: Provided, That, subject to section 502 of the Congressional Budget Act of 1974, commitments to guarantee loans for eligible projects under title XVII of the Energy Policy Act of 2005, shall not exceed a total principal amount of \$15,000,000,000, to remain available until committed: Provided further, That the amounts provided in this section 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 section shall be available for commitments to guarantee loans for any projects where funds, personnel, or property (tangible or intangible) of any Federal agency, instrumentality, personnel, or affiliated entity are expected to be used (directly or indirectly) through acquisitions, contracts, demonstrations, exchanges, grants, incentives, leases, procurements, sales, other transaction authority, or other arrangements, to support the project or to obtain goods or services from the project: Provided further, That the preceding proviso shall not be interpreted as precluding the use of the loan guarantee authority provided by this section for commitments to guarantee loans for: (1) projects as a result of such projects benefitting from otherwise allowable Federal income tax benefits; (2) projects as a result of such projects benefitting from being located on Federal land pursuant to a lease or right-of-way agreement for which all consideration for all uses is: (A) paid exclusively in cash; (B) deposited in the Treasury as offsetting receipts; and (C) equal to the fair market value as determined by the head of the relevant Federal agency; (3) projects as a result of such projects benefitting from Federal insurance programs, including under section 170 of the Atomic Energy Act of 1954 (42 U.S.C. 2210; commonly known as the “Price-Anderson Act”); or (4) electric generation projects using transmission facilities owned or operated by a Federal Power Marketing Administration or the Tennessee Valley Authority that have been authorized, approved, and financed independent of the project receiving the guarantee: Provided further, That none of the loan guarantee authority made available by this section shall be available for any project unless the Director of the Office of Management and Budget has certified in advance in writing that the loan guarantee and the project comply with the provisions under this section.

SEC. 310. (a) Hereafter, for energy development, demonstration, and deployment programs funded under Department of Energy appropriations (other than those for the National Nuclear

Security Administration and Office of Environmental Management) provided for fiscal year 2022, the current fiscal year, or any fiscal year thereafter (including by Acts other than appropriations Acts), the Secretary may vest unconditional title or other property interests acquired under projects in an award recipient, sub-recipient, or successor in interest, including the United States, at the conclusion of the award period for projects receiving an initial award in fiscal year 2022 or later.

(b) Upon vesting unconditional title pursuant to subsection (a) in an award recipient, sub-recipient, or successor in interest other than the United States, the United States shall have no liabilities or obligations to the property.

(c) For purposes of this section, the term “property interest” does not include any interest in intellectual property developed using funding provided under a project.

SEC. 311. None of the funds made available in this title may be used to support a grant allocation award, discretionary grant award, or cooperative agreement that exceeds \$100,000,000 in Federal funding unless the project is carried out through internal independent project management procedures.

TITLE IV INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, and for expenses necessary for the Federal Co-Chairman and the Alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, \$220,000,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For expenses necessary for the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100-456, section 1441, \$41,401,000, to remain available until September 30, 2024, of which not to exceed \$1,000 shall be available for official reception and representation expenses.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For expenses necessary for the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, notwithstanding sections 382F(d), 382M, and 382N of said Act, \$30,100,000, to remain available until expended.

DENALI COMMISSION

For expenses necessary for the Denali Commission including the purchase, construction, and acquisition of plant and capital equipment as necessary and other expenses, \$15,100,000, to remain available until expended, notwithstanding the limitations contained in section 306(g) of the Denali Commission Act of 1998: Provided, That funds shall be available for construction projects for which the Denali Commission is the sole or primary funding source in an amount not to exceed 80 percent of total project cost for distressed communities, as defined by section 307 of the Denali Commission Act of 1998 (division C, title III, Public Law 105-277), as amended by section 701 of appendix D, title VII, Public Law 106-113 (113 Stat. 1501A-280), and an amount not to exceed 50 percent for non-distressed communities: Provided further, That notwithstanding any other provision of law regarding payment of a non-Federal share in connection with a grant-in-aid program, amounts under this heading shall be available for the payment of such a non-Federal share for any project for which the Denali Commission is not the sole or primary funding source, provided that such project is consistent with the purposes of the Commission.

NORTHERN BORDER REGIONAL COMMISSION

For expenses necessary for the Northern Border Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, \$38,000,000, to remain available until expended: Provided, That such amounts shall be available for administrative expenses, notwithstanding section 15751(b) of title 40, United States Code.

SOUTHEAST CRESCENT REGIONAL COMMISSION

For expenses necessary for the Southeast Crescent Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, \$33,000,000, to remain available until expended.

SOUTHWEST BORDER REGIONAL COMMISSION

For expenses necessary for the Southwest Border Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, \$2,500,000, to remain available until expended.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Commission in carrying out the purposes of the Energy Reorganization Act of 1974 and the Atomic Energy Act of 1954, \$911,384,000, including official representation expenses not to exceed \$25,000, to remain available until expended: Provided, That of the amount appropriated herein, not more than \$9,500,000 may be made available for salaries, travel, and other support costs for the Office of the Commission, to remain available until September 30, 2024: Provided further, That revenues from licensing fees, inspection services, and other services and collections estimated at \$777,498,000 in fiscal year 2023 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2023 so as to result in a final fiscal year 2023 appropriation estimated at not more than \$133,886,000.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$17,769,000, to remain available until September 30, 2024: Provided, That revenues from licensing fees, inspection services, and other services and collections estimated at \$14,655,000 in fiscal year 2023 shall be retained and be available until September 30, 2024, for necessary salaries and expenses in this account, notwithstanding section 3302 of title 31, United States Code: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2023 so as to result in a final fiscal year 2023 appropriation estimated at not more than \$3,114,000: Provided further, That of the amounts appropriated under this heading, \$1,520,000 shall be for Inspector General services for the Defense Nuclear Facilities Safety Board.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For expenses necessary for the Nuclear Waste Technical Review Board, as authorized by Public Law 100-203, section 5051, \$3,945,000, to be derived from the Nuclear Waste Fund, to remain available until September 30, 2024.

GENERAL PROVISIONS—INDEPENDENT AGENCIES

SEC. 401. (a) The amounts made available by this title for the Nuclear Regulatory Commission may be reprogrammed for any program, project, or activity, and the Commission shall notify the Committees on Appropriations of both Houses of Congress at least 30 days prior to the use of any proposed reprogramming that would cause any program funding level to increase or decrease by more than \$500,000 or 10 percent, whichever is less, during the time period covered by this Act.

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

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

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

(d) None of the funds provided for the Nuclear Regulatory Commission shall be available for obligation or expenditure through a reprogramming of funds that increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act.

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

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

TITLE V GENERAL PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 502. (a) None of the funds made available in title III of this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority referenced in the report accompanying this Act, or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

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

(c) The head of any relevant department or agency funded in this Act utilizing any transfer authority shall submit to the Committees on Appropriations of both Houses of Congress a semi-annual report detailing the transfer authorities, except for any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality, used in the previous 6 months and in the year-to-date. This report shall include the amounts transferred and the purposes for which they were transferred, and shall not replace or modify existing notification requirements for each authority.

SEC. 503. None of the funds made available by this Act may be used in contravention of Executive Order No. 12898 of February 11, 1994 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations).

SEC. 504. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, Tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

This division may be cited as the “Energy and Water Development and Related Agencies Appropriations Act, 2023”.

DIVISION D—FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2023

TITLE I

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Freedman’s Bank Building; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business; executive direction program activities; international affairs and economic policy activities; domestic finance and tax policy activities, including technical assistance to State, local, and territorial entities; and Treasury-wide management policies and programs activities, \$278,382,000: Provided, That of the amount appropriated under this heading—

(1) not to exceed \$350,000 is for official reception and representation expenses;

(2) not to exceed \$258,000 is for unforeseen emergencies of a confidential nature to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on the Secretary’s certificate; and

(3) not to exceed \$34,000,000 shall remain available until September 30, 2024, for—

(A) the Treasury-wide Financial Statement Audit and Internal Control Program;

(B) information technology modernization requirements;

(C) the audit, oversight, and administration of the Gulf Coast Restoration Trust Fund;

(D) the development and implementation of programs within the Office of Cybersecurity and Critical Infrastructure Protection, including entering into cooperative agreements;

(E) operations and maintenance of facilities; and

(F) international operations.

COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Committee on Foreign Investment in the United States, \$20,000,000, to remain available until expended: Provided, That the chairperson of the Committee may transfer such amounts to any department or agency represented on the Committee (including the Department of the Treasury) subject to advance notification to the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That amounts so transferred shall remain available until expended for expenses of implementing section 721 of the Defense Production Act of 1950, as amended (50 U.S.C. 4565), and shall be available in addition to any other funds available to any department or agency: Provided further, That fees authorized by section 721(p) of such Act shall be credited to this ap-

propriation as offsetting collections: Provided further, That the total amount appropriated under this heading from the general fund shall be reduced as such offsetting collections are received during fiscal year 2023, so as to result in a total appropriation from the general fund estimated at not more than \$0.

OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE

SALARIES AND EXPENSES

For the necessary expenses of the Office of Terrorism and Financial Intelligence to safeguard the financial system against illicit use and to combat rogue nations, terrorist facilitators, weapons of mass destruction proliferators, human rights abusers, money launderers, drug kingpins, and other national security threats, \$217,059,000, of which not less than \$4,000,000 shall be available for addressing human rights violations and corruption, including activities authorized by the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 2656 note): Provided, That of the amounts appropriated under this heading, up to \$12,000,000 shall remain available until September 30, 2024.

CYBERSECURITY ENHANCEMENT ACCOUNT

For salaries and expenses for enhanced cybersecurity for systems operated by the Department of the Treasury, \$135,000,000, to remain available until September 30, 2025: Provided, That such funds shall supplement and not supplant any other amounts made available to the Treasury offices and bureaus for cybersecurity: Provided further, That of the total amount made available under this heading \$6,000,000 shall be available for administrative expenses for the Treasury Chief Information Officer to provide oversight of the investments made under this heading: Provided further, That such funds shall supplement and not supplant any other amounts made available to the Treasury Chief Information Officer.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For development and acquisition of automatic data processing equipment, software, and services; for the hire of zero emission passenger motor vehicles and for supporting charging or fueling infrastructure; and for repairs and renovations to buildings owned by the Department of the Treasury, \$11,118,000, to remain available until September 30, 2025: Provided, That these funds shall be transferred to accounts and in amounts as necessary to satisfy the requirements of the Department’s offices, bureaus, and other organizations: Provided further, That this transfer authority shall be in addition to any other transfer authority provided in this Act: Provided further, That none of the funds appropriated under this heading shall be used to support or supplement “Internal Revenue Service, Operations Support” or “Internal Revenue Service, Business Systems Modernization”.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$48,878,000, including hire of passenger motor vehicles; of which not to exceed \$100,000 shall be available for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the Treasury; of which up to \$2,800,000 to remain available until September 30, 2024, shall be for audits and investigations conducted pursuant to section 1608 of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (33 U.S.C. 1321 note); and of which not to exceed \$1,000 shall be available for official reception and representation expenses.

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Treasury Inspector General for Tax Administration in carrying out the Inspector General Act of 1978, as amended, including purchase and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services authorized by 5 U.S.C. 3109, at such rates as may be determined by the Inspector General for Tax Administration; \$179,409,000, of which \$5,000,000 shall remain available until September 30, 2024; of which not to exceed \$6,000,000 shall be available for official travel expenses; of which not to exceed \$500,000 shall be available for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General for Tax Administration; and of which not to exceed \$1,500 shall be available for official reception and representation expenses.

SPECIAL INSPECTOR GENERAL FOR THE TROUBLED ASSET RELIEF PROGRAM

SALARIES AND EXPENSES

For necessary expenses of the Office of the Special Inspector General in carrying out the provisions of the Emergency Economic Stabilization Act of 2008 (Public Law 110-343), \$9,000,000.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel and training expenses of non-Federal and foreign government personnel to attend meetings and training concerned with domestic and foreign financial intelligence activities, law enforcement, and financial regulation; services authorized by 5 U.S.C. 3109; not to exceed \$25,000 for official reception and representation expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement, \$210,330,000, of which not to exceed \$55,000,000 shall remain available until September 30, 2025.

BUREAU OF THE FISCAL SERVICE

SALARIES AND EXPENSES

For necessary expenses of operations of the Bureau of the Fiscal Service, \$372,485,000; of which not to exceed \$8,000,000, to remain available until September 30, 2025, is for information systems modernization initiatives; and of which \$5,000 shall be available for official reception and representation expenses.

In addition, \$165,000, to be derived from the Oil Spill Liability Trust Fund to reimburse administrative and personnel expenses for financial management of the Fund, as authorized by section 1012 of Public Law 101-380.

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

SALARIES AND EXPENSES

For necessary expenses of carrying out section 1111 of the Homeland Security Act of 2002, including hire of passenger motor vehicles, \$150,863,000; of which not to exceed \$6,000 shall be available for official reception and representation expenses; and of which not to exceed \$50,000 shall be available for cooperative research and development programs for laboratory services; and provision of laboratory assistance to State and local agencies with or without reimbursement: Provided, That of the amount appropriated under this heading, \$5,000,000 shall be for the costs of accelerating the processing of formula and label applications: Provided further, That of the amount appropriated under this heading, \$5,000,000, to remain available until September 30, 2024, shall be for the costs associated with enforcement of and education regarding the trade practice provisions of the Federal Alcohol Administration Act (27 U.S.C. 201 et seq.).

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

Pursuant to section 5136 of title 31, United States Code, the United States Mint is provided

funding through the United States Mint Public Enterprise Fund for costs associated with the production of circulating coins, numismatic coins, and protective services, including both operating expenses and capital investments: Provided, That the aggregate amount of new liabilities and obligations incurred during fiscal year 2023 under such section 5136 for circulating coinage and protective service capital investments of the United States Mint shall not exceed \$50,000,000.

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM ACCOUNT

To carry out the Riegle Community Development and Regulatory Improvement Act of 1994 (subtitle A of title I of Public Law 103-325), including services authorized by section 3109 of title 5, United States Code, but at rates for individuals not to exceed the per diem rate equivalent to the rate for EX-III, \$336,420,000. Of the amount appropriated under this heading—

(1) not less than \$216,883,000, notwithstanding section 108(e) of Public Law 103-325 (12 U.S.C. 4707(e)) with regard to Small and/or Emerging Community Development Financial Institutions Assistance awards, is available until September 30, 2024, for financial assistance and technical assistance under subparagraphs (A) and (B) of section 108(a)(1), respectively, of Public Law 103-325 (12 U.S.C. 4707(a)(1)(A) and (B)), of which up to \$1,600,000 may be available for training and outreach under section 109 of Public Law 103-325 (12 U.S.C. 4708), of which up to \$3,153,750 may be used for the cost of direct loans, of which up to \$10,000,000, notwithstanding subsection (d) of section 108 of Public Law 103-325 (12 U.S.C. 4707 (d)), may be available to provide financial assistance, technical assistance, training, and outreach to community development financial institutions to expand investments that benefit individuals with disabilities, and of which not less than \$2,000,000 shall be for the Economic Mobility Corps to be operated in conjunction with the Corporation for National and Community Service, pursuant to 42 U.S.C. 12571: Provided, That the cost of direct and guaranteed loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$25,000,000: Provided further, That of the funds provided under this paragraph, excluding those made to community development financial institutions to expand investments that benefit individuals with disabilities and those made to community development financial institutions that serve populations living in persistent poverty counties, the CDFI Fund shall prioritize Financial Assistance awards to organizations that invest and lend in high-poverty areas: Provided further, That for purposes of this section, the term “high-poverty area” means any census tract with a poverty rate of at least 20 percent as measured by the 2016–2020 5-year data series available from the American Community Survey of the Bureau of the Census for all States and Puerto Rico or with a poverty rate of at least 20 percent as measured by the 2010 Island areas Decennial Census data for any territory or possession of the United States;

(2) not less than \$22,500,000, notwithstanding section 108(e) of Public Law 103-325 (12 U.S.C. 4707(e)), is available until September 30, 2024, for financial assistance, technical assistance, training, and outreach programs designed to benefit Native American, Native Hawaiian, and Alaska Native communities and provided primarily through qualified community development lender organizations with experience and expertise in community development banking and lending in Indian country, Native American organizations, Tribes and Tribal organizations, and other suitable providers;

(3) not less than \$28,000,000 is available until September 30, 2024, for the Bank Enterprise Award program;

(4) not less than \$24,000,000, notwithstanding subsections (d) and (e) of section 108 of Public Law 103-325 (12 U.S.C. 4707(d) and (e)), is available until September 30, 2024, for a Healthy Food Financing Initiative to provide financial assistance, technical assistance, training, and outreach to community development financial institutions for the purpose of offering affordable financing and technical assistance to expand the availability of healthy food options in distressed communities;

(5) not less than \$10,000,000 is available until September 30, 2024, to provide grants for loan loss reserve funds and to provide technical assistance for small dollar loan programs under section 122 of Public Law 103-325 (12 U.S.C. 4719): Provided, That sections 108(d) and 122(b)(2) of such Public Law shall not apply to the provision of such grants and technical assistance;

(6) up to \$35,037,000 is for administrative expenses, including administration of CDFI Fund programs and the New Markets Tax Credit Program, of which not less than \$1,000,000 is for the development of tools to better assess and inform CDFI investment performance and CDFI Fund program impacts, and up to \$300,000 is for administrative expenses to carry out the direct loan program; and

(7) during fiscal year 2023, none of the funds available under this heading are available for the cost, as defined in section 502 of the Congressional Budget Act of 1974, of commitments to guarantee bonds and notes under section 114A of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4713a): Provided, That commitments to guarantee bonds and notes under such section 114A shall not exceed \$500,000,000: Provided further, That such section 114A shall remain in effect until December 31, 2023: Provided further, That of the funds awarded under this heading, except those provided for the Economic Mobility Corps, not less than 10 percent shall be used for awards that support investments that serve populations living in persistent poverty counties: Provided further, That for the purposes of this paragraph and paragraph (1), the term “persistent poverty counties” means any county, including county equivalent areas in Puerto Rico, that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the 2016–2020 5-year data series available from the American Community Survey of the Bureau of the Census or any other territory or possession of the United States that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990, 2000 and 2010 Island Areas Decennial Censuses, or equivalent data, of the Bureau of the Census.

INTERNAL REVENUE SERVICE

TAXPAYER SERVICES

For necessary expenses of the Internal Revenue Service to provide taxpayer services, including pre-filing assistance and education, filing and account services, taxpayer advocacy services, rent payments, and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, \$3,410,728,000, of which not to exceed \$100,000,000 shall remain available until September 30, 2024; of which not less than \$11,000,000 shall be for the Tax Counseling for the Elderly Program, of which not less than \$13,000,000 shall be available for low-income taxpayer clinic grants, of which not less than \$35,000,000, to remain available until September 30, 2024, shall be available for the Community Volunteer Income Tax Assistance Matching Grants Program for tax return preparation assistance, and of which not less than \$235,000,000 shall be available for operating expenses of the Taxpayer Advocate Service: Provided, That of the amounts made available for the Taxpayer Advocate Service, not less than \$6,000,000 shall be for identity theft and refund fraud casework.

ENFORCEMENT

For necessary expenses for tax enforcement activities of the Internal Revenue Service to determine and collect owed taxes, to provide legal and litigation support, to conduct criminal investigations, to enforce criminal statutes related to violations of internal revenue laws and other financial crimes, to purchase and hire passenger motor vehicles (31 U.S.C. 1343(b)), rent payments, and to provide other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, \$6,120,262,000, of which not to exceed \$250,000,000 shall remain available until September 30, 2024; of which not less than \$60,257,000 shall be for the Interagency Crime and Drug Enforcement program; and of which not to exceed \$25,000,000 shall be for investigative technology for the Criminal Investigation Division: Provided, That the amount made available for investigative technology for the Criminal Investigation Division shall be in addition to amounts made available for the Criminal Investigation Division under the “Operations Support” heading.

OPERATIONS SUPPORT

For necessary expenses of the Internal Revenue Service to support taxpayer services and enforcement programs, including rent payments; facilities services; printing; postage; physical security; headquarters and other IRS-wide administration activities; research and statistics of income; telecommunications; information technology development, enhancement, operations, maintenance, and security; the hire of passenger motor vehicles (31 U.S.C. 1343(b)); the operations of the Internal Revenue Service Oversight Board; and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner; \$3,753,561,000, of which not to exceed \$275,000,000 shall remain available until September 30, 2024; of which not to exceed \$10,000,000 shall remain available until expended for acquisition of equipment and construction, repair and renovation of facilities; of which not to exceed \$1,000,000 shall remain available until September 30, 2025, for research; and of which not to exceed \$20,000 shall be for official reception and representation expenses: Provided, That not later than 30 days after the end of each quarter, the Internal Revenue Service shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate and the Comptroller General of the United States detailing major information technology investments in the Internal Revenue Service Integrated Modernization Business Plan portfolio, including detailed, plain language summaries on the status of plans, costs, and results; prior results and actual expenditures of the prior quarter; upcoming deliverables and costs for the fiscal year; risks and mitigation strategies associated with ongoing work; reasons for any cost or schedule variances; and total expenditures by fiscal year: Provided further, That the Internal Revenue Service shall include, in its budget justification for fiscal year 2024, a summary of cost and schedule performance information for its major information technology systems.

BUSINESS SYSTEMS MODERNIZATION

For necessary expenses of the Internal Revenue Service's business systems modernization program, \$310,027,000, to remain available until September 30, 2025, for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including related Internal Revenue Service labor costs, and contractual costs associated with operations authorized by 5 U.S.C. 3109: Provided, That not later than 30 days after the end of each quarter, the Internal Revenue Service shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate and the Comptroller General of the United States detailing major information technology investments in the

Internal Revenue Service Integrated Modernization Business Plan portfolio, including detailed, plain language summaries on the status of plans, costs, and results; prior results and actual expenditures of the prior quarter; upcoming deliverables and costs for the fiscal year; risks and mitigation strategies associated with ongoing work; reasons for any cost or schedule variances; and total expenditures by fiscal year.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. Not to exceed 4 percent of the appropriation made available in this Act to the Internal Revenue Service under the “Enforcement” heading, and not to exceed 5 percent of any other appropriation made available in this Act to the Internal Revenue Service, may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate: Provided, That an additional 2 percent of the appropriation made available in this Act to the Internal Revenue Service under the “Enforcement” heading may be transferred to the appropriation made available in this Act to the Internal Revenue Service under the “Taxpayer Services” heading upon advance approval of the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 102. The Internal Revenue Service shall maintain an employee training program, which shall include the following topics: taxpayers’ rights, dealing courteously with taxpayers, cross-cultural relations, ethics, and the impartial application of tax law.

SEC. 103. The Internal Revenue Service shall institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information and protect taxpayers against identity theft.

SEC. 104. Funds made available by this or any other Act to the Internal Revenue Service shall be available for improved facilities and increased staffing to provide sufficient and effective 1-800 help line service for taxpayers. The Commissioner shall continue to make improvements to the Internal Revenue Service 1-800 help line service a priority and allocate resources necessary to enhance the response time to taxpayer communications, particularly with regard to victims of tax-related crimes.

SEC. 105. The Internal Revenue Service shall issue a notice of confirmation of any address change relating to an employer making employment tax payments, and such notice shall be sent to both the employer’s former and new address and an officer or employee of the Internal Revenue Service shall give special consideration to an offer-in-compromise from a taxpayer who has been the victim of fraud by a third party payroll tax preparer.

SEC. 106. None of the funds made available under this Act may be used by the Internal Revenue Service to target citizens of the United States for exercising any right guaranteed under the First Amendment to the Constitution of the United States.

SEC. 107. None of the funds made available in this Act may be used by the Internal Revenue Service to target groups for regulatory scrutiny based on their ideological beliefs.

SEC. 108. None of funds made available by this Act to the Internal Revenue Service shall be obligated or expended on conferences that do not adhere to the procedures, verification processes, documentation requirements, and policies issued by the Chief Financial Officer, Human Capital Office, and Agency-Wide Shared Services as a result of the recommendations in the report published on May 31, 2013, by the Treasury Inspector General for Tax Administration entitled “Review of the August 2010 Small Business/Self-Employed Division’s Conference in Anaheim, California” (Reference Number 2013–10–037).

SEC. 109. None of the funds made available in this Act to the Internal Revenue Service may be obligated or expended—

(1) to make a payment to any employee under a bonus, award, or recognition program; or
(2) under any hiring or personnel selection process with respect to re-hiring a former employee; unless such program or process takes into account the conduct and Federal tax compliance of such employee or former employee.

SEC. 110. None of the funds made available by this Act may be used in contravention of section 6103 of the Internal Revenue Code of 1986 (relating to confidentiality and disclosure of returns and return information).

SEC. 111. The Secretary of the Treasury (or the Secretary’s delegate) may use the funds made available in this Act, subject to such policies as the Secretary (or the Secretary’s delegate) may establish, to utilize direct hire authority to recruit and appoint qualified applicants, without regard to any notice or preference requirements, directly to positions in the competitive service to process backlogged tax returns and return information.

SEC. 112. Notwithstanding section 1344 of title 31, United States Code, funds appropriated to the Internal Revenue Service in this Act may be used to provide passenger carrier transportation and protection between the Commissioner of Internal Revenue’s residence and place of employment.

ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE TREASURY

(INCLUDING TRANSFERS OF FUNDS)

SEC. 113. Appropriations to the Department of the Treasury in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 114. Not to exceed 2 percent of any appropriations in this title made available under the headings “Departmental Offices—Salaries and Expenses”, “Office of Inspector General”, “Special Inspector General for the Troubled Asset Relief Program”, “Financial Crimes Enforcement Network”, “Bureau of the Fiscal Service”, and “Alcohol and Tobacco Tax and Trade Bureau” may be transferred between such appropriations upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate: Provided, That no transfer under this section may increase or decrease any such appropriation by more than 2 percent.

SEC. 115. Not to exceed 2 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to the Treasury Inspector General for Tax Administration’s appropriation upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate: Provided, That no transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 116. None of the funds appropriated in this Act or otherwise available to the Department of the Treasury or the Bureau of Engraving and Printing may be used to redesign the \$1 Federal Reserve note.

SEC. 117. The Secretary of the Treasury may transfer funds from the “Bureau of the Fiscal Service—Salaries and Expenses” to the Debt Collection Fund as necessary to cover the costs of debt collection: Provided, That such amounts shall be reimbursed to such salaries and expenses account from debt collections received in the Debt Collection Fund.

SEC. 118. None of the funds appropriated or otherwise made available by this or any other Act may be used by the United States Mint to construct or operate any museum without the explicit approval of the Committees on Appropriations of the House of Representatives and the Senate, the House Committee on Financial Services, and the Senate Committee on Banking, Housing, and Urban Affairs.

SEC. 119. None of the funds appropriated or otherwise made available by this or any other Act or source to the Department of the Treasury, the Bureau of Engraving and Printing, and the United States Mint, individually or collectively, may be used to consolidate any or all functions of the Bureau of Engraving and Printing and the United States Mint without the explicit approval of the House Committee on Financial Services; the Senate Committee on Banking, Housing, and Urban Affairs; and the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 120. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for the Department of the Treasury’s intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2023 until the enactment of the Intelligence Authorization Act for Fiscal Year 2023.

SEC. 121. Not to exceed \$5,000 shall be made available from the Bureau of Engraving and Printing’s Industrial Revolving Fund for necessary official reception and representation expenses.

SEC. 122. The Secretary of the Treasury shall submit a Capital Investment Plan to the Committees on Appropriations of the House of Representatives and the Senate not later than 30 days following the submission of the annual budget submitted by the President: Provided, That such Capital Investment Plan shall include capital investment spending from all accounts within the Department of the Treasury, including but not limited to the Department-wide Systems and Capital Investment Programs account, Treasury Franchise Fund account, and the Treasury Forfeiture Fund account: Provided further, That such Capital Investment Plan shall include expenditures occurring in previous fiscal years for each capital investment project that has not been fully completed.

SEC. 123. Within 45 days after the date of enactment of this Act, the Secretary of the Treasury shall submit an itemized report to the Committees on Appropriations of the House of Representatives and the Senate on the amount of total funds charged to each office by the Franchise Fund including the amount charged for each service provided by the Franchise Fund to each office, a detailed description of the services, a detailed explanation of how each charge for each service is calculated, and a description of the role customers have in governing in the Franchise Fund.

SEC. 124. (a) Not later than 60 days after the end of each quarter, the Office of Financial Stability and the Office of Financial Research shall submit reports on their activities to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Financial Services of the House of Representatives, and the Senate Committee on Banking, Housing, and Urban Affairs.

(b) The reports required under subsection (a) shall include—

- (1) the obligations made during the previous quarter by object class, office, and activity;
- (2) the estimated obligations for the remainder of the fiscal year by object class, office, and activity;
- (3) the number of full-time equivalents within each office during the previous quarter;
- (4) the estimated number of full-time equivalents within each office for the remainder of the fiscal year; and
- (5) actions taken to achieve the goals, objectives, and performance measures of each office.

(c) At the request of any such Committees specified in subsection (a), the Office of Financial Stability and the Office of Financial Research shall make officials available to testify on the contents of the reports required under subsection (a).

SEC. 125. In addition to amounts otherwise available, there is appropriated to the Special Inspector General for Pandemic Recovery, \$16,000,000, to remain available until expended, for necessary expenses in carrying out section 4018 of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116-136).

SEC. 126. Of the unobligated balances from amounts made available to the Secretary of the Treasury (referred to in this section as “Secretary”) for administrative expenses pursuant to sections 4003(f) and 4112(b) of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116-136) and section 7301(b)(5) of the American Rescue Plan Act of 2021 (Public Law 117-2), up to \$80,000,000 shall be available to the Secretary for any administrative expenses of the Department of the Treasury determined by the Secretary to be necessary to implement section 501 of division N of the Consolidated Appropriations Act, 2021 (Public Law 116-260), sections 3201 or 3206 of the American Rescue Plan Act of 2021 (Public Law 117-2), or title VI of the Social Security Act (42 U.S.C. 801 et seq.), in addition to amounts otherwise available for such purposes.

This title may be cited as the “Department of the Treasury Appropriations Act, 2023”.

TITLE II

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

THE WHITE HOUSE

SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed \$3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, and travel (not to exceed \$100,000 to be expended and accounted for as provided by 3 U.S.C. 103); and not to exceed \$19,000 for official reception and representation expenses, to be available for allocation within the Executive Office of the President; and for necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, \$77,681,000.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE OPERATING EXPENSES

For necessary expenses of the Executive Residence at the White House, \$15,609,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109, 110, and 112-114.

REIMBURSABLE EXPENSES

For the reimbursable expenses of the Executive Residence at the White House, such sums as may be necessary: Provided, That all reimbursable operating expenses of the Executive Residence shall be made in accordance with the provisions of this paragraph: Provided further, That, notwithstanding any other provision of law, such amount for reimbursable operating expenses shall be the exclusive authority of the Executive Residence to incur obligations and to receive offsetting collections, for such expenses: Provided further, That the Executive Residence shall require each person sponsoring a reimbursable political event to pay in advance an amount equal to the estimated cost of the event, and all such advance payments shall be credited to this account and remain available until expended: Provided further, That the Executive Residence shall require the national committee of the political party of the President to maintain on deposit \$25,000, to be separately accounted for and available for expenses relating

to reimbursable political events sponsored by such committee during such fiscal year: Provided further, That the Executive Residence shall ensure that a written notice of any amount owed for a reimbursable operating expense under this paragraph is submitted to the person owing such amount within 60 days after such expense is incurred, and that such amount is collected within 30 days after the submission of such notice: Provided further, That the Executive Residence shall charge interest and assess penalties and other charges on any such amount that is not reimbursed within such 30 days, in accordance with the interest and penalty provisions applicable to an outstanding debt on a United States Government claim under 31 U.S.C. 3717: Provided further, That each such amount that is reimbursed, and any accompanying interest and charges, shall be deposited in the Treasury as miscellaneous receipts: Provided further, That the Executive Residence shall prepare and submit to the Committees on Appropriations, by not later than 90 days after the end of the fiscal year covered by this Act, a report setting forth the reimbursable operating expenses of the Executive Residence during the preceding fiscal year, including the total amount of such expenses, the amount of such total that consists of reimbursable official and ceremonial events, the amount of such total that consists of reimbursable political events, and the portion of each such amount that has been reimbursed as of the date of the report: Provided further, That the Executive Residence shall maintain a system for the tracking of expenses related to reimbursable events within the Executive Residence that includes a standard for the classification of any such expense as political or nonpolitical: Provided further, That no provision of this paragraph may be construed to exempt the Executive Residence from any other applicable requirement of subchapter I or II of chapter 37 of title 31, United States Code.

WHITE HOUSE REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Executive Residence at the White House pursuant to 3 U.S.C. 105(d), \$2,500,000, to remain available until expended, for required maintenance, resolution of safety and health issues, and continued preventative maintenance.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

For necessary expenses of the Council of Economic Advisers in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021 et seq.), \$4,903,000.

NATIONAL SECURITY COUNCIL AND HOMELAND SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council and the Homeland Security Council, including services as authorized by 5 U.S.C. 3109, \$13,901,000, of which not to exceed \$6,000 shall be available for official reception and representation expenses.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles, \$115,463,000, of which not to exceed \$12,800,000 shall remain available until expended for continued modernization of information resources within the Executive Office of the President: Provided, That of the amounts provided under this heading, up to \$4,500,000 shall be available for a program to provide payments (such as stipends, subsistence allowances, cost reimbursements, or awards) to students, recent graduates, and veterans recently discharged from active duty who are performing voluntary services in the Executive Office of the President under section 3111(b) of title 5, United States Code, or comparable authority and shall

be in addition to amounts otherwise available to pay or compensate such individuals: Provided further, That such payments shall not be considered compensation for purposes of such section 3111(b) and may be paid in advance.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, to carry out the provisions of chapter 35 of title 44, United States Code, and to prepare and submit the budget of the United States Government, in accordance with section 1105(a) of title 31, United States Code, \$128,035,000, of which not to exceed \$3,000 shall be available for official representation expenses: Provided, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): Provided further, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the Committees on Appropriations or their subcommittees: Provided further, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the annual work plan developed by the Corps of Engineers for submission to the Committees on Appropriations: Provided further, That none of the funds provided in this or prior Acts shall be used, directly or indirectly, by the Office of Management and Budget, for evaluating or determining if water resource project or study reports submitted by the Chief of Engineers acting through the Secretary of the Army are in compliance with all applicable laws, regulations, and requirements relevant to the Civil Works water resource planning process: Provided further, That the Office of Management and Budget shall have not more than 60 days in which to perform budgetary policy reviews of water resource matters on which the Chief of Engineers has reported: Provided further, That the Director of the Office of Management and Budget shall notify the appropriate authorizing and appropriating committees when the 60-day review is initiated: Provided further, That if water resource reports have not been transmitted to the appropriate authorizing and appropriating committees within 15 days after the end of the Office of Management and Budget review period based on the notification from the Director, Congress shall assume Office of Management and Budget concurrence with the report and act accordingly: Provided further, That no later than 14 days after the submission of the budget of the United States Government for fiscal year 2024, the Director of the Office of Management and Budget shall make publicly available on a website a tabular list for each agency that submits budget justification materials (as defined in section 3 of the Federal Funding Accountability and Transparency Act of 2006) that shall include, at minimum, the name of the agency, the date on which the budget justification materials of the agency were submitted to Congress, and a uniform resource locator where the budget justification materials are published on the website of the agency.

INTELLECTUAL PROPERTY ENFORCEMENT COORDINATOR

For necessary expenses of the Office of the Intellectual Property Enforcement Coordinator, as authorized by title III of the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (Public Law 110-403), including services authorized by 5 U.S.C. 3109, \$1,902,000.

OFFICE OF THE NATIONAL CYBER DIRECTOR
SALARIES AND EXPENSES

For necessary expenses of the Office of the National Cyber Director, as authorized by section 1752 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283), \$21,926,000, of which not to exceed \$5,000 shall be available for official reception and representation expenses.

OFFICE OF NATIONAL DRUG CONTROL POLICY
SALARIES AND EXPENSES

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998, as amended; not to exceed \$10,000 for official reception and representation expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with non-profit, research, or public organizations or agencies, with or without reimbursement, \$22,340,000: Provided, That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Office.

FEDERAL DRUG CONTROL PROGRAMS
HIGH INTENSITY DRUG TRAFFICKING AREAS
PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas Program, \$300,000,000, to remain available until September 30, 2024, for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas ("HIDTAs"), of which not less than 51 percent shall be transferred to State and local entities for drug control activities and shall be obligated not later than 120 days after enactment of this Act: Provided, That up to 49 percent may be transferred to Federal agencies and departments in amounts determined by the Director of the Office of National Drug Control Policy, of which up to \$5,800,000 may be used for auditing services and associated activities: Provided further, That any unexpended funds obligated prior to fiscal year 2021 may be used for any other approved activities of that HIDTA, subject to reprogramming requirements: Provided further, That each HIDTA designated as of September 30, 2022, shall be funded at not less than the fiscal year 2022 base level, unless the Director submits to the Committees on Appropriations of the House of Representatives and the Senate justification for changes to those levels based on clearly articulated priorities and published Office of National Drug Control Policy performance measures of effectiveness: Provided further, That the Director shall notify the Committees on Appropriations of the initial allocation of fiscal year 2023 funding among HIDTAs not later than 45 days after enactment of this Act, and shall notify the Committees of planned uses of discretionary HIDTA funding, as determined in consultation 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; \$1,300,000 for policy research; and \$500,000 for performance audits and evaluations: Provided, That amounts made available under this heading may be transferred to other Federal departments and agencies to carry out such activities: Provided further, That the Director of the Office of National Drug Control Policy shall, not fewer than 30 days prior to obligating funds under this heading for United States membership dues to the World Anti-Doping Agency, submit to the Committees on Appropriations of the House of Representatives and the Senate a spending plan and explanation of the proposed uses of these funds.

UNANTICIPATED NEEDS

For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad during the current fiscal year, as authorized by 3 U.S.C. 108, \$1,000,000, to remain available until September 30, 2024.

INFORMATION TECHNOLOGY OVERSIGHT AND REFORM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the furtherance of integrated, efficient, secure, and effective uses of information technology in the Federal Government, \$13,700,000, to remain available until expended: Provided, That the Director of the Office of Management and Budget may transfer these funds to one or more other agencies to carry out projects to meet these purposes.

SPECIAL ASSISTANCE TO THE PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned functions; services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as authorized by 3 U.S.C. 106, which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles, \$6,076,000.

OFFICIAL RESIDENCE OF THE VICE PRESIDENT

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For the care, operation, refurbishing, improvement, and to the extent not otherwise provided for, heating and lighting, including electric power and fixtures, of the official residence of the Vice President; the hire of passenger motor vehicles; and not to exceed \$90,000 pursuant to 3 U.S.C. 106(b)(2), \$321,000: Provided, That advances, repayments, or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.

ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. From funds made available in this Act under the headings "The White House", "Executive Residence at the White House", "White House Repair and Restoration", "Council of Economic Advisers", "National Security Council and Homeland Security Council", "Office of Administration", "Special Assistance to the President", and "Official Residence of the Vice President", the Director of the Office of Management and Budget (or such other officer as the President may designate in writing), may, with advance approval of the Committees on Appropriations of the House of Representatives

and the Senate, transfer not to exceed 10 percent of any such appropriation to any other such appropriation, to be merged with and available for the same time and for the same purposes as the appropriation to which transferred: Provided, That the amount of an appropriation shall not be increased by more than 50 percent by such transfers: Provided further, That no amount shall be transferred from "Special Assistance to the President" or "Official Residence of the Vice President" without the approval of the Vice President.

SEC. 202. (a) During fiscal year 2023, any Executive order or Presidential memorandum issued or revoked by the President shall be accompanied by a written statement from the Director of the Office of Management and Budget on the budgetary impact, including costs, benefits, and revenues, of such order or memorandum.

(b) Any such statement shall include—

(1) a narrative summary of the budgetary impact of such order or memorandum on the Federal Government;

(2) the impact on mandatory and discretionary obligations and outlays as the result of such order or memorandum, listed by Federal agency, for each year in the 5-fiscal-year period beginning in fiscal year 2023; and

(3) the impact on revenues of the Federal Government as the result of such order or memorandum over the 5-fiscal-year period beginning in fiscal year 2023.

(c) If an Executive order or Presidential memorandum is issued during fiscal year 2023 due to a national emergency, the Director of the Office of Management and Budget may issue the statement required by subsection (a) not later than 15 days after the date that such order or memorandum is issued.

(d) The requirement for cost estimates for Presidential memoranda shall only apply for Presidential memoranda estimated to have a regulatory cost in excess of \$100,000,000.

SEC. 203. Not later than 30 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall issue a memorandum to all Federal departments, agencies, and corporations directing compliance with the provisions in title VII of this Act.

SEC. 204. In fiscal year 2023 and each fiscal year thereafter—

(1) the Office of Management and Budget shall operate and maintain the automated system required to be implemented by section 204 of the Financial Services and General Government Appropriations Act, 2022 (division E of Public Law 117-103) and shall continue to post each document apportioning an appropriation, pursuant to section 1513(b) of title 31, United States Code, including any associated footnotes, in a format that qualifies each such document as an open Government data asset (as that term is defined in section 3502 of title 44, United States Code); and

(2) the requirements specified in subsection (c), the first and second provisos of subsection (d)(1), and subsection (d)(2) of such section 204 shall continue to apply.

SEC. 205. Not later than 90 days after the date of enactment of this Act and updated every 90 days thereafter, the Executive Office of the President shall make contemporaneously available on a publicly available website, a searchable, sortable, downloadable database of visitors to the White House, the Vice President's residence, or any other location at which the President or the Vice President regularly conducts official business that includes the name of each visitor, the date and time of entry for each visitor, the name of each individual with whom each visitor met, and the purpose of the visit: Provided, That notwithstanding this requirement, the Executive Office of the President, after consultation with the President or his designee, may exclude from the database any information that would implicate personal privacy or law enforcement concerns or threaten national

security, relate to a purely personal guest, or reveal the social security number, taxpayer identification number, birth date, home address, or personal phone number of an individual, the name of an individual, who is less than 18 years old, or a financial account number: Provided further, With respect to a particular sensitive meeting, the Executive Office of the President shall disclose the number of records withheld on this basis and post the applicable records no later than 360 days later.

This title may be cited as the “Executive Office of the President Appropriations Act, 2023”.

TITLE III

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed \$10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended on the Chief Justice may approve, \$113,951,000, of which \$1,500,000 shall remain available until expended.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of the chief justice and associate justices of the court.

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect by 40 U.S.C. 6111 and 6112, \$29,246,000, to remain available until expended.

UNITED STATES COURT OF APPEALS FOR THE

FEDERAL CIRCUIT

SALARIES AND EXPENSES

For salaries of officers and employees, and for necessary expenses of the court, as authorized by law, \$36,735,000.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of the chief judge and judges of the court.

UNITED STATES COURT OF INTERNATIONAL

TRADE

SALARIES AND EXPENSES

For salaries of officers and employees of the court, services, and necessary expenses of the court, as authorized by law, \$21,260,000.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of the chief judge and judges of the court.

COURTS OF APPEALS, DISTRICT COURTS, AND

OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

For the salaries of judges of the United States Court of Federal Claims, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, necessary expenses of the courts, and the purchase, rental, repair, and cleaning of uniforms for Probation and Pretrial Services Office staff, as authorized by law, \$5,867,825,000 (including the purchase of firearms and ammunition); of which not to exceed \$27,817,000 shall remain available until expended for space alteration projects and for furniture and furnishings related to new space alteration and construction projects.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of circuit and district judges (including judges of the territorial courts of the United States), bankruptcy judges, and justices and judges retired from office or from regular active service.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vac-

cine Injury Act of 1986 (Public Law 99-660), not to exceed \$10,280,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

DEFENDER SERVICES

For the operation of Federal Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under 18 U.S.C. 3006A and 3599, and for the compensation and reimbursement of expenses of persons furnishing investigative, expert, and other services for such representations as authorized by law; the compensation (in accordance with the maximums under 18 U.S.C. 3006A) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of expenses of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d)(1); the compensation and reimbursement of expenses of attorneys appointed under 18 U.S.C. 983(b)(1) in connection with certain judicial civil forfeiture proceedings; the compensation and reimbursement of travel expenses of guardians ad litem appointed under 18 U.S.C. 4100(b); and for necessary training and general administrative expenses, \$1,409,211,000, to remain available until expended.

FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71.1(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71.1(h)), \$45,677,000, to remain available until expended: Provided, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under 5 U.S.C. 5332.

COURT SECURITY

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses, not otherwise provided for, incident to the provision of protective guard services for United States courthouses and other facilities housing Federal court or Administrative Office of the United States Courts operations, the procurement, installation, and maintenance of security systems and equipment for United States courthouses and other facilities housing Federal court or Administrative Office of the United States Courts operations, building ingress-egress control, inspection of mail and packages, directed security patrols, perimeter security, basic security services provided by the Federal Protective Service, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100-702), \$750,586,000, of which not to exceed \$20,000,000 shall remain available until expended, to be expended directly or transferred to the United States Marshals Service, which shall be responsible for administering the Judicial Facility Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General: Provided, That funds made available under this heading may be used for managing a Judiciary-wide program to facilitate security and emergency management services among the Judiciary, United States Marshals Service, Federal Protective Service, General Services Administration, other Federal agencies, state and local governments and the public; and, notwithstanding sections 331, 566(e)(1), and 566(i) of title 28, United States Code, for identifying and pursuing the voluntary redaction and reduction of personally identifiable information on the internet of judges and other familial relatives who live at the judge's domicile.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, \$105,700,000, of which not to exceed \$8,500 is authorized for official reception and representation expenses.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90-219, \$34,261,000; of which \$1,800,000 shall remain available through September 30, 2024, to provide education and training to Federal court personnel; and of which not to exceed \$1,500 is authorized for official reception and representation expenses.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, \$21,641,000, of which not to exceed \$1,000 is authorized for official reception and representation expenses.

ADMINISTRATIVE PROVISIONS—THE JUDICIARY

(INCLUDING TRANSFER OF FUNDS)

SEC. 301. Appropriations and authorizations made in this title which are available for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

SEC. 302. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except “Courts of Appeals, District Courts, and Other Judicial Services, Defender Services” and “Courts of Appeals, District Courts, and Other Judicial Services, Fees of Jurors and Commissioners”, shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under sections 604 and 608 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in section 608.

SEC. 303. Notwithstanding any other provision of law, the salaries and expenses appropriation for “Courts of Appeals, District Courts, and Other Judicial Services” shall be available for official reception and representation expenses of the Judicial Conference of the United States: Provided, That such available funds shall not exceed \$11,000 and shall be administered by the Director of the Administrative Office of the United States Courts in the capacity as Secretary of the Judicial Conference.

SEC. 304. Section 3315(a) of title 40, United States Code, shall be applied by substituting “Federal” for “executive” each place it appears.

SEC. 305. In accordance with 28 U.S.C. 561-569, and notwithstanding any other provision of law, the United States Marshals Service shall provide, for such courthouses as its Director may designate in consultation with the Director of the Administrative Office of the United States Courts, for purposes of a pilot program, the security services that 40 U.S.C. 1315 authorizes the Department of Homeland Security to provide, except for the services specified in 40 U.S.C. 1315(b)(2)(E). For building-specific security services at these courthouses, the Director of the Administrative Office of the United States Courts shall reimburse the United States Marshals Service rather than the Department of Homeland Security.

SEC. 306. (a) Section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101-650; 28 U.S.C. 133 note), is amended in the matter following paragraph 12—

(1) in the second sentence (relating to the District of Kansas), by striking “31 years and 6 months” and inserting “32 years and 6 months”; and

(2) in the sixth sentence (relating to the District of Hawaii), by striking “28 years and 6 months” and inserting “29 years and 6 months”.

(b) Section 406 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109-115; 119 Stat. 2470; 28 U.S.C. 133 note) is amended in the second sentence (relating to the eastern District of Missouri) by striking “29 years and 6 months” and inserting “30 years and 6 months”.

(c) Section 312(c)(2) of the 21st Century Department of Justice Appropriations Authorization Act (Public Law 107-273; 28 U.S.C. 133 note), is amended—

(1) in the first sentence by striking “20 years” and inserting “21 years”; and

(2) in the second sentence (relating to the central District of California), by striking “19 years and 6 months” and inserting “20 years and 6 months”; and

(3) in the third sentence (relating to the western district of North Carolina), by striking “18 years” and inserting “19 years”.

SEC. 307. In addition to amounts otherwise available, there is appropriated to the Judiciary \$128,000,000, to remain available until September 30, 2024, to be used for judicial security, cybersecurity, and information technology modernization infrastructure: Provided, That for the purposes provided herein, such funds may be transferred to the “Salaries and Expenses”, “Court Security”, and “Defender Services” appropriations under the “Courts of Appeals, District Courts, and Other Judicial Services” heading in this title: Provided further, That this transfer authority shall be in addition to any other transfer authority provided by law.

SEC. 308. Section 677 of title 28, United States Code, is amended by adding at the end the following:

“(d) The Counselor, with the approval of the Chief Justice, shall establish a retention and recruitment program that is consistent with section 908 of the Emergency Supplemental Act, 2002 (2 U.S.C. 1926) for Supreme Court Police officers and other critical employees who agree in writing to remain employed with the Supreme Court for a period of service of not less than two years.”.

This title may be cited as the “Judiciary Appropriations Act, 2023”.

TITLE IV DISTRICT OF COLUMBIA FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, \$40,000,000, to remain available until expended: Provided, That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to \$2,500 each year at eligible private institutions of higher education: Provided further, That the awarding of such funds may be prioritized on the basis of a resident's academic merit, the income and need of eligible students and such other factors as may be authorized: Provided further, That the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support Program that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated

balances from prior fiscal years, and any interest earned in this or any fiscal year: Provided further, That the account shall be under the control of the District of Columbia Chief Financial Officer, who shall use those funds solely for the purposes of carrying out the Resident Tuition Support Program: Provided further, That the Office of the Chief Financial Officer shall provide a quarterly financial report to the Committees on Appropriations of the House of Representatives and the Senate for these funds showing, by object class, the expenditures made and the purpose therefor.

FEDERAL PAYMENT FOR EMERGENCY PLANNING AND SECURITY COSTS IN THE DISTRICT OF COLUMBIA

For a Federal payment of necessary expenses, as determined by the Mayor of the District of Columbia in written consultation with the elected county or city officials of surrounding jurisdictions, \$30,000,000, to remain available until expended, for the costs of providing public safety at events related to the presence of the National Capital in the District of Columbia, including support requested by the Director of the United States Secret Service in carrying out protective duties under the direction of the Secretary of Homeland Security, and for the costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA 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, \$88,290,000, of which not to exceed \$2,500 is for official reception and representation expenses; and \$51,270,000, to remain available until September 30, 2024, for capital improvements for District of Columbia courthouse facilities: Provided, That funds made available for capital improvements shall be expended consistent with the District of Columbia Courts master plan study and facilities condition assessment: Provided further, That, in addition to the amounts appropriated herein, fees received by the District of Columbia Courts for administering bar examinations and processing District of Columbia bar admissions may be retained and credited to this appropriation, to remain available until expended, for salaries and expenses associated with such activities, notwithstanding section 450 of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1-204.50): Provided further, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: Provided further, That 30 days after providing written notice to the Committees on Appropriations of the House of Representatives and the Senate, the District of Columbia Courts may reallocate not more than \$9,000,000 of the funds provided under this heading among the items and entities funded under this heading: Provided further, That the Joint Committee on Judicial Administration in the District of Columbia may, by regulation, establish a program substantially similar to the program set forth in subchapter II of chapter 35 of title 5, United States Code, for employees of the District of Columbia Courts.

FEDERAL PAYMENT FOR DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS (INCLUDING RESCISSION OF FUNDS)

For payments authorized under section 11-2604 and section 11-2605, D.C. Official Code (re-

lating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Court of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Official Code, or pursuant to contractual agreements to provide guardian ad litem representation, training, technical assistance, and such other services as are necessary to improve the quality of guardian ad litem representation, payments for counsel appointed in adoption proceedings under chapter 3 of title 16, D.C. Official Code, and payments authorized under section 21-2060, D.C. Official Code (relating to services provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), \$46,005,000, to remain available until expended: Provided, That funds provided under this heading shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: Provided further, That, notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies: Provided further, That of the unobligated balances from prior year appropriations made available under the heading “Federal Payment for Defender Services in District of Columbia Courts”, \$22,000,000, are hereby rescinded not later than September 30, 2023.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

For salaries and expenses, including the transfer and hire of motor vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, \$281,516,000, of which not to exceed \$2,000 is for official reception and representation expenses related to Community Supervision and Pretrial Services Agency programs, and of which not to exceed \$25,000 is for dues and assessments relating to the implementation of the Court Services and Offender Supervision Agency Interstate Supervision Act of 2002: Provided, That, of the funds appropriated under this heading, \$204,579,000 shall be for necessary expenses of Community Supervision and Sex Offender Registration, to include expenses relating to the supervision of adults subject to protection orders or the provision of services for or related to such persons, of which \$7,798,000 shall remain available until September 30, 2025, for costs associated with the relocation under replacement leases for headquarters offices, field offices and related facilities: Provided further, That, of the funds appropriated under this heading, \$76,937,000 shall be available to the Pretrial Services Agency, of which \$998,000 shall remain available until September 30, 2025, for costs associated with relocation under a replacement lease for headquarters offices, field offices, and related facilities: Provided further, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: Provided further, That amounts under this heading may be used for programmatic incentives for defendants to successfully complete their terms of supervision.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA PUBLIC DEFENDER SERVICE

For salaries and expenses, including the transfer and hire of motor vehicles, of the District of Columbia Public Defender Service, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, \$53,629,000: Provided, That notwithstanding any other provision of law, all

amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of Federal agencies: Provided further, That the District of Columbia Public Defender Service may establish for employees of the District of Columbia Public Defender Service a program substantially similar to the program set forth in subchapter II of chapter 35 of title 5, United States Code, except that the maximum amount of the payment made under the program to any individual may not exceed the amount referred to in section 3523(b)(3)(B) of title 5, United States Code: Provided further, That the District of Columbia Public Defender Service may be deemed an "agency" for purposes of engaging with and receiving services from Federal Franchise Fund Programs established in accordance with section 403 of the Government Management Reform Act of 1994 (Public Law 103-356), as amended: Provided further, That the District of Columbia Public Defender Service may enter into contracts for the procurement of severable services and multiyear contracts for the acquisition of property and services to the same extent and under the same conditions as an executive agency under sections 3902 and 3903 of title 41, United States Code.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

For a Federal payment to the Criminal Justice Coordinating Council, \$2,450,000, to remain available until expended, to support initiatives related to the coordination of Federal and local criminal justice resources in the District of Columbia.

FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

For a Federal payment, to remain available until September 30, 2024, to the Commission on Judicial Disabilities and Tenure, \$330,000, and for the Judicial Nomination Commission, \$300,000.

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

For a Federal payment for a school improvement program in the District of Columbia, \$52,500,000, to remain available until expended, for payments authorized under the Scholarships for Opportunity and Results Act (division C of Public Law 112-10): Provided, That, to the extent that funds are available for opportunity scholarships and following the priorities included in section 3006 of such Act, the Secretary of Education shall make scholarships available to students eligible under section 3013(3) of such Act (Public Law 112-10; 125 Stat. 211) including students who were not offered a scholarship during any previous school year: Provided further, That within funds provided for opportunity scholarships up to \$1,750,000 shall be for the activities specified in sections 3007(b) through 3007(d) of the Act and up to \$500,000 shall be for the activities specified in section 3009 of the Act: Provided further, That none of the funds made available under this heading may be used for an opportunity scholarship for a student to attend a school which does not certify to the Secretary of Education that the student will be provided with the same protections under the Federal laws which are enforced by the Office for Civil Rights of the Department of Education which are provided to a student of a public elementary or secondary school in the District of Columbia and which does not certify to the Secretary of Education that the student and the student's parents will be provided with the same services, rights, and protections under the Individuals With Disabilities Education Act (20 U.S.C. 1400 et seq.) which are provided to a student and a student's parents of a public elementary or secondary school in the District of Columbia, as enumerated in Table 2 of Government Accountability Office Report 18-94 (entitled "Federal Actions Needed to Ensure Parents Are Notified About Changes in Rights for Students with Disabilities"), issued November 2017.

FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA NATIONAL GUARD

For a Federal payment to the District of Columbia National Guard, \$600,000, to remain available until expended for the Major General David F. Wherley, Jr. District of Columbia National Guard Retention and College Access Program.

FEDERAL PAYMENT FOR TESTING AND TREATMENT OF HIV/AIDS

For a Federal payment to the District of Columbia for the testing of individuals for, and the treatment of individuals with, human immunodeficiency virus and acquired immunodeficiency syndrome in the District of Columbia, \$5,000,000.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

For a Federal payment to the District of Columbia Water and Sewer Authority, \$8,000,000, to remain available until expended, to continue implementation of the Combined Sewer Overflow Long-Term Plan: Provided, That the District of Columbia Water and Sewer Authority provides a 100 percent match for this payment.

This title may be cited as the "District of Columbia Appropriations Act, 2023".

TITLE V

INDEPENDENT AGENCIES

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

SALARIES AND EXPENSES

For necessary expenses of the Administrative Conference of the United States, authorized by 5 U.S.C. 591 et seq., \$3,465,000, to remain available until September 30, 2024, of which not to exceed \$1,000 is for official reception and representation expenses.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed \$4,000 for official reception and representation expenses, \$166,300,000, of which \$2,500,000 shall remain available until expended to carry out the program, including administrative costs, required by section 1405 of the Virginia Graeme Baker Pool and Spa Safety Act (Public Law 110-140; 15 U.S.C. 8004).

ADMINISTRATIVE PROVISION—CONSUMER PRODUCT SAFETY COMMISSION

SEC. 501. During fiscal year 2023, none of the amounts made available by this Act may be used to finalize or implement the Safety Standard for Recreational Off-Highway Vehicles published by the Consumer Product Safety Commission in the Federal Register on November 19, 2014 (79 Fed. Reg. 68964) until after—

(1) the National Academy of Sciences, in consultation with the National Highway Traffic Safety Administration and the Department of Defense, completes a study to determine—

(A) the technical validity of the lateral stability and vehicle handling requirements proposed by such standard for purposes of reducing the risk of Recreational Off-Highway Vehicle (referred to in this section as "ROV") rollovers in the off-road environment, including the repeatability and reproducibility of testing for compliance with such requirements;

(B) the number of ROV rollovers that would be prevented if the proposed requirements were adopted;

(C) whether there is a technical basis for the proposal to provide information on a point-of-sale hangtag about a ROV's rollover resistance on a progressive scale; and

(D) the effect on the utility of ROVs used by the United States military if the proposed requirements were adopted; and

(2) a report containing the results of the study completed under paragraph (1) is delivered to—

(A) the Committee on Commerce, Science, and Transportation of the Senate;

(B) the Committee on Energy and Commerce of the House of Representatives;

(C) the Committee on Appropriations of the Senate; and

(D) the Committee on Appropriations of the House of Representatives.

ELECTION ASSISTANCE COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the Help America Vote Act of 2002 (Public Law 107-252), \$34,087,000, of which \$1,500,000 shall be made available to the National Institute of Standards and Technology for election reform activities authorized under the Help America Vote Act of 2002, and of which \$4,000,000, to remain available until expended, shall be for the Help America Vote College Program as authorized by title V of the Help America Vote Act of 2002.

ELECTION SECURITY GRANTS

Notwithstanding section 104(c)(2)(B) of the Help America Vote Act of 2002 (52 U.S.C. 20904(c)(2)(B)), \$400,000,000 is provided to the Election Assistance Commission for necessary expenses to make payments to States for activities to improve the administration of elections for Federal office, including to enhance election technology and make election security improvements, as authorized by sections 101, 103, and 104 of such Act: Provided, That for purposes of applying such sections, the Commonwealth of the Northern Mariana Islands shall be deemed to be a State and, for purposes of sections 101(d)(2) and 103(a), shall be treated in the same manner as the Commonwealth of Puerto Rico, Guam, American Samoa, and the United States Virgin Islands: Provided further, That each reference to the "Administrator of General Services" or the "Administrator" in sections 101 and 103 shall be deemed to refer to the "Election Assistance Commission": Provided further, That each reference to "\$5,000,000" in section 103 shall be deemed to refer to "\$3,000,000" and each reference to "\$1,000,000" in section 103 shall be deemed to refer to "\$600,000": Provided further, That not later than 45 days after the date of enactment of this Act, the Election Assistance Commission shall make the payments to States under this heading: Provided further, That a State shall use such payment to replace voting systems which use direct-recording electronic voting machines with a voting system which uses an individual, durable, voter-verified paper ballot which is marked by the voter by hand or through the use of a non-tabulating ballot-marking device or system, so long as the voter shall have the option to mark his or her ballot by hand, and provides the voter with an opportunity to inspect and confirm the marked ballot before casting (in this heading referred to as a "qualified voting system"): Provided further, That for purposes of determining whether a voting system is a qualified voting system, a voter-verified paper audit trail receipt generated by a direct-recording electronic voting machine is not a paper ballot: Provided further, That none of the funds made available under this heading may be used to purchase or obtain any voting system which is not a qualified voting system: Provided further, That a State may use such payment to carry out other authorized activities to improve the administration of elections for Federal office only if the State certifies to the Election Assistance Commission that the State has replaced all voting systems which use direct-recording electronic voting machines with qualified voting systems: Provided further, That not less than 67 percent of the amount of the payment made to a State under this heading shall be allocated in cash or in kind to the units of local government which are responsible for the administration of elections for Federal office in the State: Provided further, That States shall

submit quarterly financial reports and annual progress reports.

FEDERAL COMMUNICATIONS COMMISSION
SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901–5902; not to exceed \$4,000 for official reception and representation expenses; purchase and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109, \$390,192,000, to remain available until expended: Provided, That \$390,192,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, shall be retained and used for necessary expenses, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 2023 so as to result in a final fiscal year 2023 appropriation estimated at \$0: Provided further, That, notwithstanding 47 U.S.C. 309(j)(8)(B), proceeds from the use of a competitive bidding system that may be retained and made available for obligation shall not exceed \$132,231,000 for fiscal year 2023: Provided further, That, of the amount appropriated under this heading, not less than \$12,131,000 shall be for the salaries and expenses of the Office of Inspector General.

ADMINISTRATIVE PROVISIONS—FEDERAL
COMMUNICATIONS COMMISSION

SEC. 510. Section 302 of the Universal Service Antideficiency Temporary Suspension Act is amended by striking “December 31, 2022” each place it appears and inserting “December 31, 2024”.

SEC. 511. None of the funds appropriated by this Act may be used by the Federal Communications Commission to modify, amend, or change its rules or regulations for universal service support payments to implement the February 27, 2004, recommendations of the Federal-State Joint Board on Universal Service regarding single connection or primary line restrictions on universal service support payments.

SEC. 512. Notwithstanding section 421 of the Controlled Substances Act (21 U.S.C. 862), or any other provision of law, none of the funds made available in this Act to the Federal Communications Commission may be used, with respect to an authorization for radio or television stations, to deny, fail to renew for a full term or condition the authorization, decline to approve an application for authority to assign the authorization or transfer direct or indirect control of the licensee, require an early renewal application, or impose a forfeiture penalty because the station broadcast or otherwise transmitted advertisements (a) of a business selling cannabis or cannabis-derived products, the sale or distribution of which is authorized in the State, political subdivision of a State, or Indian country in which the community of license of a station is located, or (b) of a business selling hemp, hemp-derived CBD products or other hemp-derived cannabinoid products.

FEDERAL DEPOSIT INSURANCE CORPORATION
OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$47,500,000, to be derived from the Deposit Insurance Fund or, only when appropriate, the FSLIC Resolution Fund.

FEDERAL ELECTION COMMISSION
SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, \$81,674,000, of which not to exceed \$5,000 shall be available for reception and representation expenses: Provided, That not less than \$2,211,000 shall be for the salaries and expenses of the Office of the Inspector General.

FEDERAL LABOR RELATIONS AUTHORITY
SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services authorized by 5 U.S.C. 3109, and including hire of experts and consultants, hire of passenger motor vehicles, and including official reception and representation expenses (not to exceed \$1,500) and rental of conference rooms in the District of Columbia and elsewhere, \$31,762,000: Provided, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: Provided further, That, notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

FEDERAL PERMITTING IMPROVEMENT STEERING
COUNCIL

ENVIRONMENTAL REVIEW IMPROVEMENT FUND

For necessary expenses of the Environmental Review Improvement Fund established pursuant to 42 U.S.C. 4370m–8(d), \$10,000,000, to remain available until expended.

FEDERAL TRADE COMMISSION
SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed \$2,000 for official reception and representation expenses, \$490,000,000, to remain available until expended: Provided, That not to exceed \$300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718: Provided further, That, notwithstanding any other provision of law, fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection (and estimated to be \$190,000,000 in fiscal year 2023), shall be retained and used for necessary expenses in this appropriation and shall remain available until expended: Provided further, That, notwithstanding any other provision of law, fees collected to implement and enforce the Telemarketing Sales Rule, promulgated under the Telemarketing and Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6101 et seq.), regardless of the year of collection (and estimated to be \$20,000,000 in fiscal year 2023), shall be credited to this account, and be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2023, so as to result in a final fiscal year 2023 appropriation from the general fund estimated at not more than \$280,000,000: Provided further, That none of the funds made available to the Federal Trade Commission may be used to implement subsection (e)(2)(B) of section 43 of the Federal Deposit Insurance Act (12 U.S.C. 1831t).

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE
(INCLUDING TRANSFERS OF FUNDS)

Amounts in the Fund, including revenues and collections deposited into the Fund, shall be available for necessary expenses of real property management and related activities not otherwise

provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation, and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings, including grounds, approaches, and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations for public buildings acquired by installment purchase and purchase contract; in the aggregate amount of \$10,485,535,000, of which—

(1) \$962,438,000 shall remain available until expended for construction and acquisition (including funds for sites and expenses, and associated design and construction services) as follows:

(A) \$379,938,000 is for the Department of Homeland Security Consolidation at St. Elizabeths, Washington, DC;

(B) \$21,000,000 is for the Federal Energy Regulatory Commission Lease Purchase;

(C) \$500,000,000 is for the Federal Bureau of Investigation Headquarters Consolidation in the National Capital Region; and

(D) \$61,500,000 is for the U.S. Courthouse in Hartford, CT:

Provided, That each of the foregoing limits of costs on new construction and acquisition projects may be exceeded to the extent that savings are effected in other such projects, but not to exceed 10 percent of the amounts included in a transmitted prospectus, if required, unless advance approval is obtained from the Committees on Appropriations of the House of Representatives and the Senate of a greater amount;

(2) \$974,708,000 shall remain available until expended for repairs and alterations, including associated design and construction services, of which—

(A) \$475,911,000 is for Major Repairs and Alterations as follows:

Multiple Locations:

National Conveying Systems, \$63,198,000;

National Capital Region:

Fire Alarm Systems, \$81,125,000;

New York:

New York, Alexander Hamilton U.S. Courthouse, \$68,497,000;

Pennsylvania:

Philadelphia, James A. Byrne U.S. Courthouse, \$83,955,000;

Georgia:

Atlanta, Sam Nunn Atlanta Federal Center, \$72,015,000;

Montana:

Butte, Mike Mansfield Federal Building and U.S. Courthouse, \$25,792,000;

California:

San Francisco Federal Building, \$15,687,000;

Vermont:

St. Albans, Federal Building, U.S. Post Office and Courthouse, \$17,978,000;

Colorado:

Denver, Federal Center Infrastructure, \$47,664,000;

(B) \$398,797,000 is for Basic Repairs and Alterations, of which \$3,000,000 is for repairs to the water feature at the Wilkie D. Ferguson Jr. U.S. Courthouse in Miami, FL; and

(C) \$100,000,000 is for the Special Emphasis Programs:

Provided, That funds made available in this or any previous Act in the Federal Buildings Fund

for Repairs and Alterations shall, for prospectus projects, be limited to the amount identified for each project, except each project in this or any previous Act may be increased by an amount not to exceed 10 percent unless advance approval is obtained from the Committees on Appropriations of the House of Representatives and the Senate of a greater amount: Provided further, That additional projects for which prospectuses have been fully approved may be funded under this category only if advance approval is obtained from the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That the amounts provided in this or any prior Act for "Repairs and Alterations" may be used to fund costs associated with implementing security improvements to buildings necessary to meet the minimum standards for security in accordance with current law and in compliance with the reprogramming guidelines of the appropriate committees of the House and Senate: Provided further, That the difference between the funds appropriated and expended on any projects in this or any prior Act, under the heading "Repairs and Alterations", may be transferred to "Basic Repairs and Alterations" or used to fund authorized increases in prospectus projects: Provided further, That the amount provided in this or any prior Act for "Basic Repairs and Alterations" may be used to pay claims against the Government arising from any projects under the heading "Repairs and Alterations" or used to fund authorized increases in prospectus projects;

(3) \$5,596,008,000 for rental of space to remain available until expended; and

(4) \$2,952,381,000 for building operations to remain available until expended: Provided, That the total amount of funds made available from this Fund to the General Services Administration shall not be available for expenses of any construction, repair, alteration and acquisition project for which a prospectus, if required by 40 U.S.C. 3307(a), has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus: Provided further, That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That amounts necessary to provide reimbursable special services to other agencies under 40 U.S.C. 592(b)(2) and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, shall be available from such revenues and collections: Provided further, That revenues and collections and any other sums accruing to this Fund during fiscal year 2022, excluding reimbursements under 40 U.S.C. 592(b)(2), in excess of the aggregate new obligational authority authorized for Real Property Activities of the Federal Buildings Fund in this Act shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

GENERAL ACTIVITIES

GOVERNMENT-WIDE POLICY

For expenses authorized by law, not otherwise provided for, for Government-wide policy and evaluation activities associated with the management of real and personal property assets and certain administrative services; Government-wide policy support responsibilities relating to acquisition, travel, motor vehicles, information technology management, and related technology activities; and services as authorized by 5 U.S.C. 3109; \$71,186,000, of which \$4,000,000 shall remain available until September 30, 2024.

OPERATING EXPENSES

For expenses authorized by law, not otherwise provided for, for Government-wide activities associated with utilization and donation of surplus personal property; disposal of real property; agency-wide policy direction, and management; and services as authorized by 5 U.S.C. 3109; \$54,478,000, of which not to exceed \$7,500 is for official reception and representation expenses.

CIVILIAN BOARD OF CONTRACT APPEALS

For expenses authorized by law, not otherwise provided for, for the activities associated with the Civilian Board of Contract Appeals, \$10,352,000, of which \$2,000,000 shall remain available until September 30, 2024.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and service authorized by 5 U.S.C. 3109, \$74,583,000: Provided, That not to exceed \$3,000,000 shall be available for information technology enhancements related to implementing cloud services, improving security measures, and providing modern technology case management solutions: Provided further, That not to exceed \$50,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property: Provided further, That not to exceed \$2,500 shall be available for awards to employees of other Federal agencies and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector General effectiveness.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

For carrying out the provisions of the Act of August 25, 1958 (3 U.S.C. 102 note), and Public Law 95-138, \$5,200,000.

FEDERAL CITIZEN SERVICES FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Products and Programs, including services authorized by 40 U.S.C. 323 and 44 U.S.C. 3604; and for necessary expenses in support of interagency projects that enable the Federal Government to enhance its ability to conduct activities electronically through the development and implementation of innovative uses of information technology; \$115,784,000, to be deposited into the Federal Citizen Services Fund: Provided, That the previous amount may be transferred to Federal agencies to carry out the purpose of the Federal Citizen Services Fund: Provided further, That the appropriations, revenues, reimbursements, and collections deposited into the Fund shall be available until expended for necessary expenses of Federal Citizen Services and other activities that enable the Federal Government to enhance its ability to conduct activities electronically in the aggregate amount not to exceed \$160,000,000: Provided further, That appropriations, revenues, reimbursements, and collections accruing to this Fund during fiscal year 2023 in excess of such amount shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts: Provided further, That, of the total amount appropriated, up to \$5,000,000 shall be available for support functions and full-time hires to support activities related to the Administration's requirements under title II of the Foundations for Evidence-Based Policymaking Act of 2018 (Public Law 115-435): Provided further, That the transfer authorities provided herein shall be in addition to any other transfer authority provided in this Act.

TECHNOLOGY MODERNIZATION FUND

For the Technology Modernization Fund, \$100,000,000, to remain available until expended, for technology-related modernization activities.

ASSET PROCEEDS AND SPACE MANAGEMENT FUND

For carrying out section 16(b) of the Federal Assets Sale and Transfer Act of 2016 (40 U.S.C.

1303 note), \$7,000,000, to remain available until expended.

WORKING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

For the Working Capital Fund of the General Services Administration, \$10,900,000, to remain available until expended, for necessary costs incurred by the Administrator to modernize rule-making systems and to provide support services for Federal rulemaking agencies: Provided, That amounts made available under this heading shall be in addition to any other amounts available for such purposes.

ELECTRIC VEHICLES FUND

(INCLUDING TRANSFER OF FUNDS)

For the procurement of zero emission and electric passenger motor vehicles and the associated charging infrastructure, notwithstanding section 303(c) of the Energy Policy Act of 1992 (42 U.S.C. 13212(c)), \$100,000,000, to remain available until expended: Provided, That amounts made available under this heading shall be in addition to any other amounts available for such purposes: Provided further, That amounts available under this heading may be transferred to and merged with appropriations at other Federal agencies, at the discretion of the Administrator, for carrying out the purposes under this heading, including for the procurement of charging infrastructure for the United States Postal Service.

ADMINISTRATIVE PROVISIONS—GENERAL SERVICES ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

SEC. 520. Funds available to the General Services Administration shall be available for the hire of passenger motor vehicles.

SEC. 521. Funds in the Federal Buildings Fund made available for fiscal year 2023 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary to meet program requirements: Provided, That any proposed transfers shall be approved in advance by the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 522. Except as otherwise provided in this title, funds made available by this Act shall be used to transmit a fiscal year 2024 request for United States Courthouse construction only if the request: (1) meets the design guide standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Office of Management and Budget; (2) reflects the priorities of the Judicial Conference of the United States as set out in its approved Courthouse Project Priorities plan; and (3) includes a standardized courtroom utilization study of each facility to be constructed, replaced, or expanded.

SEC. 523. None of the funds provided in this Act may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided through the Federal Buildings Fund, to any agency that does not pay the rate per square foot assessment for space and services as determined by the General Services Administration in consideration of the Public Buildings Amendments Act of 1972 (Public Law 92-313).

SEC. 524. From funds made available under the heading "Federal Buildings Fund, Limitations on Availability of Revenue", claims against the Government of less than \$250,000 arising from direct construction projects and acquisition of buildings may be liquidated from savings effected in other construction projects with prior notification to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 525. In any case in which the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on

Environment and Public Works of the Senate adopt a resolution granting lease authority pursuant to a prospectus transmitted to Congress by the Administrator of the General Services Administration under 40 U.S.C. 3307, the Administrator shall ensure that the delineated area of procurement is identical to the delineated area included in the prospectus for all lease agreements, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to each of such committees and the Committees on Appropriations of the House of Representatives and the Senate prior to exercising any lease authority provided in the resolution.

SEC. 526. With respect to E-Government projects funded under the heading “Federal Citizen Services Fund”, the Administrator of General Services shall submit a spending plan and explanation for each project to be undertaken to the Committees on Appropriations of the House of Representatives and the Senate not later than 60 days after the date of enactment of this Act.

SEC. 527. None of the funds made available in this or any other Act for the Federal Bureau of Investigation Headquarters Consolidation project may be used to plan or design any facility that does not meet the requirements of a new, fully-consolidated headquarters building in the National Capital Region at one of the three sites listed in the General Services Administration Fiscal Year 2017 PNCR-FBI-NCR 17 prospectus for a new fully-consolidated Federal Bureau of Investigation Headquarters, and that does not meet Interagency Security Committee Level V security standards as described in the General Services Administration Fiscal Year 2017 PNCR-FBI-NCR 17 prospectus.

SEC. 528. None of the funds made available in this Act may be used by the General Services Administration to award or facilitate the award of any contract for the provision of architectural, engineering, and related services in a manner inconsistent with the procedures in chapter 11 of title 40, United States Code, and subpart 36.6 of title 48, Code of Federal Regulations.

SEC. 529. None of the funds made available in this Act may be used to implement or otherwise carry out directives contained in any Executive Order that would establish a preferred architectural style for Federal buildings and court-houses or that would otherwise conflict with the Guiding Principles of Federal Architecture, as established by the Ad Hoc Committee on Federal Space on June 1, 1962.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION SALARIES AND EXPENSES

For payment to the Harry S Truman Scholarship Foundation Trust Fund, established by section 10 of Public Law 93-642, \$2,500,000, to remain available until expended.

MERIT SYSTEMS PROTECTION BOARD SALARIES AND EXPENSES (INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978, and the Whistleblower Protection Act of 1989 (5 U.S.C. 5509 note), including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, direct procurement of survey printing, and not to exceed \$2,000 for official reception and representation expenses, \$51,139,000, to remain available until September 30, 2024, and in addition \$2,345,000, to remain available until September 30, 2024, for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board.

MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION MORRIS K. UDALL AND STEWART L. UDALL TRUST FUND (INCLUDING TRANSFER OF FUNDS)

For payment to the Morris K. Udall and Stewart L. Udall Trust Fund, pursuant to the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5601 et seq.), \$1,800,000, to remain available for direct expenditure, and to remain available until expended, of which, notwithstanding sections 8 and 9 of such Act, up to \$1,000,000 shall be available to carry out the activities authorized by section 6(7) of Public Law 102-259 and section 817(a) of Public Law 106-568 (20 U.S.C. 5604(7)): Provided, That all current and previous amounts transferred to the Office of Inspector General of the Department of the Interior will remain available until expended for audits and investigations of the Morris K. Udall and Stewart L. Udall Foundation, consistent with the Inspector General Act of 1978 (5 U.S.C. App.), as amended, and for annual independent financial audits of the Morris K. Udall and Stewart L. Udall Foundation pursuant to the Accountability of Tax Dollars Act of 2002 (Public Law 107-289): Provided further, That previous amounts transferred to the Office of Inspector General of the Department of the Interior may be transferred to the Morris K. Udall and Stewart L. Udall Foundation for annual independent financial audits pursuant to the Accountability of Tax Dollars Act of 2002 (Public Law 107-289).

ENVIRONMENTAL DISPUTE RESOLUTION FUND

For payment to the Environmental Dispute Resolution Fund to carry out activities under sections 10 and 11 of the Morris K. Udall and Stewart L. Udall Foundation Act (Public Law 111-90), \$3,943,000, to remain available until expended: Provided, That during fiscal year 2023 and each fiscal year thereafter, any amounts in such Fund shall, pursuant to section 1557 of title 31, United States Code, be exempt from the provisions of subchapter IV of chapter 15 of such title.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION OPERATING EXPENSES

For necessary expenses in connection with the administration of the National Archives and Records Administration and archived Federal records and related activities, as provided by law, and for expenses necessary for the review and declassification of documents, the activities of the Public Interest Declassification Board, the operations and maintenance of the electronic records archives, the hire of passenger motor vehicles, and for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning, \$427,520,000, of which \$30,000,000 shall remain available until expended for expenses necessary to enhance the Federal Government's ability to electronically preserve, manage, and store Government records, of which up to \$2,000,000 shall remain available until expended to implement the Civil Rights Cold Case Records Collection Act of 2018 (Public Law 115-426), and of which \$1,000,000 shall be for necessary expenses of the Public Interest Declassification Board in carrying out the provisions of the Public Interest Declassification Act of 2000 (title VII of Public Law 106-567; 50 U.S.C. 3301 note).

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Reform Act of 2008, Public Law 110-409, 122 Stat. 4302-16 (2008), and the Inspector General Act of 1978 (5 U.S.C. App.), and for the hire of passenger motor vehicles, \$5,980,000.

REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities and to provide adequate stor-

age for holdings, \$7,500,000, to remain available until expended.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION GRANTS PROGRAM

For necessary expenses for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, \$9,500,000, to remain available until expended.

ADMINISTRATIVE PROVISION—NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

SEC. 530. For an additional amount for “National Historical Publications and Records Commission Grants Program”, \$1,332,000, which shall be for initiatives in the amounts and for the projects specified in the table that appears under the heading “Administrative Provisions—National Archives and Records Administration” in the report accompanying this Act: Provided, That none of the funds made available by this section may be transferred for any other purpose.

NATIONAL CREDIT UNION ADMINISTRATION COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

For the Community Development Revolving Loan Fund program as authorized by 42 U.S.C. 9812, 9822 and 9910, \$4,000,000 shall be available until September 30, 2024, for technical assistance to low-income designated credit unions.

OFFICE OF GOVERNMENT ETHICS SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978, the Ethics Reform Act of 1989, and the Representative Louise McIntosh Slaughter Stop Trading on Congressional Knowledge Act of 2012, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed \$1,500 for official reception and representation expenses, \$25,400,000.

OFFICE OF PERSONNEL MANAGEMENT SALARIES AND EXPENSES (INCLUDING TRANSFERS OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management (OPM) pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; not to exceed \$2,500 for official reception and representation expenses; and payment of per diem and/or subsistence allowances to employees where Voting Rights Act activities require an employee to remain overnight at his or her post of duty, \$220,262,000: Provided, That of the total amount made available under this heading, \$19,373,000 shall remain available until expended, for information technology infrastructure modernization and Trust Fund Federal Financial System migration or modernization, and shall be in addition to funds otherwise made available for such purposes: Provided further, That of the total amount made available under this heading, \$1,381,748 may be made available for strengthening the capacity and capabilities of the acquisition workforce (as defined by the Office of Federal Procurement Policy Act, as amended (41 U.S.C. 4001 et seq.)), including the recruitment, hiring, training, and retention of such workforce and information technology in support of acquisition workforce effectiveness or for management solutions to improve acquisition management; and in addition \$190,316,000 for administrative expenses, to be transferred from the appropriate trust funds of OPM without regard to other statutes, including direct procurement of printed materials, for the retirement and insurance programs: Provided

further, That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by sections 8348(a)(1)(B), 8958(f)(2)(A), 8988(f)(2)(A), and 9004(f)(2)(A) of title 5, United States Code: Provided further, That no part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of OPM established pursuant to Executive Order No. 9358 of July 1, 1943, or any successor unit of like purpose: Provided further, That the President's Commission on White House Fellows, established by Executive Order No. 11183 of October 3, 1964, may, during fiscal year 2023, accept donations of money, property, and personal services: Provided further, That such donations, including those from prior years, may be used for the development of publicity materials to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of travel expenses, or for the salaries of employees of such Commission: Provided further, That not to exceed 5 percent of amounts made available under this heading may be transferred to an information technology working capital fund established for purposes authorized by subtitle G of title X of division A of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91; 40 U.S.C. 11301 note) upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That amounts transferred to such a fund under the preceding proviso from any organizational category of the Office of Personnel Management shall not exceed 5 percent of its budget as identified in the report required by section 608 of this Act: Provided further, That amounts transferred to such a fund shall remain available for obligation through September 30, 2026.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, \$5,556,000, and in addition, not to exceed \$32,163,000 for administrative expenses to audit, investigate, and provide other oversight of the Office of Personnel Management's retirement and insurance programs, to be transferred from the appropriate trust funds of the Office of Personnel Management, as determined by the Inspector General: Provided, That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel, including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles, \$31,990,000.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

SALARIES AND EXPENSES

For necessary expenses of the Privacy and Civil Liberties Oversight Board, as authorized by section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee), \$10,700,000, to remain available until September 30, 2024.

PUBLIC BUILDINGS REFORM BOARD

SALARIES AND EXPENSES

For salaries and expenses of the Public Buildings Reform Board in carrying out the Federal Assets Sale and Transfer Act of 2016 (Public Law 114-287), \$4,000,000, to remain available until expended.

SECURITIES AND EXCHANGE COMMISSION SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed \$3,500 for official reception and representation expenses, \$2,149,000,000, to remain available until expended; of which not less than \$18,979,400 shall be for the Office of Inspector General; of which not to exceed \$275,000 shall be available for a permanent secretariat for the International Organization of Securities Commissions; and of which not to exceed \$100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations and staffs to exchange views concerning securities matters, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance including: (1) incidental expenses such as meals; (2) travel and transportation; and (3) related lodging or subsistence.

In addition to the foregoing appropriation, for move, replication, and related costs associated with a replacement lease for the Commission's District of Columbia headquarters facilities, not to exceed \$57,405,000, to remain available until expended.

For purposes of calculating the fee rate under section 31(j) of the Securities Exchange Act of 1934 (15 U.S.C. 78ee(j)) for fiscal year 2023, all amounts appropriated under this heading shall be deemed to be the regular appropriation to the Commission for fiscal year 2023: Provided, That fees and charges authorized by section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee) shall be credited to this account as offsetting collections: Provided further, That not to exceed \$2,149,000,000 of such offsetting collections shall be available until expended for necessary expenses of this account; and not to exceed \$57,405,000 of such offsetting collections shall be available until expended for move, replication, and related costs under this heading associated with a replacement lease for the Commission's District of Columbia headquarters facilities: Provided further, That the total amount appropriated under this heading from the general fund for fiscal year 2023 shall be reduced as such offsetting fees are received so as to result in a final total fiscal year 2023 appropriation from the general fund estimated at not more than \$0: Provided further, That if any amount of the appropriation for move, replication, and related costs associated with a replacement lease for the Commission's District of Columbia headquarters facilities is subsequently de-obligated by the Commission, such amount that was derived from the general fund shall be returned to the general fund, and such amounts that were derived from fees or assessments collected for such purpose shall be paid to each national securities exchange and national securities association, respectively, in proportion to any fees or assessments paid by such national securities exchange or national securities association under section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee) in fiscal year 2023.

ADMINISTRATIVE PROVISION—SECURITIES AND EXCHANGE COMMISSION

SEC. 540. None of the funds made available by this Act may be used to implement the amendments to sections 240.14a-1(l), 240.14a-2, or 240.14a-9 of title 17, Code of Federal Regulations, that were adopted by the Securities and Exchange Commission on July 22, 2020.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

For necessary expenses of the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System,

as authorized by 5 U.S.C. 4101-4118 for civilian employees; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed \$750 for official reception and representation expenses; \$29,300,000: Provided, That during the current fiscal year, the President may exempt this appropriation from the provisions of 31 U.S.C. 1341, whenever the President deems such action to be necessary in the interest of national defense: Provided further, That none of the funds appropriated by this Act may be expended for or in connection with the induction of any person into the Armed Forces of the United States.

SMALL BUSINESS ADMINISTRATION SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration, including hire of passenger motor vehicles as authorized by sections 1343 and 1344 of title 31, United States Code, and not to exceed \$3,500 for official reception and representation expenses, \$313,872,000, of which not less than \$12,000,000 shall be available for examinations, reviews, and other lender oversight activities: Provided, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan program activities, including fees authorized by section 5(b) of the Small Business Act: Provided further, That, notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to remain available until expended, for carrying out these purposes without further appropriations: Provided further, That the Small Business Administration may accept gifts in an amount not to exceed \$4,000,000 and may co-sponsor activities, each in accordance with section 132(a) of division K of Public Law 108-447, during fiscal year 2023: Provided further, That \$6,100,000 shall remain available until September 30, 2024, for the Loan Modernization and Accounting System: Provided further, That \$20,000,000 shall remain available until September 30, 2024, for expenses relating to the certification of small business concerns owned and controlled by veterans and small business concerns owned and controlled by service-disabled veterans under sections 36 and 36A of the Small Business Act (15 U.S.C. 657f; 657f-1).

ENTREPRENEURIAL DEVELOPMENT PROGRAMS

For necessary expenses of programs supporting entrepreneurial and small business development, \$326,000,000, to remain available until September 30, 2024: Provided, That \$145,000,000 shall be available to fund grants for performance in fiscal year 2023 or fiscal year 2024 as authorized by section 21 of the Small Business Act: Provided further, That \$41,000,000 shall be for marketing, management, and technical assistance under section 7(m) of the Small Business Act (15 U.S.C. 636(m)(4)) by intermediaries that make microloans under the microloan program: Provided further, That \$22,000,000 shall be available for grants to States to carry out export programs that assist small business concerns authorized under section 22(l) of the Small Business Act (15 U.S.C. 649(l)).

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$32,020,000.

OFFICE OF ADVOCACY

For necessary expenses of the Office of Advocacy in carrying out the provisions of title II of Public Law 94-305 (15 U.S.C. 634a et seq.) and the Regulatory Flexibility Act of 1980 (5 U.S.C. 601 et seq.), \$10,211,000, to remain available until expended.

BUSINESS LOANS PROGRAM ACCOUNT (INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, \$6,000,000, to remain available until expended: Provided, That such costs, including the cost of modifying such

loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2023 commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958 shall not exceed \$11,000,000,000: Provided further, That during fiscal year 2023 commitments for general business loans authorized under paragraphs (1) through (35) of section 7(a) of the Small Business Act shall not exceed \$35,000,000,000 for a combination of amortizing term loans and the aggregated maximum line of credit provided by revolving loans: Provided further, That during fiscal year 2023 commitments for loans authorized under subparagraph (C) of section 502(7) of the Small Business Investment Act of 1958 (15 U.S.C. 696(7)) shall not exceed \$7,500,000,000: Provided further, That during fiscal year 2023 commitments to guarantee loans for debentures under section 303(b) of the Small Business Investment Act of 1958 shall not exceed \$5,000,000,000: Provided further, That during fiscal year 2023, guarantees of trust certificates authorized by section 5(g) of the Small Business Act shall not exceed a principal amount of \$15,000,000,000. In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$165,300,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

DISASTER LOANS PROGRAM ACCOUNT
(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by section 7(b) of the Small Business Act, \$179,000,000, to be available until expended, of which \$1,600,000 is for the Office of Inspector General of the Small Business Administration for audits and reviews of disaster loans and the disaster loan programs and shall be transferred to and merged with the appropriations for the Office of Inspector General; of which \$169,000,000 is for direct administrative expenses of loan making and servicing to carry out the direct loan program, which may be transferred to and merged with the appropriations for Salaries and Expenses; and of which \$8,400,000 is for indirect administrative expenses for the direct loan program, which may be transferred to and merged with the appropriations for Salaries and Expenses: Provided, That, of the funds provided under this heading, \$143,000,000 shall be for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)): Provided further, That the amount for major disasters under this heading is designated by the Congress as being for disaster relief pursuant to section 1(f) of H. Res. 1151 (117th Congress), as engrossed in the House of Representatives on June 8, 2022.

ADMINISTRATIVE PROVISIONS—SMALL BUSINESS
ADMINISTRATION
(INCLUDING TRANSFERS OF FUNDS)

SEC. 550. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Small Business Administration in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 608 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 551. Not to exceed 3 percent of any appropriation made available in this Act for the Small Business Administration under the headings “Salaries and Expenses” and “Business Loans Program Account” may be transferred to the Administration’s information technology system modernization and working capital fund (IT WCF), as authorized by section 1077(b)(1) of title X of division A of the National Defense Authorization Act for Fiscal Year 2018, for the pur-

poses specified in section 1077(b)(3) of such Act, upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate: Provided, That amounts transferred to the IT WCF under this section shall remain available for obligation through September 30, 2026.

SEC. 552. For an additional amount under the heading “Small Business Administration—Salaries and Expenses”, \$75,159,000, which shall be for initiatives related to small business development and entrepreneurship, including programmatic and construction activities, in the amounts and for the projects specified in the table that appears under the heading “Administrative Provisions—Small Business Administration” in the report accompanying this Act: Provided, That, notwithstanding sections 2701.92 and 2701.93 of title 2, Code of Federal Regulations, the Administrator of the Small Business Administration may permit awards to subrecipients for initiatives funded under this section: Provided further, That none of the funds made available by this section may be transferred for any other purpose.

UNITED STATES POSTAL SERVICE
PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, \$56,253,000: Provided, That mail for overseas voting and mail for the blind shall continue to be free: Provided further, That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: Provided further, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices: Provided further, That the Postal Service may not destroy, and shall continue to offer for sale, any copies of the Multinational Species Conservation Funds Semipostal Stamp, as authorized under the Multinational Species Conservation Funds Semipostal Stamp Act of 2010 (Public Law 111–241).

OFFICE OF INSPECTOR GENERAL
SALARIES AND EXPENSES
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$271,000,000, to be derived by transfer from the Postal Service Fund and expended as authorized by section 603(b)(3) of the Postal Accountability and Enhancement Act (Public Law 109–435).

UNITED STATES TAX COURT
SALARIES AND EXPENSES

For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109, and not to exceed \$3,000 for official reception and representation expenses; \$57,300,000, of which \$1,000,000 shall remain available until expended: Provided, That travel expenses of the judges shall be paid upon the written certificate of the judge.

TITLE VI
GENERAL PROVISIONS—THIS ACT

SEC. 601. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 602. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 603. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 604. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 605. None of the funds made available by this Act shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a Government employee would result in a decision, determination, rule, regulation, or policy that would prohibit the enforcement of section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

SEC. 606. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with chapter 83 of title 41, United States Code.

SEC. 607. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating chapter 83 of title 41, United States Code.

SEC. 608. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2023, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by the Committee on Appropriations of either the House of Representatives or the Senate for a different purpose; (5) augments existing programs, projects, or activities in excess of \$5,000,000 or 10 percent, whichever is less; (6) reduces existing programs, projects, or activities by \$5,000,000 or 10 percent, whichever is less; or (7) creates or reorganizes offices, programs, or activities unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate: Provided, That prior to any significant reorganization, restructuring, relocation, or closing of offices, programs, or activities, each agency or entity funded in this Act shall consult with the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: Provided further, That at a minimum the report shall include: (1) a table for each appropriation, detailing both full-time employee equivalents and budget authority, with separate columns to display the prior year enacted level, the President’s budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level; (2) a delineation in the table for each appropriation and its respective prior year enacted level by object class and program, project, and activity as detailed in this Act, in the accompanying report, or in the budget appendix for the respective appropriation, whichever is more detailed, and which shall apply to all items for which a dollar amount is

specified and to all programs for which new budget authority is provided, as well as to discretionary grants and discretionary grant allocations; and (3) an identification of items of special congressional interest: Provided further, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by \$100,000 per day for each day after the required date that the report has not been submitted to the Congress.

SEC. 609. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2023 from appropriations made available for salaries and expenses for fiscal year 2023 in this Act, shall remain available through September 30, 2024, for each such account for the purposes authorized: Provided, That a request shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate for approval prior to the expenditure of such funds: Provided further, That these requests shall be made in compliance with reprogramming guidelines.

SEC. 610. (a) None of the funds made available in this Act may be used by the Executive Office of the President to request—

(1) any official background investigation report on any individual from the Federal Bureau of Investigation; or

(2) a determination with respect to the treatment of an organization as described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code from the Department of the Treasury or the Internal Revenue Service.

(b) Subsection (a) shall not apply—

(1) in the case of an official background investigation report, if such individual has given express written consent for such request not more than 6 months prior to the date of such request and during the same presidential administration; or

(2) if such request is required due to extraordinary circumstances involving national security.

SEC. 611. The cost accounting standards promulgated under chapter 15 of title 41, United States Code shall not apply with respect to a contract under the Federal Employees Health Benefits Program established under chapter 89 of title 5, United States Code.

SEC. 612. For the purpose of resolving litigation and implementing any settlement agreements regarding the nonforeign area cost-of-living allowance program, the Office of Personnel Management may accept and utilize (without regard to any restriction on unanticipated travel expenses imposed in an Appropriations Act) funds made available to the Office of Personnel Management pursuant to court approval.

SEC. 613. In order to promote Government access to commercial information technology, the restriction on purchasing nondomestic articles, materials, and supplies set forth in chapter 83 of title 41, United States Code (popularly known as the Buy American Act), shall not apply to the acquisition by the Federal Government of information technology (as defined in section 11101 of title 40, United States Code), that is a commercial item (as defined in section 103 of title 41, United States Code).

SEC. 614. Notwithstanding section 1353 of title 31, United States Code, no officer or employee of any regulatory agency or commission funded by this Act may accept on behalf of that agency, nor may such agency or commission accept, payment or reimbursement from a non-Federal entity for travel, subsistence, or related expenses for the purpose of enabling an officer or employee to attend and participate in any meeting or similar function relating to the official duties of the officer or employee when the entity offering payment or reimbursement is a person or entity subject to regulation by such agency or commission, or represents a person or entity subject to regulation by such agency or commission, unless the person or entity is an organization

described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

SEC. 615. (a)(1) Notwithstanding any other provision of law, an Executive agency covered by this Act otherwise authorized to enter into contracts for either leases or the construction or alteration of real property for office, meeting, storage, or other space must consult with the General Services Administration before issuing a solicitation for offers of new leases or construction contracts, and in the case of succeeding leases, before entering into negotiations with the current lessor.

(2) Any such agency with authority to enter into an emergency lease may do so during any period declared by the President to require emergency leasing authority with respect to such agency.

(b) For purposes of this section, the term “Executive agency covered by this Act” means any Executive agency provided funds by this Act, but does not include the General Services Administration or the United States Postal Service.

SEC. 616. (a) There are appropriated for the following activities the amounts required under current law:

(1) Compensation of the President (3 U.S.C. 102).

(2) Payments to—

(A) the Judicial Officers’ Retirement Fund (28 U.S.C. 377(o));

(B) the Judicial Survivors’ Annuities Fund (28 U.S.C. 376(c)); and

(C) the United States Court of Federal Claims Judges’ Retirement Fund (28 U.S.C. 178(l)).

(3) Payment of Government contributions—

(A) with respect to the health benefits of retired employees, as authorized by chapter 89 of title 5, United States Code, and the Retired Federal Employees Health Benefits Act (74 Stat. 849); and

(B) with respect to the life insurance benefits for employees retiring after December 31, 1989 (5 U.S.C. ch. 87).

(4) Payment to finance the unfunded liability of new and increased annuity benefits under the Civil Service Retirement and Disability Fund (5 U.S.C. 8348).

(5) Payment of annuities authorized to be paid from the Civil Service Retirement and Disability Fund by statutory provisions other than subchapter III of chapter 83 or chapter 84 of title 5, United States Code.

(b) Nothing in this section may be construed to exempt any amount appropriated by this section from any otherwise applicable limitation on the use of funds contained in this Act.

SEC. 617. (a) The head of each executive branch agency funded by this Act shall ensure that the Chief Information Officer of the agency has the authority to participate in decisions regarding the budget planning process related to information technology.

(b) Amounts appropriated for any executive branch agency funded by this Act that are available for information technology shall be allocated within the agency, consistent with the provisions of appropriations Acts and budget guidelines and recommendations from the Director of the Office of Management and Budget, in such manner as specified by, or approved by, the Chief Information Officer of the agency in consultation with the Chief Financial Officer of the agency and budget officials.

SEC. 618. None of the funds made available in this Act may be used in contravention of chapter 29, 31, or 33 of title 44, United States Code.

SEC. 619. None of the funds made available in this Act may be used by a governmental entity to require the disclosure by a provider of electronic communication service to the public or remote computing service of the contents of a wire or electronic communication that is in electronic storage with the provider (as such terms are defined in sections 2510 and 2711 of title 18, United States Code) in a manner that violates the Fourth Amendment to the Constitution of the United States.

SEC. 620. No funds provided in this Act shall be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978, or to prevent or impede that Inspector General’s access to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to the Inspector General and expressly limits the Inspector General’s right of access. A department or agency covered by this section shall provide its Inspector General with access to all such records, documents, and other materials in a timely manner. Each Inspector General shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the establishment over which that Inspector General has responsibilities under the Inspector General Act of 1978. Each Inspector General covered by this section shall report to the Committees on Appropriations of the House of Representatives and the Senate within 5 calendar days any failures to comply with this requirement.

SEC. 621. None of the funds appropriated by this Act may be used by the Federal Communications Commission to modify, amend, or change the rules or regulations of the Commission for universal service high-cost support for competitive eligible telecommunications carriers in a way that is inconsistent with paragraph (e)(5) or (e)(6) of section 54.307 of title 47, Code of Federal Regulations, as in effect on July 15, 2015: Provided, That this section shall not prohibit the Commission from considering, developing, or adopting other support mechanisms as an alternative to Mobility Fund Phase II: Provided further, That any such alternative mechanism shall maintain existing high-cost support to competitive eligible telecommunications carriers until support under such mechanism commences.

SEC. 622. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, adjudication activities, or other law enforcement- or victim assistance-related activity.

SEC. 623. None of the funds appropriated or otherwise made available by this Act may be used to pay award or incentive fees for contractors whose performance has been judged to be below satisfactory, behind schedule, over budget, or has failed to meet the basic requirements of a contract, unless the Agency determines that any such deviations are due to unforeseeable events, government-driven scope changes, or are not significant within the overall scope of the project and/or program and unless such awards or incentive fees are consistent with 16.401(e)(2) of the Federal Acquisition Regulation.

SEC. 624. (a) None of the funds made available under this Act may be used to pay for travel and conference activities that result in a total cost to an Executive branch department, agency, board or commission funded by this Act of more than \$500,000 at any single conference unless the agency or entity determines that such attendance is in the national interest and advance notice is transmitted to the Committees on Appropriations of the House of Representatives and the Senate that includes the basis of that determination.

(b) None of the funds made available under this Act may be used to pay for the travel to or attendance of more than 50 employees, who are stationed in the United States, at any single conference occurring outside the United States unless the agency or entity determines that such

attendance is in the national interest and advance notice is transmitted to the Committees on Appropriations of the House of Representatives and the Senate that includes the basis of that determination.

SEC. 625. None of the funds made available by this Act may be used for first-class or business-class travel by the employees of executive branch agencies funded by this Act in contravention of sections 301–10.122 through 301–10.125 of title 41, Code of Federal Regulations.

SEC. 626. In addition to any amounts appropriated or otherwise made available for expenses related to enhancements to www.oversight.gov, \$850,000, to remain available until expended, shall be provided for an additional amount for such purpose to the Inspectors General Council Fund established pursuant to section 11(c)(3)(B) of the Inspector General Act of 1978 (5 U.S.C. App.): Provided, That these amounts shall be in addition to any amounts or any authority available to the Council of the Inspectors General on Integrity and Efficiency under section 11 of the Inspector General Act of 1978 (5 U.S.C. App.).

SEC. 627. None of the funds made available by this Act may be obligated on contracts in excess of \$5,000 for public relations, as that term is defined in Office and Management and Budget Circular A–87 (revised May 10, 2004), unless advance notice of such an obligation is transmitted to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 628. Federal agencies funded under this Act shall clearly state within the text, audio, or video used for advertising or educational purposes, including emails or Internet postings, that the communication is printed, published, or produced and disseminated at U.S. taxpayer expense. The funds used by a Federal agency to carry out this requirement shall be derived from amounts made available to the agency for advertising or other communications regarding the programs and activities of the agency.

SEC. 629. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds included in this Act, shall clearly state—

(1) the percentage of the total costs of the program or project which will be financed with Federal money;

(2) the dollar amount of Federal funds for the project or program; and

(3) percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

SEC. 630. Not later than 45 days after the last day of each quarter, each agency funded in this Act shall submit to the Committees on Appropriations of the House of Representatives and the Senate a quarterly budget report that includes total obligations of the Agency for that quarter for each appropriation, by the source year of the 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 appro-

priated 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 (as defined in the Controlled Substances Act (21 U.S.C. 802)) by the officers and employees of such department, agency, or instrumentality.

SEC. 702. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with subsection 1343(c) of title 31, United States Code, for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement vehicles, protective vehicles, and undercover surveillance vehicles), is hereby fixed at \$19,947 except station wagons for which the maximum shall be \$19,997: Provided, That these limits may be exceeded by not to exceed \$7,250 for police-type vehicles: Provided further, That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: Provided further, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101–549 over the cost of comparable conventionally fueled vehicles: Provided further, That the limits set forth in this section shall not apply to any vehicle that is a commercial item and which operates on alternative fuel, including but not limited to electric, plug-in hybrid electric, and hydrogen fuel cell vehicles.

SEC. 703. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–5924.

SEC. 704. Unless otherwise specified in law during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person who is lawfully admitted for permanent residence and is seeking citizenship as outlined in 8 U.S.C. 1324b(a)(3)(B); (3) is a person who is admitted as a refugee under 8 U.S.C. 1157 or is granted asylum under 8 U.S.C. 1158 and has filed a declaration of intention to become a lawful permanent resident and then a citizen when eligible; (4) is a person who owes allegiance to the United States; or (5) is a person who is authorized to be employed in the United States pursuant to the Deferred Action for Childhood Arrivals program established under the memorandum of the Secretary of Homeland Security dated June 15, 2012: Provided, That for purposes of this section, affidavits signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status are being complied with: Provided further, That for purposes of paragraphs (2) and (3) such affidavits shall be submitted prior to employment and updated thereafter as necessary: Provided further, That any person making a false affidavit shall be guilty of a felony, and upon conviction, shall be fined no more than \$4,000 or imprisoned for not more than 1 year, or both: Provided further, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: Provided further, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the

Federal Government: Provided further, That this section shall not apply to any person who is an officer or employee of the Government of the United States on the date of enactment of this Act, or to international broadcasters employed by the Broadcasting Board of Governors, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies: Provided further, That this section does not apply to the employment as Wildland firefighters for not more than 120 days of non-resident aliens employed by the Department of the Interior or the USDA Forest Service pursuant to an agreement with another country.

SEC. 705. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 479), the Public Buildings Amendments of 1972 (86 Stat. 216), or other applicable law.

SEC. 706. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials, including Federal records disposed of pursuant to a records schedule recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

(1) Acquisition, waste reduction and prevention, and recycling programs as described in Executive Order No. 13834 (May 17, 2018), including any such programs adopted prior to the effective date of the Executive order.

(2) Other Federal agency environmental management programs, including, but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

(3) Other employee programs as authorized by law or as deemed appropriate by the head of the Federal agency.

SEC. 707. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: Provided, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 708. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards (except Federal Executive Boards), commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 709. None of the funds made available pursuant to the provisions of this or any other Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a joint resolution duly adopted in accordance with the applicable law of the United States.

SEC. 710. During the period in which the head of any department or agency, or any other officer or civilian employee of the Federal Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of \$5,000 to furnish or redecorate the office of such department head,

agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is transmitted to the Committees on Appropriations of the House of Representatives and the Senate. For the purposes of this section, the term "office" shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 711. Notwithstanding 31 U.S.C. 1346, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 13618 (July 6, 2012).

SEC. 712. (a) None of the funds made available by this or any other Act may be obligated or expended by any department, agency, or other instrumentality of the Federal Government to pay the salaries or expenses of any individual appointed to a position of a confidential or policy-determining character that is excepted from the competitive service under section 3302 of title 5, United States Code, (pursuant to schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations) unless the head of the applicable department, agency, or other instrumentality employing such schedule C individual certifies to the Director of the Office of Personnel Management that the schedule C position occupied by the individual was not created solely or primarily in order to detail the individual to the White House.

(b) The provisions of this section shall not apply to Federal employees or members of the armed forces detailed to or from an element of the intelligence community (as that term is defined under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))).

SEC. 713. No part of any appropriation contained in this or any other Act shall be available for the payment of the salary of any officer or employee of the Federal Government, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Government from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the department or agency of such other officer or employee in any way, irrespective of whether such communication or contact is at the initiative of such other officer or employee or in response to the request or inquiry of such Member, committee, or subcommittee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance or efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the Federal Government, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

SEC. 714. (a) None of the funds made available in this or any other Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or "new age" belief systems as defined in Equal Employment Opportunity Commission Notice N-915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

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

SEC. 715. No part of any funds appropriated in this or any other Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 716. None of the funds appropriated by this or any other Act may be used by an agency to provide a Federal employee's home address to any labor organization except when the employee has authorized such disclosure or when such disclosure has been ordered by a court of competent jurisdiction.

SEC. 717. None of the funds made available in this or any other Act may be used to provide any non-public information such as mailing, telephone, or electronic mailing lists to any person or any organization outside of the Federal Government without the approval of the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 718. No part of any appropriation contained in this or any other Act shall be used directly or indirectly, including by private contractor, for publicity or propaganda purposes within the United States not heretofore authorized by Congress.

SEC. 719. (a) In this section, the term "agency"—

(1) means an Executive agency, as defined under 5 U.S.C. 105; and

(2) includes a military department, as defined under section 102 of such title, the United States Postal Service, and the Postal Regulatory Commission.

(b) Unless authorized in accordance with law or regulations to use such time for other purposes, an employee of an agency shall use official time in an honest effort to perform official duties. An employee not under a leave system, including a Presidential appointee exempted under 5 U.S.C. 6301(2), has an obligation to expend an honest effort and a reasonable proportion of such employee's time in the performance of official duties.

SEC. 720. Notwithstanding 31 U.S.C. 1346 and section 708 of this Act, funds made available for the current fiscal year by this or any other Act to any department or agency, which is a member of the Federal Accounting Standards Advisory Board (FASAB), shall be available to finance an appropriate share of FASAB administrative costs.

SEC. 721. Notwithstanding 31 U.S.C. 1346 and section 708 of this Act, the head of each Executive department and agency is hereby authorized to transfer to or reimburse "General Services Administration, Government-wide Policy" with the approval of the Director of the Office of Management and Budget, funds made available for the current fiscal year by this or any other Act, including rebates from charge card and other contracts: Provided, That these funds shall be administered by the Administrator of General Services to support Government-wide and other multi-agency financial, information technology, procurement, and other management innovations, initiatives, and activities, including improving coordination and reducing duplication, as approved by the Director of the Office of Management and Budget, in consulta-

tion with the appropriate interagency and multi-agency groups designated by the Director (including the President's Management Council for overall management improvement initiatives, the Chief Financial Officers Council for financial management initiatives, the Chief Information Officers Council for information technology initiatives, the Chief Human Capital Officers Council for human capital initiatives, the Chief Acquisition Officers Council for procurement initiatives, and the Performance Improvement Council for performance improvement initiatives): Provided further, That the total funds transferred or reimbursed shall not exceed \$15,000,000 to improve coordination, reduce duplication, and for other activities related to Federal Government Priority Goals established by 31 U.S.C. 1120, and not to exceed \$17,000,000 for Government-wide innovations, initiatives, and activities: Provided further, That the funds transferred to or for reimbursement of "General Services Administration, Government-wide Policy" during fiscal year 2023 shall remain available for obligation through September 30, 2024: Provided further, That such transfers or reimbursements may only be made after 15 days following notification of the Committees on Appropriations of the House of Representatives and the Senate by the Director of the Office of Management and Budget.

SEC. 722. Notwithstanding any other provision of law, a woman may breastfeed her child at any location in a Federal building or on Federal property, if the woman and her child are otherwise authorized to be present at the location.

SEC. 723. Notwithstanding 31 U.S.C. 1346, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of specific projects, workshops, studies, and similar efforts to carry out the purposes of the National Science and Technology Council (authorized by Executive Order No. 12881), which benefit multiple Federal departments, agencies, or entities: Provided, That the Office of Management and Budget shall provide a report describing the budget of and resources connected with the National Science and Technology Council to the Committees on Appropriations, the House Committee on Science, Space, and Technology, and the Senate Committee on Commerce, Science, and Transportation 90 days after enactment of this Act.

SEC. 724. Any request for proposals, solicitation, grant application, form, notification, press release, or other publications involving the distribution of Federal funds shall comply with any relevant requirements in part 200 of title 2, Code of Federal Regulations: Provided, That this section shall apply to direct payments, formula funds, and grants received by a State receiving Federal funds.

SEC. 725. (a) PROHIBITION OF FEDERAL AGENCY MONITORING OF INDIVIDUALS' INTERNET USE.—None of the funds made available in this or any other Act may be used by any Federal agency—

(1) to collect, review, or create any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any Federal Government Internet site of the agency; or

(2) to enter into any agreement with a third party (including another government agency) to collect, review, or obtain any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any non-governmental Internet site.

(b) EXCEPTIONS.—The limitations established in subsection (a) shall not apply to—

(1) any record of aggregate data that does not identify particular persons;

(2) any voluntary submission of personally identifiable information;

(3) any action taken for law enforcement, regulatory, or supervisory purposes, in accordance with applicable law; or

(4) any action described in subsection (a)(1) that is a system security action taken by the operator of an Internet site and is necessarily incident to providing the Internet site services or to protecting the rights or property of the provider of the Internet site.

(c) DEFINITIONS.—For the purposes of this section:

(1) The term “regulatory” means agency actions to implement, interpret or enforce authorities provided in law.

(2) The term “supervisory” means examinations of the agency’s supervised institutions, including assessing safety and soundness, overall financial condition, management practices and policies and compliance with applicable standards as provided in law.

SEC. 726. (a) None of the funds appropriated by this Act may be used to enter into or renew a contract which includes a provision providing prescription drug coverage, except where the contract also includes a provision for contraceptive coverage.

(b) Nothing in this section shall apply to a contract with—

(1) any of the following religious plans:

(A) Personal Care’s HMO; and

(B) OSF HealthPlans, Inc.; and

(2) any existing or future plan, if the carrier for the plan objects to such coverage on the basis of religious beliefs.

(c) In implementing this section, any plan that enters into or renews a contract under this section may not subject any individual to discrimination on the basis that the individual refuses to prescribe or otherwise provide for contraceptives because such activities would be contrary to the individual’s religious beliefs or moral convictions.

(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.

SEC. 727. The United States is committed to ensuring the health of its Olympic, Pan American, and Paralympic athletes, and supports the strict adherence to anti-doping in sport through testing, adjudication, education, and research as performed by nationally recognized oversight authorities.

SEC. 728. Notwithstanding any other provision of law, funds appropriated for official travel to Federal departments and agencies may be used by such departments and agencies, if consistent with Office of Management and Budget Circular A-126 regarding official travel for Government personnel, to participate in the fractional aircraft ownership pilot program.

SEC. 729. Notwithstanding any other provision of law, none of the funds appropriated or made available under this or any other appropriations Act may be used to implement or enforce restrictions or limitations on the Coast Guard Congressional Fellowship Program, or to implement the proposed regulations of the Office of Personnel Management to add sections 300.311 through 300.316 to part 300 of title 5 of the Code of Federal Regulations, published in the Federal Register, volume 68, number 174, on September 9, 2003 (relating to the detail of executive branch employees to the legislative branch).

SEC. 730. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations of the House of Representatives and the Senate, except that the Federal Law Enforcement Training Centers is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Centers facilities.

SEC. 731. Unless otherwise authorized by existing law, none of the funds provided in this or any other Act may be used by an executive branch agency to produce any prepackaged

news story intended for broadcast or distribution in the United States, unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 732. None of the funds made available in this Act may be used in contravention of section 552a of title 5, United States Code (popularly known as the Privacy Act), and regulations implementing that section.

SEC. 733. (a) IN GENERAL.—None of the funds appropriated or otherwise made available by this or any other Act may be used for any Federal Government contract with any foreign incorporated entity which is treated as an inverted domestic corporation under section 835(b) of the Homeland Security Act of 2002 (6 U.S.C. 395(b)) or any subsidiary of such an entity.

(b) WAIVERS.—

(1) IN GENERAL.—Any Secretary shall waive subsection (a) with respect to any Federal Government contract under the authority of such Secretary if the Secretary determines that the waiver is required in the interest of national security.

(2) REPORT TO CONGRESS.—Any Secretary issuing a waiver under paragraph (1) shall report such issuance to Congress.

(c) EXCEPTION.—This section shall not apply to any Federal Government contract entered into before the date of the enactment of this Act, or to any task order issued pursuant to such contract.

SEC. 734. During fiscal year 2023, for each employee who—

(1) retires under section 8336(d)(2) or 8414(b)(1)(B) of title 5, United States Code; or

(2) retires under any other provision of subchapter III of chapter 83 or chapter 84 of such title 5 and receives a payment as an incentive to separate, the separating agency shall remit to the Civil Service Retirement and Disability Fund an amount equal to the Office of Personnel Management’s average unit cost of processing a retirement claim for the preceding fiscal year. Such amounts shall be available until expended to the Office of Personnel Management and shall be deemed to be an administrative expense under section 8348(a)(1)(B) of title 5, United States Code.

SEC. 735. None of the funds made available in this or any other Act may be used to pay for the painting of a portrait of an officer or employee of the Federal Government, including the President, the Vice President, a member of Congress (including a Delegate or a Resident Commissioner to Congress), the head of an executive branch agency (as defined in section 133 of title 41, United States Code), or the head of an office of the legislative branch.

SEC. 736. (a)(1) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for fiscal year 2023, by this or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code—

(A) during the period from the date of expiration of the limitation imposed by the comparable section for the previous fiscal years until the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 2023, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section; and

(B) during the period consisting of the remainder of fiscal year 2023, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under subparagraph (A) by more than the sum of—

(i) the percentage adjustment taking effect in fiscal year 2023 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(ii) the difference between the overall average percentage of the locality-based comparability

payments taking effect in fiscal year 2023 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in the previous fiscal year under such section.

(2) Notwithstanding any other provision of law, no prevailing rate employee described in subparagraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, and no employee covered by section 5348 of such title, may be paid during the periods for which paragraph (1) is in effect at a rate that exceeds the rates that would be payable under paragraph (1) were paragraph (1) applicable to such employee.

(3) For the purposes of this subsection, the rates payable to an employee who is covered by this subsection and who is paid from a schedule not in existence on September 30, 2022, shall be determined under regulations prescribed by the Office of Personnel Management.

(4) Notwithstanding any other provision of law, rates of premium pay for employees subject to this subsection may not be changed from the rates in effect on September 30, 2022, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this subsection.

(5) This subsection shall apply with respect to pay for service performed after September 30, 2022.

(6) For the purpose of administering any provision of law (including any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this subsection shall be treated as the rate of salary or basic pay.

(7) Nothing in this subsection shall be considered to permit or require the payment to any employee covered by this subsection at a rate in excess of the rate that would be payable were this subsection not in effect.

(8) The Office of Personnel Management may provide for exceptions to the limitations imposed by this subsection if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

(b) Notwithstanding subsection (a), the adjustment in rates of basic pay for the statutory pay systems that take place in fiscal year 2023 under sections 5344 and 5348 of title 5, United States Code, shall be—

(1) not less than the percentage received by employees in the same location whose rates of basic pay are adjusted pursuant to the statutory pay systems under sections 5303 and 5304 of title 5, United States Code: Provided, That prevailing rate employees at locations where there are no employees whose pay is increased pursuant to sections 5303 and 5304 of title 5, United States Code, and prevailing rate employees described in section 5343(a)(5) of title 5, United States Code, shall be considered to be located in the pay locality designated as “Rest of United States” pursuant to section 5304 of title 5, United States Code, for purposes of this subsection; and

(2) effective as of the first day of the first applicable pay period beginning after September 30, 2022.

SEC. 737. (a) The head of any Executive branch department, agency, board, commission, or office funded by this or any other appropriations Act shall submit annual reports to the Inspector General or senior ethics official for any entity without an Inspector General, regarding the costs and contracting procedures related to each conference held by any such department, agency, board, commission, or office during fiscal year 2023 for which the cost to the United States Government was more than \$100,000.

(b) Each report submitted shall include, for each conference described in subsection (a) held during the applicable period—

(1) a description of its purpose;

(2) the number of participants attending;

(3) a detailed statement of the costs to the United States Government, including—

- (A) the cost of any food or beverages;
- (B) the cost of any audio-visual services;
- (C) the cost of employee or contractor travel to and from the conference; and
- (D) a discussion of the methodology used to determine which costs relate to the conference; and

(4) a description of the contracting procedures used including—

(A) whether contracts were awarded on a competitive basis; and

(B) a discussion of any cost comparison conducted by the departmental component or office in evaluating potential contractors for the conference.

(c) Within 15 days after the end of a quarter, the head of any such department, agency, board, commission, or office shall notify the Inspector General or senior ethics official for any entity without an Inspector General, of the date, location, and number of employees attending a conference held by any Executive branch department, agency, board, commission, or office funded by this or any other appropriations Act during fiscal year 2023 for which the cost to the United States Government was more than \$20,000.

(d) A grant or contract funded by amounts appropriated by this or any other appropriations Act may not be used for the purpose of defraying the costs of a conference described in subsection (c) that is not directly and programmatically related to the purpose for which the grant or contract was awarded, such as a conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

(e) None of the funds made available in this or any other appropriations Act may be used for travel and conference activities that are not in compliance with Office of Management and Budget Memorandum M-12-12 dated May 11, 2012 or any subsequent revisions to that memorandum.

SEC. 738. None of the funds made available in this or any other appropriations Act may be used to increase, eliminate, or reduce funding for a program, project, or activity as proposed in the President's budget request for a fiscal year until such proposed change is subsequently enacted in an appropriation Act, or unless such change is made pursuant to the reprogramming or transfer provisions of this or any other appropriations Act.

SEC. 739. None of the funds made available by this or any other Act may be used to implement, administer, enforce, or apply the rule entitled "Competitive Area" published by the Office of Personnel Management in the Federal Register on April 15, 2008 (73 Fed. Reg. 20180 et seq.).

SEC. 740. None of the funds appropriated or otherwise made available by this or any other Act may be used to begin or announce a study or public-private competition regarding the conversion to contractor performance of any function performed by Federal employees pursuant to Office of Management and Budget Circular A-76 or any other administrative regulation, directive, or policy.

SEC. 741. (a) None of the funds appropriated or otherwise made available by this or any other Act may be available for a contract, grant, or cooperative agreement with an entity that requires employees or contractors of such entity seeking to report fraud, waste, or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or contractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.

(b) The limitation in subsection (a) shall not contravene requirements applicable to Standard Form 312, Form 4414, or any other form issued

by a Federal department or agency governing the nondisclosure of classified information.

SEC. 742. (a) No funds appropriated in this or any other Act may be used to implement or enforce the agreements in Standard Forms 312 and 4414 of the Government or any other nondisclosure policy, form, or agreement if such policy, form, or agreement does not contain the following provisions: "These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress or the Office of Special Counsel, (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling." Provided, That notwithstanding the preceding provision of this section, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also make it clear that they do not bar disclosures to Congress, or to an authorized official of an executive agency or the Department of Justice, that are essential to reporting a substantial violation of law.

(b) A nondisclosure agreement may continue to be implemented and enforced notwithstanding subsection (a) if it complies with the requirements for such agreement that were in effect when the agreement was entered into.

(c) No funds appropriated in this or any other Act may be used to implement or enforce any agreement entered into during fiscal year 2023 which does not contain substantially similar language to that required in subsection (a).

SEC. 743. None of the funds made available by this or any other Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 744. None of the funds made available by this or any other Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 745. (a) During fiscal year 2023, on the date on which a request is made for a transfer of funds in accordance with section 1017 of Public Law 111-203, the Bureau of Consumer Finan-

cial Protection shall notify the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Financial Services of the House of Representatives, and the Committee on Banking, Housing, and Urban Affairs of the Senate of such request.

(b) Any notification required by this section shall be made available on the Bureau's public website.

SEC. 746. (a) Notwithstanding any official rate adjusted under section 104 of title 3, United States Code, the rate payable to the Vice President during calendar year 2023 shall be the rate payable to the Vice President on December 31, 2022, by operation of section 747 of division E of Public Law 117-103.

(b) Notwithstanding any official rate adjusted under section 5318 of title 5, United States Code, or any other provision of law, the payable rate during calendar year 2023 for an employee serving in an Executive Schedule position, or in a position for which the rate of pay is fixed by statute at an Executive Schedule rate, shall be the rate payable for the applicable Executive Schedule level on December 31, 2022, by operation of section 747 of division E of Public Law 117-103. Such an employee may not receive a rate increase during calendar year 2023, except as provided in subsection (i).

(c) Notwithstanding section 401 of the Foreign Service Act of 1980 (Public Law 96-465) or any other provision of law, a chief of mission or ambassador at large is subject to subsection (b) in the same manner as other employees who are paid at an Executive Schedule rate.

(d)(1) This subsection applies to—

(A) a noncareer appointee in the Senior Executive Service paid a rate of basic pay at or above the official rate for level IV of the Executive Schedule; or

(B) a limited term appointee or limited emergency appointee in the Senior Executive Service serving under a political appointment and paid a rate of basic pay at or above the official rate for level IV of the Executive Schedule.

(2) Notwithstanding sections 5382 and 5383 of title 5, United States Code, an employee described in paragraph (1) may not receive a pay rate increase during calendar year 2023, except as provided in subsection (i).

(e) Notwithstanding any other provision of law, any employee paid a rate of basic pay (including any locality-based payments under section 5304 of title 5, United States Code, or similar authority) at or above the official rate for level IV of the Executive Schedule who serves under a political appointment may not receive a pay rate increase during calendar year 2023, except as provided in subsection (i). This subsection does not apply to employees in the General Schedule pay system or the Foreign Service pay system, to employees appointed under section 3161 of title 5, United States Code, or to employees in another pay system whose position would be classified at GS-15 or below if chapter 51 of title 5, United States Code, applied to them.

(f) Nothing in subsections (b) through (e) shall prevent employees who do not serve under a political appointment from receiving pay increases as otherwise provided under applicable law.

(g) This section does not apply to an individual who makes an election to retain Senior Executive Service basic pay under section 3392(c) of title 5, United States Code, for such time as that election is in effect.

(h) This section does not apply to an individual who makes an election to retain Senior Foreign Service pay entitlements under section 302(b) of the Foreign Service Act of 1980 (Public Law 96-465) for such time as that election is in effect.

(i) Notwithstanding subsections (b) through (e), an employee in a covered position may receive a pay rate increase upon an authorized movement to a different covered position only if that new position has higher-level duties and a pre-established level or range of pay higher

than the level or range for the position held immediately before the movement. Any such increase must be based on the rates of pay and applicable limitations on payable rates of pay in effect on December 31, 2022, by operation of section 747 of division E of Public Law 117–103.

(j) Notwithstanding any other provision of law, for an individual who is newly appointed to a covered position during the period of time subject to this section, the initial pay rate shall be based on the rates of pay and applicable limitations on payable rates of pay in effect on December 31, 2022, by operation of section 747 of division E of Public Law 117–103.

(k) If an employee affected by this section is subject to a biweekly pay period that begins in calendar year 2023 but ends in calendar year 2024, the bar on the employee's receipt of pay rate increases shall apply through the end of that pay period.

(l) For the purpose of this section, the term "covered position" means a position occupied by an employee whose pay is restricted under this section.

(m) This section takes effect on the first day of the first applicable pay period beginning on or after January 1, 2023.

SEC. 747. In the event of a violation of the Impoundment Control Act of 1974, the President or the head of the relevant department or agency, as the case may be, shall report immediately to the Congress all relevant facts and a statement of actions taken: Provided, That a copy of each report shall also be transmitted to the Committees on Appropriations of the House of Representatives and the Senate and the Comptroller General on the same date the report is transmitted to the Congress.

SEC. 748. During the current fiscal year—

(a) with respect to budget authority proposed to be rescinded or that is set to be reserved or proposed to be deferred in a special message transmitted under section 1012 or 1013 of the Congressional Budget and Impoundment Control Act of 1974, such budget authority—

(1) shall be made available for obligation in sufficient time to be prudently obligated as required under section 1012(b) or 1013 of such Act; and

(2) may not be deferred or otherwise withheld from obligation during the 90-day period before the expiration of the period of availability of such budget authority, including, if applicable, the 90-day period before the expiration of an initial period of availability for which such budget authority was provided.

(b) With respect to an apportionment of an appropriation made pursuant to section 1513(b) of title 31, United States Code, an appropriation (as that term is defined in section 1511 of title 31, United States Code) shall be apportioned—

(1) to make available all amounts for obligation in sufficient time to be prudently obligated; and

(2) to make available all amounts for obligation, without precondition (including footnotes) that shall be met prior to obligation, not later than 90 days before the expiration of the period of availability of such appropriation, including, if applicable, 90 days before the expiration of an initial period of availability for which such appropriation was provided.

(c) As used in this section, the term "budget authority" includes budget authority made available by this or any other Act, by prior appropriations Acts, or by any law other than an appropriations Act.

(d)(1) The Comptroller General shall review compliance with this section and shall submit to the Committees on Appropriations and the Budget, and any other appropriate congressional committees of the House of Representatives and Senate a report, and any relevant information related to the report, on any non-compliance with this section or the Impoundment Control Act of 1974.

(2) The President or the head of the relevant department or agency of the United States shall

provide information, documentation, and views to the Comptroller General, as is determined by the Comptroller General to be necessary to determine such compliance, not later than 20 days after the date on which the request from the Comptroller General is received, or if the Comptroller General determines that a shorter or longer period is appropriate based on the specific circumstances, within such shorter or longer period.

(3) To carry out the responsibilities of this section and the Impoundment Control Act of 1974, the Comptroller General shall also have access to interview the officers, employees, contractors, and other agents and representatives of a department, agency, or office of the United States at any reasonable time as the Comptroller General may request.

(e)(1) An officer or employee of the Executive Branch of the United States Government violating this section shall be subject to appropriate administrative discipline including, when circumstances warrant, suspension from duty without pay or removal from office.

(2) In the event of a violation of this section, or in the case that the Government Accountability Office issues a legal decision concluding that a department, agency, or office of the United States violated this section, the President or the head of the relevant department or agency as the case may be, shall report immediately to the Congress all relevant facts and a statement of actions taken: Provided, That a copy of each report shall also be transmitted to the Comptroller General and the relevant inspector general on the same date the report is transmitted to the Congress.

(3) Any such report shall include a summary of the facts pertaining to the violation, the title and Treasury Appropriation Fund Symbol of the appropriation or fund account, the amount involved for each violation, the date on which the violation occurred, the position of any individuals responsible for the violation, a statement of the administrative discipline imposed and any further action taken with respect to any officer or employee involved in the violation, a statement of any additional action taken to prevent recurrence of the same type of violation, and any written response by any officer or employee identified by position as involved in the violation: Provided, That in the case that the Government Accountability Office issues a legal decision concluding that a department, agency, or office of the United States violated this section and the relevant department, agency, or office does not agree that a violation has occurred, the report provided to Congress, the Comptroller General, and relevant inspector general will explain such department, agency, or office's position.

SEC. 749. (a) If an executive agency or the District of Columbia government receives a written request for information, documentation, or views from the Government Accountability Office relating to a decision or opinion on budget or appropriations law, the executive agency or the District of Columbia government shall provide the requested information, documentation, or views not later than 20 days after receiving the written request, unless such written request specifically provides otherwise.

(b) If an executive agency or the District of Columbia government fails to respond to the request for information, documentation, or views within the time required by this section—

(1) the Comptroller General shall notify, in writing, the Committee on Oversight and Reform of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and any other appropriate congressional committee of the House of Representatives and the Senate of such failure; and

(2) the Comptroller General is hereby expressly empowered, through attorneys of their own selection, to bring a civil action in the United States District Court for the District of Columbia to require such information, documentation,

or views to be produced, and such court is expressly empowered to enter in such civil action, against any department, agency, officer, or employee of the United States, any decree, judgment, or order which may be necessary or appropriate to require such production.

(c) If the Government Accountability Office determines that an officer or employee of an executive agency or an officer or employee of the District of Columbia government has violated section 1341(a), 1342, or 1517(a) of title 31, United States Code, the head of the agency or the Mayor of the District of Columbia, as the case may be, shall report immediately to the President and Congress all relevant facts and a statement of actions taken: Provided, That a copy of each report shall also be transmitted to the Comptroller General on the same date the report is transmitted to the President and Congress: Provided further, That in the case that the Government Accountability Office issues a legal decision concluding that section 1341(a), 1342, or 1517(a) of title 31, United States Code was violated, and the executive agency or District of Columbia government, as applicable, does not agree that a violation has occurred, the report provided to the President, the Congress, and the Comptroller General will explain its position.

(d) The report required by subsection (c) and any report required by section 1351 or section 1517(b) of title 31, United States Code, shall include a summary of the facts pertaining to the violation, the title and Treasury Appropriation Fund Symbol of the appropriation or fund account, the amount involved for each violation, the date on which the violation occurred, the position of any officer or employee responsible for the violation, a statement of the administrative discipline imposed and any further action taken with respect to any officer or employee involved in the violation, a statement of any additional action taken to prevent recurrence of the same type of violation, a statement of any determination that the violation was not knowing and willful that has been made by the executive agency or District of Columbia government, and any written response by any officer or employee identified by position as involved in the violation.

SEC. 750. (a) Each department or agency of the executive branch of the United States Government shall notify the Committees on Appropriations and the Budget of the House of Representatives and the Senate and any other appropriate congressional committees if—

(1) an apportionment is not made in the required time period provided in section 1513(b) of title 31, United States Code;

(2) an approved apportionment received by the department or agency conditions the availability of an appropriation on further action; or

(3) an approved apportionment received by the department or agency may hinder the prudent obligation of such appropriation or the execution of a program, project, or activity by such department or agency.

(b) Any notification submitted to a congressional committee pursuant to this section shall contain information identifying the bureau, account name, appropriation name, and Treasury Appropriation Fund Symbol or fund account.

SEC. 751. (a) ESTABLISHMENT.—There is hereby established the Commission on Federal Naming and Displays (hereinafter referred to as the "Commission").

(b) DUTIES.—

(1) DEVELOPMENT OF LIST.—Not later than 180 days after the day by which all of its members have been appointed, the Commission, with input from the general public, shall develop and publish a list of property names, monuments, statues, public artworks, historical markers, and other symbols owned by the Federal government or located on property owned by the Federal government (including the legislative branch and the judicial branch) which the Commission identifies as inconsistent with the values of diversity, equity, and inclusion, including those

that do not represent the demographic diversity and history of the community.

(2) **RECOMMENDATIONS.**—Not later than 180 days after publishing the list under paragraph (1), and after holding not fewer than two public meetings, the Commission shall submit to the President and Congress a report containing the following information:

(A) A recommendation regarding whether each property name, monument, statue, public artwork, historical marker, or other symbol on the list developed under paragraph (1) should remain unchanged or should be renamed or removed.

(B) Supporting materials and context information for each recommendation under subparagraph (A).

(C) Such other recommendations as the Commission may consider appropriate, including recommendations for educational programs, supplemental historical markers, or other activities to promote diversity, equity, and inclusion and to promote national reconciliation.

(3) **SEPARATE VIEWS OF MEMBERS.**—The Commission may include in the report submitted under paragraph (2) supplemental or dissenting recommendations from individual members of the Commission.

(c) **MEMBERSHIP.**—

(1) **APPOINTMENT.**—The Commission shall consist of the following:

(A) Two members appointed by the President.

(B) Two members appointed by the Speaker of the House of Representatives.

(C) Two members appointed by the Majority Leader of the Senate.

(D) One member appointed by the Minority Leader of the House of Representatives.

(E) One member appointed by the Minority Leader of the Senate.

(F) Each of the following individuals:

(i) The Secretary of the Smithsonian Institution.

(ii) The Historian of the House of Representatives.

(iii) The Historian of the Senate.

(2) **QUALIFICATIONS.**—Each member of the Commission appointed under subparagraphs (A) through (E) of paragraph (1) shall have 10 or more years of educational and professional experience in one or more of the following disciplines:

(A) History.

(B) Art and antiquities.

(C) Historic preservation.

(D) Cultural heritage.

(E) Education.

(3) **NO COMPENSATION FOR SERVICE; TRAVEL EXPENSES.**—Members of the Commission shall serve without pay, but each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(4) **DEADLINE FOR APPOINTMENT.**—The members of the Commission shall be appointed not later than 45 days after the date of the enactment of this Act.

(5) **CO-CHAIRS.**—Not later than 10 days after the first meeting of the Commission, the members of the Commission shall select two co-chairs from among the members.

(d) **POWERS.**—

(1) **HEARINGS AND SESSIONS.**—The Commission may, for the purpose of carrying out this Act, hold hearings, sit and act at times and places, take testimony, and receive evidence as the Commission considers appropriate, except that the Commission shall hold its initial meeting not later than 10 days after the day by which all of its members have been appointed.

(2) **OBTAINING OFFICIAL DATA.**—The Commission may secure directly from any department or agency of the United States information necessary to enable it to carry out its duties. Upon request of the Commission, the head of that department or agency shall furnish that information to the Commission.

(3) **MAILS.**—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(4) **ADMINISTRATIVE SUPPORT SERVICES.**—Upon the request of the Commission, the Librarian of Congress shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out its duties.

(5) **STAFF OF FEDERAL AGENCIES.**—Upon the request of the Commission, the head of any Federal department or agency may detail any of the personnel of that department or agency to the Commission to assist it in carrying out its duties. Any personnel detailed to the Commission under this paragraph may receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(6) **CONTRACT AUTHORITY.**—The Commission may contract with and compensate government and private agencies or persons for goods and services, without regard to section 6101 of title 41, United States Code.

(e) **FUNDING.**—There is hereby appropriated \$1,500,000, to remain available until expended, to carry out this section.

(f) **TERMINATION.**—The Commission shall terminate 60 days after submitting the report under subsection (b)(2).

SEC. 752. Notwithstanding section 1346 of title 31, United States Code, or section 708 of this Act, funds made available by this or any other Act to any Federal agency may be used by that Federal agency for interagency funding for coordination with, participation in, or recommendations involving, activities of the U.S. Army Medical Research and Development Command, the Congressionally Directed Medical Research Programs and the National Institutes of Health research programs.

SEC. 753. (a) As a condition of receiving funds provided in this or any other appropriations Act for fiscal year 2023 that are specified in the disclosure table submitted in compliance with clause 9 of rule XXI of the Rules of the House of Representatives that is included in the report or explanatory statement accompanying any such Act, any non-Federal entity shall, to the extent practicable—

(1) retain until the date that is 3 years after the date on which such entity has expended such funds any records related to the planned or actual obligation or expenditure of such funds, and make available any such records to the Comptroller General of the United States, upon request; and

(2) subject to reasonable advance notification by the Comptroller General—

(A) make available to the Comptroller General or their designee for interview, any officers, employees, or staff of such entity involved in the obligation or expenditure of such funds; and

(B) grant access to the Comptroller General or their designee for inspection, any facilities, work sites, offices, or other locations, as the Comptroller General deems necessary, at which the individuals referenced in subparagraph (A) carry out their responsibilities related to such funds. The Comptroller General may make and retain copies of these records as the Comptroller General determines necessary.

(b) Access, rights, and authority provided to the Comptroller General or their designee under this section shall be in addition to any other authority vested in the Comptroller General, and nothing in this section shall be construed to limit, amend, supersede, or restrict in any manner any existing authority of the Comptroller General.

SEC. 754. (a) Beginning on the date that is 180 days after the date of enactment of this Act, and except as provided in subsection (b), none of the funds made available by this Act may be used to purchase infrastructure as a service except infrastructure as a service determined by

the Government to take reasonable measures to—

(1) not store or transmit images which depict known violations of sections 2251, 2251A, 2252, 2252A, 2252B or 2260 of title 18, United States Code, with respect to child pornography; and

(2) comply with the reporting requirements under section 2258A(a) of such title for such violations.

(b) The limitation in subsection (a) shall not apply to such services used for bona fide law enforcement actions.

SEC. 755. Except as expressly provided otherwise, any reference to “this Act” contained in any title other than title IV or VIII shall not apply to such title IV or VIII.

TITLE VIII

GENERAL PROVISIONS—DISTRICT OF COLUMBIA

SEC. 801. None of the Federal funds provided under this Act to the agencies funded by this Act, both Federal and District government agencies, that remain available for obligation or expenditure in fiscal year 2023, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditures for an agency through a reprogramming of funds which—

(1) creates new programs;

(2) eliminates a program, project, or responsibility center;

(3) establishes or changes allocations specifically denied, limited or increased under this Act;

(4) increases funds or personnel by any means for any program, project, or responsibility center for which funds have been denied or restricted;

(5) re-establishes any program or project previously deferred through reprogramming;

(6) augments any existing program, project, or responsibility center through a reprogramming of funds in excess of \$3,000,000 or 10 percent, whichever is less; or

(7) increases by 20 percent or more personnel assigned to a specific program, project or responsibility center, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 802. None of the Federal funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 803. Except as otherwise specifically provided by law or under this Act, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2023 from appropriations of Federal funds made available for salaries and expenses for fiscal year 2023 in this Act, shall remain available through September 30, 2024, for each such account for the purposes authorized: Provided, That a request shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate for approval prior to the expenditure of such funds: Provided further, That these requests shall be made in compliance with reprogramming guidelines outlined in section 801 of this Act.

SEC. 804. (a)(1) During fiscal year 2024, during a period in which neither a District of Columbia continuing resolution or a regular District of Columbia appropriation bill is in effect, local funds are appropriated in the amount provided for any project or activity for which local funds are provided in the Act referred to in paragraph (2) (subject to any modifications enacted by the District of Columbia as of the beginning of the period during which this subsection is in effect) at the rate set forth by such Act.

(2) The Act referred to in this paragraph is the Act of the Council of the District of Columbia pursuant to which a proposed budget is approved for fiscal year 2024 which (subject to the requirements of the District of Columbia Home

Rule Act) will constitute the local portion of the annual budget for the District of Columbia government for fiscal year 2024 for purposes of section 446 of the District of Columbia Home Rule Act (sec. 1–204.46, D.C. Official Code).

(b) Appropriations made by subsection (a) shall cease to be available—

(1) during any period in which a District of Columbia continuing resolution for fiscal year 2024 is in effect; or

(2) upon the enactment into law of the regular District of Columbia appropriation bill for fiscal year 2024.

(c) An appropriation made by subsection (a) is provided under the authority and conditions as provided under this Act and shall be available to the extent and in the manner that would be provided by this Act.

(d) An appropriation made by subsection (a) shall cover all obligations or expenditures incurred for such project or activity during the portion of fiscal year 2024 for which this section applies to such project or activity.

(e) This section shall not apply to a project or activity during any period of fiscal year 2024 if any other provision of law (other than an authorization of appropriations)—

(1) makes an appropriation, makes funds available, or grants authority for such project or activity to continue for such period; or

(2) specifically provides that no appropriation shall be made, no funds shall be made available, or no authority shall be granted for such project or activity to continue for such period.

(f) Nothing in this section shall be construed to affect obligations of the government of the District of Columbia mandated by other law.

SEC. 805. (a) Section 3(c)(2)(G) of the District of Columbia College Access Act of 1999 (sec. 38–2702(c)(2)(G), D.C. Official Code) is amended to read as follows:

“(G) is from a family with a taxable annual income of less than the applicable family income limit, as defined in paragraph (7).”.

(b) Section 3(c) of such Act (sec. 38–2702(c), D.C. Official Code) is amended by adding at the end the following new paragraph:

“(7) APPLICABLE FAMILY INCOME LIMIT.—The term ‘applicable family income limit’ means, with respect to an individual, the following:

“(A) In the case of an individual who began an undergraduate course of study prior to school year 2015–2016, \$1,000,000.

“(B) In the case of an individual who begins an undergraduate course of study in school year 2016–2017, \$750,000.

“(C) In the case of an individual who begins an undergraduate course of study in school year 2017–2018 or school year 2018–2019, the applicable family income limit under this paragraph for an individual who began an undergraduate course of study in the previous school year, adjusted by the Mayor for inflation, as measured by the percentage increase, if any, from the preceding fiscal year in the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics of the Department of Labor.

“(D) In the case of an individual who begins an undergraduate course of study in school year 2019–2020, \$500,000.

“(E) In the case of an individual who begins an undergraduate course of study in school year 2020–2021, the amount described in subparagraph (D), adjusted by the Mayor for inflation, as measured by the percentage increase, if any, from the preceding fiscal year in the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics of the Department of Labor.

“(F) In the case of an individual who begins an undergraduate course of study in school year 2021–2022, \$750,000.

“(G) In the case of an individual who begins an undergraduate course of study in school year 2022–2023 or any succeeding school year, the applicable family income limit under this paragraph for an individual who began an undergraduate course of study in the previous school

year, adjusted by the Mayor for inflation, as measured by the percentage increase, if any, from the preceding fiscal year in the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics of the Department of Labor.”.

(c) The amendments made by this section shall take effect as if included in the enactment of the Financial Services and General Government Appropriations Act, 2019 (division D of Public Law 116–6).

SEC. 806. Nothing in this Act may be construed to prevent the Council or Mayor of the District of Columbia from addressing the issue of the provision of contraceptive coverage by health insurance plans, but it is the intent of Congress that any legislation enacted on such issue should include a “conscience clause” which provides exceptions for religious beliefs and moral convictions.

SEC. 807. (a) Section 244 of the Revised Statutes of the United States relating to the District of Columbia (sec. 9–1201.03, D.C. Official Code) does not apply with respect to any railroads installed pursuant to the Long Bridge Project.

(b) In this section, the term “Long Bridge Project” means the project carried out by the District of Columbia and the Commonwealth of Virginia to construct a new Long Bridge adjacent to the existing Long Bridge over the Potomac River, including related infrastructure and other related projects, to expand commuter and regional passenger rail service and to provide bike and pedestrian access crossings over the Potomac River.

SEC. 808. No services may be made available in accordance with section 740(a) of the District of Columbia Home Rule Act (sec. 1–207.40(a), D.C. Official Code) at any time during fiscal year 2023.

SEC. 809. Section 3 of the District of Columbia College Access Act of 1999 (sec. 38–2702, D.C. Official Code), is amended—

(1) in subsection (a)(2)(A), by striking “\$10,000” and inserting “\$15,000”;

(2) in subsection (a)(2)(B), by striking “\$50,000” and inserting “\$75,000”;

(3) in subsection (b)(1)(A), by striking “and” at the end;

(4) in subsection (b)(1), by redesignating subparagraph (B) as subparagraph (C) and inserting after subparagraph (A) the following new subparagraph; “(B) after making reductions under subparagraph (A), ratably reduce the amount of the tuition and fee payment of each eligible student who receives more than \$10,000 for the award year; and”; and

(5) in subparagraph (C) of subsection (b)(1), as so redesignated, by striking “subparagraph (A)” and inserting “subparagraphs (A) and (B)”.

SEC. 810. ADJUSTMENTS IN COMPENSATION RATES FOR CERTAIN PERSONNEL.—

(a) ATTORNEYS REPRESENTING INDIGENT DEFENDANTS.—

(1) Section 11–2604(a), District of Columbia Official Code, is amended by striking “at a fixed rate of \$90 per hour” and inserting “an hourly rate not to exceed the rate payable under section 3006A(d)(1) of title 18, United States Code”.

(2) The amendments made by this section shall apply with respect to cases and proceedings initiated on or after the date of the enactment of this Act.

(b) CRIMINAL JUSTICE INVESTIGATORS.—

(1) Section 11–2605, District of Columbia Official Code, is amended in subsections (b) and (c) by striking “(or, in the case of investigative services, a fixed rate of \$25 per hour)” each place it appears.

(2) The amendments made by this section shall apply with respect to investigative services provided in connection with cases and proceedings initiated on or after the date of the enactment of this Act.

SEC. 811. Except as expressly provided otherwise, any reference to “this Act” contained in this title or in title IV shall be treated as refer-

ring only to the provisions of this title or of title IV.

This division may be cited as the “Financial Services and General Government Appropriations Act, 2023”.

DIVISION E—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2023

TITLE I

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For necessary expenses for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to section 1010(a) of Public Law 96–487 (16 U.S.C. 3150(a)), \$1,416,126,000, to remain available until September 30, 2024; of which \$79,345,000 for annual and deferred maintenance and \$156,100,000 for the wild horse and burro program, as authorized by Public Law 92–195 (16 U.S.C. 1331 et seq.), shall remain available until expended: Provided, That amounts in the fee account of the BLM Permit Processing Improvement Fund may be used for any bureau-related expenses associated with the processing of oil and gas applications for permits to drill and related use of authorizations: Provided further, That of the amounts made available under this heading, up to \$1,000,000 may be made available for the purposes described in section 122(e)(1)(A) of division G of Public Law 115–31 (43 U.S.C. 1748(e)(1)(A)).

In addition, \$51,020,000, to remain available until expended, is for conducting oil and gas inspection activities, to be reduced by amounts collected by the Bureau and credited to this appropriation from onshore oil and gas inspection fees that the Bureau shall collect, as provided for in this Act; and \$39,696,000 is for Mining Law Administration program operations, including the cost of administering the mining claim fee program, to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from mining claim maintenance fees and location fees that are hereby authorized for fiscal year 2023, so as to result in a final appropriation estimated at not more than \$1,416,126,000 and \$2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein, including existing connecting roads on or adjacent to such grant lands; \$125,049,000, to remain available until expended: Provided, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (43 U.S.C. 2605).

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement

of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315b, 315m) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than \$10,000,000, to remain available until expended: Provided, That not to exceed \$600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94-579 (43 U.S.C. 1701 et seq.), and under section 28 of the Mineral Leasing Act (30 U.S.C. 185), to remain available until expended: Provided, That notwithstanding any provision to the contrary of section 305(a) of Public Law 94-579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary of the Interior to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: Provided further, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of Public Law 94-579 (43 U.S.C. 1737), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act (43 U.S.C. 1721(b)), to remain available until expended.

ADMINISTRATIVE PROVISIONS

The Bureau of Land Management may carry out the operations funded under this Act by direct expenditure, contracts, grants, cooperative agreements, and reimbursable agreements with public and private entities, including with States. Appropriations for the Bureau shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to \$100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed \$10,000: Provided, That notwithstanding Public Law 90-620 (44 U.S.C. 501), the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share the cost of printing either in cash or in services, and the

Bureau determines the cooperator is capable of meeting accepted quality standards: Provided further, That projects to be funded pursuant to a written commitment by a State government to provide an identified amount of money in support of the project may be carried out by the Bureau on a reimbursable basis.

UNITED STATES FISH AND WILDLIFE SERVICE RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, as authorized by law, and for scientific and economic studies, general administration, and for the performance of other authorized functions related to such resources, \$1,649,753,000, to remain available until September 30, 2024: Provided, That not to exceed \$25,946,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533) (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)) of such section.

CONSTRUCTION

For construction, improvement, acquisition, or removal of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fish and wildlife resources, and the acquisition of lands and interests therein; \$32,904,000, to remain available until expended: Provided, That such amounts are available for the modernization of field communication capabilities, in addition to amounts otherwise available for such purpose.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1535), \$24,564,000, to remain available until expended, to be derived from the Cooperative Endangered Species Conservation Fund.

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), \$13,228,000.

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act (16 U.S.C. 4401 et seq.), \$50,000,000, to remain available until expended.

NEOTROPICAL MIGRATORY BIRD CONSERVATION

For expenses necessary to carry out the Neotropical Migratory Bird Conservation Act (16 U.S.C. 6101 et seq.), \$5,100,000, to remain available until expended.

MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 4201 et seq.), the Asian Elephant Conservation Act of 1997 (16 U.S.C. 4261 et seq.), the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301 et seq.), the Great Ape Conservation Act of 2000 (16 U.S.C. 6301 et seq.), and the Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601 et seq.), \$25,500,000, to remain available until expended.

STATE AND TRIBAL WILDLIFE GRANTS

For wildlife conservation grants to States and to the District of Columbia, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, American Samoa, and Indian tribes under the provisions of the Fish and Wildlife Act of 1956 and the Fish and Wildlife Coordination Act, for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished, \$74,362,000, to remain available until expended: Provided, That of the amount provided herein, \$6,250,000 is for a competitive grant program for Indian tribes not subject to the remaining provisions of this appropriation: Provided further, That \$7,862,000 is for a competitive grant program to implement approved plans for States, territories, and other ju-

risdictions and at the discretion of affected States, the regional Associations of fish and wildlife agencies, not subject to the remaining provisions of this appropriation: Provided further, That the Secretary shall, after deducting \$14,112,000 and administrative expenses, apportion the amount provided herein in the following manner: (1) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof; and (2) to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-fourth of 1 percent thereof: Provided further, That the Secretary of the Interior shall apportion the remaining amount in the following manner: (1) one-third of which is based on the ratio to which the land area of such State bears to the total land area of all such States; and (2) two-thirds of which is based on the ratio to which the population of such State bears to the total population of all such States: Provided further, That the amounts apportioned under this paragraph shall be adjusted equitably so that no State shall be apportioned a sum which is less than 1 percent of the amount available for apportionment under this paragraph for any fiscal year or more than 5 percent of such amount: Provided further, That the Federal share of planning grants shall not exceed 75 percent of the total costs of such projects and the Federal share of implementation grants shall not exceed 65 percent of the total costs of such projects: Provided further, That the non-Federal share of such projects may not be derived from Federal grant programs: Provided further, That any amount apportioned in 2023 to any State, territory, or other jurisdiction that remains unobligated as of September 30, 2024, shall be reapportioned, together with funds appropriated in 2025, in the manner provided herein.

ADMINISTRATIVE PROVISIONS

The United States Fish and Wildlife Service may carry out the operations of Service programs by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities. Appropriations and funds available to the United States Fish and Wildlife Service shall be available for repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed one dollar for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management, and investigation of fish and wildlife resources: Provided, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: Provided further, That the Service may accept donated aircraft as replacements for existing aircraft: Provided further, That notwithstanding 31 U.S.C. 3302, all fees collected for non-toxic shot review and approval shall be deposited under the heading "United States Fish and Wildlife Service—Resource Management" and shall be available to the Secretary, without further appropriation, to be used for expenses of processing of such non-toxic shot type or coating applications and revising regulations as necessary, and shall remain available until expended: Provided further, That the second proviso under the heading "United States Fish and Wildlife Service—Resource Management" in title

I of division E of Public Law 112-74 (16 U.S.C. 7421-1) is amended by striking “2012” and inserting “2023” and striking “\$400,000” and inserting “\$750,000”.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service and for the general administration of the National Park Service, \$3,089,856,000, of which \$11,661,000 for planning and interagency coordination in support of Everglades restoration and \$135,980,000 for maintenance, repair, or rehabilitation projects for constructed assets and \$188,184,000 for cyclic maintenance projects for constructed assets and cultural resources and \$5,000,000 for uses authorized by section 101122 of title 54, United States Code shall remain available until September 30, 2024: Provided, That funds appropriated under this heading in this Act are available for the purposes of section 5 of Public Law 95-348: Provided further, That notwithstanding section 9 of the 400 Years of African-American History Commission Act (36 U.S.C. note prec. 101; Public Law 115-102), \$3,300,000 of the funds provided under this heading shall be made available for the purposes specified by that Act: Provided further, That sections (7)(b) and (8) of that Act shall be amended by striking “July 1, 2023” and inserting “July 1, 2024”.

In addition, for purposes described in section 2404 of Public Law 116-9, an amount equal to the amount deposited in this fiscal year into the National Park Medical Services Fund established pursuant to such section of such Act, to remain available until expended, shall be derived from such Fund.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, and grant administration, not otherwise provided for, \$88,243,000, to remain available until September 30, 2024.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the National Historic Preservation Act (division A of subtitle III of title 54, United States Code), \$170,825,000, to be derived from the Historic Preservation Fund and to remain available until September 30, 2024, of which \$26,500,000 shall be for Save America's Treasures grants for preservation of nationally significant sites, structures and artifacts as authorized by section 7303 of the Omnibus Public Land Management Act of 2009 (54 U.S.C. 3089): Provided, That an individual Save America's Treasures grant shall be matched by non-Federal funds: Provided further, That individual projects shall only be eligible for one grant: Provided further, That all projects to be funded shall be approved by the Secretary of the Interior in consultation with the House and Senate Committees on Appropriations: Provided further, That of the funds provided for the Historic Preservation Fund, \$1,250,000 is for competitive grants for the survey and nomination of properties to the National Register of Historic Places and as National Historic Landmarks associated with communities currently under-represented, as determined by the Secretary; \$26,750,000 is for competitive grants to preserve the sites and stories of the Civil Rights movement; \$10,000,000 is for grants to Historically Black Colleges and Universities; \$10,000,000 is for competitive grants for the restoration of historic properties of national, State, and local significance listed on or eligible for inclusion on the National Register of Historic Places, to be made without imposing the usage or direct grant restrictions of section 101(e)(3) (54 U.S.C. 302904) of the National Historic Preservation Act; \$3,000,000 is for a competitive grant program to honor the

semiquincentennial anniversary of the United States by restoring and preserving sites and structures listed on the National Register of Historic Places that commemorate the founding of the nation; and \$11,650,000 is for projects specified for the Historic Preservation Fund in the table titled “Interior and Environment Incorporation of Community Project Funding Items” included for this division in the report accompanying this Act: Provided further, That such competitive grants shall be made without imposing the matching requirements in section 302902(b)(3) of title 54, United States Code to States and Indian tribes as defined in chapter 3003 of such title, Native Hawaiian organizations, local governments, including Certified Local Governments, and non-profit organizations.

CONSTRUCTION

For construction, improvements, repair, or replacement of physical facilities, and compliance and planning for programs and areas administered by the National Park Service, \$279,340,000, to remain available until expended: Provided, That notwithstanding any other provision of law, for any project initially funded in fiscal year 2023 with a future phase indicated in the National Park Service 5-Year Line Item Construction Plan, a single procurement may be issued which includes the full scope of the project: Provided further, That the solicitation and contract shall contain the clause availability of funds found at 48 CFR 52.232-18: Provided further, That National Park Service Donations, Park Concessions Franchise Fees, and Recreation Fees may be made available for the cost of adjustments and changes within the original scope of effort for projects funded by the National Park Service Construction appropriation: Provided further, That the Secretary of the Interior shall consult with the Committees on Appropriations, in accordance with current reprogramming thresholds, prior to making any charges authorized by this section.

CENTENNIAL CHALLENGE

For expenses necessary to carry out the provisions of section 101701 of title 54, United States Code, relating to challenge cost share agreements, \$15,000,000, to remain available until expended, for Centennial Challenge projects and programs: Provided, That not less than 50 percent of the total cost of each project or program shall be derived from non-Federal sources in the form of donated cash, assets, or a pledge of donation guaranteed by an irrevocable letter of credit.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

In addition to other uses set forth in section 101917(c)(2) of title 54, United States Code, franchise fees credited to a sub-account shall be available for expenditure by the Secretary, without further appropriation, for use at any unit within the National Park System to extinguish or reduce liability for Possessory Interest or leasehold surrender interest. Such funds may only be used for this purpose to the extent that the benefitting unit anticipated franchise fee receipts over the term of the contract at that unit exceed the amount of funds used to extinguish or reduce liability. Franchise fees at the benefitting unit shall be credited to the sub-account of the originating unit over a period not to exceed the term of a single contract at the benefitting unit, in the amount of funds so expended to extinguish or reduce liability.

For the costs of administration of the Land and Water Conservation Fund grants authorized by section 105(a)(2)(B) of the Gulf of Mexico Energy Security Act of 2006 (Public Law 109-432), the National Park Service may retain up to 3 percent of the amounts which are authorized to be disbursed under such section, such retained amounts to remain available until expended.

National Park Service funds may be transferred to the Federal Highway Administration

(FHWA), Department of Transportation, for purposes authorized under 23 U.S.C. 203. Transfers may include a reasonable amount for FHWA administrative support costs.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(a)(1)) and related purposes as authorized by law; and to publish and disseminate data relative to the foregoing activities; \$1,644,232,000, to remain available until September 30, 2024; of which \$92,274,000 shall remain available until expended for satellite operations; and of which \$74,840,000 shall be available until expended for deferred maintenance and capital improvement projects that exceed \$100,000 in cost: Provided, That none of the funds provided for the ecosystem research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: Provided further, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

ADMINISTRATIVE PROVISIONS

From within the amount appropriated for activities of the United States Geological Survey such sums as are necessary shall be available for contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations, observation wells, and seismic equipment; expenses of the United States National Committee for Geological Sciences; and payment of compensation and expenses of persons employed by the Survey duly appointed to represent the United States in the negotiation and administration of interstate compacts: Provided, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in section 6302 of title 31, United States Code: Provided further, That the United States Geological Survey may enter into contracts or cooperative agreements directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 6101, for the temporary or intermittent services of students or recent graduates, who shall be considered employees for the purpose of chapters 57 and 81 of title 5, United States Code, relating to compensation for travel and work injuries, and chapter 171 of title 28, United States Code, relating to tort claims, but shall not be considered to be Federal employees for any other purposes.

BUREAU OF OCEAN ENERGY MANAGEMENT

OCEAN ENERGY MANAGEMENT

For expenses necessary for granting and administering leases, easements, rights-of-way, and agreements for use for oil and gas, other minerals, energy, and marine-related purposes on the Outer Continental Shelf and approving operations related thereto, as authorized by law; for environmental studies, as authorized by law; for implementing other laws and to the extent provided by Presidential or Secretarial delegation; and for matching grants or cooperative

agreements \$228,765,000, of which \$191,765,000 is to remain available until September 30, 2024, and of which \$37,000,000 is to remain available until expended: Provided, That this total appropriation shall be reduced by amounts collected by the Secretary of the Interior and credited to this appropriation from additions to receipts resulting from increases to lease rental rates in effect on August 5, 1993, and from cost recovery fees from activities conducted by the Bureau of Ocean Energy Management pursuant to the Outer Continental Shelf Lands Act, including studies, assessments, analysis, and miscellaneous administrative activities: Provided further, That the sum herein appropriated shall be reduced as such collections are received during the fiscal year, so as to result in a final fiscal year 2023 appropriation estimated at not more than \$191,765,000: Provided further, That not to exceed \$3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities.

**BUREAU OF SAFETY AND ENVIRONMENTAL
ENFORCEMENT**

**OFFSHORE SAFETY AND ENVIRONMENTAL
ENFORCEMENT**

For expenses necessary for the regulation of operations related to leases, easements, rights-of-way, and agreements for use for oil and gas, other minerals, energy, and marine-related purposes on the Outer Continental Shelf, as authorized by law; for enforcing and implementing laws and regulations as authorized by law and to the extent provided by Presidential or Secretarial delegation; and for matching grants or cooperative agreements, \$175,086,000, of which \$151,086,000 is to remain available until September 30, 2024, and of which \$24,000,000 is to remain available until expended, including \$5,000,000 for offshore decommissioning activities: Provided, That this total appropriation shall be reduced by amounts collected by the Secretary of the Interior and credited to this appropriation from additions to receipts resulting from increases to lease rental rates in effect on August 5, 1993, and from cost recovery fees from activities conducted by the Bureau of Safety and Environmental Enforcement pursuant to the Outer Continental Shelf Lands Act, including studies, assessments, analysis, and miscellaneous administrative activities: Provided further, That the sum herein appropriated shall be reduced as such collections are received during the fiscal year, so as to result in a final fiscal year 2023 appropriation estimated at not more than \$156,086,000.

For an additional amount, \$44,000,000, to remain available until expended, to be reduced by amounts collected by the Secretary and credited to this appropriation, which shall be derived from non-refundable inspection fees collected in fiscal year 2023, as provided in this Act: Provided, That to the extent that amounts realized from such inspection fees exceed \$44,000,000, the amounts realized in excess of \$44,000,000 shall be credited to this appropriation and remain available until expended: Provided further, That for fiscal year 2023, not less than 50 percent of the inspection fees expended by the Bureau of Safety and Environmental Enforcement will be used to fund personnel and mission-related costs to expand capacity and expedite the orderly development, subject to environmental safeguards, of the Outer Continental Shelf pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.), including the review of applications for permits to drill.

OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016; title IV, sections 4202 and 4303; title VII; and title VIII, section 8201 of the Oil Pollution Act of 1990, \$15,099,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

**OFFICE OF SURFACE MINING RECLAMATION AND
ENFORCEMENT**

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, \$122,076,000, to remain available until September 30, 2024, of which \$65,000,000 shall be available for state and tribal regulatory grants: Provided, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

In addition, for costs to review, administer, and enforce permits issued by the Office pursuant to section 507 of Public Law 95-87 (30 U.S.C. 1257), \$40,000, to remain available until expended: Provided, That fees assessed and collected by the Office pursuant to such section 507 shall be credited to this account as discretionary offsetting collections, to remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as collections are received during the fiscal year, so as to result in a fiscal year 2023 appropriation estimated at not more than \$122,076,000.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, \$34,142,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended: Provided, That pursuant to Public Law 97-365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: Provided further, That funds made available under title IV of Public Law 95-87 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: Provided further, That such projects must be consistent with the purposes and priorities 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 U.S.C. 1233(a)), for reclamation of abandoned mine lands and other related activities in accordance with the terms and conditions described in the report accompanying this Act and 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: Provided further, That such additional amount shall be allocated to States and Indian Tribes within 60 days after the date of enactment of this Act.

INDIAN AFFAIRS

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For expenses necessary for the operation of Indian programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13) and the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 5301 et seq.), \$2,149,387,000, to remain available until September 30, 2024, except as otherwise provided herein; of which not to exceed \$8,500 may be for official reception and representation expenses; of which not to exceed \$78,488,000 shall be for welfare assistance payments: Provided, That in cases of designated Federal disasters, the Secretary of the Interior may exceed such cap for welfare payments from the amounts provided herein, to provide for disaster relief to Indian communities affected by the disaster: Provided further, That federally recognized Indian tribes and tribal organizations of federally recognized Indian tribes may use their tribal priority allocations for unmet welfare assistance costs: Provided further, That not to exceed \$67,084,000 shall remain available until expended for housing improvement, road maintenance, land acquisition, attorney fees, litigation support, land records improvement, and the Navajo-Hopi Settlement Program: Provided further, That any forestry funds allocated to a federally recognized tribe which remain unobligated as of September 30, 2024, may be transferred during fiscal year 2025 to an Indian forest land assistance account established for the benefit of the holder of the funds within the holder's trust fund account: Provided further, That any such unobligated balances not so transferred shall expire on September 30, 2025: Provided further, That in order to enhance the safety of Bureau field employees, the Bureau may use funds to purchase uniforms or other identifying articles of clothing for personnel: Provided further, That the Bureau of Indian Affairs may accept transfers of funds from United States Customs and Border Protection to supplement any other funding available for reconstruction or repair of roads owned by the Bureau of Indian Affairs as identified on the National Tribal Transportation Facility Inventory, 23 U.S.C. 202(b)(1).

INDIAN LAND CONSOLIDATION

For the acquisition of fractional interests to further land consolidation as authorized under the Indian Land Consolidation Act Amendments of 2000 (Public Law 106-462), and the American Indian Probate Reform Act of 2004 (Public Law 108-374), \$50,000,000, to remain available until expended: Provided, That any provision of the Indian Land Consolidation Act Amendments of 2000 (Public Law 106-462) that requires or otherwise relates to application of a lien shall not apply to the acquisitions funded herein.

CONTRACT SUPPORT COSTS

For payments to tribes and tribal organizations for contract support costs associated with Indian Self-Determination and Education Assistance Act agreements with the Bureau of Indian Affairs and the Bureau of Indian Education for fiscal year 2023, such sums as may be necessary, which shall be available for obligation through September 30, 2024: Provided, That notwithstanding any other provision of law, no amounts made available under this heading shall be available for transfer to another budget account.

PAYMENTS FOR TRIBAL LEASES

For payments to tribes and tribal organizations for leases pursuant to section 105(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5324(l)) for fiscal year

2023, such sums as may be necessary, which shall be available for obligation through September 30, 2024: Provided, That notwithstanding any other provision of law, no amounts made available under this heading shall be available for transfer to another budget account.

CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87-483; \$181,009,000, to remain available until expended: Provided, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: Provided further, That any funds provided for the Safety of Dams program pursuant to the Act of November 2, 1921 (25 U.S.C. 13), shall be made available on a non-reimbursable basis: Provided further, That this appropriation may be reimbursed from the Office of the Special Trustee for American Indians appropriation for the appropriate share of construction costs for space expansion needed in agency offices to meet trust reform implementation: Provided further, That of the funds made available under this heading, \$10,000,000 shall be derived from the Indian Irrigation Fund established by section 3211 of the WIIN Act (Public Law 114-322; 130 Stat. 1749).

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For payments and necessary administrative expenses for implementation of Indian land and water claim settlements pursuant to Public Laws 99-264, 114-322, and 116-260, and for implementation of other land and water rights settlements, \$825,000, to remain available until expended.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans and insured loans, \$13,884,000, to remain available until September 30, 2024, of which \$2,680,000 is for administrative expenses, as authorized by the Indian Financing Act of 1974: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed or insured, not to exceed \$150,213,551.

BUREAU OF INDIAN EDUCATION

OPERATION OF INDIAN EDUCATION PROGRAMS

For expenses necessary for the operation of Indian education programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 5301 et seq.), the Education Amendments of 1978 (25 U.S.C. 2001-2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), \$1,202,676,000 to remain available until September 30, 2024, except as otherwise provided herein: Provided, That federally recognized Indian tribes and tribal organizations of federally recognized Indian tribes may use their tribal priority allocations for unmet welfare assistance costs: Provided further, That not to exceed \$870,288,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2023, and shall remain available until September 30, 2024: Provided further, That notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.) and section 1128 of the Education Amendments of 1978 (25 U.S.C. 2008), not to exceed \$99,107,000 within and only from such amounts made available for school

operations shall be available for administrative cost grants associated with grants approved prior to July 1, 2023: Provided further, That in order to enhance the safety of Bureau field employees, the Bureau may use funds to purchase uniforms or other identifying articles of clothing for personnel.

EDUCATION CONSTRUCTION

For construction, repair, improvement, and maintenance of buildings, utilities, and other facilities necessary for the operation of Indian education programs, including architectural and engineering services by contract; acquisition of lands, and interests in lands; \$375,102,000 to remain available until expended: Provided, That in order to ensure timely completion of construction projects, the Secretary of the Interior may assume control of a project and all funds related to the project, if, not later than 18 months after the date of the enactment of this Act, any Public Law 100-297 (25 U.S.C. 2501, et seq.) grantee receiving funds appropriated in this Act or in any prior Act, has not completed the planning and design phase of the project and commenced construction.

ADMINISTRATIVE PROVISIONS

The Bureau of Indian Affairs and the Bureau of Indian Education may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts, and grants, either directly or in cooperation with States and other organizations.

Notwithstanding Public Law 87-279 (25 U.S.C. 15), the Bureau of Indian Affairs may contract for services in support of the management, operation, and maintenance of the Power Division of the San Carlos Irrigation Project.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs or the Bureau of Indian Education for central office oversight and Executive Direction and Administrative Services (except Executive Direction and Administrative Services funding for Tribal Priority Allocations, regional offices, and facilities operations and maintenance) shall be available for contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs or the Bureau of Indian Education under the provisions of the Indian Self-Determination Act or the Tribal Self-Governance Act of 1994 (Public Law 103-413).

In the event any tribe returns appropriations made available by this Act to the Bureau of Indian Affairs or the Bureau of Indian Education, this action shall not diminish the Federal Government's trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe's ability to access future appropriations.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Education, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska.

No funds available to the Bureau of Indian Education shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau of Indian Education school system as of October 1, 1995, except that the Secretary of the Interior may waive this prohibition to support expansion of up to one additional grade when the Secretary determines such waiver is needed to support accomplishment of the mission of the Bureau of Indian Education, or more than one grade to expand the elementary grade structure for Bureau-funded schools with a K-2 grade structure on October 1, 1996. Appropriations made available in this or any prior Act for schools funded by the Bureau shall be available, in accordance with the Bureau's funding formula, only to the schools in the Bureau school system as of September 1, 1996, and to any school or school program that was reinstated in

fiscal year 2012. Funds made available under this Act may not be used to establish a charter school at a Bureau-funded school (as that term is defined in section 1141 of the Education Amendments of 1978 (25 U.S.C. 2021)), except that a charter school that is in existence on the date of the enactment of this Act and that has operated at a Bureau-funded school before September 1, 1999, may continue to operate during that period, but only if the charter school pays to the Bureau a pro rata share of funds to reimburse the Bureau for the use of the real and personal property (including buses and vans), the funds of the charter school are kept separate and apart from Bureau funds, and the Bureau does not assume any obligation for charter school programs of the State in which the school is located if the charter school loses such funding. Employees of Bureau-funded schools sharing a campus with a charter school and performing functions related to the charter school's operation and employees of a charter school shall not be treated as Federal employees for purposes of chapter 171 of title 28, United States Code.

Notwithstanding any other provision of law, including section 113 of title I of appendix C of Public Law 106-113, if in fiscal year 2003 or 2004 a grantee received indirect and administrative costs pursuant to a distribution formula based on section 5(f) of Public Law 101-301, the Secretary shall continue to distribute indirect and administrative cost funds to such grantee using the section 5(f) distribution formula.

Funds available under this Act may not be used to establish satellite locations of schools in the Bureau school system as of September 1, 1996, except that the Secretary may waive this prohibition in order for an Indian tribe to provide language and cultural immersion educational programs for non-public schools located within the jurisdictional area of the tribal government which exclusively serve tribal members, do not include grades beyond those currently served at the existing Bureau-funded school, provide an educational environment with educator presence and academic facilities comparable to the Bureau-funded school, comply with all applicable Tribal, Federal, or State health and safety standards, and the Americans with Disabilities Act, and demonstrate the benefits of establishing operations at a satellite location in lieu of incurring extraordinary costs, such as for transportation or other impacts to students such as those caused by busing students extended distances: Provided, That no funds available under this Act may be used to fund operations, maintenance, rehabilitation, construction, or other facilities-related costs for such assets that are not owned by the Bureau: Provided further, That the term "satellite school" means a school location physically separated from the existing Bureau school by more than 50 miles but that forms part of the existing school in all other respects.

Funds made available for Tribal Priority Allocations within Operation of Indian Programs and Operation of Indian Education Programs may be used to execute requested adjustments in tribal priority allocations initiated by an Indian Tribe.

OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For the operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, \$111,286,000, to remain available until expended, of which not to exceed \$17,867,000 from this or any other Act, may be available for historical accounting: Provided, That funds for trust management improvements and litigation support may, as needed, be transferred to or merged with the Bureau

of Indian Affairs, "Operation of Indian Programs" and Bureau of Indian Education, "Operation of Indian Education Programs" accounts; the Office of the Solicitor, "Salaries and Expenses" account; and the Office of the Secretary, "Departmental Operations" account: Provided further, That funds made available through contracts or grants obligated during fiscal year 2023, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.), shall remain available until expended by the contractor or grantee: Provided further, That notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least 15 months and has a balance of \$15 or less: Provided further, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the account holder: Provided further, That not to exceed \$100,000 is available for the Secretary to make payments to correct administrative errors of either disbursements from or deposits to Individual Indian Money or Tribal accounts after September 30, 2002: Provided further, That erroneous payments that are recovered shall be credited to and remain available in this account for this purpose: Provided further, That the Secretary shall not be required to reconcile Special Deposit Accounts with a balance of less than \$500 unless the Office of the Special Trustee receives proof of ownership from a Special Deposit Accounts claimant: Provided further, That notwithstanding section 102 of the American Indian Trust Fund Management Reform Act of 1994 (Public Law 103-412) or any other provision of law, the Secretary may aggregate the trust accounts of individuals whose whereabouts are unknown for a continuous period of at least 5 years and shall not be required to generate periodic statements of performance for the individual accounts: Provided further, That with respect to the eighth proviso, the Secretary shall continue to maintain sufficient records to determine the balance of the individual accounts, including any accrued interest and income, and such funds shall remain available to the individual account holders.

DEPARTMENTAL OFFICES

OFFICE OF THE SECRETARY

DEPARTMENTAL OPERATIONS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for management of the Department of the Interior and for grants and cooperative agreements, as authorized by law, \$147,706,000, to remain available until September 30, 2024; of which not to exceed \$15,000 may be for official reception and representation expenses; of which up to \$1,000,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines; and of which \$14,295,000 for Indian land, mineral, and resource valuation activities shall remain available until expended: Provided, That funds for Indian land, mineral, and resource valuation activities may, as needed, be transferred to and merged with the Bureau of Indian Affairs "Operation of Indian Programs" and Bureau of Indian Education "Operation of Indian Education Programs" accounts and the Office of the Special Trustee "Federal Trust Programs" account: Provided further, That funds made available through contracts or grants obligated during fiscal year 2023, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.), shall remain available until expended by the contractor or grantee.

ADMINISTRATIVE PROVISIONS

For fiscal year 2023, up to \$400,000 of the payments authorized by chapter 69 of title 31, United States Code, may be retained for admin-

istrative expenses of the Payments in Lieu of Taxes Program: Provided, That the amounts provided under this Act specifically for the Payments in Lieu of Taxes program are the only amounts available for payments authorized under chapter 69 of title 31, United States Code: Provided further, That in the event the sums appropriated for any fiscal year for payments pursuant to this chapter are insufficient to make the full payments authorized by that chapter to all units of local government, then the payment to each local government shall be made proportionally: Provided further, That the Secretary may make adjustments to payment to individual units of local government to correct for prior overpayments or underpayments: Provided further, That no payment shall be made pursuant to that chapter to otherwise eligible units of local government if the computed amount of the payment is less than \$100.

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior and other jurisdictions identified in section 104(e) of Public Law 108-188, \$121,257,000, of which: (1) \$111,040,000 shall remain available until expended for territorial assistance, including general technical assistance, maintenance assistance, disaster assistance, coral reef initiative and natural resources activities, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands, as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands, as authorized by law (Public Law 94-241; 90 Stat. 272); and (2) \$10,217,000 shall be available until September 30, 2024, for salaries and expenses of the Office of Insular Affairs: Provided, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used by such governments, may be audited by the Government Accountability Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: Provided further, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104-134: Provided further, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure with territorial participation and cost sharing to be determined by the Secretary based on the grantee's commitment to timely maintenance of its capital assets: Provided further, That any appropriation for disaster assistance under this heading in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

COMPACT OF FREE ASSOCIATION

For grants and necessary expenses, \$8,463,000, to remain available until expended, as provided for in sections 221(a)(2) and 233 of the Compact of Free Association for the Republic of Palau; and section 221(a)(2) of the Compacts of Free Association for the Government of the Republic of the Marshall Islands and the Federated States of Micronesia, as authorized by Public Law 99-658 and Public Law 108-188: Provided, That of the funds appropriated under this heading, \$5,000,000 is for deposit into the Compact

Trust Fund of the Republic of the Marshall Islands as compensation authorized by Public Law 108-188 for adverse financial and economic impacts.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

At the request of the Governor of Guam, the Secretary may transfer discretionary funds or mandatory funds provided under section 104(e) of Public Law 108-188 and Public Law 104-134, that are allocated for Guam, to the Secretary of Agriculture for the subsidy cost of direct or guaranteed loans, plus not to exceed three percent of the amount of the subsidy transferred for the cost of loan administration, for the purposes authorized by the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act for construction and repair projects in Guam, and such funds shall remain available until expended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That such loans or loan guarantees may be made without regard to the population of the area, credit elsewhere requirements, and restrictions on the types of eligible entities under the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act: Provided further, That any funds transferred to the Secretary of Agriculture shall be in addition to funds otherwise made available to make or guarantee loans under such authorities.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, \$103,190,000, to remain available until September 30, 2024.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, \$76,870,000, to remain available until September 30, 2024.

DEPARTMENT-WIDE PROGRAMS

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for fire preparedness, fire suppression operations, fire science and research, emergency rehabilitation, fuels management activities, and rural fire assistance by the Department of the Interior, \$1,202,130,000, to remain available until expended, of which not to exceed \$10,000,000 shall be for the renovation or construction of fire facilities: Provided, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: Provided further, That of the funds provided \$304,344,000 is for fuels management activities: Provided further, That of the funds provided \$22,470,000 is for burned area rehabilitation: Provided further, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: Provided further, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: Provided further, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for fuels management activities, and for training and monitoring associated with such fuels management activities on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: Provided further, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be

shared, as mutually agreed on by the affected parties: Provided further, That notwithstanding requirements of the Competition in Contracting Act, the Secretary, for purposes of fuels management activities, may obtain maximum practicable competition among: (1) local private, nonprofit, or cooperative entities; (2) Youth Conservation Corps crews, Public Lands Corps (Public Law 109-154), or related partnerships with State, local, or nonprofit youth groups; (3) small or micro-businesses; or (4) other entities that will hire or train locally a significant percentage, defined as 50 percent or more, of the project workforce to complete such contracts: Provided further, That in implementing this section, the Secretary shall develop written guidance to field units to ensure accountability and consistent application of the authorities provided herein: Provided further, That funds appropriated under this heading may be used to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and conference, as required by section 7 of such Act, in connection with wildland fire management activities: Provided further, That the Secretary of the Interior may use wildland fire appropriations to enter into leases of real property with local governments, at or below fair market value, to construct capitalized improvements for fire facilities on such leased properties, including but not limited to fire guard stations, retardant stations, and other initial attack and fire support facilities, and to make advance payments for any such lease or for construction activity associated with the lease: Provided further, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed \$50,000,000 between the Departments when such transfers would facilitate and expedite wildland fire management programs and projects: Provided further, That funds provided for wildfire suppression shall be available for support of Federal emergency response actions: Provided further, That funds appropriated under this heading shall be available for assistance to or through the Department of State in connection with forest and rangeland research, technical information, and assistance in foreign countries, and, with the concurrence of the Secretary of State, shall be available to support forestry, wildland fire management, and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations: Provided further, That of the funds provided under this heading, \$383,657,000 shall be available for wildfire suppression operations, and is provided to meet the terms of section 4004(b)(5)(B) of S. Con. Res. 14 (117th Congress), the concurrent resolution on the budget for fiscal year 2022, and section 1(g)(2) of H. Res. 1151 (117th Congress), as engrossed in the House of Representatives on June 8, 2022.

WILDFIRE SUPPRESSION OPERATIONS RESERVE FUND

(INCLUDING TRANSFERS OF FUNDS)

In addition to the amounts provided under the heading “Department of the Interior—Department-Wide Programs—Wildland Fire Management” for wildfire suppression operations, \$340,000,000, to remain available until transferred, is additional new budget authority as specified for purposes of section 4004(b)(5) of S. Con. Res. 14 (117th Congress), the concurrent resolution on the budget for fiscal year 2022, and section 1(g) of H. Res. 1151 (117th Congress), as engrossed in the House of Representatives on June 8, 2022: Provided, That such amounts may be transferred to and merged with amounts made available under the headings

“Department of Agriculture—Forest Service—Wildland Fire Management” and “Department of the Interior—Department-Wide Programs—Wildland Fire Management” for wildfire suppression operations in the fiscal year in which such amounts are transferred: Provided further, That amounts may be transferred to the “Wildland Fire Management” accounts in the Department of Agriculture or the Department of the Interior only upon the notification of the House and Senate Committees on Appropriations that all wildfire suppression operations funds appropriated under that heading in this and prior appropriations Acts to the agency to which the funds will be transferred will be obligated within 30 days: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided by law: Provided further, That, in determining whether all wildfire suppression operations funds appropriated under the heading “Wildland Fire Management” in this and prior appropriations Acts to either the Department of Agriculture or the Department of the Interior will be obligated within 30 days pursuant to the preceding proviso, any funds transferred or permitted to be transferred pursuant to any other transfer authority provided by law shall be excluded.

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the response action, including associated activities, performed pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.), \$10,064,000, to remain available until expended.

ENERGY COMMUNITY REVITALIZATION PROGRAM (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of the Interior to inventory, assess, decommission, reclaim, respond to hazardous substance releases, remediate lands pursuant to section 40704 of Public Law 117-58 (30 U.S.C. 1245), and carry out the purposes of section 349 of the Energy Policy Act of 2005 (42 U.S.C. 15907), as amended, \$45,000,000, to remain available until expended: Provided, That such amount shall be in addition to amounts otherwise available for such purposes: Provided further, That amounts appropriated under this heading are available for program management and oversight of these activities: Provided further, That the Secretary may transfer the funds provided under this heading in this Act to any other account in the Department to carry out such purposes, and may expend such funds directly, or through grants: Provided further, That these amounts are not available to fulfill Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) obligations agreed to in settlement or imposed by a court, whether for payment of funds or for work to be performed.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment, restoration activities, and onshore oil spill preparedness by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.), the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), and 54 U.S.C. 100721 et seq., \$8,059,000, to remain available until expended.

WORKING CAPITAL FUND

For the operation and maintenance of a departmental financial and business management system, data management, and information technology improvements of general benefit to the Department, cybersecurity, and the consoli-

dation of facilities and operations throughout the Department, \$118,746,000, to remain available until expended: Provided, That none of the funds appropriated in this Act or any other Act may be used to establish reserves in the Working Capital Fund account other than for accrued annual leave and depreciation of equipment without prior approval of the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That the Secretary of the Interior may assess reasonable charges to State, local, and tribal government employees for training services provided by the National Indian Program Training Center, other than training related to Public Law 93-638: Provided further, That the Secretary may lease or otherwise provide space and related facilities, equipment, or professional services of the National Indian Program Training Center to State, local and tribal government employees or persons or organizations engaged in cultural, educational, or recreational activities (as defined in section 3306(a) of title 40, United States Code) at the prevailing rate for similar space, facilities, equipment, or services in the vicinity of the National Indian Program Training Center: Provided further, That all funds received pursuant to the two preceding provisos shall be credited to this account, shall be available until expended, and shall be used by the Secretary for necessary expenses of the National Indian Program Training Center: Provided further, That the Secretary may enter into grants and cooperative agreements to support the Office of Natural Resource Revenue's collection and disbursement of royalties, fees, and other mineral revenue proceeds, as authorized by law.

ADMINISTRATIVE PROVISION

There is hereby authorized for acquisition from available resources within the Working Capital Fund, aircraft which may be obtained by donation, purchase, or through available excess surplus property: Provided, That existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft.

OFFICE OF NATURAL RESOURCES REVENUE

For necessary expenses for management of the collection and disbursement of royalties, fees, and other mineral revenue proceeds, and for grants and cooperative agreements, as authorized by law, \$174,977,000, to remain available until September 30, 2024; of which \$69,751,000 shall remain available until expended for the purpose of mineral revenue management activities: Provided, That notwithstanding any other provision of law, \$15,000 shall be available for refunds of overpayments in connection with certain Indian leases in which the Secretary of the Interior concurred with the claimed refund due, to pay amounts owed to Indian allottees or tribes, or to correct prior unrecoverable erroneous payments.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

(INCLUDING TRANSFERS OF FUNDS)

EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary of the Interior, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: Provided, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: Provided further, That all funds used pursuant to this section must be replenished by a supplemental appropriation, which must be requested as promptly as possible.

EMERGENCY TRANSFER AUTHORITY—
DEPARTMENT-WIDE

SEC. 102. The Secretary of the Interior may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills or releases of hazardous substances into the environment; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 417(b) of Public Law 106-224 (7 U.S.C. 7717(b)); for emergency reclamation projects under section 410 of Public Law 95-87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: Provided, That appropriations made in this title for wildland fire operations shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for wildland fire operations, with such reimbursement to be credited to appropriations currently available at the time of receipt thereof: Provided further, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for "wildland fire suppression" shall be exhausted within 30 days: Provided further, That all funds used pursuant to this section must be replenished by a supplemental appropriation, which must be requested as promptly as possible: Provided further, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

AUTHORIZED USE OF FUNDS

SEC. 103. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by section 3109 of title 5, United States Code, when authorized by the Secretary of the Interior, in total amount not to exceed \$500,000; purchase and replacement of motor vehicles, including specially equipped law enforcement vehicles; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

AUTHORIZED USE OF FUNDS, INDIAN TRUST
MANAGEMENT

SEC. 104. Appropriations made in this Act under the headings Bureau of Indian Affairs and Bureau of Indian Education, and Office of the Special Trustee for American Indians and any unobligated balances from prior appropriations Acts made under the same headings shall be available for expenditure or transfer for Indian trust management and reform activities. Total funding for historical accounting activities shall not exceed amounts specifically designated in this Act for such purpose. The Secretary shall notify the House and Senate Com-

mittees on Appropriations within 60 days of the expenditure or transfer of any funds under this section, including the amount expended or transferred and how the funds will be used.

REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN
AFFAIRS

SEC. 105. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds to address identified, unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2023. Under circumstances of dual enrollment, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

ELLIS, GOVERNORS, AND LIBERTY ISLANDS

SEC. 106. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to acquire lands, waters, or interests therein, including the use of all or part of any pier, dock, or landing within the State of New York and the State of New Jersey, for the purpose of operating and maintaining facilities in the support of transportation and accommodation of visitors to Ellis, Governors, and Liberty Islands, and of other program and administrative activities, by donation or with appropriated funds, including franchise fees (and other monetary consideration), or by exchange; and the Secretary is authorized to negotiate and enter into leases, subleases, concession contracts, or other agreements for the use of such facilities on such terms and conditions as the Secretary may determine reasonable: Provided, That for the purposes of 54 U.S.C. 200306(a), such lands, waters, or interests therein shall be considered to be within the exterior boundary of a System unit authorized or established.

OUTER CONTINENTAL SHELF INSPECTION FEES

SEC. 107. (a) In fiscal year 2023, the Secretary of the Interior shall collect a nonrefundable inspection fee, which shall be deposited in the "Offshore Safety and Environmental Enforcement" account, from the designated operator for facilities subject to inspection under 43 U.S.C. 1348(c).

(b) Annual fees shall be collected for facilities that are above the waterline, excluding drilling rigs, and are in place at the start of the fiscal year. Fees for fiscal year 2023 shall be—

(1) \$11,725 for facilities with no wells, but with processing equipment or gathering lines;

(2) \$18,984 for facilities with 1 to 10 wells, with any combination of active or inactive wells; and

(3) \$35,176 for facilities with more than 10 wells, with any combination of active or inactive wells.

(c) Fees shall be assessed for facilities that are above the waterline, excluding drilling rigs, and require follow-up inspections. Fees for fiscal year 2023 shall be—

(1) \$5,863 for facilities with no wells, but with processing or gathering lines;

(2) \$9,492 for facilities with 1 to 10 wells, with any combination of active or inactive wells; and

(3) \$17,588 for facilities with more than 10 wells, with any combination of active or inactive wells.

(d) Fees for drilling rigs shall be assessed for all inspections completed in fiscal year 2023. Fees for fiscal year 2023 shall be—

(1) \$34,059 per inspection for rigs operating in water depths of 500 feet or more; and

(2) \$18,649 per inspection for rigs operating in water depths of less than 500 feet.

(e) Fees for inspection of well operations conducted via non-rig units as outlined in title 30 CFR 250 subparts D, E, F, and Q shall be assessed for all inspections completed in fiscal year 2023. Fees for fiscal year 2023 shall be—

(1) \$13,260 per inspection for non-rig units operating in water depths of 2,500 feet or more;

(2) \$11,530 per inspection for non-rig units operating in water depths between 500 and 2,499 feet; and

(3) \$4,470 per inspection for non-rig units operating in water depths of less than 500 feet.

(f) The Secretary shall bill designated operators under subsection (b) quarterly, with payment required within 30 days of billing. The Secretary shall bill designated operators under subsection (c) within 30 days of the end of the month in which the inspection occurred, with payment required within 30 days of billing. The Secretary shall bill designated operators under subsection (d) with payment required by the end of the following quarter.

CONTRACTS AND AGREEMENTS FOR WILD HORSE
AND BURRO HOLDING FACILITIES

SEC. 108. Notwithstanding any other provision of this Act, the Secretary of the Interior may enter into multiyear cooperative agreements with nonprofit organizations and other appropriate entities, and may enter into multiyear contracts in accordance with the provisions of section 3903 of title 41, United States Code (except that the 5-year term restriction in subsection (a) shall not apply), for the long-term care and maintenance of excess wild free roaming horses and burros by such organizations or entities on private land. Such cooperative agreements and contracts may not exceed 10 years, subject to renewal at the discretion of the Secretary.

MASS MARKING OF SALMONIDS

SEC. 109. The United States Fish and Wildlife Service shall, in carrying out its responsibilities to protect threatened and endangered species of salmon, implement a system of mass marking of salmonid stocks, intended for harvest, that are released from federally operated or federally financed hatcheries including but not limited to fish releases of coho, chinook, and steelhead species. Marked fish must have a visible mark that can be readily identified by commercial and recreational fishers.

CONTRACTS AND AGREEMENTS WITH INDIAN
AFFAIRS

SEC. 110. Notwithstanding any other provision of law, during fiscal year 2023, in carrying out work involving cooperation with State, local, and tribal governments or any political subdivision thereof, Indian Affairs may record obligations against accounts receivable from any such entities, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year.

DEPARTMENT OF THE INTERIOR EXPERIENCED
SERVICES PROGRAM

SEC. 111. (a) Notwithstanding any other provision of law relating to Federal grants and cooperative agreements, the Secretary of the Interior is authorized to make grants to, or enter into cooperative agreements with, private nonprofit organizations designated by the Secretary of Labor under title V of the Older Americans Act of 1965 to utilize the talents of older Americans in programs authorized by other provisions of law administered by the Secretary and consistent with such provisions of law.

(b) Prior to awarding any grant or agreement under subsection (a), the Secretary shall ensure that the agreement would not—

(1) result in the displacement of individuals currently employed by the Department, including partial displacement through reduction of non-overtime hours, wages, or employment benefits;

(2) result in the use of an individual under the Department of the Interior Experienced Services Program for a job or function in a case in which a Federal employee is in a layoff status from the same or substantially equivalent job within the Department; or

(3) affect existing contracts for services.

OBLIGATION OF FUNDS

SEC. 112. Amounts appropriated by this Act to the Department of the Interior shall be available

for obligation and expenditure not later than 60 days after the date of enactment of this Act.

SEPARATION OF ACCOUNTS

SEC. 113. The Secretary of the Interior, in order to implement an orderly transition to separate accounts of the Bureau of Indian Affairs and the Bureau of Indian Education, may transfer funds among and between the successor offices and bureaus affected by the reorganization only in conformance with the reprogramming guidelines described in this Act.

PAYMENTS IN LIEU OF TAXES (PILT)

SEC. 114. Section 6906 of title 31, United States Code, shall be applied by substituting “fiscal year 2023” for “fiscal year 2019”.

DISCLOSURE OF DEPARTURE OR ALTERNATE PROCEDURE APPROVAL

SEC. 115. (a) Subject to subsection (b), in any case in which the Bureau of Safety and Environmental Enforcement or the Bureau of Ocean Energy Management prescribes or approves any departure or use of alternate procedure or equipment, in regards to a plan or permit, under 30 CFR 585.103; 30 CFR 550.141; 30 CFR 550.142; 30 CFR 250.141; or 30 CFR 250.142, the head of such bureau shall post a description of such departure or alternate procedure or equipment use approval on such bureau's publicly available website not more than 15 business days after such issuance.

(b) The head of each bureau may exclude confidential business information.

LONG BRIDGE PROJECT

SEC. 116. (a) AUTHORIZATION OF CONVEYANCE.—On request by the State of Virginia or the District of Columbia for the purpose of the construction of rail and other infrastructure relating to the Long Bridge Project, the Secretary of the Interior may convey to the State or the District of Columbia, as applicable, all right, title, and interest of the United States in and to any portion of the approximately 4.4 acres of National Park Service land depicted as “Permanent Impact to NPS Land” on the Map dated May 15, 2020, that is identified by the State or the District of Columbia.

(b) TERMS AND CONDITIONS.—Such conveyance of the National Park Service land under subsection (a) shall be subject to any terms and conditions that the Secretary may require. If such conveyed land is no longer being used for the purposes specified in this section, the lands or interests therein shall revert to the National Park Service after they have been restored or remediated to the satisfaction of the Secretary.

(c) CORRECTIONS.—The Secretary and the State or the District of Columbia, as applicable, by mutual agreement, may—

(1) make minor boundary adjustments to the National Park Service land to be conveyed to the State or the District of Columbia under subsection (a); and

(2) correct any minor errors in the Map referred to in subsection (a).

(d) DEFINITIONS.—For purposes of this section:

(1) LONG BRIDGE PROJECT.—The term “Long Bridge Project” means the rail project, as identified by the Federal Railroad Administration, from Rosslyn (RO) Interlocking in Arlington, Virginia, to L’Enfant (LE) Interlocking in Washington, DC, which includes a bicycle and pedestrian bridge.

(2) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Director of the National Park Service.

(3) STATE.—The term “State” means the State of Virginia.

INTERAGENCY MOTOR POOL

SEC. 117. Notwithstanding any other provision of law or Federal regulation, federally recognized Indian tribes or authorized tribal organizations that receive Tribally-Controlled School Grants pursuant to Public Law 100–297 may obtain interagency motor vehicles and related

services for performance of any activities carried out under such grants to the same extent as if they were contracting under the Indian Self-Determination and Education Assistance Act.

DELAWARE WATER GAP AUTHORITY

SEC. 118. Section 4(b) of The Delaware Water Gap National Recreation Area Improvement Act, as amended by section 1 of Public Law 115–101, shall be applied by substituting “2023” for “2021”.

NATIONAL HERITAGE AREAS AND CORRIDORS

SEC. 119. (a) Section 109(a) of the Quinebaug and Shetucket Rivers Valley National Heritage Corridor Act of 1994 (title I of Public Law 103–449), is amended by striking “\$17,000,000” and inserting “\$19,000,000”.

(b) Section 409(a) of the Steel Industry American Heritage Area Act of 1996 (title IV of division II of Public Law 104–333) is amended by striking “\$20,000,000” and inserting “\$22,000,000”.

(c) Section 608(a) of the South Carolina National Heritage Corridor Act of 1996 (title VI of division II of Public Law 104–333) is amended by striking “\$17,000,000” and inserting “\$19,000,000”.

(d) Subsection 157(h)(1) of the Wheeling National Heritage Area Act of 2000 (section 157 of Public Law 106–291) is amended by striking “\$15,000,000” and inserting “\$17,000,000”.

(e) Sections 411, 432, and 451 of title IV of the Consolidated Natural Resources Act of 2008 (Public Law 110–229), are each amended by striking “the date that is 15 years after the date of” and all that follows through the end of each section and inserting “September 30, 2024.”

(f) Section 512 of the National Aviation Heritage Area Act (title V of division J of Public Law 108–447), is amended by striking “2022” and inserting “2024”.

(g) Section 608 of the Oil Region National Heritage Area Act (title VI of Public Law 108–447) is amended by striking “2022” and inserting “2024”.

(h) Section 125(a) of Public Law 98–398, as amended by section 402 of Public Law 109–338 (120 Stat. 1853), is amended by striking “\$10,000,000” and inserting “\$12,000,000”.

STUDY FOR SELMA TO MONTGOMERY NATIONAL HISTORIC TRAIL

SEC. 120. (a) STUDY.—The Secretary of the Interior (Secretary) shall conduct a study to evaluate—

(1) resources associated with the 1965 Voting Rights March from Selma to Montgomery not currently part of the Selma to Montgomery National Historic Trail (Trail) (16 U.S.C. 1244(a)(20)) that would be appropriate for addition to the Trail; and

(2) the potential designation of the Trail as a unit of the National Park System instead of, or in addition to, remaining a designated part of the National Trails System.

(b) REPORT.—Not later than one year after the date of enactment of this Act, the Secretary shall submit to the House and Senate Committees on Appropriations, the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes the results of the study and the conclusions and recommendations of the study.

(c) LAND ACQUISITION.—The Secretary is authorized, subject to the availability of appropriations and at her discretion, to acquire property or interests therein located in the city of Selma, Alabama and generally depicted on the map entitled, “Selma to Montgomery NHT Proposed Addition,” numbered 628/177376 and dated September 14, 2021, with the consent of the owner, for the benefit of the Selma to Montgomery National Historic Trail and to further the purpose for which the trail has been established.

APPRAISER PAY AUTHORITY

SEC. 121. For fiscal year 2023, funds made available in this or any other Act or otherwise

made available to the Department of the Interior for the Appraisal and Valuation Services Office may be used by the Secretary of the Interior to establish higher minimum rates of basic pay for employees of the Department of the Interior in the Appraiser (GS–1171) job series at grades 11 through 15 carrying out appraisals of real property and appraisal reviews conducted in support of the Department's realty programs at rates no greater than 15 percent above the minimum rates of basic pay normally scheduled, and such higher rates shall be consistent with subsections (e) through (h) of section 5305 of title 5, United States Code.

ONSHORE OIL AND GAS INSPECTION FEE

SEC. 122. (a) ONSHORE OIL AND GAS INSPECTION FEES.—The designated operator under each oil and gas lease on Federal or Indian lands, or under each unit and communitization agreement that includes one or more such Federal or Indian leases, that is subject to inspection under section 108(b) of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1718(b)) and that is in force at the start of fiscal year 2022 shall pay a nonrefundable annual inspection fee that the Bureau of Land Management (BLM) shall collect and deposit in the “Management of Lands and Resources” account.

(b) FEES.—Fees for fiscal year 2023 shall be—

(1) \$1,560 for each lease or unit or communitization agreement with 1 to 10 wells, with any combination of active or inactive wells;

(2) \$7,000 for each lease or unit or communitization agreement with 11 to 50 wells, with 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.

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 Management Service in Public Law 101–512 shall hereafter have no force or effect.

(b) Beginning on the later of October 1, 2022, or the date of enactment of this Act, and in each fiscal year hereafter—

(1) Notwithstanding section 3302 of title 31, any moneys hereafter received as a result of the forfeiture of a bond or other security by an Outer Continental Shelf permittee, lessee, or right-of-way holder that does not fulfill the requirements of its permit, lease, or right-of-way or does not comply with the regulations of the Secretary, or as a bankruptcy distribution or settlement associated with such failure or non-compliance, shall be credited to a separate account established in the Treasury for decommissioning activities and shall be available to the Bureau of Ocean Energy Management without further appropriation or fiscal year limitation to

cover the cost to the United States of any improvement, protection, rehabilitation, or decommissioning work rendered necessary by the action or inaction that led to the forfeiture or bankruptcy distribution or settlement, to remain available until expended.

(2) Amounts deposited into the decommissioning account may be allocated to the Bureau of Safety and Environmental Enforcement for such costs.

(3) Any moneys received for such costs currently held in the Ocean Energy Management account shall be transferred to the decommissioning account; and

(4) Any portion of the moneys so credited shall be returned to the bankruptcy estate, permittee, lessee, or right-of-way holder to the extent that the money is in excess of the amount expended in performing the work necessitated by the action or inaction which led to their receipt or, if the bond or security was forfeited for failure to pay the civil penalty, in excess of the civil penalty imposed.

LAND AND WATER CONSERVATION FUND FINANCIAL ASSISTANCE TO STATES

SEC. 124. For expenses necessary to carry out section 200305 of title 54, United States Code, the National Park Service may retain up to 7 percent of the State Conservation Grants program to provide to States, the District of Columbia, and insular areas, as matching grants to support state program administrative costs.

INCORPORATION BY REFERENCE

SEC. 125. (a) H.R. 6707 as introduced in the 117th Congress (Advancing Equality for Wabanaki Nations Act) is hereby enacted into law.

(b) In publishing this Act in slip form and in the United States Statutes at large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end an appendix setting forth the text of the sections of the bill referred to in subsection (a).

INDIAN RESERVATION GAMING REGULATIONS

SEC. 126. The Ysleta del Sur Pueblo and Alabama and Coushatta Indian Tribes of Texas Restoration Act (Public Law 100—89; 101 Stat. 666) is amended by adding at the end the following:

“SEC. 301 RULE OF CONSTRUCTION.

“Nothing in this Act shall be construed to preclude or limit the applicability of the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.).”.

INDIAN REORGANIZATION ACT

SEC. 127. (a) MODIFICATION.—(1) IN GENERAL.—The first sentence of section 19 of the Act of June 18, 1934 (commonly known as the “Indian Reorganization Act”) (25 U.S.C. 5129), is amended—

(A) by striking “The term” and inserting “Effective beginning on June 18, 1934, the term”; and

(B) by striking “any recognized Indian tribe now under Federal jurisdiction” and inserting “any federally recognized Indian tribe”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect as if included in the Act of June 18, 1934 (commonly known as the “Indian Reorganization Act”) (25 U.S.C. 5129), on the date of enactment of that Act.

(b) RATIFICATION AND CONFIRMATION OF ACTIONS.—Any action taken by the Secretary of the Interior pursuant to the Act of June 18, 1934 (commonly known as the “Indian Reorganization Act”) (25 U.S.C. 5101 et seq.) for any Indian tribe that was federally recognized on the date of the action is ratified and confirmed, to the extent such action is subjected to challenge based on whether the Indian tribe was federally recognized or under Federal jurisdiction on June 18, 1934, as if the action had, by prior act of Congress, been specifically authorized and directed.

(c) EFFECT ON OTHER LAWS.—(1) IN GENERAL.—Nothing in this section or the amendments made by this section affects—

(A) the application or effect of any Federal law other than the Act of June 18, 1934 (25 U.S.C. 5101 et seq.) (as amended by subsection (a)); or

(B) any limitation on the authority of the Secretary of the Interior under any Federal law or regulation other than the Act of June 18, 1934 (25 U.S.C. 5101 et seq.) (as so amended).

(2) REFERENCES IN OTHER LAWS.—An express reference to the Act of June 18, 1934 (25 U.S.C. 5101 et seq.) contained in any other Federal law shall be considered to be a reference to that Act as amended by subsection (a).

LOWELL NATIONAL HISTORIC PARK

SEC. 128. Section 103(a) of Public Law 95—290 (16 U.S.C. 410cc—13; 92 Stat. 292) is amended by striking paragraph (1) and redesignating paragraph (2) as paragraph (1).

RESTRICTION ON USE OF FUNDS

SEC. 129. (a) None of the funds made available in this Act may be used by the Secretary of the Interior or the Director of the Bureau of Ocean Energy Management to conduct or authorize oil and gas preleasing, leasing, or related activities, including but not limited to the issuance of permits for geological and geophysical exploration, in any planning area where the 2017–2022 Outer Continental Shelf Oil and Gas Leasing Proposed Final Program (November 2016) did not schedule leases.

(b) The restrictions under subsection (a) apply to the formal steps identified by the Department of the Interior and the enabling steps prior to leasing, including the issuance of permits for geological and geophysical exploration.

TRIBAL CANNABIS

SEC. 130. None of the funds appropriated by this Act to the Department of Justice or its agencies or bureaus or the Department of the Interior, Bureau of Indian Affairs, Office of Justice Services, including those agency funds distributed to any Indian tribe (as such term is defined in the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5130(2))) via the Indian Self-Determination and Education Assistance Act (25 U.S.C. § 5301, et. seq.), may be used to enforce federal laws criminalizing the use, distribution, possession, or cultivation of marijuana against any person engaged in the use, distribution, possession, or cultivation of marijuana in Indian country (as defined by 18 U.S.C. § 1151), where tribal laws authorize such use, distribution, possession, or cultivation of marijuana, subject to the following:

(1) unless federal law subjects the Indian lands (as such term is defined in the Indian Gaming Regulatory Act (25 U.S.C. 2703(4))) to the civil and criminal laws of the state and the tribal laws authorizing the use, distribution, possession, or cultivation of marijuana do not comply therewith or the Indian lands are not in a state that has legalized marijuana for any purpose; and

(2) provided the governing Indian tribe (Federally Recognized Indian Tribe List Act) takes reasonable measures under tribal marijuana laws to ensure that marijuana is prohibited for minors; marijuana is not diverted to states or tribes where marijuana is prohibited by state or tribal law; marijuana is not used as a means for trafficking other illegal drugs or used to support organized crime activity; and marijuana is not permitted on Federal public lands.

VISITOR EXPERIENCE IMPROVEMENT AUTHORITY

SEC. 131. Section 101938 of title 54, United States Code, is amended by striking “7” and inserting “9”.

BIG CYPRESS NATIONAL PRESERVE

SEC. 132. The Secretary of the Interior, acting through the Director of the National Park Service, shall prepare an environmental impact statement under the National Environmental

Policy Act of 1969 (42 U.S.C. 4321 et seq.), prior to approving an operations permit, as described in 36 Code of Federal Regulations, subpart B §§9.80 through 9.90, for the purpose of conducting or proposing to conduct non-federal oil or gas operations within the Big Cypress National Preserve.

TITLE II

ENVIRONMENTAL PROTECTION AGENCY SCIENCE AND TECHNOLOGY

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980; necessary expenses for personnel and related costs and travel expenses; procurement of laboratory equipment and supplies; hire, maintenance, and operation of aircraft; and other operating expenses in support of research and development, \$872,743,000, to remain available until September 30, 2024: Provided, That of the funds included under this heading, \$10,000,000 shall be for Research: National Priorities as specified in the report accompanying this Act.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For environmental programs and management, including necessary expenses not otherwise provided for, for personnel and related costs and travel expenses; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; administrative costs of the brownfields program under the Small Business Liability Relief and Brownfields Revitalization Act of 2002; implementation of a coal combustion residual permit program under section 2301 of the Water and Waste Act of 2016; and not to exceed \$9,000 for official reception and representation expenses, \$3,792,315,000, to remain available until September 30, 2024: Provided, That of the amounts made available under this heading, \$27,700,000 shall be for Environmental Protection: National Priorities as specified in the report accompanying this Act: Provided further, That of the amounts made available under this heading, \$679,938,000 shall be for Geographic Programs specified in the report accompanying this Act: Provided further, That amounts made available under this heading may be used for environmental justice implementation and training grants, and associated program support costs. Provided further, That of the amounts made available under this heading, the Chemical Risk Review and Reduction program project shall be allocated for this fiscal year, excluding the amount of any fees appropriated, not less than the amount of appropriations for that program project for fiscal year 2014.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$55,865,000, to remain available until September 30, 2024.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, \$80,570,000, to remain available until expended.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and hire, maintenance, and operation of aircraft, \$1,313,638,000, to remain available until expended, consisting of, in the following order, amounts made available for fiscal year 2023 pursuant to section 613 of Public

Law 117–58; to the extent necessary, such sums as are available in the Trust Fund on September 30, 2022, and not otherwise appropriated from the Trust Fund, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA); and to the extent necessary, up to \$1,313,638,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA: Provided, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: Provided further, That of the funds appropriated under this heading, \$12,111,000 shall be paid to the “Office of Inspector General” appropriation to remain available until September 30, 2024, and \$31,391,000 shall be paid to the “Science and Technology” appropriation to remain available until September 30, 2024.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND PROGRAM

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by subtitle I of the Solid Waste Disposal Act, \$93,814,000, to remain available until expended, of which \$67,145,000 shall be for carrying out leaking underground storage tank cleanup activities authorized by section 9003(h) of the Solid Waste Disposal Act; \$26,669,000 shall be for carrying out the other provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code: Provided, That the Administrator is authorized to use appropriations made available under this heading to implement section 9013 of the Solid Waste Disposal Act to provide financial assistance to federally recognized Indian tribes for the development and implementation of programs to manage underground storage tanks.

INLAND OIL SPILL PROGRAMS

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, including hire, maintenance, and operation of aircraft, \$26,502,000, to be derived from the Oil Spill Liability trust fund, to remain available until expended.

STATE AND TRIBAL ASSISTANCE GRANTS

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, \$5,177,332,000, to remain available until expended, of which—

(1) \$1,751,646,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act; and of which \$1,126,096,000 shall be for making capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act: Provided, That \$553,401,264 of the funds made available for capitalization grants for the Clean Water State Revolving Funds and \$381,263,499 of the funds made available for capitalization grants for the Drinking Water State Revolving Funds shall be for the construction of drinking water, wastewater, and storm water infrastructure and for water quality protection in accordance with the terms and conditions specified for such grants in the report accompanying this Act for projects specified for “STAG—Drinking Water SRF” and “STAG—Clean Water SRF”, in the table titled “Interior and Environment Incorporation of Community Project Funding Items” included in the report accompanying this Act, and, for purposes of these grants, each grantee shall contribute not less than 20 percent of the cost of the project unless the grantee is approved for a waiver by the Agency: Provided further, That for fiscal year 2023, to the extent there are sufficient eligible project applications and projects are consistent with State Intended Use Plans, not less than 10 percent of the funds made available under this title to each State for Clean Water

State Revolving Fund capitalization grants shall be used by the State for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities: Provided further, That the Administrator is authorized to use up to \$1,500,000 of amounts made available for the Clean Water State Revolving Funds under this heading under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381) to conduct the Clean Watersheds Needs Survey: Provided further, That for fiscal year 2023, amounts made available under this title to each State for Drinking Water State Revolving Fund capitalization grants may, at the discretion of each State, be used for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities: Provided further, That notwithstanding section 603(d)(7) of the Federal Water Pollution Control Act, the limitation on the amounts in a State water pollution control revolving fund that may be used by a State to administer the fund shall not apply to amounts included as principal in loans made by such fund in fiscal year 2023 and prior years where such amounts represent costs of administering the fund to the extent that such amounts are or were deemed reasonable by the Administrator, accounted for separately from other assets in the fund, and used for eligible purposes of the fund, including administration: Provided further, That for fiscal year 2023, notwithstanding the provisions of subsections (g)(1), (h), and (l) of section 201 of the Federal Water Pollution Control Act, grants made under title II of such Act for American Samoa, Guam, the Commonwealth of the Northern Marianas, the United States Virgin Islands, and the District of Columbia may also be made for the purpose of providing assistance: (1) solely for facility plans, design activities, or plans, specifications, and estimates for any proposed project for the construction of treatment works; and (2) for the construction, repair, or replacement of privately owned treatment works serving one or more principal residences or small commercial establishments: Provided further, That for fiscal year 2023, notwithstanding the provisions of such subsections (g)(1), (h), and (l) of section 201 and section 518(c) of the Federal Water Pollution Control Act, funds reserved by the Administrator for grants under section 518(c) of the Federal Water Pollution Control Act may also be used to provide assistance: (1) solely for facility plans, design activities, or plans, specifications, and estimates for any proposed project for the construction of treatment works; and (2) for the construction, repair, or replacement of privately owned treatment works serving one or more principal residences or small commercial establishments: Provided further, That for fiscal year 2023, notwithstanding any provision of the Federal Water Pollution Control Act and regulations issued pursuant thereof, up to a total of \$2,000,000 of the funds reserved by the Administrator for grants under section 518(c) of such Act may also be used for grants for training, technical assistance, and educational programs relating to the operation and management of the treatment works specified in section 518(c) of such Act: Provided further, That for fiscal year 2023, funds reserved under section 518(c) of such Act shall be available for grants only to Indian tribes, as defined in section 518(h) of such Act and former Indian reservations in Oklahoma (as determined by the Secretary of the Interior) and Native Villages as defined in Public Law 92–203: Provided further, That for fiscal year 2023, notwithstanding the limitation on amounts in section 518(c) of the Federal Water Pollution Control Act, up to a total of 2 percent of the funds appropriated, or \$30,000,000, whichever is greater, and notwithstanding the limitation on amounts in section 1452(i) of the Safe Drinking Water Act, up to a total of 2 percent of the funds appropriated, or \$20,000,000, whichever is greater, for State Revolving Funds under such Acts may be reserved

by the Administrator for grants under section 518(c) and section 1452(i) of such Acts: Provided further, That for fiscal year 2023, notwithstanding the amounts specified in section 205(c) of the Federal Water Pollution Control Act, up to 1.5 percent of the aggregate funds appropriated for the Clean Water State Revolving Fund program under the Act less any sums reserved under section 518(c) of the Act, may be reserved by the Administrator for grants made under title II of the Federal Water Pollution Control Act for American Samoa, Guam, the Commonwealth of the Northern Marianas, and United States Virgin Islands: Provided further, That for fiscal year 2023, notwithstanding the limitations on amounts specified in section 1452(j) of the Safe Drinking Water Act, up to 1.5 percent of the funds appropriated for the Drinking Water State Revolving Fund programs under the Safe Drinking Water Act may be reserved by the Administrator for grants made under section 1452(j) of the Safe Drinking Water Act: Provided further, That 10 percent of the funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants and 14 percent of the funds made available under this title to each State for Drinking Water State Revolving Fund capitalization grants shall be used by the State to provide additional subsidy to eligible recipients in the form of forgiveness of principal, negative interest loans, or grants (or any combination of these), and shall be so used by the State only where such funds are provided as initial financing for an eligible recipient or to buy, refinance, or restructure the debt obligations of eligible recipients only where such debt was incurred on or after the date of enactment of this Act, or where such debt was incurred prior to the date of enactment of this Act if the State, with concurrence from the Administrator, determines that such funds could be used to help address a threat to public health from heightened exposure to lead in drinking water or if a Federal or State emergency declaration has been issued due to a threat to public health from heightened exposure to lead in a municipal drinking water supply before the date of enactment of this Act: Provided further, That in a State in which such an emergency declaration has been issued, the State may use more than 14 percent of the funds made available under this title to the State for Drinking Water State Revolving Fund capitalization grants to provide additional subsidy to eligible recipients: Provided further, That notwithstanding section 1452(o) of the Safe Drinking Water Act (42 U.S.C. 300j–12(o)), the Administrator shall reserve \$12,000,000 of amounts made available under this paragraph for making capitalization grants for the Drinking Water State Revolving Funds to pay the costs of monitoring for unregulated contaminants under section 1445(a)(2)(C) of such Act during fiscal years 2023 through 2027;

(2) \$35,000,000 shall be for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States–Mexico Border, after consultation with the appropriate border commission: Provided, That no funds provided by this appropriations Act to address the water, wastewater and other critical infrastructure needs of the colonias in the United States along the United States–Mexico border shall be made available to a county or municipal government unless that government has established an enforceable local ordinance, or other zoning rule, which prevents in that jurisdiction the development or construction of any additional colonia areas, or the development within an existing colonia the construction of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure;

(3) \$40,000,000 shall be for grants to the State of Alaska to address drinking water and wastewater infrastructure needs of rural and Alaska

Native Villages: Provided, That of these funds: (A) the State of Alaska shall provide a match of 25 percent; (B) no more than 5 percent of the funds may be used for administrative and overhead expenses; and (C) the State of Alaska shall make awards consistent with the Statewide priority list established in conjunction with the Agency and the U.S. Department of Agriculture for all water, sewer, waste disposal, and similar projects carried out by the State of Alaska that are funded under section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) or the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) which shall allocate not less than 25 percent of the funds provided for projects in regional hub communities;

(4) \$130,982,000 shall be to carry out section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), including grants, interagency agreements, and associated program support costs: Provided, That at least 10 percent shall be allocated for assistance in persistent poverty counties: Provided further, That for purposes of this section, the term “persistent poverty counties” means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1993 Small Area Income and Poverty Estimates, the 2000 decennial census, and the most recent Small Area Income and Poverty Estimates, or any territory or possession of the United States;

(5) \$150,000,000 shall be for grants under title VII, subtitle G of the Energy Policy Act of 2005;

(6) \$100,000,000 shall be for targeted airshed grants in accordance with the terms and conditions in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act);

(7) \$4,000,000 shall be to carry out the water quality program authorized in section 5004(d) of the Water Infrastructure Improvements for the Nation Act (Public Law 114—322);

(8) \$42,593,000 shall be for grants under subsections (a) through (j) of section 1459A of the Safe Drinking Water Act (42 U.S.C. 300j—19a);

(9) \$36,000,000 shall be for grants under section 1464(d) of the Safe Drinking Water Act (42 U.S.C. 300j—24(d));

(10) \$51,011,000 shall be for grants under section 1459B of the Safe Drinking Water Act (42 U.S.C. 300j—19b);

(11) \$6,000,000 shall be for grants under section 1459A(l) of the Safe Drinking Water Act (42 U.S.C. 300j—19a(l));

(12) \$33,000,000 shall be for grants under section 104(b)(8) of the Federal Water Pollution Control Act (33 U.S.C. 1254(b)(8));

(13) \$280,000,000 shall be for grants under section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301);

(14) \$5,000,000 shall be for grants under section 4304(b) of the America’s Water Infrastructure Act of 2018 (Public Law 115—270);

(15) \$10,000,000 shall be for grants under section 1442(b) of the Safe Drinking Water Act (42 U.S.C. 300j—1(b));

(16) \$10,000,000 shall be for grants under section 1459F of the Safe Drinking Water Act (42 U.S.C. 300j—19g);

(17) \$5,000,000, in addition to amounts otherwise available, shall be for grants under sections 104(b)(3), 104(b)(8), and 104(g) of the Federal Water Pollution Control Act (33 U.S.C. 1254(b)(3), 1254(b)(8) and 1254(g));

(18) \$5,000,000 shall be for grants under section 224 of the Federal Water Pollution Control Act (33 U.S.C. 1302b);

(19) \$5,000,000 shall be for grants under section 226 of the Federal Water Pollution Control Act (33 U.S.C. 1302d);

(20) \$5,000,000 shall be for grants under section 50213 of the Infrastructure Investment and Jobs Act (42 U.S.C. 10361; Public Law 117—58);

(21) \$5,000,000 shall be for grants under section 50217(b) of the Infrastructure Investment and Jobs Act (33 U.S.C. 1302f(b); Public Law 117—58);

(22) \$5,000,000 shall be for grants under section 50217(c) of the Infrastructure Investment and Jobs Act (33 U.S.C. 1302f(c); Public Law 117—58);

(23) \$10,000,000 shall be for grants under section 220 of the Federal Water Pollution Control Act (33 U.S.C. 1300);

(24) \$5,000,000 shall be for grants under section 124 of the Federal Water Pollution Control Act (33 U.S.C. 1276); and

(25) \$1,321,004,000 shall be for grants, including associated program support costs, to States, federally recognized Tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media pollution prevention, control and abatement, and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104—134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities subject to terms and conditions specified by the Administrator, and under section 2301 of the Water and Waste Act of 2016 to assist States in developing and implementing programs for control of coal combustion residuals, of which: \$46,954,000 shall be for carrying out section 128 of CERCLA; \$15,000,000 shall be for Environmental Information Exchange Network grants, including associated program support costs; \$1,505,000 shall be for grants to States under section 2007(f)(2) of the Solid Waste Disposal Act, which shall be in addition to funds appropriated under the heading “Leaking Underground Storage Tank Trust Fund Program” to carry out the provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code other than section 9003(h) of the Solid Waste Disposal Act; \$18,512,000 of the funds available for grants under section 106 of the Federal Water Pollution Control Act shall be for State participation in national- and State-level statistical surveys of water resources and enhancements to State monitoring programs; and \$10,000,000 shall be for carrying out section 302(a) of the Save Our Seas 2.0 Act (33 U.S.C. 4283(a)), of which not more than 2 percent shall be for administrative costs to carry out such section: Provided, That grants made pursuant to the authority in such section 302(a) may also be used for the construction, maintenance, and operation of post consumer materials management or recycling facilities: Provided further, That notwithstanding such section 302(a), the Administrator may also provide grants pursuant to such authority to intertribal consortia consistent with the requirements in 40 CFR 35.504(a), to former Indian reservations in Oklahoma (as determined by the Secretary of the Interior), and Alaska Native Villages as defined in Public Law 92—203).

WATER INFRASTRUCTURE FINANCE AND INNOVATION PROGRAM ACCOUNT

For the cost of direct loans and for the cost of guaranteed loans, as authorized by the Water Infrastructure Finance and Innovation Act of 2014, \$72,108,000, to remain available until expended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans, including capitalized interest, and total loan principal, including capitalized interest, any part of which is to be guaranteed, not to exceed \$12,500,000,000: Provided further, That of the funds made available under this heading, \$5,000,000 shall be used solely for the cost of direct loans and for the cost of guaranteed loans for projects described in section 5026(9) of the Water Infrastructure Finance and Innovation Act of 2014 to State infrastructure financing authorities, as authorized by section 5033(e) of such Act: Provided further, That the use of direct loans or loan guarantee authority under this heading for direct loans or commitments to

guarantee loans for any project shall be in accordance with the criteria published in the Federal Register on June 30, 2020 (85 FR 39189) pursuant to the fourth proviso under the heading “Water Infrastructure Finance and Innovation Program Account” in division D of the Further Consolidated Appropriations Act, 2020 (Public Law 116—94): Provided further, That none of the direct loans or loan guarantee authority made available under this heading shall be available for any project unless the Administrator and the Director of the Office of Management and Budget have certified in advance in writing that the direct loan or loan guarantee, as applicable, and the project comply with the criteria referenced in the preceding proviso: Provided further, That, for the purposes of carrying out the Congressional Budget Act of 1974, the Director of the Congressional Budget Office may request, and the Administrator shall promptly provide, documentation and information relating to a project identified in a Letter of Interest submitted to the Administrator pursuant to a Notice of Funding Availability for applications for credit assistance under the Water Infrastructure Finance and Innovation Act Program, including with respect to a project that was initiated or completed before the date of enactment of this Act.

In addition, fees authorized to be collected pursuant to sections 5029 and 5030 of the Water Infrastructure Finance and Innovation Act of 2014 shall be deposited in this account, to remain available until expended.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, notwithstanding section 5033 of the Water Infrastructure Finance and Innovation Act of 2014, \$8,236,000, to remain available until September 30, 2024.

ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL PROTECTION AGENCY

(INCLUDING TRANSFERS OF FUNDS)

For fiscal year 2023, notwithstanding 31 U.S.C. 6303(1) and 6305(1), the Administrator of the Environmental Protection Agency, in carrying out the Agency’s function to implement directly Federal environmental programs required or authorized by law in the absence of an acceptable tribal program, may award cooperative agreements to federally recognized Indian tribes or Intertribal consortia, if authorized by their member tribes, to assist the Administrator in implementing Federal environmental programs for Indian tribes required or authorized by law, except that no such cooperative agreements may be awarded from funds designated for State financial assistance agreements.

The Administrator of the Environmental Protection Agency is authorized to collect and obligate pesticide registration service fees in accordance with section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w—8), to remain available until expended.

Notwithstanding section 33(d)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136w—8(d)(2)), the Administrator of the Environmental Protection Agency may assess fees under section 33 of FIFRA (7 U.S.C. 136w—8) for fiscal year 2023.

The Administrator is authorized to transfer up to \$368,000,000 of the funds appropriated for the Great Lakes Restoration Initiative under the heading “Environmental Programs and Management” to the head of any Federal department or agency, with the concurrence of such head, to carry out activities that would support the Great Lakes Restoration Initiative and Great Lakes Water Quality Agreement programs, projects, or activities; to enter into an interagency agreement with the head of such Federal department or agency to carry out these activities; and to make grants to governmental entities, nonprofit organizations, institutions,

and individuals for planning, research, monitoring, outreach, and implementation in furtherance of the Great Lakes Restoration Initiative and the Great Lakes Water Quality Agreement.

The Science and Technology, Environmental Programs and Management, Office of Inspector General, Hazardous Substance Superfund, and Leaking Underground Storage Tank Trust Fund Program Accounts, are available for the construction, alteration, repair, rehabilitation, and renovation of facilities, provided that the cost does not exceed \$350,000 per project.

The Administrator of the Environmental Protection Agency is authorized to collect and obligate fees in accordance with section 3024 of the Solid Waste Disposal Act (42 U.S.C. 6939g) for fiscal year 2023, to remain available until expended.

The Administrator of the Environmental Protection Agency is authorized to collect and obligate fees in accordance with section 26(b) of the Toxic Substances Control Act (15 U.S.C. 2625(b)) for fiscal year 2023, to remain available until expended.

For fiscal year 2023, and notwithstanding section 518(f) of the Federal Water Pollution Control Act (33 U.S.C. 1377(f)), the Administrator is authorized to use the amounts appropriated for any fiscal year under section 319 of the Act to make grants to Indian tribes pursuant to sections 319(h) and 518(e) of that Act.

The Administrator is authorized to use the amounts appropriated under the heading "Environmental Programs and Management" for fiscal year 2023 to provide grants to implement the Southeastern New England Watershed Restoration Program.

Notwithstanding the limitations on amounts in section 320(i)(2)(B) of the Federal Water Pollution Control Act, not less than \$4,000,000 of the funds made available under this title for the National Estuary Program shall be for making competitive awards described in section 320(g)(4).

Section 122(b)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9622(b)(3)), shall be applied by inserting before the period: " , including for the hire, maintenance, and operation of aircraft."

For fiscal years 2023 through 2027, the Office of Chemical Safety and Pollution Prevention and the Office of Water may, using funds appropriated under the headings "Environmental Programs and Management" and "Science and Technology", contract directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 5, for the temporary or intermittent personal services of students or recent graduates, who shall be considered employees for the purposes of chapters 57 and 81 of title 5, United States Code, relating to compensation for travel and work injuries, and chapter 171 of title 28, United States Code, relating to tort claims, but shall not be considered to be Federal employees for any other purpose: Provided, That amounts used for this purpose by the Office of Chemical Safety and Pollution Prevention and the Office of Water collectively may not exceed \$2,000,000.

TITLE III

RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary expenses of the Office of the Under Secretary for Natural Resources and Environment, \$1,429,000: Provided, That funds made available by this Act to any agency in the Natural Resources and Environment mission area for salaries and expenses are available to fund up to one administrative support staff for the office.

FOREST SERVICE

FOREST SERVICE OPERATIONS (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, \$1,112,652,000, to remain available through September 30, 2026: Provided, That a portion of the funds made available under this heading shall be for the base salary and expenses of employees in the Chief's Office, the Work Environment and Performance Office, the Business Operations Deputy Area, and the Chief Financial Officer's Office to carry out administrative and general management support functions: Provided further, That funds provided under this heading shall be available for the costs of facility maintenance, repairs, and leases for buildings and sites where these administrative, general management and other Forest Service support functions take place; the costs of all utility and telecommunication expenses of the Forest Service, as well as business services; and, for information technology, including cyber security requirements: Provided further, That funds provided under this heading may be used for necessary expenses to carry out administrative and general management support functions of the Forest Service not otherwise provided for and necessary for its operation.

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, \$360,370,000, to remain available through September 30, 2026: Provided, That of the funds provided, \$37,700,000 is for the forest inventory and analysis program: Provided further, That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute the Forest and Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management, including for invasive plants, and conducting an international program and trade compliance activities as authorized, \$332,626,000, to remain available through September 30, 2026, as authorized by law, of which \$9,482,000 shall be for projects specified for Forest Resource Information and Analysis in the table titled "Interior and Environment Incorporation of Community Project Funding Items" included in the report accompanying this Act.

NATIONAL FOREST SYSTEM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, and for hazardous fuels management on or adjacent to such lands, \$1,997,650,000, to remain available through September 30, 2026: Provided, That of the funds provided, \$60,000,000 shall be deposited in the Collaborative Forest Landscape Restoration Fund for ecological restoration treatments as authorized by 16 U.S.C. 7303(f): Provided further, That of the funds provided, \$38,000,000 shall be for forest products: Provided further, That of the amounts made available for hazardous fuels management under this heading in prior Acts, any unobligated amounts may be transferred to "Forest Service—Wildland Fire Management" to be used for the purposes provided therein: Provided further, That funds made available to implement the Community Forest Restoration Act, Public Law 106–393, title VI, shall be available for use on non-Federal lands in accordance with authorities made available to the Forest Service under the "State and Private Forestry" appropriation: Provided further, That notwithstanding section 33 of the Bankhead Jones Farm Tenant Act (7 U.S.C. 1012), the Secretary of Ag-

riculture, in calculating a fee for grazing on a National Grassland, may provide a credit of up to 50 percent of the calculated fee to a Grazing Association or direct permittee for a conservation practice approved by the Secretary in advance of the fiscal year in which the cost of the conservation practice is incurred, and that the amount credited shall remain available to the Grazing Association or the direct permittee, as appropriate, in the fiscal year in which the credit is made and each fiscal year thereafter for use on the project for conservation practices approved by the Secretary: Provided further, That funds appropriated to this account shall be available for the base salary and expenses of employees that carry out the functions funded by the "Capital Improvement and Maintenance" account, the "Range Betterment Fund" account, and the "Management of National Forest Lands for Subsistence Uses" account.

CAPITAL IMPROVEMENT AND MAINTENANCE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, \$162,182,000, to remain available through September 30, 2026, for construction, capital improvement, maintenance, and acquisition of buildings and other facilities and infrastructure; and for construction, reconstruction, and decommissioning of roads that are no longer needed, including unauthorized roads that are not part of the transportation system; and for maintenance of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: Provided, That \$15,000,000 shall be for activities authorized by 16 U.S.C. 538(a): Provided further, That funds becoming available in fiscal year 2023 under the Act of March 4, 1913 (16 U.S.C. 501) shall be transferred to the General Fund of the Treasury and shall not be available for transfer or obligation for any other purpose unless the funds are appropriated.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California; and the Ozark-St. Francis and Ouachita National Forests, Arkansas; as authorized by law, \$664,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities, and for authorized expenditures from funds deposited by non-Federal parties pursuant to Land Sale and Exchange Acts, pursuant to the Act of December 4, 1967 (16 U.S.C. 484a), to remain available through September 30, 2026, (16 U.S.C. 516–617a, 555a; Public Law 96–586; Public Law 76–589, Public Law 76–591; and Public Law 78–310).

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 percent of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the 16 Western States, pursuant to section 401(b)(1) of Public Law 94–579, to remain available through September 30, 2026, of which not to exceed 6 percent shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), \$45,000, to remain available through September 30, 2026, to be derived from the fund established pursuant to the above Act.

MANAGEMENT OF NATIONAL FOREST LANDS FOR
SUSTAINMENT USES

For necessary expenses of the Forest Service to manage Federal lands in Alaska for subsistence uses under title VIII of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3111 et seq.), \$1,099,000, to remain available through September 30, 2026.

WILDLAND FIRE MANAGEMENT
(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency wildland fire suppression on or adjacent to such lands or other lands under fire protection agreement, and for emergency rehabilitation of burned-over National Forest System lands and water, \$2,678,659,000, to remain available until expended: Provided, That such funds including unobligated balances under this heading, are available for repayment of advances from other appropriations accounts previously transferred for such purposes: Provided further, That any unobligated funds appropriated in a previous fiscal year for hazardous fuels management may be transferred to the "National Forest System" account: Provided further, That such funds shall be available to reimburse State and other cooperating entities for services provided in response to wildfire and other emergencies or disasters to the extent such reimbursements by the Forest Service for non-fire emergencies are fully repaid by the responsible emergency management agency: Provided further, That funds provided shall be available for support to Federal emergency response: Provided further, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: Provided further, That of the funds provided, \$321,388,000 shall be for hazardous fuels management activities, of which not to exceed \$15,000,000 may be used to make grants, using any authorities available to the Forest Service under the "State and Private Forestry" appropriation, for the purpose of creating incentives for increased use of biomass from National Forest System lands: Provided further, That funds made available in the preceding proviso to implement the Community Forest Restoration Act, Public Law 106-393, title VI, shall be available for use on non-Federal lands in accordance with authorities made available to the Forest Service under the "State and Private Forestry" appropriation: Provided further, That of the funds provided under this heading, \$20,000,000 may be used by the Secretary of Agriculture to enter into procurement contracts or cooperative agreements; to issue grants for hazardous fuels management activities; for training or monitoring associated with such hazardous fuels management activities on Federal land; or for training or monitoring associated with such hazardous fuels management activities on non-Federal land if the Secretary determines such activities benefit resources on Federal land: Provided further, That of the funds provided under this heading, \$1,011,000,000 shall be available for wildfire suppression operations, and is provided to meet the terms of section 4004(b)(5)(B) of S. Con. Res. 14 (117th Congress), the concurrent resolution on the budget for fiscal year 2022, and section 1(g)(2) of H. Res. 1151 (117th Congress), as engrossed in the House of Representatives on June 8, 2022.

WILDFIRE SUPPRESSION OPERATIONS RESERVE
FUND

(INCLUDING TRANSFERS OF FUNDS)

In addition to the amounts provided under the heading "Department of Agriculture—Forest Service—Wildland Fire Management" for wildfire suppression operations, \$2,210,000,000, to remain available until transferred, is additional new budget authority as specified for purposes of section 4004(b)(5) of S. Con. Res. 14 (117th

Congress), the concurrent resolution on the budget for fiscal year 2022, and section 1(g) of H. Res. 1151 (117th Congress), as engrossed in the House of Representatives on June 8, 2022: Provided, That such amounts may be transferred to and merged with amounts made available under the headings "Department of the Interior—Department-Wide Programs—Wildland Fire Management" and "Department of Agriculture—Forest Service—Wildland Fire Management" for wildfire suppression operations in the fiscal year in which such amounts are transferred: Provided further, That amounts may be transferred to the "Wildland Fire Management" accounts in the Department of the Interior or the Department of Agriculture only upon the notification of the House and Senate Committees on Appropriations that all wildfire suppression operations funds appropriated under that heading in this and prior appropriations Acts to the agency to which the funds will be transferred will be obligated within 30 days: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided by law: Provided further, That, in determining whether all wildfire suppression operations funds appropriated under the heading "Wildland Fire Management" in this and prior appropriations Acts to either the Department of Agriculture or the Department of the Interior will be obligated within 30 days pursuant to the preceding proviso, any funds transferred or permitted to be transferred pursuant to any other transfer authority provided by law shall be excluded.

COMMUNICATIONS SITE ADMINISTRATION
(INCLUDING TRANSFER OF FUNDS)

Amounts collected in this fiscal year pursuant to section 8705(f)(2) of the Agriculture Improvement Act of 2018 (Public Law 115-334), shall be deposited in the special account established by section 8705(f)(1) of such Act, shall be available to cover the costs described in subsection (c)(3) of such section of such Act, and shall remain available until expended: Provided, That such amounts shall be transferred to the "National Forest System" account.

ADMINISTRATIVE PROVISIONS—FOREST SERVICE
(INCLUDING TRANSFERS OF FUNDS)

Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of passenger motor vehicles; acquisition of passenger motor vehicles from excess sources, and hire of such vehicles; purchase, lease, operation, maintenance, and acquisition of aircraft to maintain the operable fleet for use in Forest Service wildland fire programs and other Forest Service programs; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed \$100,000 for employment under 5 U.S.C. 3109; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of land, waters, and interests therein pursuant to 7 U.S.C. 428a; (5) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost of uniforms as authorized by 5 U.S.C. 5901-5902; and (7) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

Funds made available to the Forest Service in this Act may be transferred between accounts affected by the Forest Service budget restructure outlined in section 435 of division D of the Further Consolidated Appropriations Act, 2020 (Public Law 116-94): Provided, That any transfer of funds pursuant to this paragraph shall not increase or decrease the funds appropriated to any account in this fiscal year by more than ten percent: Provided further, That such transfer authority is in addition to any other transfer authority provided by law.

Any appropriations or funds available to the Forest Service may be transferred to the

Wildland Fire Management appropriation for forest firefighting, emergency rehabilitation of burned-over or damaged lands or waters under its jurisdiction, and fire preparedness due to severe burning conditions upon the Secretary of Agriculture's notification of the House and Senate Committees on Appropriations that all fire suppression funds appropriated under the heading "Wildland Fire Management" will be obligated within 30 days: Provided, That all funds used pursuant to this paragraph must be replenished by a supplemental appropriation which must be requested as promptly as possible.

Not more than \$50,000,000 of funds appropriated to the Forest Service shall be available for expenditure or transfer to the Department of the Interior for wildland fire management, hazardous fuels management, and State fire assistance when such transfers would facilitate and expedite wildland fire management programs and projects.

Notwithstanding any other provision of this Act, the Forest Service may transfer unobligated balances of discretionary funds appropriated to the Forest Service by this Act to or within the National Forest System Account, or reprogram funds to be used for the purposes of hazardous fuels management and urgent rehabilitation of burned-over National Forest System lands and water: Provided, That such transferred funds shall remain available through September 30, 2026: Provided further, That none of the funds transferred pursuant to this paragraph shall be available for obligation without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States government, private sector, and international organizations. The Forest Service, acting for the International Program, may sign direct funding agreements with foreign governments and institutions as well as other domestic agencies (including the U.S. Agency for International Development, the Department of State, and the Millennium Challenge Corporation), United States private sector firms, institutions and organizations to provide technical assistance and training programs on forestry and rangeland management: Provided, That to maximize effectiveness of domestic and international research and cooperation, the International Program may utilize all authorities related to forestry, research, and cooperative assistance regardless of program designations.

Funds appropriated to the Forest Service shall be available for expenditure or transfer to the Department of the Interior, Bureau of Land Management, for removal, preparation, and adoption of excess wild horses and burros from National Forest System lands, and for the performance of cadastral surveys to designate the boundaries of such lands.

None of the funds made available to the Forest Service in this Act or any other Act with respect to any fiscal year shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257), section 442 of Public Law 106-224 (7 U.S.C. 7772), or section 10417(b) of Public Law 107-171 (7 U.S.C. 8316(b)).

Not more than \$82,000,000 of funds available to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture and not more than \$14,500,000 of funds available to the Forest Service shall be transferred to the Department of Agriculture for Department Reimbursable Programs, commonly referred to as Greenbook charges. Nothing in this

paragraph shall prohibit or limit the use of reimbursable agreements requested by the Forest Service in order to obtain information technology services, including telecommunications and system modifications or enhancements, from the Working Capital Fund of the Department of Agriculture.

Of the funds available to the Forest Service, up to \$5,000,000 shall be available for priority projects within the scope of the approved budget, which shall be carried out by the Youth Conservation Corps and shall be carried out under the authority of the Public Lands Corps Act of 1993 (16 U.S.C. 1721 et seq.).

Of the funds available to the Forest Service, \$4,000 is available to the Chief of the Forest Service for official reception and representation expenses.

Pursuant to sections 405(b) and 410(b) of Public Law 101-593, of the funds available to the Forest Service, up to \$3,000,000 may be advanced in a lump sum to the National Forest Foundation to aid conservation partnership projects in support of the Forest Service mission, without regard to when the Foundation incurs expenses, for projects on or benefitting National Forest System lands or related to Forest Service programs: Provided, That of the Federal funds made available to the Foundation, no more than \$300,000 shall be available for administrative expenses: Provided further, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match funds made available by the Forest Service on at least a one-for-one basis: Provided further, That the Foundation may transfer Federal funds to a Federal or a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Pursuant to section 2(b)(2) of Public Law 98-244, up to \$3,000,000 of the funds available to the Forest Service may be advanced to the National Fish and Wildlife Foundation in a lump sum to aid cost-share conservation projects, without regard to when expenses are incurred, on or benefitting National Forest System lands or related to Forest Service programs: Provided, That such funds shall be matched on at least a one-for-one basis by the Foundation or its sub-recipients: Provided further, That the Foundation may transfer Federal funds to a Federal or non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities and natural resource-based businesses for sustainable rural development purposes.

Funds appropriated to the Forest Service shall be available for payments to counties within the Columbia River Gorge National Scenic Area, pursuant to section 14(c)(1) and (2), and section 16(a)(2) of Public Law 99-663.

Any funds appropriated to the Forest Service may be used to meet the non-Federal share requirement in section 502(c) of the Older Americans Act of 1965 (42 U.S.C. 3056(c)(2)).

The Forest Service shall not assess funds for the purpose of performing fire, administrative, and other facilities maintenance and decommissioning.

Notwithstanding any other provision of law, of any appropriations or funds available to the Forest Service, not to exceed \$500,000 may be used to reimburse the Office of the General Counsel (OGC), Department of Agriculture, for travel and related expenses incurred as a result of OGC assistance or participation requested by the Forest Service at meetings, training sessions, management reviews, land purchase negotiations, and similar matters unrelated to civil litigation. Future budget justifications for both the Forest Service and the Department of Agriculture should clearly display the sums previously transferred and the sums requested for transfer.

An eligible individual who is employed in any project funded under title V of the Older Ameri-

cans Act of 1965 (42 U.S.C. 3056 et seq.) and administered by the Forest Service shall be considered to be a Federal employee for 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.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination 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 Service, \$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 available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education 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: Provided 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, including alcohol detoxification services: Provided further, That \$1,097,255,000 for Purchased/Referred Care, including \$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 implementation of the loan repayment program under section 108 of the Indian Health Care Improvement Act: Provided further, That of the funds provided, \$58,000,000 shall be for costs related to or resulting from accreditation emergencies, including supplementing activities funded under the heading "Indian Health Facilities," of which up to \$4,000,000 may be used to supplement amounts otherwise available for Purchased/Referred Care: Provided further, That the amounts collected by the Federal Government as authorized by sections 104 and 108 of the Indian Health Care Improvement Act (25 U.S.C. 1613a and 1616a) during the preceding fiscal year for breach of contracts shall be deposited in the Fund authorized by section 108A of that Act (25 U.S.C. 1616a-1) and shall remain available until expended and, notwithstanding section 108A(c) of that Act (25 U.S.C. 1616a-1(c)), funds shall be available to make new awards under the loan repayment and scholarship programs under sections 104 and 108 of that Act (25 U.S.C. 1613a and 1616a): Provided further, That the amounts made available within this account for the substance use and suicide prevention program, for Opioid Prevention, Treatment and Recovery Services, for the Domestic Violence Prevention Program, for the Zero Suicide Initiative, for the housing subsidy authority for civilian employees, for Aftercare Pilot Programs at Youth Regional Treatment Centers, for transformation and modernization costs of the Indian Health Service Electronic Health Record system, for national quality and oversight activities, to improve collections from public and private insurance at Indian Health Service and tribally operated facilities, for an initiative to treat or reduce the transmission of HIV and HCV, for a maternal health initiative,

for the Telebehavioral Health Center of Excellence, for Alzheimer's grants, for Village Built Clinics, for a produce prescription pilot, and for accreditation emergencies shall be allocated at the discretion of the Director of the Indian Health Service and shall remain available until expended: Provided further, That funds provided in this Act may be used for annual contracts and grants that fall within 2 fiscal years, provided the total obligation is recorded in the year the funds are appropriated: Provided further, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act (25 U.S.C. 1613) shall remain available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act, except for those related to the planning, design, or construction of new facilities: Provided further, That funding contained herein for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1613) shall remain available until expended: Provided further, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended: Provided further, That the Bureau of Indian Affairs may collect from the Indian Health Service, and from tribes and tribal organizations operating health facilities pursuant to Public Law 93-638, such individually identifiable health information relating to disabled children as may be necessary for the purpose of carrying out its functions under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.): Provided further, That of the funds provided, \$232,138,000 is for the Indian Health Care Improvement Fund and may be used, as needed, to carry out activities typically funded under the Indian Health Facilities account: Provided further, That none of the funds appropriated by this Act, or any other Act, to the Indian Health Service for the Electronic Health Record system shall be available for obligation or expenditure for the selection or implementation of a new Information Technology infrastructure system, unless the Committees on Appropriations of the House of Representatives and the Senate are consulted 90 days in advance of such obligation.

CONTRACT SUPPORT COSTS

For payments to tribes and tribal organizations for contract support costs associated with Indian Self-Determination and Education Assistance Act agreements with the Indian Health Service for fiscal year 2023, such sums as may be necessary: Provided, That notwithstanding any other provision of law, no amounts made available under this heading shall be available for transfer to another budget account: Provided further, That amounts obligated but not expended by a tribe or tribal organization for contract support costs for such agreements for the current fiscal year shall be applied to contract support costs due for such agreements for subsequent fiscal years.

PAYMENTS FOR TRIBAL LEASES

For payments to tribes and tribal organizations for leases pursuant to section 105(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5324(l)) for fiscal year 2023, such sums as may be necessary, which shall be available for obligation through September 30, 2024: Provided, That notwithstanding any other provision of law, no amounts made available under this heading shall be available for transfer to another budget account.

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, demolition, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites,

purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, \$1,306,979,000, to remain available until expended: Provided, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction, renovation, or expansion of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land on which such facilities will be located: Provided further, That not to exceed \$500,000 may be used by the Indian Health Service to purchase TRANSAM equipment from the Department of Defense for distribution to the Indian Health Service and tribal facilities: Provided further, That none of the funds appropriated to the Indian Health Service may be used for sanitation facilities construction for new homes funded with grants by the housing programs of the United States Department of Housing and Urban Development.

ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

Appropriations provided in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation, and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary of Health and Human Services; uniforms, or allowances therefor as authorized by 5 U.S.C. 5901–5902; and for expenses of attendance at meetings that relate to the functions or activities of the Indian Health Service: Provided, That in accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation: Provided further, That notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86–121, the Indian Sanitation Facilities Act and Public Law 93–638: Provided further, That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: Provided further, That none of the funds made available to the Indian Health Service in this Act shall be used for any assessments or charges by the Department of Health and Human Services unless identified in the budget justification and provided in this Act, or approved by the House and Senate Committees on Appropriations through the reprogramming process: Provided further, That notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title V of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450 et seq.), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title V of such Act and there-

after shall remain available to the tribe or tribal organization without fiscal year limitation: Provided further, That none of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law: Provided further, That with respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities on a reimbursable basis, including payments in advance with subsequent adjustment, and the reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self-Determination Act, may be credited to the same or subsequent appropriation account from which the funds were originally derived, with such amounts to remain available until expended: Provided further, That reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead costs associated with the provision of goods, services, or technical assistance: Provided further, That the Indian Health Service may provide to civilian medical personnel serving in hospitals operated by the Indian Health Service housing allowances equivalent to those that would be provided to members of the Commissioned Corps of the United States Public Health Service serving in similar positions at such hospitals: Provided further, That the appropriation structure for the Indian Health Service may not be altered without advance notification to the House and Senate Committees on Appropriations.

NATIONAL INSTITUTES OF HEALTH NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For necessary expenses for the National Institute of Environmental Health Sciences in carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9660(a)) and section 126(g) of the Superfund Amendments and Reauthorization Act of 1986, \$83,035,000.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out activities set forth in sections 104(i) and 111(c)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) and section 3019 of the Solid Waste Disposal Act, \$85,020,000: Provided, That notwithstanding any other provision of law, in lieu of performing a health assessment under section 104(i)(6) of CERCLA, the Administrator of ATSDR may conduct other appropriate health studies, evaluations, or activities, including, without limitation, biomedical testing, clinical evaluations, medical monitoring, and referral to accredited healthcare providers: Provided further, That in performing any such health assessment or health study, evaluation, or activity, the Administrator of ATSDR shall not be bound by the deadlines in section 104(i)(6)(A) of CERCLA: Provided further, That none of the funds appropriated under this heading shall be available for ATSDR to issue in excess of 40 toxicological profiles pursuant to section 104(i) of CERCLA during fiscal year 2023, and existing profiles may be updated as necessary.

OTHER RELATED AGENCIES

EXECUTIVE OFFICE OF THE PRESIDENT COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and Reorganization Plan No. 1 of 1977, and not to exceed \$750 for official reception and representation expenses, \$4,676,000: Provided, That notwithstanding section 202 of the National Environmental Policy Act of 1970, the Council shall consist of one member, appointed by the President, by and with the advice and consent of the Senate, serving as chairman and exercising all powers, functions, and duties of the Council.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

For necessary expenses in carrying out activities pursuant to section 112(r)(6) of the Clean Air Act, including hire of passenger vehicles, uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902, and for services authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376, \$14,400,000: Provided, That the Chemical Safety and Hazard Investigation Board (Board) shall have not more than three career Senior Executive Service positions: Provided further, That notwithstanding any other provision of law, the individual appointed to the position of Inspector General of the Environmental Protection Agency (EPA) shall, by virtue of such appointment, also hold the position of Inspector General of the Board: Provided further, That notwithstanding any other provision of law, the Inspector General of the Board shall utilize personnel of the Office of Inspector General of EPA in performing the duties of the Inspector General of the Board, and shall not appoint any individuals to positions within the Board.

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, \$3,060,000, to remain available until expended, which shall be derived from unobligated balances from prior year appropriations available under this heading: Provided, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: Provided further, That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: Provided further, That no relocatee will be provided with more than one new or replacement home: Provided further, That the Office shall relocate any certified eligible relocatees who have selected and received an approved home-site on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to section 11 of Public Law 93–531 (88 Stat. 1716).

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by part A of title XV of

Public Law 99-498 (20 U.S.C. 4411 et seq.), \$13,274,000, which shall become available on July 1, 2023, and shall remain available until September 30, 2024.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease agreements of no more than 30 years, and protection of buildings, facilities, and approaches; not to exceed \$100,000 for services as authorized by 5 U.S.C. 3109; and purchase, rental, repair, and cleaning of uniforms for employees, \$909,500,000, to remain available until September 30, 2024, except as otherwise provided herein; of which not to exceed \$26,974,000 for the instrumentation program, collections acquisition, exhibition reinstallation, Smithsonian American Women's History Museum, National Museum of the American Latino, and the repatriation of skeletal remains program shall remain available until expended; and including such funds as may be necessary to support American overseas research centers: Provided, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations: Provided further, That the Smithsonian Institution may expend Federal appropriations designated in this Act for lease or rent payments, as rent payable to the Smithsonian Institution, and such rent payments may be deposited into the general trust funds of the Institution to be available as trust funds for expenses associated with the purchase of a portion of the building at 600 Maryland Avenue, SW, Washington, DC, to the extent that federally supported activities will be housed there: Provided further, That the use of such amounts in the general trust funds of the Institution for such purpose shall not be construed as Federal debt service for, a Federal guarantee of, a transfer of risk to, or an obligation of the Federal Government: Provided further, That no appropriated funds may be used directly to service debt which is incurred to finance the costs of acquiring a portion of the building at 600 Maryland Avenue, SW, Washington, DC, or of planning, designing, and constructing improvements to such building: Provided further, That any agreement entered into by the Smithsonian Institution for the sale of its ownership interest, or any portion thereof, in such building so acquired may not take effect until the expiration of a 30 day period which begins on the date on which the Secretary of the Smithsonian submits to the Committees on Appropriations of the House of Representatives and Senate, the Committees on House Administration and Transportation and Infrastructure of the House of Representatives, and the Committee on Rules and Administration of the Senate a report, as outlined in the explanatory statement described in section 4 of the Further Consolidated Appropriations Act, 2020 (Public Law 116-94; 133 Stat. 2536) on the intended sale.

FACILITIES CAPITAL

For necessary expenses of repair, revitalization, and alteration of facilities owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), and for construction, including necessary personnel, \$265,000,000, to remain available until expended, of which not to exceed \$10,000 shall be for services as authorized by 5 U.S.C. 3109.

NATIONAL GALLERY OF ART SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, 76th Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901-5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, \$170,240,000, to remain available until September 30, 2024, of which not to exceed \$3,875,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS (INCLUDING TRANSFER OF FUNDS)

For necessary expenses of repair, restoration, and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, for operating lease agreements of no more than 10 years, that address space needs created by the ongoing renovations in the Master Facilities Plan, as authorized, \$39,000,000, to remain available until expended: Provided, That of this amount, \$27,208,000 shall be available for design and construction of an off-site art storage facility in partnership with the Smithsonian Institution and may be transferred to the Smithsonian Institution for such purposes: Provided further, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance, and security of the John F. Kennedy Center for the Performing Arts, \$27,640,000, to remain available until September 30, 2024.

CAPITAL REPAIR AND RESTORATION

For necessary expenses for capital repair and restoration of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, \$17,740,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, \$15,000,000, to remain available until September 30, 2024.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Human-

ities Act of 1965, \$207,000,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts, including arts education and public outreach activities, through assistance to organizations and individuals pursuant to section 5 of the Act, for program support, and for administering the functions of the Act, to remain available until expended.

NATIONAL ENDOWMENT FOR THE HUMANITIES GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, \$207,000,000 to remain available until expended, of which \$188,250,000 shall be available for support of activities in the humanities, pursuant to section 7(c) of the Act and for administering the functions of the Act; and \$18,750,000 shall be available to carry out the matching grants program pursuant to section 10(a)(2) of the Act, including \$15,750,000 for the purposes of section 7(h): Provided, That appropriations for carrying out section 10(a)(2) shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, devises of money, and other property accepted by the chairman or by grantees of the National Endowment for the Humanities under the provisions of sections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: Provided, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses: Provided further, That funds from nonappropriated sources may be used as necessary for official reception and representation expenses: Provided further, That the Chairperson of the National Endowment for the Arts may approve grants of up to \$10,000, if in the aggregate the amount of such grants does not exceed 5 percent of the sums appropriated for grantmaking purposes per year: Provided further, That such small grant actions are taken pursuant to the terms of an expressed and direct delegation of authority from the National Council on the Arts to the Chairperson.

COMMISSION OF FINE ARTS SALARIES AND EXPENSES

For expenses of the Commission of Fine Arts under chapter 91 of title 40, United States Code, \$3,661,000: Provided, That the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation: Provided further, That the Commission is authorized to accept gifts, including objects, papers, artwork, drawings and artifacts, that pertain to the history and design of the Nation's Capital or the history and activities of the Commission of Fine Arts, for the purpose of artistic display, study, or education: Provided further, That one-tenth of one percent of the funds provided under this heading may be used for official reception and representation expenses.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99-190 (20 U.S.C. 956a), \$5,000,000: Provided, That the item relating to "National Capital Arts and Cultural Affairs" in the Department of the Interior and Related Agencies Appropriations Act, 1986, as enacted into law by section 101(d) of Public Law 99-190 (20 U.S.C. 956a), shall be applied in fiscal year 2023 in the second paragraph by inserting "calendar year 2020 excluded" before the first period: Provided further, That in determining an eligible organization's annual income for calendar years 2021,

2022, and 2023 funds or grants received by the eligible organization from any supplemental appropriations Act related to coronavirus or any other law providing appropriations for the purpose of preventing, preparing for, or responding to coronavirus shall be counted as part of the eligible organization's annual income.

ADVISORY COUNCIL ON HISTORIC PRESERVATION
SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89-665), \$8,585,000.

NATIONAL CAPITAL PLANNING COMMISSION
SALARIES AND EXPENSES

For necessary expenses of the National Capital Planning Commission under chapter 87 of title 40, United States Code, including services as authorized by 5 U.S.C. 3109, \$8,750,000: Provided, That one-quarter of 1 percent of the funds provided under this heading may be used for official reception and representational expenses associated with hosting international visitors engaged in the planning and physical development of world capitals.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM
HOLOCAUST MEMORIAL MUSEUM

For expenses of the Holocaust Memorial Museum, as authorized by Public Law 106-292 (36 U.S.C. 2301-2310), \$65,231,000, of which \$1,000,000 shall remain available until September 30, 2025, for the Museum's equipment replacement program; and of which \$4,000,000 for the Museum's repair and rehabilitation program and \$1,264,000 for the Museum's outreach initiatives program shall remain available until expended.

PRESIDIO TRUST

The Presidio Trust is authorized to issue obligations to the Secretary of the Treasury pursuant to section 104(d)(3) of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333), in an amount not to exceed \$90,000,000: Provided, That such section is amended by striking "\$150,000,000" and inserting "\$250,000,000".

WORLD WAR I CENTENNIAL COMMISSION
SALARIES AND EXPENSES

Notwithstanding section 9 of the World War I Centennial Commission Act, as authorized by the World War I Centennial Commission Act (Public Law 112-272) and the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291), for necessary expenses of the World War I Centennial Commission, \$1,000,000, to remain available until September 30, 2024: Provided, That in addition to the authority provided by section 6(g) of such Act, the World War I Commission may accept money, in-kind personnel services, contractual support, or any appropriate support from any executive branch agency for activities of the Commission.

UNITED STATES SEMIQUINCENTENNIAL
COMMISSION
SALARIES AND EXPENSES

For necessary expenses of the United States Semiquincentennial Commission to plan and coordinate observances and activities associated with the 250th anniversary of the founding of the United States, as authorized by Public Law 116-282, the technical amendments to Public Law 114-196, \$15,000,000, to remain available until September 30, 2024.

TITLE IV
GENERAL PROVISIONS
(INCLUDING TRANSFERS OF FUNDS)
RESTRICTION ON USE OF FUNDS

SEC. 401. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal

on which Congressional action is not complete other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

OBLIGATION OF APPROPRIATIONS

SEC. 402. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

DISCLOSURE OF ADMINISTRATIVE EXPENSES

SEC. 403. The amount and basis of estimated overhead charges, deductions, reserves, or holdbacks, including working capital fund charges, from programs, projects, activities and subactivities to support government-wide, departmental, agency, or bureau administrative functions or headquarters, regional, or central operations shall be presented in annual budget justifications and subject to approval by the Committees on Appropriations of the House of Representatives and the Senate. Changes to such estimates shall be presented to the Committees on Appropriations for approval.

MINING APPLICATIONS

SEC. 404. (a) LIMITATION OF FUNDS.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) EXCEPTIONS.—Subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned: (1) a patent application was filed with the Secretary on or before September 30, 1994; and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims, sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) REPORT.—On September 30, 2024, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Natural Resources of the House and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104-208).

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Director of the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

CONTRACT SUPPORT COSTS, PRIOR YEAR
LIMITATION

SEC. 405. Sections 405 and 406 of division F of the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113-235) shall continue in effect in fiscal year 2023.

CONTRACT SUPPORT COSTS, FISCAL YEAR 2023
LIMITATION

SEC. 406. Amounts provided by this Act for fiscal year 2023 under the headings "Department of Health and Human Services, Indian Health Service, Contract Support Costs" and "Department of the Interior, Bureau of Indian Affairs and Bureau of Indian Education, Contract Support Costs" are the only amounts available for contract support costs arising out of self-determination or self-governance contracts, grants, compacts, or annual funding agreements for fis-

cal year 2023 with the Bureau of Indian Affairs, Bureau of Indian Education, and the Indian Health Service: Provided, That such amounts provided by this Act are not available for payment of claims for contract support costs for prior years, or for repayments of payments for settlements or judgments awarding contract support costs for prior years.

FOREST MANAGEMENT PLANS

SEC. 407. The Secretary of Agriculture shall not be considered to be in violation of subparagraph 6(f)(5)(A) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because more than 15 years have passed without revision of the plan for a unit of the National Forest System. Nothing in this section exempts the Secretary from any other requirement of the Forest and Rangeland Renewable Resources Planning Act (16 U.S.C. 1600 et seq.) or any other law: Provided, That if the Secretary is not acting expeditiously and in good faith, within the funding available, to revise a plan for a unit of the National Forest System, this section shall be void with respect to such plan and a court of proper jurisdiction may order completion of the plan on an accelerated basis.

PROHIBITION WITHIN NATIONAL MONUMENTS

SEC. 408. No funds provided in this Act may be expended to conduct preleasing, leasing and related activities under either the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) within the boundaries of a National Monument established pursuant to the Act of June 8, 1906 (16 U.S.C. 431 et seq.) as such boundary existed on January 20, 2001, except where such activities are allowed under the Presidential proclamation establishing such monument.

LIMITATION ON TAKINGS

SEC. 409. Unless otherwise provided herein, no funds appropriated in this Act for the acquisition of lands or interests in lands may be expended for the filing of declarations of taking or complaints in condemnation without the approval of the House and Senate Committees on Appropriations: Provided, That this provision shall not apply to funds appropriated to implement the Everglades National Park Protection and Expansion Act of 1989, or to funds appropriated for Federal assistance to the State of Florida to acquire lands for Everglades restoration purposes.

PROHIBITION ON NO-BID CONTRACTS

SEC. 410. None of the funds appropriated or otherwise made available by this Act to executive branch agencies may be used to enter into any Federal contract unless such contract is entered into in accordance with the requirements of Chapter 33 of title 41, United States Code, or Chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless—

(1) Federal law specifically authorizes a contract to be entered into without regard for these requirements, including formula grants for States, or federally recognized Indian tribes;

(2) such contract is authorized by the Indian Self-Determination and Education Assistance Act (Public Law 93-638, 25 U.S.C. 450 et seq.) or by any other Federal laws that specifically authorize a contract within an Indian tribe as defined in section 4(e) of that Act (25 U.S.C. 450b(e)); or

(3) such contract was awarded prior to the date of enactment of this Act.

POSTING OF REPORTS

SEC. 411. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

NATIONAL ENDOWMENT FOR THE ARTS GRANT GUIDELINES

SEC. 412. Of the funds provided to the National Endowment for the Arts—

(1) The Chairperson shall only award a grant to an individual if such grant is awarded to such individual for a literature fellowship, National Heritage Fellowship, or American Jazz Masters Fellowship.

(2) The Chairperson shall establish procedures to ensure that no funding provided through a grant, except a grant made to a State or local arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.

(3) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs or projects.

NATIONAL ENDOWMENT FOR THE ARTS PROGRAM PRIORITIES

SEC. 413. (a) In providing services or awarding financial assistance under the National Foundation on the Arts and the Humanities Act of 1965 from funds appropriated under this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that serve underserved populations.

(b) In this section:

(1) The term “underserved population” means a population of individuals, including urban minorities, who have historically been outside the purview of arts and humanities programs due to factors such as a high incidence of income below the poverty line or to geographic isolation.

(2) The term “poverty line” means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.

(c) In providing services and awarding financial assistance under the National Foundation on the Arts and Humanities Act of 1965 with funds appropriated by this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that will encourage public knowledge, education, understanding, and appreciation of the arts.

(d) With funds appropriated by this Act to carry out section 5 of the National Foundation on the Arts and Humanities Act of 1965—

(1) the Chairperson shall establish a grant category for projects, productions, workshops, or programs that are of national impact or availability or are able to tour several States;

(2) the Chairperson shall not make grants exceeding 15 percent, in the aggregate, of such funds to any single State, excluding grants made under the authority of paragraph (1);

(3) the Chairperson shall report to the Congress annually and by State, on grants awarded by the Chairperson in each grant category under section 5 of such Act; and

(4) the Chairperson shall encourage the use of grants to improve and support community-based music performance and education.

STATUS OF BALANCES OF APPROPRIATIONS

SEC. 414. The Department of the Interior, the Environmental Protection Agency, the Forest

Service, and the Indian Health Service shall provide the Committees on Appropriations of the House of Representatives and Senate quarterly reports on the status of balances of appropriations including all uncommitted, committed, and unobligated funds in each program and activity within 60 days of enactment of this Act.

EXTENSION OF GRAZING PERMITS

SEC. 415. The terms and conditions of section 325 of Public Law 108–108 (117 Stat. 1307), regarding grazing permits issued by the Forest Service on any lands not subject to administration under section 402 of the Federal Lands Policy and Management Act (43 U.S.C. 1752), shall remain in effect for fiscal year 2023.

FUNDING PROHIBITION

SEC. 416. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network is designed to block access to pornography websites.

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

HUMANE TRANSFER AND TREATMENT OF ANIMALS

SEC. 417. (a) Notwithstanding any other provision of law, the Secretary of the Interior, with respect to land administered by the Bureau of Land Management, or the Secretary of Agriculture, with respect to land administered by the Forest Service (referred to in this section as the “Secretary concerned”), may transfer excess wild horses and burros that have been removed from land administered by the Secretary concerned to other Federal, State, and local government agencies for use as work animals.

(b) The Secretary concerned may make a transfer under subsection (a) immediately on the request of a Federal, State, or local government agency.

(c) An excess wild horse or burro transferred under subsection (a) shall lose status as a wild free-roaming horse or burro (as defined in section 2 of Public Law 92–195 (commonly known as the “Wild Free-Roaming Horses and Burros Act”) (16 U.S.C. 1332)).

(d) A Federal, State, or local government agency receiving an excess wild horse or burro pursuant to subsection (a) shall not—

(1) destroy the horse or burro in a manner that results in the destruction of the horse or burro into a commercial product;

(2) sell or otherwise transfer the horse or burro in a manner that results in the destruction of the horse or burro for processing into a commercial product; or

(3) euthanize the horse or burro, except on the recommendation of a licensed veterinarian in a case of severe injury, illness, or advanced age.

(e) Amounts appropriated by this Act shall not be available for—

(1) the destruction of any healthy, unadopted, and wild horse or burro under the jurisdiction of the Secretary concerned (including a contractor); or

(2) the sale of a wild horse or burro that results in the destruction of the wild horse or burro for processing into a commercial product.

FOREST SERVICE FACILITY REALIGNMENT AND ENHANCEMENT AUTHORIZATION EXTENSION

SEC. 418. Section 503(f) of Public Law 109–54 (16 U.S.C. 580d note) shall be applied by substituting “September 30, 2023” for “September 30, 2019”.

USE OF AMERICAN IRON AND STEEL

SEC. 419. (a)(1) None of the funds made available by a State water pollution control revolving fund as authorized by section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) shall be used for a project for the construction, alteration, maintenance, or repair of a public water system or treatment works unless all of the iron and steel products used in the project are produced in the United States.

(2) In this section, the term “iron and steel” products means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.

(b) Subsection (a) shall not apply in any case or category of cases in which the Administrator of the Environmental Protection Agency (in this section referred to as the “Administrator”) finds that—

(1) applying subsection (a) would be inconsistent with the public interest;

(2) iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

(3) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

(c) If the Administrator receives a request for a waiver under this section, the Administrator shall make available to the public on an informal basis a copy of the request and information available to the Administrator concerning the request, and shall allow for informal public input on the request for at least 15 days prior to making a finding based on the request. The Administrator shall make the request and accompanying information available by electronic means, including on the official public Internet Web site of the Environmental Protection Agency.

(d) This section shall be applied in a manner consistent with United States obligations under international agreements.

(e) The Administrator may retain up to 0.25 percent of the funds appropriated in this Act for the Clean and Drinking Water State Revolving Funds for carrying out the provisions described in subsection (a)(1) for management and oversight of the requirements of this section.

LOCAL COOPERATOR TRAINING AGREEMENTS AND TRANSFERS OF EXCESS EQUIPMENT AND SUPPLIES FOR WILDFIRES

SEC. 420. The Secretary of the Interior is authorized to enter into grants and cooperative agreements with volunteer fire departments, rural fire departments, rangeland fire protection associations, and similar organizations to provide for wildland fire training and equipment, including supplies and communication devices. Notwithstanding section 121(c) of title 40, United States Code, or section 521 of title 40, United States Code, the Secretary is further authorized to transfer title to excess Department of the Interior firefighting equipment no longer needed to carry out the functions of the Department’s wildland fire management program to such organizations.

RECREATION FEES

SEC. 421. Section 810 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6809) shall be applied by substituting “October 1, 2024” for “September 30, 2019”.

REPROGRAMMING GUIDELINES

SEC. 422. None of the funds made available in this Act, in this and prior fiscal years, may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the reprogramming procedures contained in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

LOCAL CONTRACTORS

SEC. 423. Section 412 of division E of Public Law 112–74 shall be applied by substituting “fiscal year 2023” for “fiscal year 2019”.

SHASTA-TRINITY MARINA FEE AUTHORITY AUTHORIZATION EXTENSION

SEC. 424. Section 422 of division F of Public Law 110–161 (121 Stat 1844), as amended, shall be applied by substituting “fiscal year 2023” for “fiscal year 2019”.

INTERPRETIVE ASSOCIATION AUTHORIZATION
EXTENSION

SEC. 425. Section 426 of division G of Public Law 113-76 (16 U.S.C. 565a-1 note) shall be applied by substituting “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.

TRIBAL LEASES

SEC. 429. Notwithstanding any other provision of law, in the case of any lease under section 105(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5324(l)), the initial lease term shall commence no earlier than the date of receipt of the lease proposal.

FOREST ECOSYSTEM HEALTH AND RECOVERY FUND

SEC. 430. The authority provided under the heading “Forest Ecosystem Health and Recovery Fund” in title I of Public Law 111-88, as amended by section 117 of division F of Public Law 113-235, shall be applied by substituting “fiscal year 2023” for “fiscal year 2020” each place it appears.

ALLOCATION OF PROJECTS, NATIONAL PARKS AND
PUBLIC LAND LEGACY RESTORATION FUND AND
LAND AND WATER CONSERVATION FUND

SEC. 431. (a)(1) Within 45 days of enactment of this Act, the Secretary of the Interior shall allocate amounts made available from the National Parks and Public Land Legacy Restoration Fund for fiscal year 2023 pursuant to subsection (c) of section 200402 of title 54, United States Code, and as provided in subsection (e) of such section of such title, to the agencies of the Department of the Interior and the Department of Agriculture specified, in the amounts specified, for the stations and unit names specified, and for the projects and activities specified in the table titled “Allocation of Funds: National Parks and Public Land Legacy Restoration Fund Fiscal Year 2023” in the report accompanying this Act.

(2) Within 45 days of enactment of this Act, the Secretary of the Interior and the Secretary of Agriculture, as appropriate, shall allocate amounts made available for expenditure from the Land and Water Conservation Fund for fiscal year 2023 pursuant to subsection (a) of section 200303 of title 54, United States Code, to the agencies and accounts specified, in the amounts specified, and for the projects and activities specified in the table titled “Allocation of Funds: Land and Water Conservation Fund Fiscal Year 2023” in the report accompanying this Act.

(b) Except as otherwise provided by subsection (c) of this section, neither the President nor his designee may allocate any amounts that are made available for any fiscal year under sub-

section (c) of section 200402 of title 54, United States Code, or subsection (a) of section 200303 of title 54, United States Code, other than in amounts and for projects and activities that are allocated by subsections (a)(1) and (a)(2) of this section: Provided, That in any fiscal year, the matter preceding this proviso shall not apply to the allocation of amounts for continuing administration of programs allocated funds from the National Parks and Public Land Legacy Restoration Fund or the Land and Water Conservation Fund, which may be allocated only in amounts that are no more than the allocation for such purposes in subsections (a)(1) and (a)(2) of this section.

(c) The Secretary of the Interior and the Secretary of Agriculture may reallocate amounts from each agency’s “Contingency Fund” line in the table titled “Allocation of Funds: National Parks and Public Land Legacy Restoration Fund Fiscal Year 2023” to any project funded by the National Parks and Public Land Legacy Restoration Fund within the same agency, from any fiscal year, that experienced a funding deficiency due to unforeseen cost overruns, in accordance with the following requirements:

(1) “Contingency Fund” amounts may only be reallocated if there is a risk to project completion resulting from unforeseen cost overruns;

(2) “Contingency Fund” amounts may only be reallocated for cost of adjustments and changes within the original scope of effort for projects funded by the National Parks and Public Land Legacy Restoration Fund; and

(3) The Secretary of the Interior or the Secretary of Agriculture must provide written notification to the Committees on Appropriations 30 days before taking any actions authorized by this subsection if the amount reallocated from the “Contingency Fund” line for a project is projected to be 10 percent or greater than the following, as applicable:

(A) The amount allocated to that project in the table titled “Allocation of Funds: National Parks and Public Land Legacy Restoration Fund Fiscal Year 2023” in the report accompanying this Act; or

(B) The initial estimate in the most recent report submitted, prior to enactment of this Act, to the Committees on Appropriations pursuant to section 434(e) of Division G of the Consolidated Appropriations Act, 2021 (Public Law 116-260).

(d)(1) Concurrent with the annual budget submission of the President for fiscal year 2024, the Secretary of the Interior and the Secretary of Agriculture shall each submit to the Committees on Appropriations of the House of Representatives and the Senate project data sheets for the projects in the “Submission of Annual List of Projects to Congress” required by section 200402(h) of title 54, United States Code: Provided, That the “Submission of Annual List of Projects to Congress” must include a “Contingency Fund” line for each agency within the allocations defined in subsection (e) of section 200402 of title 54, United States Code: Provided further, That in the event amounts allocated by this Act or any prior Act for the National Parks and Public Land Legacy Restoration Fund are no longer needed to complete a specified project, such amounts may be reallocated in such submission to that agency’s “Contingency Fund” line: Provided further, That any proposals to change the scope of or terminate a previously approved project must be clearly identified in such submission.

(2)(A) Concurrent with the annual budget submission of the President for fiscal year 2024, the Secretary of the Interior and the Secretary of Agriculture shall each submit to the Committees on Appropriations of the House of Representatives and the Senate a list of supplementary allocations for Federal land acquisition and Forest Legacy Projects at the National Park Service, the U.S. Fish and Wildlife Service, the Bureau of Land Management, and the U.S. Forest Service that are in addition to the “Submission of Cost Estimates” required by section

200303(c)(1) of title 54, United States Code, that are prioritized and detailed by account, program, and project, and that total no less than half the full amount allocated to each account for that land management Agency under the allocations submitted under section 200303(c)(1) of title 54, United States Code: Provided, That in the event amounts allocated by this Act or any prior Act pursuant to subsection (a) of section 200303 of title 54, United States Code are no longer needed because a project has been completed or can no longer be executed, such amounts must be clearly identified if proposed for reallocation in the annual budget submission.

(B) The Federal land acquisition and Forest Legacy projects in the “Submission of Cost Estimates” required by section 200303(c)(1) of title 54, United States Code, and on the list of supplementary allocations required by subparagraph (A) shall be comprised only of projects for which a willing seller has been identified and for which an appraisal or market research has been initiated.

(C) Concurrent with the annual budget submission of the President for fiscal year 2024, the Secretary of the Interior and the Secretary of Agriculture shall each submit to the Committees on Appropriations of the House of Representatives and the Senate project data sheets in the same format and containing the same level of detailed information that is found on such sheets in the Budget Justifications annually submitted by the Department of the Interior with the President’s Budget for the projects in the “Submission of Cost Estimates” required by section 200303(c)(1) of title 54, United States Code, and in the same format and containing the same level of detailed information that is found on such sheets submitted to the Committees pursuant to section 427 of division D of the Further Consolidated Appropriations Act, 2020 (Public Law 116-94) for the list of supplementary allocations required by subparagraph (A).

(e) The Department of the Interior and the Department of Agriculture shall provide the Committees on Appropriations of the House of Representatives and Senate quarterly reports on the status of balances of projects and activities funded by the National Parks and Public Land Legacy Restoration Fund for amounts allocated pursuant to subsection (a)(1) of this section and the status of balances of projects and activities funded by the Land and Water Conservation Fund for amounts allocated pursuant to subsection (a)(2) of this section, including all uncommitted, committed, and unobligated funds, and, for amounts allocated pursuant to subsection (a)(1) of this section, National Parks and Public Land Legacy Restoration 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;

(B) encourage private investment throughout the forest biomass supply chain, including in—

- (i) working forests;
 - (ii) harvesting operations;
 - (iii) forest improvement operations;
 - (iv) forest bioenergy production;
 - (v) wood products manufacturing; or
 - (vi) paper manufacturing;
- (C) encourage forest management to improve forest health; and
- (D) recognize State initiatives to produce and use forest biomass.

TIMBER SALE REQUIREMENTS

SEC. 433. No timber sale in Alaska's Region 10 shall be advertised if the indicated rate is deficit (defined as the value of the timber is not sufficient to cover all logging and stumpage costs and provide a normal profit and risk allowance under the Forest Service's appraisal process) when appraised using a residual value appraisal. The western red cedar timber from those sales which is surplus to the needs of the domestic processors in Alaska, shall be made available to domestic processors in the contiguous 48 United States at prevailing domestic prices. All additional western red cedar volume not sold to Alaska or contiguous 48 United States domestic processors may be exported to foreign markets at the election of the timber sale holder. All Alaska yellow cedar may be sold at prevailing export prices at the election of the timber sale holder.

TRANSFER AUTHORITY TO FEDERAL HIGHWAY ADMINISTRATION FOR THE NATIONAL PARKS AND PUBLIC LAND LEGACY RESTORATION FUND

SEC. 434. Funds made available or allocated in this Act to the Department of the Interior or the Department of Agriculture that are subject to the allocations and limitations in 54 U.S.C. 200402(e) and prohibitions in 54 U.S.C. 200402(f) may be further allocated or reallocated to the Federal Highway Administration for transportation projects of the covered agencies defined in 54 U.S.C. 200401(2).

ICE AGE NATIONAL SCENIC TRAIL

SEC. 435. Section 5(a)(10) of the National Trails System Act (16 U.S.C. 1244(a)(10)) is amended by striking the third and fourth sentences and inserting "The trail shall be administered by the Secretary of the Interior as a unit of the National Park System."

FACILITIES RENOVATION FOR URBAN INDIAN ORGANIZATIONS TO THE EXTENT AUTHORIZED FOR OTHER GOVERNMENT CONTRACTORS

SEC. 436. The Secretary of Health and Human Services may authorize an urban Indian organization (as defined in section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1603)) that is awarded a grant or contract under title V of that Act (25 U.S.C. 1651 et seq.) to use funds provided in such grant or contract for minor renovations to facilities or construction or expansion of facilities, including leased facilities, to assist the urban Indian organization in meeting or maintaining standards issued by Federal or State governments or by accreditation organizations.

TONGASS NATIONAL FOREST

SEC. 437. None of the funds made available by this Act may be used to plan, design, study, or construct, for the purpose of harvesting timber by private entities or individuals, a forest development road in the Tongass National Forest.

ROAD CONSTRUCTION

SEC. 438. Section 8206(a)(4)(B)(i) of the Agricultural Act of 2014 (16 U.S.C. 2113a(a)(4)(B)(i)) is amended by inserting "or Bureau of Land Management managed" after "National Forest System".

PERMIT PROHIBITION

SEC. 439. None of the funds made available by this Act may be used to issue a permit for the import of a sport-hunted trophy of an elephant or lion taken in Tanzania, Zimbabwe, or Zambia. The limitation described in this section shall

not apply in the case of the administration of a tax or tariff.

This division may be cited as the "Department of the Interior, Environment, and Related Agencies Appropriations Act, 2023".

DIVISION F—MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2023

TITLE I

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, \$997,425,000, to remain available until September 30, 2027: Provided, That, of the amount made available under this heading, not to exceed \$240,011,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of the Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the amount made available under this heading, \$101,860,000 shall be for the projects and activities, and in the amounts, specified in the table under the heading "Military Construction, Army" in the report accompanying this Act, in addition to amounts otherwise available for such purposes.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, \$3,808,340,000, to remain available until September 30, 2027: Provided, That, of the amount made available under this heading, not to exceed \$428,073,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the amount made available under this heading, \$5,949,000 shall be for the project and activity, and in the amount, specified in the table under the heading "Military Construction, Navy and Marine Corps" in the report accompanying this Act, in addition to amounts otherwise available for such purposes.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, \$2,291,156,000, to remain available until September 30, 2027: Provided, That, of the amount made available under this heading, not to exceed \$171,094,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the amount made available under this heading, \$185,700,000 shall be for the projects and activities, and in the amounts,

specified in the table under the heading "Military Construction, Air Force" in the report accompanying this Act, in addition to amounts otherwise available for such purposes.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, \$2,675,128,000, to remain available until September 30, 2027: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That, of the amount made available under this heading, not to exceed \$506,107,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the amount made available under this heading, \$58,730,000 shall be for the projects and activities, and in the amounts, specified in the table under the heading "Military Construction, Defense-Wide" in the report accompanying this Act, in addition to amounts otherwise available for such purposes.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$325,658,000, to remain available until September 30, 2027: Provided, That, of the amount made available under this heading, not to exceed \$43,625,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Army National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the amount made available under this heading, \$3,380,000 shall be for the projects and activities, and in the amounts, specified in the table under the heading "Military Construction, Army National Guard" in the report accompanying this Act, in addition to amounts otherwise available for such purposes.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$193,983,000, to remain available until September 30, 2027: Provided, That, of the amount made available under this heading, not to exceed \$41,712,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the amount made available under this heading, \$20,100,000 shall be for the projects and activities, and in the amounts,

specified in the table under the heading "Military Construction, Air National Guard" in the report accompanying this Act, in addition to amounts otherwise available for such purposes.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$119,878,000, to remain available until September 30, 2027: Provided, That, of the amount made available under this heading, not to exceed \$19,829,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Army Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$30,337,000, to remain available until September 30, 2027: Provided, That, of the amount made available under this heading, not to exceed \$2,590,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$82,123,000, to remain available until September 30, 2027: Provided, That, of the amount made available under this heading, not to exceed \$21,773,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Air Force Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the amount made available under this heading, \$5,500,000 shall be for the projects and activities, and in the amounts, specified in the table under the heading "Military Construction, Air Force Reserve" in the report accompanying this Act, in addition to amounts otherwise available for such purposes.

NORTH ATLANTIC TREATY ORGANIZATION

SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, \$220,139,000, to remain available until expended.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

For deposit into the Department of Defense Base Closure Account, established by section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$574,687,000, to remain available until expended.

FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replace-

ment, addition, expansion, extension, and alteration, as authorized by law, \$169,339,000, to remain available until September 30, 2027.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$446,411,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$337,297,000, to remain available until September 30, 2027.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$378,224,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$232,788,000, to remain available until September 30, 2027.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$365,222,000.

FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, \$50,113,000.

DEPARTMENT OF DEFENSE

FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, \$6,442,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

DEPARTMENT OF DEFENSE

MILITARY UNACCOMPANIED HOUSING IMPROVEMENT 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.

ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed \$25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access

roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than \$25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed \$500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Gulf, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Gulf, may be used to award any contract estimated by the Government to exceed \$1,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: Provided further, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense shall inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed \$100,000.

SEC. 114. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized

for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 115. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 116. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(INCLUDING TRANSFER OF FUNDS)

SEC. 117. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in "Military Construction" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502 of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

(INCLUDING TRANSFER OF FUNDS)

SEC. 118. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the Department of Defense Base Closure Account to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program incurred under 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 119. Notwithstanding any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: Provided, That not more than \$35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to

costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: Provided further, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 120. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

(INCLUDING TRANSFER OF FUNDS)

SEC. 121. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation "Foreign Currency Fluctuations, Construction, Defense", to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 122. None of the funds made available in this title may be obligated or expended for planning and design and construction of projects at Arlington National Cemetery.

SEC. 123. All amounts appropriated to the "Department of Defense—Military Construction, Army", "Department of Defense—Military Construction, Navy and Marine Corps", "Department of Defense—Military Construction, Air Force", and "Department of Defense—Military Construction, Defense-Wide" accounts pursuant to the authorization of appropriations in a National Defense Authorization Act specified for fiscal year 2023 in the funding table in section 4601 of that Act shall be immediately available and allotted to contract for the full scope of authorized projects.

SEC. 124. Notwithstanding section 116 of this Act, funds made available in this Act or any available unobligated balances from prior appropriations Acts may be obligated before October 1, 2024 for fiscal years 2017 and 2018 military construction projects for which project authorization has not lapsed or for which authorization is extended for fiscal year 2023 by a National Defense Authorization Act: Provided, That no amounts may be obligated pursuant to this section from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 125. For the purposes of this Act, the term "congressional defense committees" means the Committees on Armed Services of the House of Representatives and the Senate, the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the Senate, and the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the House of Representatives.

SEC. 126. For an additional amount for the accounts and in the amounts specified for planning and design and unspecified minor construction, for improving military installation resilience, to remain available until September 30, 2027:

"Military Construction, Army", \$40,000,000;
"Military Construction, Navy and Marine Corps", \$40,000,000;
"Military Construction, Air Force", \$40,000,000; and

"Military Construction, Defense-Wide", \$15,000,000:

Provided, That not later than 60 days after the date of enactment of this Act, the Secretary of the military department concerned, or their designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section: Provided further, That the Secretary of the military department concerned may not obligate or expend any funds prior to approval by the Committees on Appropriations of both Houses of Congress of the expenditure plan required by this section.

SEC. 127. For an additional amount for the accounts and in the amounts specified for planning and design, for child development centers, to remain available until September 30, 2027:

"Military Construction, Army", \$15,000,000;
"Military Construction, Navy and Marine Corps", \$15,000,000; and
"Military Construction, Air Force", \$15,000,000:

Provided, That not later than 60 days after the date of enactment of this Act, the Secretary of the military department concerned, or their designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 128. For an additional amount for "Military Construction, Air Force", \$360,000,000, to remain available until September 30, 2027, for expenses incurred as a result of natural disasters: Provided, That not later than 60 days after the date of enactment of this Act, the Secretary of the Air Force, or their designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 129. For an additional amount for the accounts and in the amounts specified for planning and design, unspecified minor construction, and authorized major construction projects, for construction improvements to Department of Defense laboratory facilities, to remain available until September 30, 2027:

"Military Construction, Army", \$40,000,000;
"Military Construction, Navy and Marine Corps", \$30,000,000; and
"Military Construction, Air Force", \$30,000,000:

Provided, That not later than 30 days after the date of enactment of this Act, the Secretary of the military department concerned, or their designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section: Provided further, That the Secretary of the military department concerned may not obligate or expend any funds prior to approval by the Committees on Appropriations of both Houses of Congress of the expenditure plan required by this section.

SEC. 130. For an additional amount for "Military Construction, Air Force Reserve", \$8,000,000, to remain available until September 30, 2027: Provided, That such funds may only be obligated to carry out construction projects identified in the Department of the Air Force's unfunded priority list for fiscal year 2023 submitted to Congress: Provided further, That not later than 60 days after the date of enactment of this Act, the Secretary of the Air Force, or a duly authorized designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 131. For an additional amount for the accounts and in the amounts specified to address cost increases identified subsequent to the fiscal year 2023 budget request for authorized major construction projects included in that request, to remain available until September 30, 2027:

"Military Construction, Army", \$253,500,000;
"Military Construction, Navy and Marine Corps", \$200,000,000;
"Military Construction, Air Force", \$30,000,000;

“Military Construction, Defense-Wide”, \$37,897,000;
 “Military Construction, Army National Guard”, \$89,000,000;
 “Military Construction, Air National Guard”, \$11,000,000;
 “Military Construction, Army Reserve”, \$66,000,000; and
 “Military Construction, Navy Reserve”, \$2,660,000.

Provided, That not later than 30 days after the date of enactment of this Act, the Secretary of the military department concerned, or their designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section: Provided further, That the Secretary of the military department concerned may not obligate or expend any funds prior to approval by the Committees on Appropriations of both Houses of Congress of the expenditure plan required by this section.

SEC. 132. For an additional amount for “Military Construction, Defense-Wide”, \$8,000,000, to remain available until September 30, 2027, to address cost increases for authorized major construction projects funded by this Act: Provided, That not later than 30 days after the date of enactment of this Act, the Secretary of Defense, or their designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section: Provided further, That the Secretary of Defense may not obligate or expend any funds prior to approval by the Committees on Appropriations of both Houses of Congress of the expenditure plan required by this section.

SEC. 133. For an additional amount for “Military Construction, Navy and Marine Corps”, \$100,000,000, to remain available until September 30, 2027, for planning and design of water treatment and distribution facilities construction, including relating to improvements of infrastructure and defueling at the Red Hill Bulk Fuel Storage Facility: Provided, That not later than 180 days after the date of enactment of this Act, the Secretary of the Navy, or their designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section: Provided further, That the Secretary of the Navy may not obligate or expend any funds prior to approval by the Committees on Appropriations of both Houses of Congress of the expenditure plan required by this section.

SEC. 134. For an additional amount for the accounts and in the amounts specified for barracks and unaccompanied personnel housing, to remain available until September 30, 2027:

“Military Construction, Army National Guard”, \$15,243,000; and
 “Military Construction, Army Reserve”, \$68,400,000.

Provided, That such funds may only be obligated to carry out construction projects identified in the Department’s unfunded priority list for fiscal year 2023 submitted to Congress: Provided further, That not later than 30 days after the date of enactment of this Act, the Secretary of the Army, or their designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 135. For an additional amount for “Family Housing Construction, Army”, \$138,783,000, to remain available until September 30, 2027: Provided, That such funds may only be obligated to carry out construction, improvement, and replacement projects identified in the Department of the Army’s cost to complete projects list of previously appropriated projects submitted to Congress: Provided further, That, of the amount made available under this section, \$28,900,000 shall be available for projects within the continental United States: Provided further, That such projects are subject to authorization prior to obligation and expenditure of funds to carry out construction: Provided further, That

not later than 30 days after the date of enactment of this Act, the Secretary of the Army, or their designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 136. For an additional amount for the accounts and in the amounts specified for child development centers, to remain available until September 30, 2027:

“Military Construction, Army”, \$9,000,000; and

“Military Construction, Navy and Marine Corps”, \$47,940,000; and

“Military Construction, Air Force”, \$22,393,000.

Provided, That such funds may only be obligated to carry out construction projects identified in the respective military department’s Future Years Defense Program list for fiscal year 2023 submitted to Congress, or the respective military department’s cost to complete project list of previously appropriated projects submitted to Congress: Provided further, That not later than 30 days after the date of enactment of this Act, the Secretary of the military department concerned, or their designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers’ retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, \$146,778,136,000, which shall become available on October 1, 2023, to remain available until expended: Provided, That not to exceed \$21,423,000 of the amount made available for fiscal year 2024 under this heading shall be reimbursed to “General Operating Expenses, Veterans Benefits Administration”, and “Information Technology Systems” for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the “Compensation and Pensions” appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to “Medical Care Collections Fund” to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of title 38, United States Code, \$8,452,500,000, which shall become available on October 1, 2023, to remain available until expended: Provided, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen’s indemnities,

service-disabled veterans insurance, and veterans mortgage life insurance as authorized by chapters 19 and 21 of title 38, United States Code, \$121,126,000, which shall become available on October 1, 2023, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That, during fiscal year 2023, within the resources available, not to exceed \$500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$282,361,131.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$7,171, as authorized by chapter 31 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$942,330.

In addition, for administrative expenses necessary to carry out the direct loan program, \$445,698, which may be paid to the appropriation for “General Operating Expenses, Veterans Benefits Administration”.

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, \$1,400,000.

GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, reimbursement of the General Services Administration for security guard services, and reimbursement of the Department of Defense for the cost of overseas employee mail, \$3,863,000,000: Provided, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: Provided further, That, of the funds made available under this heading, not to exceed 10 percent shall remain available until September 30, 2024.

VETERANS HEALTH ADMINISTRATION MEDICAL SERVICES

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, bio-engineering services, food services, and salaries and expenses of healthcare employees hired under title 38, United States Code, assistance and support services for caregivers as authorized by section 1720G of title 38, United States Code, loan repayments authorized by section 604 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111-163; 124 Stat. 1174; 38 U.S.C. 7681 note), monthly assistance allowances authorized by section 322(d) of

title 38, United States Code, grants authorized by section 521A of title 38, United States Code, and administrative expenses necessary to carry out sections 322(d) and 521A of title 38, United States Code, and hospital care and medical services authorized by section 1787 of title 38, United States Code; \$327,000,000, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2022; and, in addition, \$74,004,000,000, plus reimbursements, shall become available on October 1, 2023, and shall remain available until September 30, 2024: Provided, That, of the amount made available on October 1, 2023, under this heading, \$1,500,000,000 shall remain available until September 30, 2025: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: Provided further, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs: Provided further, That the Secretary of Veterans Affairs shall ensure that sufficient amounts appropriated under this heading for medical supplies and equipment are available for the acquisition of prosthetics designed specifically for female veterans.

MEDICAL COMMUNITY CARE

For necessary expenses for furnishing health care to individuals pursuant to chapter 17 of title 38, United States Code, at non-Department facilities, \$4,300,000,000, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2022; and, in addition, \$33,000,000,000, plus reimbursements, shall become available on October 1, 2023, and shall remain available until September 30, 2024: Provided, That, of the amount made available on October 1, 2023, under this heading, \$2,000,000,000 shall remain available until September 30, 2025.

MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.), \$1,400,000,000, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2022; and, in addition, \$12,300,000,000, plus reimbursements, shall become available on October 1, 2023, and shall remain available until September 30, 2024: Provided, That, of the amount made available on October 1, 2023, under this heading, \$200,000,000 shall remain available until September 30, 2025.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, domiciliary facilities, and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or

for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services; \$1,500,000,000, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2022; and, in addition, \$8,800,000,000, plus reimbursements, shall become available on October 1, 2023, and shall remain available until September 30, 2024: Provided, That, of the amount made available on October 1, 2023, under this heading, \$350,000,000 shall remain available until September 30, 2025.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, \$926,000,000, plus reimbursements, shall remain available until September 30, 2024: Provided, That the Secretary of Veterans Affairs shall ensure that sufficient amounts appropriated under this heading are available for prosthetic research specifically for female veterans, and for toxic exposure research.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, \$430,000,000, of which not to exceed 10 percent shall remain available until September 30, 2024.

DEPARTMENTAL ADMINISTRATION

GENERAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed \$25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, \$435,000,000, of which not to exceed 10 percent shall remain available until September 30, 2024: Provided, That funds provided under this heading may be transferred to "General Operating Expenses, Veterans Benefits Administration".

BOARD OF VETERANS APPEALS

For necessary operating expenses of the Board of Veterans Appeals, \$285,000,000, of which not to exceed 10 percent shall remain available until September 30, 2024.

INFORMATION TECHNOLOGY SYSTEMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, \$5,782,000,000, plus reimbursements: Provided, That \$1,494,230,000 shall be for pay and associated costs, of which not to exceed 3 percent shall remain available until September 30, 2024: Provided further, That \$4,145,678,000 shall be for

operations and maintenance, of which not to exceed 5 percent shall remain available until September 30, 2024: Provided further, That \$142,092,000 shall be for information technology systems development, and shall remain available until September 30, 2024: Provided further, That amounts made available for salaries and expenses, operations and maintenance, and information technology systems development may be transferred among the three subaccounts after the Secretary of Veterans Affairs requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That amounts made available for the "Information Technology Systems" account for development may be transferred among projects or to newly defined projects: Provided further, That no project may be increased or decreased by more than \$3,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed: Provided further, That the funds made available under this heading for information technology systems development shall be for the projects, and in the amounts, specified in the table entitled "Information Technology Development Projects" under this heading in the report accompanying this Act.

VETERANS ELECTRONIC HEALTH RECORD

For activities related to implementation, preparation, development, interface, management, rollout, and maintenance of a Veterans Electronic Health Record system, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, and salaries and expenses of employees hired under titles 5 and 38, United States Code, \$1,759,000,000, to remain available until September 30, 2025: Provided, That the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress quarterly reports detailing obligations, expenditures, and deployment implementation by facility, including any changes from the deployment plan or schedule: Provided further, That the funds provided in this account shall only be available to the Office of the Deputy Secretary, to be administered by that Office: Provided further, That 25 percent of the funds made available under this heading shall not be available until July 1, 2023, and are contingent upon the Secretary of Veterans Affairs providing a certification of any changes to the deployment schedules contained in the plan submitted pursuant to the last proviso under this heading in division J of Public Law 117-103, an updated plan with benchmarks and measurable metrics for deployment, and an updated plan for addressing all required infrastructure upgrades, no later than 30 days prior to that date to the Committees on Appropriations, and upon approval of the Committees on Appropriations prior to that date.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$273,000,000, of which not to exceed 10 percent shall remain available until September 30, 2024.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite

utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, \$1,371,890,000, of which \$731,722,000 shall remain available until September 30, 2027, and of which \$640,168,000 shall remain available until expended, of which \$1,500,000 shall be available for seismic improvement projects and seismic program management activities, including for projects that would otherwise be funded by the Construction, Minor Projects, Medical Facilities or National Cemetery Administration accounts: Provided, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and planning, cost estimating, and design for major medical facility projects and major medical facility leases and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, staffing expenses, and funds provided for the purchase, security, and maintenance of land for the National Cemetery Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project that has not been notified to Congress through the budgetary process or that has not been approved by the Congress through statute, joint resolution, or in the explanatory statement accompanying such Act and presented to the President at the time of enrollment: Provided further, That such sums as may be necessary shall be available to reimburse the "General Administration" account for payment of salaries and expenses of all Office of Construction and Facilities Management employees to support the full range of capital infrastructure services provided, including minor construction and leasing services: Provided further, That funds made available under this heading for fiscal year 2023, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2023; and (2) by the awarding of a construction contract by September 30, 2024: Provided further, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above: Provided further, That notwithstanding the requirements of section 8104(a) of title 38, United States Code, amounts made available under this heading for seismic improvement projects and seismic program management activities shall be available for the completion of both new and existing seismic projects of the Department.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, \$626,110,000, of which \$563,499,000 shall remain available until September 30, 2027, and of which \$62,611,000 shall remain available until expended, along with unobligated balances of previous "Construction, Minor Projects" appro-

priations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: Provided, That funds made available under this heading shall be for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, \$150,000,000, to remain available until expended.

GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

For grants to assist States and tribal organizations in establishing, expanding, or improving veterans cemeteries as authorized by section 2408 of title 38, United States Code, \$50,000,000, to remain available until expended.

ASSET AND INFRASTRUCTURE REVIEW

For carrying out the VA Asset and Infrastructure Review Act of 2018 (subtitle A of title II of Public Law 115-182), \$5,000,000, to remain available until September 30, 2024.

ADMINISTRATIVE PROVISIONS (INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2023 for "Compensation and Pensions", "Readjustment Benefits", and "Veterans Insurance and Indemnities" may be transferred as necessary to any other of the mentioned appropriations: Provided, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2023, in this or any other Act, under the "Medical Services", "Medical Community Care", "Medical Support and Compliance", and "Medical Facilities" accounts may be transferred among the accounts: Provided, That any transfers among the "Medical Services", "Medical Community Care", and "Medical Support and Compliance" accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: Provided further, That any transfers among the "Medical Services", "Medical Community Care", and "Medical Support and Compliance" accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That any transfers to or from the "Medical Facilities" account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for "Construction, Major Projects", and "Construction, Minor Projects") shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled to such hospitalization or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 7904 of title 5, United States Code, or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of the cost of such hospitalization or examination is made to the "Medical Services" account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for "Compensation and Pensions", "Readjustment Benefits", and "Veterans Insurance and Indemnities" shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2022.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from "Compensation and Pensions".

(INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2023, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans' Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the "General Operating Expenses, Veterans Benefits Administration" and "Information Technology Systems" accounts for the cost of administration of the insurance programs financed through those accounts: Provided, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2023 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: Provided further, That if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: Provided further, That the Secretary shall determine the cost of administration for fiscal year 2023 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services shall be available until expended.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management, Diversity and Inclusion, the Office of Employment Discrimination Complaint Adjudication, and the Alternative Dispute Resolution function within the Office of Human Resources and Administration for all services provided at rates which will recover actual costs but not to exceed \$86,481,000 for the Office of Resolution Management, Diversity and Inclusion, \$6,812,000 for the Office of Employment Discrimination Complaint Adjudication,

and \$4,576,000 for the Alternative Dispute Resolution function within the Office of Human Resources and Administration: Provided, That payments may be made in advance for services to be furnished based on estimated costs: Provided further, That amounts received shall be credited to the "General Administration" and "Information Technology Systems" accounts for use by the office that provided the service.

SEC. 211. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: Provided, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: Provided further, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 212. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the "Construction, Major Projects" and "Construction, Minor Projects" accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in "Construction, Major Projects" and "Construction, Minor Projects".

SEC. 213. Amounts made available under "Medical Services" are available—

- (1) for furnishing recreational facilities, supplies, and equipment; and
- (2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 214. Such sums as may be deposited into the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to the "Medical Services" and "Medical Community Care" accounts to remain available until expended for the purposes of these accounts.

SEC. 215. The Secretary of Veterans Affairs may enter into agreements with Federally Qualified Health Centers in the State of Alaska and Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, to provide healthcare, including behavioral health and dental care, to veterans in rural Alaska. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary. The term "rural Alaska" shall mean those lands which are not within the boundaries of the municipality of Anchorage or the Fairbanks North Star Borough.

(INCLUDING TRANSFER OF FUNDS)

SEC. 216. Such sums as may be deposited into the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the "Construction, Major Projects" and "Construction, Minor Projects" accounts, to remain available until expended for the purposes of these accounts.

SEC. 217. Not later than 30 days after the end of each fiscal quarter, the Secretary of Veterans Affairs shall submit to the Committees on Ap-

propriations of both Houses of Congress a report on the financial status of the Department of Veterans Affairs for the preceding quarter: Provided, That, at a minimum, the report shall include the direction contained in the paragraph entitled "Quarterly reporting", under the heading "General Administration" in the joint explanatory statement accompanying Public Law 114-223.

(INCLUDING TRANSFER OF FUNDS)

SEC. 218. Amounts made available under the "Medical Services", "Medical Community Care", "Medical Support and Compliance", "Medical Facilities", "General Operating Expenses, Veterans Benefits Administration", "Board of Veterans Appeals", "General Administration", and "National Cemetery Administration" accounts for fiscal year 2023 may be transferred to or from the "Information Technology Systems" account: Provided, That such transfers may not result in a more than 10 percent aggregate increase in the total amount made available by this Act for the "Information Technology Systems" account: Provided further, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

(INCLUDING TRANSFER OF FUNDS)

SEC. 219. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2023 for "Medical Services", "Medical Community Care", "Medical Support and Compliance", "Medical Facilities", "Construction, Minor Projects", and "Information Technology Systems", up to \$330,140,000, plus reimbursements, may be transferred to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500): Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress: Provided further, That section 220 of title II of division J of Public Law 117-103 is repealed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Of the amounts appropriated to the Department of Veterans Affairs which become available on October 1, 2023, for "Medical Services", "Medical Community Care", "Medical Support and Compliance", and "Medical Facilities", up to \$314,825,000, plus reimbursements, may be transferred to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500): Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 221. Such sums as may be deposited into the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for

healthcare provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500) shall also be available: (1) for transfer to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2571); and (2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500): Provided, That, notwithstanding section 1704(b)(3) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2573), amounts transferred to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund shall remain available until expended.

(INCLUDING TRANSFER OF FUNDS)

SEC. 222. Of the amounts available in this title for "Medical Services", "Medical Community Care", "Medical Support and Compliance", and "Medical Facilities", a minimum of \$15,000,000 shall be transferred to the DOD-VA Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

SEC. 223. The Secretary of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in a major construction project that total at least \$5,000,000, or 5 percent of the programmed amount of the project, whichever is less: Provided, That such notification shall occur within 14 days of a contract identifying the programmed amount: Provided further, That the Secretary shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

SEC. 224. None of the funds made available for "Construction, Major Projects" may be used for a project in excess of the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations unless the Secretary of Veterans Affairs receives approval from the Committees on Appropriations of both Houses of Congress.

SEC. 225. Not later than 30 days after the end of each fiscal quarter, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report containing performance measures and data from each Veterans Benefits Administration Regional Office: Provided, That, at a minimum, the report shall include the direction contained in the section entitled "Disability claims backlog", under the heading "General Operating Expenses, Veterans Benefits Administration" in the joint explanatory statement accompanying Public Law 114-223: Provided further, That the report shall also include information on the number of appeals pending at the Veterans Benefits Administration as well as the Board of Veterans Appeals on a quarterly basis.

SEC. 226. The Secretary of Veterans Affairs shall provide written notification to the Committees on Appropriations of both Houses of Congress 15 days prior to organizational changes which result in the transfer of 25 or more full-time equivalents from one organizational unit of the Department of Veterans Affairs to another.

SEC. 227. The Secretary of Veterans Affairs shall provide on a quarterly basis to the Committees on Appropriations of both Houses of Congress notification of any single national outreach and awareness marketing campaign in which obligations exceed \$1,000,000.

(INCLUDING TRANSFER OF FUNDS)

SEC. 228. The Secretary of Veterans Affairs, upon determination that such action is necessary to address needs of the Veterans Health Administration, may transfer to the "Medical Services" account any discretionary appropriations made available for fiscal year 2023 in this title (except appropriations made to the "General Operating Expenses, Veterans Benefits Administration" account) or any discretionary unobligated balances within the Department of Veterans Affairs, including those appropriated for fiscal year 2023, that were provided in advance by appropriations Acts: Provided, That transfers shall be made only with the approval of the Office of Management and Budget: Provided further, That the transfer authority provided in this section is in addition to any other transfer authority provided by law: Provided further, That no amounts may be transferred from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That such authority to transfer may not be used unless for higher priority items, based on emergent healthcare requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by Congress: Provided further, That, upon determination that all or part of the funds transferred from an appropriation are not necessary, such amounts may be transferred back to that appropriation and shall be available for the same purposes as originally appropriated: Provided further, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and receive approval of that request.

(INCLUDING TRANSFER OF FUNDS)

SEC. 229. Amounts made available for the Department of Veterans Affairs for fiscal year 2023, under the "Board of Veterans Appeals" and the "General Operating Expenses, Veterans Benefits Administration" accounts may be transferred between such accounts: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and receive approval of that request.

SEC. 230. The Secretary of Veterans Affairs may not reprogram funds among major construction projects or programs if such instance of reprogramming will exceed \$7,000,000, unless such reprogramming is approved by the Committees on Appropriations of both Houses of Congress.

SEC. 231. (a) The Secretary of Veterans Affairs shall ensure that the toll-free suicide hotline under section 1720F(h) of title 38, United States Code—

(1) provides to individuals who contact the hotline immediate assistance from a trained professional; and

(2) adheres to all requirements of the American Association of Suicidology.

(b)(1) None of the funds made available by this Act may be used to enforce or otherwise carry out any Executive action that prohibits the Secretary of Veterans Affairs from appointing an individual to occupy a vacant civil service position, or establishing a new civil service position, at the Department of Veterans Affairs with respect to such a position relating to the hotline specified in subsection (a).

(2) In this subsection—

(A) the term "civil service" has the meaning given such term in section 2101(i) of title 5, United States Code; and

(B) the term "Executive action" includes—
(i) any Executive order, Presidential memorandum, or other action by the President; and
(ii) any agency policy, order, or other directive.

(c)(1) The Secretary of Veterans Affairs shall conduct a study on the effectiveness of the hotline specified in subsection (a) during the 5-year period beginning on January 1, 2016, based on an analysis of national suicide data and data collected from such hotline.

(2) At a minimum, the study required by paragraph (1) shall—

(A) determine the number of veterans who contact the hotline specified in subsection (a) and who receive follow up services from the hotline or mental health services from the Department of Veterans Affairs thereafter;

(B) determine the number of veterans who contact the hotline who are not referred to, or do not continue receiving, mental health care who commit suicide; and

(C) determine the number of veterans described in subparagraph (A) who commit or attempt suicide.

SEC. 232. Effective during the period beginning on October 1, 2018, and ending on January 1, 2024, none of the funds made available to the Secretary of Veterans Affairs by this or any other Act may be obligated or expended in contravention of the "Veterans Health Administration Clinical Preventive Services Guidance Statement on the Veterans Health Administration's Screening for Breast Cancer Guidance" published on May 10, 2017, as issued by the Veterans Health Administration National Center for Health Promotion and Disease Prevention.

SEC. 233. Subchapter II of chapter 17 of title 38, United States Code, is amended by adding at the end the following new section (and conforming the table of sections at the beginning of such chapter accordingly):

"§ 1720K. Infertility counseling and treatment; reimbursement of adoption expenses"

"(a) INFERTILITY COUNSELING AND TREATMENT.—(1) Pursuant to regulations the Secretary shall prescribe to carry out this subsection, the Secretary may provide infertility counseling and treatment, using assisted reproductive technology, including in vitro fertilization, intrauterine insemination, and other advanced reproductive technologies, to the following:

"(A) A veteran—

"(i) who is enrolled in the system of annual patient enrollment established and operated under section 1705 of this title; and

"(ii) who, in the judgment of a health care professional of the Department—

"(I) has a service-connected disability or condition causing or aggravating infertility; or

"(II) is infertile as a result of having received medically necessary treatment pursuant to this chapter.

"(B) The spouse of a veteran described in subparagraph (A), or the partner of a veteran described in subparagraph (A) whom the veteran designates for purposes of this subsection.

"(2)(A) The Secretary may contract with a provider of in vitro fertilization services to obtain donor gametes or embryos from third-party donors.

"(B) The Secretary may only obtain third-party donation of gametes or embryos through a contract.

"(C) The Secretary may not provide assisted reproductive technology services or medical services to third-party donors.

"(3)(A) The Secretary may contract with a facility to furnish the cryopreservation, storage, and transportation of gametes and embryos.

"(B) The Secretary may not impose any limitation on the period in which an embryo or gamete is cryopreserved and stored pursuant to this subsection.

"(4) The legal status, custody, future use, donation, disposition, or destruction, of gametes or embryos relating to infertility or treatment furnished under this subsection shall be determined in accordance with the law of the State in which the gametes or embryos are located.

"(5)(A) In prescribing regulations to carry out this subsection, the Secretary shall ensure that

any in vitro fertilization (including with respect to the number of retrieval attempts and completed embryo transfer cycles) will be—

"(i) determined using the best medical evidence available; and

"(ii) provided in accordance with applicable standards of care.

"(B) In furnishing in vitro fertilization to a covered individual pursuant to this subsection, the Secretary is responsible only for payment of the costs of the in vitro fertilization services.

"(C) The Secretary may not furnish an in vitro fertilization cycle to a covered individual under this subsection unless the Secretary receives consent for such cycle from each of the following:

"(i) The covered individual.

"(ii) If the covered individual is a spouse or partner of a veteran as described in subparagraph (1)(B), the veteran.

"(iii) If applicable, the third-party donor.

"(6) In this subsection:

"(A) The term 'covered individual' means a veteran, spouse, or partner who receives infertility counseling and treatment under paragraph (1).

"(B) The term 'gamete' means a mature sperm or an oocyte or egg germ cell, as applicable.

"(C) The term 'infertility' means the inability to procreate without the use of infertility treatment.

"(D) The term 'in vitro fertilization' means the procedure in which an oocyte is removed from a mature ovarian follicle and fertilized by a sperm cell outside the human body and, at the appropriate time, transferred into the uterus.

"(E) The term 'third-party donor' means an individual who consents to donate the gametes or embryo of the individual for use in treatment furnished pursuant to this subsection.

"(b) ADOPTION REIMBURSEMENT.—(1) Pursuant to regulations the Secretary shall prescribe to carry out this subsection, the Secretary may reimburse an eligible veteran for qualifying adoption expenses incurred by the veteran in the adoption of a child.

"(2) For purposes of this subsection, an eligible veteran is a veteran who meets the following criteria:

"(A) The veteran is enrolled in the system of annual patient enrollment established and operated under section 1705 of this title.

"(B) The veteran, in the judgment of the health care professional of the Department—

"(i) has a service-connected disability or condition causing or aggravating infertility; or

"(ii) is infertile as a result of having received medically necessary treatment pursuant to this chapter.

"(3) An adoption for which expenses may be reimbursed under this subsection includes an adoption by a single person, an infant adoption, an intercountry adoption, or an adoption of a child with special needs (as defined in section 473(c) of the Social Security Act (42 U.S.C. 673(c))).

"(4) The Secretary may reimburse an eligible veteran for qualifying adoption expenses under this subsection only after the adoption is final.

"(5) The Secretary may not reimburse an eligible veteran for qualifying adoption expenses under this subsection for any expense paid to or for the veteran under any other adoption benefits program administered by the Federal Government or under any such program administered by a State or local government.

"(6)(A)(i) The Secretary may not reimburse an eligible veteran, or two eligible veterans who are partners, for qualifying adoption expenses under this subsection for more than one adoption.

"(ii) The Secretary may not reimburse more than one eligible veteran for the qualifying adoption expenses under this subsection for the adoption of the same child.

"(B) In prescribing regulations to carry out this subsection, the Secretary shall establish minimum and maximum amounts for the reimbursement of qualifying adoption expenses.

“(7) In this subsection:

“(A) Notwithstanding section 101 of this title, the term ‘child’ means an individual who is under the age of eighteen years.

“(B) The term ‘qualified adoption agency’ means—

“(i) a State or local government agency that has responsibility under State or local law for child placement through adoption;

“(ii) a nonprofit, voluntary adoption agency that is authorized by State or local law to place children for adoption;

“(iii) any other source authorized by a State to provide adoption placement if the adoption is supervised by a court under State or local law; or

“(iv) a foreign government or an agency authorized by a foreign government to place children for adoption, in any case in which—

“(I) the adopted child is entitled to automatic citizenship under section 320 of the Immigration and Nationality Act (8 U.S.C. 1431); or

“(II) a certificate of citizenship has been issued for such child under section 322 of that Act (8 U.S.C. 1433).

“(C) The term ‘qualifying adoption expenses’ means reasonable and necessary expenses that are directly related to the legal adoption of a child, but only if such adoption is arranged by a qualified adoption agency. Such term does not include any expense incurred—

“(i) by an adopting parent for travel; or

“(ii) in connection with an adoption arranged in violation of Federal, State, or local law.

“(D) The term ‘reasonable and necessary expenses’ includes—

“(i) public and private agency fees, including adoption fees charged by an agency in a foreign country;

“(ii) placement fees, including fees charged adoptive parents for counseling;

“(iii) legal fees (including court costs) or notary expenses; and

“(iv) medical expenses, including hospital expenses of the biological mother of the child to be adopted and of a newborn infant to be adopted.”

SEC. 234. None of the funds appropriated or otherwise made available by this Act or any other Act for the Department of Veterans Affairs may be used in a manner that is inconsistent with: (1) section 842 of the Transportation, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109-115; 119 Stat. 2506); or (2) section 8110(a)(5) of title 38, United States Code.

SEC. 235. Section 842 of Public Law 109-115 shall not apply to conversion of an activity or function of the Veterans Health Administration, Veterans Benefits Administration, or National Cemetery Administration to contractor performance by a business concern that is at least 51 percent owned by one or more Indian tribes as defined in section 5304(e) of title 25, United States Code, or one or more Native Hawaiian Organizations as defined in section 637(a)(15) of title 15, United States Code.

SEC. 236. (a) Except as provided in subsection (b), the Secretary of Veterans Affairs, in consultation with the Secretary of Defense and the Secretary of Labor, shall discontinue using Social Security account numbers to identify individuals in all information systems of the Department of Veterans Affairs as follows:

(1) For all veterans submitting to the Secretary of Veterans Affairs new claims for benefits under laws administered by the Secretary, not later than March 23, 2023.

(2) For all individuals not described in paragraph (1), not later than March 23, 2026.

(b) The Secretary of Veterans Affairs may use a Social Security account number to identify an individual in an information system of the Department of Veterans Affairs if and only if the use of such number is required to obtain information the Secretary requires from an information system that is not under the jurisdiction of the Secretary.

(c) The matter in subsections (a) and (b) shall supersede section 238 of division F of Public Law 116-94.

SEC. 237. For funds provided to the Department of Veterans Affairs for each of fiscal year 2023 and 2024 for “Medical Services”, section 239 of division A of Public Law 114-223 shall apply.

SEC. 238. None of the funds appropriated in this or prior appropriations Acts or otherwise made available to the Department of Veterans Affairs may be used to transfer any amounts from the Filipino Veterans Equity Compensation Fund to any other account within the Department of Veterans Affairs.

SEC. 239. Of the funds provided to the Department of Veterans Affairs for each of fiscal year 2023 and fiscal year 2024 for “Medical Services”, funds may be used in each year to carry out and expand the child care program authorized by section 205 of Public Law 111-163, notwithstanding subsection (e) of such section.

SEC. 240. None of the funds appropriated or otherwise made available in this title may be used by the Secretary of Veterans Affairs to enter into an agreement related to resolving a dispute or claim with an individual that would restrict in any way the individual from speaking to members of Congress or their staff on any topic not otherwise prohibited from disclosure by Federal law or required by Executive order to be kept secret in the interest of national defense or the conduct of foreign affairs.

SEC. 241. For funds provided to the Department of Veterans Affairs for each of fiscal year 2023 and 2024, section 258 of division A of Public Law 114-223 shall apply.

SEC. 242. (a) None of the funds appropriated or otherwise made available by this Act may be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.), or to prevent or impede the access of the Inspector General to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to such Inspector General and expressly limits the right of access.

(b) A department or agency covered by this section shall provide its Inspector General access to all records, documents, and other materials in a timely manner.

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

(d) Each Inspector General covered by this section shall report to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives within 5 calendar days of any failure by any department or agency covered by this section to comply with this requirement.

SEC. 243. None of the funds made available in this Act may be used in a manner that would increase wait times for veterans who seek care at medical facilities of the Department of Veterans Affairs.

SEC. 244. None of the funds appropriated or otherwise made available by this Act to the Veterans Health Administration may be used in fiscal year 2023 to convert any program which received specific purpose funds in fiscal year 2022 to a general purpose funded program unless the Secretary of Veterans Affairs submits written notification of any such proposal to the Committees on Appropriations of both Houses of Congress at least 30 days prior to any such action and an approval is issued by the Committees.

SEC. 245. (a) Except as provided by subsection (b), none of the funds made available by this Act may be used by the Secretary of Veterans Affairs to purchase, breed, transport, house, feed, maintain, dispose of, or experiment on,

dogs or cats as part of the conduct of any study including an assignment of pain category D or E, as defined by the Pain and Distress Categories of the Department of Agriculture (or such successor categories developed pursuant to section 13 of the Animal Welfare Act (7 U.S.C. 2143)).

(b) Subsection (a) shall not apply to training programs or studies of service dogs described in section 1714 of title 38, United States Code, or section 17.148 of title 38, Code of Federal Regulations.

SEC. 246. Amounts made available for the “Veterans Health Administration, Medical Community Care” account in this or any other Act for fiscal years 2023 and 2024 may be used for expenses that would otherwise be payable from the Veterans Choice Fund established by section 802 of the Veterans Access, Choice, and Accountability Act, as amended (38 U.S.C. 1701 note).

SEC. 247. Obligations and expenditures applicable to the “Medical Services” account in fiscal years 2017 through 2019 for aid to state homes (as authorized by section 1741 of title 38, United States Code) shall remain in the “Medical Community Care” account for such fiscal years.

SEC. 248. Of the amounts made available for the Department of Veterans Affairs for fiscal year 2023, in this or any other Act, under the “Veterans Health Administration—Medical Services”, “Veterans Health Administration—Medical Community Care”, “Veterans Health Administration—Medical Support and Compliance”, and “Veterans Health Administration—Medical Facilities” accounts, \$911,119,000 shall be made available for gender-specific care and programmatic efforts to deliver care for women veterans.

(INCLUDING TRANSFER OF FUNDS)

SEC. 249. Amounts made available for the Department of Veterans Affairs for “Medical Facilities” and “General Administration” in this Act or prior Acts that remain available for obligation in fiscal year 2023 may be transferred as necessary to the “Asset and Infrastructure Review” account for the purposes of carrying out the VA Asset and Infrastructure Review Act of 2018 (subtitle A of title II of Public Law 115-182): Provided, That the total amounts transferred may not increase the account by more than \$2,000,000: Provided further, That in advance of any such transfer, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

(RESCISSION OF FUNDS)

SEC. 250. Of the unobligated balances in the “Recurring Expenses Transformational Fund” established in section 243 of division J of Public Law 114-113, \$48,132,853 is hereby rescinded.

SEC. 251. Not later than 30 days after the end of each fiscal quarter, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the status of the “Veterans Medical Care and Health Fund”, established to execute section 8002 of the American Rescue Plan Act of 2021 (Public Law 117-2): Provided, That, at a minimum, the report shall include an update on obligations by program, project or activity and a plan for expending the remaining funds: Provided further, That the Secretary of Veterans Affairs must submit notification of any plans to reallocate funds from the current appropriation categories of “Medical Services”, “Medical Support and Compliance”, “Medical Facilities”, “Medical Community Care”, or “Medical and Prosthetic Research”, including the amount and purpose of each reallocation to the Committees on Appropriations of both Houses of Congress and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

SEC. 252. By no later than September 30, 2023, the Secretary shall commence construction of

the Community-Based Outpatient Clinic in Bakersfield, California in accordance with Lease No. 36C10F20L0008.

TITLE III RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed \$15,000 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, \$87,500,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, \$45,159,000: Provided, That \$3,385,000 shall be available for the purpose of providing financial assistance as described and in accordance with the process and reporting procedures set forth under this heading in Public Law 102–229.

DEPARTMENT OF DEFENSE—CIVIL CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase or lease of passenger motor vehicles for replacement on a one-for-one basis only, and not to exceed \$2,000 for official reception and representation expenses, \$93,400,000, of which not to exceed \$15,000,000 shall remain available until September 30, 2025. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the "Lease of Department of Defense Real Property for Defense Agencies" account.

CONSTRUCTION

For necessary expenses for planning and design and construction at Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, \$62,500,000, to remain available until expended, of which \$2,500,000 shall be for study, planning and design, and architect and engineering services for Memorial Avenue improvements at Arlington National Cemetery; and \$60,000,000 shall be for planning and design and construction associated with the Southern Expansion project at Arlington National Cemetery.

ARMED FORCES RETIREMENT HOME TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$75,360,000, to remain available until September 30, 2024, of which \$7,300,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement

Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi: Provided, That of the amounts made available under this heading from funds available in the Armed Forces Retirement Home Trust Fund, \$25,000,000 shall be paid from the general fund of the Treasury to the Trust Fund.

MAJOR CONSTRUCTION

For an additional amount for necessary expenses related to design, planning, and construction for renovation of the Sheridan Building at the Armed Forces Retirement Home—Washington, District of Columbia, \$77,000,000, to remain available until expended, shall be paid from the general fund of the Treasury to the Armed Forces Retirement Home Trust Fund.

ADMINISTRATIVE PROVISION

SEC. 301. Amounts deposited into the special account established under 10 U.S.C. 7727 are appropriated and shall be available until expended to support activities at the Army National Military Cemeteries.

TITLE IV GENERAL PROVISIONS

SEC. 401. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 402. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 403. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of "E-Commerce" technologies and procedures in the conduct of their business practices and public service activities.

SEC. 404. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 405. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriations Act.

SEC. 406. None of the funds made available in this Act may be used for a project or program named for an individual serving as a Member, Delegate, or Resident Commissioner of the United States House of Representatives.

SEC. 407. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains confidential or proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 408. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State,

tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 409. None of the funds made available in this Act may be used by an agency of the executive branch to pay for first-class travel by an employee of the agency in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 410. None of the funds made available in this Act may be used to execute a contract for goods or services, including construction services, where the contractor has not complied with Executive Order No. 12989.

SEC. 411. None of the funds made available by this Act may be used in contravention of section 101(e)(8) of title 10, United States Code.

This division may be cited as the "Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2023".

The Acting CHAIR. No further amendment to the bill shall be in order except those printed in part A of House Report 117–420, amendments en bloc described in section 3 of House Resolution 1232, and pro forma amendments described in section 4 of that resolution.

Each further amendment printed in part A of House Report 117–420 not earlier considered as part of amendments en bloc pursuant to section 3 of House Resolution 1232, shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment except as provided by section 4 of House Resolution 1232, and shall not be subject to a demand for division of the question.

It shall be in order at any time for the chair of the Committee on Appropriations or her designee to offer amendments en bloc consisting of amendments printed in part A of the report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their designees, shall not be subject to amendment, except as provided by section 4 of House Resolution 1232, and shall not be subject to a demand for division of the question.

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

Ms. DELAURO. Mr. Chair, I move to strike the last word.

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

Ms. DELAURO. Mr. Chair, I yield to the gentlewoman from California (Ms. LEE), the chairwoman of the State, Foreign Operations, and Related Programs Subcommittee.

Ms. LEE of California. First of all, I thank our chair for the time. I rise in

support of H.R. 8294, which provides funding for numerous critical Federal programs for Fiscal Year 2023.

And let me just take a moment to thank our chairwoman, ROSA DELAURO, for leading this appropriations process; what a job. But it was amazing, very inclusive, very democratic, and I thank her for including so much for not only Democrats in the bill, but also for our Republican colleagues.

I also thank Leader HOYER, our Speaker, and Whip CLYBURN for working to get this bill to the floor.

Not least, I thank Chairs BISHOP, KAPTUR, PINGREE, PRICE, QUIGLEY, and WASSERMAN SCHULTZ for their leadership in crafting each of these individual bills included in this package.

I tell you, systemic racism—and you know I am going to talk about that, Mr. Chair—it is really at the heart of every crisis that we face today. This bill responds with critical investments to fight poverty, hunger, homelessness, housing insecurity, the climate crisis, and also includes so many provisions for equity and for justice.

I represent a district in the Bay Area that has some of the biggest challenges with transportation and housing affordability in the country. This bill fully funds President Biden's plan to fight for fair housing. And it includes important investments in housing and transportation equity, to help reverse decades of systemic racism.

The climate crisis threatens the health, safety, air quality, and livelihoods of neighborhoods, especially poor and low-income neighborhoods which primarily are communities of color.

This bill would advance energy independence, lower energy costs, invest in renewable energy and scientific innovation, and address fundamental environmental injustices.

Finally, as the co-chair of the Congressional Cannabis Caucus, I am pleased that this bill furthers the effort to stop unfairly targeting people and businesses in States and localities where voters have chosen to make cannabis legal.

I urge my colleagues to vote for H.R. 8294. I once again thank our chairwoman for such a great job.

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

Ms. GRANGER. Mr. Chair, I move to strike the last word.

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

Ms. GRANGER. Mr. Chair, I yield to the gentleman from Arkansas (Mr. WOMACK), the ranking member of the Financial Services and General Government Subcommittee.

Mr. WOMACK. Mr. Chair, I thank the ranking member for the time. I would have been here a little bit earlier, but previous commitments kept me from speaking during general debate.

I rise in opposition to this package of appropriations bills. I am the ranking member of the Financial Services and General Government Subcommittee, and I have a great deal of respect for

my chairman, MIKE QUIGLEY. We work well together. I appreciate the hard work that Mike and his team put in in trying to get a bill that we can come to agreement on.

However, the bill we are debating is packed with unjustifiable spending that ignores the government's unsustainable fiscal trajectory and the historic level of inflation burdening all Americans, and we should be fixing that, not making it worse.

As the pandemic wanes and inflation soars, I was hoping that we could begin reducing spending. Instead, the Financial Services division of this bill increases discretionary spending by over 17 percent.

Many programs in the bill get double-digit percentage increases; some get triple-digit percentage increases. For example, the bill provides:

An increase of 433 percent for election grants;

A 20 percent for the White House;

A 30 percent for the Federal Trade Commission;

A \$1 billion increase for the IRS; and

A \$1.6 billion increase for GSA.

These increases are unconscionable when considering the U.S.' historically high debt, now in excess of \$30 trillion, and inflation over 9 percent. The combination of debt and inflation places a heavy burden on future generations of Americans. We should be fixing that.

There are also several controversial policy changes included in the FSGG division, such as allowing D.C. tax dollars to fund abortions, and removing the prohibitions on Federal employee health benefits funding for abortions. These policy changes are no-goes. They make this bill and minibuss, as a whole, dead in the water. They will have to be fixed if we are going to come to some agreement.

We need to continue the longstanding legacy riders and drop the poison pills. And we need a top-line spending agreement that reduces nondefense spending and funds national security at an appropriate level.

But maybe the larger question about this bill has more to do with how we came up with these top-line numbers. We allowed the four corners of leadership to dictate these top-line numbers. They didn't come out after a budget process. And we have a Budget Committee over here whose purpose is, in part, to do that very thing.

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But that didn't happen. So we kick out numbers that we won't agree to, wasn't through a budget process where we can define our priorities, the emerging needs of our country, and come to some agreement through a legitimate budget process, but that is not what happened here.

So it is long since time that we stop this process of doing deeming resolutions or burying top-line numbers in rule bills and get back to the process that is laid out for us, and that is to do a budget resolution, House and Senate,

to get to some kind of an agreement, and then establish an appropriate appropriation process where we can do these bills individually.

There are 12. We are going to do six today, and then we are going to do six later, but we ought to be doing them individually, and we ought to give the Members of Congress an opportunity—because it is our Article I responsibility. We need to be giving the Members of Congress the ability to have input on these bills and not just let the four corners of leadership decide what we are going to do or what we are not going to do.

So while I oppose this package in its current form, I do look forward to working with my friend MIKE QUIGLEY on a bipartisan compromise, at least on the FSGG side, and then perhaps we can do that for the 12 bills completely and then get about the business of funding the government, which is part of our fundamental responsibility.

Mr. Chair, I appreciate the Madam Ranking Member yielding time.

AMENDMENTS EN BLOC NO. 1 OFFERED BY MS.

DELAURO OF CONNECTICUT

Ms. DELAURO. Mr. Chair, pursuant to House Resolution 1232, I offer amendments en bloc.

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

Amendments en bloc No. 1 consisting of amendment Nos. 1, 18, 31, 44, 53, 79, 83, 97, 118, 128, 139, 151, and 160 printed in part A of House Report 117-420, offered by Ms. DELAURO of Connecticut:

AMENDMENT NO. 1 OFFERED BY MR. ALLEN OF GEORGIA

At the end of division A (before the short title), insert the following:

SEC. ____ Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 5 percent.

AMENDMENT NO. 18 OFFERED BY MR. HERN OF OKLAHOMA

At the end of division A (before the short title), insert the following:

SEC. ____ GLOBAL REDUCTION.

Each amount made available by this Act (other than an amount required to be made available by a provision of law or an amount defined as a "security category" under section 250(c)(4)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985) is hereby reduced by 26 percent.

AMENDMENT NO. 31 OFFERED BY MR. NORMAN OF SOUTH CAROLINA

At the end of division A (before the short title), insert the following:

SEC. ____ GLOBAL REDUCTION.

Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 5 percent.

AMENDMENT NO. 44 OFFERED BY MR. HERN OF OKLAHOMA

At the end of division B (before the short title), insert the following:

SEC. ____ GLOBAL REDUCTION.

Each amount made available by this Act (other than an amount required to be made available by a provision of law or an amount defined as a "security category" under section 250(c)(4)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985) is hereby reduced by 22 percent.

AMENDMENT NO. 53 OFFERED BY MR. NORMAN OF SOUTH CAROLINA

At the end of division B (before the short title), insert the following:

SEC. ____ GLOBAL REDUCTION.

Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 5 percent.

AMENDMENT NO. 79 OFFERED BY MR. HERN OF OKLAHOMA

At the end of division C (before the short title), insert the following:

SEC. ____ GLOBAL REDUCTION.

Each amount made available by this Act (other than an amount required to be made available by a provision of law or an amount defined as a "security category" under section 250(c)(4)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985) is hereby reduced by 24 percent.

AMENDMENT NO. 83 OFFERED BY MR. NORMAN OF SOUTH CAROLINA

At the end of division C (before the short title), insert the following:

SEC. ____ GLOBAL REDUCTION.

Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 5 percent.

AMENDMENT NO. 97 OFFERED BY MR. ALLEN OF GEORGIA

At the end of division D (before the short title), insert the following:

TITLE IX—ADDITIONAL PROVISION

SEC. ____ GLOBAL REDUCTION.

Each amount made available by any title in this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 5 percent.

AMENDMENT NO. 118 OFFERED BY MR. HERN OF OKLAHOMA

At the end of division D (before the short title), insert the following:

TITLE IX—ADDITIONAL PROVISION

SEC. ____ GLOBAL REDUCTION.

Each amount made available by any title in this Act (other than an amount required to be made available by a provision of law or an amount defined as a "security category" under section 250(c)(4)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985) is hereby reduced by 22 percent.

AMENDMENT NO. 128 OFFERED BY MR. NORMAN OF SOUTH CAROLINA

At the end of division D (before the short title), insert the following:

TITLE IX—ADDITIONAL PROVISION

SEC. ____ GLOBAL REDUCTION.

Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 5 percent.

AMENDMENT NO. 139 OFFERED BY MR. ALLEN OF GEORGIA

At the end of division E (before the short title), insert the following:

SEC. ____ GLOBAL REDUCTION.

Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 5 percent.

AMENDMENT NO. 151 MR. HERN OF OKLAHOMA

At the end of division E (before the short title), insert the following:

SEC. ____ GLOBAL REDUCTION.

Each amount made available by this Act (other than an amount required to be made available by a provision of law or an amount defined as a "security category" under section 250(c)(4)(B) of the Balanced Budget and

Emergency Deficit Control Act of 1985) is hereby reduced by 22 percent.

AMENDMENT NO. 160 OFFERED BY MR. NORMAN OF SOUTH CAROLINA

At the end of division E (before the short title), insert the following:

SEC. ____ GLOBAL REDUCTION.

Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 5 percent.

The Acting CHAIR. Pursuant to House Resolution 1232, the gentleman from Connecticut (Ms. DELAURO) and the gentlewoman from Texas (Ms. GRANGER) each will control 15 minutes.

The Chair recognizes the gentleman from Connecticut.

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

Ms. GRANGER. Mr. Chair, I yield 2 minutes to the gentleman from Oklahoma (Mr. HERN).

Mr. HERN. Mr. Chair, I rise today with a deep concern over the rampant spending that has come out of this Chamber over the last 2 years.

While our constituents suffer from 40-year high inflation, this Chamber has done nothing to help them. Instead, my colleagues across the aisle have doubled down on their reckless spending and continue to make each bill bigger than the last. The spending has got to stop.

We know that the American Rescue Plan was the catalyst for inflation problems. We know that Biden's agenda has worsened those inflationary pressures. And yet, today—today—we are looking at even more exorbitant spending.

We have been here before. Me and my colleagues remember the 1970s and the 1980s when inflation was even worse than it is today.

Inflation isn't new. We know how to reverse it. We have to stop the spending. That is what my amendments do, cut our spending.

I urge every Member of this Chamber to support my amendments, which will cut wasteful spending from government programs.

The status quo is not serving our constituents. For 20 years, we have operated without the appropriate appropriations process in this country. For the last 4 years, since I have been in Congress, I've never seen a budget that has been provided and worked out, as my colleague just mentioned prior to me.

The spending has continued to rise unchallenged. When will it end? To maintain what we have done for the last 20 years is a disservice to the people counting on us.

When I am home in Oklahoma, the only thing my constituents ask me is: How are you going to stop inflation?

I know it is the same for all of my colleagues. Here is how we can answer them: Cut the spending.

Mr. Chair, I urge adoption of my amendments from both sides of the aisle.

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

While I have offered this en bloc amendment for the purposes of legislative efficiency, I strongly oppose it. This en bloc amendment makes severe and harmful cuts to the minibus.

The draconian cuts are indiscriminate, they are harmful, and they seek to overturn long overdue investments. I urge all Members to oppose this en bloc amendment.

Mr. Chair, I yield 3 minutes to the gentleman from Illinois (Mr. QUIGLEY), the chair of the Subcommittee on Financial Service and General Government.

Mr. QUIGLEY. Mr. Chair, I rise in opposition to the legislation included in this amendment. These amendments would impose 5 and 22 percent cuts across the board.

These cuts are, frankly, a clumsy way to randomly hack away at funding with no thought or consideration to their impact.

The amendment would slash funding for the Small Business Administration by more than \$200 million, severely undercutting much-needed support for small businesses and entrepreneurs.

The reduction to the IRS amendment would reduce staffing across the entire agency, resulting in lower customer service, reduced enforcement efforts, increasing the tax gap, and placing U.S. taxpayers at increased risk of identification theft.

A 22 percent cut to the District of Columbia public safety funding would result in layoffs and reduced service for the D.C. courts, the D.C. Public Defender's Office, and the Court Services and Offender Supervision Agency. The ability to monitor defendants pending trial and returning citizens would be severely hampered.

A cut of this magnitude would also cripple many small but important agencies. It would prevent the Federal Trade Commission from investigating privacy and cybersecurity issues or pursuing cases to block anticompetitive mergers.

It would harm the Consumer Product Safety Commission's ability to monitor and block dangerous products.

Additionally, this amendment would cripple the Office of Personnel Management's distribution of monthly annuity payments, as well as undermine other critical agencies that support millions of Federal workers across the country.

I, therefore, urge my colleagues to vote "no" on this ill-conceived and irresponsible amendment.

Ms. GRANGER. Mr. Chair, I yield 2 minutes to the gentleman from Georgia (Mr. ALLEN).

Mr. ALLEN. Mr. Chair, I rise today in strong support of my amendments on this en bloc package.

Let's review our Nation's fiscal trajectory here. Our Nation is over \$30 trillion in debt. American families are dealing with record inflation, in large part due to unprecedented Federal spending.

What does the other side want to do? Spend more money, which will make inflation worse.

This time last year, the President told us inflation was temporary when the rate was just over 5 percent. Fast forward 12 months, and inflation in this country has skyrocketed to 9 percent. This bill spends almost 14 percent over last year's spending levels.

If adopted, my three amendments would reduce spending by a modest 5 percent in Transportation, Housing and Urban Development, Financial Services and General Government, and Department of the Interior, environment divisions of this spending package.

This amendment should be an easy one for everyone to support. Look at the American people. Don't you think they have cut their expenses much more than 5 percent because of inflation? Are we going to respond to them like this? Yet, Democrats oppose those cuts.

Every time I am in the district, I hear about the cost of food, the price of gas, and how the other side's failed fiscal policies are harming American families.

Milk is up 16 percent. Butter is up 21 percent. Eggs are up 33 percent. The American people are not happy, and it is showing up in the President's approval ratings.

Instead of continuing down this reckless path, let's change course. Americans shouldn't have to watch their hard-earned money continue to be devalued due to radical Democratic policies. If we are serious about stopping inflation, Congress must rein in wasteful spending and enact policies that will enable us to reclaim our energy independence.

I urge all Members to vote in favor of my amendments in this en bloc package.

Ms. DELAURO. Mr. Chair, I yield 4 minutes to the gentleman from North Carolina (Mr. PRICE), the chairman of the Subcommittee on Transportation, Housing and Urban Development, and Related Agencies.

Mr. PRICE of North Carolina. Mr. Chair, I urge my colleagues to sit up and take notice of this. This is quite an amendment—quite a radical amendment.

It indiscriminately would cut a total of 36 percent from programs in Transportation and Housing without any regard for the merits of the programs, just indiscriminate whacking away.

This is only in the T-HUD section of the bill, and I will limit myself to that. I can't imagine that Members would dream of supporting this amendment.

Investments in our transportation and housing infrastructure will stall. Jobs will be lost. Some of our most vulnerable people, including veterans, children, will be harmed.

This amendment will result in a reduction—I want to stress—in the very programs Republicans profess to support. Let me give you some good examples.

The FAA's Contract Tower Program that enjoyed strong bipartisan support, critical to air safety—whacked away.

NeighborWorks, which supports local solutions to expand affordable housing, increased housing counseling assistance, and strengthens economic development. We increase NeighborWorks under bipartisan urging—slashed.

Community Project Funding. Republicans and Democrats alike have requested these appropriations to address transportation and housing challenges in their local communities. Believe me: If we don't do it, no one will. Those would be drastically cut.

Port infrastructure, another Republican emphasis—cut.

The amendment would even cut the small amount of defense spending included in the T-HUD section of the bill: That would be directed to critical maritime security programs.

Here is what else this amendment would mean the eviction of tens of thousands of low-income households, half of which are elderly or disabled, a growing backlog of roof, elevator, and other critical health and safety repairs to public housing; thousands of homeless veterans, survivors of domestic violence, youth out on the street; and a halt in the production of affordable housing, which already is in short supply.

Roads, bridges, aviation, transit, rail, and port systems across rural and urban communities—having their repair and upkeep halted or slowed, becoming less safe.

The bill before us helps us make progress in rebuilding and restoring our infrastructure. This amendment would take us backward.

It is strange, isn't it, that deficits only seem to matter when it comes to helping people keep a safe roof over their heads and creating a more resilient infrastructure that can withstand the next tornado or earthquake or flood, something every one of our districts benefits from.

This isn't just a run-of-the-mill amendment. I suggest that Members look carefully at what is in it and what it would do and what kind of totally justified criticism they will be subject to if this amendment even comes close to passing. I urge its defeat.

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

Ms. DELAURO. Mr. Chair, I yield 3 minutes to the gentleman from Georgia (Mr. BISHOP), the chairman of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies.

Mr. BISHOP of Georgia. Mr. Chair, I rise in opposition to the en bloc. Mr. HERN's amendment in this en bloc would cut discretionary programs in the agriculture bill by 22 percent. Mr. NORMAN's would cut them by 5 percent. Either level will have devastating and counterproductive consequences across numerous programs.

This would mean cutting rural development initiatives. The 22 percent cut

would reduce much-needed investments in rural broadband, electricity, water and waste systems, and housing at a time when we really, really want to lift our rural communities.

It would mean cutting our investment in farm and conservation programs, agriculture research, Food for Peace grants, and the McGovern-Dole program.

□ 1500

The Food and Drug Administration budget would be cut by over \$800 million under Mr. HERN's proposal, lessening our ability to address the opioid crisis, medical supply chain issues, infant formula, and food safety.

I ask my colleagues to join me in opposition to these amendments.

Ms. GRANGER. Mr. Chair, I yield 2 minutes to the gentleman from Oklahoma (Mr. HERN).

Mr. HERN. Mr. Chair, I appreciate the comments from my colleagues across the aisle. What the American people have just heard is the only way forward is to spend even more.

Remember, the Obama administration's own Treasury Secretary said the spending is what caused the inflation that you are experiencing that is running rampant across America. The spending is crushing the future of our American kids and our grandkids and future generations, with over \$30 trillion in debt. The same inflation that the Feds right now are raising interest rates, they are going to drive up our mandatory spending on the interest on our debt.

The answer is not to continue spending ourselves into bankruptcy. There has been no offer from my colleagues across the aisle where there is any way to quit spending the amount of money we are seeing today.

Moody's just said that the American people have \$5 trillion more in their bank accounts today than they had just a little over a year ago, money that was sent to them by the Federal Government that we borrow from places like China.

Friends, we have got to be more fiscally responsible. I spent the last 2 years—5½ months last year, 5½ months this year—as the budget chairman for the Republican Study Committee, actually working on the budget, actually seeing where our spending goes.

We cannot keep having double-digit increases in our spending and expect to be ever responsible to the American people for the future of this country.

Ms. DELAURO. Mr. Chair, if my colleagues on the other side were so interested in really reducing inflation, I would hope that they would be supportive of the child tax credit, which none of them have supported, which, in fact, the majority of the people using the child tax credit are dealing with food, with clothing, with school supplies, with rent, but all of these expenses have gone up, and the money has run out.

They can't find their way clear to support a child tax credit, and that

lack of action from the Congress to renew the child tax credit is trouble, it is big trouble for these families, especially as the costs of life continue to swell due to inflation.

Let's look at the cost of inflation and why we have inflation and take a look at what the oil companies are doing with price gouging. What we ought to do is to do a windfall profits tax on people who are making money hand over fist and refuse to lower the price of gasoline at the pump because they are buying back stock to take care of themselves and their stakeholders.

That is a portion of what is causing inflation and the rise in the cost of living. If you were genuine about that, you would look at these matters as well as just talking about inflation and not looking at the root causes of it today.

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

Ms. GRANGER. Mr. Chair, I yield 1 minute to the gentleman from California (Mr. MCCARTHY), the Republican leader.

Mr. MCCARTHY. Mr. Chairman, I rise today in support of my amendment, which is in part of the en bloc package of amendments No. 7 that is designed to help protect our giant sequoias, which are native to my home State of California, from catastrophic wildfires.

Giant sequoias only grow one place in the world, in California. They live to 2,000, 3,000 years. Historically, they only die when they tumble over after living through so many thousands of years.

But right now, as I stand here, there are currently 1,500 firefighters on the ground working to contain the Washburn fire in Yosemite National Park. The fire is threatening more than 500 giant sequoias, including the world's largest and oldest, the Grizzly Giant.

On record prior, the only time in history that we had giant sequoias dying from fire was in 1297; but in the last 2 years, we have lost 20 percent of all the giant sequoias from fire. Think about that. In just 2 years, we have now lost 20 percent. As we speak and talk right now, 1,500 firefighters are trying to defend 500 giant sequoias, even the oldest one on record.

I led a bipartisan congressional delegation to see the giant sequoias impacted by fires in my district earlier this year. The devastation was shocking. These losses are a clarion call for not only the National Park Service and the U.S. Forest Service to act to remove hazardous fuel buildup so we can reduce the risk of high-intensity fires in these groves, but for Congress to make the critical management reforms and provide the resources necessary to protect these iconic trees.

It is interesting when we were there together in a bipartisan group to study it, there were people from other countries just to come see these majestic beauties. When you talk to the Forest

Service that led us throughout, you would look at their badges. I don't know if anyone has ever taken the time, but these trees are so iconic, they are on the badge of our U.S. Forest Service.

But, again, in the last 2 years, 20 percent of them have been wiped out by fire. If we do nothing, they can all be taken away.

In a Congress as divided as ours today, these giant sequoias have actually united a bipartisan group of lawmakers who are committed to protecting these natural wonders. I have been proud to introduce the Save Our Sequoias Act with fellow California Congressman SCOTT PETERS as well as Natural Resources Ranking Member BRUCE WESTERMAN, Congressman PANNETTA, Congressman MCCLINTOCK, Congressman COSTA, Congressman VALADAO, and Congressman GARAMENDI. They have all taken the time to study what is before us right now.

The SOS Act will help save giant sequoias because it was declared an emergency so we can immediately reduce the risk of catastrophic fires in the giant sequoia groves by removing the hazardous fuel buildup, remove the barriers that prevent the Forest Service and local experts from taking action in advance to save these resources, provide funding for the comprehensive reforestation study.

We are able to come together on this bill because we all have deep understandings that our giant sequoias are in a crisis. That knowledge also brought us together to offer this amendment today. This amendment would prioritize \$5 million in the National Park Service and \$5 million in the U.S. Forest Service to support efforts to reduce the risk of catastrophic fires killing giant sequoias in the Sierrita Nevada, including environmentally responsible prescribed burns and mechanical thinning, among other things. But this would only be for the groves.

It would also help prioritize funds for the development of a strategy by the Secretaries of the Interior and Agriculture to better protect the giant sequoia groves from catastrophic fires, a requirement included in the fiscal year 2023 Interior Appropriations Committee report.

We are racing against the clock. Fires are burning right now in the Sierrita National Forest, threatening these trees. Some of them are more than 2,000 years old. We cannot be the generation that allows these massive and ancient natural wonders to perish on our watch.

I urge my colleagues to support this amendment and vote for the en bloc package No. 7. I thank the chairman, and I thank our ranking member for yielding the time.

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

The Acting CHAIR. The question is on the amendments en bloc offered by

the gentlewoman from Connecticut (Ms. DELAURO).

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

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

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendments en bloc offered by the gentlewoman from Connecticut will be postponed.

AMENDMENTS EN BLOC NO. 2 OFFERED BY MS. DELAURO OF CONNECTICUT

Ms. DELAURO. Mr. Chair, pursuant to House Resolution 1232, I offer amendments en bloc.

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

Amendments en bloc No. 2 consisting of amendment Nos. 2, 4, 5, 8, 26, 33, 34, 36, 37, 40, 42, 46, 47, 48, 49, 50, 52, 56, 57, 59, 60, 61, 64, 65, 69, 74, 75, 76, 77, 81, and 96 printed in part A of House Report number 117-420 offered by Ms. DELAURO of Connecticut:

AMENDMENT NO. 2 OFFERED BY MR. ALLRED OF TEXAS

Page 39, line 1, after the dollar amount, insert "(reduced by \$1,000,000) (increased by \$1,000,000)".

AMENDMENT NO. 4 OFFERED BY MR. CARTER OF LOUISIANA

Page 152, line 25, after the dollar amount, insert "(increased by \$3,000,000,000) (reduced by \$3,000,000,000)".

Page 153, line 2, after the dollar amount, insert "(increased by \$3,000,000,000) (reduced by \$3,000,000,000)".

AMENDMENT NO. 5 OFFERED BY MS. CASTOR OF FLORIDA

Page 26, line 21, after the dollar amount, insert "(reduced by \$115,000,000) (increased by \$115,000,000)".

AMENDMENT NO. 8 OFFERED BY MR. DESAULNIER OF CALIFORNIA

Page 162, line 7, after the dollar amount, insert "(increased by \$2,000,000)".

Page 162, line 13, after the dollar amount, insert "(increased by \$2,000,000)".

Page 188, line 22, after the dollar amount, insert "(reduced by \$2,000,000)".

AMENDMENT NO. 26 OFFERED BY MR. KAHELE OF HAWAII

Strike section 419 of division A of the bill and insert the following:

SEC. 419. None of the funds made available by this Act may be used to approve a new foreign air carrier permit under sections 41301 through 41305 of title 49, United States Code, or exemption application under section 40109 of that title, where such approval would contravene section 40101(a)(5) and (15) of title 49, United States Code.

AMENDMENT NO. 33 OFFERED BY MR. PANETTA OF CALIFORNIA

Page 40, line 9, after the dollar amount, insert "(reduced by \$2,000,000)".

Page 45, after line 7, insert the following (and redesignate the subsequent paragraphs accordingly):

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

AMENDMENT NO. 34 OFFERED BY MR. PFLUGER OF TEXAS

Page 22, line 23, after the dollar amount, insert "(increased by \$1,000,000) (reduced by \$1,000,000)".

AMENDMENT NO. 36 OFFERED BY MS. SHERRILL
OF NEW JERSEY

Page 56, line 21, after the dollar amount, insert “(reduced by \$10,000,000) (increased by \$10,000,000)”.

AMENDMENT NO. 37 OFFERED BY MS. SHERRILL
OF NEW JERSEY

Page 231, line 2, after the dollar amount, insert “(reduced by \$5,000,000) (increased by \$5,000,000)”.

AMENDMENT NO. 40 OFFERED BY MR. BAIRD OF
INDIANA

Page 312, line 3, after the dollar amount, insert “(reduced by \$8,000,000)”.

Page 311, line 14, after the dollar amount, insert “(increased by \$8,000,000)”.

AMENDMENT NO. 42 OFFERED BY MR. BERGMAN
OF MICHIGAN

Page 305, line 24, after the dollar amount, insert “(increased by \$1,000,000) (reduced by \$1,000,000)”.

AMENDMENT NO. 46 OFFERED BY MS. JACKSON
LEE OF TEXAS

Page 245, line 12, after the dollar amount, insert “(reduced by \$3,000,000)”.

Page 251, line 24, after the dollar amount, insert “(increased by \$2,000,000)”.

AMENDMENT NO. 47 OFFERED BY MS. JACKSON
LEE OF TEXAS

At the end of division B (before the short title), insert the following:

SEC. 770. None of the funds made available by this Act under the heading “DOMESTIC FOOD PROGRAMS—Food and Nutrition Service—Supplemental Nutrition Assistance Program” may be used in contravention of section 107(b) of division A of the Victims of Trafficking and Violence Protection Act of 2000 (114 Stat. 1475; 22 U.S.C. 7105(b)).

AMENDMENT NO. 48 OFFERED BY MS. JACOBS OF
CALIFORNIA

Page 245, line 9, after the dollar amount, insert “(reduced by \$3,000,000)”.

Page 298, line 19, after the dollar amount, insert “(increased by \$3,000,000)”.

Page 299, line 14, after the dollar amount, insert “(increased by \$3,000,000)”.

AMENDMENT NO. 49 OFFERED BY MS. KUSTER OF
NEW HAMPSHIRE

Page 246, line 17, after the dollar amount, insert “(reduced by \$700,000)”.

Page 288, line 8, after the dollar amount, insert “(increased by \$700,000)”.

Page 288, line 9, after the dollar amount, insert “(increased by \$700,000)”.

AMENDMENT NO. 50 OFFERED BY MR. LARSEN OF
WASHINGTON

Page 251, line 24, after the dollar amount, insert “(reduced by \$10,000,000) (increased by \$10,000,000)”.

AMENDMENT NO. 52 OFFERED BY MR. NEGUSE OF
COLORADO

Page 245, line 6, after the dollar amount, insert “(reduced by \$1,000,000)”.

Page 270, line 12, after the dollar amount, insert “(increased by \$1,000,000)”.

AMENDMENT NO. 56 OFFERED BY MR. PENETTA
OF CALIFORNIA

Page 308, line 24, after the dollar amount, insert “(increased by \$3,000,000) (reduced by \$3,000,000)”.

AMENDMENT NO. 57 OFFERED BY MR. PFLUGER
OF TEXAS

Page 242, line 11, after the first dollar amount, insert “(reduced by \$1,000,000) (increased by \$1,000,000)”.

AMENDMENT NO. 59 OFFERED BY MS. SCHRIER OF
WASHINGTON

At the end of division B (before the short title), insert the following:

SEC. ____.

For “Agricultural Programs—Research, Education, and Economics—National Institute of Food and Agriculture—Research and Education Activities” for the establishment of a program to make competitive grants to assist in the facility construction, alteration, acquisition, modernization, renovation, or remodeling of agricultural research facilities, as authorized by the Research Facilities Act (7 U.S.C. 390 et seq.), there is hereby appropriated, and the amount otherwise provided by this Act for “Agricultural Programs—Rural Development—Salaries and Expenses” is hereby reduced by, \$2,000,000.

AMENDMENT NO. 60 OFFERED BY MS.
SPANBERGER OF VIRGINIA

Page 245, line 6, after the dollar amount, insert “(reduced by \$2,000,000)”.

Page 270, line 12, after the dollar amount, insert “(increased by \$2,000,000)”.

AMENDMENT NO. 61 OFFERED BY MS.
SPANBERGER OF VIRGINIA

Page 245, line 6, after the dollar amount, insert “(reduced by \$3,000,000)”.

Page 298, line 19, after the dollar amount, insert “(increased by \$3,000,000)”.

Page 299, line 6, after the dollar amount, insert “(increased by \$3,000,000)”.

AMENDMENT NO. 64 OFFERED BY MR. STAUBER
OF MINNESOTA

Page 246, line 17, after the dollar amount, insert “(reduced by \$418,000)”.

Page 290, line 21, after the dollar amount, insert “(increased by \$418,000)”.

Page 292, line 17, after the dollar amount, insert “(increased by \$418,000)”.

AMENDMENT NO. 65 OFFERED BY MR. STEIL OF
WISCONSIN

Page 311, line 1, after the dollar amount, insert “(increased by \$5,000,000)”.

Page 311, line 6, after the dollar amount, insert “(increased by \$5,000,000)”.

Page 312, line 3, after the dollar amount, insert “(reduced by \$5,000,000)”.

AMENDMENT NO. 69 OFFERED BY MR. BEYER OF
VIRGINIA

Page 383, line 15, after the dollar amount, insert “(increased by \$234,678,000)”.

Page 383, line 15, after the dollar amount, insert “(reduced by \$234,678,000)”.

AMENDMENT NO. 74 OFFERED BY MR.
DESAULNIER OF CALIFORNIA

Page 358, line 3, after the dollar amount, insert “(increased by \$3,000,000)”.

Page 360, line 16, after the dollar amount, insert “(reduced by \$3,000,000)”.

AMENDMENT NO. 75 OFFERED BY MS. ESCOBAR OF
TEXAS

Page 387, line 11, after the dollar amount, insert “(increased by \$8,000,000) (reduced by \$8,000,000)”.

AMENDMENT NO. 76 OFFERED BY MR. GRAVES OF
LOUISIANA

Page 356, line 16, after the dollar amount, insert “(reduced by \$1,000,000) (increased by \$1,000,000)”.

AMENDMENT NO. 77 OFFERED BY MR. GRAVES OF
LOUISIANA

Page 356, line 16, after the dollar amount, insert “(reduced by \$1,000,000) (increased by \$1,000,000)”.

AMENDMENT NO. 81 OFFERED BY MR. MOORE OF
UTAH

Page 361, line 9, after the dollar amount, insert “(reduced by \$4,000,000) (increased by \$4,000,000)”.

AMENDMENT NO. 96 OFFERED BY MRS. TRAHAN
OF MASSACHUSETTS

Page 383, line 15, after the dollar amount, insert “(reduced by \$20,000,000) (increased by \$20,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 1232, the gentle-

woman from Connecticut (Ms. DELAURO) and the gentlewoman from Texas (Ms. GRANGER) each will control 15 minutes.

The Chair recognizes the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Chair, I yield myself 45 seconds. The en bloc amendment includes a number of proposals offered by my Democratic and Republican colleagues. I urge my colleagues to support the important proposals contained in this amendment, and I reserve the balance of my time.

Ms. GRANGER. Mr. Chair, I yield 1 minute to the gentleman from Utah (Mr. MOORE).

Mr. MOORE of Utah. Mr. Chair, I rise today in support of amendment No. 81, which would provide funding for the Modernization Access to Our Public Land Act, otherwise known as the MAPLand Act, which was enacted last April.

I was proud to work with a strong, bipartisan coalition of Members in the House and the Senate to get this bill signed into law, and I appreciate Congresswoman DINGELL for working with me on this amendment before us today.

Making public land information more detailed and accessible in the digital age is one of the many reasons why this bill has enjoyed such broad support as it soared through the legislative process.

Adoption of this amendment today will provide the funding needed to modernize and improve the quality of this data so that Americans can more easily recreate on our Federal lands, which will also improve our ability to fund important conservation programs that enhance and protect habitats across this Nation.

This amendment is about helping families spend more time together outside, about improving the way our government works, and about fostering and sharing the joy of the great outdoors.

Mr. Chair, I urge my colleagues to support amendment No. 81.

Ms. DELAURO. Mr. Chair, I yield 3 minutes to the gentlewoman from Washington (Ms. SCHRIER).

Ms. SCHRIER. Mr. Chair, I am so glad that my amendment to fund the Research Facilities Act was included in this government spending package. We need to address our deferred research maintenance backlog and increase investments in next-generation agriculture research.

This research is critical, as farmers in my district face daunting challenges. For example, the ability for researchers to conduct experiments on plants under various environmental stresses is critical for understanding how crops respond to new climate conditions. Modern facilities can also help researchers screen new crop varieties and understand the impacts of a changing climate on things like nutrient density and susceptibility to pestilence.

Many farmers in Washington State rely on the tremendous research done

at institutions like Washington State University. Ensuring that they have modern facilities, cutting-edge facilities, will make it easier for them to attract and keep world-class researchers.

These investments will reposition the United States for leadership, long-term success, and competitiveness around the world, and make sure we are leading in agricultural research and food research.

Ms. GRANGER. Mr. Chair, I yield 3 minutes to the gentleman from Minnesota (Mr. STAUBER).

Mr. STAUBER. Mr. Chair, I rise today in support of my amendment I introduced, which increases the Circuit Rider program. The modest increase of \$418,000, offset entirely, means cleaner water for rural America.

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Circuit riders travel from facility to facility across our small towns, lending expertise and technical assistance because each individual locality does not have the money to pay for their own. Many treatment facilities in rural America have a dozen or less employees, and these circuit riders save money for local budgets and taxpayers.

According to the National Rural Water Association, this minor increase allows for about 90 more circuit riders. That is 90 more experts traveling across rural America and rural Minnesota, lending their invaluable knowledge to our rural water treatment facilities.

In an industry losing expertise to retirement or other jobs, this funding can also be used to keep these mission-critical positions competitive.

Finally, this amendment brings funding for the Circuit Rider Program in line with a request I led along with 50 other bipartisan Members of Congress.

Let's allow rural America to have clean, sanitary water, free up local budgets, and ensure our rural operators get the technical assistance they so desperately need.

Mr. Chair, I urge adoption of my amendment.

Ms. DELAURO. Mr. Chair, I yield 3 minutes to the gentleman from Georgia (Mr. BISHOP), the chair of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittee.

Mr. BISHOP of Georgia. Mr. Chair, I rise in support of this bipartisan en bloc. These amendments addressing the Agriculture division of the package were made in order by the rule, and they have been agreed to by both sides.

This was a truly collaborative process between both sides of the aisle, and I believe this bipartisan effort will definitely improve the bill.

I thank the sponsors for their efforts and highlight a few of the issues that are covered by these amendments: encouraging innovation in USDA research programs, protecting victims of trafficking, and increasing funding for the farm-to-school program and the Circuit Rider Program.

Mr. Chair, I support the amendment and urge its adoption. It improves the bill.

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

Ms. DELAURO. Mr. Chair, I yield 3 minutes to the gentleman from Louisiana (Mr. CARTER).

Mr. CARTER of Louisiana. Mr. Chair, I thank Chairwoman DELAURO very much for the opportunity to speak.

Last year, Hurricane Ida swept through my State, leaving in its wake a shocking, terrible path of destruction. This body saw the devastation of this storm and saw fit to make an immediate downpayment so that the recovery could begin in Louisiana as we assessed the incredible damage.

Implied in that downpayment was a commitment to come back and do more when Louisiana determined its actual need. My State, and many people here, are asking this body to keep its commitment.

Disaster knows no boundary. It can and will hit all of our districts unexpectedly. I promise to be with you when it does. Today, I need this body to stand with me and pass additional hurricane relief funding so that the people of Louisiana can fully recover.

Mr. Chair, I urge the passage of en bloc No. 2.

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

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

The Acting CHAIR. The question is on the amendments en bloc offered by the gentlewoman from Connecticut (Ms. DELAURO).

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

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

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendments en bloc offered by the gentlewoman from Connecticut will be postponed.

AMENDMENTS EN BLOC NO. 3 OFFERED BY MS. DELAURO OF CONNECTICUT

Ms. DELAURO. Mr. Chair, pursuant to House Resolution 1232, I offer amendments en bloc.

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

Amendments en bloc No. 3 consisting of amendment Nos. 3, 6, 7, 9, 10, 11, 12, 19, 20, 21, 22, 23, 24, 25, 27, 28, 29, 30, 32, 35, 39, 41, 43, 45, 51, 54, 55, 58, 62, 63, 66, 67, 68, 70, 71, 72, 73, 80, 82, 84, 85, 86, 89, 93, 94, and 95, printed in part A of House Report 117-420, offered by Ms. DELAURO of Connecticut:

AMENDMENT NO. 3 OFFERED BY MR. AUCHINCLOSS OF MASSACHUSETTS

Page 7, line 9, after the first dollar amount, insert "(reduced by \$15,000,000)".

Page 7, line 9, after the first dollar amount, insert "(increased by \$15,000,000)".

AMENDMENT NO. 6 OFFERED BY MR. COHEN OF TENNESSEE

Page 23, line 7, after the dollar amount, insert "(reduced by \$1,000,000)(increased by \$1,000,000)".

AMENDMENT NO. 7 OFFERED BY MR. DANNY K. DAVIS OF ILLINOIS

Page 28, line 18, after the dollar amount, insert "(increased by \$10,000,000)(reduced by \$10,000,000)".

AMENDMENT NO. 9 OFFERED BY MS. ESCOBAR OF TEXAS

Page 5, line 10, after the dollar amount, insert "(increased by \$1,000,000) (reduced by \$1,000,000)".

AMENDMENT NO. 10 OFFERED BY MS. ESCOBAR OF TEXAS

Page 152, line 25, after the dollar amount, insert "(increased by \$1,000,000) (reduced by \$1,000,000)".

AMENDMENT NO. 11 OFFERED BY MS. ESCOBAR OF TEXAS

Page 5, line 10, after the dollar amount, insert "(reduced by \$2,000,000)".

Page 5, line 16, after the dollar amount, insert "(reduced by \$1,000,000)".

Page 6, line 10, after the dollar amount, insert "(reduced by \$1,000,000)".

Page 7, line 23, after the dollar amount, insert "(increased by \$2,000,000)".

AMENDMENT NO. 12 OFFERED BY MS. ESCOBAR OF TEXAS

Page 110, line 1, after the dollar amount, insert "(increased by \$105,800,000) (reduced by \$105,800,000)".

AMENDMENT NO. 19 OFFERED BY MS. JACKSON LEE OF TEXAS

Page 190, line 25, after the dollar amount, insert "(reduced by \$1,000,000)(increased by \$1,000,000)".

AMENDMENT NO. 20 OFFERED BY MS. JACKSON LEE OF TEXAS

Page 8, line 3, after the dollar amount, insert "(increased by \$1,000,000)".

AMENDMENT NO. 21 OFFERED BY MS. JACKSON LEE OF TEXAS

Page 152, line 25, after the dollar amount, insert "(reduced by \$1,000,000) (increased by \$1,000,000)".

Page 153, line 2, after the dollar amount, insert "(reduced by \$1,000,000) (increased by \$1,000,000)".

AMENDMENT NO. 22 OFFERED BY MS. JACKSON LEE OF TEXAS

Page 64, line 9, after the dollar amount, insert "(reduced by \$1,000,000)(increased by \$1,000,000)".

AMENDMENT NO. 23 OFFERED BY MS. JACKSON LEE OF TEXAS

At the end of division A (before the short title), insert the following:

SEC. _____. None of the funds made available by division A of this Act to the Department of Transportation may be used in contravention of section 306108 of title 54, United States Code.

AMENDMENT NO. 24 OFFERED BY MS. JAYAPAL OF WASHINGTON

Page 163, line 8, after the dollar amount, insert "(reduced by \$3,604,000,000)".

Page 163, line 8, after the dollar amount, insert "(increased by \$3,604,000,000)".

AMENDMENT NO. 25 OFFERED BY MR. JONES OF NEW YORK

Page 121, line 13, after the dollar amount insert "(reduced by \$1,000,000) (increased by \$1,000,000)".

AMENDMENT NO. 27 OFFERED BY MR. LARSEN OF WASHINGTON

Page 28, line 18, after the dollar amount, insert "(increased by \$1,000,000) (reduced by \$1,000,000)".

AMENDMENT NO. 28 OFFERED BY MR. LEVIN OF MICHIGAN

Page 134, line 1, after the dollar amount, insert "(reduced by \$12,500,000) (increased by \$12,500,000)".

AMENDMENT NO. 29 OFFERED BY MR. LEVIN OF MICHIGAN

Page 7, line 23, after the dollar amount, insert “(increased by \$1,000,000) (reduced by \$1,000,000)”.

AMENDMENT NO. 30 OFFERED BY MS. MANNING OF NORTH CAROLINA

Page 181, line 23, after the dollar amount insert “(reduced by \$1,000,000) (increased by \$1,000,000)”.

AMENDMENT NO. 32 OFFERED BY MS. OMAR OF MINNESOTA

Page 181, line 23, after the dollar amount, insert “(reduced by \$1,000,000) (increased by \$1,000,000)”.

AMENDMENT NO. 35 OFFERED BY MS. PRESSLEY OF MASSACHUSETTS

Page 76, line 14, after the dollar amount insert “(reduced by \$1,000,000) (increased by \$1,000,000)”.

AMENDMENT NO. 39 OFFERED BY MS. WATERS OF CALIFORNIA

Page 111, line 15, after the dollar amount insert “(increased by \$24,000,000) (reduced by \$24,000,000)”.

Page 130, line 15, after the dollar amount insert “(increased by \$24,000,000) (reduced by \$24,000,000)”.

Page 133, line 23, after the dollar amount insert “(increased by \$65,000,000,000) (reduced by \$65,000,000,000)”.

Page 134, line 23, after the dollar amount insert “(increased by \$65,000,000,000) (reduced by \$65,000,000,000)”.

Page 152, line 25, after the dollar amount insert “(increased by \$3,000,000,000) (reduced by \$3,000,000,000)”.

Page 153, line 2, after the dollar amount insert “(increased by \$3,000,000,000) (reduced by \$3,000,000,000)”.

Page 157, line 5, after the dollar amount insert “(increased by \$20,000,000,000) (reduced by \$20,000,000,000)”.

Page 157, line 7, after the dollar amount insert “(increased by \$10,000,000,000) (reduced by \$10,000,000,000)”.

Page 173, line 5, after the dollar amount insert “(increased by \$500,000,000) (reduced by \$500,000,000)”.

Page 175, line 25, after the dollar amount insert “(increased by \$500,000,000) (reduced by \$500,000,000)”.

AMENDMENT NO. 41 OFFERED BY MR. BERA OF CALIFORNIA

Page 249, line 13, after the dollar amount, insert “(reduced by \$1,500,000) (increased by \$1,500,000)”.

AMENDMENT NO. 43 OFFERED BY MS. ESCOBAR OF TEXAS

Page 289, line 13, after the dollar amount, insert “(increased by \$10,045,000) (reduced by \$10,045,000)”.

AMENDMENT NO. 45 OFFERED BY MS. HOULAHAN OF PENNSYLVANIA

Page 244, line 22, after the first dollar amount, insert “(reduced by \$10,000,000)”.

Page 246, line 17, after the dollar amount, insert “(reduced by \$5,000,000)”.

Page 286, line 3, after the dollar amount, insert “(increased by \$15,000,000)”.

AMENDMENT NO. 51 OFFERED BY MS. MOORE OF WISCONSIN

Page 245, line 6, after the dollar amount, insert “(reduced by \$2,000,000)”.

Page 298, line 19, after the dollar amount, insert “(increased by \$2,000,000)”.

Page 299, line 25, after the dollar amount, insert “(increased by \$2,000,000)”.

AMENDMENT NO. 54 OFFERED BY MS. OMAR OF MINNESOTA

Page 298, line 19, after the dollar amount, insert “(reduced by \$1,000,000) (increased by \$1,000,000)”.

AMENDMENT NO. 55 OFFERED BY MS. OMAR OF MINNESOTA

Page 302, line 1, after the first dollar amount, insert “(reduced by \$5,000,000) (increased by \$5,000,000)”.

AMENDMENT NO. 58 OFFERED BY MS. PLASKETT OF THE VIRGIN ISLANDS

At the end of division B (before the short title), insert the following

SEC. ____ There is hereby appropriated, and the amount otherwise made available by this Act for “Agricultural Programs—Agricultural Marketing Service—Marketing Services” is reduced by \$10,000,000, to carry out section 4206 of Public Law 115–334.

AMENDMENT NO. 62 OFFERED BY MS. SPANBERGER OF VIRGINIA

Page 308, line 24, after the dollar amount, insert “(reduced by \$500,000)”.

Page 308, line 24, after the dollar amount, insert “(increased by \$500,000)”.

AMENDMENT NO. 63 OFFERED BY MS. SPANBERGER OF VIRGINIA

Page 246, line 17, after the dollar amount, insert “(reduced by \$1,000,000)”.

Page 258, line 22, after the first dollar amount, insert “(increased by \$1,000,000)”.

AMENDMENT NO. 66 OFFERED BY MS. VELÁZQUEZ OF NEW YORK

Page 302, line 1, after the first dollar amount, insert “(increased by \$1,000,000,000)”.

AMENDMENT NO. 67 OFFERED BY MR. AUCHINCLOSS OF MASSACHUSETTS

Page 377, line 18, after the dollar amount, insert “(reduced by \$2,000,000) (increased by \$2,000,000)”.

AMENDMENT NO. 68 OFFERED BY MR. AUCHINCLOSS OF MASSACHUSETTS

Page 377, line 18, after the dollar amount, insert “(increased by \$5,000,000)”.

Page 388, line 20, after the dollar amount, insert “(reduced by \$5,000,000)”.

AMENDMENT NO. 70 OFFERED BY MS. BUSH OF MISSOURI

Page 384, line 25, after the dollar amount, insert “(increased by \$5,000,000)”.

Page 388, line 20, after the dollar amount, insert “(reduced by \$5,000,000)”.

AMENDMENT NO. 71 OFFERED BY MS. BUSH OF MISSOURI

Page 383, line 15, after the dollar amount, insert “(increased by \$500,000)”.

Page 388, line 20, after the dollar amount, insert “(reduced by \$500,000)”.

AMENDMENT NO. 72 OFFERED BY MS. BUSH OF MISSOURI

Page 377, line 18, after the dollar amount, insert “(increased by \$5,000,000)”.

Page 380, line 2, after the dollar amount, insert “(reduced by \$5,000,000)”.

AMENDMENT NO. 73 OFFERED BY MS. CASTOR OF FLORIDA

Page 378, line 18, after the dollar amount, insert “(reduced by \$30,000,000) (increased by \$30,000,000)”.

AMENDMENT NO. 80 OFFERED BY MS. MATSUI OF CALIFORNIA

Page 377, line 18, after the dollar amount, insert “(increased by \$3,000,000)”.

Page 388, line 20, after the dollar amount, insert “(reduced by \$3,000,000)”.

AMENDMENT NO. 82 OFFERED BY MR. NEGUSE OF COLORADO

Page 368, line 25, after the dollar amount, insert “(increased by \$2,000,000)”.

Page 371, line 22, after the dollar amount, insert “(reduced by \$2,000,000)”.

AMENDMENT NO. 84 OFFERED BY MS. OMAR OF MINNESOTA

Page 380, line 2, after the dollar amount, insert “(reduced by \$1,000,000) (increased by \$1,000,000)”.

AMENDMENT NO. 85 OFFERED BY MS. OMAR OF MINNESOTA

At the end of division C (before the short title), insert the following:

SEC. ____ None of the funds made available by this Act may be used by the Secretary of Energy to make a guarantee under section 1703 of the Energy Policy Act of 2005 (42 U.S.C. 16513) for a project that does not avoid, reduce, or sequester air pollutants or anthropogenic emissions of greenhouse gases.

AMENDMENT NO. 86 OFFERED BY MR. PETERS OF CALIFORNIA

Page 378, line 18, after the dollar amount, insert “(reduced by \$30,500,000) (increased by \$30,500,000)”.

AMENDMENT NO. 89 OFFERED BY MR. PHILLIPS OF MINNESOTA

Page 399, line 15, after the dollar amount, insert “(reduced by \$1,000,000) (increased by \$1,000,000)”.

AMENDMENT NO. 93 OFFERED BY MS. SCANLON OF PENNSYLVANIA

Page 377, line 18, after the dollar amount, insert “(reduced by \$1.00) (increased by \$1.00)”.

AMENDMENT NO. 94 OFFERED BY MS. SHERRILL OF NEW JERSEY

Page 377, line 18, after the dollar amount, insert “(reduced by \$5,000,000) (increased by \$5,000,000)”.

AMENDMENT NO. 95 OFFERED BY MS. SPEIER OF CALIFORNIA

Page 377, line 18, after the dollar amount, insert “(increased by \$3,000,000)”.

Page 388, line 20, after the dollar amount, insert “(reduced by \$3,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 1232, the gentlewoman from Connecticut (Ms. DELAURO) and the gentlewoman from Texas (Ms. GRANGER) each will control 15 minutes.

The Chair recognizes the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Chair, I yield myself 45 seconds.

The amendments en bloc includes a number of proposals offered by my Democratic colleagues. It reflects our shared values of investing in the American people to create good-paying jobs, grow opportunity, and provide a lifeline to the vulnerable.

Mr. Chair, I urge my colleagues to support the important proposals contained in this en bloc, and I reserve the balance of my time.

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

Ms. DELAURO. Mr. Chair, I yield 3 minutes to the gentleman from Georgia (Mr. BISHOP), the chairman of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittee.

Mr. BISHOP of Georgia. Mr. Chair, I thank the gentlewoman for yielding.

These amendments en bloc address the Agriculture division of this package that were made in order by the rule. I believe they will improve the bill also.

In particular, the amendments will increase the funding for the school breakfast expansion program and further advance the needs of Puerto Rico and the other territories, all of which participate in the Micro-Grants for

Food Security Program. Representative VELÁZQUEZ' amendment draws attention to Puerto Rico's nutrition needs, where about 1.5 million residents receive nutrition assistance.

The amendments highlight other important issues, such as rural energy efficiency and the need to build our infant formula manufacturing base in this country.

Mr. Chair, I support the amendment, and I urge its adoption.

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

I rise in opposition to the en bloc package of amendments. These 46 amendments do nothing to reduce inflation, fix the supply chain, lower gas prices, or bolster our national security. Instead, these amendments continue the majority's trend of inflationary spending increases, including a proposal to increase mandatory spending by another \$1 billion, just one example of excess spending.

The Energy Efficiency and Renewable Energy Office receives an enormous 25 percent increase in this bill, and this en bloc package would increase it even more.

My colleagues on the other side of the aisle must understand Americans will not stand for bloated bureaucracy and runaway spending.

Mr. Chair, I urge Members to vote "no" on this en bloc package, and I yield back the balance of my time.

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

Miss GONZÁLEZ-COLÓN. Mr. Chair, I rise in support of amendment No. 66 included in En Bloc 3 and sponsored by Congresswoman NYDIA VELÁZQUEZ of New York. I am a cosponsor of this amendment, which supports an increase of \$1 billion for the Nutrition Assistance Program in Puerto Rico for Fiscal Year 2023.

Unlike the 50 states, the U.S. Virgin Islands, and Guam, Puerto Rico does not participate in the Supplemental Nutrition Assistance Program, known as SNAP. Instead, we have the NAP block grant, which provides capped funding and serves over 1.4 million of my constituents on the Island.

Due to limited funds, NAP does not automatically adjust to increases in demand. These are most common in the aftermath of natural disasters, like we saw after the hurricanes in 2017, and most recently the COVID-19 pandemic. Because of this, we have had to turn to Congress on multiple occasions to advocate for additional emergency NAP funds, included in various disaster supplementals.

The most recent allotment, provided due to COVID-19, was expended last month, meaning Island residents who rely on this program have already noticed a significant reduction in their monthly benefits as we continue managing the challenges related to the pandemic and the rising costs of food. Additional funds are needed since, for many, NAP is the main program that secures their access to a healthy diet.

Mr. Speaker, the true remedy to this issue is a transition to SNAP. Currently, NAP beneficiaries in PR receive far less in monthly benefits than their counterparts in SNAP, and don't have access to programs like D-SNAP,

which is a vehicle to get expedited disaster assistance without depending on supplemental legislation. As such, I have introduced H.R. 5220, the Puerto Rico Nutrition Assistance Fairness Act, which transitions Puerto Rico from NAP to SNAP, and I continue working with stakeholders to gather additional input on this issue moving forward.

Still, there is an immediate need at hand. As such, I support this and every effort that seeks to secure additional funds for NAP and underscores the need to transition to SNAP.

I urge my colleagues to vote in favor.

Mr. LEVIN of Michigan. Mr. Chair, I rise today in support of my amendment to H.R. 8294, the fiscal year 2023 Transportation, Housing and Urban Development, Agriculture, Rural Development, Energy and Water Development, Financial Services and General Government, Interior, Environment, Military Construction, and Veterans Affairs Appropriations Act, to ensure that Congress is adequately funding Tenant Participation Activities. I thank Chairs ROSA DELAURO AND DAVID PRICE for supporting this amendment.

The right of tenants to organize is a fundamental part of successful federal housing programs. The tenant participation process, built into all of HUD's major housing programs, can ensure that tenants play an integral role in the management process and promote services benefitting all residents. For example, through the public notice and comment process, tenants can prevent changes to the property that will destabilize residents' lives or diminish their rights. Funding resident participation and organizing activities is also an intentional and active way to value the lived experience of assisted families. Their empowerment is essential as we work towards a more just housing system.

At present, these activities are not adequately funded. The allotment that Public Housing Authorities can provide tenant participation activities through a formula—\$25 per occupied unit—has not changed since 2001. As a former union organizer, I understand what a difference even a small amount of funds can make for getting people activated and motivated to join an organizing effort. My amendment seeks to ensure that the PHA allotment is increased to \$40 per occupied unit, per year, adjusted for inflation so that HUD residents have the financial support they need to participate in organizing activities that will improve the lives of residents and their surrounding communities.

I urge my colleagues to support this important amendment.

Mr. LEVIN of Michigan. Mr. Chair, I rise today in support of my amendment to ensure that funding is prioritized for the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) discretionary grant program in H.R. 8294, the fiscal year 2023 Transportation, Housing and Urban Development, Agriculture, Rural Development, Energy and Water Development, Financial Services and General Government, Interior, Environment, Military Construction, and Veterans Affairs Appropriations Act. It is critical that RAISE grants include equipping our highways with electric vehicle charging equipment, as well as powering public buses and rail with electricity. I thank Chairs ROSA DELAURO AND DAVID PRICE for their support for my amendment.

Today, continued investments in outdated technology that contributes to our planet's disastrous overheating are not sustainable. Instead, we should be investing in projects that will decarbonize and electrify our public transportation sector and help the country achieve net-zero carbon emissions. We must also commit to funding projects that further the goal of equity and uplift our most vulnerable populations, as the effects of climate change have a disproportionate impact on communities of color.

Our planet and the future of younger Americans and future generations depend on our ability to act on climate change now, and take every opportunity to transition away from fossil fuel dependence. Madam Speaker, this is one of those critical opportunities. This is our opportunity to ensure that our infrastructure is sustainable and equitable; to make a strategic investment both in our nation's infrastructure and our environment; to invest in future generations, not just for our grandchildren but for their children and beyond. I urge my colleagues to support this amendment.

Mr. DANNY K. DAVIS of Illinois. Mr. Chair, I rise in support of En Bloc 3 that includes my Rules amendment number 110 to increase funding for diversity in the aviation field.

Being an aircraft pilot is an in-demand, high-paying profession, with the median annual wage for a commercial pilot being over \$99,000. Unfortunately, the aviation industry is impressively homogenous. According to the Bureau of Labor and Statistics, 93 percent of aviation pilots and engineers in 2021 were White with only 6.1 percent being Hispanic/Latino, 3.9 percent being Black, and 1.5 percent being Asian. Approximately 95 percent of aviation pilots and engineers are men.

Prior to the pandemic, the pilot pipeline was untenably low. We have heard repeatedly this summer about how the recent travel problems occur in part due to a pilot shortage. The high cost of pilot training is a key barrier to entering the profession, especially for people of color. Pilot training can cost between \$80,000 to \$100,000.

My amendment gives Congress an opportunity to help individuals enter aviation careers while increasing the diversity of the field. My amendment increases and decreases the Research, Engineering, and Development program by \$10 million to highlight the need to double funding for the Aviation Workforce Development Grants. The Aviation Workforce Development Grants program invests in training and diversification of aircraft pilots and aviation maintenance workers. The aircraft pilot program and the aviation maintenance program each is currently authorized at \$5 million. My amendment highlights how doubling funding for these grants would help address the immediate need to increase the aviation workforce with a focus on individuals currently underrepresented in the profession.

Further, my amendment focuses on how the Aviation Workforce program could include more students of color by expanding partnerships with Historically Black Colleges and Universities, Tribal Colleges and Universities, and the five Minority Serving Institutions, including: Asian American Native American Pacific Islander-Serving Institutions; Alaska Native and

Native Hawaiian Serving Institutions; Hispanic Serving Institutions; Native American-Serving Non-Tribal Institutions; and Predominantly Black Institutions. These institutions have expertise in educating and graduating low income students of color. Collaborating with these institutions is an effective way to target grants to students from racial/ethnic backgrounds with financial need.

In closing, I urge my colleagues to support my amendment to bring attention to the need to increase funding for aviation workforce training and diversity.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentlewoman from Connecticut (Ms. DELAURO).

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

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

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendments en bloc offered by the gentlewoman from Connecticut will be postponed.

AMENDMENTS EN BLOC NO. 4 OFFERED BY MS. DELAURO OF CONNECTICUT

Ms. DELAURO. Mr. Chair, pursuant to House Resolution 1232, I offer amendments en bloc.

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

Amendments en bloc No. 4 consisting of amendments Nos. 13 and 179, printed in part A of House Report 117-420, offered by Ms. DELAURO of Connecticut:

AMENDMENT NO. 13 OFFERED BY MR. GOOD OF VIRGINIA

Page 241, after line 8, insert the following:
SEC. _____. None of the funds made available by this Act may be used to implement, administer, or enforce the prevailing wage requirements in subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the "Davis-Bacon Act").

AMENDMENT NO. 179 OFFERED BY MR. GOOD OF VIRGINIA

Page 241, after line 8, insert the following:
SEC. _____. None of the funds made available by this Act may be used to implement, administer, or enforce the prevailing wage requirements in subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the "Davis-Bacon Act").

The Acting CHAIR. Pursuant to House Resolution 1232, the gentlewoman from Connecticut (Ms. DELAURO) and the gentlewoman from Texas (Ms. GRANGER) each will control 15 minutes.

The Chair recognizes the gentlewoman from Connecticut.

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

I oppose these amendments en bloc. Davis-Bacon is a pretty simple concept and a fair one. What does the Davis-Bacon Act do? It protects the government as well as workers in carrying out the policy of paying a decent wage on government contracts.

The Davis-Bacon Act requires that workers on federally funded construction projects be paid no less than the wages paid in the community for similar work. It requires that every contract for construction to which the

Federal Government is a party, in excess of \$2,000, contain a provision defining the minimum wages paid to various classes of laborers and mechanics.

The House has taken numerous votes on this issue, and on every vote this body has voted to maintain Davis-Bacon requirements. We should not be attacking working-class people, men and women who work every single day for a decent paycheck, and their wages haven't been increased with the cost of inflation. We should defeat the amendment before us today, and we should move on to more important matters.

Mr. Chair, I urge all Members to vote "no," and I reserve the balance of my time.

Ms. GRANGER. Mr. Chair, I yield 10 minutes to the gentleman from California (Mr. VALADAO), a member of the Appropriations Committee.

Mr. VALADAO. Mr. Chair, I request support from my colleagues on a very simple amendment.

This amendment would prohibit the Department of Energy from sending America's Strategic Petroleum Reserve to China. Supporting this language is common sense, especially since we need to focus on increasing energy production and not supporting our adversaries while Americans are still suffering from outrageously high fuel prices here at home.

These reserves are meant to be used for emergencies only. They are not meant to be used when our leadership has failed us by unnecessarily restricting domestic energy production.

What is even more concerning is that under the Biden administration, our Strategic Petroleum Reserve supplies have been severely diminished. It does not make sense that we are using our already depleted energy supplies to help China build up their own strategic reserves.

It is irresponsible and dangerous for the United States to provide our foreign adversary with fuel that we desperately need to keep here in the United States in case of an emergency. It seems the Biden administration is helping to support China's national security at the expense of our own.

It has been suggested that selling resources from the Strategic Petroleum Reserve will help reduce fuel prices here at home. That is simply not true.

What we should be doing instead is supporting our energy producers here in the United States. We have abundant resources here that can and should be used. We are deliberately holding our country back by overregulating and stifling our domestic energy producers. The very last thing we should be doing is sending our precious resources from the Strategic Petroleum Reserve to China. I urge all of my colleagues to support the United States national security by supporting this amendment.

Mr. Chair, I include in the RECORD the text of this amendment.

At the end of division C (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to draw down and sell petroleum products from the Strategic Petroleum Reserve to any entity that does not certify to the Secretary of Energy that—

(1) it is not under the ownership, control, or influence of the Chinese Communist Party; and

(2) such petroleum products will not be exported to the People's Republic of China.

Mr. VALADAO. Mr. Chair, thank you for allowing me this time to talk about the importance of the three amendments I submitted to this bill that, unfortunately, we won't be voting on today.

The severe drought throughout the American West has been negatively impacting my constituents and local community for years.

In the Central Valley, our farmers have had to turn to pumping groundwater to protect their high-value crops. Towns have been forced to pump more and more groundwater to meet their communities' needs. As a result, these communities have experienced land subsidence at the expense of critical water infrastructure.

In the worst cases, farmers are forced to fallow their fields and dry out valuable orchards due to access to little or no water.

My constituents are farmers who feed the world, and with record-high food prices, the inability for our domestic farmers to grow food is going to impact the entire country. The situation is dire and only getting worse.

We can't produce more water, but we can work with the water we already have and apply commonsense solutions to make this water available to our agricultural communities.

My first amendment would have addressed water storage capacity issues by extending the storage provision of subtitle J of the WIIN Act. It would have also created a program to assist in funding the repairs to damaged canal facilities.

Unless these canals are completely restored, the issue of subsidence and resulting unnecessary water loss will continue and conditions will worsen.

□ 1530

My second amendment would codify the 2019 biological opinions that were independently peer-reviewed and informed by the most accurate and best-available science.

Unfortunately, the Biden administration's Bureau of Reclamation has ignored science and reinitiated consultation with the BiOps with no explanation. Codifying the 2019 BiOps would put an end to senseless litigation and provide operational certainty for Valley farmers.

My third amendment was one focused on transparency and would direct the Bureau of Reclamation to provide the Committee on Appropriations with a justification on their decision to reinitiate consultation of 2019 biological opinions. We need to stop playing politics with a resource that the Central Valley is so reliant on.

It is extremely disappointing that the majority rejected each one of these amendments that would bring more water to the communities throughout the Central Valley who are doing everything they possibly can to survive these conditions and provide food for our Nation.

Ms. DELAURO. Mr. Chair, I yield 2 minutes to the gentleman from New Jersey (Mr. NORCROSS).

Mr. NORCROSS. Mr. Chairman, I appreciate the gentlewoman for yielding.

Here we are once again having a discussion about Davis-Bacon prevailing wages. Dozens of studies over decades have shown prevailing wages increase productivity, raise wages, helps local contractors, promote high-quality apprenticeship programs. The very thing that we talk about doing here for our districts.

Prevailing wage laws increase productivity by attracting higher-quality general contractors and subcontractors to bid on public works; it levels the playing field. As a result, public projects cut down on change orders and finish projects with greater efficiency.

In fact, in 2015, West Virginia repealed its State prevailing wage law, arguing it would allow the State to build five schools instead of four. But after a study, the repeal showed that there were no cost savings from repeal of the law—but massive decreases in wages, out-of-town contractors and apprenticeships.

Not only that, prevailing wage laws are also good for business. They are good for contractor associations. They are good for people.

I find it absolutely unbelievable that we come down and have these discussions each and every time saying: I am fighting to lower wages in my district. This is what my people want, they want to be paid less. Not a word on what the contractor/owners can make. But the workers, the ones who build things, we are fighting to lower those wages.

This is insane. I would call it dumb, but I want to be kinder. We are in a great institution. Let's just call it wrong, hateful, misappropriated.

But the fact of the matter is, we are here to raise the level of quality and, certainly, of helping those who need it most, the ones who build America.

Mr. Chair, I urge my colleagues to defeat this amendment.

Ms. GRANGER. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. GOOD).

Mr. GOOD of Virginia. Mr. Chairman, I rise in support of two amendments that would prohibit Federal funding for Davis-Bacon under Division A and Division F of this minibus.

Passed into law in 1931, Davis-Bacon was a conglomeration of many Jim Crow-era policies intended to inflate the wages of government contractors and eliminate competition for labor in favor of White union workers.

Nearly every day on this House floor, we hear from Democrats about how

anyone who disagrees with them must obviously be a racist. That is their default response to virtually all opposition to their disastrous policies.

Climate—racist. Healthcare—racist. COVID—racist. Infrastructure—racist. Police—racist. School choice—racist. Border security—racist. Voting Republican—obviously, racist. Being a patriot in the military—racist. Election integrity—super racist.

In fact, the President of the United States called proponents of voter ID worse than Jim Crow. They were “Jim Eagle.”

But will any Democrat join me today in this effort to oppose Davis-Bacon, a hateful, legal artifact from the Jim Crow era?

Beyond its history, the Davis-Bacon Act artificially drives up the cost of Federally funded construction projects by requiring the payment of the prevailing wage, an arbitrary wage determined by the Department of Labor, rather than the wage determined by the marketplace. That is never good, and certainly not in the interest of the taxpayer—you know, the ones who pay the bills.

In fact, Davis-Bacon drives up Federal construction costs by about 10 percent every year and costs taxpayers about \$11 billion a year. I know, I know. We waste trillions around here, and we don't care about billions. We don't take that seriously. But why should American taxpayers subsidize unions when only 14 percent of construction workers are unionized.

Billions of Federal dollars are being funneled towards just one-tenth of the entire construction workforce in our country. By inflating wages far above the market rate, we are not helping American workers, we are robbing taxpayers of \$11 billion a year. Nonunion workers are paying more in taxes to subsidize higher union wages for Davis-Bacon workers.

With the Biden price hike driving inflation to a 40-percent high at 9 percent, we should all be thinking about ways to save taxpayer money and make government more efficient. The Biden price hike has the impact of making every American work one month for free this year. That is how much less purchasing power they have.

My legislation to repeal the Davis-Bacon Act has the support of Americans for Prosperity, Citizens Against Government Waste, FreedomWorks, Heritage Action for America, and National Right to Work.

Mr. Chairman, I urge all my colleagues to support my commonsense amendments to prohibit funding for Davis-Bacon and save taxpayers \$11 billion per year.

Ms. DELAURO. Mr. Chair, I yield 2 minutes to the gentleman from North Carolina (Mr. PRICE), the chairman of the Transportation, Housing and Urban Development, and Related Agencies for appropriations.

Mr. PRICE of North Carolina. Mr. Chair, I strongly oppose this amend-

ment. It seeks to waive longstanding prevailing wage requirements that are contained in the Davis-Bacon Act.

This act ensures that workers are paid decent wages while preventing contractors from undercutting competitors by offering wages or setting wages below prevailing levels.

Davis-Bacon helps protect workers. It helps protect the government. Davis-Bacon applies government-wide, but it does particularly apply to the T-HUD sections of the bill. Hence, I strongly oppose it.

I often noted immodestly over these last years when everybody was talking infrastructure—and “Infrastructure Week” almost became a punch line—that while everybody else was talking about it, we were doing it. We were doing it on the T-HUD Appropriations Subcommittee and in the Congress, year after year, plugging away at our infrastructure needs.

And that is what we have done. We have actually made investments in the annual T-HUD bill, and these investments are practically synonymous with construction. That is what they are about. Construction. Construction workers.

There are countless transportation formula and competitive grant programs, as well as affordable housing programs in the bill that follow Davis-Bacon requirements—have done so happily and productively over many years—and they would suddenly face new standards.

Davis-Bacon has helped construction workers in all trades all throughout the Nation since 1931, and there is no need to abandon it now—although Republicans have been trying to abandon it for a good number of those years.

Instead of actively trying to reduce wages, we should be working to lift up workers and increase wages. The Congress has rejected similar amendments in the past because there is a strong bipartisan support in this body for fair labor standards for construction contracts.

So it is my hope that we stop disrespecting working people. Stop disrespecting working people. Stand up for working people. Defeat this amendment before us today.

Mr. Chair, I urge all Members to oppose the en bloc amendment.

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

Ms. DELAURO. Mr. Chair, I yield 2 minutes to the gentlewoman from Virginia (Ms. SPANBERGER).

Ms. SPANBERGER. Mr. Chairman, I rise today in support of my amendment to protect seniors and crack down on drug companies obscuring the side effects of their prescription drugs in their television ads.

The United States is one of only two countries that allow direct-to-consumer pharmaceutical advertising, and there are serious consumer safety concerns about these ads. These ads use distracting imagery, such as butterflies, happy puppies, cheesy music, and

beautiful sunrises to distract consumers from a drug's dangerous side effects.

Congress instructed the FDA to crack down on these deceptive techniques more than a decade ago. However, the FDA has misused that statutory deadline by more than a decade.

My amendment simply instructs the agency to finalize the rulemaking as soon as possible. Medical decisions should always be made between a patient and their doctor, not between a patient and their TV screen.

Mr. Chair, I urge my colleagues to support my commonsense consumer protection amendment.

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

Ms. DELAURO. Mr. Chairman, in closing, I just remind my colleagues, this body has rejected this amendment on a bipartisan basis time and time again.

Speaking about inflation, we know that wages have not kept up with inflation, and working people are struggling, living paycheck to paycheck. Why are we dealing with an amendment that would try to curtail wages and prevailing wages for workers every day who go on a job and put forth all of their efforts to be able to get a decent wage to take care of their children, to be able to deal with inflation?

It speaks loudly of my colleagues who refuse to believe that we need to have wages increase to help people fight inflation.

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

The Acting CHAIR. The question is on the amendments en bloc offered by the gentlewoman from Connecticut (Ms. DELAURO).

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

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

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendments en bloc offered by the gentlewoman from Connecticut will be postponed.

AMENDMENTS EN BLOC NO. 5 OFFERED BY MS. DELAURO OF CONNECTICUT

Ms. DELAURO. Mr. Chair, pursuant to House Resolution 1232, I offer amendments en bloc.

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

Amendments en bloc No. 5 consisting of amendment Nos. 14, 15, 16, 17, 38, 78, 87, 88, 90, 91, 92, 100, 103, 105, 109, 110, 111, 112, 117, 120, 122, 131, 133, 134, 135, 143, 145, 147, 148, 149, 150, 157, 163, 167, 168, and 175 printed in part A of House Report 117-420, offered by Ms. DELAURO of Connecticut:

AMENDMENT NO. 14 OFFERED BY MR. GOOD OF VIRGINIA

Page 18, beginning on line 13, strike "Electric Vehicle Fleet" and all that follows through "preceding proviso." on page 19, line 3.

AMENDMENT NO. 15 OFFERED BY MR. GOOD OF VIRGINIA

Page 133, line 23, insert "(reduced by \$75,000,000)".

Page 138, line 5, insert "and" after the semicolon.

Page 138, line 8, strike the semicolon and insert a period.

Page 138, strike line 9, and all that follows through page 139, line 14.

AMENDMENT NO. 16 OFFERED BY MR. GROTHMAN OF WISCONSIN

At the end of division A (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used for the implementation of the equity action plan of the Department of Transportation.

AMENDMENT NO. 17 OFFERED BY MR. GROTHMAN OF WISCONSIN

Page 153, line 2, after the dollar amount, insert "(reduced by \$300,000,000)".

AMENDMENT NO. 38 OFFERED BY MR. TAYLOR OF TEXAS

Page 39, line 1, after the dollar amount, insert "(reduced by \$1,000,000) (increased by \$1,000,000)".

AMENDMENT NO. 78 OFFERED BY MR. GROTHMAN OF WISCONSIN

At the end of division C (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to fund the Office of Economic Impact and Diversity of the Department of Energy.

AMENDMENT NO. 87 OFFERED BY MR. PFLUGER OF TEXAS

At the end of division C (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to implement or enforce Executive Order 14008 entitled "Tackling the Climate Crisis at Home and Abroad" published in the Federal Register on February 1, 2021 (86 Fed. Reg. 7619).

AMENDMENT NO. 88 OFFERED BY MR. PFLUGER OF TEXAS

Strike page 384, line 19 through page 385, line 8.

AMENDMENT NO. 90 OFFERED BY MR. ROY OF TEXAS

At the end of division C (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act under the heading "Department of Energy Energy Programs—Departmental Administration" shall be available for the Department of Energy Office of Economic Impact and Diversity, and the amount otherwise provided under such heading is hereby reduced by \$34,140,000.

AMENDMENT NO. 91 OFFERED BY MR. ROY OF TEXAS

Page 385, strike lines 9 through 15.

AMENDMENT NO. 92 OFFERED BY MR. ROY OF TEXAS

Page 384, strike line 19 and all that follows through page 385, line 8.

AMENDMENT NO. 100 OFFERED BY MR. BUDD OF NORTH CAROLINA

At the end of division D (before the short title), insert the following:

TITLE IX—GENERAL PROVISIONS

SEC. _____. None of the funds appropriated or otherwise made available by this Act may be used to implement or enforce Executive Order 14019 (86 Federal Register 13623).

AMENDMENT NO. 103 OFFERED BY MR. CLYDE OF GEORGIA

At the end of division D (before the short title), insert the following:

TITLE IX—GENERAL PROVISIONS

SEC. 901. None of the funds made available by this Act may be used to promulgate, implement, administer, or enforce Executive

Order 14076 signed by President Biden on July 8, 2022.

AMENDMENT NO. 105 OFFERED BY MR. DAVIDSON OF OHIO

At the end of division D (before the short title), insert the following:

TITLE IX—GENERAL PROVISIONS

SEC. 901.

None of the funds made available by this Act may be used to promulgate rules to amend the following forms issued by the Securities and Exchange Commission: Form N-1A, Form N-2, Form N-CSR, Form N-8B-2, Form S-6, Form N-CEN, and part 2A of Form ADV.

AMENDMENT NO. 109 OFFERED BY MR. FALLON OF TEXAS

Page 419, line 19, after the dollar amount, insert "(reduced by \$278,382,000) (increased by \$278,382,000)".

AMENDMENT NO. 110 OFFERED BY MR. FALLON OF TEXAS

Page 506, strike line 6 and all that follows through line 20.

AMENDMENT NO. 111 OFFERED BY MR. FITZGERALD OF WISCONSIN

At the end of division D (before the short title), insert the following:

SEC. _____. None of the funds in this Act made available to the Federal Trade Commission may be used to promulgate any rule defining or describing unfair methods of competition for purposes of the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

AMENDMENT NO. 112 OFFERED BY MR. GOODEN OF TEXAS

Page 590, beginning on line 6, strike section 751.

AMENDMENT NO. 117 OFFERED BY MR. GROTHMAN OF WISCONSIN

Strike section 751 of division D of the bill.

AMENDMENT NO. 120 OFFERED BY MR. HUIZENG OF MICHIGAN

Page 520, line 21, insert after the dollar figure the following: "(reduced by \$83,000,000) (increased by \$83,000,000)".

AMENDMENT NO. 122 OFFERED BY MR. JOYCE OF OHIO

At the end of division D (before the short title), insert the following:

TITLE IX—GENERAL PROVISIONS

SEC. 901. None of funds made available by this Act may be used to finalize the proposed rule of the Securities and Exchange Commission titled "The Enhancement and Standardization of Climate-Related Disclosures for Investors" (March 21, 2022) or to implement or enforce such a finalized rule.

AMENDMENT NO. 131 OFFERED BY MR. PFLUGER OF TEXAS

Page 506, strike lines 6 through 20.

AMENDMENT NO. 133 OFFERED BY MR. ROSE OF TENNESSEE

At the end of division D (before the short title), insert the following:

TITLE IX—GENERAL PROVISIONS

SEC. 901. None of the amounts made available by this Act may be used to implement or enforce the provisions of the rule titled "The Enhancement and Standardization of Climate-Related Disclosures for Investors" (March 21, 2022) that would require registrants to disclose Scope 3 emissions.

AMENDMENT NO. 134 OFFERED BY MR. ROY OF TEXAS

At the end of division D (before the short title), insert the following:

TITLE IX—ADDITIONAL PROVISION

SEC. 901. None of the funds made available by this Act may be used for the implementation of Executive Order 13985 (relating to Advancing Racial Equity and Support for Underserved Communities Throughout the Federal Government).

AMENDMENT NO. 135 OFFERED BY MR. ROY OF TEXAS

Page 493, strike lines 9 through page 494 line 5.

AMENDMENT NO. 143 OFFERED BY MR. BURGESS OF TEXAS

At the end of division E (before the short title) insert the following:

SEC. _____. None of the funds made available by this Act may be used by the Environmental Protection Agency to hire or pay the salary of any officer or employee of the Environmental Protection Agency under subsection (f) or (g) of section 207 of the Public Health Service Act (42 U.S.C. 209) who is not already receiving pay under either such subsection on the date of enactment of this Act.

AMENDMENT NO. 145 OFFERED BY MR. DUNCAN OF SOUTH CAROLINA

Strike section 439 of division E.

AMENDMENT NO. 147 OFFERED BY MR. GOODEN OF TEXAS

At the end of division E (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used for environmental justice activities.

AMENDMENT NO. 148 OFFERED BY MR. GROTHMAN OF WISCONSIN

Page 750, line 15, after the dollar amount insert “(reduced by \$57,151,000)”.

Page 751, line 1, after the dollar amount insert “(reduced by \$57,152,000)”.

AMENDMENT NO. 149 OFFERED BY MR. GROTHMAN OF WISCONSIN

Page 745, line 15, after the dollar amount, insert “(reduced by \$240,950,000)”.

Page 747, line 15, after the dollar amount, insert “(reduced by \$70,203,000)”.

AMENDMENT NO. 150 OFFERED BY MR. GROTHMAN OF WISCONSIN

Page 689, line 9, after the dollar amount, insert “(reduced by \$294,938,000)”.

AMENDMENT NO. 157 OFFERED BY MRS. MILLER OF ILLINOIS

Page 689, beginning line 16, strike the 3rd proviso.

AMENDMENT NO. 163 OFFERED BY MR. PFLUGER OF TEXAS

At the end of division E (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to implement or enforce Executive Order 14008 entitled “Tackling the Climate Crisis at Home and Abroad” published in the Federal Register on February 1, 2021 (86 Fed. Reg. 7619).

AMENDMENT NO. 167 OFFERED BY MR. ROY OF TEXAS

At the end of division E (before the short title), insert the following:

SEC. 440. None of the funds made available by this Act under the heading “Bureau of Ocean Energy Management - Ocean Energy Management” shall be available for renewable energy programs, and the amount otherwise provided under such heading is hereby reduced by \$51,675,000.

AMENDMENT NO. 168 OFFERED BY MR. ROY OF TEXAS

At the end of division E (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act under the heading “Indian Affairs—Bureau of Indian Affairs—Operation of

Indian Programs” shall be available for Bureau of Indian Affairs Tribal climate resilience programs, and the amount otherwise provided under such heading is hereby reduced by \$59,859,000.

AMENDMENT NO. 175 OFFERED BY MR. BUDD OF NORTH CAROLINA

At the end of division F (before the short title), insert the following:

SEC. _____. None of the funds appropriated or otherwise made available by this Act may be used to implement or enforce Executive Order 14019 (86 Federal Register 13623).

The Acting CHAIR. Pursuant to House Resolution 1232, the gentlewoman from Connecticut (Ms. DELAURO) and the gentlewoman from Texas (Ms. GRANGER) each will control 15 minutes.

The Chair recognizes the gentlewoman from Connecticut.

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

Ms. GRANGER. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin (Mr. GROTHMAN).

Mr. GROTHMAN. Mr. Chair, I have seven amendments in the en bloc, and I will talk on two issues, in general, that cover, I think, all of the amendments.

The first thing is an overall concern of spending. It is a lot easier to break an economy than to fix an economy. And the American Rescue Plan and the very high-spending infrastructure bill—between them, spending over \$3 trillion—I think is the primary reason for the huge inflation we are having to deal with today.

Look at these underlying bills—the T-HUD bill, up 12 percent; financial services—in general government up 17 percent—these programs have to be held at an even or slight decrease level for years to make up for the damage that was done with those two big bills.

I am not going to say there wasn't damage done before that. I think a little bit of the COVID bills that were originally signed by the prior President were not exactly the most frugal things either, but everybody knew at the time this was a problem. And my amendments are along the lines of not destroying programs, not taking out programs altogether, but going back to the amount that was spent last year, or the amount that was spent in President Obama's final year.

I sometimes use President Obama's final year to show that I am not being reckless here, but what I am saying is, there ought to be a little bit of restraint in the Committee on Appropriations and a little bit of restraint of the new bills coming out.

A couple of my amendments also address this obsession with hiring bureaucrats to enforce diversity. America is supposed to be a country in which we view ourselves as individuals. There are people who, I think, want to destroy America, and try to set one group against the other group.

When I look in my district, I know a lot of people who are Hmong. I recently got to know a lot of people from India. I know people from Russia. They have

had no problem succeeding in America. And they all tell me the same thing: The easiest place in the world to succeed is America.

But there are people who try to divide us and set up programs in which you say, I am not going to succeed because of who I am. I want to succeed as a group of people determined by where my ancestors were born three or five or ten generations ago.

□ 1545

Not only are these programs, first of all, a waste of money. We have to have some people administer the programs, we have nowhere near enough people to work in American business as it is.

Secondly, they are designed to train people that what goes on in Washington is a fight or a contest between ethnic groups—that is a cancerous way to think. The fact that so many immigrants come here without even being able to speak English and succeed, wildly show it as a lie. I am trying to reduce funding or get rid of funding all together for some of these programs.

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

Ms. GRANGER. Mr. Chair, I yield 2 minutes to the gentleman from Georgia (Mr. CLYDE).

Mr. CLYDE. Mr. Chair, I rise in support of my amendment in en bloc No. 5.

My amendment prohibits funds made available by this act to be used to promulgate, implement, administer, or enforce President Biden's radical abortion executive order number 14076.

In this executive order, the Biden administration chose to focus its attention on protecting the abortion industry at the expense of women and their unborn children. This is totally unacceptable.

This executive order is also ruled by executive fiat, and my amendment rightfully defunds it. The executive order is also a great example of disinformation. The Biden administration tried to create the Disinformation Governance Board, and it didn't do so well. Now we have it in an executive order—disinformation.

Let me be very clear. Miscarriage management and the treatment of ectopic pregnancies are not abortions. The Biden administration's executive order simply creates fear and confusion by spreading this misinformation.

Finally, nothing in the Constitution grants the Federal Government the authority to expand access to abortion. This is a State's rights issue and must be resolved at the State level.

Mr. Chair, I urge all my colleagues to support this amendment to defund this Biden executive order promoting abortion.

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

Ms. GRANGER. Mr. Chair, I yield 2 minutes to the gentleman from Virginia (Mr. GOOD).

Mr. GOOD of Virginia. Mr. Chair, I offered two amendments to this appropriations package that would save a total of \$86 million in taxpayer dollars.

One amendment strikes funding to buy electric vehicles for the Federal fleet, and the other removes woke Federal funding to make public housing “climate resilient”—whatever the heck that is.

The American people cannot afford Biden’s climate agenda. They also don’t want it, as I am confident they will demonstrate 112 days from today.

Americans are suffering from 9 percent inflation, the highest in 40 years. Call it the Biden price hike, if you will, with an average national gas price of nearly \$5 per gallon.

Yet, this Democratic majority wants to make the American people pay for unelected bureaucrats to drive around in expensive electric vehicles and make them fund climate welfare programs.

Washington is pumping \$91 billion in funding toward a ridiculous transportation and housing bill. This is an increase of 12 percent year over year.

Voting for an absurd spending increase is simply a vote for more inflation and economic pain for all Americans.

Mr. Chair, I urge my colleagues to support my amendment, vote to eliminate wasteful spending, and oppose the underlying bill.

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

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

Ms. DELAURO. Mr. Chair, I yield myself such time as I may consume in closing.

Mr. Chair, while I have offered this en bloc amendment for legislative efficiency, I strongly oppose it.

The en bloc amendment makes severe, harmful changes to the bills that are under consideration. Included in the en bloc amendments there is a limitation on the Environmental Protection Agency to be able to hire new employees and detrimental efforts to the environment; it limits access to voting; and, in particular, infringes on a woman’s access to healthcare. These amendments do not move our country forward, they really are harmful to all Americans.

Mr. Chair, I urge all Members to oppose this amendment, and I yield back the balance of my time.

The Acting CHAIR (Mr. KRISHNAMOORTHY). The question is on the amendments en bloc offered by the gentlewoman from Connecticut (Ms. DELAURO).

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

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

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendments en bloc offered by the gentlewoman from Connecticut will be postponed.

AMENDMENTS EN BLOC NO. 6 OFFERED BY MS. DELAURO OF CONNECTICUT

Ms. DELAURO. Mr. Chair, pursuant to House Resolution 1232, I offer amendments en bloc.

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

Amendments en bloc No. 6 consisting of amendment Nos. 98, 99, 101, 102, 108, 114, 119, 121, 124, 126, 127, 129, 130, 132, 138, 140, 144, 146, 154, 162, 165, 166, 169, 170, 171, 173, 176, 177, 178, and 185 printed in part A of House Report 117–420, offered by Ms. DELAURO of Connecticut:

AMENDMENT NO. 98 OFFERED BY MR. AUCHINCLOSS OF MASSACHUSETTS

Page 427, line 24, after the dollar amount, insert “(increased by \$1,000,000)(reduced by \$1,000,000)”.

AMENDMENT NO. 99 OFFERED BY MRS. BEATTY OF OHIO

Page 419, line 19, after the dollar amount, insert “(reduced by \$20)”.

Page 419, line 19, after the dollar amount, insert “(increased by \$20)”.

AMENDMENT NO. 101 OFFERED BY MS. OMAR OF MINNESOTA

Page 419, line 19, after the dollar amount, insert “(reduced by \$500,000)(increased by \$500,000)”.

AMENDMENT NO. 102 OFFERED BY MS. CASTOR OF FLORIDA

Page 498, line 3, after the dollar amount, insert “(increased by \$20,000,000)”.

Page 499, line 13, after the dollar amount, insert “(increased by \$20,000,000)”.

Page 500, line 23, after the dollar amount, insert “(reduced by \$20,000,000)”.

AMENDMENT NO. 108 OFFERED BY MS. ESCOBAR OF TEXAS

Page 427, line 24, after the dollar amount, insert “(increased by \$2,000,000)”.

Page 428, line 1, after the dollar amount, insert “(increased by \$2,000,000)”.

Page 428, line 20, after the dollar amount, insert “(increased by \$2,000,000)”.

Page 497, line 4, after the dollar amount, insert “(reduced by \$2,000,000)”.

Page 500, line 23, after the dollar amount, insert “(reduced by \$2,000,000)”.

AMENDMENT NO. 114 OFFERED BY MR. GOTTHEIMER OF NEW JERSEY

Page 419, line 19, after the dollar amount, insert “(increased by \$1,000,000)”.

Page 497, line 4, after the dollar amount, insert “(reduced by \$1,000,000)”.

Page 500, line 23, after the dollar amount, insert “(reduced by \$1,000,000)”.

AMENDMENT NO. 119 OFFERED BY MS. HOULAHAN OF PENNSYLVANIA

Page 525, line 10, after the dollar amount, insert “(reduced by \$5,000,000) (increased by \$5,000,000)”.

AMENDMENT NO. 121 OFFERED BY MS. JAYAPAL OF WASHINGTON

Page 520, line 12, after the dollar amount, insert “(reduced by \$4,000,000)”.

Page 520, line 12, after the dollar amount, insert “(increased by \$4,000,000)”.

AMENDMENT NO. 124 OFFERED BY MR. LEVIN OF MICHIGAN

Page 488, line 10, after the dollar amount, insert “(increased by \$5,000,000) (reduced by \$5,000,000)”.

AMENDMENT NO. 126 OFFERED BY MR. MORELLE OF NEW YORK

Page 494, line 20, after the dollar amount, insert “(reduced by \$5,000,000)(increased by \$5,000,000)”.

AMENDMENT NO. 127 OFFERED BY MS. MORELLE OF NEW YORK

Page 500, line 23, after the dollar amount, insert “(reduced by \$1,000,000) (increased by \$1,000,000)”.

AMENDMENT NO. 129 OFFERED BY MS. OMAR OF MINNESOTA

Page 419, line 19, after the dollar amount, insert “(reduced by \$1,000,000)(increased by \$1,000,000)”.

AMENDMENT NO. 130 OFFERED BY MS. OMAR OF MINNESOTA

Page 425, line 19, after the dollar amount, insert “(reduced by \$1,000,000) (increased by \$1,000,000)”.

AMENDMENT NO. 132 OFFERED BY MR. QUIGLEY OF ILLINOIS

Add at the end of title VII of division D the following:

SEC. _____. None of the funds appropriated by this Act may be used in contravention of Executive Order 14076 (87 Fed. Reg. 42053; relating to protecting access to reproductive healthcare services).

AMENDMENT NO. 138 OFFERED BY MS. WATERS OF CALIFORNIA

Page 427, line 24, after the dollar amount, insert “(reduced by \$336,420,000) (increased by \$336,420,000)”.

AMENDMENT NO. 140 OFFERED BY MR. AUCHINCLOSS OF MASSACHUSETTS

Page 688, line 15, after the dollar amount, insert “(reduced by \$2,000,000)(increased by \$2,000,000)”.

AMENDMENT NO. 144 OFFERED BY MS. CASTOR OF FLORIDA

Page 689, line 9, after the dollar amount, insert “(reduced by \$80,000,000)(increased by \$80,000,000)”.

AMENDMENT NO. 146 OFFERED BY MS. ESCOBAR OF TEXAS

Page 616, line 13, after the dollar amount, insert “(increased by \$74,362,000) (reduced by \$74,362,000)”.

AMENDMENT NO. 154 OFFERED BY MS. JACKSON LEE OF TEXAS

Page 689, line 9, after the dollar amount, insert “(reduced by \$5,000,000) (increased by \$5,000,000)”.

AMENDMENT NO. 162 OFFERED BY MS. OMAR OF MINNESOTA

Page 608, line 17, after the dollar amount, insert “(reduced by \$1,000,000) (increased by \$1,000,000)”.

AMENDMENT NO. 165 OFFERED BY MISS RICE OF NEW YORK

Page 628, line 13, after the dollar amount, insert “(increased by \$1,000,000)”.

Page 628, line 14, after the dollar amount, insert “(increased by \$1,000,000)”.

Page 629, line 3, after the dollar amount, insert “(increased by \$1,000,000)”.

Page 647, line 22, after the dollar amount, insert “(reduced by \$1,000,000)”.

AMENDMENT NO. 166 OFFERED BY MS. ROSS OF NORTH CAROLINA

At the end of division E (before the short title) insert the following:

SEC. _____. None of the funds made available by this division may be used to enforce the Presidential Memorandum entitled “Memorandum on the Withdrawal of Certain Areas of the United States Outer Continental Shelf from Leasing Disposition” (issued September 8, 2020) or the Presidential Memorandum entitled “Presidential Determination on the Withdrawal of Certain Areas of the United States Outer Continental Shelf from Leasing Disposition” (issued September 25, 2020), with respect to leasing activities pursuant to section 8(p)(1)(C) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(p)(1)(C)) relating to the Mid Atlantic, South Atlantic, and Straits of Florida Planning Areas.

AMENDMENT NO. 169 OFFERED BY MR. DAVID SCOTT OF GEORGIA

Page 692, line 16, after the dollar amount, insert “(reduced by \$1,000,000) (increased by \$1,000,000)”.

AMENDMENT NO. 170 OFFERED BY MS. SHERRILL OF NEW JERSEY

Page 689, line 9, after the dollar amount, insert “(reduced by \$15,000,000) (increased by \$15,000,000)”.

AMENDMENT NO. 171 OFFERED BY MS. TLAIB OF MICHIGAN

Page 692, line 18, after the dollar amount, insert “(reduced by \$1,000,000) (increased by \$1,000,000)”.

AMENDMENT NO. 173 OFFERED BY MR. AUCHINCLOSS OF MASSACHUSETTS

Page 825, line 3, after the first dollar amount, insert “(reduced by \$5,000,000)”.

Page 825, line 3, after the first dollar amount, insert “(increased by \$5,000,000)”.

AMENDMENT NO. 176 OFFERED BY MS. ESCOBAR OF TEXAS

Page 785, line 14, after the dollar amount, insert “(increased by \$997,425,000)(reduced by \$997,425,000)”.

AMENDMENT NO. 177 OFFERED BY MS. ESCOBAR OF TEXAS

Page 826, line 23, after the first dollar amount, insert “(increased by \$550,000,000) (reduced by \$550,000,000)”.

AMENDMENT NO. 178 OFFERED BY MS. ESCOBAR OF TEXAS

Page 816, line 20, after the dollar amount, insert “(increased by \$1,000,000) (reduced by \$1,000,000)”.

AMENDMENT NO. 185 OFFERED BY MS. NORTON OF THE DISTRICT OF COLUMBIA

Page 816, line 20, after the dollar amount, insert “(reduced by \$1,000,000) (increased by \$1,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 1232, the gentleman from Connecticut (Ms. DeLauro) and the gentleman from Texas (Mr. Granger) each will control 15 minutes.

The Chair recognizes the gentleman from Connecticut.

Ms. DeLauro. Mr. Chair, I yield myself 45 seconds. The en bloc includes a number of proposals offered by my Democratic colleagues. It reflects our shared values of investing in the American people to create good-paying jobs, to grow opportunity, and provide a life-line to the vulnerable.

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

Ms. Granger. Mr. Chairman, I yield 10 minutes to the gentleman from Tennessee (Mr. Rose).

Mr. Rose. Mr. Chair, I would urge my colleagues to support my amendment, amendment No. 133 of division D, a part of en bloc No. 5.

This amendment would prohibit the SEC from implementing provisions of its proposal entitled Enhancement and Standardization of Climate-Related Disclosures for Investors that mandate disclosure of Scope 3 emissions.

Scope 3 emissions include emissions from activities in an organization's supply chain. Public companies have no ownership—and little to no control—of these emissions.

Recently, I led a bipartisan letter with 118 Members of Congress expressing concern about the proposed rule's impact on farmers.

Mr. Chair, I include in the RECORD the letter.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 25, 2022.

Hon. GARY GENSLER,
Chair, Securities and Exchange Commission,
Washington, DC.

DEAR CHAIR GENSLER: We write to express significant concerns with the impact the Securities and Exchange Commission's (SEC) proposed rule on “Enhanced and Standardization of Climate-Related Disclosures for Investors” will have on the agricultural community.

It is our strong belief that this proposed rule, if promulgated, would be a significant and unworkable regulatory burden, and a considerable departure from the SEC's mission to protect investors, facilitate capital formation, and foster fair, orderly, and efficient markets. It is not within the purview of the SEC to regulate farmers and ranchers, which is what this rule would do by requiring public companies to disclose their Scope 3 greenhouse gas (GHG) emissions. To do business with public companies, small farms would be required to disclose a significant amount of climate-related information. But unlike large corporations, small farms do not have full-scale compliance departments. Imposing these additional reporting requirements could disqualify small, family-owned farms from doing business with companies which could lead to more consolidation in the agriculture industry.

Farmers are already regulated by agencies at the local, state, and federal levels. There are currently multiple programs at the federal level to help farmers implement conservation practices. Bureaucrats in Washington, D.C.—specifically unelected SEC staff—who have no jurisdiction over environmental policy and who have never stepped foot on a farm should not have such influence over how farmers take care of their land.

We also have concerns about the specific information from each farm that would have to be reported under this proposal. The time and energy put into complying with this new regulation will divert American farmers away from their primary goal of producing our nation's food, fuel, and fiber. As this rule is written, it is also unclear how farmers will be protected from privacy concerns as they, unlike corporations, live at their places of business where they would now have to disclose significant amounts of information. In *American Farm Bureau Federation v. EPA*, the 8th U.S. Circuit Court for Appeals affirmed that public disclosure of farmers' personal information would constitute a “substantial” and “clearly unwarranted invasion of personal privacy.” Similarly, the SEC should consider how the disclosure of Scope 3 GHG emissions could have privacy implications for farmers and scrap this rule entirely to ensure their private property information would not end up on any public disclosures.

Finally, we are concerned that the comment period, although recently extended until June, is inadequate given the magnitude of this proposed rule, which totals 510 pages and has 1,068 technical footnotes. The Commission's use of abbreviated comment periods for complex rules like this as well as the lack of consistency across rulemakings is troubling, as it will result in less, much-needed input from the public on these important issues.

We appreciate your attention to our concerns and request a response no later than June 24, 2022.

Sincerely,

John Rose, Member of Congress; Scott DesJarlais, M.D., Member of Congress; David Kustoff, Member of Congress; French Hill, Member of Congress; Glenn “GT” Thompson, Member of

Congress; Mark E. Green, MD, Member of Congress; Elaine G. Luria, Member of Congress; Virginia Foxx, Member of Congress; Ron Estes, Member of Congress; Mariannette Miller-Meeks, M.D., Member of Congress; Mo Brooks, Member of Congress; Barry Moore, Member of Congress; Ben Cline, Member of Congress; Thomas Massie, Member of Congress; Jerry L. Carl, Member of Congress; Ted Budd, Member of Congress; Andy Biggs, Member of Congress; Mary E. Miller, Member of Congress.

Mike Carey, Member of Congress; Pete Sessions, Member of Congress; Lance Gooden, Member of Congress; Tracey Mann, Member of Congress; Jodey C. Arrington, Member of Congress; William R. Timmons IV, Member of Congress; Chris Jacobs, Member of Congress; Mike Rogers, Member of Congress; Kelly Armstrong, Member of Congress; Doug LaMalfa, Member of Congress.

David Rouzer, Member of Congress; Alex X. Mooney, Member of Congress; Troy Balderson, Member of Congress; Paul A. Gosar, D.D.S., Member of Congress; Beth Van Duyne, Member of Congress; Ken Buck, Member of Congress; Steven M. Palazzo, Member of Congress; Austin Scott, Member of Congress; Louie Gohmert, Member of Congress; Dan Bishop, Member of Congress.

Chip Roy, Member of Congress; Dan Crenshaw, Member of Congress; Rodney Davis, Member of Congress; Michael Guest, Member of Congress; Gary J. Palmer, Member of Congress; John Katko, Member of Congress; Rick W. Allen, Member of Congress; Richard Hudson, Member of Congress; Trent Kelly, Member of Congress; Kevin Brady, Member of Congress.

Yvette Herrell, Member of Congress; Jake Ellzey, Member of Congress; Michelle Fischbach, Member of Congress; Jackie Walorski, Member of Congress; Brett Guthrie, Member of Congress; Robert J. Wittman, Member of Congress; Bill Posey, Member of Congress; Michael Cloud, Member of Congress; Eric A. “Rick” Crawford, Member of Congress; Markwayne Mullin, Member of Congress.

Debbie Lesko, Member of Congress; James Comer, Member of Congress; Charles J. “Chuck” Fleischmann, Member of Congress; Ann Wagner, Member of Congress; Harold Rogers, Member of Congress; Russ Fulcher, Member of Congress; A. Drew Ferguson IV, Member of Congress; Jay Obernolte, Member of Congress; Mike Johnson, Member of Congress; Adrian Smith, Member of Congress.

Stephanie Bice, Member of Congress; Matthew Rosendale, Sr., Member of Congress; Daniel Meuser, Member of Congress; Lisa C. McClain, Member of Congress; Julia Letlow, Member of Congress; Dusty Johnson, Member of Congress; Greg Pence, Member of Congress; Darin LaHood, Member of Congress; Jake LaTurner, Member of Congress; Vicky Hartzler, Member of Congress.

Sam Graves, Member of Congress; Guy Reschenthaler, Member of Congress; Tim Walberg, Member of Congress; Tim Burchett, Member of Congress; James R. Baird, Member of Congress, Ranking Member, Research and Technology; Neal P. Dunn, Member of Congress; Mark E. Amodei, Member of Congress; Clay Higgins, Member of Congress; Pete Stauber, Member of Congress; Andrew S. Clyde, Member of Congress.

Ashley Hinson, Member of Congress; Andy Barr, Member of Congress, Blaine Luetkemeyer, Member of Congress; Ralph Norman, Member of Congress; Mike Bost, Member of Congress; Anthony Gonzalez, Member of Congress; Diana Harshbarger, Member of Congress; Randy Feenstra, Member of Congress; Jack Bergman, Member of Congress; Gregory F. Murphy, M.D., Member of Congress.

Warren Davidson, Member of Congress; John R. Moolenaar, Member of Congress; Jim Jordan, Member of Congress; Roger Williams, Member of Congress; Jim Banks, Member of Congress; Troy E. Nehls, Member of Congress; Robert B. Aderholt, Member of Congress; Brad R. Wenstrup, D.P.M., Member of Congress; Brian Babin, D.D.S., Member of Congress; Elissa Slotkin, Member of Congress.

Bill Huizenga, Member of Congress; David G. Valadao, Member of Congress; Lee Zeldin, Member of Congress; Bruce Westerman, Member of Congress; Steve Womack, Member of Congress; Bryan Steil, Member of Congress; Earl L. "Buddy" Carter, Member of Congress; Tom McClintock, Member of Congress; David P. Joyce, Member of Congress; W. Gregory Steube, Member of Congress.

Mr. ROSE. Mr. Chair, the proposal would drive capital away from smaller suppliers that may not have the resources to measure their greenhouse gas emissions. SEC Chair Gensler points to significant investor demand for requiring this type of information, but the demand is coming from large asset managers and climate activists, not retail investors.

Mr. Chair, I urge my colleagues to support my amendment.

Ms. DELAURO. Mr. Chair, I yield 1 minute to the gentleman from Maryland (Mr. HOYER), the majority leader.

Mr. HOYER. Mr. Chair, this is a bill that has to pass if we are going to keep the government operating. The chair of this committee has worked very hard to get that done, and she has been successful, as chair, of moving most of our bills through this House.

The Senate has not yet moved any of its bills, as it did not last year. This is an important, critical part of our process to fund government and keep it operating and invest in the priorities of the American people. That is what we are doing today in these appropriation bills.

Mr. Chair, I thank Chairwoman ROSA DELAURO and members of the staff of the Appropriations Committee for their hard work on this package.

Once again, our majority is passing appropriation bills in a timely manner. Sadly, as I said, the Senate has yet to bring any appropriation bills to the Senate floor.

Today's package funds about a quarter of the total expected discretionary funding for next year. It reflects the budget request from the Biden administration, and in some cases funds programs at levels we have determined should be increased.

It also includes Community Project Funding for investments in our communities that will help improve public

safety, encourage economic growth, and fight poverty.

Bringing back Community Project Funding was an essential tool in helping to restore Congress' power of the purse. I add that it was done in a bipartisan way, and it was done—thanks to the chair—in a very transparent way. We wanted to make sure that more funding decisions are being made by the Members who know their districts best.

There is much to celebrate in this package, which is why I rise in support of this package. Many important and worthwhile investments in the American people, in our communities, in economic opportunity, and in so many areas—I am not going to go into all of them, they will be discussed.

I do want to highlight just a few of the important victories in this bill, particularly for the constituents and communities I represent in Maryland's Fifth District.

First, Mr. Chairman, this bill moves us a major step closer to realizing a new, badly needed, consolidated FBI Headquarters, a critical national security project that many of us have worked on for more than a decade.

In fact, I started working on this in 2009 when the director of the FBI said: This building is very out of date, does not accommodate the work that we need to do, and we must have a new building—and requested that there be a campus-like setting where all of the FBI could be consolidated from the almost 20 different locations that they were located in in the city.

This legislation will ensure that we can build a fully consolidated FBI Headquarters that meets the needs of the Bureau with a substantial payment of \$500 million toward that project. It limits the GSA to committing any of those funds only to one of the two sites in Maryland and one in Virginia. The GSA just recently adjudged all three of those sites to be eligible sites.

This project, first requested, as I said, by the FBI in 2009, is now ready for final site selection. This building, which had been delayed at a cost of giving the Bureau the tools and facilities necessary to fulfill its missions, can now be advanced in the timeframe I have understood from the administration, which is before the end of the fiscal year.

□ 1600

In May of last year, the four Senators from Maryland and Virginia wrote to President Biden and urged his administration to move forward expeditiously. That was some 15 months ago. It is long past expeditiously, and I look forward to seeing this project realized.

Mr. Chair, I thank the chair and the chair of the subcommittee, Mr. QUIGLEY, for his help on this effort. It is an important one for our country.

Furthermore, this package would provide civilian Federal employees with a 4.6% cost-of-living adjustment—at parity with the raise

being provided to military personnel—and makes DREAMERS eligible to serve as Federal employees.

It increases the V.A. Health Care System's budget by nearly \$22 billion over last year, which will help provide high-quality care to 7.3 million veterans in our country.

And it provides the Army Corps of Engineers with \$3.5 million to further oyster recovery in the Chesapeake Bay.

In addition to these priorities for Maryland's Fifth District, there are other critical investments for which I have advocated for a long time.

These include \$400 million in Election Security Grants through the Election Assistance Commission, which was created under my Help America Vote Act Legislation in 2002.

It also funds a program I've championed to encourage college students to become non-partisan poll workers in their communities.

I was also glad to see the inclusion of \$100 million for the Technology Modernization Fund, which was launched under bipartisan legislation I led with Leader McCarthy.

This will help agencies upgrade technology systems so that they can serve Americans more efficiently and securely.

Additionally, this package makes a strong investment in combatting hunger by providing W.I.C. funds to serve more than 6 million people and \$28.6 billion toward child-nutrition programs.

It will also ensure that S.N.A.P. does not run out of money in 2023 and can continue helping those with the lowest incomes put food on the table.

Mr. Chair, this is a very solid and robust funding package, and it is—as I said—a first step in our effort to continue funding government and delivering the priorities of the American people on time.

I urge the Senate to match our pace in the appropriations process so that we can continue governing responsibly 'for the people.'

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

Mr. Chair, I rise in strong opposition to this en bloc package of amendments. These 29 amendments include excess funding and policies that expand the scope and reach of the Federal Government. They do this while also limiting our country's energy options and allowing funding for President Biden's executive order on abortion.

Again, Mr. Chair, I urge a "no" vote on this en bloc package, and I reserve the balance of my time.

Ms. DELAURO. Mr. Chair, I yield 2 minutes to the gentleman from Illinois (Mr. QUIGLEY), who is the chairman of the Financial Services and General Government Subcommittee.

Mr. QUIGLEY. Mr. Chair, last month, as the Appropriations Committee considered the FSGG funding bill, the Supreme Court took the unprecedented step of stripping American women of a constitutional right to decide their own reproductive destiny. Extremist Justices, inventing flimsy arguments against a right that Americans have enjoyed for nearly 50 years, opened the door for radical legislators to ban abortion.

This is a crisis, and a crisis means all hands are on deck. With my friends,

Representatives LEE, DEGETTE, and FRANKEL, I am offering an amendment to ensure that the FSGG bill is in the fight. This amendment prohibits any Federal funds from my bill from being used in contravention to President Biden's executive order on protecting access to reproductive healthcare.

This is not just about the executive order itself. It is about the policies and recommendations that will result from it. The interagency policymaking effort to address barriers to abortion access must include FSGG jurisdiction, and Federal agencies must all work to swiftly and fully implement solutions to these barriers.

In addition, FSGG has jurisdiction over the District of Columbia. Anti-abortion extremists go so far as to try to tell D.C. taxpayers that they cannot make their own decisions about whether to support access to reproductive care. I am here to say that D.C. citizens shouldn't be bullied by extremists pushing an ideological agenda. The Federal Government's place must only be to improve access to care in D.C., never to tell the citizens of our Nation's Capital that members of a body to which they are not even permitted to send a voting representative say that they can't look after their own reproductive destinies.

President Biden called for a whole-of-government effort to safeguard abortion access. As the branch of government charged with the purse strings of the United States, it is our duty to join that effort.

Mr. Chair, I urge my colleagues to support this amendment.

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

Ms. DELAURO. Mr. Chair, I yield 2 minutes to the gentleman from Massachusetts (Mr. AUCHINCLOSS).

Mr. AUCHINCLOSS. Mr. Chair, I rise today in support of the en bloc package, which includes my amendment to increase funding for the Department of Veterans Affairs' electronic records system.

One of the most insistent casework requests I receive is from veterans who are unable to receive care due to the Department's records request backlog. I have raised with the Department individual cases, and I have also been working with local veterans service organizations to advocate on behalf of their members. Yet, it still takes anywhere from 6 to 8 months to get anything back from the archives. That is not acceptable.

Digitizing veterans' records will expedite their requests and improve their experience.

I know first-hand what veterans experience while on Active Duty. It is our responsibility to ensure that they have access to the high-quality care and services promised to them when they swore an oath to protect and serve our country.

Mr. Chair, I urge support for my amendment.

Ms. DELAURO. Mr. Chair, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Chair, I thank the gentlewoman for her leadership, and the ranking member, as well.

Let me say that America is going to get not a payday but an investment.

Unlike how my colleagues like to characterize the hard work of the appropriators and our chairwoman, this is about good-paying jobs, \$90 billion in transportation.

This is about tackling hunger and agriculture, some \$27 million.

This is about helping Houston with its horrible and yearly confrontation with flooding.

Yes, this is about the issues of Energy. As well, with Financial Services, this is about helping our consumers. Of course, in Interior, I want to say that this is about helping the work that I am doing on the Emancipation Trail.

I am delighted that I also rise to support all the en blocs. I have amendments in all of them. Particularly, I want to emphasize the work that is being done through my amendments on oversight over the General Land Office that has tackled Houston, Harris County, and the region after Hurricane Harvey like they are at odds. Our Federal money, \$4 billion, was supposed to go to Harris County and Houston. Houston ultimately got zero amount at a certain stage, and they only gave Harris County \$800,000 when we are suffering with loss of housing and with major flooding.

My amendment will talk about major oversight over the GLO and their treatment of local jurisdictions. This plays across America when States get money, and they don't believe that it should go to the local communities.

Let me also indicate I am glad that my human trafficking victims bill is in. That provides for SNAP resources and to clarify that if you are educating a human trafficking victim that is not documented, you can clarify for them without looking like you are recruiting or selling SNAP to let them know that they are eligible for it, which is extremely important.

Also, I-45, the President of the United States issued an equity policy that whenever you do major infrastructure projects, you should look at how it impacts historic neighborhoods and how it impacts the minority neighborhoods and urban neighborhoods. I-45, a major Federal project, has not even perceived that to be important. My amendment indicates that that should be the case.

The Acting CHAIR. The time of the gentlewoman has expired.

Ms. DELAURO. Mr. Chair, I yield the gentlewoman from Texas an additional 1 minute.

Ms. JACKSON LEE. Mr. Chair, I thank the gentlewoman for her graciousness.

That is an ongoing issue that we have in our community, where the communities are not taken into consideration when the houses are leveled and when the flooding is increased by an infrastructure project that we now have a

title VI proceeding under that is funded by Federal dollars.

Let me also express my appreciation for amendments dealing with the Federal Railroad Administration. Everyone that knows it has trains. We know that it provides part of the supply chain. But in our communities, there are the crossings, there are the sounds, and there are the horns. All we want to do is work harmoniously in the oversight over the Federal Railroad Administration to deal with safety and operations in our communities. That is particularly important.

I also want to express appreciation for the work my amendments will do and that they have been accepted dealing with the issue of historic preservation, which will include places like Freedmen's Town, Independence Heights, and, of course, the historic Third Ward where Emancipation Park is.

Again, the underlying bill is a bill that will invest in America. I support this legislation and the good work of the Appropriations Committee.

Mr. Chair, I ask everyone to support that and the amendments included in the en bloc.

Mr. Chair, I rise to speak in a strong support of H.R. 8294, the Transportation, Housing and Urban Development, Agriculture, Rural Development, Energy and Water Development, Financial Services and General Government, Interior, Environment, Military Construction, and Veterans Affairs Appropriations Act.

H.R. 8294 makes key investments in rebuilding our nation's infrastructure, expanding research innovation, combating climate change, and honoring the sacrifice and commitment of our nation's veterans.

The diligent work that produced this comprehensive legislation will make a very positive impact on so many sectors and activities throughout American society.

Mr. Chair, I also want to voice my strong support for En Bloc Amendments No. 2, 3, 6, and 7, which incorporates Jackson Lee Amendments.

I thank the Rules Committee and Chairman MCGOVERN for making these amendments in order and the Appropriations Committee and Chairwoman DELAURO for including it in this En Bloc Amendment.

The Jackson Lee amendments are in the following Divisions of the bill:

Division A—Transportation, Housing and Urban Development
Division B—Agriculture
Division E—Interior and the Environment

EN BLOC #2

Jackson Lee Amendment #46 supports the work of the National Institute of Food and Agriculture (NIFA) by making a \$2,000,000 increase in funding to that office for the purpose of supporting agriculture research programs particularly at 1890s Institutions, which are land grant colleges at 28 Historically Black Colleges and Universities (HBCUs), as well as Hispanic-serving institutions, and other educational institutions that benefit underrepresented communities.

This amendment promotes NIFA's work with agricultural experiment stations, cooperative forestry, and other innovations to improve our nation's food production through agricultural

research, economic analysis, extension, and higher education.

The NIFA was created at the time of the industrial revolution to ensure that the nation would have a sufficient number of working farms to provide a reliable supply of domestically produced food.

One of ways NIFA achieves its mission is by providing research grants to education institutions, which include 1890s institutions created by the Morrill Act of 1890.

Today, land-grant colleges and universities can be found in 18 states, the District of Columbia and the U.S. Virgin Islands. The list includes:

- Alabama A&M University
- Alcorn State University
- Delaware State University
- Florida A&M University
- Fort Valley State University
- Kentucky State University
- Langston University
- Lincoln University
- North Carolina A&T State University
- Prairie View A&M University in Texas
- South Carolina State University
- Southern University System
- Tennessee State University
- Tuskegee University
- University of Arkansas Pine Bluff
- University of Maryland Eastern Shore
- University of the District of Columbia*
- University of the Virgin Islands
- Virginia State University
- West Virginia State University

HBCUs annually enroll 40% of all African American students in 4-year colleges and universities. HBCUs are prominent among research institutions in fields such as:

- animal sciences
- sustainable agriculture and agriculture economics
- toxicology and waste management
- conservation and environmental management
- business and industrial development
- biomedical science

In particular, Jackson Lee Amendment #68 is necessary to make clear that providing victims of trafficking access to information about their eligibility to receive SNAP benefits does not constitute the type of SNAP recruitment activities or “advertising” of the SNAP program prohibited by the bill and by Section 4018 of the Agriculture Act of 2014 (Public Law No: 113–079).

Trafficking in humans, and especially domestic child trafficking, has no place in a civilized society. Those who engage in this illicit trade should be prosecuted to the fullest extent of the law. This House made that clear again in 2021 when it passed H.R. 3530, the Justice for Victims of Trafficking Act, which contained my Sense of the Congress amendment added during the Judiciary Committee markup.

That means we need to ensure that state and local law enforcement agencies have the tools, resources, and training necessary to identify, apprehend, and prosecute criminals who ruthless traffic in children and young persons.

And one of the most effective resources in bringing criminals to justice is the cooperation and assistance of their victims.

Perpetrators of crime know that they are more likely to evade detection and punishment when their victims refuse to assist or cooper-

ate with law enforcement. That is why they make it a point to instill fear in their victims—for their own safety or that of family and loved ones.

EN BLOC #3

Jackson Lee Amendment #19 increases and decreases HUD’s Office of Inspector General account by \$1,000,000 with the intent to support the OIG’s oversight of the Texas General Land Office to track the accounting of Emergency Supplemental Disaster Appropriations for Hurricane Harvey Mitigation and Recovery that Congress approved for the 2017 disaster.

food and nutrition
plant and social sciences
international development

Agricultural research programs at HCBUs assist people living in densely populated areas to learn ways to eliminate food deserts, increase public education about farming, bolster appreciation for our nation’s farmers, and provide new avenues to careers for those graduating with degrees in agriculture who seek to enter cutting-edge agricultural research.

This amendment promotes NIFA’s work with agricultural experiment stations, cooperative forestry, and other innovations to improve our nation’s food production through agricultural research, economic analysis, extension, and higher education.

The funds provided by the Jackson Lee amendment would support research and education for helping urban and suburban communities maximize their green space by turning it into productive farming resources to support access to affordable foods.

Jackson Lee Amendment #47 provides a straightforward, important contribution to the bill for a goal shared by every Member of this body: ending the scourge of human trafficking. This amendment provides that:

None of the funds made available by this Act for “DOMESTIC FOOD PROGRAMS—Food & Nutrition Service—Supplemental Nutrition Assistance Program” may be used in contravention of section 107(b) of Division A of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7105(b)).

The effect of this amendment will be to make clear that nothing in this bill restricts the authority of the Secretary of Agriculture or any federal agency head from providing assistance and benefits to victims of trafficking under current law as authorized by 22 U.S.C. § 7105(b) of the Victims of Trafficking and Violence Protection Act of 2000 (114 Stat. 1464, Pub. Law 106–386).

Jackson Lee Amendment #20 provides an increase of \$1,000,000 in assistance to address challenges faced by historically disadvantaged communities and areas impacted by persistent poverty not included in decision making when major highway construction threatens their homes, businesses, and culturally significant structures.

Jackson Lee Amendment #21 increases and decreases by \$1,000,000 the Community Development Fund and the Community Development Block Grant program to address the fairness in the use of Community Development Block Grant Disaster funding to repair or replace single family homes damaged during Hurricane Harvey to ensure that multi-generational homes can house families at documented pre-disaster capacity.

Jackson Lee Amendment #22 increases and decreases by \$1,000,000 the Federal Rail Administration Safety and Operation’s account to

emphasize the need to provide dedicated funding to address community engagement on safety issues related to railroad crossings in urban areas.

Jackson Lee Amendment #23 prohibits the Department of Transportation from using funds for Section 106 Transportation construction projects in urban areas that have not been determined to meet the statutory and fiduciary obligations of the National Historic Preservation Act (54 USC 306108).

EN BLOC #6

Jackson Lee Amendment #57 increases and decreases funding for Environmental Programs and Management by \$5 million to highlight the need to support culturally competent federal, state, and local public health and environmental protection efforts to address cancer clusters impacting overburdened communities in the gulf coast region.

EN BLOC #7

Jackson Lee Amendment #56 increases and decreases funds for the Historic Preservation Fund by \$3,000,000 with the intent of enhancing activities for the preservation, restoration, and maintenance of nationally significant sites, artifacts, and structures through competitive grants at the local, state, and federal levels focusing on projects involving HBCUs, sites and stories linked to the Civil Rights movement, landmarks associated with communities that are historically underrepresented, and sites related to the histories of Indigenous peoples.

The Historic Preservation Fund is vital in working to preserve nationally significant sites, structures, and artifacts. We want the environment to be safe, but we want the historic environment to be preserved for those who are a valuable part of the historical story of America.

It is crucial to the Freedmen’s Town community in Houston, but it is also crucial to the Tulsa story in Oklahoma, the story of Chicago, Savannah, New York, and many other States where we have systematically ignored the historic preservation of our Nation. Who will tell our children the story? I am fighting in Houston. Others are fighting elsewhere. This amendment is to create the historical record, the legislative record that we are committed to.

I urge all Members to vote in support of En Bloc #2, 3, 6, and 7, and the Jackson Lee Amendments.

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

Mr. CARSON. Mr. Chair, I rise today in support of my amendment, co-authored with Congresswoman OMAR, in support of financial literacy education. The amendment increases and decreases the Treasury Salaries and Expenses account by \$500,000. This is to encourage Treasury to work with the Consumer Financial Protection Bureau to study the best models for financial literacy programming and assist schools, nonprofits, and localities in developing their own financial literacy programs for young people and families.

If the pandemic has shown us anything it is that our financial well-being is important in times of crisis. Therefore, I believe it is important to promote and establish financial literacy skills for students across our nation to establish habits that will last a lifetime. Studies have shown that 88 percent of Americans believe finance education should be taught in schools and 92 percent of K–12 teachers believe that financial education should be taught in school, but only 12 percent of teachers actually teach

the subject. Yet as of this year only 22.7 percent of U.S. high school students are guaranteed to receive a personal finance education.

According to the Government Accountability Office, giving Americans the information they need to make effective financial decisions can be key to their well-being and to the country's economic health. The global financial crisis, when many borrowers failed to fully understand the risks associated with certain financial products and currently, the economic hardships presented by the sudden disruptions caused by the spread of COVID-19, underscore the need to improve individuals' financial literacy and empower all Americans to make informed financial decisions. This is especially true for young people as they are earning their first paychecks, securing student aid, and establishing their financial independence.

I believe America should be leading the world with the best-educated students who will drive our economic innovation and success.

I urge my colleagues to vote in favor of this amendment.

Mr. LEVIN of Michigan. Mr. Chair, I rise today to urge support for my amendment to H.R. 8294, the fiscal year 2023 Transportation, Housing and Urban Development, Agriculture, Rural Development, Energy and Water Development, Financial Services and General Government, Interior, Environment, Military Construction, and Veterans Affairs Appropriations Act, to require funds for the Election Assistance Commission to be used to pay for the wages of election poll workers. I thank Chairs ROSA DELAURO and MIKE QUIGLEY for their support of this amendment.

We are at a crossroads in our nation. Efforts to undermine our democracy and perpetuate the Big Lie have made the workplace incredibly challenging for election workers. Despite these challenges, election workers continue to ensure that Americans can vote safely and securely. That is why we must ensure they are adequately paid for their contributions. Our system of democratic participation cannot function without them.

Last month, I introduced H.R. 8015, the Enhanced Pay for Election Workers Act alongside 40 colleagues. The bill creates a new grant program to provide states with funding to increase election worker wages. This amendment builds off that proposal to highlight the need for federal election funds to help pay election poll workers adequately. Election workers are chronically underpaid, and increased wages will help improve recruitment and morale. In turn, this will help all of us by ensuring the smooth administration of elections, which safeguards our democracy. I urge a yes vote on this amendment.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentlewoman from Connecticut.

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

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

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendments en bloc offered by the gentlewoman from Connecticut will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments

printed in part A of House Report 117-420 on which further proceedings were postponed, in the following order:

Amendments en bloc No. 1 by Ms. DELAURO of Connecticut.

Amendments en bloc No. 2 by Ms. DELAURO of Connecticut.

Amendments en bloc No. 3 by Ms. DELAURO of Connecticut.

Amendments en bloc No. 4 by Ms. DELAURO of Connecticut.

Amendments en bloc No. 5 by Ms. DELAURO of Connecticut.

Amendments en bloc No. 6 by Ms. DELAURO of Connecticut.

The Chair will reduce to 5 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENTS EN BLOC NO. 1 OFFERED BY MS.

DELAURO OF CONNECTICUT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendments en bloc offered by the gentlewoman from Connecticut (Ms. DELAURO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendments en bloc.

The Clerk redesignated the amendments en bloc.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 199, noes 229, not voting 8, as follows:

[Roll No. 367]

AYES—199

Aderholt
Allen
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bentz
Bergman
Bice (OK)
Biggs
Bilirakis
Bishop (NC)
Boebert
Bost
Brady
Brooks
Buchanan
Buck
Bucshon
Budd
Burgess
Calvert
Cammack
Carey
Carl
Carter (GA)
Carter (TX)
Chabot
Cheney
Cline
Cloud
Clyde
Cole
Comer
Conway
Crawford
Crenshaw
Curtis
Davidson
Davis, Rodney
DesJarlais
Diaz-Balart

Donalds
Duncan
Dunn
Ellzey
Emmer
Estes
Fallon
Feenstra
Ferguson
Fischbach
Fitzgerald
Fleischmann
Flood
Flores
Foxy
Franklin, C.
Scott
Fulcher
Gaetz
Gallagher
Garbarino
Garcia (CA)
Gibbs
Gimenez
Gohmert
Gonzales, Tony
González-Colón
Good (VA)
Gooden (TX)
Gosar
Granger
Graves (LA)
Graves (MO)
Green (TN)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Harris
Harshbarger
Hern
Herrell
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill

Hinson
Hollingsworth
Hudson
Huizenga
Issa
Jackson
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Keller
Kelly (MS)
Kelly (PA)
Kim (CA)
Kustoff
LaHood
LaMalfa
Lamborn
Latta
LaTurner
Lesko
Letlow
Long
Loudermilk
Luetkemeyer
Mace
Malliotakis
Mann
Massie
Mast
McCarthy
McCaul
McClain
McClintock
McHenry
Meijer
Meuser
Miller (IL)
Miller-Meeks
Moonenar
Mooney
Moore (AL)
Moore (UT)
Mullin
Murphy (NC)

Nehls
Newhouse
Norman
Obermoite
Owens
Palazzo
Palmer
Pence
Perry
Pfluger
Posey
Reschenthaler
Rice (SC)
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy

Rutherford
Salazar
Scalise
Schweikert
Scott, Austin
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Stewart
Taylor
Tenney
Tiffany

Timmons
Turner
Upton
Valadao
Van Drew
Van Duyen
Wagner
Walberg
Walorski
Waltz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams (TX)
Wilson (SC)
Wittman
Womack
Zeldin

NOES—229

Adams
Aguilar
Allred
Auchincloss
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bourdeaux
Bowman
Boyle, Brendan
F.
Brown (MD)
Brown (OH)
Brownley
Bush
Bustos
Butterfield
Carbajal
Cárdenas
Carson
Carter (LA)
Cartwright
Case
Casten
Castor (FL)
Castro (TX)
Cherfilus-
McCormick
Chu
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Craig
Crist
Crow
Cuellar
Davids (KS)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Escobar
Eshoo
Espallat
Evans
Fitzpatrick
Fletcher
Foster
Frankel, Lois
Gallego
Garamendi
Garcia (IL)
Garcia (TX)

Golden
Gomez
Gonzalez (OH)
Gonzalez,
Vicente
Gotthelmer
Green, Al (TX)
Grijalva
Harder (CA)
Hayes
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jacobs (CA)
Jacobs (NY)
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Jones
Kahele
Kaptur
Katko
Keating
Kelly (IL)
Khanna
Kildee
Kilmer
Kim (NJ)
Kind
Kirkpatrick
Krishnamoorthi
Kuster
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Leger Fernandez
Levin (CA)
Levin (MI)
Lieu
Lofgren
Lowenthal
Luria
Lynch
Malinowski
Maloney,
Carolyn B.
Maloney, Sean
Manning
Matsui
McBath
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Mfume
Moore (WI)
Morelle
Moulton
Mrvan
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Newman

Norcross
Norton
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascarell
Payne
Perlmutter
Peters
Phillips
Pingree
Plaskett
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sablan
San Nicolas
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Sessions
Sewell
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stansbury
Stanton
Stevens
Strickland
Suozi
Swalwell
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Titus
Tlaib
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Vargas
Veasey
Velázquez
Wasserman
Neal
Schultz
Waters
Watson Coleman

Welch Wild Wilson (FL)
Wexton Williams (GA) Yarmuth

NOT VOTING—8

Burchett Kinzinger Miller (WV)
Cawthorn Lucas Radewagen
Hartzler McKinley

□ 1654

Messrs. GALLEGO, BLUMENAUER, AUCHINCLOSS, Mrs. WATSON COLEMAN, Mr. KHANNA, Mrs. BUSTOS, Messrs. LYNCH, CLEAVER, Mses. BASS, JACKSON LEE, Mr. DANNY K. DAVIS of Illinois, Mrs. CHERFILUS-McCORMICK, Ms. MCCOLLUM, Mr. COURTNEY, Mrs. NAPOLITANO, Ms. SPEIER, Mr. NEAL, Ms. BARRAGAN, Messrs. LARSON of Connecticut, DOGETT, PETERS, CASTRO of Texas, HUFFMAN, Ms. LEGER FERNANDEZ, Messrs. KAHELE, BUTTERFIELD, LANGEVIN, Miss RICE of New York, Mses. SCANLON, SLOTKIN, Messrs. SEAN PATRICK MALONEY of New York, CICILLINE, Mrs. LEE of Nevada, Mses. SEWELL and WASSERMAN SCHULTZ changed their vote from “aye” to “no.”

Messrs. BOST, FERGUSON, DUNCAN, McCLINTOCK, CALVERT, ARRINGTON, MURPHY of North Carolina, NEWHOUSE, DUNN, MULLIN, STEUBE, STAUBER, and MEIJER changed their vote from “no” to “aye.”

So the en bloc amendments were rejected.

The result of the vote was announced as above recorded.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Barragán (Correa)	Garcia (IL)	Porter (Neguse)
Bowman (Neguse)	Gohmert (Weber)	Reschenthaler (Keller)
Boyle, Brendan F. (Beyer)	Gosar (Weber)	Rice (SC)
Brown (MD)	Grijalva (Correa)	(Meijer)
(Evans)	Houlihan (Takano)	Salazar (Waltz)
Carter (TX)	(Spanberger)	San Nicolas
(Weber (TX))	Kahele (Correa)	(Takano)
Castro (TX)	Kirkpatrick (Pallone)	Sherrill
Connolly (Beyer)	Lawson (FL)	(Pallone)
Crist	(Evans)	Sires (Pallone)
(Wasserman Schultz)	Leger Fernandez (Correa)	Smucker (Keller)
DeFazio (Pallone)	Meng (Kuster)	Taylor
Demings (Kelly (IL))	Mfume (Evans)	(McHenry)
Escobar (Garcia (TX))	Moore (WI)	Thompson (MS)
Foster (Spanberger)	(Beyer)	(Bishop (GA))
	Newman (Beyer)	Walorski
	Pascrell	(Fischbach)
	(Pallone)	Williams (GA)
	Pingree (Kuster)	(Neguse)
		Wilson (FL)
		(Evans)
		Wilson (SC)
		(Norman)

AMENDMENTS EN BLOC NO. 2 OFFERED BY MS. DELAURO OF CONNECTICUT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendments en bloc printed in part A of House Report 117-420 offered by the gentlewoman from Connecticut (Ms. DELAURO) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 336, noes 90, not voting 10, as follows:

[Roll No. 368]

AYES—336

Adams	Ellzey	Lee (NV)
Aderholt	Emmer	Leger Fernandez
Aguiar	Escobar	Letlow
Allred	Eshoo	Levin (CA)
Amodei	Espallat	Levin (MI)
Auchincloss	Evans	Lieu
Axne	Feenstra	Lofgren
Bacon	Ferguson	Lowenthal
Baird	Fischbach	Luetkemeyer
Balderson	Fitzgerald	Luria
Barragán	Fitzpatrick	Lynch
Bass	Fleischmann	Malinowski
Beatty	Fletcher	Malliotakis
Bentz	Flood	Maloney,
Bera	Flores	Carolyn B.
Bergman	Poster	Maloney, Sean
Beyer	Frankel, Lois	Manning
Bice (OK)	Gallagher	Matsui
Bilirakis	Gallego	McBath
Bishop (GA)	Garamendi	McCarthy
Blumenauer	Garbarino	McCauley
Blunt Rochester	Garcia (IL)	McCollum
Bonamici	Garcia (TX)	McEachin
Bost	Gibbs	McGovern
Bourdeaux	Gimenez	McHenry
Bowman	Golden	McNerney
Boyle, Brendan F.	Gomez	Meeks
Brady	Gonzales, Tony	Meijer
Brown (MD)	Gonzalez (OH)	Meng
Brown (OH)	Gonzalez,	Mfume
Brownley	Vicente	Miller-Meeks
Buchanan	González-Colón	Moore (UT)
Bucshon	Gottheimer	Moore (WI)
Bush	Granger	Morelle
Bustos	Graves (LA)	Moulton
Butterfield	Graves (MO)	Mrvan
Calvert	Green, Al (TX)	Murphy (FL)
Cammack	Grijalva	Murphy (NC)
Carbajal	Guthrie	Nadler
Cárdenas	Harder (CA)	Napolitano
Carson	Harshbarger	Neal
Carter (GA)	Hayes	Neguse
Carter (LA)	Herrera Beutler	Newhouse
Carterwright	Higgins (LA)	Newman
Case	Higgins (NY)	Norcross
Casten	Hill	Norton
Castor (FL)	Himes	O'Halleran
Castro (TX)	Hinson	Obernolte
Cawthorn	Hollingsworth	Ocasio-Cortez
Cheney	Horsford	Omar
Cherfilus-	Houlihan	Owens
McCormick	Hoyer	Palazzo
Chu	Hudson	Pallone
Cicilline	Huffman	Panetta
Clark (MA)	Issa	Pappas
Clarke (NY)	Jackson Lee	Pascarell
Cleaver	Jacobs (CA)	Payne
Clyburn	Jacobs (NY)	Pence
Cohen	Jayapal	Perlmutter
Cole	Jeffries	Peters
Connolly	Johnson (GA)	Phillips
Conway	Johnson (LA)	Pingree
Cooper	Johnson (OH)	Plaskett
Correa	Johnson (SD)	Pocan
Costa	Johnson (TX)	Porter
Courtney	Jones	Pressley
Craig	Joyce (OH)	Price (NC)
Crawford	Kahele	Quigley
Crenshaw	Kaptur	Raskin
Crist	Katko	Reschenthaler
Crow	Keating	Rice (NY)
Cuellar	Keller	Rodgers (WA)
Curtis	Kelly (IL)	Rogers (AL)
Davis (KS)	Kelly (PA)	Rogers (KY)
Davis, Danny K.	Khanna	Rose
Davis, Rodney	Kildee	Ross
Dean	Kilmer	Rouzer
DeFazio	Kim (CA)	Roybal-Allard
DeGette	Kim (NJ)	Ruiz
DeLauro	Kind	Ruppersberger
DeBene	Kirkpatrick	Rush
Demings	Krishnamoorthi	Ryan
DeSaulnier	Sablan	San Nicolas
DesJarlais	LaHood	Sánchez
Deutch	Lamb	Sarbanes
Diaz-Balart	Langevin	Scalise
Dingell	Larsen (WA)	Scanlon
Doggett	Larson (CT)	Schakowsky
Doyle, Michael F.	LaTurner	Schiff
Dunn	Lawrence	Schneider
	Lawson (FL)	Schrader
	Lee (CA)	

Schrier
Scott (VA)
Scott, Austin
Scott, David
Sewell
Sherman
Sherrill
Simpson
Sires
Slotkin
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Smucker
Soto
Spanberger
Spartz
Speier
Stansbury
Stanton
Stauber

Steel
Stefanik
Stell
Stevens
Stewart
Strickland
Suozi
Swalwell
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiffany
Titus
Tlaib
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Turner
Underwood

Upton
Valadao
Van Drew
Vargas
Veasey
Velázquez
Wagner
Walorski
Wasserman
Schultz
Waters
Watson Coleman
Welch
Westerman
Wexton
Wild
Williams (GA)
Wilson (FL)
Wilson (SC)
Wittman
Womack
Yarmuth

NOES—90

Allen	Garcia (CA)	McClintock
Armstrong	Gohmert	Miller (IL)
Arrington	Good (VA)	Moolenaar
Babin	Gooden (TX)	Moore (AL)
Banks	Gosar	Mullin
Barr	Green (TN)	Nehls
Biggs	Greene (GA)	Norman
Bishop (NC)	Griffith	Palmer
Boebert	Grothman	Perry
Brooks	Guest	Pfleger
Buck	Harris	Posey
Budd	Hern	Rice (SC)
Burgess	Herrell	Rosendale
Carey	Hice (GA)	Roy
Carl	Huizenga	Rutherford
Carter (TX)	Jackson	Salazar
Chabot	Jordan	Schweikert
Cline	Joyce (PA)	Steube
Cloud	Kelly (MS)	Taylor
Clyde	Kustoff	Tenney
Comer	LaMalfa	Timmons
Davidson	Lamborn	Van Duyne
Donalds	Latta	Walberg
Duncan	Lesko	Waltz
Estes	Long	Weber (TX)
Fallon	Loudermilk	Webster (FL)
Fox	Mace	Wenstrup
Franklin, C.	Mann	Williams (TX)
Scott	Massie	Zeldin
Fulcher	Mast	
Gaetz	McClain	

NOT VOTING—10

Burchett	McKinley	Radewagen
Hartzler	Meuser	Sessions
Kinzinger	Miller (WV)	
Lucas	Mooney	

□ 1704

Mr. COMER changed his vote from “aye” to “no.”

So the en bloc amendments were agreed to.

The result of the vote was announced as above recorded.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Barragán (Correa)	Foster (Spanberger)	Pingree (Kuster)
Bowman (Neguse)	Garcia (IL)	Porter (Neguse)
Boyle, Brendan F. (Beyer)	Gohmert (Weber)	Reschenthaler (Keller)
Brown (MD)	(TX))	Rice (SC)
(Evans)	Gosar (Weber)	(Meijer)
Carter (TX)	(TX))	Salazar (Waltz)
(Weber (TX))	Grijalva (Correa)	San Nicolas
Castro (TX)	Houlihan (Takano)	Sherrill
(Correa)	(Spanberger)	(Pallone)
Cawthorn	Kahele (Correa)	Sires (Pallone)
(Greene (GA))	Kirkpatrick (Pallone)	Smucker (Keller)
Connolly (Beyer)	Lawson (FL)	Taylor
Crist	(Evans)	(McHenry)
(Wasserman Schultz)	Leger Fernandez (Correa)	Thompson (MS)
DeFazio (Pallone)	Meng (Kuster)	(Bishop (GA))
Demings (Kelly (IL))	Mfume (Evans)	Walorski
Escobar (Garcia (TX))	Moore (WI)	(Fischbach)
	(Beyer)	Williams (GA)
	Newman (Beyer)	(Neguse)
	Pascarell	Wilson (FL)
	(Pallone)	(Evans)
		Wilson (SC)
		(Norman)

Aderholt	Donalds	Higgins (LA)
Allen	Duncan	Hill
Amodi	Dunn	Hinson
Armstrong	Ellzey	Hollingsworth
Arrington	Estes	Hudson
Babin	Fallon	Huizenga
Baird	Ferguson	Jackson
Banks	Fischbach	Johnson (LA)
Barr	Fitzgerald	Johnson (SD)
Bentz	Fleischmann	Jordan
Bice (OK)	Flood	Joyce (PA)
Biggs	Flores	Keller
Billirakis	Fox	Kelly (MS)
Bishop (NC)	Franklin, C.	Kim (CA)
Boebert	Scott	Kustoff
Brady	Fulcher	LaMalfa
Brooks	Gaetz	Lamborn
Buchanan	Garcia (CA)	Latta
Buck	Gibbs	LaTurner
Budd	Gohmert	Lesko
Burgess	Gonzales, Tony	Letlow
Calvert	González-Colón	Long
Cammack	(PR)	Loudermilk
Carl	Good (VA)	Luetkemeyer
Carter (GA)	Gooden (TX)	Mace
Carter (TX)	Gosar	Mann
Cawthorn	Granger	Massie
Chabot	Graves (LA)	McCarthy
Cheney	Green (TN)	McCaul
Cline	Greene (GA)	McClain
Cloud	Griffith	McClintock
Clyde	Grothman	McHenry
Cole	Guest	Meijer
Comer	Guthrie	Miller (IL)
Conway	Harris	Moorenar
Crawford	Harshbarger	Mooney
Crenshaw	Hern	Moore (AL)
Curtis	Herrell	Moore (UT)
Davidson	Herrera Beutler	Mullin
DesJarlais	Hice (GA)	Murphy (NC)

Nehls
Norman
Oberholte
Owens
Palazzo
Palmer
Pence
Perry
Pfluger
Posey
Rice (SC)
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale

NOES—264

Adams
Aguilar
Allred
Auchincloss
Axne
Bacon
Balderson
Barragán
Bass
Beatty
Bera
Bergman
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bost
Bourdeaux
Bowman
Boyle, Brendan
F.
Brown (MD)
Brown (OH)
Brownley
Bucshon
Bush
Bustos
Butterfield
Carbajal
Cárdenas
Carey
Carson
Carter (LA)
Cartwright
Case
Casten
Castor (FL)
Castro (TX)
Cherfilus-
McCormick
Chu
Ciilline
Clark (MA)
Clarke (NY)
Cleave
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Craig
Crist
Crow
Cuellar
Davids (KS)
Davis, Danny K.
Davis, Rodney
Dean
DeFazio
DeGette
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Doyle, Michael
F.
Emmer
Escobar
Eshoo
Espallat
Evans
Feenstra
Fitzpatrick
Fletcher

NOES—264

Foster
Frankel, Lois
Gallagher
Gallego
Garamendi
Garbarino
Garcia (IL)
Garcia (TX)
Gimenez
Golden
Gomez
Gonzalez (OH)
Gonzalez,
Vicente
Gottheimer
Graves (MO)
Green, Al (TX)
Grijalva
Harder (CA)
Hayes
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Huffman
Issa
Jackson Lee
Jacobs (CA)
Jacobs (NY)
Jayapal
Jeffries
Johnson (GA)
Johnson (OH)
Johnson (TX)
Jones
Joyce (OH)
Kahele
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Khanna
Kildee
Kilmer
Kim (NJ)
Kind
Kirkpatrick
Krishnamoorthi
Kuster
LaHood
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Leger Fernandez
Levin (CA)
Levin (MI)
Lieu
Lofgren
Lowenthal
Luria
Lynch
Malinowski
Malliotakis
Maloney,
Carolyn B.
Maloney, Sean
Manning
Mast
Matsui
McBath
McCollum
Takano
McGovern
McNerney

Tiffany
Timmons
Van Duyn
Wagner
Walberg
Walorski
Waltz
Weber (TX)
Webster (FL)
Westerman
Williams (TX)
Wilson (SC)
Wittman
Womack

Meeks
Meng
Meuser
Mfume
Miller-Meeks
Moore (WI)
Morelle
Moulton
Mrvan
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Newhouse
Newman
Norcross
Norton
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascarell
Payne
Perlmutter
Peters
Phillips
Pingree
Plaskett
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Reschenthaler
Rice (NY)
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sablan
Salazar
San Nicolas
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Simpson
Sires
Slotkin
Smith (NJ)
Smith (WA)
Soto
Spanberger
Speier
Stansbury
Stanton
Staubert
Stefanik
Steil
Stevens
Strickland
Suzuki
Swalwell
Takano
Tenney
Thompson (CA)

Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Turner

Burchett
Hartzler
Kinzinger

Underwood
Upton
Valadao
Van Drew
Vargas
Veasey
Velázquez
Wasserman
Schultz

NOT VOTING—7

Lucas
McKinley
Miller (WV)

Waters
Watson Coleman
Welch
Wexton
Wild
Williams (GA)
Wilson (FL)
Yarmuth
Zeldin

NOT VOTING—7

Radewagen

Cheney
Cline
Cloud
Clyde
Cole
Comer
Conway
Crawford
Crenshaw
Curtis
Davidson
Davis, Rodney
DesJarlais
Diaz-Balart
Donalds
Duncan
Dunn
Ellzey
Emmer
Estes
Fallon
Feenstra
Ferguson
Fischbach
Fitzgerald
Fleischmann
Flood
Flores
Foxy
Franklin, C.
Scott
Fulcher
Gaetz
Gallagher
Garbarino
Garcia (CA)
Gibbs
Gimenez
Gohmert
Gonzales, Tony
González-Colón
Good (VA)
Gooden (TX)
Gosar
Granger
Graves (LA)
Graves (MO)
Green (TN)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Harris
Harshbarger

Hern
Herrell
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill
Hinson
Hudson
Huizenga
Issa
Jackson
Jacobs (NY)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Keller
Kelly (MS)
Kelly (PA)
Kim (CA)
Kustoff
LaHood
LaMalfa
Lamborn
Latta
LaTurner
Lesko
Letlow
Long
Loudermilk
Luetkemeyer
Mace
Malliotakis
Mann
Massie
Mast
McCarthy
McCauley
McClain
McClintock
McHenry
Meijer
Meuser
Miller (IL)
Miller-Meeks
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Mullin
Murphy (NC)
Nehls
Newhouse

NOES—230

Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Craig
Crist
Crow
Cuellar
Davids (KS)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Escobar
Eshoo
Espallat
Evans
Fitzpatrick
Fletcher
Foster
Frankel, Lois
Gallego
Garamendi
Garcia (IL)
Garcia (TX)
Golden
Gomez
Gonzalez (OH)

Norman
Oberholte
Owens
Palazzo
Palmer
Pence
Perry
Pfluger
Posey
Reschenthaler
Rice (SC)
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Scalise
Schweikert
Scott, Austin
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spartz
Steel
Stefanik
Steil
Steube
Stewart
Taylor
Tenney
Thompson (PA)
Tiffany
Timmons
Turner
Upton
Valadao
Van Duyn
Wagner
Walberg
Walorski
Waltz
Weber (TX)
Webster (FL)
Westerman
Williams (TX)
Wilson (SC)
Wittman
Womack
Zeldin

Gonzalez,
Vicente
Gottheimer
Green, Al (TX)
Grijalva
Harder (CA)
Hayes
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jacobs (CA)
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Jones
Kahele
Kaptur
Katko
Keating
Kelly (IL)
Khanna
Kildee
Kilmer
Kim (NJ)
Kind
Kirkpatrick
Krishnamoorthi
Kuster
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)

Mr. LAHOOD changed his vote from “aye” to “no.”

Mr. LATTI changed his vote from “no” to “aye.”

So the en bloc amendments were rejected.

The result of the vote was announced as above recorded.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Barragán (Correa)	Foster (Spanberger)	Pingree (Kuster)
Bowman (Neguse)	Garcia (IL) (Takano)	Porter (Neguse)
Boyle, Brendan F. (Beyer)	Gohmert (Weber) (TX)	Reschenthaler (Keller)
Brown (MD) (Evans)	Gosar (Weber) (TX)	Rice (SC) (Meijer)
Carter (TX) (Weber) (TX)	Grijalva (Correa)	Salazar (Waltz)
Castro (TX) (Correa)	Houlahan	San Nicolas (Takano)
Cawthorn (Pallone)	Sherrill (Pallone)	Sires (Pallone)
Greene (GA)	Kirkpatrick (Pallone)	Smucker (Keller)
Connolly (Beyer)	Lawson (FL) (Evans)	Taylor (McHenry)
Crist (Wasserman)	Leger Fernandez (Correa)	Thompson (MS) (Bishop) (GA)
Schultz	Meng (Kuster)	Walorski (Fischbach)
DeFazio (Pallone)	Mfume (Evans)	Williams (GA) (Neguse)
Demings (Kelly) (IL)	Moore (WI) (Beyer)	Wilson (FL) (Evans)
Escobar (Garcia) (TX)	Newman (Beyer)	Wilson (SC) (Norman)
	Pascarell (Pallone)	

AMENDMENTS EN BLOC NO. 5 OFFERED BY MS. DELAURO OF CONNECTICUT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendments en bloc printed in part A of House Report 117-420 offered by the gentlewoman from Connecticut (Ms. DELAURO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 197, noes 230, not voting 9, as follows:

[Roll No. 371]

AYES—197

Aderholt	Bergman	Bucshon
Allen	Bice (OK)	Budd
Amodei	Biggs	Burgess
Armstrong	Bilirakis	Calvert
Arrington	Bishop (NC)	Cammack
Babin	Boebert	Carey
Baird	Bost	Carl
Balderson	Brady	Carter (GA)
Banks	Brooks	Carter (TX)
Barr	Buchanan	Cawthorn
Bentz	Buck	Chabot

Leger Fernandez
Levin (CA)
Levin (MI)
Lieu
Lofgren
Lowenthal
Luria
Lynch
Malinowski
Maloney,
Carolyn B.
Maloney, Sean
Manning
Matsui
McBath
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Mfume
Moore (WI)
Morelle
Moulton
Mrvan
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Newman
Norcross
Norton
O'Halleran
Ocasio-Cortez
Omar
Pallone

Panetta
Pappas
Pascrell
Payne
Perlmutter
Peters
Phillips
Pingree
Plaskett
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sablan
Salazar
San Nicolas
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill

Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stansbury
Stanton
Stauber
Stevens
Strickland
Suozi
Swalwell
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Van Drew
Vargas
Veasey
Velázquez
Wasserman
Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Williams (GA)
Wilson (FL)
Yarmuth

NOT VOTING—9

Burchett
Hartzler
Hollingsworth

Kininger
Lucas
McKinley

Miller (WV)
Radewagen
Rutherford

□ 1732

So the en bloc amendments were rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. RUTHERFORD. Madam Chair, had I been present, I would have voted “aye” on rollcall No. 371.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Barragán
(Correa)
Bowman
(Neguse)
Boyle, Brendan
F. (Beyer)
Brown (MD)
(Evans)
Carter (TX)
(Weber (TX))
Castro (TX)
(Correa)
Cawthorn
(Greene (GA))
Connolly (Beyer)
Crist
(Wasserman
Schultz)
DeFazio
(Pallone)
Demings (Kelly
(IL))
Escobar (Garcia
(TX))

Foster
(Spanberger)
Garcia (IL)
(Takano)
Gohmert (Weber
(TX))
Gosar (Weber
(TX))
Grijalva (Correa)
Houlahan
(Spanberger)
Kahale (Correa)
Kirkpatrick
(Pallone)
Lawson (FL)
(Evans)
Leger Fernandez
(Correa)
Meng (Kuster)
Mfume (Evans)
Moore (WI)
(Beyer)
Newman (Beyer)
Pascrell
(Pallone)

Pingree (Kuster)
Porter (Neguse)
Reschenthaler
(Keller)
Rice (SC)
(Meijer)
Salazar (Waltz)
San Nicolas
(Takano)
Sherrill
(Pallone)
Sires (Pallone)
Smucker (Keller)
Taylor
(McHenry)
Thompson (MS)
(Bishop (GA))
Walorski
(Fischbach)
Williams (GA)
(Neguse)
Wilson (FL)
(Evans)
Wilson (SC)
(Norman)

AMENDMENTS EN BLOC NO. 6 OFFERED BY MS. DELAURO OF CONNECTICUT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendments en bloc offered by the gentlewoman from Connecticut (Ms. DELAURO) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendments en bloc.

The Clerk redesignated the amendments en bloc.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 224, noes 204, not voting 8, as follows:

[Roll No. 372]

AYES—224

Adams
Aguilar
Allred
Auchincloss
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bourdeaux
Bowman
Boyle, Brendan
F.
Brown (MD)
Brown (OH)
Brownley
Bush
Bustos
Butterfield
Cabajal
Cárdenas
Carson
Carter (LA)
Cartwright
Case
Casten
Castor (FL)
Castro (TX)
Cherfilus-
McCormick
Chu
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Craig
Crist
Crow
Cuellar
Davids (KS)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Escobar
Eshoo
Españat
Evans
Fitzpatrick
Fletcher
Foster
Frankel, Lois
Gallego
Garamendi
Garcia (IL)
Garcia (TX)

Golden
Gomez
Gonzalez,
Vicente
Gottheimer
Green, Al (TX)
Grijalva
Harder (CA)
Hayes
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jacobs (CA)
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Jones
Kahale
Kaptur
Keating
Kelly (IL)
Khanna
Kildee
Kilmer
Kim (NJ)
Kind
Kirkpatrick
Krishnamoorthi
Kuster
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Leger Fernandez
Levin (CA)
Levin (MI)
Lieu
Lofgren
Lowenthal
Luria
Lynch
Malinowski
Maloney,
Carolyn B.
Maloney, Sean
Manning
Matsui
McBath
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Mfume
Moore (WI)
Morelle
Velázquez
Wasserman
Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Williams (GA)
Wilson (FL)
Yarmuth

Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Peters
Phillips
Pingree
Plaskett
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sablan
San Nicolas
Sánchez
Sarbanes
Scanlon
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stansbury
Stanton
Stevens
Strickland
Suozi
Swalwell
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Vargas
Veasey
Velázquez
Wasserman
Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Williams (GA)
Wilson (FL)
Yarmuth

NOES—204

Aderholt
Allen
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bentz
Bergman
Bice (OK)
Biggs

Bilirakis
Bishop (NC)
Boebert
Bost
Brady
Brooks
Buchanan
Buck
Bucshon
Budd
Burgess
Calvert
Cammack
Carey
Carl
Carter (GA)
Carter (TX)
Cawthorn
Chabot
Cheney
Cline
Cloud
Clyde
Cole
Comer
Conway
Crawford
Crenshaw
Curtis
Davidson
Davis, Rodney
DesJarlais
Diaz-Balart
Donalds
Duncan
Dunn
Ellzey
Emmer
Estes
Fallon
Feenstra
Ferguson
Fischbach
Fitzgerald
Fleischmann
Flood
Flores
Foe
Franklin, C.
Scott
Fulcher
Gaetz
Gallagher
Garbarino
Garcia (NY)
Gibbs
Gimenez
Gohmert
Gonzales, Tony
Gonzalez (OH)
González-Colón
Good (VA)
Gooden (TX)
Gosar

Granger
Graves (LA)
Graves (MO)
Green (TN)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Harris
Harshbarger
Hern
Herrell
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill
Hinson
Hudson
Huizenga
Issa
Jackson
Jacobs (NY)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Keller
Kelly (MS)
Kelly (PA)
Kim (CA)
Kustoff
LaHood
LaMalfa
Lamborn
Latta
LaTurner
Lesko
Letlow
Long
Loudermilk
Luetkemeyer
Mace
Malliotakis
Mann
Massie
Mast
McCarthy
McCaul
McClain
McClintock
McHenry
Meijer
Meuser
Miller (IL)
Miller-Meeks
Moonenaaar
Mooney
Moore (AL)
Moore (UT)
Mullin

Murphy (NC)
Nehls
Newhouse
Norman
Oberholte
Owens
Palazzo
Palmer
Pence
Perry
Pfluger
Posey
Reschenthaler
Rice (SC)
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Rutherford
Salazar
Scalise
Schweikert
Scott, Austin
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Stewart
Taylor
Tenney
Thompson (PA)
Tiffany
Timmons
Turner
Upton
Valadao
Van Drew
Van Duyn
Wagner
Walberg
Walorski
Waltz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams (TX)
Wilson (SC)
Wittman
Womack
Zeldin

NOT VOTING—8

Burchett
Hartzler
Hollingsworth

Kininger
Lucas
McKinley

Miller (WV)
Radewagen

□ 1743

Mr. THOMPSON of Mississippi and Ms. WATERS changed their vote from “no” to “aye.”

So the en bloc amendments were agreed to.

The result of the vote was announced as above recorded.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Barragán
(Correa)
Bowman
(Neguse)
Boyle, Brendan
F. (Beyer)
Brown (MD)
(Evans)
Carter (TX)
(Weber (TX))
Castro (TX)
(Correa)
Cawthorn
(Greene (GA))
Connolly (Beyer)

Crist
(Wasserman
Schultz)
DeFazio
(Pallone)
Demings (Kelly
(IL))
Escobar (Garcia
(TX))
Foster
(Spanberger)
Garcia (IL)
(Takano)
Gohmert (Weber
(TX))

Gosar (Weber
(TX))
Grijalva (Correa)
Houlahan
(Spanberger)
Kahale (Correa)
Kirkpatrick
(Pallone)
Lawson (FL)
(Evans)
Leger Fernandez
(Correa)
Meng (Kuster)
Mfume (Evans)
Moore (WI)
(Beyer)

Newman (Beyer) San Nicolas
 Pascrell (Takano)
 (Pallone) Sherrill
 Pingree (Kuster) (Pallone)
 Porter (Neguse) Sires (Pallone)
 Reschenthaler Smucker (Keller)
 (Keller) Taylor
 Rice (SC) (McHenry)
 (Meijer) Thompson (MS)
 Salazar (Waltz) (Bishop (GA))

Walorski
 (Fischbach)
 Williams (GA)
 (Neguse)
 Wilson (FL)
 (Evans)
 Wilson (SC)
 (Norman)

Casten
 Castor (FL)
 Castro (TX)
 Cheney
 Cherfilus-
 McCormick
 Chu
 Cicilline
 Clark (MA)
 Clarke (NY)
 Cleaver
 Clyburn
 Cohen
 Connolly
 Cooper
 Correa
 Williams (GA)
 Courtney
 Craig
 Crist
 Crow
 Cuellar
 Curtis
 Davids (KS)
 Davis, Danny K.
 Davis, Rodney
 Dean
 DeFazio
 DeGette
 DeLauro
 DeBene
 Demings
 DeSaulnier
 Deutsch
 Diaz-Balart
 Dingell
 Doggett
 Doyle, Michael
 F.
 Emmer
 Escobar
 Eshoo
 Espaillat
 Evans
 Fitzpatrick
 Fletcher
 Foster
 Frankel, Lois
 Gallego
 Garamendi
 Garbarino
 Garcia (CA)
 Garcia (IL)
 Garcia (TX)
 Gimenez
 Golden
 Gomez
 Gonzales, Tony
 Gonzalez (OH)
 Gonzalez,
 Vicente
 Gottheimer
 Green, AL (TX)
 Grijalva
 Harder (CA)
 Hayes
 Higgins (NY)
 Himes
 Hinson
 Horsford
 Houlihan
 Hoyer
 Huffman
 Issa
 Jackson Lee
 Jacobs (CA)
 Jacobs (NY)
 Jayapal
 Jeffries

Johnson (GA)
 Johnson (TX)
 Jones
 Joyce (OH)
 Kahale
 Kaptur
 Katko
 Keating
 Kelly (IL)
 Khanna
 Kildee
 Kilmer
 Kim (NJ)
 Kind
 Kinzinger
 Kirkpatrick
 Krishnamoorthi
 Kuster
 Lamb
 Langevin
 Larsen (WA)
 Larson (CT)
 Lawrence
 Lawson (FL)
 Lee (CA)
 Lee (NV)
 Leger Fernandez
 Levin (CA)
 Levin (MI)
 Lieu
 Lofgren
 Lowenthal
 Luria
 Lynch
 Mace
 Malinowski
 Malliotakis
 Maloney,
 Carolyn B.
 Maloney, Sean
 Manning
 Mast
 Matsui
 McBath
 McCollum
 McEachin
 McGovern
 McNeerney
 Meeks
 Meijer
 Meng
 Meuser
 Mfume
 Miller-Meeks
 Moore (UT)
 Moore (WI)
 Morelle
 Moulton
 Mryan
 Murphy (FL)
 Nadler
 Napolitano
 Neal
 Neguse
 Newhouse
 Newman
 Norcross
 O'Halleran
 Obernolte
 Ocasio-Cortez
 Omar
 Owens
 Pallone
 Panetta
 Pappas
 Pascrell
 Payne
 Pelosi
 Perlmutter

Perry
 Peters
 Phillips
 Pingree
 Pocan
 Porter
 Pressley
 Price (NC)
 Quigley
 Raskin
 Rice (NY)
 Rice (SC)
 Ross
 Roybal-Allard
 Ruiz
 Ruppersberger
 Rush
 Ryan
 Salazar
 Sánchez
 Sarbanes
 Scanlon
 Schakowsky
 Schiff
 Schneider
 Schrader
 Schrier
 Scott (VA)
 Scott, David
 Sewell
 Sherman
 Sherrill
 Simpson
 Sires
 Slotkin
 Smith (WA)
 Soto
 Spanberger
 Speier
 Stansbury
 Stanton
 Stefanik
 Steil
 Stevens
 Stewart
 Strickland
 Suozzi
 Swalwell
 Takano
 Thompson (CA)
 Thompson (MS)
 Titus
 Tlaib
 Tonko
 Torres (CA)
 Torres (NY)
 Trahan
 Trone
 Turner
 Underwood
 Upton
 Valadao
 Van Drew
 Vargas
 Veasey
 Velázquez
 Wagner
 Waltz
 Wasserman
 Schultz
 Waters
 Watson Coleman
 Welch
 Wexton
 Wild
 Williams (GA)
 Wilson (FL)
 Yarmuth
 Zeldin

Gaetz
 Gallagher
 Gibbs
 Gohmert
 Good (VA)
 Gooden (TX)
 Gosar
 Granger
 Graves (LA)
 Graves (MO)
 Green (TN)
 Greene (GA)
 Griffith
 Grothman
 Guest
 Guthrie
 Harris
 Harshbarger
 Hern
 Herrell
 Herrera Beutler
 Hice (GA)
 Higgins (LA)
 Hill
 Hudson
 Huizenga
 Jackson
 Johnson (LA)
 Johnson (OH)
 Johnson (SD)
 Jordan
 Joyce (PA)
 Keller
 Kelly (MS)
 Kelly (PA)
 Kim (CA)
 Kustoff
 LaHood
 LaMalfa
 Lamborn
 Latta
 LaTurner
 Lesko
 Letlow
 Long
 Loudermilk
 Luetkemeyer
 Mann
 Massie
 McCarthy
 McCaul
 McClain
 McClintock
 McHenry
 Miller (IL)
 Moolenaar
 Mooney
 Moore (AL)
 Mullin
 Murphy (NC)
 Nehls
 Norman
 Palazzo
 Palmer
 Pence
 Pfluger
 Posey
 Reschenthaler
 Rodgers (WA)
 Rogers (AL)

Rogers (KY)
 Rose
 Rosendale
 Rouzer
 Roy
 Rutherford
 Scalise
 Schweikert
 Scott, Austin
 Sessions
 Smith (MO)
 Smith (NE)
 Smith (NJ)
 Smucker
 Spartz
 Stauber
 Steel
 Steube
 Taylor
 Tenney
 Thompson (PA)
 Tiffany
 Timmons
 Van Duyn
 Walberg
 Walorski
 Weber (TX)
 Webster (FL)
 Wenstrup
 Westerman
 Williams (TX)
 Wilson (SC)
 Wittman
 Womack

Ms. DELAURO. Madam Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. TORRES of New York) having assumed the chair, Ms. WILD, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 8294) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2023, and for other purposes, and has come to no resolution thereon.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Passage of H.R. 8404; and

Motions to suspend the rules with respect to the following:

En bloc consideration of H.R. 1286, H.R. 2024, H.R. 3222, H.R. 6337, and H.R. 7002; to be followed by:

S. 144;

H.R. 4404;

H.R. 7025; and

H.R. 7693.

Pursuant to clause 9 of rule XX, each vote will be conducted as a 5-minute vote.

RESPECT FOR MARRIAGE ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on passage of the bill (H.R. 8404) to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 267, nays 157, not voting 7, as follows:

[Roll No. 373]

YEAS—267

Adams
 Aguilar
 Allred
 Armstrong
 Auchincloss
 Axne
 Bacon
 Barragán
 Bass
 Beatty
 Bentz
 Bera
 Beyer
 Bishop (GA)
 Blumenauer
 Blunt Rochester
 Bonamici
 Bourdeaux
 Bowman
 Boyle, Brendan
 F.
 Brown (MD)
 Brown (OH)
 Brownley
 Bush
 Bustos
 Butterfield
 Calvert
 Cammack
 Carbajal
 Cárdenas
 Carey
 Carson
 Carter (LA)
 Cartwright
 Case
 Aderholt
 Allen
 Amodei
 Arrington
 Baird
 Balderson
 Banks
 Barr
 Bergman
 Bice (OK)
 Biggs
 Billrakis
 Bishop (NC)
 Boebert
 Bost
 Brady
 Brooks
 Buchanan

Buck
 Bucshon
 Budd
 Burgess
 Carl
 Carter (GA)
 Carter (TX)
 Cawthorn
 Chabot
 Cline
 Cloud
 Clyde
 Cole
 Comer
 Conway
 Crawford
 Crenshaw
 Davidson

NAYS—157

DesJarlais
 Donalds
 Duncan
 Dunn
 Ellzey
 Estes
 Fallon
 Feenstra
 Ferguson
 Fischbach
 Fitzgerald
 Fleischmann
 Flood
 Flores
 Foxx
 Franklin, C.
 Scott
 Fulcher

NOT VOTING—7

Hollingsworth
 Miller (WV)
 Lucas
 McKinley

□ 1753

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Barragán
 (Correa)
 Bowman
 (Neguse)
 Boyle, Brendan
 F. (Beyer)
 Brown (MD)
 (Evans)
 Carter (TX)
 (Weber (TX))
 Castro (TX)
 (Correa)
 Cawthorn
 (Greene (GA))
 Connolly (Beyer)
 Crist
 (Wasserman
 Schultz)
 DeFazio
 (Pallone)
 Demings (Kelly
 (IL))
 Escobar (Garcia
 (TX))
 Foster
 (Spanberger)
 Garcia (IL)
 (Takano)
 Gohmert (Weber
 (TX))
 Gosar (Weber
 (TX))
 Grijalva (Correa)
 Houlihan
 (Spanberger)
 Kahale (Correa)
 Kinzinger
 (Herrera
 Beutler)
 Kirkpatrick
 (Pallone)
 Lawson (FL)
 (Evans)
 Leger Fernandez
 (Correa)
 Meng (Kuster)
 Mfume (Evans)
 Moore (WI)
 (Beyer)
 Newman (Beyer)
 Pascrell
 (Pallone)
 Pingree (Kuster)
 Porter (Neguse)
 Reschenthaler
 (Keller)
 Rice (SC)
 (Meijer)
 Salazar (Waltz)
 Sherrill
 (Pallone)
 Sires (Pallone)
 Smucker (Keller)
 Taylor
 (McHenry)
 Thompson (MS)
 (Bishop (GA))
 Walorski
 (Fischbach)
 Williams (GA)
 (Neguse)
 Wilson (FL)
 (Evans)
 Wilson (SC)
 (Norman)

MOTION TO SUSPEND THE RULES AND PASS CERTAIN BILLS

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion of the gentlewoman from Connecticut (Ms. DELAURO) to suspend the rules and pass the following bills: H.R. 1286, H.R. 2024, H.R. 3222, H.R. 6337, and H.R. 7002 on which the yeas and nays are ordered.

The Clerk read the title of the bills.

The text of the bills are as follows:

H.R. 1286

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Southern Campaign of the Revolution National Heritage Corridor Act of 2021”.

SEC. 2. DEFINITIONS.

In this Act:

(1) **NATIONAL HERITAGE CORRIDOR.**—The term “National Heritage Corridor” means the Southern Campaign of the Revolution National Heritage Corridor established by section 3(a).

(2) **LOCAL COORDINATING ENTITY.**—The term “Local Coordinating Entity” means the local coordinating entity for the National Heritage Corridor.

(3) **MANAGEMENT PLAN.**—The term “management plan” means the management plan for the National Heritage Corridor required under section 5(a).

(4) **MAP.**—The term “map” means the map entitled “Southern Campaign of the Revolution Proposed National Heritage Corridor”, numbered 257/177,271, and dated September 2021.

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

(6) **STATES.**—The term “States” means the States of South Carolina and North Carolina.

SEC. 3. ESTABLISHMENT OF SOUTHERN CAMPAIGN OF THE REVOLUTION NATIONAL HERITAGE CORRIDOR.

(a) **IN GENERAL.**—There is established the Southern Campaign of the Revolution National Heritage Corridor in the States of North Carolina and South Carolina, as generally depicted on the map.

(b) **LOCAL COORDINATING ENTITY.**—The University of South Carolina shall serve as the local coordinating entity for the National Heritage Corridor.

SEC. 4. ADMINISTRATION.

(a) **AUTHORITIES.**—For purposes of carrying out the management plan for the National Heritage Corridor, the Secretary acting through the local coordinating entity may use amounts made available under this Act—

(1) to make grants to the States or a political subdivision of the States, Indian Tribes, nonprofit organizations, and other persons;

(2) to enter into cooperative agreements with, or provide technical assistance to, the States or a political subdivision of the States, Indian Tribes, nonprofit organizations, and other interested parties;

(3) to hire and compensate staff, which shall include individuals with expertise in natural, cultural, and historical resources protection and heritage programming;

(4) to obtain money or services from any source, including any money or services that are provided under any other Federal law or program, provided that any money specifically authorized for National Heritage areas shall be subject to a 50 percent cost-share requirement;

(5) to contract for goods or services; and

(6) to undertake or be a catalyst for any other activity that furthers the purposes of the National Heritage Corridor and is consistent with the approved management plan.

(b) **DUTIES.**—The local coordinating entity for the National Heritage Corridor shall—

(1) in accordance with section 5, prepare and submit a management plan for the National Heritage Corridor to the Secretary;

(2) assist Federal agencies, the States or a political subdivision of the States, Indian Tribes, regional planning organizations, nonprofit organizations, and other interested parties in carrying out the approved management plan by—

(A) carrying out programs and projects that recognize, protect, and enhance important resource values in the National Heritage Corridor;

(B) establishing and maintaining interpretive exhibits and programs in the National Heritage Corridor;

(C) developing recreational, interpretive, and educational opportunities in the National Heritage Corridor;

(D) increasing public awareness of, and appreciation for, natural, historical, scenic, and cultural resources of the National Heritage Corridor;

(E) protecting and restoring historic sites and buildings in the National Heritage Corridor that are consistent with the themes of the National Heritage Corridor;

(F) ensuring that clear, consistent, and appropriate signs identifying points of public access and sites of interest are posted throughout the National Heritage Corridor; and

(G) promoting a wide range of partnerships among the Federal Government, State, Tribal, and local governments, organizations, and individuals to further the purposes of the National Heritage Corridor;

(3) consider the interests of diverse units of government, businesses, organizations, and individuals in the National Heritage Corridor in the preparation and implementation of the management plan;

(4) conduct meetings open to the public not less frequently than semiannually regarding the development and implementation of the management plan; and

(5) for any year that Federal funds have been received under this Act—

(A) submit to the Secretary an annual report that describes the activities, expenses, and income of the local coordinating entity (including grants to any other entities during the year that the report is made);

(B) make available to the Secretary for audit all records relating to the expenditure of the funds and any matching funds; and

(C) encourage by appropriate means economic viability that is consistent with the National Heritage Corridor.

(c) **PROHIBITION ON THE ACQUISITION OF REAL PROPERTY.**—The local coordinating entity shall not use Federal funds to acquire real property or any interest in real property.

SEC. 5. MANAGEMENT PLAN.

(a) **IN GENERAL.**—Not later than 3 years after the date of enactment of this Act, the local coordinating entity shall submit to the Secretary for approval a proposed management plan for the National Heritage Corridor.

(b) **REQUIREMENTS.**—The management plan shall—

(1) incorporate an integrated and cooperative approach for the protection, enhancement, and interpretation of the natural, cultural, historic, scenic, and recreational resources of the National Heritage Corridor;

(2) take into consideration Federal, State, local, and Tribal plans and treaty rights;

(3) include—

(A) an inventory of—

(i) the resources located in the National Heritage Corridor; and

(ii) any other property in the National Heritage Corridor that—

(I) is related to the themes of the National Heritage Corridor; and

(II) should be preserved, restored, managed, or maintained because of the significations of the property;

(B) comprehensive policies, strategies, and recommendations for conservation, funding, management, and development of the National Heritage Corridor;

(C) a description of the actions that the Federal Government, State, Tribal, and local governments, private organizations, and individuals have agreed to take to protect the natural, historical, cultural, scenic, and recreational resources of the National Heritage Corridor;

(D) a program of implementation for the management plan by the local coordinating entity that includes a description of—

(i) actions to facilitate ongoing collaboration among partners to promote plans for resource protection, restoration, and construction; and

(ii) specific commitments for implementation that have been made by the local coordinating entity or any unit of government, organization, or individual for the first 5 years of operation;

(E) the identification of sources of funding for carrying out the management plan;

(F) analysis and recommendations for means by which Federal, State, local, and Tribal programs, including the role of the National Park Service in the Corridor, may best be coordinated to carry out this Act; and

(G) an interpretative plan for the National Heritage Corridor; and

(4) recommend policies and strategies for resource management that consider and detail the application of appropriate land and water management techniques, including the development of intergovernmental and interagency cooperative agreements to protect the natural, historical, cultural, educational, scenic, and recreational resources of the National Heritage Corridor.

(c) **DEADLINE.**—If a proposed management plan is not submitted to the Secretary by the date that is 3 years after the date of enactment of this Act, the local coordinating entity shall be ineligible to receive additional funding under this Act until the date that the Secretary receives and approves the management plan.

(d) **APPROVAL OR DISAPPROVAL OF MANAGEMENT PLAN.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of receipt of the management plan under section 5, the Secretary, in consultation with States and Tribal governments, shall approve or disapprove the management plan.

(2) **CRITERIA FOR APPROVAL.**—In determining whether to approve the management plan, the Secretary shall consider whether—

(A) the local coordinating entity is representative of the diverse interests of the National Heritage Corridor, including Federal, State, Tribal, and local governments, natural and historic resources protection organizations, educational institutions, businesses, recreational organizations;

(B) the local coordinating entity has afforded adequate opportunity, including public hearings, for public and governmental involvement in the preparation of the management plan; and

(C) the resource preservation and interpretation strategies contained in the management plan would adequately protect the natural, historical, and cultural resources of the National Heritage Corridor.

(3) **ACTION FOLLOWING DISAPPROVAL.**—If the Secretary disapproves the management plan, the Secretary shall—

(A) advise the local coordinating entity in writing of the reasons for the disapproval;

(B) make recommendations for revisions to the management plan; and

(C) not later than 180 days after the receipt of any proposed revision of the management plan from the local coordinating entity, approve or disapprove the proposed revision.

(4) **AMENDMENTS.**—

(A) **IN GENERAL.**—The Secretary shall approve or disapprove each amendment to the management plan that the Secretary determines make a substantial change to the management plan.

(B) **USE OF FUNDS.**—The local coordinating entity shall not use Federal funds to carry out any amendments to the management plan until the Secretary has approved the amendments.

SEC. 6. RELATIONSHIP TO OTHER FEDERAL AGENCIES.

(a) **IN GENERAL.**—Nothing in this Act affects the authority of a Federal agency to provide technical or financial assistance under any other law.

(b) **CONSULTATION AND COORDINATION.**—The head of any Federal agency planning to conduct activities that may have an impact on the National Heritage Corridor is encouraged to consult and coordinate the activities with the Secretary and the local coordinating entity to the maximum extent practicable.

(c) **OTHER FEDERAL AGENCIES.**—Nothing in this section—

(1) modifies, alters, or amends any law or regulation authorizing a Federal agency to manage Federal land under the jurisdiction of the Federal agency;

(2) limits the discretion of a Federal land manager to implement an approved land use plan within the boundaries of the National Heritage Corridor; or

(3) modifies, alters, or amends any authorized use of Federal land under the jurisdiction of a Federal agency.

SEC. 7. PRIVATE PROPERTY AND REGULATORY PROTECTIONS.

Nothing in this Act—

(1) abridges the rights of any property owner (whether public or private), including the right to refrain from participating in any plan, project, program, or activity conducted within the National Heritage Corridor;

(2) requires any property owner—

(A) to permit public access (including access by Federal, State, or local agencies) to the property of the property owner; or

(B) to modify public access or use of property of the property owner under any other Federal, State, or local law;

(3) alters any duly adopted land use regulation, approved land use plan, or other regulatory authority of any Federal, State, Tribal, or local agency;

(4) conveys any land use or other regulatory authority to the local coordinating entity;

(5) authorizes or implies the reservation or appropriation of water or water rights;

(6) enlarges or diminishes the treaty rights of any Indian Tribe within the National Heritage Corridor;

(7) diminishes—

(A) the authority of the States to manage fish and wildlife, including the regulation of fishing and hunting, within the National Heritage Corridor; or

(B) the authority of Indian Tribes to regulate members of Indian Tribes with respect to fishing, hunting, and gathering in the exercise of treaty rights; or

(8) creates any liability, or affects any liability under any other law, of any private property owner with respect to any person injured on the private property.

SEC. 8. EVALUATION AND REPORT.

(a) **IN GENERAL.**—For the National Heritage Corridor, not later than 3 years before the date specified under section 9, the Secretary shall—

(1) conduct an evaluation of the accomplishments of the National Heritage Corridor; and

(2) prepare a report in accordance with subsection (c).

(b) **EVALUATION.**—An evaluation conducted under subsection (a)(1) shall—

(1) assess the progress of the local coordinating entity with respect to—

(A) accomplishing the purposes of the National Heritage Corridor; and

(B) achieving the goals and objectives of the approved management plan for the National Heritage Corridor;

(2) analyze the investments of the Federal Government, State, Tribal, and local governments, and private entities in the National Heritage Corridor to determine the impact of the investments; and

(3) review the management structure, partnership relationships, and funding of the National Heritage Corridor for purposes of identifying the critical components for sustainability of the National Heritage Corridor.

(c) **REPORT.**—Based on the evaluation conducted under subsection (a)(1), the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that includes recommendations for the future role of the National Park Service, if any, with respect to the National Heritage Corridor.

SEC. 9. TERMINATION OF AUTHORITY.

The authority of the Secretary to provide assistance under this Act terminates on the date that is 15 years after the date of enactment of this Act.

H.R. 2024

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Southern Maryland National Heritage Area Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) **NATIONAL HERITAGE AREA.**—The term “National Heritage Area” means the Southern Maryland National Heritage Area established by section 3(a).

(2) **LOCAL COORDINATING ENTITY.**—The term “Local Coordinating Entity” means the local coordinating entity for the National Heritage Area designated by this Act.

(3) **MANAGEMENT PLAN.**—The term “management plan” means the management plan for the Heritage Area required under section 5(a).

(4) **MAP.**—The term “map” means the map entitled “Southern Maryland National Heritage Area Proposed Boundary”, numbered 672/177,225, and dated August 2021.

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

(6) **STATE.**—The term “State” means the State of Maryland.

SEC. 3. ESTABLISHMENT OF SOUTHERN MARYLAND NATIONAL HERITAGE AREA.

(a) **IN GENERAL.**—There is established the Southern Maryland National Heritage Area in the State of Maryland, to consist of land in St. Mary’s, Calvert, Charles, and Prince George’s Counties in the State, as generally depicted on the map.

(b) **LOCAL COORDINATING ENTITY.**—The Tri-County Council for Southern Maryland shall serve as the local coordinating entity for the National Heritage Area designated by subsection (a).

SEC. 4. ADMINISTRATION.

(a) **AUTHORITIES.**—For purposes of carrying out the management plan for the National Heritage Area, the Secretary acting through the Local Coordinating Entity may use amounts made available under section 9—

(1) to make grants to the State or a political subdivisions of the State, Indian Tribes, nonprofit organizations, and other persons;

(2) to enter into cooperative agreements with, or provide technical assistance to, the State or a political subdivision of the State, Indian Tribes, nonprofit organizations, and other interested parties;

(3) to hire and compensate staff, which shall include individuals with expertise in natural, cultural, and historical resources protection and heritage programming;

(4) to obtain money or services from any source, including any money or services that are provided under any other Federal law or program, provided that any money specifically authorized for National Heritage areas shall be subject to a 50 percent cost-share requirement;

(5) to contract for goods or services; and

(6) to undertake or be a catalyst for any other activity that furthers the purposes of the National Heritage Area and is consistent with the approved management plan.

(b) **DUTIES.**—The Local Coordinating Entity shall—

(1) in accordance with section 5, prepare and submit a management plan for the National Heritage Area to the Secretary;

(2) assist Federal agencies, the State or a political subdivision of the State, Indian Tribes, regional planning organizations, nonprofit organizations, and other interested parties in carrying out the approved management plan by—

(A) carrying out programs and projects that recognize, protect, and enhance important resource values in the National Heritage Area;

(B) establishing and maintaining interpretive exhibits and programs in the National Heritage Area;

(C) developing recreational, interpretive, and educational opportunities in the National Heritage Area;

(D) increasing public awareness of, and appreciation for, natural, historical, scenic, and cultural resources of the National Heritage Area;

(E) protecting and restoring historic sites and buildings in the National Heritage Area that are consistent with the themes of the National Heritage Area;

(F) ensuring that clear, consistent, and appropriate signs identifying points of public access and sites of interest are posted throughout the National Heritage Area; and

(G) promoting a wide range of partnerships among the Federal Government, State, Tribal, and local governments, organizations, and individuals to further the purposes of the National Heritage Area;

(3) consider the interests of diverse units of government, businesses, organizations, and individuals in the National Heritage Area in the preparation and implementation of the management plan;

(4) conduct meetings open to the public not less frequently than semiannually regarding the development and implementation of the management plan; and

(5) for any year that Federal funds have been appropriated to carry out this Act—

(A) submit to the Secretary an annual report that describes the activities, expenses, and income of the Local Coordinating Entity (including grants to any other entities during the year that the report is made);

(B) make available to the Secretary for audit all records relating to the expenditure of the funds and any matching funds; and

(C) encourage by appropriate means economic viability that is consistent with the National Heritage Area.

(c) **PROHIBITION ON THE ACQUISITION OF REAL PROPERTY.**—The Local Coordinating Entity shall not use Federal funds to acquire real property or any interest in real property.

SEC. 5. MANAGEMENT PLAN.

(a) **IN GENERAL.**—Not later than 3 years after the date of enactment of this Act, the Local Coordinating Entity shall submit to the Secretary for approval a proposed management plan for the National Heritage Area.

(b) **REQUIREMENTS.**—The management plan shall—

(1) incorporate an integrated and cooperative approach for the protection, enhancement, and interpretation of the natural, cultural, historic, scenic, and recreational resources of the National Heritage Area;

(2) take into consideration Federal, State, local, and Tribal plans and treaty rights;

(3) include—

(A) an inventory of—

(i) the resources located in the National Heritage Area; and

(ii) any other property in the National Heritage Area that—

(I) is related to the themes of the National Heritage Area; and

(II) should be preserved, restored, managed, or maintained because of the significance of the property;

(B) comprehensive policies, strategies, and recommendations for the conservation, funding, management, and development of the National Heritage Area;

(C) a description of activities that the Federal Government, State, Tribal, and local governments, private organizations, and individuals have agreed to carry out to protect the natural, historical, cultural, scenic, and recreational resources of the National Heritage Area;

(D) a program of implementation for the management plan by the Local Coordinating Entity that includes a description of—

(i) actions to facilitate ongoing collaboration among partners to promote plans for resource protection, restoration, and construction; and

(ii) specific commitments for implementation that have been made by the Local Coordinating Entity or any unit of government, organization, or individual for the first 5 years of operation;

(E) the identification of sources of funding for carrying out the management plan;

(F) analysis and recommendations for means by which Federal, State, local, and Tribal programs, including the role of the National Park Service in the National Heritage Area, may best be coordinated to carry out this Act; and

(G) an interpretive plan for the National Heritage Area; and

(4) recommend policies and strategies for resource management that consider and detail the application of appropriate land and water management techniques, including the development of intergovernmental and interagency cooperative agreements to protect the natural, historical, cultural, educational, scenic, and recreational resources of the National Heritage Area.

(c) **DEADLINE.**—If a proposed management plan is not submitted to the Secretary by the date that is 3 years after the date of enactment of the Act, the Local Coordinating Entity shall be ineligible to receive additional funding under this Act until the date on which the Secretary approves the management plan.

(d) **APPROVAL OR DISAPPROVAL OF MANAGEMENT PLAN.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of receipt of the management plan under this section, the Secretary, in consultation with State and Tribal governments, shall approve or disapprove the management plan.

(2) **CRITERIA FOR APPROVAL.**—In determining whether to approve the management plan, the Secretary shall consider whether—

(A) the Local Coordinating Entity is representative of the diverse interests of the National Heritage Area, including Federal, State, Tribal, and local governments, natural and historic resource protection organizations, educational institutions, businesses, and recreational organizations;

(B) the Local Coordinating Entity has afforded adequate opportunity, including public hearings, for public and governmental involvement in the preparation of the management plan; and

(C) the resource protection and interpretation strategies contained in the management plan, if implemented, would adequately protect the natural, historical, and cultural resources of the National Heritage Area.

(3) **ACTION FOLLOWING DISAPPROVAL.**—If the Secretary disapproves the management plan under paragraph (1), the Secretary shall—

(A) advise the Local Coordinating Entity in writing of the reasons for the disapproval;

(B) make recommendations for revisions to the management plan; and

(C) not later than 180 days after the receipt of any proposed revision of the management plan from the Local Coordinating Entity, approve or disapprove the proposed revision.

(4) **AMENDMENTS.**—

(A) **IN GENERAL.**—The Secretary shall approve or disapprove each amendment of the management plan that the Secretary determines make a substantial change to the management plan.

(B) **USE OF FUNDS.**—The Local Coordinating Entity shall not use Federal funds authorized by this Act to carry out any amendment to the management plan until the Secretary has approved the amendment.

SEC. 6. RELATIONSHIP TO OTHER FEDERAL AGENCIES.

(a) **IN GENERAL.**—Nothing in this Act affects the authority of a Federal agency to provide technical or financial assistance under any other law.

(b) **CONSULTATION AND COORDINATION.**—The head of any Federal agency planning to con-

duct activities that may have an impact on the National Heritage Area is encouraged to consult and coordinate the activities with the Secretary and the Local Coordinating Entity to the maximum extent practicable.

(c) **OTHER FEDERAL AGENCIES.**—Nothing in this Act—

(1) modifies, alters, or amends any law or regulations authorizing a Federal agency to manage Federal land under the jurisdiction of the Federal agency;

(2) limits the discretion of a Federal land manager to implement an approved land use plan within the boundaries of the National Heritage Area; or

(3) modifies, alters, or amends any authorized use of Federal land under the jurisdiction of a Federal agency.

SEC. 7. PRIVATE PROPERTY AND REGULATORY PROTECTIONS.

Nothing in this Act—

(1) abridges the rights of any property owner (whether public or private), including the right to refrain from participating in any plan, project, program, or activity conducted within the National Heritage Area;

(2) requires any property owner—

(A) to permit public access (including access by Federal, State, or local agencies) to the property of the property owner; or

(B) to modify public access or use of property of the property owner under any other Federal, State, or local law;

(3) alters any duly adopted land use regulation, approved land use plan, or other regulatory authority of any Federal, State, Tribal, or local agency;

(4) conveys any land use or other regulatory authority to the Local Coordinating Entity;

(5) authorizes or implies the reservation or appropriation of water or water rights;

(6) enlarges or diminishes the treaty rights of any Indian Tribe within the National Heritage Area;

(7) diminishes—

(A) the authority of the State to manage fish and wildlife, including the regulation of fishing and hunting, within the National Heritage Area; or

(B) the authority of Indian Tribes to regulate members of Indian Tribes with respect to fishing, hunting, and gathering in the exercise of treaty rights; or

(8) creates any liability, or affects any liability under any other law, of any private property owner with respect to any person injured on the private property.

SEC. 8. EVALUATION AND REPORT.

(a) **IN GENERAL.**—For the National Heritage Area, not later than 3 years before the date specified under section 9, the Secretary shall—

(1) conduct an evaluation of the accomplishments of the National Heritage Area; and

(2) prepare a report in accordance with subsection (c).

(b) **EVALUATION.**—An evaluation conducted under subsection (a)(1) shall—

(1) assess the progress of the Local Coordinating Entity with respect to—

(A) accomplishing the purposes of the National Heritage Area; and

(B) achieving the goals and objectives of the approved management plan for the National Heritage Area;

(2) analyze the investments of the Federal Government, State, Tribal, and local governments, and private entities in the National Heritage Area to determine the impact of the investments; and

(3) review the management structure, partnership relationships, and funding of the National Heritage Area for purposes of identifying the critical components for sustainability of the National Heritage Area.

(c) **REPORT.**—Based on the evaluation conducted under subsection (a)(1), the Secretary shall submit to the Committee on Energy and

Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that includes recommendations for the future role of the National Park Service, if any, with respect to the National Heritage Area.

SEC. 9. TERMINATION OF AUTHORITY.

The authority of the Secretary to provide assistance under this Act terminates on the date that is 15 years after the date of enactment of this Act.

H.R. 3222

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Alabama Black Belt National Heritage Area Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) **NATIONAL HERITAGE AREA.**—The term “National Heritage Area” means the Alabama Black Belt National Heritage Area established by section 3(a).

(2) **LOCAL COORDINATING ENTITY.**—The term “local coordinating entity” means the local coordinating entity for the National Heritage Area.

(3) **MANAGEMENT PLAN.**—The term “management plan” means the management plan for the National Heritage Area prepared under section 5(a).

(4) **MAP.**—The term “map” means the map entitled “Alabama Black Belt Proposed National Heritage Area”, numbered 258/177,272, and dated September 2021.

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

(6) **STATE.**—The term “State” means the State of Alabama.

SEC. 3. ESTABLISHMENT OF ALABAMA BLACK BELT NATIONAL HERITAGE AREA.

(a) **IN GENERAL.**—There is established the Alabama Black Belt National Heritage Area in the State of Alabama, to consist of land in Bibb, Bullock, Butler, Choctaw, Clarke, Conecuh, Dallas, Greene, Hale, Lowndes, Macon, Marengo, Monroe, Montgomery, Perry, Pickens, Sumter, Washington, and Wilcox counties in the State, as generally depicted on the map.

(b) **LOCAL COORDINATING ENTITY.**—The Center for the Study of the Black Belt at the University of West Alabama shall serve as the local coordinating entity for the National Heritage Area.

SEC. 4. ADMINISTRATION.

(a) **AUTHORITIES.**—For purposes of carrying out the management plan for the National Heritage Area, the Secretary acting through the local coordinating entity may use amounts made available under this Act—

(1) to make grants to the State or a political subdivision of the State, Indian Tribes, nonprofit organizations, and other persons;

(2) to enter into cooperative agreements with, or provide technical assistance to, the State or a political subdivision of the State, Indian Tribes, nonprofit organizations, and other interested parties;

(3) to hire and compensate staff, which shall include individuals with expertise in natural, cultural, and historical resources protection and heritage programming;

(4) to obtain money or services from any source, including any money or services that are provided under any other Federal law or program, provided that any money specifically authorized for National Heritage areas shall be subject to a 50 percent cost-share requirement;

(5) to contract for goods or services; and

(6) to undertake or be a catalyst for any other activity that furthers the purposes of the National Heritage Area and is consistent with the approved management plan.

(b) **DUTIES.**—The local coordinating entity for the National Heritage Area shall—

(1) in accordance with section 5, prepare and submit a management plan for the National Heritage Area to the Secretary;

(2) assist Federal agencies, the State or a political subdivision of the State, Indian Tribes, regional planning organizations, nonprofit organizations, and other interested parties in carrying out the approved management plan by—

(A) carrying out programs and projects that recognize, protect, and enhance important resource values in the National Heritage Area;

(B) establishing and maintaining interpretive exhibits and programs in the National Heritage Area;

(C) developing recreational, interpretive, and educational opportunities in the National Heritage Area;

(D) increasing public awareness of, and appreciation for, natural, historical, scenic, and cultural resources of the National Heritage Area;

(E) protecting and restoring historic sites and buildings in the National Heritage Area that are consistent with the themes of the National Heritage Area;

(F) ensuring that clear, consistent, and appropriate signs identifying points of public access and sites of interest are posted throughout the National Heritage Area; and

(G) promoting a wide range of partnerships among the Federal Government, State, Tribal, and local governments, organizations, and individuals to further the purposes of the National Heritage Area;

(3) consider the interests of diverse units of government, businesses, organizations, and individuals in the National Heritage Area in the preparation and implementation of the management plan;

(4) conduct meetings open to the public not less frequently than semiannually regarding the development and implementation of the management plan;

(5) for any year that Federal funds have been received under this Act—

(A) submit to the Secretary an annual report that describes the activities, expenses, and income of the local coordinating entity (including grants to any other entities during the year that the report is made);

(B) make available to the Secretary for audit all records relating to the expenditure of the funds and any matching funds; and

(C) encourage by appropriate means economic viability that is consistent with the National Heritage Area.

(c) **PROHIBITION ON THE ACQUISITION OF REAL PROPERTY.**—The local coordinating entity shall not use Federal funds to acquire real property or any interest in real property.

SEC. 5. MANAGEMENT PLAN.

(a) **IN GENERAL.**—Not later than 3 years after the date of enactment of this Act, the local coordinating entity of the National Heritage Area shall submit to the Secretary for approval a proposed management plan for the National Heritage Area.

(b) **REQUIREMENTS.**—The management plan shall—

(1) incorporate an integrated and cooperative approach for the protection, enhancement, and interpretation of the natural, cultural, historic, scenic, and recreational resources of the National Heritage Area;

(2) take into consideration Federal, State, local, and Tribal plans and treaty rights;

(3) include—

(A) an inventory of—

(i) the resources located in the National Heritage Area; and

(ii) any other property in the National Heritage Area that—

(I) is related to the themes of the National Heritage Area; and

(II) should be preserved, restored, managed, or maintained because of the significance of the property;

(B) comprehensive policies, strategies, and recommendations for the conservation, funding, management, and development of the National Heritage Area;

(C) a description of activities that the Federal Government, State, Tribal, and local governments, private organizations, and individuals have agreed to carry out to protect the natural, historical, cultural, scenic, and recreational resources of the National Heritage Area;

(D) a program of implementation for the management plan by the local coordinating entity that includes a description of—

(i) actions to facilitate ongoing collaboration among partners to promote plans for resource protection, restoration, and construction; and

(ii) specific commitments for implementation that have been made by the local coordinating entity or any unit of government, organization, or individual for the first 5 years of operation;

(E) the identification of sources of funding for carrying out the management plan;

(F) analysis and recommendations for means by which Federal, State, local, and Tribal programs, including the role of the National Park Service in the National Heritage Area, may best be coordinated to carry out this Act; and

(G) an interpretive plan for the National Heritage Area; and

(4) recommend policies and strategies for resource management that consider and detail the application of appropriate land and water management techniques, including the development of intergovernmental and interagency cooperative agreements to protect the natural, historical, cultural, educational, scenic, and recreational resources of the National Heritage Area.

(c) **DEADLINE.**—If a proposed management plan is not submitted to the Secretary by the date that is 3 years after the date of enactment of this Act, the local coordinating entity shall be ineligible to receive additional funding under this Act until the date on which the Secretary approves the management plan.

(d) **APPROVAL OR DISAPPROVAL OF MANAGEMENT PLAN.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of receipt of the management plan under this section, the Secretary, in consultation with State and Tribal governments, shall approve or disapprove the management plan.

(2) **CRITERIA FOR APPROVAL.**—In determining whether to approve the management plan, the Secretary shall consider whether—

(A) the local coordinating entity is representative of the diverse interests of the National Heritage Area, including the Federal, State, Tribal, and local governments, natural and historic resource protection organizations, educational institutions, businesses, and recreational organizations;

(B) the local coordinating entity has afforded adequate opportunity, including public hearings, for public and governmental involvement in the preparation of the management plan; and

(C) the resource protection and interpretation strategies contained in the management plan, if implemented, would adequately protect the natural, historical, and cultural resources of the National Heritage Area.

(3) **ACTION FOLLOWING DISAPPROVAL.**—If the Secretary disapproves the management plan under paragraph (1), the Secretary shall—

(A) advise the local coordinating entity in writing the reasons for the disapproval;

(B) make recommendations for revisions to the management plan; and

(C) not later than 180 days after the receipt of any proposed revision of the management plan from the local coordinating entity, approve or disapprove the proposed revision.

(4) **AMENDMENTS.**—

(A) **IN GENERAL.**—The Secretary shall approve or disapprove each amendment to the management plan that the Secretary determines make a substantial change to the management plan.

(B) **USE OF FUNDS.**—The local coordinating entity shall not use Federal funds to carry out any amendment to the management plan until the date on which the Secretary has approved the amendment.

SEC. 6. RELATIONSHIP TO OTHER FEDERAL AGENCIES.

(a) **IN GENERAL.**—Nothing in this Act affects the authority of a Federal agency to provide technical or financial assistance under any other law.

(b) **CONSULTATION AND COORDINATION.**—The head of any Federal agency planning to conduct activities that may have an impact on the National Heritage Area is encouraged to consult and coordinate the activities with the Secretary and the local coordinating entity to the maximum extent practicable.

(c) **OTHER FEDERAL AGENCIES.**—Nothing in this Act—

(1) modifies, alters, or amends any law or regulations authorizing a Federal agency to manage Federal land under the jurisdiction of the Federal agency;

(2) limits the discretion of a Federal land manager to implement an approved land use plan within the boundaries of the National Heritage Area; or

(3) modifies, alters, or amends any authorized use of Federal land under the jurisdiction of a Federal agency.

SEC. 7. PRIVATE PROPERTY AND REGULATORY PROTECTIONS.

Nothing in this Act—

(1) abridges the rights of any property owner (whether public or private), including the right to refrain from participating in any plan, project, program, or activity conducted within the National Heritage Area;

(2) requires any property owner—

(A) to permit public access (including access by Federal, State, or local agencies) to the property of the property owner; or

(B) to modify public access or use of property of the property owner under any other Federal, State, or local law;

(3) alters any duly adopted land use regulation, approved land use plan, or other regulatory authority of any Federal, State, Tribal, or local agency;

(4) conveys any land use or other regulatory authority to the local coordinating entity;

(5) authorizes or implies the reservation or appropriation of water or water rights;

(6) enlarges or diminishes the treaty rights of any Indian Tribe within the National Heritage Area;

(7) diminishes—

(A) the authority of the State to manage fish and wildlife, including the regulation of fishing and hunting, within the National Heritage Area; or

(B) the authority of Indian Tribes to regulate members of Indian Tribes with respect to fishing, hunting, and gathering in the exercise of treaty rights; or

(8) creates any liability, or affects any liability under any other law, of any private property owner with respect to any person injured on the private property.

SEC. 8. EVALUATION AND REPORT.

(a) **IN GENERAL.**—For the National Heritage Area, not later than 3 years before the date specified under section 9, the Secretary shall—

(1) conduct an evaluation of the accomplishments of the National Heritage Area; and

(2) prepare a report in accordance with subsection (c).

(b) **EVALUATION.**—An evaluation conducted under subsection (a)(1) shall—

(1) assess the progress of the local coordinating entity with respect to—

(A) accomplishing the purposes of the National Heritage Area; and

(B) achieving the goals and objectives of the approved management plan for the National Heritage Area;

(2) analyze the investments of the Federal Government, State, Tribal, and local governments, and private entities in the National Heritage Area to determine the impact of the investments; and

(3) review the management structure, partnership relationships, and funding of the National Heritage Area for purposes of identifying the critical components for sustainability of the National Heritage Area.

(c) **REPORT.**—Based on the evaluation conducted under subsection (a)(1), the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that includes recommendations for the future role of the National Park Service, if any, with respect to the National Heritage Area.

SEC. 9. TERMINATION OF AUTHORITY.

The authority of the Secretary to provide assistance under this Act terminates on the date that is 15 years after the date of enactment of this Act.

H.R. 6337

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Biking on Long-Distance Trails Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) **FEDERAL RECREATIONAL LANDS.**—The term “Federal recreational lands” has the meaning given the term “Federal recreational lands and waters” in section 802(5) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801(5)).

(2) **LONG-DISTANCE BIKE TRAIL.**—The term “long-distance bike trail” means a continuous route, consisting of 1 or more trails or rights-of-way, that—

(A) is not less than 80 miles in length;

(B) primarily makes use of dirt or natural surface trails;

(C) may require connections along paved or other improved roads;

(D) does not include Federal recreational lands where mountain biking or related activities are not consistent with management requirements for those Federal recreational lands; and

(E) to the maximum extent practicable, makes use of trails and roads that were on Federal recreational lands on or before the date of the enactment of this Act.

(3) **SECRETARIES.**—The term “Secretaries” means the Secretary of the Interior and the Secretary of Agriculture, acting jointly.

(4) **SECRETARY CONCERNED.**—The term “Secretary concerned” means the following:

(A) The Secretary of the Interior, with respect to Federal recreational lands under the jurisdiction of that Secretary.

(B) The Secretary of Agriculture, with respect to Federal recreational lands under the jurisdiction of that Secretary.

SEC. 3. LONG-DISTANCE BIKE TRAILS ON FEDERAL RECREATIONAL LANDS.

(a) **IDENTIFICATION OF LONG-DISTANCE TRAILS.**—Not later than 18 months after the date of the enactment of this Act, the Secretaries shall identify—

(1) not fewer than 10 long-distance bike trails that make use of trails and roads in existence on the date of the enactment of this Act; and

(2) not fewer than 10 areas in which there is an opportunity to develop or complete a trail that would qualify as a long-distance bike trail.

(b) **PUBLIC COMMENT.**—The Secretaries shall—

(1) develop a process to allow members of the public to comment regarding the identification of trails and areas under subsection (a); and

(2) consider the identification, development, and completion of long-distance bike trails in a geographically equitable manner.

(c) **MAPS, SIGNAGE, AND PROMOTIONAL MATERIALS.**—For any long-distance bike trail identified under subsection (a), the Secretary concerned may—

(1) publish and distribute maps, install signage, and issue promotional materials; and

(2) coordinate with stakeholders to leverage any non-Federal resources necessary for the stewardship, development, or completion of trails.

(d) **REPORT.**—Not later than 2 years after the date of the enactment of this Act, the Secretaries, in partnership with interested organizations, shall prepare and publish a report that lists the trails identified under subsection (a), including a summary of public comments received in accordance with the process developed under subsection (b).

(e) **CONFLICT AVOIDANCE WITH OTHER USES.**—The Secretary concerned shall ensure that each long-distance bike trail or area identified under subsection (a)—

(1) does not conflict with—

(A) the uses, before the date of the enactment of this Act, of any trail or road that is part of that long-distance bike trail;

(B) multiple-use areas where biking, hiking, horseback riding, or use by pack and saddle stock are existing uses on the date of the enactment of this Act;

(C) the purposes for which any trail was or is established under the National Trails System Act (16 U.S.C. 1241 et seq.); and

(D) any area managed under the Wilderness Act (16 U.S.C. 1131 et seq.); and

(2) complies with land use and management plans of the Federal recreational lands that are part of that long-distance bike trail.

H.R. 7002

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Gateway Solidarity Act”.

SEC. 2. ILLUMINATION OF THE GATEWAY ARCH IN SUPPORT OF UKRAINE.

To show support and solidarity with the Ukrainian people, the Secretary of the Interior shall illuminate the Gateway Arch in St. Louis, Missouri, by blue and yellow lights—

(A) in 2022, within 15 days following enactment of this act, for no fewer than 5 consecutive days; and

(B) annually on August 24, in recognition of Ukrainian Independence Day, until the President reports to Congress that the government of the Russian Federation has ceased its destabilizing activities with respect to the sovereignty and territorial integrity of Ukraine.

The **SPEAKER** pro tempore. The question is on the motion offered by the gentlewoman from Connecticut (Ms. **DELAURO**) that the House suspend the rules and pass the bills.

The vote was taken by electronic device, and there were—yeas 365, nays 57, not voting 8, as follows:

[Roll No. 374]

YEAS—365

Adams	Bishop (GA)	Carey	Johnson (OH)	Pocan
Aderholt	Blumenauer	Carl	Johnson (SD)	Porter
Aguilar	Blunt Rochester	Carson	Johnson (TX)	Pressley
Allen	Bonamici	Carter (GA)	Jones	Price (NC)
Allred	Bost	Carter (LA)	Joyce (OH)	Quigley
Amodei	Bourdeaux	Cartwright	Kabele	Raskin
Armstrong	Bowman	Case	Kaptur	Reschenthaler
Arrington	Boyle, Brendan	Casten	Katko	Rice (NY)
Auchincloss	F.	Castor (FL)	Keating	Rice (SC)
Axne	Brady	Castro (TX)	Kelly (IL)	Rodgers (WA)
Bacon	Brown (MD)	Cawthorn	Kelly (MS)	Rogers (AL)
Baird	Brown (OH)	Chabot	Kelly (PA)	Rogers (KY)
Balderson	Brownley	Cheney	Khanna	Ross
Barr	Buchanan	Cherfilus-	Kildee	Rouzer
Barragán	Buschon	McCormick	Kilmer	Roybal-Allard
Bass	Burgess	Chu	Kim (CA)	Ruiz
Beatty	Bush	Cicilline	Kim (NJ)	Ruppersberger
Bentz	Bustos	Clark (MA)	Kind	Rush
Bera	Butterfield	Clarke (NY)	Kirkpatrick	Rutherford
Bergman	Calvert	Cleaver	Krishnamoorthi	Ryan
Beyer	Cammack	Clyburn	Kuster	Salazar
Bice (OK)	Carbajal	Cohen	Kustoff	Sánchez
Bilirakis	Cárdenas	Cole	LaHood	Sarbanes
			Lamb	Scalise
			Lamborn	Scanlon
			Langevin	Schakowsky
			Larsen (WA)	Schiff
			Larson (CT)	Schneider
			Latta	Schrader
			LaTurner	Schrier
			Lawrence	Schweikert
			Lawson (FL)	Scott (VA)
			Lee (CA)	Scott, Austin
			Lee (NV)	Scott, David
			Leger Fernandez	Sessions
			Letlow	Sewell
			Levin (CA)	Sherman
			Levin (MI)	Sherrill
			Lofgren	Simpson
			Long	Sires
			Lowenthal	Slotkin
			Luetkemeyer	Smith (MO)
			Luria	Smith (NE)
			Lynch	Smith (NJ)
			Mace	Smith (WA)
			Malinowski	Smucker
			Malliotakis	Soto
			Maloney,	Spanberger
			Carolyn B.	Spartz
			Maloney, Sean	Speier
			Manning	Stansbury
			Matsui	Stanton
			McBath	Stauber
			McCarthy	Steel
			McCaul	Stefanik
			McCollum	Steil
			McEachin	Stevens
			McGovern	Stewart
			McHenry	Strickland
			McNerney	Suozi
			Meeks	Swalwell
			Meijer	Takano
			Meng	Taylor
			Gonzales, Tony	Tenney
			Gonzalez (OH)	Thompson (CA)
			Gonzalez,	Thompson (MS)
			Vicente	Thompson (PA)
			Mooney	Timmons
			Granger	Titus
			Moore (AL)	Tlaib
			Moore (UT)	Tonko
			Moore (WI)	Torres (CA)
			Morelle	Torres (NY)
			Moulton	Torres
			Mrvan	Trahan
			Mullin	Trone
			Murphy (FL)	Turner
			Murphy (NC)	Underwood
			Nadler	Upton
			Napolitano	Valadao
			Neal	Van Drew
			Neguse	Van Duyen
			Newhouse	Vargas
			Newman	Veasey
			Norcross	Velázquez
			O'Halleran	Walberg
			Obornolte	Walorski
			Ocasio-Cortez	Waltz
			Omar	Wasserman
			Owens	Schultz
			Palazzo	Waters
			Pallone	Watson Coleman
			Panetta	Welch
			Pappas	Wenstrup
			Pascrell	Westerman
			Payne	Wexton
			Perlmutter	Wild
			Peters	Williams (GA)
			Pfluger	Williams (TX)
			Phillips	
			Pingree	

Wilson (FL) Wittman Yarmuth
Wilson (SC) Womack Zeldin

NAYS—57

Babin Gaetz Massie
Banks Gohmert Mast
Biggs Good (VA) McClain
Bishop (NC) Gooden (TX) McClintock
Boebert Gosar Miller (IL)
Brooks Green (TN) Moolenaar
Buck Greene (GA) Nehls
Budd Grothman Norman
Carter (TX) Hern Palmer
Cline Hice (GA) Pence
Cloud Higgins (LA) Perry
Clyde Huizenga Posey
Davidson Jordan Rose
Donalds Joyce (PA) Rosendale
Ellzey Keller Roy
Estes LaMalfa Steube
Fallon Lesko Tiffany
Fitzgerald Loudermilk Weber (TX)
Fulcher Mann Webster (FL)

NOT VOTING—8

Burchett Kinzinger McKinley
Hartzler Lieu Miller (WV)
Hollingsworth Lucas

□ 1802

So (two-thirds being in the affirmative) the rules were suspended and the bills were passed.

The result of the vote was announced as above recorded.

The title of H.R. 1286 was amended so as to read: “A bill to establish the Southern Campaign of the Revolution National Heritage Corridor, and for other purposes.”.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE
RESOLUTION 8, 117TH CONGRESS

Barragán Foster Pingree (Kuster)
(Correa) (Spanberger) Porter (Neguse)
Bowman Garcia (IL) Reschenthaler
(Neguse) (Takano) (Keller)
Boyle, Brendan Gohmert (Weber) Rice (SC)
F. (Beyer) (TX)) (Meijer)
Brown (MD) Gosar (Weber) Salazar (Waltz)
(Evans) (TX)) Sherrill
Carter (TX) Grijalva (Correa) (Pallone)
(Weber (TX)) Houlihan Sires (Pallone)
Castro (TX) (Spanberger) Smucker (Keller)
(Correa) Kahele (Correa) Taylor
Cawthorn Kirkpatrick (McHenry)
(Greene (GA)) (Pallone) Thompson (MS)
Connolly (Beyer) Lawson (FL) (Bishop (GA))
Crist (Evans) Walorski
(Wasserman Leger Fernandez
Schultz) (Correa) (Fischbach)
DeFazio Meng (Kuster) Williams (GA)
(Pallone) Mfume (Evans) (Neguse)
Demings (Kelly) Moore (WI) Wilson (FL)
(IL)) (Beyer) (Evans)
Escobar (Garcia) Newman (Beyer) Wilson (SC)
(TX)) Pascrell (Norman)
(Pallone)

DESERT SAGE YOUTH WELLNESS
CENTER ACCESS IMPROVEMENT
ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 144) to authorize the Secretary of Health and Human Services, acting through the Director of the Indian Health Service, to acquire private land to facilitate access to the Desert Sage Youth Wellness Center in Hemet, California, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from California (Mr. HUFFMAN) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 379, nays 41, not voting 10, as follows:

[Roll No. 375]

YEAS—379

Adams Davis, Danny K. Jones
Aderholt Davis, Rodney Joyce (OH)
Aguilar Dean Kahele
Alfred DeFazio Kaptur
Amodei DeGette Katko
Armstrong DeLauro Keating
Arrington DelBene Keller
Auchincloss Demings Kelly (IL)
Axne DeSaulnier Kelly (MS)
Babin DesJarlais Kelly (PA)
Bacon Deutch Kildeer
Baird Diaz-Balart Kilmer
Balderson Dingell Kim (CA)
Barr Kim (NJ)
Barragán Doggett Kim (NJ)
Bass Donalds Kind
Beatty Kirkpatrick
Bentz Kuster
Bera Escobar Kustoff
Bergman Eshoo LaHood
Beyer Espallat LaMalfa
Bice (OK) Evans Lamb
Biggs Fallon Lamborn
Bilirakis Feenstra Langevin
Bishop (GA) Fischbach Larsen (WA)
Blumenauer Fitzpatrick Larson (CT)
Blunt Rochester Fleischmann Latta
Bonamici Fletcher LaTurner
Bost Flood Lawrence
Bourdeaux Flores Lawson (FL)
Bowman Foster Lee (CA)
Boyle, Brendan Foxx Lee (NV)
F. Frankel, Lois Leger Fernandez
Brady Fulcher Letlow
Brown (MD) Gallagher Levin (CA)
Brown (OH) Gallego Levin (MI)
Brownley Garamendi Lieu
Buchanan Garbarino Lofgren
Bucshon Garcia (CA) Long
Budd Garcia (IL) Loudermilk
Burgess Garcia (TX) Lowenthal
Bush Gibbs Luetkemeyer
Bustos Gimenez Luria
Butterfield Gohmert Lynch
Calvert Golden Mace
Cammack Gomez Malinowski
Carmichael Gonzales, Tony Malliotakis
Cárdenas Gonzalez (OH) Maloney,
Carey Gonzalez, Carolyn B.
Carl Vicente Maloney, Sean
Carson Gosar Manning
Carter (GA) Gottheimer Mast
Carter (LA) Granger Matsui
Carter (TX) Graves (LA) McBath
Cartwright Graves (MO) McCarthy
Case Green, Al (TX) McCaul
Casten Grijalva McClain
Castor (FL) Guest McClintock
Castro (TX) Guthrie McCollum
Cawthorn Harder (CA) McEachin
Chabot Harshbarger McGovern
Cheney Hayes McHenry
Cherfilus Herrell McNerney
McCormick Herrera Beutler Meeks
Chu Higgins (NY) Meijer
Cicilline Hill Meng
Clark (MA) Himes Meuser
Clarke (NY) Hinson Mfume
Cleaver Hollingsworth Miller-Meeks
Clyburn Horsford Moolenaar
Cohen Houlihan Mooney
Cole Hoyer Moore (AL)
Comer Hudson Moore (UT)
Connolly Huffman Moore (WI)
Conway Huizenga Morelle
Cooper Issa Mrvan
Correa Jackson Mullin
Costa Jackson Lee Murphy (FL)
Courtney Jacobs (CA) Murphy (NC)
Craig Jacobs (NY) Nadler
Crawford Jayapal Napolitano
Crenshaw Jeffries Neal
Crist Johnson (GA) Neguse
Crow Johnson (LA) Newhouse
Cuellar Johnson (OH) Newman
Curtis Johnson (SD) Norcross
Davids (KS) Johnson (TX) O'Halleran

Obenolte Scalise
Ocasio-Cortez Scanlon
Omar Schakowsky
Owens Schiff
Palazzo Schneider
Pallone Schrader
Palmer Schrier
Panetta Schweikert
Pappas Scott (VA)
Pascrell Scott, Austin
Payne Scott, David
Pence Sessions
Perlmutter Sewell
Peters Sherman
Pfluger Sherrill
Phillips Simpson
Pingree Sires
Pocan Slotkin
Porter Smith (MO)
Pressley Smith (NE)
Price (NC) Smith (NJ)
Quigley Smith (WA)
Raskin Smucker
Reschenthaler Soto
Rice (NY) Spanberger
Rodgers (WA) Spartz
Rogers (AL) Speler
Rogers (KY) Stansbury
Rose Stanton
Rosendale Stauber
Ross Steel
Rouzer Stefanik
Roybal-Allard Stell
Ruiz Stevens
Ruppersberger Stewart
Rush Strickland
Rutherford Suozzi
Ryan Swallow
Salazar Takano
Sánchez Tenney
Sarbanes Thompson (CA)

NAYS—41

Allen Franklin, C.
Banks Scott
Bishop (NC) Gaetz
Boebert Good (VA)
Brooks Gooden (TX)
Buck Green (TN)
Cline Greene (GA)
Cloud Griffith
Clyde Grothman
Davidson Harris
Ellzey Hern
Estes Hice (GA)
Ferguson Higgins (LA)
Fitzgerald Jordan

NOT VOTING—10

Burchett Khanna
Doyle, Michael Kinzinger
F. Lucas
Hartzler McKinley

□ 1810

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE
RESOLUTION 8, 117TH CONGRESS

Barragán Escobar (Garcia) Moore (WI)
(Correa) (TX)) (Beyer)
Bowman Foster Newman (Beyer)
(Neguse) (Spanberger) Pascrell
Boyle, Brendan Garcia (IL) (Pallone)
F. (Beyer) (Takano) Pingree (Kuster)
Brown (MD) Gohmert (Weber) Porter (Neguse)
(Evans) (TX)) Reschenthaler
Carter (TX) Gosar (Weber) (Keller)
(Weber (TX)) (TX)) Rice (SC)
Castro (TX) Grijalva (Correa) (Meijer)
(Correa) Houlihan Salazar (Waltz)
Cawthorn (Spanberger) Sherrill
(Greene (GA)) Kahele (Correa) (Pallone)
Connolly (Beyer) Kirkpatrick Sires (Pallone)
Crist (Pallone) Smucker (Keller)
(Wasserman Lawson (FL) Taylor
Schultz) (Evans) (McHenry)
DeFazio Leger Fernandez Thompson (MS)
(Pallone) (Correa)
Demings (Kelly) Meng (Kuster)
(IL)) Mfume (Evans)

(Bishop (GA)) Williams (GA) Wilson (SC)
Walorski (Neguse) (Norman)
(Fischbach) Wilson (FL)
(Evans)

KISSIMMEE RIVER WILD AND SCENIC RIVER ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4404) to amend the Wild and Scenic Rivers Act to designate segments of the Kissimmee River in the State of Florida as a component of the Wild and Scenic Rivers System, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. HUFFMAN) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 377, nays 45, not voting 8, as follows:

[Roll No. 376]

YEAS—377

Adams	Cheney	Frankel, Lois
Aderholt	Cherfilus-	Franklin, C.
Aguilar	McCormick	Scott
Allred	Chu	Fulcher
Amodei	Cicilline	Gaetz
Armstrong	Clark (MA)	Gallagher
Arrington	Clarke (NY)	Gallego
Auchincloss	Cleaver	Garamendi
Axne	Clyburn	Garbarino
Babin	Cohen	Garcia (CA)
Bacon	Cole	Garcia (IL)
Baird	Comer	Garcia (TX)
Balderson	Connolly	Gibbs
Banks	Conway	Gimenez
Barr	Cooper	Gohmert
Barragán	Correa	Golden
Bass	Costa	Gomez
Beatty	Courtney	Gonzales, Tony
Bentz	Craig	Gonzalez (OH)
Bera	Crawford	Gonzalez,
Bergman	Crenshaw	Vicente
Beyer	Crist	Gottheimer
Bice (OK)	Crow	Granger
Bilirakis	Cuellar	Graves (LA)
Bishop (GA)	Curtis	Graves (MO)
Blumenauer	Dauids (KS)	Green (TN)
Blunt Rochester	Davis, Danny K.	Green, Al (TX)
Bonamici	Davis, Rodney	Greene (GA)
Bost	Dean	Griffith
Bourdeaux	DeFazio	Grijalva
Bowman	DeGette	Guest
Boyle, Brendan	DeLauro	Guthrie
F.	DeBene	Harder (CA)
Brady	Demings	Harshbarger
Brooks	DeSaulnier	Hayes
Brown (MD)	DesJarlais	Hern
Brown (OH)	Deutch	Herrell
Brownley	Diaz-Balart	Herrera Beutler
Buchanan	Dingell	Higgins (LA)
Bucshon	Doggett	Higgins (NY)
Bush	Donalds	Hill
Bustos	Duncan	Himes
Butterfield	Dunn	Hinson
Calvert	Ellzey	Hollingsworth
Cammack	Emmer	Horsford
Carbajal	Escobar	Houlahan
Cárdenas	Eshoo	Hoyer
Carey	Espallat	Hudson
Carl	Evans	Huffman
Carson	Fallon	Huizenga
Carter (GA)	Feenstra	Issa
Carter (LA)	Ferguson	Jackson Lee
Carter (TX)	Fischbach	Jacobs (CA)
Cartwright	Fitzgerald	Jacobs (NY)
Case	Fitzpatrick	Jayapal
Casten	Fleischmann	Jeffries
Castor (FL)	Fletcher	Johnson (GA)
Castro (TX)	Flores	Johnson (LA)
Cawthorn	Foster	Johnson (OH)
Chabot	Fox	Johnson (SD)

Johnson (TX)	Moore (UT)	Sherman
Jones	Moore (WI)	Sherrill
Joyce (OH)	Morelle	Simpson
Kahele	Moulton	Sires
Kaptur	Mrvan	Slotkin
Katko	Mullin	Smith (MO)
Keating	Murphy (FL)	Smith (NJ)
Keller	Murphy (NC)	Smith (WA)
Kelly (IL)	Nadler	Smucker
Kelly (MS)	Napolitano	Soto
Kelly (PA)	Neal	Spanberger
Khanna	Neguse	Spartz
Kildee	Newhouse	Speier
Kilmer	Newman	Stansbury
Kim (CA)	Norcross	Stanton
Kim (NJ)	O'Halleran	Staubert
Kind	Oberholte	Steel
Kirkpatrick	Ocasio-Cortez	Stefanik
Krishnamoorthi	Omar	Steil
Kuster	Owens	Stevens
Kustoff	Palazzo	Stewart
LaHood	Pallone	Strickland
Lamb	Palmer	Suozzi
Lamborn	Panetta	Swalwell
Langevin	Pappas	Takano
Larsen (WA)	Pascrell	Taylor
Larson (CT)	Payne	Tenney
LaTurner	Pence	Thompson (CA)
Lawrence	Perlmutter	Thompson (MS)
Lawson (FL)	Peters	Thompson (PA)
Lee (CA)	Pfingler	Timmons
Lee (NV)	Phillips	Titus
Leger Fernandez	Pingree	Tlaib
Letlow	Pocan	Tonko
Levin (CA)	Porter	Torres (CA)
Levin (MI)	Pressley	Torres (NY)
Lieu	Price (NC)	Trahan
Lofgren	Quigley	Trone
Long	Raskin	Turner
Loudermilk	Reschenthaler	Underwood
Lowenthal	Rice (NY)	Upton
Luetkemeyer	Rodgers (WA)	Valadao
Luria	Rogers (AL)	Van Drew
Lynch	Rogers (KY)	Van Duyn
Mace	Rose	Vargas
Malinowski	Ross	Veasey
Malliotakis	Roybal-Allard	Velazquez
Maloney,	Ruiz	Wagner
Carolyn B.	Ruppersberger	Walorski
Maloney, Sean	Rush	Waltz
Manning	Rutherford	Wasserman
Mast	Ryan	Schultz
Matsui	Salazar	Waters
McBath	Sánchez	Watson Coleman
McCaul	Sarbanes	Webster (FL)
McCollum	Scalise	Welch
McEachin	Scanlon	Wenstrup
McGovern	Schakowsky	Westerman
McHenry	Schiff	Wexton
McNerney	Schneider	Wild
Meeks	Schrader	Williams (GA)
Meijer	Schrier	Williams (TX)
Meng	Schweikert	Wilson (FL)
Meuser	Scott (VA)	Wilson (SC)
Mfume	Scott, Austin	Wittman
Miller-Meeks	Scott, David	Womack
Mooney	Sessions	Zeldin
Moore (AL)	Sewell	

NAYS—45

Allen	Gosar	Miller (IL)
Biggs	Grothman	Moolenaar
Bishop (NC)	Harris	Nehls
Boebert	Hice (GA)	Norman
Buck	Jackson	Perry
Budd	Jordan	Posey
Burgess	Joyce (PA)	Rice (SC)
Cline	LaMalfa	Rosendale
Cloud	Latta	Rouzer
Clyde	Lesko	Roy
Davidson	Mann	Smith (NE)
Estes	Massie	Steube
Flood	McCarthy	Tiffany
Good (VA)	McClain	Walberg
Gooden (TX)	McClintock	Weber (TX)

NOT VOTING—8

Burchett
Doyle, Michael
F.

□ 1818

Messrs. BURGESS and WEBER of Texas changed their votes from “yea” to “nay.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Barragán	Foster	Pascrell
(Correa)	(Spanberger)	(Pallone)
Bowman	Garcia (IL)	Pingree (Kuster)
(Neguse)	(Takano)	Porter (Neguse)
Boyle, Brendan	Gohmert (Weber	Reschenthaler
F. (Beyer)	(TX))	(Keller)
Brown (MD)	Gosar (Weber	Rice (SC)
(Evans)	(TX))	(Meijer)
Carter (TX)	Grijalva (Correa)	Salazar (Waltz)
(Weber (TX))	Houlahan	Sherrill
Castro (TX)	(Spanberger)	(Pallone)
(Correa)	Kahele (Correa)	Sires (Pallone)
Cawthorn	Kirkpatrick	Smucker (Keller)
(Greene (GA))	(Pallone)	Taylor
Connolly (Beyer)	Lawson (FL)	(McHenry)
Crist	(Evans)	Thompson (MS)
(Wasserman	Leger Fernandez	(Bishop (GA))
Schultz)	(Correa)	Walorski
DeFazio	Meng (Kuster)	(Fischbach)
(Pallone)	Mfume (Evans)	Williams (GA)
Demings (Kelly	Moore (WI)	(Neguse)
(IL))	(Beyer)	Wilson (FL)
Escobar (Garcia	Newman (Beyer)	(Evans)
(TX))		Wilson (SC)
		(Norman)

ADVANCING HUMAN RIGHTS-CENTERED INTERNATIONAL CONSERVATION ACT OF 2022

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 7025) to prohibit the Director of the United States Fish and Wildlife Service from funding entities that commit, fund, or support gross violations of internationally recognized human rights, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. HUFFMAN) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 379, nays 43, not voting 8, as follows:

[Roll No. 377]

YEAS—379

Adams	Bourdeaux	Castro (TX)
Aderholt	Bowman	Cawthorn
Aguilar	Boyle, Brendan	Chabot
Allred	F.	Cheney
Amodei	Brady	Cherfilus-
Arrington	Brown (MD)	McCormick
Auchincloss	Brown (OH)	Chu
Axne	Brownley	Cicilline
Bacon	Buchanan	Clark (MA)
Baird	Bucshon	Clarke (NY)
Balderson	Burgess	Cleaver
Banks	Bush	Clyburn
Barr	Bustos	Cohen
Barragán	Butterfield	Cole
Bass	Calvert	Comer
Beatty	Cammack	Connolly
Bentz	Carbajal	Conway
Bera	Cárdenas	Cooper
Bergman	Carey	Correa
Beyer	Carl	Costa
Bice (OK)	Carson	Courtney
Biggs	Carter (GA)	Craig
Bilirakis	Carter (LA)	Crawford
Bishop (GA)	Carter (TX)	Crenshaw
Blumenauer	Cartwright	Crist
Blunt Rochester	Case	Crow
Bonamici	Casten	Cuellar
Bost	Castor (FL)	Curtis

Davidson	Katko	Porter	Williams (TX)	Wilson (SC)	Womack	Bass	Fallon	Langevin
Davis, Danny K.	Keating	Pressley	Wilson (FL)	Wittman	Zeldin	Beatty	Feenstra	Larsen (WA)
Davis, Rodney	Kelly (IL)	Price (NC)				Bentz	Ferguson	Larson (CT)
Dean	Kelly (MS)	Quigley		NAYS—43		Bera	Fischbach	Latta
DeFazio	Kelly (PA)	Raskin	Allen	Good (VA)	Mooney	Bergman	Fitzgerald	LaTurner
DeGette	Khanna	Reschenthaler	Armstrong	Gooden (TX)	Moore (AL)	Beyer	Fitzpatrick	Lawrence
Kildee	Kilmer	Rice (NY)	Babin	Gosar	Nehls	Bice (OK)	Fleischmann	Lawson (FL)
DeLauro	Kim (CA)	Rice (SC)	Bishop (NC)	Greene (GA)	Norman	Bilirakis	Fletcher	Lee (CA)
DelBene	Kim (NJ)	Rodgers (WA)	Boebert	Harris	Perry	Bishop (GA)	Flood	Lee (NV)
Demings	Kind	Rogers (AL)	Brooks	Hice (GA)	Posey	Bishop (NC)	Flores	Leger Fernandez
DeSaulnier	Kirkpatrick	Rogers (KY)	Buck	Higgins (LA)	Rose	Blumenauer	Foster	Lesko
DesJarlais	Krishnamoorthi	Ross	Budd	Jordan	Rosendale	Blunt Rochester	Fox	Letlow
Deutch	Kuster	Rouzer	Cline	Joyce (PA)	Roy	Bonamici	Frankel, Lois	Levin (CA)
Diaz-Balart	Kustoff	Roybal-Allard	Cloud	Keller	Steube	Bost	Franklin, C.	Levin (MI)
Dingell	LaHood	Ruppersberger	Clyde	Mann	Tiffany	Bourdeaux	Lieu	Lieu
Doggett	LaMalfa	Rush	Ellzey	Massie	Weber (TX)	Bowman	Fulcher	Lofgren
Donalds	Lamb	Rutherford	Estes	McClain	Webster (FL)	Boyle, Brendan	Gaetz	Long
Duncan	Lamborn	Ryan	Gaetz	Miller (IL)		F.	Gallagher	Loudermilk
Dunn	Langevin	Salazar	Gohmert	Moolenaar		Brady	Gallego	Lowenthal
Emmer	Larsen (WA)	Sánchez				Brown (MD)	Garamendi	Luetkemeyer
Escobar	Larson (CT)	Sarbanes	Burchett	Hartzler	McKinley	Brown (OH)	Garbarino	Luria
Eshoo	Latta	Scalise	Doyle, Michael	Kinzinger	Miller (WV)	Brownley	Garcia (CA)	Malinowski
Españillat	LaTurner	Scanlon	F.	Lucas	Yarmuth	Buchanan	Garcia (IL)	Malliotakis
Evans	Lawrence	Schakowsky				Buck	Garcia (TX)	Maloney,
Fallon	Lawson (FL)	Schiff				Bucshon	Gibbs	Carolyn B.
Feenstra	Lee (CA)	Schneider				Budd	Gimenez	Maloney, Sean
Ferguson	Lee (NV)	Schrader				Burgess	Gohmert	Mann
Fischbach	Lee (NV)	Schrier				Bush	Golden	Manning
Fitzgerald	Leger Fernandez	Schweikert				Bustos	Gomez	Mast
Fitzpatrick	Lesko	Scott (VA)				Butterfield	Gonzales, Tony	Matsui
Fleischmann	Letlow	Scott (CA)				Calvert	Gonzalez (OH)	McBath
Fletcher	Levin (CA)	Scott, Austin				Cammack	Gonzalez,	McCarthy
Flood	Levin (MI)	Scott, David				Carbajal	Vicente	McCaul
Flores	Lieu	Sessions				Cárdenas	Gosar	McClain
Foster	Lofgren	Sewell				Carey	Gottheimer	McClintock
Fox	Long	Sherman				Carl	Granger	McCollum
Frankel, Lois	Loudermilk	Sherrill				Carson	Graves (LA)	McEachin
Franklin, C.	Lowenthal	Simpson				Carter (GA)	Graves (MO)	McGovern
Scott	Luetkemeyer	Sires				Carter (LA)	Green (TN)	McHenry
Fulcher	Luria	Slotkin				Carter (TX)	Green, Al (TX)	McNerney
Gallagher	Lynch	Smith (MO)				Cartwright	Griffith	Meeks
Gallego	Mace	Smith (NE)				Case	Grijalva	Meijer
Garamendi	Malinowski	Smith (NJ)				Casten	Guest	Meng
Garbarino	Malliotakis	Smith (WA)				Castro (TX)	Guthrie	Meuser
Garcia (CA)	Maloney,	Smucker				Cawthorn	Harder (CA)	Mfume
Garcia (IL)	Carolyn B.	Soto				Chabot	Harshbarger	Miller-Meeks
Garcia (TX)	Maloney, Sean	Spanberger				Cheney	Hayes	Moolenaar
Gibbs	Manning	Spartz				Cherfilus-	Hern	Mooney
Gimenez	Matsui	Speier				McCormick	Herrell	Moore (AL)
Golden	McBath	Stansbury				Chu	Herrera Beutler	Moore (UT)
Gomez	McCarthy	Stanton				Cicilline	Higgins (LA)	Moore (WI)
Gonzales, Tony	McCaul	Stauber				Clark (MA)	Higgins (NY)	Morelle
Gonzalez (OH)	McClintock	Steel				Clarke (NY)	Hill	Moulton
Gonzalez,	McCollum	Stefanik				Cleaver	Himes	Mrvan
Vicente	McEachin	Steil				Cline	Hinson	Mullin
Gottheimer	McGovern	Stevens				Clyburn	Hollingsworth	Murphy (FL)
Granger	McHenry	Stewart				Clyde	Horsford	Nadler
Graves (LA)	McNerney	Strickland				Cohen	Houlahan	Napolitano
Graves (MO)	Meeks	Suozi				Cole	Hoyer	Neal
Green (TN)	Meijer	Swalwell				Comer	Hudson	Neguse
Green, Al (TX)	Meng	Takano				Connolly	Huffman	Nehls
Griffith	Meuser	Taylor				Conway	Huizenga	Newhouse
Grijalva	Mfume	Tenney				Cooper	Issa	Newman
Grothman	Miller-Meeks	Thompson (CA)				Correa	Jackson Lee	Norcross
Guest	Moore (UT)	Thompson (MS)				Costa	Jacobs (CA)	O'Halleran
Guthrie	Moore (WI)	Thompson (PA)				Courtney	Jacobs (NY)	Oberholte
Harder (CA)	Morelle	Timmons				Craig	Jayapal	Ocasio-Cortez
Harshbarger	Moulton	Titus				Crawford	Jeffries	Omar
Hayes	Mrvan	Tlaib				Crenshaw	Johnson (GA)	Owens
Hern	Mullin	Tonko				Crist	Johnson (LA)	Palazzo
Herrell	Murphy (FL)	Torres (CA)				Crow	Johnson (OH)	Pallone
Herrera Beutler	Murphy (NC)	Torres (NY)				Cuellar	Johnson (SD)	Palmer
Higgins (NY)	Nadler	Trahan				Curtis	Johnson (TX)	Panetta
Hill	Napolitano	Trone				Davids (KS)	Jones	Pappas
Himes	Neal	Turner				Davidson	Jordan	Pascrell
Hinson	Neguse	Underwood				Davis, Danny K.	Joyce (OH)	Payne
Hollingsworth	Newhouse	Upton				Davis, Rodney	Joyce (PA)	Pence
Horsford	Newman	Valadao				Dean	Kahele	Perlmutter
Houlahan	Norcross	Van Drew				DeFazio	Kaptur	Peters
Hoyer	O'Halleran	Van Dyne				DeGette	Katko	Pfluger
Hudson	Obernolte	Vargas				DeLauro	Keating	Phillips
Huffman	Ocasio-Cortez	Veasey				DelBene	Keller	Pingree
Huizenga	Omar	Velázquez				Demings	Kelly (IL)	Pocan
Issa	Owens	Wagner				DeSaulnier	Kelly (MS)	Porter
Jackson	Palazzo	Walberg				DesJarlais	Kelly (PA)	Posey
Jackson Lee	Pallone	Walorski				Deutch	Khanna	Pressley
Jacobs (CA)	Palmer	Waltz				Diaz-Balart	Kildee	Price (NC)
Jacobs (NY)	Panetta	Wasserman				Dingell	Kilmer	Quigley
Jayapal	Pappas	Schultz				Doggett	Kim (CA)	Raskin
Jeffries	Pascrell	Waters				Doggett	Kim (NJ)	Reschenthaler
Johnson (GA)	Payne	Welch				Donalds	Kind	Rice (NY)
Johnson (LA)	Pence	Westerman				Duncan	Kirkpatrick	Rice (SC)
Johnson (OH)	Perlmutter	Wenstrup				Dunn	Krishnamoorthi	Rodgers (WA)
Johnson (SD)	Peters	Westerman				Ellzey	Kuster	Rogers (AL)
Johnson (TX)	Pfluger	Wexton				Emmer	Kustoff	Rogers (KY)
Jones	Phillips	Wild				Escobar	LaHood	Rose
Joyce (OH)	Pingree	Williams (GA)				Eshoo	LaMalfa	Ross
Kahele	Pocan					Españillat	Lamb	Rouzer
Kaptur						Estes	Lamborn	Roybal-Allard
						Evans		

NOT VOTING—8

□ 1826

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Barragán (Correa)	García (IL) (Takano)	Porter (Neguse)
Boyle, Brendan	Gohmert (Weber (TX))	Reschenthaler (Keller)
F. (Beyer)	(TX)	Rice (SC)
Brown (MD)	Gosar (Weber (TX))	(Meijer)
(Evans)	Salazar (Waltz)	
Carter (TX)	Grijalva (Correa)	Sherrill
(Weber (TX))	Houlahan	(Pallone)
Castro (TX)	(Spanberger)	Sires (Pallone)
(Correa)	Kahele (Correa)	Smucker (Keller)
Cawthorn	Kirkpatrick	Taylor
(Greene (GA))	(Pallone)	(McHenry)
Connolly (Beyer)	Lawson (FL)	Thompson (MS)
Crist	(Evans)	(Bishop (GA))
(Wasserman)	Leger Fernandez	Walorski
Schultz	(Correa)	(Fischbach)
DeFazio	Meng (Kuster)	Williams (GA)
(Pallone)	Mfume (Evans)	(Neguse)
Demings (Kelly (IL))	Moore (WI)	Wilson (FL)
(Beyer)	(Beyer)	(Evans)
Escobar (Garcia (TX))	Newman (Beyer)	Wilson (SC)
(TX)	Pascrell	(Norman)
Foster	(Pallone)	
(Spanberger)	Pingree (Kuster)	

□ 1830

NATIONAL PARK FOUNDATION REAUTHORIZATION ACT OF 2022

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 7693) to amend title 54, United States Code, to reauthorize the National Park Foundation, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. HUFFMAN) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 397, nays 22, not voting 11, as follows:

[Roll No. 378]

YEAS—397

Adams	Armstrong	Baird
Aderholt	Auchincloss	Balderson
Aguiar	Axne	Banks
Alfred	Babin	Barr
Amodei	Bacon	Barragán

Ruiz	Soto	Underwood
Ruppersberger	Spanberger	Upton
Rush	Spartz	Valadao
Rutherford	Speier	Van Drew
Ryan	Stansbury	Van Duyn
Salazar	Stanton	Vargas
Sánchez	Stauber	Veasey
Sarbanes	Steel	Velázquez
Scalise	Stefanik	Wagner
Scanlon	Steube	Walberg
Schakowsky	Stevens	Walorski
Schiff	Stewart	Waltz
Schneider	Strickland	Wasserman
Schrader	Suozzi	Schultz
Schrier	Swalwell	Waters
Schweikert	Scott (VA)	Watson Coleman
Scott (VA)	Takano	Weber (TX)
Scott, Austin	Tenney	Webster (FL)
Scott, David	Thompson (CA)	Wenstrup
Sessions	Thompson (MS)	Westerman
Sewell	Thompson (PA)	Wexton
Sherman	Tiffany	Wild
Sherrill	Timmons	Williams (GA)
Simpson	Titus	Williams (TX)
Sires	Tlaib	Wilson (FL)
Slotkin	Tonko	Wilson (SC)
Smith (MO)	Torres (CA)	Wittman
Smith (NE)	Torres (NY)	Womack
Smith (NJ)	Trahan	Zeldin
Smith (WA)	Trone	
Smucker	Turner	

NAYS—22

Allen	Greene (GA)	Murphy (NC)
Arrington	Grothman	Norman
Biggs	Harris	Perry
Boebert	Hice (GA)	Rosendale
Brooks	Jackson	Roy
Cloud	Mace	Taylor
Good (VA)	Massie	
Gooden (TX)	Miller (IL)	

NOT VOTING—11

Burchett	Hartzler	McKinley
Castor (FL)	Kinzinger	Miller (WV)
Doyle, Michael	Lucas	Welch
F.	Lynch	Yarmuth

□ 1835

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Barragán	Garcia (IL)	Porter (Neguse)
(Correa)	(Takano)	Reschenthaler
Boyle, Brendan	Gohmert (Weber	(Keller)
F. (Beyer)	(TX))	Rice (SC)
Brown (MD)	Gosar (Weber	(Meijer)
(Evans)	(TX))	Salazar (Waltz)
Carter (TX)	Grijalva (Correa)	Sherrill
(Weber (TX))	Houlihan	(Pallone)
Castro (TX)	(Spanberger)	Sires (Pallone)
(Correa)	Kahele (Correa)	Smucker (Keller)
Cawthorn	Kirkpatrick	Taylor
(Greene (GA))	(Pallone)	(McHenry)
Connolly (Beyer)	Lawson (FL)	Thompson (MS)
Crist	(Evans)	(Bishop (GA))
(Wasserman	Leger Fernandez	Walorski
Schultz)	(Correa)	(Fischbach)
DeFazio	Meng (Kuster)	Williams (GA)
(Pallone)	Mfume (Evans)	(Neguse)
Demings (Kelly	Moore (WI)	Wilson (FL)
(IL))	(Beyer)	(Evans)
Escobar (Garcia	Newman (Beyer)	Wilson (SC)
(TX))	Pascrell	(Norman)
Foster	(Pallone)	
(Spanberger)	Pingree (Kuster)	

STRENGTHENING THE ABRAHAM ACCORDS

(Mr. AUCHINCLOSS asked and was given permission to address the House for 1 minute.)

Mr. AUCHINCLOSS. Mr. Speaker, I rise in support of the Biden administration's efforts to expand and strengthen the Abraham Accords.

When I met with Israeli political and military leaders last month, they emphasized the importance of regional defense and deterrence against Iran's malign activities.

That is why President Biden's reaffirmation of the United States' commitment to Israel's security during his recent trip to the region is so important. Our alliance with Israel is built on shared values and shared interests, which includes strengthening regional security and economic opportunity.

Saudi Arabia's decision to open its airspace to civilian flights to and from Israel is a significant step toward regional integration and diplomatic normalization. This important step, thanks to President Biden's diplomatic efforts, lays the groundwork for additional economic, political, and security ties between these two countries.

I commend President Biden for his success in building on the Abraham Accords, and I look forward to working with the administration to further deepen regional partnerships that benefit Israel's security.

THANKING CYREIA SANDLIN

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize and to thank Cyreia Sandlin, a reporter, for her decade of service to the greater Savannah area.

Cyreia first arrived in Savannah in 2011 after graduating from the University of Missouri School of Broadcast Journalism earlier that year. Since then, Cyreia has dedicated herself to keeping the people of Savannah informed and educated, serving as an anchor on Savannah's most popular morning news show.

Additionally, her focus on community news has helped the area's growing population maintain its small-town kinship.

Cyreia has also helped her community outside of the newsroom. She has served as the president of the Telfair Museums' William Jay Society, sat on the board of the Frank Callen Boys & Girls Club, and volunteered at the Children's Hospital at Memorial Health.

A dedicated voice in her community, Cyreia Sandlin has provided the people of Savannah with a reliable source for news and information for over a decade. I thank her for all that she has given, and I wish her the best of luck in her new position.

WOMEN VETERANS TASK FORCE REAUTHORIZED

(Ms. BROWNLEY asked and was given permission to address the House for 1 minute.)

Ms. BROWNLEY. Mr. Speaker, I am so very proud to announce that the House Committee on Veterans' Affairs once again authorized the Women Vet-

erans Task Force, which has been instrumental in helping Congress develop and pass impactful legislation that is greatly improving the lives of women veterans across the country.

Since its establishment in 2019, the task force has built a powerful women veterans outreach network through convening bipartisan meetings with community advocates, veterans service organizations, stakeholders, and individual veterans.

The Deborah Sampson Act, the task force's signature achievement and one of the most comprehensive pieces of legislation for women veterans in our history, is the result of this direct insight.

The authorization of the task force will further advance our mission to increase the visibility of women veterans and promote inclusivity and true equity for the 2 million women who have served our Nation in uniform.

As chair of the Women Veterans Task Force, I am proud to continue our work to recognize the service and sacrifice of America's women veterans.

CONGRATULATING JEFFERSON-CLARION HEAD START

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to celebrate 40 years of the Jefferson-Clarion Head Start program.

Since its inception more than 50 years ago, Head Start has improved the lives of more than 32 million children and their families. Head Start gives every child, regardless of circumstances at birth, a chance to succeed in school and in life.

When Head Start was first launched in 1965, the idea of providing comprehensive health, nutrition, and education services to children living in poverty was groundbreaking.

Jefferson-Clarion Head Start is no exception. For 40 years they have provided families and children of all ages with comprehensive education and health services to income-eligible children to ensure that they will be healthier and better prepared for success in school and life.

Currently Jefferson and Clarion County serves approximately 300 children each year across 10 towns and two counties.

Mr. Speaker, Head Start takes a comprehensive approach to meeting the needs of young children. They focus on the whole child and the whole family.

Congratulations to all who work and participate with Jefferson-Clarion Head Start. Your work is vital to our community. Thank you for going above and beyond every day to make sure our children get the education they need to prepare for their futures.

□ 1845

LGBTQ+ RIGHTS ARE UNDER
ATTACK

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, between Florida's "don't say gay or trans" legislation and Alabama's ban on gender-affirming care for transgender youth, LGBTQ+ rights in this country are under attack.

Unfortunately, these attacks are not just limited to the States. Just 25 days ago, a rightwing majority overturned *Roe v. Wade* and indicated that contraception and marriage equality are likely next.

That is why I was so pleased that the House passed the Respect for Marriage Act today, which would repeal the discriminatory Defense of Marriage Act and ensure that marriage equality is protected across our country.

I have always been a strong supporter of LGBTQ+ rights. In 1986, I introduced the first domestic partnership legislation in New York State history while I was on the city council. We need to do everything we can to protect these fundamental rights.

WE WILL NOT GO BACK

(Ms. STANSBURY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. STANSBURY. Mr. Speaker, it is hard to believe that in the year 2022, I rise to defend the right to access contraception. That is right, contraception.

Why? Because we have a renegade Supreme Court that has overturned a half century of settled law, stripping away our fundamental reproductive rights, and made it clear that they plan to not stop there.

In fact, Justice Thomas' concurring opinion in *Dobbs* makes it clear that the Supreme Court has its sights on overturning longstanding precedents that guarantee the right to access contraception and protect the right to same-sex marriage, which we just voted on.

These are basic human rights: the right to marry, the right to love who you love, the right to control your own body, the right to control your own health, the right to control your own family decisions, and your right to protect your own privacy.

Let me say it loud, and let me say it clear: We will not go back.

My great-grandmother was born in this country before she had the right to vote. My mother was a machine operator and entrepreneur. I stand here today as your Congresswoman and your committed Congresswoman to say we will not go back. These are our bodies, our rights, and we will continue to fight to protect them.

BOLSTERING EFFORTS TO BRING
HOSTAGES AND WRONGFULLY
DETAINED UNITED STATES NA-
TIONALS HOME—MESSAGE FROM
THE PRESIDENT OF THE UNITED
STATES (H. DOC. NO. 117-132)

The SPEAKER pro tempore (Mr. AUCHINCLOSS) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), I hereby report that I have issued an Executive Order declaring a national emergency with respect to hostage-taking and the wrongful detention of United States nationals.

Hostage-taking and the wrongful detention of United States nationals are heinous acts that undermine the rule of law. Terrorist organizations, criminal groups, and other malicious actors who take hostages for financial, political, or other gain—as well as foreign states that engage in the practice of wrongful detention, including for political leverage or to seek concessions from the United States—threaten the integrity of the international political system and the safety of United States nationals and other persons abroad. I have determined that hostage-taking and the wrongful detention of United States nationals abroad constitute an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States.

I am enclosing a copy of the Executive Order I have issued.

JOSEPH R. BIDEN, Jr.
THE WHITE HOUSE, July 19, 2022.

ELIMINATING FEDERAL EXCISE
TAX ON FIREARMS AND AMMU-
NITION

(Mr. CLYDE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLYDE. Mr. Speaker, several weeks ago, I introduced my landmark legislation, the RETURN our Constitutional Rights Act, which eliminates the Federal excise tax on firearms and ammunition because no American should be taxed on their enumerated constitutional rights.

Since this unconstitutional tax funds Pittman-Robertson conservation programs, my legislation replaces this revenue stream with a more stable source of funding by redirecting unallocated lease revenue generated by onshore and offshore energy development on Federal lands. Replacing this revenue is crucial to ensure Pittman-Robertson programs stay alive and well.

While the firearm tax revenue fluctuates annually based on firearms sales, it is also subject to the left's rad-

ical gun control agenda. You see, if we allow anti-Second Amendment lawmakers to achieve their dangerous dream of an unarmed America, there will be no firearms sold, so Pittman-Robertson funding will cease to exist, threatening wildlife conservation programs.

Therefore, the RETURN Act accomplishes both protecting Americans' Second Amendment rights and preserving Pittman-Robertson programs. We can and must do both.

HEALTHCARE SPENDING DRIVES
OUR DEBT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2021, the gentleman from Arizona (Mr. SCHWEIKERT) is recognized for 60 minutes as the designee of the minority leader.

Mr. SCHWEIKERT. Mr. Speaker, I have been coming behind this mike every week when we are here, sometimes for half an hour or an hour, and I have been basically taking the bark off our brothers and sisters on the left because of my belief that so much of the policy here hurts people.

I have shown over and over the working poor are getting poorer, the poor are getting poorer, the middle class—I mean, last week, I had charts here that showed that, in my Phoenix-Scottsdale area, we have the highest inflation in the continental United States. You get to work a month-and-a-half for free just because of the change in our inflation index. Even when you plug in any salary growth we have had in our marketplace, you are functionally donating over a month of labor that you get no purchasing power for, no compensation. That is inflation.

I have tried in those previous speeches to turn to my brothers and sisters in the majority, the Democrat side, and say: Hey, here are some things we could do policy-wise to take on inflation. Inflation is not just a monetary issue; it is also things we can do on policy, the fiscal side.

I thought I would go to crazy town for a moment and show some things that are optimistic. The fact of the matter is that a lot of them aren't necessarily right or left. They are just technology adoption.

We have to stop doing the dumb—sorry, I think it is a break in decorum if I curse on the floor, so you can just fill in the blank there—but the virtue signaling, like we just did a half hour ago on the floor. It is theater.

I understand the polling numbers are miserable for my brothers and sisters on the left, so they are going to throw out every virtue signaling vote, whether it is actually legal or mechanically sensible or even has any place in reality. So let's go to what is really going on and some things that would be good that we could do together.

First off, we need to understand the scale of how much trouble we are in. This slide is almost a year old, but the

fact of the matter is that we are in a world right now where your government is an insurance company with an army. It is a way to think about it. We are an insurance company with an army.

Then you start to understand, over the next 30 years, Medicare and Social Security are 100 percent of future debt. That future debt, from last year's CBO number, is \$112 trillion in today's value. If you add in inflation, our calculations are now blowing through \$120 trillion of borrowed money.

Now, the fact of the matter is, almost every model says we can never get there; we blow up long before that. But you have to understand, mandatory—that is Social Security and Medicare and other things that we have made that are formula. Over here is the defense, and over here are other domestic programs. Only about 13—actually, I think this coming year it may be less of everything we spend is really—it is FBI. It is environment. It is research. It is this tiny sliver down here.

The reality is, what is driving that mandatory monster that is consuming everything? It is Medicare. About three-quarters of all the spending, about three-quarters of all the debt that is coming, is Medicare. The vast majority of Medicare comes out of the general fund. It is healthcare costs.

The brain trust around here—we will do things like the ACA, ObamaCare, the Republican alternative, Medicare for All. They are all financing bills. We play games around here. It is about who gets subsidized, who has to pay.

A number of the boards that I am going to show today are about healthcare disruption to change not who pays but what we pay.

There is a reason you don't go back to Blockbuster video anymore. There was a technology revolution where you no longer go wait in line at the local strip mall, get a little silver disc, and take it home. Half the time, three-quarters of the time, you couldn't get the silver disc you wanted because somebody else already had it.

Today, you go home and hit a button, and you have dozens of streaming services. That is a technology disruption. If Blockbuster video had hired enough lobbyists, this place would have slowed down the internet to make sure Netflix couldn't exist.

You need to think about what goes on here. Let's start to walk through and understand how much trouble we really are in.

This board is a year or 2 old. You start to add in. When you do Social Security and healthcare entitlements, it is this line. The rest of the budget is actually in decline or flat. Defense is down here. You can wipe out every dime of defense, and you can't keep up with the growth of the debt being caused by Social Security and Medicare.

That is not Republican or Democrat. We got old as a society. Does anyone ever hear about baby boomers? This

place basically didn't figure out baby boomers existed until the last couple of years.

It is demographics, and it is happening all over the industrialized world. When you look at our numbers—and we are working on this right now in our office—of what has happened the last couple of years, sort of the post-COVID baby bust—remember, last year was the lowest fertility rate in U.S. history. The math is getting really ugly.

I am the ranking Republican over Social Security, and we had the Social Security actuary report come out a couple of weeks ago, saying: Hey, we added a whole year. We now have 11, 12 years before Social Security runs out of cash, and we just live on the revenues.

But they missed inflation. They also screwed up, I believe, on the fertility rates, population growth.

Let's start to walk through it. If healthcare costs are the primary driver of U.S. sovereign debt, what can you and I do? What could this place do? Some of this stuff will not work, but, damn it, we need to try.

We do enough virtue signaling here where we say pretty words, and then we walk off the floor and say: Well, that is never going to actually happen, but, damn it, it is a great campaign ad.

Maybe it is time we start to try to do some of the things that are really difficult.

Some basic math—first, come down to this line. Thirty-three percent of all healthcare spending is associated with diabetes. That is type 2 and some type 1, but mostly type 2, 33 percent of all healthcare spending and 31 percent of all Medicare spending. Why wouldn't you absolutely fixate?

Look, we won't call it Operation Warp Speed because that had something to do with Donald Trump, and the left despises him, so give it any damn name you want.

But come on, people. If I came to you and said 33 percent of all of our healthcare spending and 31 percent of all Medicare spending is diabetes and Medicare is the primary driver of U.S. sovereign debt, can't we hold hands together and jump and say we are going to throw everything we have at this because we know there has been a breakthrough?

Now, it is only like a half dozen people who have been cured of type 1 diabetes, and we don't have any long-term data on it, but it is optimism.

First, I want to go over my frustration. You will see this as a policy split on the way the brains around here work differently between my brothers and sisters on the left and those of us on the right.

A few weeks ago, this place committed to give, I think it was \$36 billion—might be 38—but I think I remember \$36 billion of cash subsidies to Big Pharma, which they were railing against, saying they are charging too much for insulin.

□ 1900

And the way we are going to stop these crazy insulin prices is, we are going to give a bunch of cash to the very people we think are charging too much.

Does anyone see the absurdity?

Instead of creating, Hey, we are going to incentivize competition. We are going to put more people in the marketplace. We are going to make the systems work—no, because the left is addicted to handing out cash.

Well, it turns out at the same time they are doing that, not too far from here, in Virginia, there is functionally a co-op that had been put together years ago that is in construction right now that is going to bring a number of generic insulins to market at less than the new subsidized price.

And the fact of the matter is, what the Democrats did a few weeks ago in trying to subsidize Big Pharma's insulin production, may have blown up some of the economics and the financing behind this.

Why wouldn't we have said, for a fraction of the money—say we are going to set aside some money. We are going to help these folks get their permitting, their reviews. We are going to actually put FDA reviewers on site as they are building so that the day the clean rooms are up and ready, it can be in production.

Add competition, not subsidies. And it exists.

And think about this: They are talking about \$55 for a whole box; \$30 per vial. That is cheaper than the legislation we passed a few weeks ago where we are handing out, what, \$36 billion in subsidies to Big Pharma.

You see the craziness around here. The virtue signaling was more important than actually something that made people's lives better, and actually added optionality and competition.

And this isn't a Republican or Democrat, this is a solution. But I guess there is a hell of a lot more power—maybe better fundraising opportunities—when you are handing \$36 billion to the very people you rail against and then—wink wink, nod nod—here is the cash. This place has actually become perverse.

So back to where I was going. I have talked about this over and over because it is one of my personal fixations. The discussion of an end to insulin, where there has actually been—and we saw the first academic article on this last December, and we try to track it, functionally, every week, we try to follow what is going on.

One of the trials that is actually in the FDA phase is on hold right now as they are doing some safety efficacy. But the fact of the matter is, we have a half-dozen Americans, who through a stem cell and now the newest ladle is they are taking it and apparently tagging it with a CRISPR mechanism, so the body doesn't see it as foreign. The elegance of that is that means that this mechanism works.

You can do a production line of these insulin-producing cells—the islet cells. I always get made fun of because I mispronounce that. But the ability to get someone's body to produce insulin again, why isn't there just excitement around here?

Remember, 33 percent of all healthcare spending is associated with diabetes. If there is a potential, just a potential, we can cure our brothers and sisters—and yes, it is going to cause all sorts of difficult decisions around here when you start dealing with type 2. I represent the population with the second highest per capita population of diabetes in the Nation. My Tribal communities, Salt River Pima-Maricopa, amazing community; smart, well run. And genetically, they are number two and their sister Tribe is number one, they are a population that has diabetes.

Next year, we are going to be doing the farm bill. Within that there will be nutrition support. One of the ways this place has always passed the farm subsidy bills and nutrition support is they merge them together.

How about if I came to you and said, Let's just have a really uncomfortable conversation instead of the EBT card—which is sort of the modern-day food stamp. If you have someone who wants to sign up for the program, saying to them, We are going to try to cure your body and get your body to make insulin again, but you have to do the nutrition program with us. And that may be 2 years of a food box showing up three times a day at your house, where it is microwavable; Lyft can drop it off.

But what is more elegant? From a society standpoint, what is kinder is, Here is an EBT card, go to Jack in the Box—I love the onion rings—and you can use the EBT card at Jack in the Box.

Is that really making society healthy? Better? Because we have also been doing some experiments in the Joint Economic Committee, just trying to do math. And starting to realize health—the fact that you have a household member who has severe diabetes that may be heading to get a foot cut off is a component in income inequality. I thought that was the holy grail to my brothers and sisters on the left. Let's try to make our brothers and sisters healthier.

And the fact of the matter is, if there is something going on out there in the literature, why wouldn't we take some of the dollars we spend here, the things we put into pure theater, and say—this science is already in phase 1. Whether it be through tax incentives, whether it be through other types of incentives, how do we get this into the field? And then we, as a body, have to have really difficult discussions because you're not going to give someone stem cells to get their pancreas to start producing insulin again if they are still morbidly obese.

I mean, this is a big boy conversation—a big person conversation, know-

ing we are not allowed to use gender identity anymore.

But what is merciful? What would be great for the budget? What would be great for society? What would be great for productivity?

Because at the end of the speech, my hook is going to be inflation is killing our country. It is blowing up the future of young people. It is eating the savings of older people.

How do you get productivity back in the society? It is actually disruptions. It turns out if you can disrupt things like this, you have this virtuous circle. And how many times does this body even talk about doing big things that are actually really good for everyone.

And if it is true, you would think the majority here, who basically controls all the power, one of the first things they would have done is invited the researchers who had gotten together with CRISPR and the stem cell and brought them in here and said, Let's have a conversation.

How real is this? How far is it?

What resources, what incentives, what things could we do in the capital stack to get money to invest in it?

What could we do as a body?

Because if this is really 33 percent of all healthcare spending is associated with diabetes. Could you imagine? Even if it was a fraction of that population of our brothers and sisters, we are removed from the suffering.

I have pitched over and over and over to people with power in this body saying, Invite the researchers here. We need to understand this. And instead, over and over, my brothers and sisters on the left seem to say, no. We care more. We are going to build more diabetes clinics. We are going to build more community-based clinics.

And I am saying the disruption is the solution. Cure the damn disease. It is going to be hard. There will be things that will go wrong. There will be people who will call us names because we are trying to say, Well, we need to do the nutrition, and maybe some exercises, as we get ready to make this investment in you. But it is the moral thing to do for our society, and also economically really smart.

Let alone, also think of the economic expansion we get when we live in a society where we have so many of our brothers and sisters who can't participate in the economy because parts of their lives are miserable, their health issues. The cure is the solution. Patching people up is—it may be great virtue signaling but it is not that merciful.

So that is sort of the theme. I am going to walk through these boards.

Now, let's go through other things we could do as a society to disrupt.

So how many times have we all been here on the floor and we hear about the Build Back Better? Yes, we can spend more money and that would be good for inflation. And you sit there and scratch your head and say, My elementary school economics teacher was

wrong. But they are working on it in the Senate.

We are being told there is a pared back version coming. In that pared back version, would you believe there is a provision that you can't automate the ports in California? Huh?

You have to back up and think about this. So I have a White House—and some of my brothers and sisters here on the left, inflation isn't their fault. It is not the incredible amounts of spending; the trillions of dollars being handed out to people without any requirement for them to participate in the society or the economy. It is not their fault. It is supply chains. And one of the first things they really want to do is a piece of legislation that would restrict automating the ports. Huh?

There is a worker shortage. There is a technology shortage. We have ships parked, but the longshoremen write checks to Democrats so they will slow down—you can't have it both ways.

So the fact of the matter is, the language is there. I have had a number of people look at me and say, Oh, that can't be. No? That slipped in, and it is still over there in the Senate draft. This is absurd.

I will argue the disruption is the cure. So it is not only automating the ports, it is the second half.

There are some brilliant articles out there with some technology now that say that the rail spurs in the Port of Long Beach, the Port of Los Angeles—some of the others—and these are some former space engineers that have designed this—you take the container, you park it on the electric rail car, and you tell it where to go. And it just goes automatically to the spur, to drop it off, this and that.

Functionally, you go from an automated port to an automated travel delivery system. That is forward thinking. That is policy that is rule set that popped that productivity, popped the problems in the supply chain. Ta-da. You did something positive, and when you do that, you also take on inflation.

And instead, this body is trying to stop the very disruptions that would make our lives better. They are pandering to a group that writes them a check.

But it exists. I mean, there are fun articles about these automated freight train cars. And they are electric. You just, boom, put the container on it and tell it where to go.

Look, we have a demographic crisis. We have trouble with workers. We have all these things. The disruption is the solution. Do you see any attempt around here? Instead, we have debates here where we sound like it is still the 1990s.

So one of the other battles here is energy prices. And I have had an ongoing, reasonably friendly discussion with a Democrat who's from back East, who is a friend—and I will call him a friend: Oh, we have to stop hydrocarbon. Oh, natural gas isn't this clean. Oh, David, you don't understand.

Yes, natural gas when properly burned for energy, those things may be 40 to 50 percent cleaner than other fuel sources, but you have methane leakage.

Okay, I'll do that with you.

And we know the methane math on the latest calc is like 8.79 to 1 in its greenhouse effect if you do the math. But it also has—as we know, the new math has a much shorter half-life. That's why so many of the global warming models from a year or two ago are actually wrong because we are now recalculating methane.

But it turns out that some experiments have been going on the last two years of, functionally, a solution for capturing methane, particularly in oil and gas and pipelines. And I am going to be a little silly here because it is a dirt-cheap solution. It is clay. I think it's a copper-oxidized clay. It's like a sponge for methane.

Maybe it works, maybe it doesn't. But there are a couple good academic papers saying, Hey, you do realize we could functionally take kitty litter, pack it into wellheads, pack it into the pipe fittings, pack it into the other things, and it is a methane sponge.

Why wouldn't we take a run at this? Instead, the Malthusians around here that basically run this place, say, No, we are going to restrict ourselves because, oh, God, we can't have access to this.

No, the solution is in the disruption. I am just excited about this one because it is super cheap. It is not some of the grandiose, build a new regulatory body, build an inspection, build these huge tankers that sit on top of the wellheads and capture the methane. Turns out it could be functionally copper-oxidized kitty litter.

Does anyone around here read?

So I have had a proposal here, and for anyone who is bored out of their mind, go to Schweikert environmental crowdsourcing. There is a YouTube video I put together a couple years ago that basically said, look, we all walk around with these super computers in our pocket. What if I came to you tomorrow and said, Instead of the regulatory model we use right now to protect air quality and you can use those for water and other things, where functionally you fill out pieces of paper, you take them to your local regulatory body—your EPA, county air quality, whatever you have in your area—and they stick it in a file cabinet.

And everyone knows that file cabinets full of pieces of paper make the air quality better, right? No, it's documentation so one day someone can sue you.

□ 1915

What would happen if I came to you and said they exist today and they are not expensive. If you had a couple thousand people in your marketplace, a few thousand—something like Maricopa County, which is huge—had a little attachment on their phone and it does air quality samples?

You crowd source the problem. You no longer need people filling out pieces of paper for their permitting because if someone screws up, you catch them immediately. The elegance of this is the clowns that may be painting cars in their backyard behind your house, they are never getting a permit, they are never getting caught unless you had a crowd source model where the UPS driver, the soccer mom, everyone else is walking around with a little thing attached to their phone or a Bluetooth on their car or attached on the side.

The beauty of these things—they do PM10, they do volatile organics. There is even one out there, a little panel, that actually does radioactive, which there was a discussion of putting those on UPS vans.

The solutions are out there. Think of how different the world would be. I want to open up a motorcycle paint shop. I have to go get an engineer to stamp my air quality permit. I have to go get the scrubbers. I have to do this, do this, do this.

What if the solution is, hey, here are the things you have to do. You don't need a permit because the moment you screw up, we catch you that same day. It is a living. Do any of you use Waze when you go driving? It is a living crowd source model. These ideas exist out there.

In Detroit where they had the water issue. There is a little ring out there that is like \$39. If you put it under the sink, you would have caught it. You could have crowd-sourced the information and not gone through multibillion dollars of misery. The unwillingness of this place to understand what century we are in. If someone gets bored, take a look at that YouTube video, it sort of explains the concept.

For those of us in the West, this is a crazy one but it's worth thinking about. Maybe it works, maybe it doesn't. Desalinization. You know we know there is a number of desalinization plants along the coast of California. There are even some discussions of some in Mexico and other places and around the world, but there is always an issue of the brine. You have got to really spread the brine out, so you don't create intense areas.

Now, there are some researchers out there that are going, hey, that brine—did you know, there may be all sorts of really neat stuff in that. There may be rare earths. As the desalinization plant is mining potable water, we could be mining the brine for rare earths.

I am just begging the people around here—think—think a little more creatively because this place is absolutely dystopian anymore, and there are solutions out there. Is this Republican or Democrat?

I am sure someone will make a contribution to one side or the other and then immediately the other side will say, oh, that is a Republican idea. The fact of the matter is it is worth at least understanding.

It turns out, I have an absolute fascination with carbon capture. There is

actually a tax credit in those things that I am the lead author on that is out there in law and other things. The break-throughs—it turns out we are getting really good at this.

There is ambient where they are actually pulling in the air. There is point source. There is a power generation outside of Houston called an Allam cycle where they actually blow up the natural gas, and they don't heat up steam to throw the turbine, they use the actual gas from the burn. It has no smokestack; they capture every bit of it.

We are actually getting really good. And all over the world there are researchers spending time on this. There was even an amazing paper about 2 years ago, MIT came up with a nanotube electric-charged plate that goes on, off, on, off, but it actually crashed the cost of capturing—and they were doing it ambient. They were just blowing air across it, and it crashed the energy to do carbon capture.

Okay. So my brothers and sisters on the left say they are the ones that care about the environment. Okay. But we are the ones actually doing the policy that is practical that works, that we don't actually put ourselves back in the stone age, and options to grab the carbon.

There are multiple versions of this. This is actually—there is an actual facility, and I think this one may actually be in Canada—and, yes, it has Gates Foundation money and others. This is an active ambient capture. It apparently does amazing things. This technology is only a couple years old, and it is already out of date.

The technology is moving so fast. This isn't pie in the sky. This isn't theoretical—they exist. What could we do policy-wise other than me doing the 45 on the tax code to try to say, hey, we are going to give you a tax credit for carbon you have captured if you sequester it or put it in concrete or other things.

Are there things we could do?

This becomes a moment where those of us who believe the use of hydrocarbons is basically keeping a society prosperous. My brothers and sisters on the left that want to eliminate hydrocarbons—maybe there is a technology solution that brings us together. It is worth understanding and working on.

How many detailed hearings have we seen here where we brought in the engineers?

Not the talking heads, not the lobbyists. Not another idiot doing virtue signaling for us, but the actual engineers. You know, those types where you have to have a conversation where you own a calculator. This stuff exists.

There are other revolutions happening around us that are incredible opportunities—very scary, very wonderful. We are going to do the farm bill next year. I grabbed this article almost 2 years ago and we have been tracking it, and they have had some success. I

am going to geek out for a couple seconds. I will try to do this as quickly and lightly as I can.

Do you all remember your high school biology class—C4 plants, C3 plants. These plants actually need a carbon molecule to grow because they turned it into a sugar. But the dear Lord—there is actually this weird little glitch where sometimes the plant grabs an oxygen molecule, and it goes: Oh, I don't need this. And it spends its energy purging the oxygen molecule and going back trying to get a carbon.

What would happen if researchers—through a little synthetic biology—could tweak it so every time it grabbed the carbon?

Some of the researchers think for some plants that could be a 40—now, on some of the other articles I am reading it is down, in some others plants it might be in the 20s, 25, 28, there is a 30. Think about it.

If I had a crop that could grow 40 percent more efficiently—40 percent less land, 40 percent less fertilizer, 40 percent less water. The disruption to the world—you basically just fed the world for the next century.

Worldwide agriculture functionally produces 2.2 times more global greenhouse gases—I guess is the term the left uses—than every car on Earth—2.2 times more. So if I had a 40 percent improvement, just this synthetic biology on plants would be equal to removing every car off the face of the Earth.

Now, we all know the math is going to turn out that way—yes, there will be lots of people who resist it because they are scared of technology. Why wouldn't we have this part of our conversation if we care about—those of us that live in drought-prone areas—care about the environment and care about feeding the world.

This is the future. What is the chance anything like this will be part of the farm bill next year?

Pretty much zero because it is a disruption of technology, and this place basically has become a protection racket. We protect incumbents. Not incumbent Members of Congress, incumbent business models, incumbent associations, incumbent bureaucracies. We don't ask them to leap into the future. This is the future.

This one I use on occasion, it is fairly snarky, but I think it makes a point. How many care about plastic in the ocean? Oh, the hands go up. Here in D.C. I don't think we are allowed to use plastic straws because everyone knows D.C. plastic straws were critical to ocean-wide plastic except there is almost no plastic from North America in the ocean.

It turns out that 90 percent of the plastic in the ocean comes from 10 rivers—8 in Asia, 2 in Africa. Ninety percent of the plastic in the ocean comes from 10 rivers, 8 in Asia and 2 in Africa.

If you actually cared about plastic in the ocean, would you be writing your checks—or in this case, your credit card—to groups that go out and say, we

are going to go out and capture plastic. Great. Or wouldn't we adjust some of our technical foreign aid, our response in environmental aid? Saying, we are going to go to those 10 rivers, 8 in Asia and 2 in Africa, and we are going to do something like we are going to create a value for the plastic. All of a sudden, I have an economic solution. Instead of dumping it into the river, we are going to collect it.

See, this is an actual solution. The problem is the solution takes away the virtue signaling. This place lives on telling great stories demonstrating you care. It doesn't give a darn about actual solutions. Ninety percent of the ocean plastic comes from 10 rivers. Go to those rivers and let's deal with it.

Another thought experiment—and now I am going to do a lot more on healthcare. I accept a number of these will not work. I accept a number of these will make some people angry because it blows up their business model. Remember, money, power, vanity, but most of the time D.C. is about the money.

What is the single most powerful thing this place could do tomorrow?

If I said between now and the end of the year, I want to have a disruption in the cost of healthcare. But, David, that is only a few months. D.C. is not capable of actually setting off a revolution in a few months to do something powerful for the price of healthcare.

What if I came to you tomorrow and said: The models say—the research says—and this one we have known for years and years and years and years—16 percent of all healthcare spending is actually people not taking their medicine—not taking it properly or not taking it at all.

If you have hypertension and you don't take the calcium inhibitor. You have high cholesterol; you don't take your statin. It turns out you stroke out; you have a heart attack; you cost the system a fortune. You stay on your meds—actually, they are cheap, they are safe, they are very effective. We have decades and decades of history on their effectiveness; you stay healthy.

It turns out you could actually just say for certain types of health pharmaceuticals, put the 99 cent pill cap on it that beeps at you when you didn't open it today. If you want to do the fancy one—this slide's a little year or two old—there is the fancy one where the pill cap actually talks to your phone and the phone tells you you didn't take it.

Mr. Speaker, 16 percent of U.S. healthcare costs—it would be \$570 billion a year—so over a half a trillion dollars a year. What would happen if tomorrow this place got together, and said: Hey, for some of our populations that we know are likely to miss taking their pills, or grandma is having some cognitive issues, or someone is just busy in their life, let's spend the 99 cents on the pill bottle, give them the thing that beeps when it is not open.

If that actually helped even a fraction—maybe it is not 16 percent, but

what if we were able to do half of that? We are talking hundreds of billions of dollars. Is this Republican or Democrat?

It smacks us in the face. There is just no constituency here lobbying or writing us checks for this.

The solution is in the disruption. The disruption is part of the technology.

□ 1930

Before I do this slide, I need to tell a story and see if I can put this in perspective.

Mr. Speaker, there is a reason I seem to just annoy the hell out of so many folks here because this is a challenge to how we think. A few years ago, I was reading one of my crazy blogs. It is a material science blog, oddly enough. A professor, I think it was Duke, I may have the university wrong, she had been working on this breath biopsy where you could put breath across it, and it could designate if you have this category of flu. The model basically said that once we know that category, then we can bounce off your medical records on your phone, and it can just automatically work your antivirals. It has been worked on and worked on.

Think of this, Mr. Speaker. It is a flu kazoo. You blow into it, and it can designate, and the latest models and experiments now are picking up dead cancer proteins. When a cancer cell dies, it throws off a DNA strip. Some of the sensors are getting so good they can actually identify them.

What is the problem with something like a breath biopsy? I wish I had some brothers and sisters here in the body to yell at me. What is the problem with it? You blow into it, it bangs up your medical records, and it orders your antivirals.

What is the problem with it? It is illegal. I am allowing an algorithm to prescribe. The Social Security Act says I will see a doctor, not an algorithm. Now, the fact of the matter is wink, wink, nod, nod, if you have something with a diabetic pump, they already have an algorithm that is prescribing, and they have been doing it for years. This is not new. If you had it certified by the FDA—and there are algorithms certified by the FDA—why wouldn't we make them reimbursable?

Why wouldn't we do some simple conceptual ideas that you could have technology in your home medicine cabinet that you lick, you spit, you urinate, or you blow into—whatever it is—and you can monitor your health? That technology exists today.

One of the reasons the capital stack won't invest in it is it is functionally illegal, and they are basically betting that the lobbyist armies will keep it illegal here because—I have to be honest—it will change the foot traffic in many of our medical facilities. It will also save society from the debt implosion that is being driven by future healthcare costs.

So, you have to decide: Are you going to save us? Are we going to protect the world from disruption?

It is back to my Blockbuster example. Should Congress have stopped Netflix or streaming and protected the renting of the little silver disks? That is, functionally, what we do in healthcare.

There is technology out there coming. The newest version is of folks with the Apple watches. The reality is if I can know your O2, your temperature, your pulse rates, then the algorithm may say: Hey, you might have a problem here.

What happens with the new versions that are stunningly accurate? We have math for a number of these that are more accurate than a human. Yes, it is scary. Disruption always is. If we don't have a disruption in the cost of healthcare, then there is a technical economic term: We are screwed.

There are lots of these at-home biopsy-type tests. You have all seen the one because it had some great pop culture last year of an iPhone app where you could zoom in on a mole, and the algorithm behind it was stunningly accurate: Yes, you need to get that thing cut off because that is skin cancer.

Why aren't we promoting things here?

Mr. Speaker, I have been at war since I got here on telehealth. I had a piece of legislation over and over, and I could never get a hearing on it for telemedicine, telehealth, until the pandemic hit. Then, they functionally took our language—I was actually doing this with a couple of my Democrat colleagues. They took our telehealth expansion language and put it into law for the pandemic. Mr. Speaker, do you know that the expansion of telehealth goes away the day the pandemic is declared over?

The argument used to be: Well, David, you don't understand. Seniors aren't going to figure out how to hit the button and use FaceTime to talk to their doctor. Seniors aren't going to figure out how to put something on their wrist or on their chest or blow into it. You don't understand.

It turns out they were wrong.

I am looking forward to this body deciding: Are you going to be with the lobbyists or the expansion of access to healthcare through telehealth? Because this goes away when the pandemic is declared over.

Here is another example. It is just another breath biopsy. These things exist. They have put them together. What is fascinating is this slide is about a year or so old, and it keeps going and going. They are working now on a number where it is a breath biopsy to detect different types of cancers.

Why doesn't this place find joy and embrace the solutions?

Mr. Speaker, you start to understand that, outside the folks that politicized messenger RNA and didn't understand the mechanisms and all those things—but we are getting so close to treating so many diseases, whether it be my fascination with the stem cell being able to set off insulin production again, to

the fact—I am going to show a number of slides here where an incredible number of the cancers, particularly soft cell, we can set off your body to fight them now using messenger RNA. We are getting right on the cusp.

If I came to you right now, Mr. Speaker, and said: Hey, malaria, certain cancers, HIV, influenza, heart disease—the heart disease one is fascinating, teaching your body through a messenger RNA how to build certain protein stacks to help rebuild heart damage. It is here.

How much discussion do you have in this body? How many experts have we brought in saying that technology is the cure if healthcare is what is chewing us alive? Do we do another bill on who is going to get subsidized and who has to pay? Do we do another group saying: Oh, there is a group out there we are not taxing enough. We need their cash to throw into Medicare because we all know the crisis that is happening on Medicare financing.

Why is this place incapable of having a conversation about crashing the price of healthcare?

I am going to go through a number of these because I collect these. I spend 10 hours a week on an airplane, and I get bored easily. I read a lot of things. I keep coming across these.

This one is really interesting. It is immunotherapy for brain cancer. Now, it is not the solid tumor, but they think they have had amazing success on this. This was one of those we didn't think we could do anything with, and it looks like there is an immunotherapy for brain cancer.

Here is one. I have not read the details on this because I just saw this on my flight, I think, a couple of days ago. A drug cures 100 percent of colorectal cancer patients in a small initial trial.

Maybe it works, maybe it doesn't. But this is what we need to be fixating on. Instead, what we are going to do here is watch the bill that comes from the Senate, where they are going to blow up the capital stack for the very research that finances these sorts of things.

A couple more, just for the fun of it. Biotech—and I think this one is already out in phase one, in multiple phase ones; I don't know if it has reached phase two—malaria. You do understand, Mr. Speaker, for much of the world, malaria is just a brutal, vicious disease. I saw some data a couple of months ago. They were only about 30 percent effective. Believe it or not, that is actually terrific because if they have hit 30 percent effective, we can through adjustments and through other factors. Could you imagine the amount of misery you could end in the world? They could get a 50 percent effective vaccine for malaria.

Instead, we will do certain types of foreign aid. Instead, it turns out one of the most powerful things we could do for the world is our intellectual property, fixing what we incentivize, and it is not handouts of cash. It is to fix the

regulatory model here, fix the capital stacks, fix the tax incentive, and you do amazing things for the world.

I did a presentation on sickle cell anemia last year, and I got a little over the top on getting a little technical. I used to have about a dozen slides on this one. But it turns out we think we know how to do a certain type of gene editing with a couple of other optionalities for sickle cell anemia, and this one is out there in trials.

Isn't that a moral thing to do? The fact of the matter is, do you try to help people maintain their misery? Or when you actually see data that says there is a path, do you pursue the cure?

My argument here is the cure is better for us as a society financially, productivity-wise. Just from a purely ethical and moral standpoint, removing someone's misery is a pretty neat thing to do.

This is a heart disease one. I just found it fascinating that through a functioning CAR T, which is the derivative of the mRNA, you are setting off your body. In this case, instead of it going after a disease, it is actually repairing damage. I think this one is coming out of the Boston area. There is a reason that these folks have Nobel Prizes.

When you start to understand these infectious diseases, herpes, diabetes, the other things, we are on the cusp of having cures, and the misery that I believe the last 16 months of really bad policy here have brought to this country, the damage inflation is doing, the damage that is going on at the border of my State, the homelessness, the fentanyl, imagine, Mr. Speaker, if this place would set aside some of the virtue signaling legislation—oh, this is going to get the other side in the next legislation; oh, that just writes a great ad—and you brought in the engineers and experts in the different areas that we all claim to pretend we know something about and say: Here is what the future looks like, and if we get it right, the future is amazing.

A little while ago, Mr. Speaker, you saw a little girl behind me. I have a 6-year-old. Two weeks ago, out of nowhere, my phone rang, and the birth mother of my little girl had a little boy. Now, my wife and I have a little boy. I have a 3-week-old.

It is my primary reason for running again. I have to find a way to beat this body into submission to understand there are good things out there, but it doesn't work into our current political construct. It doesn't work in the way this place raises political money or keeps certain friends. The cures are disruptive, and disruption is the future.

Disruption makes society healthier, better, wealthier, and more productive. That productivity solves the inflation problem, and it solves so many other things.

How do we move this body to stop being terrified of its own shadow and saying, screw it, we are going to do what is right, not necessarily what is easy or political?

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

CHANGING MINDSET ON MENTAL HEALTH

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2021, the gentleman from Illinois (Mr. SCHNEIDER) is recognized for 60 minutes as the designee of the majority leader.

Mr. SCHNEIDER. Mr. Speaker, I rise today to talk about mental health in general and the need for a different mindset about mental health and care in this country specifically. I stand up tonight for the countless family members, friends, and neighbors across the country as they endure struggles with mental health, either for themselves or for a family member.

The number of Americans battling mental illness or disorder is not small. In fact, over one-half of adults will deal with mental health issues, and one in five children has or will have a debilitating mental illness.

Suicide is now ranked as the second leading cause of death among children ages 10 to 14. Think about that: Suicide is the second leading cause of death.

This is more than simply heartbreaking. We have a problem. That is nearly one death every 11 minutes.

Suicide is a tragic outcome for people dealing with mental crises, but across the country, there are so many dealing in other ways, especially in the midst of this pandemic: working parents trying to make it through the day juggling; parents not working, trying to find ways to make ends meet; kids in remote school losing the opportunity for the social-emotional learning that is so critical for their development; and families juggling remote work and remote school at the same time. All of these have contributed to what is truly a mental health crisis in the country.

In fact, as we think about it, in the same way that young kids and babies born during the Depression were forever known as Depression babies, it is very likely that this generation enduring the pandemic will be COVID babies throughout their lives. It will have an impact.

□ 1945

Beyond that we have the issues of mass violence. I live in Highland Park. Two weeks ago, we experienced something that no community should ever have to go through, but, unfortunately, too many communities have and continue to do so.

Highland Park, Uvalde, we can go back to Sandy Hook, and so many others, it is too long a list to give a comprehensive naming of every single community that has suffered from mass violence.

But, at its core, there is something about these kids committing and perpetrating these heinous crimes, monstrous crimes—if we can reach them at

an earlier age, maybe we can reduce some of that violence.

Nor is this an exhaustive list of all the things, all the aspects of mental health that affect people.

We know that the pandemic has made all of us painfully aware of the inadequacies and inequalities of our mental health system. Too late in the process, our system steps in to deal with crises, rather than working on helping people have a strong and confident, healthful life and tackle challenges as they occur. We should be providing holistic mental healthcare and provide support early and often.

At the baseline, Americans are experiencing anxiety and depression at higher rates, and the number of services available just aren't keeping up, putting a crisis on top of a crisis.

For those already suffering from mental health issues, the pandemic has increased their symptoms, and experts worry that we will deal with the stressors and effects long after the official end of this pandemic.

Everywhere I go, in my district, and around the country, I hear stories, some heartbreaking, some just simply frustrating, about people's struggles getting care for themselves and their loved ones. It is not a new problem.

In fact, sharing just a couple of personal stories, my first experience of tragedy in the context of mental health, my best friend as a young child in elementary school, was a boy named David Segal. He was special, kind heart, a brilliant young man. As he aged, we moved apart in middle school. And then I learned that, at age 21, he took his own life.

His parents were told that he felt as if he was locked in a box. He was so smart, and he could see the possibilities available to his friends. He wanted more than anything else what he saw everyone else had, but he knew that it would never be available to him because of the box in which he was locked in. His pain was unbearable and, at 21, he took his life.

Years later, I lost a cousin, Jeff, whose pain was also all-consuming. He tried many times to escape his pain. His family tried to help. We all tried to help. He sought therapy, but, again, that pain was so all-consuming that, ultimately, as a relatively young man, he died by suicide.

Let me come back to the present moment. I have heard from the Ann & Robert H. Lurie Children's Hospital of Chicago that the pandemic has increased the severity of the mental health crisis in children.

During the pandemic, suicide attempts jumped from a pre-pandemic level of two to three per month to two to three each and every day. Before the pandemic, Lurie Children's would get maybe 50 calls a week for new appointments. At the height of the pandemic, they were receiving 50 calls every single day.

A third of clinicians are reporting a 3-month wait time for an appointment,

if they even have the room to begin with. In many places, the wait is much, much longer. This massive mismatch of supply and demand impacts the quality of care those with appointments are able to receive.

Providers have empathy and compassion fatigue, emotional exhaustion, and are less personal and less connected with their patients.

Older Americans, some of the most vulnerable in our society, are at an increased risk. High levels of isolation increase their risk of depression, cognitive decline, and dementia. Already, 20 percent—20 percent of those 55 or older typically experience some form of anxiety and depression to severe cognitive impairment.

Additionally, mental health does not only afflict those who have been diagnosed, it touches many other parts of our society. In 2008, Thomas R. Insel, then the leader of the National Institute of Mental Health, estimated that mental illness costs our economy about \$193 billion—\$193 billion each year in lost earnings.

8.4 million Americans are providing about 32 hours of uncompensated care per week to those with mental healthcare needs, whether family or friends. Leaving mental illness unaddressed results in the increased incarceration of people with unmet mental health needs. Those dealing with stressors related to mental health are left more susceptible to the overuse of drugs and alcohol.

Despite the pervasiveness of mental health issues, less than half of adults with any mental health condition received treatment in 2020. For Americans of color, the rate of those getting treatment is even less than the national average.

I find the current landscape of mental health in America simply unacceptable. Every day we fail to take strong action to bolster mental healthcare services is another day closer to failing our friends, our family, our neighbors. That is why making access to the appropriate mental health resources cheaper and easier is critical.

I want to share with you one example of how the mental health crisis affects one of our most important population groups, our youth.

Last year, I received a letter from a high school senior outlining her findings about the disparities in mental health resources at her school. She highlighted the value placed on new gym flooring and new scoreboards, but the lack of investment in mental health counselors.

She shared that they lost a classmate early in the year to suicide. She had also become more aware of so-called suicide websites and social media's influence on our children's mental health.

I applaud the initiative of that high schooler writing to me and voicing her concern. Each of us has a responsibility to not only reach out for help, but to advocate for our neighbors who feel powerless and are left to struggle.

Another story I want to share is that of a dear, young, beautiful woman, 19-year-old Orli Sheffey from my town. Orli was a light that shined brightly. In fact, her name means, my light.

She was a tenacious journalist and beloved friend with a passion for the pursuit of truth and justice. She strongly believed in the need to provide mental health services, to the point where she was training to provide confidential peer counseling services to her classmates.

Sufficient mental health services possibly could have saved Orli's life. Orli's time with us is not about how she left us, but it is about the impact she made while she was here, an impact that is still felt by so many today.

No parent should lose their child at such a young age.

We also lost Brian Kroeter's younger sister, Katie, who died by suicide at 25. She was completing her master's degree in social work and was active in the community with programs like Meals on Wheels. The family has carried on Katie's memory through their suicide prevention advocacy work and Brian's participation in the Bank of America Chicago Marathon in honor of his sister.

Our unmet health needs reach from our youth to our Nation's heroes. When it comes to veterans who defend our Nation and our freedom, we are losing 22 to suicide every day.

When it comes to our cops and firefighters, we fail to recognize that their on-the-job trauma is crushing to their mental health and well-being.

Jeff Smith was a Metropolitan police officer whose family lives in my district. He was dispatched to the U.S. Capitol on January 6 and suffered injuries, both visible and not, in defending us, in defending me that very day. His father shared with me that those injuries and the combination of the stigma around mental health and the lack of access to care contributed to his terrible loss.

We must do better if we want to honor Officer Jeff Smith. We must do better if we want to honor our veterans, if we want to honor Orli Sheffey, and if we want to honor all those we have lost to terrible mental health issues of all stripes.

Fortunately, I have some positive news to share that is giving me hope and optimism about this mental health crisis. Here in the House, we passed the Restoring Hope for Mental Health and Well-Being Act of 2022 to holistically address American's mental health and crisis care needs.

One program I am glad this legislation will help strengthen is the National Suicide Prevention Hotline, which is now 988. Moving to the 988 phone number is a once-in-a-lifetime opportunity for America to strengthen and expand an existing lifeline to everyone and ensure that everyone is aware of this new service.

The nationwide number will allow people to call or text a trained crisis

counselor who can provide critical help, whether it is thoughts of suicide, mental health, or a substance use crisis. No matter where you are in the country, a well-resourced 988 line will be able to:

Connect a person in a mental health crisis to a trained counselor who can address their immediate needs and help connect them to ongoing care.

Mitigate healthcare spending with more cost-effective early intervention.

Help reduce the use of law enforcement to treat mental health issues.

Meet the rising need for crisis intervention on a grand scale and, importantly, help end the stigma toward these seeking or accessing mental healthcare.

The creation and launch of 988 fills me with hope and optimism that this will not be the last action we take. We will have to make sure that mental health resources are adequately funded for Americans and our healthcare providers, and properly managed if we want to see proper success.

I will continue to fight for the belief that access to affordable quality healthcare is our right for every American, not just a reserved privilege for a select few.

Mr. Speaker, I yield to the gentlewoman from Pennsylvania (Ms. WILD), a dear friend and colleague.

Ms. WILD. Mr. Speaker, our Nation can be characterized by many great traits, hard work, discipline, grit, dedication, determination, selflessness, bravery, courage, strength, and a quest for success.

We have a rugged streak of individualism, a desire to get things done by any means necessary, even if it means going it alone. These are admirable American traits and have made us who we are. But they are also why we are where we are on mental health.

We Americans find it so difficult to ask for help; to show people we need support; to recognize that maybe we should not always go it alone.

Our Nation is facing a mental health crisis, one which the unprecedented stress and uncertainty of the pandemic has forced into plain view, demanding to be addressed, to be seen, to be helped. And that, perhaps, may be the silver lining of the pandemic; that we have finally woken up and taken notice of this epidemic in our country.

Just think about it: Healthcare providers were on the front lines of treating COVID-19 through waves and waves of patients, selflessly putting the needs of everyone else before themselves. In the early waves, when COVID-19 was still new, they were the only ones present to hold the hands of countless people as they passed from this world.

Teachers, historically underpaid and overworked, putting together lesson plans to keep our children learning, while under the pressure of, what if my school is next? How will I protect my kids? As they see that yet another school is the recipient of thoughts and prayers.

No occupation is spared. Law enforcement, firefighters, dentists, veterinarians, farmers.

Young people just beginning their lives thrown for a loop by the pandemic—milestones they and their families had looked forward to, delayed or canceled, not being able to see friends and family members in person, the anxiety of entering a world changed almost overnight, trying to find a new normal.

Parents, who served triple duty, caretaker, teacher, breadwinner, all while trying to keep their families safe and healthy.

We have all experienced grief and loss in one way or another over the last 3 years. Some of us lost family and friends; some lost businesses or their health, and some of us experienced extreme isolation, anxiety, and stress. But we all experienced something.

Our strength as Americans isn't just rooted in our individual discipline, selflessness, bravery, or courage, but in our collective ability to take care of one another.

□ 2000

That is why I am so passionate about mental healthcare, making it more accessible, affordable, and available.

During last year's appropriations bill, I successfully fought for an increase of \$530 million for the Substance Abuse and Mental Health Services Administration, our most important Federal agency for supporting mental health and combating the addiction crisis.

For our healthcare providers who have for so long taken care of us with so little support for their own care, I introduced the Dr. Lorna Breen Health Care Provider Protection Act, a bill that provides funding to reduce and prevent suicide, burnout, and mental and behavioral health conditions among healthcare professionals. I am very proud to say that it passed through the Senate and has been signed into law by President Biden.

The bill is named for Dr. Lorna Breen, an emergency room doctor, who worked on the front lines of the pandemic and died by suicide in the spring of 2020. I am so proud to say that this bill was signed by President Biden this past spring.

For students on college campuses, I have introduced and passed through the House the Enhancing Mental Health and Suicide Prevention Through Campus Planning Act, focusing on promoting positive mental health among college students, and encouraging college leaders to engage in comprehensive planning efforts to prevent suicide on college campuses. I am now focused on getting that through the Senate and signed into law.

During this time of extreme stress for our young people, our colleges and universities need resources to reach out to students and to better support their mental health.

Our young children have, unfortunately, not been spared from the mental health crisis. Suicide rates in young

children have been climbing, and the leading method has become by hanging, with information found online.

There is no reason for young children to be able to find directions on how to tie a noose on YouTube. I have been working to hold YouTube accountable and to bring down those videos.

Our children deserve to grow up in a world that encourages them to be both strong and determined and able to ask for help and lean on their support systems. We all deserve that.

Finally, we must make sure that our mental health professionals are respected, that people are encouraged to go into that profession, and that that profession is fairly compensated.

We have a shortage of mental health professionals that is hurting our country, hurting our communities. We, as individuals, and together as communities, are so much stronger when we have support systems in place to reinforce our strength, to help us bounce back, and to be resilient.

We can do this, but we have to work together. We have to admit our vulnerabilities, and we have to put all politics aside as we work on this critical issue.

Mr. SCHNEIDER. Thank you for your remarkable words, for sharing your perspective and expressing compassion I think we can all share.

It is now my privilege to recognize my friend from Michigan, Representative ELISSA SLOTKIN.

Ms. SLOTKIN. Thank you, Representative SCHNEIDER, for your leadership.

I rise today to honor the struggle that so many parents who must do the unimaginable have gone through, to grieve the loss of a child. As an Army wife and a former CIA officer who worked alongside the military on three tours in Iraq, I have watched many parents send their kids off to war, and, unfortunately, many did not return.

For the families left behind, not only does the hole in their hearts never heal, but the ripple effect of that loss is also vast. The Tragedy Assistance Program for Survivors, or TAPS, estimates that for every Active Duty servicemember killed in Afghanistan and Iraq, six family members are significantly impacted. This is the devastating collateral impact of combat.

But our communities in the United States, our high schools and colleges, are not supposed to be war zones. For many of us adults, we look back fondly on those years as a time for liberation and new opportunities for work, study, and play, for learning new things, and for growing up.

So when a parent sends their child into the world full of hopes and dreams for the future, they do so with visions of challenging classes that expand their horizons, friendships that will define their lives, Saturday tailgates, and spring break in sunshine.

Most importantly, they send them off with the full and complete assumption that they will safely come back home.

But what we don't often think about is the incredible crisis of mental illness and emotional turmoil that so many young people today endure.

Our students are struggling. They are fighting internal battles that even their closest friends and their parents do not see until it is much too late.

Even before the pandemic up-ended our lives, we were already facing a mental health crisis for young people. At this point, crisis is not the right word. It is not strong enough.

Mental health experts and researchers use the term epidemic to describe where we are with mental health challenges facing U.S. high school and college students.

According to the National College Health Assessment, the most common mental health issues facing adolescents are depression, anxiety, suicidal ideation and intent, eating disorders, and substance abuse.

It is not easy getting help for any of those, navigating scarce mental health resources as a newly independent and struggling young adult.

Even if a student tries to take steps to get help, there is a tremendous lack of services in our community, in our colleges, at our universities. On college campuses, the ratio of certified counselors to students is generally between 1 to 1,000 or 1 to 2,000 for small and moderate-size schools and 1 to 2,000 or 3,000 to 5,000 for large universities.

Far too often, the outcome is tragic as it has been for dear friends and even some of my colleagues here in Congress who have lost their children to mental health issues.

In the past year and a half, one of my superintendents, Dr. Bob Shaner, a Marine veteran, he and his family lost their son in his freshman year of college. More recently, my friend, Steve Sheffey and the Sheffey family lost their beloved daughter, Orli, a young woman who wanted to change the world.

It has become so common for me to get those terrible calls that it is nearly commonplace. It is, therefore, up to us to make sure we do something to change the system so that we honor their legacy. But we need to start early because we know that the problem doesn't just appear in college or after high school.

In my district in Michigan, one county alone has had a 300 percent increase in demand for child psychiatric services in the past 2 years and virtually no inpatient beds to offer them. It is not just the sheer volume of demand that has increased but also the acuity of distress for individual patients.

Right now, in our country when it comes to mental health and young people, there is a tsunami of need and only sandbags to meet it.

You may know the now infamous name of a community in my district: Oxford, Michigan. In November of 2021, Oxford joined the terrible club that no one wants to be a part of, the list of districts where a school shooting has taken place.

Like we have seen so many times in the past, the tragedy in Oxford is rooted in the toxic combination of mental health issues and access to weapons. Because of that, four students are dead and a community, including the police, fire, first responders, and teachers who were in the building that day are forever traumatized.

We must do better for the students of Oxford, for Orli, for every student and every parent. We must train providers in trauma-based care, increase access to mental healthcare services, treat mental illness like physical health so that we understand that the issues and ailments that affect us from the neck up are just as important as the ones that affect us from the neck down.

We must improve insurance coverage for mental health services and reframe the entire conversation around what it really means to be healthy. The tasks are daunting, but the consequences of inaction, the collateral damage of this battle, are even greater.

In closing, I offer a prayer often recited when mourning the loss of a child:

May it bring comfort to the hearts of those who grieve, and may it inspire all of us to keep their memories in the forefront of our work.

A good person, though taken from us too soon, will rest in peace.

For honor in old age, does not come from the length of life.

Honor in old age does not come from the length of years.

Understanding is the gray hair of humanity.

A blameless life is ripeness of age. Perfection in limited years is like living for many years.

So a good person, though taken from us too soon, will rest in peace.

Let us, then, with peace of mind, let that good soul rest.

Mr. SCHNEIDER. Thank you, Representative SLOTKIN. Thank you for those beautiful words. Thank you, Representative WILD.

We have a national crisis. It needs a national response. We are a caring Nation. It is reflected in the outreach across the Nation when a community is struck by tragedy, whether it is a mass shooting or a flood, hurricane, whatever the case may be.

We see it in the response of individuals lending a helping hand when they see someone fall on a curb or down a stair. It is who we are as a people. We need to extend that when we think about our mental health crisis and mental healthcare. We have to do so much to try to address the stigma.

In the same way, if you think of a world-class athlete who is trying to achieve their highest potential, no one says going to seek assistance of a coach or advice of a friend is a shortcoming.

When it comes to dealing with the challenges of life, too often that outreach for assistance, that simple ask, help me get through this moment, isn't made because people are afraid of how they will be judged. Yet, even if we address the stigma, we still have the

challenge of access as we talked here tonight—not enough providers, not enough quality services.

Everyone in this country deserves access to quality, affordable, and available care. We need to make sure that we are investing in training providers to provide services across our country and making sure that those services are available at a price that people can truly afford.

We need to recognize that care for our mental health is every bit as important as care for our physical health. Think about it. If a child is diagnosed with cancer at a young age, we have poured billions of dollars into research to try to cure those cancers, and we are investing thousands, if not millions of dollars, in treating individuals and having great results. Kids with cancer today have a much higher likelihood of beating that cancer back and reaching their full potential.

The same is true for diseases we might face in middle age or even treating our seniors. We are working so hard to address that. We need to do the same for mental health and mental healthcare.

We need to recognize that the care for a challenge, a mental health challenge, is every bit as real and deserves every bit as much investment as the care for a physical health challenge.

We are a caring Nation. We know we have a crisis. I am hopeful that this body will continue to do its work to try to address this crisis for the people we represent.

I am grateful for the great words, kind words, insightful words, compassionate words of my colleagues, and I am thankful for the work of this body.

With that, I yield back the balance of my time.

ISSUES OF THE DAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2021, the Chair recognizes the gentleman from Wisconsin (Mr. GROTHMAN) for 30 minutes.

Mr. GROTHMAN. Mr. Speaker, I will talk about a variety of issues tonight. I will start one more time. I direct this talk not only to the Chair, not only to my colleagues in the legislature, but also the press corps that normally doesn't cover this because I think I am going to touch on some stories that ought to appear in the press corps but for whatever reason they don't.

The first thing, and I have addressed it several times from this microphone, is what is our goal in Ukraine, okay?

It would seem to me a good goal would be to end the war. We have a lot of Ukrainian troops who have died; we have a lot of Russian troops who have died; we have a lot of Ukrainian civilians who have died; and it seems to me that every week or month that the war goes by, those numbers get greater and greater.

Not only that, but particularly Russia is also a country with access to hor-

rific weapons, and every week or month that goes by, the chances that eventually some horrific weapons will have to be used goes up.

□ 2015

I will also point out with regard to these two countries, not that losing any young life isn't a tragedy, but it would seem to me there would be special tragedies in these countries because both countries have low birth rates and declining numbers of young people. For two countries that have been around—I believe Ukraine has been—for millennia, we would kind of like to see these countries continue to exist into the future.

Of sizable countries around the world, Ukraine has the second lowest birthrate, trailing only South Korea. There are also people who emigrate from Ukraine. In any event, I would think one of the primary goals of Ukraine is to make sure that they hang onto the young people they have left.

Russia is in a similar situation. They also have a low birthrate. I repeated this story about 7 months ago before this war began. I was at the San Diego sector of our southern border, and San Diego is only one tiny sector of a large border, and it was only talking about the week or month that I was there, but in any event, at that time, the second biggest nationality crossing our border came from Russia, which kind of surprised me.

So not only do they have a low birthrate in Russia, we have a lot of people emigrating. It would seem to me a primary goal of the governments of both Russia and Ukraine is to make sure the few young people they have left don't die in a war.

Now, I do not know what President Biden's goal here is in this war. I try to talk to some Democrat colleagues; I try to talk to people who should know President Biden. I think he himself may be a little bit mixed on the situation, but the press corps ought to be calling upon him and saying: What is your goal in this war? Is our goal to end the war and perhaps give President Putin an off-ramp; give Mr. Zelenskyy an off-ramp; find a way for both to declare some sort of victory and stop the carnage? Or is our goal to continue on for another 6 months or year or 2 years, and we don't care if another 5,000 or 10,000 or 15,000 Russian or 15,000 Ukrainian troops die; not to mention the monetary damages that take place when you have a war in your country?

I would like to know where President Biden stands on this. We collectively have not had a decent briefing for congressional Members since March 31. And given that we have been asked to give tens of millions of dollars to Ukraine—this week we were asked to affirm or accede in the policy of adding Sweden and Finland to NATO—I don't think it is too much to ask that the administration invite its key Cabinet members over here, as they did in Feb-

ruary and March, and let us know where the Biden administration stands on this war.

I don't think we have such a great relationship right now with Russia that we can moderate a conclusion to the war, but I think perhaps Israel, perhaps Turkey, perhaps some other country should do that, and perhaps we could grease the skids a little bit.

I mean, I realize back home right now everybody is focusing on inflation, but I will tell you if something bad happens in Ukraine, people are going to be focusing on that very, very quickly.

It would be a lot better if we wrapped up this war. I know there are hard feelings that will probably last for generations, but nevertheless I think the United States had very good relations with Russia only a few months ago. It would be good if we were able to wrap up this war, and it would be good if President Biden, if it was clear that we knew that his administration was working his way toward that.

So, again, I ask the press corps to kind of lean in a little bit on President Biden, find out where he is. I ask my Democratic colleagues in particular, insofar as they have access to the administration, to point out that it would be good to end this war, good to find countries that would mediate ending this war, and insofar as people on that side of the aisle get to see President Biden, carry that message to him.

VITAMIN D AND COVID

Mr. GROTHMAN. Another topic that I have addressed before from this microphone but haven't talked about for a couple months, so I am going to bring up again is that of vitamin D. People know I have talked about it before, but it bothers me that the House Select Subcommittee on the Coronavirus Crisis has not really addressed this issue.

The most recent study that came out was that done by an Israeli researcher, and in that study, it indicated that if you had inadequate amounts of vitamin D, which I believe he described as 20 nanograms per milliliter, that you were 11 times more likely to die of COVID than if you had adequate amounts.

If you break it down by race—and I don't like it when we break things out by race, but I am going to do it for these purposes—it is even scarier in that studies show that 35 percent of the White population is inadequate in vitamin D, 57 percent Hispanic, and 85 percent Black, which means having an adequate amount of vitamin D in your system should be a huge priority for people of color.

I think the COVID committee ought to have a hearing solely on vitamin D. We ought to find out, given the trillions of dollars we have thrown at COVID and billions of dollars we have thrown at trying to solve this problem, why the public health establishment has not talked about vitamin D like they should. They may say we don't know whether this is a matter of causation or a matter of correlation, but if

that is so, we should certainly be doing more studies on this matter, because I think it is possible that hundreds of thousands of lives could have been saved if we began to promote vitamin D when it appeared to be the cure, as it appeared before the vaccines were even invented. Nevertheless, to this day, it is not discussed.

The next question that the committee ought to look at is why are we not routinely testing people who are at risk for vitamin D deficiency? I would think anytime anybody over 65 went to a doctor today, they should be tested for vitamin D. Now, some people say you can take vitamin D without getting a test, which is true, but my personal experience in telling people about vitamin D is if they take a test right now, say the low level of adequate is about 20 nanograms per milliliter, if somebody goes and takes a test and they wind up being a 12 or 8 or 7, they immediately go out and take vitamin D because they have the result of the test that says you have got big trouble coming if you don't take more vitamin D. Having the test specific to that individual is much more relevant than just a doctor saying it wouldn't be a bad idea to take vitamin D.

I do believe we would save a lot of lives if that was done. As I understand it, you can get an online vitamin D test for about \$40, so it shouldn't be a cost-prohibitive thing. Given the trillions of dollars we put at it, we should even be paying for the test. But if we don't, individuals should be encouraged at getting those tests.

I do believe vitamin D is good for other things. It is good for bone health, another reason why people should be taking it. There is really no downside. Again, people back home that I know or even experts in the field begin to wonder if the reason we don't push vitamin D is because you can pay \$20 for a bottle from Walgreens or CVS and there is not a lot of money to be made, and they seem to be more in favor of trying antidotes that will make money for somebody—there have been billionaires made on this disease—rather than focusing on vitamin D.

I really beg the committee to look into it a little bit more, get some experts there. Even though this pandemic seems to be on the downside, hopefully we will be ready for a different sort of pandemic in the future. So I encourage the COVID committee to spend a little time looking at vitamin D because they could have cut the number of people who died maybe in half.

CRISIS AT THE SOUTHERN BORDER

Mr. GROTHMAN. Mr. Speaker, the next issue that maybe has bored the press by now, but they shouldn't stop reporting on it, is what is going on on the southern border.

We recently got the estimated number of migrants remaining in the interior who crossed the southern border for June. The good news is it is down a little bit from May and April, and it is expected to be down because June is

such a hot month, fewer people cross our border.

But if you look at June of this year, about 142,000 migrants remained in the interior. Of those 142,000, 50,000 are what they call got-aways, which means the Border Patrol didn't even touch them. We didn't even have a perfunctory interview with them. They just came across the border, which should be particularly scary.

What I want to point out, though, is that almost 150,000 from this June is compared to 79,000 last June. So we have gone from 79,000, which was a crisis at the time, to 142,000. Two Junes ago, under another administration, we were around 9,000. So when we go from 9,000 people a month to 79,000 people a month to 142,000 people a month, that should be a banner headline in every newspaper around the country.

Now, I know the newspapers don't like to do anything that would make the current administration look bad, but there is a reason why people don't subscribe to newspapers anymore or don't listen to the news at night, and that is they caught onto the idea that you are not going to be well informed if you read the local newspaper or turn on the news at night.

Again, I will repeat those numbers: 9,000 people in June of 2020 migrants crossing the border. We go from 9,000 to 79,000 to 142,000. Massive increases. In addition to that, as we know, almost all these people who cross the border paid \$5,000 or \$10,000 or \$20,000 to the Mexican drug cartels. I have been at the border about eight times. Every time I am down there, the Border Patrol tells me they think the Mexican drug cartels are making more money letting people across the border than they are selling drugs.

This brings another thing which hasn't been brought up enough, our poor neighbor to the south, Mexico, is right now in very, very bad shape due to the strength of the drug cartels, and part of that is our inability to close our border. We are making the Mexican drug cartels wealthier and wealthier and wealthier with all their crime, with all their corruption. I think the United States, just as we refuse to enforce our border, we refuse to stop taking illegal drugs crossing the southern border, and as a result we are making Mexico a complete mess.

I beg my colleagues on the other side of the aisle to express some interest in the flood of people coming here. I beg our newspapers to begin to report these monthly numbers with the banner headlines that they deserve so America can know what is really going on here.

DRUG OVERDOSES IN AMERICA

Mr. GROTHMAN. Related to the border, speaking of numbers, every year we come out with new numbers of the number of people who die of drug overdoses in this country, and that is something that has been underpublicized.

When I first got this job 7 years ago, about 57,000 people died every year of

drug overdoses. We are now at 107,000. Twice as many people die of drug overdoses every year as died in 12 years in Vietnam. That is another story that should be banner headlines, and every newspaper reporter in this country or cable news reporter ought to be asking politicians: What are you going to do? Why is Congress not doing something to save the 107,000 lives a year?

It is a huge national problem. And, again, I don't like to talk about race, but if you look at the last 4 years, particularly the number of Black men who die of drug overdoses is just going through the roof. I mean, normally we are always, particularly the Democratic Party, are always so eager to point out if there is a difference in statistics from one race to the other. Here there is a significant difference. They don't even talk about it. I am not sure what causes it. Normally they would attribute prejudice. I don't think that is it. I think to a certain extent it is police being less active than they have in the past, the judicial system not putting drug dealers in prison because we are all antiprison right now.

But in any event, when you have 107,000 people die every year, isn't it something we ought to be talking about, both in this Chamber and on the nightly news?

SPENDING IN CONGRESS

Mr. GROTHMAN. Mr. Speaker, the next issue we should be talking about more is the overall level of spending that is going on in this institution. I think it was very predicted when the first bills passed when President Biden took office—and then we had the infrastructure bill; between those two bills we are looking at, I believe, over \$3 trillion—that it would lead to inflation.

But, again, the press corps, maybe because the press corps doesn't like to talk about numbers, does not like to talk about the size of the increase in spending. Now, it is a lot easier to break an economy than it is to put it back together.

Since the inflation was caused by excessive spending, I think the only way to get a handle on things is to not spend so much.

We will, this week, be voting on a variety of bills to fund the government, beginning October 1. I have not seen the press corps report what I think is enough on the size of the increase in those bills. It would seem to me we should go back to the days of sequester where routinely you were seeing these bills go up by 0 percent, 1 percent, 2 percent.

What do we have in the bills we are going to vote on this week? We have a transportation and housing bill, up 12 percent. We have an agriculture and rural development bill up 8 percent. We have an energy and water bill up 6.4 percent. Financial services up 17 percent. Interior and the environment, up 18 percent. Military construction and VA up 18 percent.

□ 2030

Again and again, what we are seeing here is just fiscal irresponsibility. It is just throwing more gasoline on the fire of inflation.

I think the press corps, if they were responsible, should be asking Congress whether these numbers could be closer to 1 or 2 percent, which is where we should work toward.

I think, quite frankly, Republicans during appropriations should be coming forth and saying that we would like to see these numbers at 1 or 2 percent. If we are ever going to get our economy back, we can't continue down this path of excessive spending or the amount of inflation is just going to continue to go up and up.

The final spending vote we had today was on the National Park Foundation. I love the national parks. It wasn't a huge spending bill by the standards of what we do around here, but it was a 300 percent increase. Almost everybody in this body voted for it because who wants to be against the national parks. Think about that, a 300 percent increase.

I hope the press corps wakes up a little and decides to report on the individual lines of these budgets, how much the spending is going up line by line and the overall increases in spending in each of the packages.

I will deal with one more issue here tonight that I think ought to be covered constantly but is covered nowhere near as much.

I think so many of the problems that we deal with in society, or at least the people back home feel are part of the problem, are caused by the breakdown of the family. I think America used to have very strong families in the forties, fifties, and early sixties. The breakup in the family did not just happen. It happened because we began with a welfare system in the 1960s that, quite frankly, put nonnuclear families in a position that sometimes was better off than a married couple, depending upon their situation.

In any event, we went from a situation in which the people born without a mom and dad at home rocketed up between the early sixties to about 40 percent, went down a little, and has gone back up to 40 percent since the welfare reform of the 1990s.

I find a lot of people in my age bracket think it is going to be very tough for the next generation, and when they talk about being tough on the next generation, above all, they talk about the breakdown of the family.

I have pointed out before that Black Lives Matter—an organization that people should run from but apparently has been embraced by too many people in the majority party and some people in the minority party—originally came out saying they wanted to disrupt the traditional nuclear family. I would be very concerned when an organization that claims on their website that they want to disrupt the traditional nuclear family is received positively around here.

I know some people will say that Black Lives Matter is a diffuse organization, and just because the founders say they want to disrupt the nuclear family doesn't mean every segment of Black Lives Matter wants to disrupt the nuclear family. But I would feel better if more people came down to the well and boldly said: I am in favor of strengthening the nuclear family; I don't care if I happen to have my picture taken next to Black Lives Matter. I haven't seen that happen.

You might say, what is the nature of the marriage penalty? I will tell you where to begin to look. I would look at some of my local administrators of low-income housing. I think particularly 42 housing, which is newer housing, is frequently superior to other housing. I would ask people about that in your neighborhoods, my colleagues, and see what type of incentives we have when we have new housing, new apartments going up, some of them quite lavish, better than the old apartments that other people have to rent. Is that a good or bad thing?

I would ask the clerks in grocery stores, as far as the expensive food that people are buying, if they are more being provided for by the government than provided for within the family.

I would ask tax accountants about the earned income tax credit and some of the perverse incentives that are involved in the earned income tax credit. I would also ask the tax accountants what people are doing with the earned income tax credits when they get that \$6,000, \$7,000, or \$9,000 check once a year.

I think when we get done asking these questions, we can ask ourselves if we want to continue programs that prevent children from having both parents, particularly a dad, at home. I think there are so many problems in our society that would, to a certain extent, be improved if only we got back to what we would call old-fashioned, traditional family values.

In any event, those are some of the issues that I think the press corps ought to be covering but aren't covering and some of the issues that I think our body ought to be addressing that we are not addressing.

Mr. Speaker, I thank the wonderful staff for being here so late, and I yield back the balance of my time.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 1 of House Resolution 1230, the House stands adjourned until 10 a.m. tomorrow for morning-hour debate and noon for legislative business.

Thereupon (at 8 o'clock and 36 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, July 20, 2022, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

EC-4753. A letter from the Under Secretary, Personnel and Readiness, Department of Defense, transmitting Recommendations for the end-strength levels for medical personnel for each component of the armed forces., pursuant to 10 U.S.C. 115a(e)(1); Public Law 116-92, Sec. 1701(b)(2); (133 Stat. 1795); to the Committee on Armed Services.

EC-4754. A letter from the Under Secretary, Acquisition and Sustainment, Department of Defense, transmitting a report addressing the requirements of three separate statutory provisions for the Department of Defense Explosives Safety Board; to the Committee on Armed Services.

EC-4755. A letter from the Under Secretary, Acquisition and Sustainment, Department of Defense, transmitting the Defense Production Act Fund Annual Report for Fiscal Year 2021, pursuant to 50 U.S.C. 4534(f)(3); Sept. 8, 1950, ch. 932, title III, Sec. 304 (as added by Public Law 111-67, Sec. 7; (123 Stat. 2017); to the Committee on Financial Services.

EC-4756. A letter from the Associate General Counsel for Legislation and Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting the Department's final rule — Streamlining and Implementation of Economic Growth, Regulatory Relief, and Consumer Protection Act Changes to Family Self-Sufficiency (FSS) Program [Docket No.: FR-6114-F-03] (RIN: 2577-AD09) received June 3, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

EC-4757. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Indirect Food Additives: Adhesives and Components of Coatings; Paper and Paperboard Components; Polymers; Adjuvants, Production Aids, and Sanitizers [Docket No.: FDA-2018-F-3757] received June 3, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-4758. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Significant New Uses of Chemical Substances; Updates to the Hazard Communication Program and Regulatory Framework; Minor Amendments to Reporting Requirements for Premanufacture Notices [EPA-HQ-OPPT-2014-0650; FRL-5605-02-OCSP] (RIN: 2070-AJ94) received June 21, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-4759. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Significant New Use Rules on Certain Chemical Substances (19-4-F) [EPA-HQ-OPPT-2019-0494; FRL-7584-01-OCSP] (RIN: 2070-AB27) received June 21, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-4760. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; NC; NC BART Rule Revisions [EPA-R04-OAR-2021-0610; FRL-9081-02-R4] received June 21, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-4761. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; California; San Diego County; Reasonably Available Control Technology [EPA-R09-OAR-2022-0253; FRL-9611-02-R9] received June 21, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-4762. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Missouri; Start-Up, Shutdown and Malfunction Conditions [EPA-R07-OAR-2022-0329; FRL-9699-02-R7] received June 21, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-4763. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final action — Finding of Failure to Submit a Clean Air Act Section 110 State Implementation Plan for Interstate Transport for the 2015 Ozone National Ambient Air Quality Standards (NAAQS) [EPA-R04-OAR-2022-0506; FRL-9895-01-R4] received June 21, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-4764. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Amendment of Section 73.622(j), Table of Allotments, Television Broadcast Stations (Wichita, Kansas) [MB Docket No.: 22-78] (RM-11918) received June 3, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-4765. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Amendment of Section 73.622(j), Table of Allotments, Television Broadcast Stations (Bozeman, Montana) [MB Docket No.: 22-114] (RM-11920) received June 3, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-4766. A letter from the Secretary, Department of Transportation, transmitting the Department's Fiscal Year 2021 Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act) report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Reform.

EC-4767. A letter from the Branch Chief, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; West Coast Salmon Fisheries; Rebuilding Coho Salmon Stocks [Docket No.: 210205-0015] (RIN: 0648-BJ05) received June 28, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

EC-4768. A letter from the Branch Chief, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; West Coast Salmon Fisheries; 2021 Management Measures [Docket No.: 210505-0101] (RIN: 0648-BJ97) received June 28, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

EC-4769. A letter from the Branch Chief, Office of Sustainable Fisheries, NMFS, Na-

tional Oceanic and Atmospheric Administration, transmitting the Administration's correcting amendment — Fisheries Off West Coast States; Emergency Action to Temporarily Extend the Primary Sablefish Fishery Season; Correction [Docket No.: 210312-0054] (RIN: 0648-BK15) received June 28, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

EC-4770. A letter from the Program Manager, Strategic Management Division, Office of Marine and Aviation Operations, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Appointment of Officer Candidates and Obligated Service Requirements of Officers of the National Oceanic and Atmospheric Administration Commissioned Officer Corps [Docket No.: 220408-0088] (RIN: 0648-BL11) received June 13, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

EC-4771. A letter from the Regulation Development Coordinator, Office of Regulation Policy and Management, Office of General Counsel (00REG), Department of Veterans Affairs, transmitting the Department's final rule — Federal Civil Penalties Inflation Adjustment Act Amendments (RIN: 2900-AR41) received June 15, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

EC-4772. A letter from the Deputy Assistant Chief Counsel for Safety Law, Federal Railroad Administration, Department of Transportation, transmitting the Department's final rule — Fatigue Risk Management Programs for Certain Passenger and Freight Railroads [Docket No.: FRA-2015-0122, Notice No. 2] (RIN: 2130-AC54) received June 15, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-4773. A letter from the Regulation Development Coordinator, Office of Regulation Policy and Management, Office of General Counsel (00REG), Department of Veterans Affairs, transmitting the Department's final rule — Transplant Procedures with Live Donors and Related Care and Services (RIN: 2900-AQ65) received June 15, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

EC-4774. A letter from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the Department's fourth annual report of the Social Security Number Fraud Prevention Act of 2017 for the period September 15, 2020 to September 15, 2021, pursuant to Public Law 115-59; jointly to the Committees on Oversight and Reform and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. SCANLON: Committee on Rules, House Resolution 1232. Resolution providing for consideration of the bill (H.R. 8294) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2023, and for other purposes; providing for consideration of the bill (H.R. 8373) to protect a person's ability to access contraceptives and to engage in contraception, and to protect a health care pro-

vider's ability to provide contraceptives, contraception, and information related to contraception; providing for consideration of the bill (H.R. 8404) to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, and for other purposes; and for other purposes (Rept. 117-420). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. LEE of Nevada (for herself, Ms. TITUS, and Mr. HORSFORD):

H.R. 8415. A bill to amend the Water Resources Development of 2000 to modify the authorization of appropriations for the Las Vegas Wash program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. TITUS (for herself, Mr. GRAVES of Louisiana, Miss GONZÁLEZ-COLÓN, and Mr. CARTER of Louisiana):

H.R. 8416. A bill to improve individual assistance provided by the Federal Emergency Management Agency, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Financial Services, and Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MAST:

H.R. 8417. A bill to amend title 49, United States Code, to prohibit the Secretary of Transportation from issuing regulations relating to maximum hours of service for drivers of certain commercial motor vehicles, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. RODNEY DAVIS of Illinois:

H.R. 8418. A bill to amend titles 46 and 49, United States Code, to streamline the environmental review process for major projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ARRINGTON (for himself, Ms. HERRELL, and Mr. FITZPATRICK):

H.R. 8419. A bill to amend title 1, United States Code, to direct the Archivist of the United States to authenticate, count, and publish applications of States calling for a Convention for proposing amendments to the Constitution of the United States, to publish a certification when two-thirds of the States submit applications calling for such a Convention, and to notify Congress of the requirement under Article V of the Constitution to call such a Convention when such a certification is published, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BANKS (for himself, Mr. WALTZ, Mr. WILSON of South Carolina, Ms. TENNEY, Mr. WEBER of Texas, Mr. WITTMAN, Mr. STEUBE, Mrs. MCCLAIN, Mr. MURPHY of North Carolina, Mrs. HARSHBARGER, Mr. GROTHMAN, Mr. CLINE, Mr. PFLUGER, Mrs. BOEBERT, and Mr. SESSIONS):

H.R. 8420. A bill to direct the Secretary of State and the Secretary of Homeland Security to add questions to visa application forms, applications to register permanent residence or adjust status, and applications for naturalization, related to affiliation with the Islamic Revolutionary Guards Corps, including any Basij organizations, and for

other purposes; to the Committee on the Judiciary.

By Mrs. BICE of Oklahoma (for herself, Ms. STEFANIK, Mr. CURTIS, Mr. LAMBORN, Mr. CARTER of Georgia, Mr. BARR, Mr. HILL, Mr. ISSA, Mrs. MILLER-MEEKS, Mr. BACON, Mr. COLE, Mrs. RODGERS of Washington, and Ms. LETLOW):

H.R. 8421. A bill to preempt States from establishing, implementing, or enforcing any ban on the prescription, provision, or use of a drug, biological product, or device for contraception if such drug, biological product, or device is approved, licensed, cleared, or otherwise authorized for human use by the Food and Drug Administration for contraception, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BIGGS (for himself, Mr. NORMAN, Mrs. BOEBERT, Mr. GOOD of Virginia, and Mrs. LESKO):

H.R. 8422. A bill to prohibit funding to the Special Representative for Racial Equity and Justice of the Department of State, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BLUMENAUER:

H.R. 8423. A bill to establish within the Office of Gender Equality and Women's Empowerment of the United States Agency for International Development a rural mobility program to promote mobility in rural communities through access to affordable, fit-for-purpose bicycles, provide support to sustainably increase access to rural areas, and for other purposes; to the Committee on Foreign Affairs.

By Ms. DAVIDS of Kansas:

H.R. 8424. A bill to provide enhanced funding for family planning services; to the Committee on Energy and Commerce.

By Mr. EMMER (for himself, Ms. PINGREE, and Mrs. FISCHBACH):

H.R. 8425. A bill to amend the Food, Agriculture, and Trade Act of 1990 to establish a grant program for eligible institutions to carry out agriculture workforce training programs, and for other purposes; to the Committee on Agriculture.

By Mr. GRIJALVA (for himself and Mrs. KIRKPATRICK):

H.R. 8426. A bill to provide for the assumption of full ownership and control of the International Outfall Interceptor in Nogales, Arizona, by the International Boundary and Water Commission, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. HAYES (for herself, Mr. LEVIN of Michigan, Mrs. LAWRENCE, Ms. CHU, Ms. BONAMICI, Mrs. WATSON COLEMAN, Mr. BOWMAN, Mr. NADLER, Ms. JAYAPAL, Ms. NEWMAN, Mrs. CAROLYN B. MALONEY of New York, Mr. DANNY K. DAVIS of Illinois, Mr. MOULTON, Mr. GOMEZ, Ms. BARRAGAN, Ms. LEE of California, Mr. THOMPSON of California, Mr. MCGOVERN, Mr. TAKANO, and Ms. SCHAKOWSKY):

H.R. 8427. A bill to amend the Fair Labor Standards Act of 1938 to repeal the separate minimum wage for tipped employees, and for other purposes; to the Committee on Education and Labor, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. HINSON (for herself, Mrs. MILLER-MEEKS, Ms. MACE, Mrs. RODGERS of Washington, and Mr. SMITH of Missouri):

H.R. 8428. A bill to allow women greater access to safe and effective oral contraceptive drugs intended for routine use; to the Committee on Ways and Means, and in addition

to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MORELLE (for himself and Mr. KATKO):

H.R. 8429. A bill to create a new Federal grant program that provides grants to State libraries to allow schools with summer lunch programs to keep their libraries open for student use during the summer months; to the Committee on Education and Labor.

By Mr. RUIZ (for himself and Mr. WELCH):

H.R. 8430. A bill to direct the Secretary of Defense to establish an outreach program to inform members of the Armed Forces, assigned to work near burn pits, of the risks of toxic exposure, and for other purposes; to the Committee on Armed Services.

By Mrs. STEEL:

H.R. 8431. A bill to prevent Federal agencies and contractors from using LOGINK, and for other purposes; to the Committee on Oversight and Reform.

By Mr. GRAVES of Louisiana (for himself, Mr. MCCARTHY, Mr. SCALISE, Ms. STEFANIK, Mrs. RODGERS of Washington, Mr. WESTERMAN, Mr. NEWHOUSE, and Mr. GRAVES of Missouri):

H.J. Res. 91. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Council on Environmental Quality relating to "National Environmental Policy Act Implementing Regulations Revisions"; to the Committee on Natural Resources.

By Mr. ARRINGTON (for himself, Ms. HERRELL, and Mr. FITZPATRICK):

H. Con. Res. 101. Concurrent resolution calling an Article V Convention for proposing amendments to the Constitution of the United States and stipulating the ratification of such amendments by State conventions, a vote of We the People, and for other purposes; to the Committee on the Judiciary.

By Mr. JOHNSON of Louisiana (for himself, Mr. MCCARTHY, Mr. SCALISE, Ms. STEFANIK, Mr. JORDAN, Mr. CHABOT, Mr. GOHMERT, Mr. ISSA, Mr. BUCK, Mr. GAETZ, Mr. BIGGS, Mr. MCCLINTOCK, Mr. STEUBE, Mr. TIFFANY, Mr. MASSIE, Mr. ROY, Mr. BISHOP of North Carolina, Mrs. FISCHBACH, Mrs. SPARTZ, Mr. FITZGERALD, Mr. BENTZ, Mr. OWENS, and Mr. MOOLENAAR):

H. Res. 1233. A resolution expressing the sense of the House of Representatives condemning the recent attacks on pro-life facilities, groups, and churches; to the Committee on the Judiciary.

By Mr. KHANNA:

H. Res. 1234. A resolution expressing support for regenerative agriculture and other conservation practices to support more sustainable and resilient agriculture, and compensating farmers for providing environmental services; to the Committee on Agriculture.

MEMORIALS

Under clause 3 of rule XII,

ML-209. The SPEAKER presented a memorial of the Senate of the State of Ohio, relative to Senate Resolution No. 243, urging the United States government to secure its borders; which was referred jointly to the Committees on the Judiciary and Homeland Security.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mrs. LEE of Nevada:

H.R. 8415.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 provides Congress with the power to "lay and collect Taxes, Duties, Imposts and Excises" in order to "provide for the . . . general Welfare of the United States."

By Ms. TITUS:

H.R. 8416.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article I, Section 8 of the United States Constitution.

By Mr. MAST:

H.R. 8417.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. RODNEY DAVIS of Illinois:

H.R. 8418.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution

By Mr. ARRINGTON:

H.R. 8419.

Congress has the power to enact this legislation pursuant to the following:

Article V

By Mr. BANKS:

H.R. 8420.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mrs. BICE of Oklahoma:

H.R. 8421.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. BIGGS:

H.R. 8422.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. BLUMENAUER:

H.R. 8423.

Congress has the power to enact this legislation pursuant to the following:

Art. 1, Sec. 8

By Ms. DAVIDS of Kansas:

H.R. 8424.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. EMMER:

H.R. 8425.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United

States, or in any Department or Officer thereof.

By Mr. GRIJALVA:

H.R. 8426.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Mrs. HAYES:

H.R. 8427.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18, "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mrs. HINSON:

H.R. 8428.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

Article 1, Section 8, Clause 18

By Mr. MORELLE:

H.R. 8429.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. RUIZ:

H.R. 8430.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, Clauses 1 and 18 of the United States Constitution, to provide for the general welfare and make all laws necessary and proper to carry out the powers of Congress.

By Mrs. STEEL:

H.R. 8431.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. GRAVES of Louisiana:

H.J. Res. 91.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 3 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 622: Mr. PAPPAS.
H.R. 623: Mr. LATURNER.
H.R. 705: Mr. CRAWFORD.
H.R. 804: Mr. PHILLIPS.
H.R. 928: Mr. PHILLIPS.
H.R. 950: Mr. GARAMENDI.
H.R. 1011: Mr. OWENS.
H.R. 1179: Mr. WELCH, Mr. SCHWEIKERT, Mr. HORSFORD, Mr. ARMSTRONG, and Mr. GALLAGHER.
H.R. 1271: Mr. CARSON.
H.R. 1624: Ms. SLOTKIN.
H.R. 1946: Mr. KUSTOFF.
H.R. 2218: Mr. LAMBORN.
H.R. 2223: Mr. MOOLENAAR.
H.R. 2244: Mr. LIEU.
H.R. 2252: Mr. CARTER of Louisiana, Mr. NEGUSE, Mr. WILSON of South Carolina, Mrs. LEE of Nevada, Mr. HIGGINS of New York, and Mr. SAN NICOLAS.
H.R. 2282: Mr. BOWMAN.
H.R. 2350: Mr. FITZPATRICK.
H.R. 2447: Mr. ROUZER.
H.R. 2517: Mr. TORRES of New York.
H.R. 2627: Mr. PETERS.
H.R. 2637: Mr. SMITH of Nebraska.
H.R. 2814: Mr. LAMB, Ms. STEVENS, Mrs. HAYES, Ms. ESCOBAR, Mr. DAVID SCOTT of Georgia, and Ms. BARRAGÁN.

H.R. 2828: Mr. C. SCOTT FRANKLIN of Florida.

H.R. 2974: Mr. CASTEN.

H.R. 3072: Ms. DAVIDS of Kansas.

H.R. 3123: Mr. WENSTRUP.

H.R. 3259: Ms. STANSBURY.

H.R. 3474: Mr. HUFFMAN.

H.R. 3483: Ms. WILSON of Florida.

H.R. 3494: Mr. NORMAN.

H.R. 3535: Ms. CRAIG.

H.R. 3541: Mr. MEUSER.

H.R. 3586: Mr. C. SCOTT FRANKLIN of Florida.

H.R. 3693: Mr. POCAN.

H.R. 3753: Mr. RASKIN.

H.R. 3816: Ms. CHU.

H.R. 3932: Ms. VELÁZQUEZ and Mr. LATURNER.

H.R. 3962: Mr. SARBANES and Ms. KUSTER.

H.R. 4058: Mr. RUTHERFORD.

H.R. 4108: Mr. CLEAVER.

H.R. 4118: Mr. QUIGLEY.

H.R. 4146: Ms. PORTER, Ms. CLARKE of New York, and Mr. CARBAJAL.

H.R. 4402: Mr. MCEACHIN and Ms. BROWN of Ohio.

H.R. 4436: Ms. DEAN, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. WOMACK, Mr. POCAN, and Ms. WILD.

H.R. 4716: Mr. GARCÍA of Illinois.

H.R. 4903: Mr. LEVIN of California.

H.R. 4943: Mr. LOWENTHAL.

H.R. 4944: Mr. LOWENTHAL.

H.R. 4951: Mr. COHEN.

H.R. 5141: Ms. CLARK of Massachusetts.

H.R. 5313: Ms. CRAIG.

H.R. 5346: Mr. LARSEN of Washington.

H.R. 5370: Mr. LAWSON of Florida.

H.R. 5605: Mr. COOPER.

H.R. 5606: Mr. SAN NICOLAS.

H.R. 5631: Mr. PETERS.

H.R. 5773: Mr. ROUZER.

H.R. 5987: Mr. CARSON.

H.R. 6057: Mr. JONES.

H.R. 6117: Ms. DAVIDS of Kansas, Ms. SÁNCHEZ, and Mr. CORREA.

H.R. 6148: Mr. LIEU.

H.R. 6227: Mr. LARSEN of Washington.

H.R. 6251: Ms. SEWELL, Mr. AUCHINCLOSS, and Ms. TITUS.

H.R. 6336: Mr. SCHIFF.

H.R. 6338: Mr. CORREA.

H.R. 6448: Mr. KILMER.

H.R. 6571: Mr. JOYCE of Ohio and Ms. CRAIG.

H.R. 6715: Mr. TRONE.

H.R. 6880: Ms. BROWNLEY, Mr. LEVIN of California, Ms. ADAMS, Mr. EVANS, Mr. CHABOT, Mr. PANETTA, Mr. LAWSON of Florida, Ms. KELLY of Illinois, Mrs. BUSTOS, Ms. NORTON, and Ms. STEVENS.

H.R. 6929: Mr. BERGMAN.

H.R. 6937: Mr. FITZPATRICK.

H.R. 7048: Mr. SCHWEIKERT.

H.R. 7223: Mr. HOLLINGSWORTH and Mr. CARL.

H.R. 7236: Mr. CROW, Mr. NEGUSE, Ms. SALAZAR, Mr. CORREA, Mr. AGUILAR, Mr. MEUSER, and Mr. COHEN.

H.R. 7294: Mr. KELLY of Pennsylvania.

H.R. 7382: Mr. BABIN and Mr. CAREY.

H.R. 7503: Mr. KUSTOFF.

H.R. 7534: Mr. BOWMAN and Mr. EVANS.

H.R. 7555: Mr. MORELLE.

H.R. 7561: Mr. LARSEN of Washington.

H.R. 7620: Ms. MENG.

H.R. 7624: Mr. CLEAVER.

H.R. 7644: Mrs. NAPOLITANO and Mr. DANNY K. DAVIS of Illinois.

H.R. 7706: Mr. POCAN.

H.R. 7772: Mrs. FLORES.

H.R. 7773: Ms. WILSON of Florida.

H.R. 7847: Mr. CÁRDENAS.

H.R. 7861: Mr. LEVIN of California.

H.R. 7897: Ms. DEGETTE.

H.R. 7902: Mr. BANKS and Mr. HERN.

H.R. 7932: Ms. CHU.

H.R. 7992: Mr. CARBAJAL and Ms. SCHAKOWSKY.

H.R. 7993: Ms. DEAN and Ms. BLUNT ROCH-ESTER.

H.R. 8018: Ms. BLUNT ROCHESTER.

H.R. 8059: Mr. TAKANO and Ms. MATSUI.

H.R. 8074: Mr. GRIJALVA and Mr. PERLMUTTER.

H.R. 8092: Mr. BURGESS.

H.R. 8102: Mr. WESTERMAN.

H.R. 8105: Ms. SÁNCHEZ.

H.R. 8182: Mr. EVANS.

H.R. 8219: Mrs. KIM of California.

H.R. 8247: Ms. BUSH.

H.R. 8264: Mr. FITZPATRICK and Ms. BROWN of Ohio.

H.R. 8318: Mrs. WATSON COLEMAN, Ms. SCHAKOWSKY, Ms. SPEIER, and Mr. DESAULNIER.

H.R. 8354: Mr. MCKINLEY.

H.R. 8369: Mr. WALBERG.

H.R. 8373: Ms. PORTER, Mr. PAPPAS, Mr. NEGUSE, Ms. BLUNT ROCHESTER, Ms. LEGER FERNANDEZ, and Ms. SPANBERGER.

H.R. 8384: Mrs. FLORES.

H.R. 8393: Ms. LEGER FERNANDEZ, Mrs. TRAHAN, Mr. SABLÁN, Mr. TONKO, Mr. UPTON, Mr. KATKO, and Mr. BACON.

H.R. 8404: Mr. PETERS, Mr. SHERMAN, Ms. MANNING, Mr. RYAN, Ms. WEXTON, Ms. SCHRIER, Mr. PANETTA, Ms. BONAMICI, Mr. MCGOVERN, Mr. SUOZZI, Mr. O'HALLERAN, Mr. CARTWRIGHT, Ms. ESCOBAR, Mr. PRICE of North Carolina, Ms. DELAUNO, Ms. LOIS FRANKEL of Florida, Mr. LAMB, Mrs. CHERFILUS-MCCORMICK, and Ms. SCANLON.

H.J. Res. 53: Mr. GALLEG0.

H.J. Res. 64: Mrs. FLETCHER and Mr. AGUILAR.

H. Con. Res. 65: Mr. ROUZER and Mr. LAWSON of Florida.

H. Res. 118: Mr. DANNY K. DAVIS of Illinois.

H. Res. 289: Ms. CRAIG.

H. Res. 404: Mr. GONZALEZ of Ohio.

H. Res. 647: Mr. DEUTCH, Mr. PHILLIPS, and Mr. FITZPATRICK.

H. Res. 919: Mr. DAVID SCOTT of Georgia.

H. Res. 1111: Mr. WEBER of Texas.

H. Res. 1226: Mr. BROWN of Maryland, Mr. SUOZZI, Mr. SOTO, Ms. WILD, Ms. MOORE of Wisconsin, Ms. SEWELL, Mr. LAWSON of Florida, Ms. SCHAKOWSKY, Mr. DANNY K. DAVIS of Illinois, and Ms. TITUS.

H. Res. 1227: Mr. BUDD and Mr. OWENS.

H. Res. 1228: Mr. KELLER.

H. Res. 1231: Ms. SALAZAR and Ms. MANNING.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

PT-124. The SPEAKER presented a petition of the City Council of Yonkers, New York, relative to Resolution No. 61-2022, calling upon the Federal Government to take appropriate action to cancel student loan debt and take all available measures to address the student loan debt crisis; which was referred to the Committee on Education and Labor.

PT-125. Also, a petition of the Legislature of the Commonwealth of the Northern Mariana Islands, relative to House Resolution No. 22-17, extending sincere condolences and sympathies to the family of the late Honorable Donald Edwin Young and to acknowledge his lifelong service and contributions to the people of the Commonwealth of the Northern Mariana Islands; which was referred to the Committee on House Administration.

PT-126. Also, a petition of the Board of Supervisors of the City and County of San Francisco, relative to Resolution No. 122-22, supporting Ukrainian refugees, urging the City and County of San Francisco to welcome Ukrainian refugees and declaring the

City and County's support for Ukrainian refugees; which was referred to the Committee on the Judiciary.

PT-127. Also, a petition of House of Representatives of the Commonwealth of Puerto

Rico, relative to House Resolution 718, to grant partial exemption from the application of Coastwise Laws to the maritime transportation of crude oil and petroleum products between the United States of America and

Puerto Rico for the duration of the armed conflict between Ukraine and Russia and the collateral effects thereof; which was referred to the Committee on Transportation and Infrastructure.



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Congressional Record

PROCEEDINGS AND DEBATES OF THE 117th CONGRESS, SECOND SESSION

Vol. 168

WASHINGTON, TUESDAY, JULY 19, 2022

No. 119

Senate

The Senate met at 10:01 a.m. and was called to order by the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia.

PRAYER

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

Let us pray.

Eternal God, the sky clearly reveals Your glory. It sings melodies about what You have done. Today, teach our Senators to do things Your way, embracing Your precepts and walking in Your path. Remind them that the narrow and difficult road leads to life and true freedom.

Lord, as You teach them to live with integrity, replace their anxiety with calm, their confusion with clarity, and their doubts with certainty. May Your heavenly peace, which transcends human understanding, guard their hearts and minds today and always.

We pray in Your loving Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 19, 2022.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RAPHAEL G. WARNOCK,

a Senator from the State of Georgia, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

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

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Nina Nin-Yuen Wang, of Colorado, to be United States District Judge for the District of Colorado.

RECOGNITION OF THE MAJORITY LEADER

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

BUSINESS BEFORE THE SENATE

Mr. SCHUMER. Mr. President, today is going to be an exceedingly busy and productive day on the Senate floor.

Later today, after months of hard work and countless rounds of talks, Senators will vote to move forward on legislation that our country desperately needs—a chips bill that will lower costs, boost American manufacturing, and protect American security interests.

Over the past 24 hours, both parties have continued working on the final details to the chips package that we will vote on later today. We will see if Members can come to an agreement on adding other provisions to the bill, but the bottom line is that we must come up with a package that is capable of passing this Chamber without delay. We must act as soon as we can to make sure we bring chip manufacturing back to America because our Nation's security depends on it.

I urge my colleagues, if you want to fight inflation, if you want to create more good-paying jobs right here at home, if you want to keep America strong and competitive and innovative in the 21st century so that we can lead the economy as we did in the 20th, then this chips bill is the way to go. It is a very important bill.

The chips shortage is one of the most damaging trends over the past few years. This technology, which originated, of course, right here in America, is the bedrock for much of modern life. Cars, refrigerators, cell phones, medical devices—they all depend on chips to function. But when chips suddenly become scarce, as is the case today, the consequences are felt across the board by companies but also by average Americans. Americans see higher prices and longer wait times for all sorts of consumer goods because of this chip shortage.

It wasn't always this way, but thanks to the pandemic, this crisis is now being felt across the country.

A quarter century ago, the United States was the undisputed leader in global chip production. In 1990, we produced 40 percent—nearly 40 percent—of the world's semiconductors. Today, that figure is going down to 12 percent and will get even lower if we don't pass this bill. We have a chance of leading the way on chip manufacturing once again if we pass this legislation.

As we speak, the country's most important chip manufacturers—these are

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



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American companies—are waiting on congressional action—mostly American companies, not all. But they are waiting on congressional action before they decide where to invest in chip production. From Asia to Europe, other nations have copied the American playbook and have already invested billions of dollars to incentivize chip manufacturers to come to them. If we do not match the efforts of other countries to boost chip manufacturing, the consequences could be dire and long-lasting. Countless good-paying American jobs are on the line. Costs that Americans are now paying—higher costs—getting them lowered is now on the line. Billions of dollars in economic activity is on the line, and our national security is on the line.

As Secretary Austin and Secretary Raimondo told us last week, our economic and national security depends on our ability to invest in the technologies of today and tomorrow.

If we allow other nations to lead the way on chips, the days of America leading the world in scientific innovation, the days of America being the leading economic and military power in the world may actually be over. Nobody wants that. So vote for this bill. This is a future none of us wants to see.

Again, vote for this bill. I urge my colleagues to move forward later today.

JUDICIAL NOMINATIONS

Mr. President, now on judges, as we move forward on legislation to boost chip manufacturing, there is a lot to do on the nominations front too.

Let me start with a very important number: 73. Let me say that again: 73. That is the total number of judges the Senate will, hopefully, have confirmed by the end of today. A year and a half into President Biden's term, that is nothing short of a towering achievement.

Here is how we reach that figure today: Later this morning, the Senate will vote to confirm Nina Nin-Yuen Wang as U.S. district court judge for the District of Colorado. This afternoon, we will hold a confirmation vote on Nancy Maldonado for the Northern District of Illinois. I expect these well-qualified nominees to move through this Chamber with bipartisan support. And as soon as today, the Senate will also vote on the confirmation of Judge Michelle Childs of South Carolina to serve on the DC Circuit.

Judge Childs will be the fourth—only the fourth—Black woman to ever sit on the DC Circuit, founded nearly 130 years ago. Confirming this remarkable jurist is an important step to reversing generations of underrepresentation and making our courts better reflect the Nation.

Let's not forget, after the Supreme Court, the DC Court of Appeals is the most important Federal court in the country, regularly taking up cases that the Supreme Court is unable to consider. Oftentimes, the DC Circuit makes the final decision on some of the

most important cases in the country, particularly those involving Congress and the executive branch. It is a really important court. Remember, the Supreme Court only hears about 75 cases a year. So lots of very vital cases are decided by this circuit court of appeals.

The judges who preside on the DC Circuit must be individuals of high character and unassailable qualification, and that is precisely what we have in Judge Childs. She is a native of Detroit, a graduate of the Universities of South Florida, South Carolina, and Duke. Judge Childs built a reputation as both a trailblazing jurist and a staunch defender of the Constitution. She already commands strong bipartisan support from both sides of the aisle, and I thank my Democratic and Republican colleagues for their support of the judge.

As the Senate continues to fulfill its duty of confirming well-qualified judges, we hope the trailblazers of today can be closer to the norm of tomorrow. We want our courts to include more women, more diverse candidates, both demographically and professionally, and more judges who come from unique backgrounds. Our courts, our democracy, and the American people will be better off through these efforts. There is not a doubt in my mind Judge Childs will help advance this noble goal. I look forward to her final confirmation.

MARRIAGE EQUALITY

Mr. President, finally, on marriage equality, this week, the House of Representatives is scheduled to vote on two pieces of legislation that will enshrine some of the most fundamental rights that every American should enjoy: the right to marriage equality and the access to contraceptives.

These votes come at a disturbing and dangerous moment for our country. A few weeks ago, the Supreme Court concluded one of its worst and most destructive terms in history.

Casting aside a half century of precedent, a conservative majority on the Court shamefully and disgustingly eliminated the fundamental right of women to make their own decisions regarding their bodies. It is a decision that will live in infamy, an indelible stain on the legacy of the highest Court in the land that will not be erased.

Alarming, the nightmare is very likely far from over. The MAGA Republicans on the Court and the MAGA radicals who are taking over the Republican Party have made it abundantly clear they are not satisfied with repealing Roe. As I said, it is an indelible stain, and the attempts by some to talk it away and erase it will not happen because it is such a bad stain.

Anyway, the MAGA Republicans who are taking over the Republican Party have made it abundantly clear they are not satisfied with repealing Roe. As many have openly said, they have turned their attention now to the Obergefell decision and marriage equality.

A few days ago, the junior Senator from Texas said the Supreme Court's decision protecting marriage equality was "clearly wrong" and argued that partisan State legislatures should determine who can and cannot get married. Other MAGA Republicans have echoed the same thing. We need to think—we need to pause and think about how unhinged—unhinged—this idea is.

Fresh off repealing the rights of every single woman in this country, MAGA Republicans now want to reopen the doors for discrimination and hatred targeted against same-sex couples. Even one of the Justices on the Supreme Court indicated in his opinion that gay marriage should be reconsidered by the courts.

This is the future that MAGA Republicans clamor for: one where women and same-sex couples are branded as second-class citizens. If they succeed, they will take our country down a dark path from which there may be no return, although we will fight it tooth and nail. Every single American should stand in opposition against these MAGA Republican views.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

INFLATION

Mr. McCONNELL. Mr. President, a year ago today, with prices already rising, President Biden said that high inflation was "expected to be temporary." One year later, after 9 straight months of inflation over 6 percent, the prices are now rising at their fastest rate in over 40 years.

Last week's inflation report confirmed on paper what working families have been feeling for a year: President Biden's prediction was dead wrong. Instead, prices are skyrocketing, and paychecks aren't keeping up. Real hourly wages are declining at breakneck speeds, dropping a full 1 percent last month alone. The average American worker got a full 1-percent pay cut just last month alone due to inflation.

The Biden administration has tried to claim that we are "stronger economically than we have been in history." That is what the White House Press Secretary told reporters earlier this month. Kentuckians know that is utterly absurd. They know the opposite is true. In my home State, the average household now spends over \$600 more—\$600 more—every month compared to the day President Biden took his oath of office. That comes out to more than \$7,300 a year.

Inflation is pushing Kentucky families to the brink. As a result, food bank

demand is rising, and shelves are running low. A soup kitchen in Campbell County put out an urgent call for volunteers as surging visitors threaten to overwhelm its limited staff. As the executive director said in an interview, with “inflation and milk [at] \$4 a gallon,” they see people who have “never needed help before.”

I have received messages from constituents all over the Commonwealth facing the same crisis: Prices are rising while real wages fall.

A 59-year-old from Louisville tells me she has worked two jobs since she graduated from college in 1987 to save for retirement. Now she is afraid she will “lose [her] hard-earned money . . . due to this inflation.”

Another constituent in Hopkins County tells me he worked 60 hours a week for years to afford the home he bought recently. Now, with rising prices, he “can’t even support [his] family anymore” and might lose his new house as well.

A couple in Lexington in their late seventies spends almost all of their fixed income on rent, utilities, and medical bills. They are struggling to find enough left over for food. “What are we suppose[d] to do?” they ask.

Families across Kentucky are asking themselves the same question every day. The answer from Washington Democrats is alarming but not surprising. After spending us into inflation, they now want to tax us into recession. I can’t think of a more reckless response for struggling Kentuckians.

DISCLOSE ACT

Mr. President, now on another matter, unfortunately, inflation and tax hikes don’t exhaust Washington Democrats’ capacity to make trouble for the American people. Today, the Rules Committee will be reviewing the DISCLOSE Act—a seemingly annual liberal attempt to restrict political speech by threatening the privacy of those who see things differently from them.

For decades, Washington Democrats have looked for opportunities to expand the reach of unelected Federal bureaucrats to police the political activities of private citizens. The DISCLOSE Act is just one more example of a troubling tendency on today’s political left: Quit trying to play by the rules and demanding a change in the rules instead.

The DISCLOSE Act was a key pillar of the sweeping election takeover Democrats have been trying to pass since they lost an election in 2016. For years, they have failed to convince majorities in Congress or among the American people that the future of our democracy requires the playing field to be tilted toward their side.

But failing to overhaul the system hasn’t stopped liberals from sabotaging the guardrails that protect political speech from the inside. Remember, the naming and shaming of conservatives for “wrong think” was practically an official policy back in the Obama-

Biden IRS. More recently, leaked confidential taxpayer information from the IRS wound up in the hands of liberal publications just in time for tax debates on the Hill. Now Washington Democrats want to grease the skids for more. Needless to say, whether or not disclosure was legal hasn’t been a primary concern for the liberals behind these leaks in recent years.

But to the extent our Democratic colleagues want to have a conversation about laws on the books, donations to political action committees are already disclosed to the FEC. So are donations to 501(c)(4) organizations aimed at influencing Federal elections. In other words, existing law has already thought of this.

What our colleagues want to do is newly expand the definition of political speech and stretch disclosure requirements. They want Americans who oppose them politically to have to either abandon their privacy or abandon the public square. They want conservatives to choose between their livelihoods or their political beliefs. The chilling effect on Americans’ speech is by design, not by coincidence.

The same liberal groups who urged radical mobs to intimidate the Supreme Court Justices outside their private family homes and the same elected Democratic officials who refuse to condemn that illegal intimidation now want to systematically “out” ordinary private citizens’ private donations and political speech.

The pro-intimidation, anti-privacy modern left wants less privacy surrounding the First Amendment. It doesn’t take much connecting the dots to see why. But even the liberal ACLU warned years ago that what liberals want here “unconstitutionally infringes on freedom of political speech and the right to associational privacy.” That is the ACLU, on the same side as myself.

More recently, the NAACP and the ACLU teamed up in fighting State-level public disclosure laws at the Supreme Court—on the same side, again, as me and several other Republican Senators. They reiterated the landmark ruling in NAACP v. Alabama that “inviolability of privacy in group association may in many circumstances be indispensable to preservation of freedom of association, particularly where a group espouses dissident beliefs.”

Ah, but today’s Democrats disagree. Over the years, Washington Democrats have cycled through a litany of reasons for passing their sweeping takeover of American elections. But while the rationales changed constantly, the goal never changes one inch: more power for elected Democrats to rewrite the rules of their own elections and more power for the political left to harass and intimidate citizens who don’t think like them.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

INFLATION

Mr. THUNE. Mr. President, June inflation numbers came out last Wednesday, and, as is typical for the Biden Presidency, they weren’t good. In fact, they were spectacularly bad. Inflation hit 9.1 percent in June, the worst inflation since November of 1981. The last time inflation was this bad, America was still a year and a half away from finding out whether Han Solo would survive his time in carbonite.

Mr. President, we all know how we got here. In large part, it was via a Democratic spending spree. When Democrats took office in January 2021, Congress had just passed a fifth bipartisan COVID relief bill that met essentially all current pressing COVID needs. But now that they were in charge, Democrats were eager to get spending. So they passed a massive \$1.9 trillion piece of legislation under the guise of COVID relief that flooded the economy with unnecessary government money, and, as expected, the economy overheated as a result.

Even worse, despite steadily climbing inflation in the wake of their bill, Democrats seemed incapable of learning from their mistake. In fact, they spent last fall attempting to double down on the strategy that helped get us into this mess in the first place. Fortunately, their plans for a second spending spree failed last December.

But it has become clear that they are not giving up. In fact, right now, they are trying to pass a new version. In the latest iteration of their tax-and-spending spree, Democrats notably plan to hike taxes on small businesses. Yeah, that is right, on small businesses.

Our country is struggling with soaring inflation, the economy is teetering on the brink of a recession, and the Democrats want to raise taxes on small businesses—and particularly on small, individually, and family-owned businesses or what are often called pass-through businesses, which make up more than 90 percent of the businesses in this country.

Mr. President, I guess it shouldn’t be a surprise. After all, “tax and spend” is the unofficial Democrat motto. The Democrats have made their hostility to tax relief very plain. President Biden ran for President on repealing tax cuts from the Tax Cuts and Jobs Act, the tax relief legislation Republicans passed in 2017 that helped increase wages and incomes, boost economic growth, and drive the poverty rate to a record low.

In addition to the natural economic recovery coming out of the pandemic, much of the residual strength in the economy that President Biden likes to tout is a result of the tax relief passed

in the Tax Cuts and Jobs Act, but that hasn't stopped President Biden from claiming that the bill just benefited high-income earners and corporations.

The only problem with his narrative, of course, is that lower- and middle-income Americans are actually the ones who saw some of the biggest benefits from Republicans' tax relief legislation. Wage growth in the wake of Republicans' legislation was strongest for those in lower income brackets. From 2017 through the end of 2019, real wealth for the bottom 50 percent increased by an astounding 28.4 percent, compared to 8.9 percent for the top 1 percent. Meanwhile, government revenue, which Democrats claimed would be hit hard by the Republican tax cuts, last year posted its largest increase in 44 years.

Mr. President, before the enactment of the Tax Cuts and Jobs Act, Democrats charged that reducing the U.S. corporate tax rate—from the highest rate, I would add, in the developed world, 35 percent, to a more globally competitive rate of 21 percent—would strip the government of corporate tax receipts. That has hardly been the case. Not only did Federal corporate tax revenues come in at a record high in fiscal year 2021; corporate tax revenue, as a share of the economy, rose to its highest level since 2015.

Total tax receipts are set to increase this year by 19.5 percent or \$800 billion, according to the nonpartisan Congressional Budget Office, after rising last year by 18 percent. Tax revenues year over year: 18 percent last year; 19.5-percent increase in tax revenues this year, which begs the question: Why do Democrats want to raise taxes when you have got record revenue coming into the Federal Government?

The effects of tax reform on business investment, wages, and tax revenue have been a boon to the American people and our economy. It is fascinating how Democrats claim to want one thing yet push for policies that will secure the exact opposite.

The President claims he ran for office because he was tired of the trickle-down economy and that he wanted to build an economy that works for working families.

The ironic thing is that the pre-COVID economy President Biden complains about was working for working families, thanks in large part to the Tax Cuts and Jobs Act and other Republican economic policies.

The Biden economy, in contrast, is the very opposite of an economy that works for working families. Working families in the Biden economy are suffering. Food prices have risen astronomically, and gas prices are nearly twice as high as they were when President Biden took office. Real average hourly earnings are currently declining at the fastest pace in 40 years, and Americans continue to see a de facto pay cut under President Biden. Currently, a growing number of Americans are digging into their savings—when

they have them, that is—to make ends meet. Others are relying on things like credit cards or visits to food banks, where demand has soared.

Now Democrats want to make things worse by raising taxes on small businesses and other Americans. That is likely to lead to a combination of lower wages for workers, lower returns for business owners, and higher prices for goods and services. When you combine that with soaring inflation and more unnecessary government spending, you have a recipe for continued economic misery for American families.

If Democrats really wanted to help American families, they would be focused on making all of the Tax Cuts and Jobs Act tax cuts permanent. Instead, they are pursuing tax-and-spending policies that will make the economic havoc they created even worse.

Let's hope that the newest iteration of their Build Back Better tax-and-spending spree will fail before American families have to suffer any more consequences.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Democratic whip.

Mr. DURBIN. Mr. President, I listened to the Senator from South Dakota, my friend, and I think he fairly set out the Republican agenda: Take the Trump tax cuts—the cuts that appeared during the Trump administration for the wealthiest people in America—and make them permanent. That is his idea of an economic boost that America needs; it is not mine. My idea is to try to address the challenges which working families in America face today, the challenges which many people in America of limited means face today. I think the Tax Code should be written with those people in mind, not with the wealthiest people in mind, which the Republicans did when they pushed through the Trump tax cuts, with the opposition of Democrats.

So what are we proposing that was characterized yesterday by the Republican minority leader as socialistic? Well, what we are proposing is trying to bring some fairness when it comes to prescription drug pricing.

PRESCRIPTION DRUG COSTS

Mr. President, ask Americans about the cost of living. They will certainly talk to you about gasoline and food and prescription drugs—particularly our seniors.

It was ironic yesterday that after the Senator from Kentucky on the Republican side called cutting prescription drug pricing socialistic, just a few minutes later, the senior Republican Senator from Iowa took the floor and endorsed the very same policy. He said he was in favor of cutting prescription drug pricing for senior citizens. The two of them obviously are not talking with one another or certainly not agreeing on a basic issue.

Here is what we think. We believe the pharmaceutical industry in America is a great industry and very profitable.

We believe that they are spending more money to increase their profits—not as much on research as they are on marketing. What do I mean? Turn on the television station and try to avoid an ad for a drug. They are on constantly. Really, they spend a lot of money—the industry does—on those ads and marketing efforts, more money than they spend on actual research for new drugs.

What are they trying to do? They are trying to convince the American consumers to ask for certain drugs when they go to the doctor. They have to work overtime to try to get us to the point where we can spell Xarelto and write it down on a piece of paper and go to a doctor and ask for it, and people do, and it works. The money they spend on advertising works.

There are only two countries on Earth that allow television advertising for pharmaceutical drugs: the United States and New Zealand. Most every other country says that those decisions should be made by medical professionals. Consumers can't know the whole story, can't know the medical aspects—every aspect of a drug. It is best to leave it to the professionals. But the American pharmaceutical industry sees it another way. If they can educate, inform, and motivate American consumers to ask for drugs, many doctors will prescribe them without a battle, and the cost of healthcare goes up.

BlueCross BlueShield based in Chicago, IL, told me that the push behind increases in health insurance premiums for families across America is the cost of prescription drugs. They are so expensive.

So we are trying to, on the Democratic side, come up with a plan that reduces the cost of prescription drugs for Americans and American families—particularly for senior citizens. It is long overdue. Senior citizens who can't afford their prescriptions don't fill them or take half a dose when they should take a full dose for their good health in the future. We want to reach the point where these pharmaceuticals and prescription drugs are affordable.

Right now, we have what I consider to be a fair deal between the Veterans' Administration and the pharma companies. They negotiated the prices of these drugs so that our veterans get the benefit of that negotiation.

Incidentally, the pharmaceutical companies also have to negotiate with governments in other countries. Canada, selling exactly the same drugs made in the same place in the United States, charges a fraction for most drugs over what is charged to the American consumers. What is the difference? The difference is, the Canadian Government said: We are not going to let you exploit our customers in Canada. So they keep the costs of American drugs lower than what we pay in the United States. There is no fairness there. If we are going to have negotiation to bring pharmaceuticals down to an affordable level in Canada, we should do it in the United States.

The bill being pushed by the Democrats and opposed by the Republicans would do several things.

It would say that Medicare can negotiate prices for drugs. That will help senior citizens and will save our Treasury money.

It also says that we are going to limit the amount of out-of-pocket expenditures that seniors will face under Medicare to \$2,000 a year. That is a real break for a lot of people who are struggling to make ends meet among our senior citizens.

We also say that if the pharmaceutical companies dramatically increase the price of drugs, they will be subject to a penalty. There are conditions for that, but we are trying to say to them that you can make a profit, but don't try to capitalize on that profit every single year by raising the cost of drugs.

What we are talking about are actual family concerns for the affordability of lifesaving drugs. The Democrats are for it; the Republicans oppose it. They have said it is socialism; it is trying to make a buck—or whatever they want to characterize it, I don't know. They ought to sit down and talk to some of these families. In fact, they ought to talk amongst themselves when a Republican Senator took the floor yesterday and agreed with our position on pharmaceuticals.

I would say to the Senator from South Dakota, he can continue his campaign for the Republican dream of making tax cuts for the wealthiest people permanent. I want to be part of the Democratic aspiration to make life more affordable, particularly for seniors and those in need of affordable drugs.

SEMICONDUCTORS

Mr. President, today, the Senate is going to take up the CHIPS Act of 2022. It is critical to our economy and national security. It will provide billions of dollars to boost our domestic semiconductor manufacturing industry.

In 1990, the United States produced 37 percent of the world's semiconductors—1990. Today, it is 12 percent.

Semiconductors are used in everything from vacuum cleaners to refrigerators, cell phones, cars, and fighter jets. The ongoing global shortage of microchips has led us to supply chain constraints on goods, higher prices, layoffs, and a great dependency on foreign suppliers.

For generations, my home State of Illinois has been a leader in auto manufacturing. This includes companies like Stellantis, which has a plant in Belvidere, IL. Unfortunately, this plant has had forced shutdowns and layoffs in recent years—not because they lack customers; they lack chips. The global shortage of semiconductors has forced Stellantis to slash its workforce by more than 70 percent over the past 3 years. A similar story unfolded at Ford's Chicago Assembly Plant—repeatedly forced to stop production and lay off workers because of a shortage of chips.

This isn't just an Illinois problem. U.S. automakers are building an estimated 3 million fewer vehicles than projected this year because of the semiconductor shortage. The global chip shortage and resultant slowdown in auto manufacturing has driven up the cost of cars and trucks. A new car costs 17 percent more today than a year ago. Talk about dealing with inflation—when it comes to the cost of vehicles, you are dealing with a shortage in semiconductor chips.

Across America, layoffs, closed production lines, long waits, and high prices for cars, appliances, and other basics are evidence of the urgent need to invest in our domestic manufacturing industry and domestic production of semiconductors. If we fail to make these investments, American workers and consumers will pay the price.

This isn't only about our Nation's economy; it is also about our Nation's security. Many U.S. defense systems and platforms rely on foreign-made chips for their performance, and semiconductors are particularly critical for the next generation of defense technology.

Most of the chips that power U.S. defense systems today are made in Asia. Think about that for a minute. We are dependent on Asia for the chips that we need to keep America safe.

We have seen what a pandemic can do to supply chains. Think about how military conflict could end up with supply chains, global supply chains, in danger. Imagine if China, for instance, decided to deliberately withhold microchips from a nation to weaken their national defense. Rebuilding America's microchip production is about defending our Nation and our allies in a dangerous world.

I understand some have concern about the subsidies in the bill, framing them as corporate giveaways. It is true that many of the chipmakers who would benefit from this bill are profitable or they moved production overseas despite receiving previous Federal funding. But in this bill are incentives to bring microchip production back to the United States, and they are absolutely necessary for us to compete with other nations that are trying to lure chipmakers away from the United States.

The bill also includes guardrails to protect and promote production in the United States, such as prohibiting the manufacture of certain chips in countries of concern, like China.

Ultimately, this bill makes strategic investment to boost our domestic supply chain, counter the threat posed by other countries, like China and Russia, and help American consumers. I urge my colleagues to pass the CHIPS Act without delay.

Mr. President, I would like to make one last statement on the record.

The PRESIDING OFFICER (Mr. PADILLA). Without objection, it is so ordered.

NOMINATION OF NANCY L. MALDONADO

Mr. DURBIN. It is not every day we get to say this, but this week, we have a chance to make history in the "Land of Lincoln." Soon, the Senate will vote to confirm Nancy Maldonado as U.S. district court judge for the Northern District of Illinois. If confirmed, this eminently qualified nominee will be the first Hispanic woman to serve as an article III judge in Illinois. It marks yet another proud accomplishment in our efforts to build a judiciary that really reflects America.

Born in Skokie, Ms. Maldonado has practiced law for more than two decades. She earned her A.B. cum laude from Harvard and her J.D. from Columbia Law School. After graduating, she clerked for 2 years with Judge Ruben Castillo, who served on the court to which she has now been nominated.

In the years since her clerkship, Ms. Maldonado has dedicated herself to defending the rights of working people as a plaintiff-side employment law litigator. Throughout her career, she has continually answered the call to serve our State.

In the early 2010s, she worked as special assistant state's attorney to Cook County to investigate fraud. In 2018, our State's attorney general appointed her to serve as consent decree monitor in two employment discrimination cases. Again last year, she was appointed to serve as a special assistant attorney general to investigate consumer fraud. She was also confirmed by the Illinois State Senate to join the State Police Merit Board, a role in which she has worked to ensure that members of law enforcement who protect and serve our communities are treated fairly.

With such impressive credentials, it is no wonder that Senator TAMMY DUCKWORTH and I enthusiastically support Ms. Maldonado and that the American Bar Association rated her "well qualified."

Given her extensive experience and long record of service, she will be an asset to the Northern District of Illinois. I hope all of my colleagues will join me in voting for her confirmation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

SEMICONDUCTORS

Mr. WARNOCK. Mr. President, as it turns out, I rise to echo the sentiments of my colleague, the distinguished Senator from the State of Illinois.

The Senate is prepared to finally begin debating a targeted version of the jobs and competition bill that many of us have been working on for more than a year, and I rise today to urge my colleagues not to waste any more time in getting this important bill across the finish line. We should not allow politics to get in the way of the people's work.

As a voice in the Senate for my home State of Georgia, I cannot stress enough how critical it is for us to get this bill done for our national security

and to keep our economy competitive against global actors like the Chinese Communist Party and to lower rising costs for hard-working families all across Georgia and all across our country.

Now, I know that there might be disappointment from some of my colleagues that we are not able to pass the more robust package right now that we have been working on and negotiating since last April. And, honestly, I share that disappointment.

As both a member of the Commerce Committee and a member of the committee that has been negotiating the final competition bill, I have been working hard to secure several priorities for Georgia in that package, and I am not about to stop fighting for those priorities.

I am going to keep fighting to get investments and policies like funding for regional tech hubs, for STEM education—an education program that invests in all of our children, in all of our young people—and workforce development passed into law.

But let me be clear: Passing a bill that will strengthen domestic production of one of our country's most valuable resources, semiconductors or chips, is a crucial opportunity to invest in the economy, invest in our security, and our future. And we cannot wait another minute.

I want to shine a spotlight on this because I have heard from Georgians about the importance of this legislation and, specifically, investing and making more chips here in the United States. We know that chips are essential components in the products that support thousands of good-paying jobs in Georgia, not to mention things like cars, cell phones, computers, vacuum cleaners, ATMs. Chips are all around us, a host of products we rely on every single day.

And we know that our chips supply chains are under significant strain, both from production limits and geopolitical threats. But what you may not know is how these issues directly affect workers and companies on the ground all across the State of Georgia—companies like Kia, which has a thriving facility out in West Point, GA, about halfway between Atlanta and Montgomery, AL, on I-85. Semiconductors are essential to the manufacturing of the roughly 340,000 vehicles Kia produces in Georgia every year. At least twice in the past year, this facility, which I have visited on more than one occasion, has had to stop work at the plant because they didn't have enough chips.

They had to stop working, not because they didn't have enough customers, but because they didn't have enough chips. I visited that West Point facility, and I met with some of those workers. And I can tell you that the last thing that those workers need is to miss days off work and money out of their paychecks because we don't manufacture enough of the materials that they work with every single day.

And it is not just car manufacturers in Georgia. The chip shortage is hurting our State's economy in myriad ways, big and small. For instance, Stephen Milner is the CEO of Planters Telephone Cooperative, a member-owned telecommunications provider in Screven County that does broadband expansion, as well as broadband maintenance.

Stephen's company needs equipment to do that work that requires semiconductors, and as he explained recently in the Atlanta Journal Constitution, it has become harder to expand telephone and internet services to new businesses and homes in the rural communities he services because his company can't guarantee that it will get the parts needed to complete the job.

So think about that. The chip shortage isn't just hurting jobs and bottom lines; it is hobbling our ability to expand rural broadband. And farmers all across Georgia will tell you that you can't even farm efficiently without a good broadband connection.

And so this is devastating, especially for rural Georgians. And if we don't act soon, it will get worse. We have got to ensure that all of our citizens can take full advantage of every opportunity in our changing economy. And this is a problem we can solve. We can solve it.

The only thing that gets in the way of this right now is politics. And so we have got to pass this bill. If we produced more chips here at home, it would boost domestic manufacturing, ease supply chain issues, and help begin to lower rising costs for goods that families are experiencing in Georgia and around the country. Why wouldn't we want to take steps to drive down costs for hard-working families right now? We work for them.

Lastly, this bill contains provisions I fought for that will expand these tax incentives to companies down the semiconductor supply chain, supporting economic engines like the high-tech semiconductor plant being built in Covington, GA, that will create 400 new jobs.

There are real economic consequences for people in my State if we do not pass this chips bill and make these investments. These are the human faces of the public policy that we would pass. But that is not the only reason we need to get this bill done as urgently as possible.

It also bears repeating that passing this legislation is critical to our national security and strengthening our competitiveness against global actors like the Chinese Communist Party. Chips are used in technology critical to our national security.

According to a 2020 report from the Semiconductor Industry Association, in 1990—listen—in 1990, the United States represented a 37 percent share of the world's chip manufacturing capacity. Today, that number is 12 percent—from 37 percent to 12 percent.

I submit that that is unacceptable, and it is a threat to our national secu-

rity. As we have heard from Defense Secretary Austin, Commerce Secretary Raimondo, and other administration officials, we are at a tipping point—a tipping point—where international companies are making significant decisions about where they are investing their capital and putting down roots.

In fact, we have already seen several of these entities hesitate to invest in American manufacturing due to inaction and political gamesmanship right here in Washington.

So our ability to rise to this occasion will demonstrate whether the United States is willing to cede the innovation and economic higher ground to the Chinese Communist Party or whether we will stand up to the People's Republic of China and reinvest in the manufacturing and innovation prowess that has made America a lone superpower for decades.

I submit that if we fail to pass this bill immediately, we will set back America's competitiveness for a generation or more. This critical moment requires all of us to put the country above politics. Imagine that: Put the country above politics. Put hard-working American families who are doing the best they can right now above politics and strengthen our Nation's competitiveness.

And so I urge my colleagues to join me in supporting the strong chips legislation, and let's ensure that the next century, like the 20th century, is the American century.

I yield the floor.

NOMINATION OF NINA NIN-YUEN WANG

Mr. DURBIN. Mr. President, this week, the Senate continues its work confirming experienced, diverse nominees to the Federal judiciary.

Today, the Senate will vote to confirm Judge Nina Wang, nominated to the U.S. District Court for the District of Colorado. Judge Wang currently serves as a magistrate judge in the District of Colorado. Prior to joining the bench, she worked in private practice, primarily representing plaintiffs and defendants in a broad range of complex intellectual property matters. Judge Wang also served as an Assistant U.S. Attorney for the District of Colorado, a role in which she litigated civil cases on employment, environmental, and civil rights matters.

A graduate of Washington University in St. Louis and Harvard Law School, she clerked for Judge Peter J. Messitte on the District of Maryland a few years after earning her J.D. The American Bar Association has unanimously rated Judge Wang "well qualified", and she enjoys the strong support of her home State Senators, Mr. BENNET and Mr. HICKENLOOPER.

I will support Judge Wang, and I urge my colleagues to do the same.

VOTE ON THE WANG NOMINATION

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. I ask that the scheduled vote occur immediately.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Wang nomination?

Mr. KING. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. LEAHY) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Nebraska (Mrs. FISCHER), the Senator from Louisiana (Mr. KENNEDY), the Senator from Kansas (Mr. MORAN), the Senator from Alabama (Mr. SHELBY), and the Senator from Alabama (Mr. TUBERVILLE).

The result was announced—yeas 58, nays 36, as follows:

[Rollcall Vote No. 257 Ex.]

YEAS—58

Baldwin	Hassan	Reed
Bennet	Heinrich	Rosen
Blumenthal	Hickenlooper	Rounds
Blunt	Hirono	Sanders
Booker	Kaine	Schatz
Brown	Kelly	Schumer
Burr	King	Shaheen
Cantwell	Klobuchar	Sinema
Cardin	Lujan	Smith
Carper	Manchin	Stabenow
Casey	Markey	Tester
Collins	Menendez	Tillis
Coons	Merkley	Van Hollen
Cortez Masto	Murkowski	Warner
Duckworth	Murphy	Warnock
Durbin	Murray	Warren
Feinstein	Ossoff	Whitehouse
Gillibrand	Padilla	Wyden
Graham	Peters	
Grassley	Portman	

NAYS—36

Barrasso	Ernst	Paul
Blackburn	Hagerty	Risch
Boozman	Hawley	Romney
Braun	Hoeven	Rubio
Capito	Hyde-Smith	Sasse
Cassidy	Inhofe	Scott (FL)
Cornyn	Johnson	Scott (SC)
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	Lummis	Toomey
Cruz	Marshall	Wicker
Daines	McConnell	Young

NOT VOTING—6

Fischer	Leahy	Shelby
Kennedy	Moran	Tuberville

The nomination was confirmed.

The PRESIDING OFFICER (Mr. LUJÁN). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomi-

nation of Executive Calendar No. 988, Nancy L. Maldonado, of Illinois, to be United States District Judge for the Northern District of Illinois.

Richard J. Durbin, Tammy Duckworth, Tammy Baldwin, Robert P. Casey, Jr., Margaret Wood Hassan, Christopher Murphy, Jack Reed, Alex Padilla, Patty Murray, Sheldon Whitehouse, Mazie Hirono, Jacky Rosen, Edward J. Markey, Tina Smith, Elizabeth Warren, Jeanne Shaheen, Sherrod Brown.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Nancy L. Maldonado, of Illinois, to be United States District Judge for the Northern District of Illinois, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. LEAHY) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Nebraska (Mrs. FISCHER), the Senator from Louisiana (Mr. KENNEDY), the Senator from Kansas (Mr. MORAN), the Senator from Alabama (Mr. SHELBY), and the Senator from Alabama (Mr. TUBERVILLE).

The yeas and nays resulted—yeas 53, and nays 41, as follows:

[Rollcall Vote No. 258 Ex.]

YEAS—53

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Rosen
Blumenthal	Hirono	Sanders
Booker	Kaine	Schatz
Brown	Kelly	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Collins	Markey	Tester
Coons	Menendez	Tillis
Cortez Masto	Merkley	Van Hollen
Duckworth	Murkowski	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Graham	Padilla	Wyden
Hassan	Peters	

NAYS—41

Barrasso	Ernst	Portman
Blackburn	Grassley	Risch
Blunt	Hagerty	Romney
Boozman	Hawley	Rounds
Braun	Hoeven	Rubio
Burr	Hyde-Smith	Sasse
Capito	Inhofe	Scott (FL)
Cassidy	Johnson	Scott (SC)
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Cramer	Lummis	Toomey
Crapo	Marshall	Wicker
Cruz	McConnell	Young
Daines	Paul	

NOT VOTING—6

Fischer	Leahy	Shelby
Kennedy	Moran	Tuberville

The PRESIDING OFFICER (Ms. SINEMA). On this vote, the yeas are 53, the nays are 41.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Nancy L. Maldonado, of Illinois, to be United States District Judge for the Northern District of Illinois.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:07 p.m., recessed until 2:15 p.m., and reassembled when called to order by the Presiding Officer (Ms. SINEMA).

EXECUTIVE CALENDAR—Continued

VOTE ON MALDONADO NOMINATION

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

The question is, Will the Senate advise and consent to the Maldonado nomination?

Mr. SCHATZ. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. LEAHY) is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Louisiana (Mr. KENNEDY).

The result was announced—yeas 53, nays 45, as follows:

[Rollcall Vote No. 259 Ex.]

YEAS—53

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Rosen
Blumenthal	Hirono	Sanders
Booker	Kaine	Schatz
Brown	Kelly	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Collins	Markey	Tester
Coons	Menendez	Tillis
Cortez Masto	Merkley	Van Hollen
Duckworth	Murkowski	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Graham	Padilla	Wyden
Hassan	Peters	

NAYS—45

Barrasso	Fischer	Portman
Blackburn	Grassley	Risch
Blunt	Hagerty	Romney
Boozman	Hawley	Rounds
Braun	Hoeven	Rubio
Burr	Hyde-Smith	Sasse
Capito	Inhofe	Scott (FL)
Cassidy	Johnson	Scott (SC)
Cornyn	Lankford	Shelby
Cotton	Lee	Sullivan
Cramer	Lummis	Thune
Crapo	Marshall	Toomey
Cruz	McConnell	Tuberville
Daines	Moran	Wicker
Ernst	Paul	Young

NOT VOTING—2

Kennedy	Leahy
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The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid

upon the table, and the President will be immediately notified of the Senate's actions.

The Senator from Michigan.

ABORTION

Ms. STABENOW. Madam President, I rise today to speak on behalf of American women, our fundamental rights, and our freedom to make our own healthcare decisions.

It is shocking that in this day and age that we have to actually stand up and fight for something as basic as making our own reproductive health decisions, not a bunch of politicians, not a bunch of judges but women making our own healthcare decisions.

Thanks to a radically conservative Supreme Court that we now have, reproductive freedom is no longer a constitutional right in the United States of America—no longer a constitutional right in the United States of America after 50 years.

Today's daughters and granddaughters have fewer freedoms than their grandmothers did, and, for the record, we are furious. Want to know just how furious? Well, in Michigan, our State could soon revert back to a 1931 law that makes abortion at any stage a felony—no exceptions for rape or incest; putting people in jail, potentially; women going to jail; doctors going to jail. Who knows how far this would go?

Well, the people of Michigan aren't going to stand for that, and a group called Reproductive Freedom for All has gotten to work. These passionate advocates and volunteers from all across Michigan—west side, east side, up north, down south in Michigan—have collected more than 750,000 signatures to put reproductive freedom on the ballot for Michigan women this November.

It is the most signatures ever collected for a ballot measure in Michigan, twice as many as is actually needed to put the ballot proposal on the November ballot—the most ever. Madam President, 750,000 people have come forward to sign petitions to give them the right to vote, to protect their reproductive freedoms. So our freedoms are on the ballot in November.

Now, we also know that we have to continue to do everything we can right now, both at the State level and the Federal level, because waiting isn't an option. Women's lives and people's livelihoods are on the line today, and it has revealed a stark contrast when we look at the actions that are being taken or not taken.

Democrats are standing with women to protect our reproductive freedoms. As of June 1, Democrats in five States have already enacted laws—new laws—protecting access to legal abortion, and 62 pieces of legislation have been introduced in 17 States across America to protect reproductive freedom. Vermont, California, and Arizona have joined Michigan in pursuing ballot initiatives to enshrine reproductive freedom in their State constitutions.

So men and women will have the opportunity there, the freedom to vote to protect their reproductive freedoms. Democratic Governors have issued executive orders and taken other actions to protect access to reproductive healthcare. The Biden administration signed an Executive order directing Agencies to protect access to medical care and is providing legal support to patients and healthcare providers.

Meanwhile, Republicans are doing everything they can—everything they can—to stand in the way of women who are simply trying to access basic healthcare—basic healthcare, what is best for them, with their own faith, their own family, the counsel of their doctors, the capacity for women to make their own decisions, again, not a bunch of politicians, not a bunch of judges. It is the United States of America. This is not about what decisions are made; it is about who makes them: the government or women.

Now, Republicans are saying the government at every level. Fifteen States have already banned abortion, and several more are expected to follow soon. A clinic in Cleveland, OH, a State where care has been severely restricted, is now sending its patients to Detroit.

These women have to drive 2½ hours, at least, to receive basic healthcare. And now some people want to take away their car keys. And to be clear, Republicans—Republican elected officials—want to take away their car keys.

Republican lawmakers in some States are pursuing legislation to prevent people from traveling to another State to receive reproductive healthcare. In America, people are being banned from driving to another State to be able to get the healthcare that they need, oftentimes, in very serious emergency situations, tragedies.

Think about that for a moment. Republicans, who fancy themselves the party of freedom, are trying to pass laws that would prevent an Ohio woman from driving to Michigan for healthcare in America.

The Freedom to Travel for Healthcare Act introduced by my friend Senator CORTEZ MASTO would have protected that right. It would protect that right, and last week we tried to pass it.

Unfortunately, my Republican colleagues have blocked it, but we will keep trying. We will keep doing everything we can to get enough people who are pro-choice, who respect privacy, respect women in this Chamber to be able to make that happen.

So, this week, we are trying a different approach to protect people's reproductive freedom. Senator SMITH and Senator MURRAY have introduced legislation that I am pleased to cosponsor as well. It would provide \$550 million a year in permanent funding for title X family planning programs.

Now, let me remind everyone that title X funding can't be used to provide

abortion. This is about basic healthcare, yearly Pap smears, OB/GYN visits, and the capacity to work with a clinic to get the basic care that you need and the basic birth control that you need.

It prevents unplanned pregnancies in the first place by providing affordable birth control and other reproductive healthcare to people who need it. We should all be able to come together. Given my colleagues across the aisle and how passionate they are about preventing abortions, I expect that they will eagerly support this commonsense bill when, in the next couple of days, a motion is made to pass it.

Birth control is basic healthcare. We shouldn't need to be here defending something that nearly 90 percent of American women use at some point in their lives. But we saw what happened to Roe, and we have since seen how eager Republicans at all levels are to constrain reproductive freedom. So here we are.

I urge my colleagues to support this legislation coming before us this week. Democrats are standing with women. We respect women. We understand that women need to make their own decisions, and Democrats understand that this is about freedom—the freedom to decide for ourselves, in whatever circumstance that we are in, whatever tragedy, whatever is happening that women need to be able to make our own basic healthcare decisions and not have the government coming in to regulate what is happening for women.

So it is time for Republicans to join us on this legislation, basic legislation on title X that will ensure that there is support for basic reproductive healthcare. Again, we are talking about annual visits. We are talking about OB/GYN visits for women. We are talking about basic birth control. I certainly hope that my Republican colleagues are not going to say no to basic healthcare, reproductive healthcare for women.

I hope Republican colleagues will join us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

CHIPS ACT

Mr. PORTMAN. Madam President, I come to the floor of the Senate today because we are poised to begin consideration of a really important piece of legislation. It is a plan to make America more competitive with China and a plan to bring good jobs back to America. I am talking about the bipartisan CHIPS Act, which includes reshoring semiconductor manufacturing to America and giving American workers and American companies the tools they need to compete and win.

Let me give some background on why this legislation is so badly needed. U.S. dominance in what is called semiconductor manufacturing has dwindled for decades, and it is an economic and a national security concern. The U.S. has always led the world in chip design. We

came up with this technology, but our share of the global chip manufacturing capacity over the past 30 years has gone from about 37 percent down to less than 12 percent today.

As a result, we rely more and more on foreign countries for these essential chips; and in the past few years, the supply chain has not been reliable. You know that if you tried to buy a car recently—maybe even a washing machine—that you had to wait forever. Why? Because of the lack of semiconductor manufacturers. These chips are just not available.

We have all come to learn in recent years that semiconductors are the building blocks of everything—automobiles, cell phones, computers, household appliances, medical equipment, but also military systems and weaponry like the F-35. And in a more digital economy, by the way, that demand for these semiconductors, these chips, will only continue to grow.

Last year, this lack of semiconductors caused an estimated loss of \$240 billion to the U.S. gross domestic product. So a \$250-billion hit to our economy, according to the Department of Commerce, last year just because of these supply chain issues with semiconductors.

This is more complicated by the key role that our adversaries play in the production of these semiconductors and the fact that we rely on some very vulnerable nations for critical components of the supply chain. Neon gas, which is critical for the laser imprinting of the chips, comes largely from Ukraine. Taiwan is the No. 1 semiconductor fabricator in the world. By the way, 90 percent of the high-end chips are made in Taiwan; none are made here in America anymore—90 percent. Of course, Taiwan's proximity to China and the constant threat of invasion by China adds to the urgency of diversifying the semiconductor supply chain.

By incentivizing companies to make these critical components here in America, we can make our supply chains more resilient; we can protect our national security; and we can boost economies all across the country. That is why the CHIPS Act is so important and why we have been working in a bipartisan fashion in Congress through legislation like this and the broader USICA legislation.

This legislation would work to improve our Nation's competitiveness, generally, in technology, foreign relations and national security, domestic manufacturing, education, trade, and other matters. The CHIPS Act specifically would bring \$52 billion in Federal investments for domestic semiconductor research, design, and manufacturing.

This broader bill, the so-called USICA bill, last June passed this Senate with an overwhelming bipartisan vote. We had hoped that the House would simply pass the Senate approved bill because it was already bipartisan. It had been worked out with Democrats

and Republicans here in the Senate. Nineteen Republicans supported it; all 50 Democrat Senators supported it; the White House supported it.

Instead, the House sat on it. It took them almost a year—11 months—to pass their bill. But when they passed it, it was filled with all sorts of unrelated items that no Republican could support. That is why this has gone so slowly.

So earlier this summer, we began conferencing the House- and the Senate-passed bills, trying to find that common ground between the two bills. We made some progress, but both Chambers have yet to agree on a final product.

Meanwhile, there is an urgency to get this done because it is critical to the decisions that employers are making right now to create and bring semiconductor manufacturing factories and jobs to America or to some other country.

In January, Intel announced its plan to build a \$20 billion site consisting of two semiconductor fabs in the United States and in my home State of Ohio. This is the largest investment in Ohio's history, by far. It comes with a grand total of, again, \$20 billion, two fabs; and we hope that is just a start.

Intel has said time and time again that if the CHIPS Act funding is enacted, this will move forward and move forward quickly. They have also said that if the CHIPS Act moves forward, it could be extended—the \$20 billion—to an up to \$100-billion investment in Ohio. Remember, the \$20 billion is hardly historic. That is because it would continue to build fabs—not just 2, but up to 10. This 3,000-acre site in Ohio could be home to up to eight additional fabs and make central Ohio the silicon heartland. This would be great for my State, great for our region, and great for our country.

This initial investment, by the way, would create about 10,000 good-paying jobs—3,000 on-site eventually, all good-paying, high-paying jobs, good benefits; but also 7,000 good-paying construction jobs in putting it together, tens of thousands of additional electrical, engineering, supplier, restaurant, housing, healthcare, and entertainment jobs to support the region as it expands thanks to this investment. The suppliers alone will be tens of thousands of new jobs.

Ohio has already projected that this investment will add \$2.8 billion to the State's GDP, and that is just a start. Investments, like what is in front of us in Ohio, by the way—as well as similar efforts in Arizona where the Presiding Officer is from, Texas where my colleague Senator CORNYN is from who is here on the floor with us today—are all perfect demonstrations of what this investment in semiconductors incentives can mean to American workers and American companies.

China has committed a lot more than we are talking about as have, by the way, a lot of other countries. This is

not a free market situation. One of my colleagues today asked me about, Shouldn't we just let the market decide? Well, if the market decides and China is offering \$150 billion—which they are, over the next 10 years—when Europe has its own equivalent legislation to ours and is offering tens of billions of euros, or when South Korea or when Japan or when Taiwan are offering these huge incentives, it is very difficult to see us being able to bring these chips back to America—where costs are a little higher—and be able to be competitive. And we need that to happen for our domestic economy, but also our national security.

If we fail to act, we are going to miss a key opportunity here to boost our competitive edge as a nation because these fabs will go elsewhere.

I would also like to see us include some of the other key pieces of the broader Senate passed USICA bill that was passed on a bipartisan basis—again, 19 of us supported that here on the Republican side. That includes critical new investments in research but also key protections to be sure that that research is not stolen by foreign governments, such as China.

We have got to remember that the overall goal of this effort is to improve our country's competitiveness, especially with regard to China. To do that, we must not only invest in research and innovation, which I strongly support, but we must protect that taxpayer-funded research and intellectual property from being taken by our competitors like China and used against us. I believe, given current realities, without such protections, any bill with significant increased levels of Federal funding for research would be a huge giveaway to Beijing. Why do I say that? Because I have worked on this issue for the past 4 years. We have investigated it; we have held hearings; we have passed legislation.

Recently, FBI Director Wray said it well:

The biggest threat we face as a country from a counterintelligence perspective is from the People's Republic of China and, especially, the Chinese Communist Party. They are targeting our innovation, our trade secrets, our intellectual property on a scale that is unprecedented in history.

That is the Director of the FBI.

Senator CARPER on the other side of the aisle and I introduced what is called the Safeguarding American Innovation Act and insisted that it be included in the USICA legislation in order for us to support it. That was my condition for supporting the broader USICA bill. This came after we did a yearlong study with the Permanent Subcommittee on Investigations that found, shockingly, how China had used what are called talent programs for two decades—two decades—to target the most promising taxpayer paid research and researchers and to take that technology, that intellectual property, back to China.

We found that the American taxpayers had been unwittingly funding

the rise of China's military and economy over the past two decades, while the Federal Government had done very little to nothing to stop it. In fact, when the FBI testified at our hearing, they acknowledged that. They said, We haven't been focused on this in the past couple of decades like we should have been; we are going to now.

And they started to. They started to make arrests—and you probably heard about some of these—arresting scientists all over the country, who are abusing our lax attitude toward protecting research by taking research back to China and using it, often, against us.

This legislation goes directly to the root of the problem. It makes it punishable by law to knowingly fail to disclose foreign funding on Federal grant applications. That is not a law now. The FBI has asked us for that law. It requires the executive branch to streamline and coordinate grant-making between the Federal agencies so there is continuity, accountability, and coordination. That does not happen now. It is too wide open. It is not coordinated.

It allows the State Department to deny visas to foreign researchers who are coming to the United States to exploit the openness of our research enterprise, and it requires research institutions and universities to do much more, including telling the State Department whether a foreign researcher will have access to export-controlled technologies.

We have worked on this legislation, again, for the past few years. We have made lots of compromises and concessions with people who had potential concerns about it. We have come up with legislation that is bipartisan and makes sense. It has already passed, again, with an overwhelming margin here in the U.S. Senate. I want to be sure, before we spend billions of dollars more in Federal research, which is being proposed, including to the National Science Foundation, that that research can be protected. Who could be against that? Who could be for China being able to have better access to this information? Nobody.

Again, a vital component of any competitiveness bill is this commonsense, extensively negotiated bipartisan bill, which is already included in the Homeland Security title of USICA.

I can't express enough the importance of passing this legislation, and it should be done on a bipartisan basis because it has been done before. It just makes sense.

The broader USICA bill and the chips bill are both important. To pass the chips legislation is critical right now; it is urgent. And then what we can pass in terms of USICA is also important. Again, if we are putting more money into research, which is being proposed and which I support, it has to be protected. That is pretty simple and common sense. There is no perfect bill, but this bill will help keep America's econ-

omy competitive. It will help keep American jobs here and grow new jobs, good-paying jobs with good benefits. We should pass this legislation, get it through the House, and take it to the President's desk for signature. I hope my colleagues will join me in supporting its passage.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Madam President, I want to express my gratitude to the Senator from Ohio for his excellent remarks and for his support getting us to the point we are today, which is on the cusp of a historic accomplishment—and that is to make sure that the supply lines of advanced semiconductors remains available to American businesses and, even more importantly, to our national security.

Now, 2 years ago, Senator WARNER, the senior Senator from Vermont, and I introduced the CHIPS for America Act. It has been a long, strange trip till today.

I daresay at the time we introduced the bill, there were many people who didn't know the difference between chocolate chips and microchips. Frankly, that is an exaggeration, but the point is that most people are really unaware of the dependency of our economy and our national security and, frankly, just the quality of our life on access to these microcircuits known as semiconductors. And over time, the semiconductor manufacturers have been able to make them smaller and smaller and more and more powerful until your cell phone, which is essentially a minicomputer, contains thousands of these microchips. Again, whether you are talking about a laptop computer or a new car or a washing machine or just some desktop computer, all of them depend on access to these semiconductors.

As I said, Senator WARNER and I introduced the bipartisan CHIPS for America Act 2 years ago. Eighteen months ago, this legislation became law; that was as part of the National Defense Authorization Act. Thirteen months ago, the U.S. Senate passed a bipartisan bill to fund the program. Unfortunately, as the Senator from Ohio mentioned, the House failed to respond to the bipartisan USICA, the U.S. Innovation and Competition Act, and sent over a partisan bill, which has delayed our consideration of this important legislation unnecessarily.

Today, I am optimistic that the Senate will follow up on its commitment to enact this chips funding into law before we break for the August recess. This afternoon we will take a procedural vote to kick-start consideration of the legislation. Of course, as we lead up to this important vote in debate, many of us have been talking about the size and shape of the bill on both sides of the aisle. And there is still some things that need to be decided, and the fate of the bill is not yet secure. Being the majority leader, Senator SCHUMER

will ultimately be the one to determine what the size and shape of the bill will look like, but I am encouraged by where we stand.

This bill will not, however, be the Senate's U.S. Innovation and Competition Act or the USICA bill or the House's massive partisan America COMPETES Act. This will be a far more narrow bill that focuses on the core issue of semiconductor manufacturing. Semiconductor manufacturing is, as I said, the key to our economy and our national security. As it turns out, most of the manufacturing capacity has been built overseas, primarily in Asia, because it is significantly cheaper to build those manufacturing facilities there rather than here. I am not opposed to additional Commerce provisions, for example—that have already been voted on as part of USICA—being included, but anything else that is included by Senator SCHUMER must be bipartisan, and those decisions have to be made very quickly. The time for voting on this bill should not be delayed any further.

Over the last three decades, the United States has gone from making 37 percent of these microcircuits, or semiconductors—37 percent—to only about 12 percent now. When you look at the most advanced chips, the smallest and the most powerful, none of these are made in the United States—none. Now, Taiwan's Semiconductor, located in Taipei, Taiwan, has a great business model: American companies design the chips, and they make them. As I said, it is cheaper to make them in Asia than it is here in America, but post-COVID we have come to realize the vulnerability of our supply chains for virtually everything.

When you look at our dependency on the supply chain of these advanced chips and what it might mean to our country, well, it is shocking. The CEO of Micron, out of Idaho, has said there is a 35- to 45-percent cost gap between domestic and overseas production. Now, if you are talking about making toys or something like that or furniture items, it is great to have a cheaper alternative where that product is manufactured overseas rather than here in America. That is good for consumers as it makes things a lot more affordable, but when you are talking about a sole source for the most advanced semiconductors, that goes from being a convenience to a nightmare, and, of course, during the pandemic, we experienced a number of supply chain vulnerabilities. Now, as the economy around the world continues to expand, anybody who has tried to buy a car, a dishwasher, or a computer over the last couple of years has likely been impacted with higher costs or long delays or both.

As a matter of fact, due to the shortages of supply, that has necessarily driven the costs higher, which has further exacerbated inflation, but there is an even more important reason to get this bill done.

The chip shortage and our lack of domestic manufacturing capability is a huge national security risk. That is why the Secretaries of the Departments of Defense and Commerce sent a letter to Congress a few weeks ago, saying very clearly:

Funding the CHIPS Act is critical to our national defense.

That is why the Republican-led Senate passed the original bill and helped it become law during the previous administration. That is why I hope the current Congress will fund it with today's vote—or with, actually, this week's vote.

Whether it is advanced fighters, the fifth-generation stealth strike fighter, like the F-35; whether we are talking about quantum computing, the next generation of computing; or whether we are talking about missile defense systems or the Stinger or Javelin missiles that we have exported to Ukraine for them to defend themselves against Russian aggression, all of them depend on semiconductors. As a matter of fact, a single rocket interceptor used in Israel's Iron Dome, for example, contains more than 750 chips. An overreliance on other countries to produce the key components to our most vital defense assets is a huge and unacceptable risk.

As I said, that is why Senator WARNER and I initially introduced the bill in June of 2020 and why it has received such strong bipartisan support.

Building a new foundry—or ‘fab’ as they are sometimes called—is a huge undertaking and requires a massive investment. A single foundry can cost upward of \$10 to \$20 billion—\$10 to \$20 billion. Without some level of support from the government, these investments simply won't materialize, at least not in America. Other governments, as you have heard, have made similar investments in semiconductor manufacturing in trying to make sure that their supply chains are not vulnerable. Countries like China, South Korea, Taiwan, Singapore, Germany, and a number of others have included an over-\$100 billion pledge to boost semiconductor manufacturing in the European Union alone. The United States simply cannot get left behind, and we can't keep dragging our feet.

It doesn't just take a lot of money to get these foundries up and running; it also takes time. Last year, I hosted a roundtable in Dallas, TX, to talk about the impact of the chip shortage with industry leaders. During our conversation, a Qorvo executive talked about how it can take years to receive all of the high-functioning equipment that is necessary to make semiconductors. That is why there has been such a big push in Congress to get this funding out the door.

Chip makers who have to make decisions about where and when to build their next manufacturing facilities need to know that these incentives are available for them to build those foundries here in America, and the win-

dow of that decision-making process is closing rapidly. If it closes—if we continue to drag our feet and not fund the chips bill—they are going to pull their investments from new or expanded foundries in the United States and take them overseas. This isn't just a ‘Chicken Little’ claim. Companies have put out the warning call, and I believe them.

One company called GlobalWafers is planning to build a new silicon wafer factory in Sherman, TX, which would create up to 1,500 new jobs and produce 1.2 million wafers a month. Silicon wafers are an essential component of semiconductors. Commerce Secretary Gina Raimondo said that the CEO told her that their plan to build this factory in Sherman, TX, is contingent on Congress passing the CHIPS Act. Unless the funding is approved by the August recess, which is rapidly approaching, the company will scrap its plans for that facility.

As you heard from our colleague from Ohio, the CEO of Intel expressed a similar sentiment for a planned Ohio facility. He said the company would expand chip production in Europe instead of in America if Congress fails to pass this funding.

Another company, NXP Semiconductors, is weighing new investments too. It is looking at expanding one of its factories in Austin, TX—a project that would cost, roughly, \$2.6 billion. The company is planning to decide later this year whether to move forward with that investment or to take that investment to Europe or Asia.

In other words, there are real consequences on the line. If Congress passes this chips funding act in the coming days, we can shore up this domestic supply chain vulnerability, bring good jobs back to America, and protect our economic and national security, but if we fail to act or if we fail to act with dispatch, all of those benefits will evaporate, and all of those dangers will become our worst nightmare. Instead of here in America, those benefits from building those fabs will rain down on communities on the other side of the planet instead of here at home.

It has been more than a year and a half since the CHIPS Act became law, and we simply cannot afford to wait any longer. Every day that goes by creates additional risks. Unless Congress gets this job done in the coming days, these companies will simply go elsewhere.

Chips funding will help secure our most critical supply chains. It will create thousands of well-paying jobs and boost our global competitiveness by providing made-in-America chips to our friends and allies around the world. So we have a big opportunity ahead of us but big risks in not acting as well, and success, I believe, is our only option.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

REMEMBERING DAVID BELCHER

Mr. TESTER. Madam President, I come to the floor today to speak of a person who took his own life. It was either on Thursday or Friday of last week. It happens far too often.

This guy was an Army veteran. His name was Dave Belcher, and I had known Dave for 30 years. Dave worked at White Refrigeration as a salesman. I bought TVs from him in the early nineties. I bought the first front-loading washer from him and a refrigerator. He was just a great guy—just a great guy—but he had a challenge. His challenge was that he served his country, and because of that service to this country, he ended up with something that we talk about on this floor a lot. It is called post-traumatic stress disorder, PTSD. And because of that PTSD, Dave, not to my knowledge at the time when I first met him, but he was fighting demons, and he fought demons throughout his life. There were issues of depression and guilt that he just couldn't overcome and in the end, probably some paranoia involved, but he ended up taking his own life.

I think to myself, back when I first met Dave 30 years ago, how this guy was as normal as anybody you would ever meet. He is not somebody you would look at and say: You know, he has got a bunch of problems. He is not somebody who you could predict, 30 years after the fact, that he would have taken his own life, but that is what happened.

It happens far too often. In fact, it happens 22 times a day to our veterans in this country. This time, it happened to somebody whom I considered a friend—not somebody I saw a lot, but he is somebody who I knew had his struggles in the end. He went through veterans court. He was one of the first graduates of the veterans court and was somebody who did his best to try to get his life turned around, but it didn't happen. The demons got him.

I just wanted to come to the floor today to say: Dave, you and all your friends who have served this country have people in the Senate, people in Congress who fight for you every day.

For those folks who are watching this, who can relate to what I am saying, if you have an issue, please get ahold of somebody who can help you, like a mental healthcare professional out there, because mental health can be fixed. All you need to do is get the tools to be able to deal with it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

UNANIMOUS CONSENT REQUEST—S. 3770

Mr. LEE. Madam President, we have broken another record. Unfortunately, it is not the kind of record we want to

boast about. Last week, the latest Consumer Price Index exceeded inflation expectations at a staggering 9.1 percent. In Utah, that rate is much higher.

The Biden administration's evolving blame game has shifted. It has shifted its focus from the pandemic to the supply chain and then from the supply chain to Putin. There is, however, a more coherent answer: Government continues to spend more than it has—a lot more. Last year, we saw this play out. This Congress spent a stunning \$6.8 trillion while collecting just over \$4 trillion in revenue. With the return of legislative earmarks, porkbarrel spending, meanwhile, has increased over 1,700 percent.

Rather than recognizing the problems associated with spending more than the government brings in, the government simply prints itself more money. Like a child stricken with influenza, rather than being cut off, the government helps itself to more money. It doesn't take long to lose the value of a dollar when you are not spending your own money. Government is no different.

While hard-working Americans pinch pennies, lawmakers spend carelessly. To pay for their next project, they threaten to raise taxes. When they don't have the support to raise taxes, they nevertheless continue to spend and drive up inflation. Inflation is nothing but an invisible tax on the people—a tax on the people that, I would add, disproportionately affects hard-working Americans, the poor and middle-class Americans. Sometimes the wealthiest of the wealthy can find ways to get even wealthier in times of inflation. Everyone else gets hurt.

With no action, the reckless spending will drive us off a financial cliff. But our spending trajectory is such that we cannot afford to wait for the consensus needed to pass a constitutional amendment.

While hard-working Americans wait, I have introduced the Preventing Runaway Inflation in Consumer Expenditures Act, or the PRICE Act, to stop the bleeding. The PRICE Act requires a three-fifths supermajority of Senators to approve new spending measures when the Nation's inflation rate is at or above 3 percent.

The PRICE Act is desperately needed. This insatiable spending machine is now costing Utahns \$881 a month more than they paid last year, and that is on top of what they already pay in taxes. Those are 881 dollars every month for which Utahns receive nothing in return. It represents money that could be spent toward their home, toward their child's college education, toward filling their empty gas tank, but instead, millions of Americans will look at the skyrocketing costs of living and determine that they must sacrifice their wants and, in many cases, their needs just to meet their most basic, fundamental necessities.

My PRICE Act flips the script. It doesn't altogether prevent lawmakers

from spending when inflation is above 3 percent, but it requires lawmakers to offset that spending with cuts from somewhere else. In essence, it puts the impetus on Congress to weigh its legislative wants against the legislative needs of the American people. That is because for everyone living in reality, a budget means something.

Failure to live within a budget has profound consequences. When Jack has to pay an extra \$93 a month on food, he begins to doubt his ability to feed his family. When Jill has to pay an extra \$145 a month for housing, she doubts her ability to keep a roof over her child's head. When Joe has to pay an extra \$404 a month on transportation, he doubts his ability to get his child to and from soccer practice.

So why is it that when inflation is at 9.1 percent, lawmakers are still spending and looking for ways to spend even more? As Americans are filled with financial fear and doubt, why is it that Senate Democrats want to spend an additional trillion dollars for their Build Back Better plan?

Congress is failing to exercise self-restraint during this period of unprecedented inflation. As Americans tighten their belts, Congress has opened the spigot. If a household ran this disaster of a budget, a family would quickly be met with foreclosures, repossessions, and ultimately bankruptcy. Ronald Reagan couldn't have been more precise when he described inflation as “the price we pay for those government benefits everyone thought were free.” While Members tout their shiny new pet projects, Americans are footing the bill.

It is unconscionable that Congress continues to pat itself on the back for passing massive spending bills while the country has a financial millstone around its neck. It is high time that Congress subject itself to the same cutbacks that working-class families are facing now.

Although I wish Members of Congress would self-impose these restraints, this latest push for a new trillion-dollar spending plan shows that is unlikely to happen. Given our long-demonstrated lack of self-restraint, it is time to pass the PRICE Act.

Congress has become the trust fund baby that doesn't understand the value of a dollar. The PRICE Act is the recognition that sometimes you need to take away the credit card. So to that end, I would like to secure passage of this measure to protect the American people.

As if in legislative session, I ask unanimous consent that the Budget Committee be discharged from further consideration of S. 3770 and that the Senate proceed to its immediate consideration. I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER (Mr. MURPHY). Is there objection?

Mr. SANDERS. I object.

The PRESIDING OFFICER. The objection is heard.

Mr. SANDERS. Mr. President.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Senator LEE raises important issues about the deficit. I hope very much that he will be able to convince his Republican colleagues and Democratic colleagues as well that, among many other reasons, we should vote against this major corporate welfare bill that is coming down the pike, which will add at least \$76 billion to the deficit. So if we are concerned about the deficit, as Senator LEE is and many others are, I hope that will be one of the reasons we vote against this massive corporate welfare bill that we will be considering later this afternoon.

I hear a lot of concern about the deficit here in the Senate, and I hear people say: We can't afford to feed hungry children. We can't afford to deal with climate change. We can't afford to guarantee healthcare to all. The deficit is very, very large.

Well, we are talking about \$76 billion—at least that; maybe more—which will add to the deficit. So when you consider the deficit, you might want to also take into account tax breaks and corporate welfare for large, profitable corporations.

I want to say a few words about this so-called chips bill and what it says about our national priorities, what it says about our tax policies, and basically what it says as to whether or not the U.S. Congress is capable of representing the needs of working families or whether we are totally beholden to wealthy and powerful corporate interests and their campaign contributions.

Last week, when I spoke about this issue, I expressed deep concern that Congress would provide \$52 billion to a handful of profitable corporations in the microchip industry with no strings attached. Here it is, guys, \$52 billion. Well, I stand corrected. As a result of some new tax-reduction language, the corporate welfare total for the microchip industry has gone up; it is now at \$76 billion. And the corporate lobbyists working on this bill, like pigs at the trough, are not yet finished. They want more and more and more. Their needs are insatiable.

Needless to say, I do not usually quote approvingly from the editorial page of the Wall Street Journal. They are not my best friends. In fact, I think I get attacked on that page more than any other Member of the Congress. But, as you know, a broken clock is right twice a day, and even the Wall Street Journal got this one right.

Among the many reasons they urged Congress to vote against this bill is one that I think is very relevant. Let me quote. This is from the Wall Street Journal editorial page today:

The chip bill isn't needed to compete with China, and it will set a precedent that other industries will follow. Anybody who can

throw up a China competition angle will ask for money. Why Republicans want to sign up for this is a mystery.

The Wall Street Journal. The point they make is a good one. We should be clear that over 90 percent of the cell phones used in this country and over 90 percent of the laptops used in this country are made in China.

So you pass this bill, and tomorrow we will hear, no doubt, from the cell phone industry, from the computer laptop industry about how they need their welfare checks as well. So I think the Wall Street Journal every once in a while makes a good point, and today they did.

Mr. President, I recently came across a very, very interesting interview that the CEO of Intel, Mr. Pat Gelsinger, did last Friday on CNBC's "Squawk Box," and I think in that interview he did tell us everything we want to know about the American oligarchy, about corporate arrogance, and the state of American politics. This is what Mr. Gelsinger said last Friday—Mr. Gelsinger, head of Intel:

My message to congressional leaders is, hey, if I'm not done with the job, I don't get to go home. Neither should you.

He is talking to Congress.

Do not go home for August recess until you have passed the CHIPS Act because I and others in the industry will make investment decisions, and do you want those investments in the U.S., or are we simply not competitive enough to do them here and we need to go to Europe or Asia for those? Get the job done. Do not go home for August recess without getting these bills passed.

That is Pat Gelsinger, head of Intel, last Friday.

In other words, Mr. President, the CEO of a major corporation which made nearly \$20 billion in profits last year and a CEO who received a \$179 million compensation package is saying to Congress that if you don't give my industry, the microchip industry, \$76 billion and my company, it is estimated, some \$20- or \$30 billion, that despite their profound love for our country and their respect for American workers and their understanding of the needs of the U.S. military and the healthcare industry—despite all of that, in order to make more profits, they are prepared to go to Europe and Asia.

Now, Mr. President, I am, thankfully, not a lawyer, but that sure sounds like extortion to me. What Mr. Gelsinger is saying is that if you don't give the industry a blank check—here is \$76 billion—and they want more, by the way—despite the needs of the military for advanced microchips—and we hear that from the military—despite the needs of the medical industry for advanced microchips, despite the entire needs of the American economy for advanced microchips, the industry is threatening to abandon this country and move abroad. Patriotic people, no doubt. Clearly, lovers of America.

Mr. Gelsinger says we should stay in session, if necessary, through August in order to pass his legislation. Well, I

think we might want to stay in session through August but not necessarily to pass his legislation, because what I hear from the people in Vermont and people all across this country is that the job they want done is not a massive handout to large, profitable corporations; the job they want Congress to do is, for a change, to protect the American working class, our middle class, and the needs of the most vulnerable people in this country.

What I hear is that the American people want us to guarantee healthcare to every man, woman, and child, as every other major country on Earth does.

What I hear is that the American people think it is absurd that some of the wealthiest people in this country and largest corporations don't pay a nickel in Federal taxes and that we should demand that those loopholes be ended.

What I hear is that the American people want us to deal with the existential threat of climate change so that the young people of this country can actually have a planet they can grow up with in a healthy way.

What I hear from the elderly people in this country, in my State, is they can't make it on the Social Security benefits they are receiving now; they want to raise those benefits.

What I hear from the people back home is they want Congress to do the job and protect a woman's right to control her own body, they want to see us pass serious gun safety legislation, and they want to protect the rights of all Americans to be able to vote.

That, among many other things, is what I hear from the American people in terms of getting the job done. Not too many people that I can recall—I have been all over this country—say: Bernie, you go back there and you get the job done, and you give enormously profitable corporations, which pay outrageous compensation packages to their CEOs, billions and billions of dollars in corporate welfare.

Now, maybe, Mr. President, you hear that. I don't hear that from the people in my State.

By the way, when we talk about an expenditure of \$76 billion, yeah, we can give it to some large, profitable corporation with no strings attached or we can use it—\$76 billion—to expand Medicare, to provide senior citizens with the high-quality hearing aids and eyeglasses they desperately need, and for a bit more, we can provide dental care as well.

For \$76 billion, we could eliminate homelessness in America and create hundreds of thousands of good-paying jobs from Maine to California, building all of the affordable rental units that this country desperately needs. We can end homelessness or give a corporate welfare check to profitable corporations.

Mr. President, for \$76 billion, we could make every community college in America tuition-free for the next 7

years. Go home and ask the people whether they think they would rather spend money on allowing our young people to be able to go to community college tuition-free or a welfare check to large, profitable corporations.

And on and on it goes. Seventy-six billion is a lot of money. I know Senator LEE would probably prefer to see that go into deficit reduction. Fair enough. And I am concerned about deficit reduction, but I am making the point that we can invest this in a way that really improves lives for millions and millions of working families.

Mr. President, there is no doubt that there is a serious global shortage in microchips and semiconductors, which is making it harder for manufacturers to produce the cars, the cell phones, and the electronic equipment we need. This shortage is costing American workers good jobs and raising prices for families, and that is why I strongly support efforts to expand U.S. microchip production. But the question we should be asking is this: Should the American taxpayers provide the microchip industry with a blank check of \$76 billion at a time when semiconductor companies are making tens of billions of dollars a year in profits and paying their CEOs very high salaries and compensation packages? I think the answer to that is a resounding no.

It is important, in light of Mr. Gelsinger's remarks and his threat to go to Asia or to Europe, to have a little bit of history about this issue. Over the last 20 years, the microchip industry has shut down over 780 manufacturing plants in the United States and eliminated 150,000 American jobs while moving most of its production overseas. They did that, by the way, after receiving \$9.5 billion in government subsidies and loans.

In other words, we have the absurd situation where we have a crisis that is caused precisely by the people we are now attempting to bail out. So as a reward for their bad behavior, for shutting down 780 manufacturing establishments in America, they come back and say: Oh, we have a crisis in America. We need your help.

So they want us to pay to undo the damage they caused. Well, that may make sense to someone but not to me.

In total, Mr. President, it has been estimated that five major semiconductor companies will receive the lion's share of this technology handout. Those companies are Intel, Texas Instruments, Micron Technology, GlobalFoundries, and Samsung. These five companies made \$70 billion in profits last year.

The company that will likely benefit the most from this taxpayer assistance is Mr. Gelsinger's company, Intel. Now, I have nothing against Intel, and I wish them the best, but Intel is not a poor company. Last year, Intel made nearly \$20 billion in profits. During the pandemic, Intel had enough money to spend \$16.6 billion not on research and development, not on building new

plants, but on buying back its own stock to reward its executives and wealthy shareholders.

Over the past 20 years, Intel has spent over \$100 million on lobbying and campaign contributions. So \$100 million may seem like a lot of money, but if you are about to get \$20 billion from the taxpayers of America, that is a very modest investment. Meanwhile, while they spent \$100 million on lobbying and campaign contributions, they were shipping thousands of jobs to China and other low-income countries. Does this really sound like a company that needs a taxpayer handout?

Another company that would receive taxpayer assistance under this legislation is Texas Instruments. Last year, Texas Instruments made \$7.8 billion in profits. In 2020, the company spent \$2.5 billion buying back its own stock.

Meanwhile, other companies that will receive taxpayer support are the Taiwan Semiconductor Manufacturing Company—and by the way, you would be shocked to know that the largest shareholder of the Taiwan Semiconductor Manufacturing Company is—well, you guessed it; it is the Government of Taiwan. So we would be giving money, I guess, directly to the Government of Taiwan. And on and on it goes.

Mr. President, I should be clear in stating that I do believe in industrial policy. I think that at times it is absolutely appropriate for the government to sit down with the private sector and say: Look, we have needs, and we want to work with you to solve those needs. You have a right to make a fair profit. We have the need—the right to see the needs of the American people addressed. We need a partnership.

To me, industrial policy means cooperation between the government and the private sector—cooperation. It does not mean the government providing massive amounts of corporate welfare to profitable corporations without getting anything in return.

So the question is, Will the U.S. Government develop an industrial policy that benefits all of our society or will we continue to have an industrial policy that benefits the wealthy, the powerful, their lobbyists, and the campaign contributors?

In 1968, Dr. Martin Luther King, Jr., said:

The problem is that we all too often have socialism for the rich and rugged free enterprise capitalism for the poor.

I am afraid that what Dr. King said 54 years ago was accurate back then and is even more accurate today.

So, Mr. President, the Senate has an important decision to make, and that is, do we simply provide a blank check or do we put some restrictions on that money? That is why I will be offering an amendment which does that.

It seems to me that if private companies are going to benefit from generous taxpayer subsidies, the financial gains made by these companies must be shared with the American people, not just wealthy shareholders. In other

words, if microchip companies make a profit as a direct result of these Federal grants, the taxpayers of this country have a right to get a reasonable turn on that investment.

Further, if microchip companies receive taxpayer assistance, they must agree that they will not buy back their own stock, outsource American jobs overseas, repeal existing collective bargaining agreements, and must remain neutral in any union-organizing effort.

This is not a radical idea. All of these conditions were imposed on companies that received taxpayer assistance during the pandemic and passed the Senate in the CARES Act by a vote of 96 to 0. That is why I will be filing an amendment to impose these conditions to this legislation.

I understand that some language has been inserted into this bill that would prohibit microchip companies from using these grants to buy back their own stock. Let us be clear: This language is totally meaningless. Under this legislation, companies will still be able to use the enormous profits that they are making on stock buybacks.

Bottom line: Let us rebuild the U.S. microchip industry, but let us do it in a way that benefits all of our people, not just a handful of wealthy profitable and powerful corporations.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, the Senator from Vermont and I don't agree on every issue. We represent very different States, come from very different political backgrounds. While I don't agree with everything he just said and while I am disappointed by his objection to my effort to pass the PRICE Act, which I regard as necessary to help keep inflation under control, I want to echo and applaud so much of what my colleague from Vermont just finished saying.

I don't think it is appropriate, when we have people throughout the country struggling just to get by and we have people in Utah shelling out an additional \$881 a month—every month—not for luxury items, not for some wish-list item, but for their basic household monthly expenses, every single month because of excessive runaway spending in Washington leading to that inflation. Especially in that circumstance, I can't fathom why we would want to turn now and devote \$75 to \$76 billion to what my colleague from Vermont appropriately described as corporate welfare.

This is industrial policy, which—unlike the Senator from Vermont, I don't like industrial policy—but I completely agree with my colleague from Vermont. This goes beyond even that. This is corporate welfare.

There is an editorial in today's copy of the Wall Street Journal by the editorial board. It makes some excellent points, which I would like to excerpt and present to the Senate today. The editorial starts out as follows:

Industrial policy is back in fashion in Washington, or as it ought to be called, cor-

porate welfare. The semiconductor industry is first in the queue, but it won't be the last. Taxpayers should at least know they'll be subsidizing highly profitable companies that don't need the help and might end up regretting the political handcuffs they're acquiring.

The bill that will head to the Senate floor as early as Tuesday—

Meaning today—

includes \$52.2 billion in grants to the computer chip industry. But wait, there's more. Congress is also offering a 25% tax credit for semiconductor fabrication, which is estimated to cost about \$24 billion over five years. That's \$76 billion for one industry.

The editorial continues:

Republicans on the House Ways and Means Committee point out that for the same money Congress could double the research and development tax credit for all companies through 2025. It could also throw in 100% expensing for companies and allow immediate R&D deductions through 2025. But that would mean the politicians aren't picking favorites, which is what they prefer to do.

The editorial goes on from there to describe the circumstances that led to the introduction of this bill, the fact that there was surging demand and diminished capacity to produce the semiconductors during the pandemic and that, since the pandemic, a lot of these very same firms trying, understandably, to keep up with demand have increased their production.

Meanwhile, 2 years later, they find themselves in a position where, due to changing economic circumstances, demand is starting to soften; and so they may now be in a position where they have ramped up supply only to see that demand is diminishing. All of which starts to beg the question, Why would we dump over \$76 billion into this industry right now when people across America, including these Utahns, are facing some of the highest price hikes in the country for a variety of reasons? Why would we give money to a small handful of wealthy corporations at a time like this, understanding that every dollar we spend here that we don't have means that we are inflating the currency even more? And that ends up creating all sorts of problems.

A few paragraphs later the editorial goes on to explain the next line of arguments. They point out that those advocating on behalf of the CHIPS Act say: But, oh, we have to do this because it is about China. We have to do this in order to stop China, and this also can't withstand scrutiny.

Look, as the editorial writers of the editorial board of the Wall Street Journal point out:

Global semiconductor capacity increased 6.7 percent in 2020 and 8.6 percent in 2021 and is expected to grow another 8.7 percent this year. The risk of over-capacity is growing as China heaps subsidies on its semiconductor industry as part of its Made in China 2025 initiative, and the U.S. and Europe race to compete.

Some 15,000 new semiconductor firms registered in China in 2020. Some have drawn investment from U.S. venture-capital firms. Intel has backed Chinese startups even as CEO Pat Gelsinger lobbies Congress for subsidies to counter Beijing. Intel has threatened to delay a planned Ohio factory unless Congress passes the subsidy bill.

I pause here to note that this is troubling. If true, this should be a warning to us about why we don't engage in corporate welfare. This is wrong. Deep down, we know it is wrong to take from the poor and give to the rich. We have no business doing this, nor do we have any business voting cloture on a motion to proceed to a bill that doesn't yet exist. We don't yet know what is in the bill because it is still being transformed significantly, even as we speak.

The Wall Street Journal editorial board continues:

The other claim for the bill is that the U.S. must subsidize domestic chipmaking to compete with China, but this also isn't persuasive. The companies like to point out that the U.S. share of the world's chips has fallen to 12 percent from 37 percent in 1990. They don't mention that the U.S. leads in chip design (52 percent) and chipmaking equipment (50 percent). Seven of the world's ten largest semiconductor companies are based in the U.S. China trails American companies by years in semiconductor technology.

Chip fabrication has moved to South Korea and Taiwan because many chips are commodities with low margins. But chip makers are working to diversify their manufacturing bases to avoid future supply disruptions and have announced \$80 billion in new U.S. investments through 2025. Samsung plans to build a \$17-billion factory in Texas. TSMC has a \$12-billion plant under construction in Arizona.

I pause here to note that in meeting with representatives from some of these companies, including TSMC, TSMC noted—in my conversations with high-ranking executives of that company—that plant isn't made contingent on any legislation they are producing. They are doing that because it makes good business sense, not because it is their last-gasp effort. This is a profitable company doing well, and for the United States to be considering giving money—whether to domestic companies or foreign ones—under these circumstances in this amount of money makes no sense.

The editorial continues:

One unfortunate impetus behind this bill is that, for all their talk about competing with China, many politicians believe that Beijing's economic planning is superior to the U.S. free market system. It reminds us of the 1980s when legendary Intel CEO Andrew Grove warned that Japan was going to dominate the chip industry and the future of global technology.

As former Cypress Semiconductor CEO T.J. Rodgers explained on these pages last year, the government set up the Sematech chip consortium that "was obsolescent when it opened." But Intel innovated with more advanced chips, and no one is talking now about Tokyo's central-planning genius.

The editorial concludes:

History shows that easy government money can undermine competitiveness. It often leads to inefficient spending and investment. The politicians will also attach their own strings, perhaps with limits on stock buybacks and dividends. Wait until Bernie Sanders is heard from on the Senate floor.

They forecasted what we have seen today. It closes with the following sentences:

The chip bill isn't needed to compete with China, and it will set a precedent that other

industries will follow. Anybody who can throw up a China competitive angle will ask for money. Why Republicans want to sign up for this is a mystery, especially when they might control both Houses of Congress in six months.

I couldn't agree more with the editorial board of the Wall Street Journal on this assessment. This is wrong. We know it is wrong. The bill still, as it stands right now, is unknown to most for the entirety of this body. We do know it costs over \$76 billion. We do know people across America, including poor people throughout the State of Utah—not just the poor, but most people—again, with inflation, during periods of inflation, the extremely wealthy can find ways to become even wealthier, but everyone else suffers—literally, everyone else. The poorer you are, the more you suffer. Even people well-entrenched in the middle class get gouged considerably. Why we would want to take money away from them and give it to the wealthy is beyond my ability to fathom.

All of this ties back to the reason I came to the floor today, which was to try to pass the PRICE Act by unanimous consent. We didn't succeed today, but we are not going away. We are going to keep undertaking this effort because the fact is, we do need to impose a supermajority requirement for spending, especially when spending levels are producing inflation in excess of 3 percent. We are at 9.1 percent nationally. And in many of our States, including my own, it is higher than that. That is why we need this.

My colleague pointed out he believes that the Tax Cuts and Jobs Act may have contributed to that. Well, that is not exactly how things work. When you are passing a tax reform bill—a tax reform bill that makes downward adjustments to marginal income tax rates and to corporate rates and capital gains rates—yes, it brings in less revenue, but the government taking in less revenue doesn't cause inflation. It is deficit spending that causes inflation.

Given that it is deficit spending—particularly deficit spending during periods of inflation—that matters, I believe that is where we ought to be focused. We ought to be focused on pro-growth opportunities. And, frankly, if those adjustments to corporate rates, to capital gains rates, and to marginal tax rates are, in fact, pro-growth, they reduce disincentives to work, they bring more people back into the labor market, and that, in turn, produces more tax revenue.

You can expand, broaden the base, while lowering their rates and, ultimately, come out on top and with more robust economic growth. But what you can't do is engage in increasingly more aggressive deficit spending and expect that is going to do anything but harm the American people, especially America's poor and middle class.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Let me suggest to my friend from Utah that I agree with a lot of what he said about this legislation that we are going to be voting on within the hour.

I would simply add that while this bill has had many names—lately, they call it the chips bill; it has also been called the China bill and so forth—but theoretically, it is supposed to be competing against China.

But I would point out that since 2005, Intel has invested at least \$700 million in Chinese technology companies, including at least four microchip startups. In 2020, 2 years ago, Intel invested in two Chinese semiconductor startups, ProPlus and Spectrum Materials, as part of a \$132 million investment in 11 startups, including 3 in China. So we are investing, ostensibly to protect us from China, in a company that, in fact, invests in China.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. WYDEN. Mr. President, in a few minutes, I am going to put forward a request for the Senate to confirm the nomination of Rebecca Jones Gaston to serve as Commissioner on Children, Youth, and Families within the Department of Health and Human Services. I briefly want to talk about why her confirmation is so important and what makes her the right person for the job.

The Administration on Children, Youth, and Families may not grab national headlines every day, but its work is essential to the well-being of millions of young people and families across the land. That is particularly true for vulnerable children, including those in the child welfare system.

One of its big jobs over the last few years has been the implementation of the Family First Prevention Services Act. The landmark reform of the child welfare system was written by the Finance Committee on a bipartisan basis. And for colleagues who remember the late Orrin Hatch, who cared so much about children and particularly welfare reform, this and the extension of the Children's Health Insurance Program for 10 years—the longest extension ever—were the two bills for children that Chairman Hatch really felt strongly about.

The underlying goal of the legislation, which I was proud to cosponsor with him, was simple. The foster care system was breaking families up too often. We designed the Family First Act to keep families together whenever it was safe and possible to do so. Maybe a grandparent is the right person to step in as a caretaker for their grandkids. I have been particularly involved in having grandparents play a bigger role in our human services programs. It is known as kinship care. We have been working on it for well over a decade. Chairman Hatch helped us expand it. Maybe all that is needed for a

family to thrive is to help with mental healthcare for mom or dad. And with a little more flexibility in the program, a little more support, more families stay together and get ahead.

The underlying goal that Chairman Hatch and I had was simple, but implementation has certainly been a challenge. It has required a lot of close collaboration between the Department of Health and Human Services, the Finance Committee, and State and local agencies.

My view is, when you are talking about reforms dealing with the well-being of our youngest, particularly most vulnerable kids, it is just critical to get it right. That is why Rebecca Jones Gaston is the right person to lead the Administration on Children, Youth, and Families. She serves as the child welfare director for Oregon's Department of Human Services. She is showing herself to be an effective leader and a strong advocate for the vulnerable. She served in a similar role in the State of Maryland under a Republican Governor. So this is somebody who shows up every single day, willing to work with elected officials on both sides of the aisle. All in all, she brings nearly 25 years of experience in public policy dealing with support for families and children.

The Finance Committee approved her nomination on a bipartisan basis in March. My view is, the full Senate has waited long enough. Ms. Gaston is a highly qualified nominee, and the Administration on Children, Youth, and Families needs a confirmed leader.

Therefore, I ask unanimous consent that the Senate consider the following nomination: Calendar No. 763, Rebecca E. Jones Gaston to be Commissioner on Children, Youth, and Families, Department of Health and Human Services; that the Senate vote on the nomination without intervening action or debate; that the motion to reconsider be considered made and laid upon the table; and that any statements related to the nomination be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

The Senator from Tennessee.

Mr. HAGERTY. Mr. President, reserving the right to object, since last year, I have been asking for a commitment from my Democrat colleagues that any future reconciliation legislation in this Congress will not incorporate policies that will reduce access to care in nonexpansion States such as Tennessee. Specifically, my concern is that this reconciliation legislation that the House of Representatives passed last fall included provisions that cut DSH and uncompensated care pool payments for nonexpansion States. This would result in less healthcare for vulnerable populations in my State, accelerate hospital closures in my State, and it would disadvantage rural communities in my State of Tennessee. These are places and populations for which we are try-

ing to secure more quality healthcare, not less.

Because I have not received confirmation that these provisions will not be included in any future reconciliation bill, I cannot consent to expediting confirmation of this nominee, and I object.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, just speaking briefly again, let me tell my colleague from Tennessee that I have very much enjoyed working with him on various policies here in the Senate.

My understanding is that my colleague believes that his State has some ideas for showing that you can essentially meet Medicaid standards for health services for vulnerable people and that the State of Tennessee is interested in trying out some new approaches. I want to assure my colleague that we are interested in hearing more about this. There is a specific waiver provision, for example, in the Affordable Care Act to try out new approaches consistent with these guardrails so that people actually get healthcare coverage. My colleague has said to me that he is interested in pursuing those kinds of ideas. I want him to know that the Finance Democratic staff is available to hear his staff out on this, and I hope we can work it out, and I hope we can move Rebecca Gaston quickly.

This is a program that really makes a difference. Prior to Chairman Hatch working with me on this, we had essentially two alternatives for these vulnerable kids, neither of them particularly valuable. One was just sending the kids off to foster care—some of those facilities are good; some of them, not so good—or keeping them at home in a less than desirable situation. What we did on a bipartisan basis is find a third path for these vulnerable youngsters, where, for example, if a parent was having difficulty with alcohol or drugs, they could get treatment and stay as the parent.

So this is an important program. Rebecca Gaston knows how to run it well. I want to see her confirmed as quickly as possible, and I want to tell my colleague I recognize his concern today and will be interested in following up with him and his staff to hear more about the program in the days ahead.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

UNANIMOUS CONSENT REQUEST—EXECUTIVE
CALENDAR

Mr. CARPER. Mr. President, today, I rise in support of the nomination of Rita Landgraf for the position of Assistant Secretary for Aging and Administrator of the Administration for Community Living at the Department of Health and Human Services. I have been privileged to know Rita Landgraf for over two decades and to have worked with her when I was Governor of Delaware and in the years since then.

She is a longtime Delaware community leader who previously served as cabinet secretary of the Delaware Department of Health and Social Services, which may be the most challenging job of any cabinet secretary in the State government of Delaware. There, she oversaw State implementation of the Older Americans Act, Medicaid, home- and community-based services, and disability services as well. She also had leadership roles with the State offices of AARP, the ARC, and the National Alliance on Mental Illness, which are key national partners for initiatives within the Administration for Community Living.

Rita's career has been inspired by her relationships with the elderly and those with disabilities, including her stepson. In addition to her extensive expertise, she will bring a personal passion to her work as Assistant Secretary. Rita's experience in leading organizations focused on advocating for people with disabilities and seniors, along with her time in State government, makes her an excellent—choice to serve as Assistant Secretary of Aging. I applaud President Biden for nominating her to serve in this role.

The Administration for Community Living does critically important work ensuring older Americans of all ages with disabilities are able to live where they choose, with the people they choose, and with the ability to participate fully in their communities. The Administration for Community Living works through community-based organizations and invests in research, education, and innovation that help make this priority a reality for millions of older Americans and people with disabilities.

Rita Landgraf is the right person for this job. As secretary of Delaware's Department of Health and Social Services, Rita Landgraf successfully led one of the State's largest cabinet agencies and expanded community-based services aimed at helping older Americans age in place and people with disabilities live, work, and participate in their communities—exactly the type of work the Administration for Community Living supports.

Rita is a powerful advocate and a convener of stakeholders and partners. She will bring partners together to further the mission of the Administration for Community Living and bring new and innovative insight to address priorities on aging that we can all agree upon.

Rita wants older Americans to age in place. She believes in the strength and value of home- and community-based services for both the elderly and the disabled, especially in light of the COVID-19 pandemic. For Americans with mental health and special needs, Rita Landgraf has prioritized keeping folks in their homes and expanding employment opportunities for them—steps we can take to ensure that these vulnerable populations can be full participants in their communities.

I want to thank our chair, Chair MURRAY, and Ranking Member BURR for supporting Rita Landgraf's nomination out of the Senate HELP Committee with strong bipartisan support.

I urge my colleagues today to join me in confirming Rita Landgraf to serve as Assistant Secretary of Aging and Administrator of the Administration for Community Living.

With that, I ask unanimous consent that the Senate consider the following nomination: Calendar No. 966, Rita M. Landgraf, to be Assistant Secretary for Aging, Department of Health and Human Services; that the Senate vote on the nomination without intervening action or debate and that the motion to reconsider be considered made and laid upon the table; and that any statements related to the nomination be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

The Senator from Tennessee.

Mr. HAGERTY. Mr. President, reserving the right to object.

As I mentioned a moment ago, I have been asking for a commitment from my Democratic colleagues that any future reconciliation legislation in this Congress will not incorporate policies that will reduce access to care in my home State of Tennessee. Reiterating, my concern is that the reconciliation legislation that the House passed last fall included provisions that cut DSH payments and uncompensated care pool payments for nonexpansion States which would result in less healthcare for vulnerable populations in my State, accelerate hospital closures, and disadvantage rural communities. These are places and populations for which we are trying to secure more quality healthcare, not less.

Because I have still not received confirmation that these provisions will not be included in any future reconciliation bill, I cannot consent to expediting confirmation of this nominee, and I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Delaware.

Mr. CARPER. Mr. President, if I could speak momentarily, I had an opportunity to speak briefly with our colleague from Tennessee with respect to his concerns and the reasons that led him to object to what I think—and he may agree—is actually quite an excellent nomination. And my hope is to better understand those objections that he has voiced and to see if they can be objected to in a way that would allow us to go forward with the nomination of Rita Landgraf to serve as Assistant Secretary for Aging for the Department of Health and Human Services.

I yield the floor.

The PRESIDING OFFICER (Mr. MARKEY). The Senator from Rhode Island.

SUICIDE PREVENTION

Mr. REED. Mr. President, I would like to talk today about a health epidemic that is claiming the lives of tens

of thousands of Americans each year. I am speaking about the epidemic of suicide.

I will talk more about this in detail in a moment, but if there is one thing I would like those listening to my remarks to remember is the number 9-8-8-9-8-8, because 9-8-8 is a three-digit number for the National Suicide Prevention Lifeline.

If you need help, please dial 9-8-8.

Over the last several years, we have all observed the increasing mental health needs in our country. Indeed, the isolation of the COVID-19 pandemic made those needs more pronounced, particularly among children, adolescents, and young adults.

In October 2021, the American Academy of Pediatrics, the American Academy of Child and Adolescent Psychiatry, and the Children's Hospital Association—organizations representing experts in children's mental health—declared a national emergency in child and adolescent mental health. According to these organizations, "Rates of childhood mental health concerns and suicide rose steadily between 2010 and 2020 and by 2018 suicide was the second leading cause of death for youth ages 10-24. The pandemic has intensified this crisis: across the country we have witnessed dramatic increases in Emergency Department visits for all mental health emergencies including suspected suicide attempts."

According to the National Alliance on Mental Illness, nearly 20 percent of high school students report serious thoughts of suicide, and about 9 percent have tried to take their own lives.

During the pandemic, children faced challenges we couldn't have imagined just a few years ago. Children isolated from their friends and family members to limit the spread of COVID-19. But this meant that many children were separated from loved ones and other trusted adults like teachers who can help keep kids safe. And kids were isolated from their peers, impeding social learning and development. And in these tough times, rates of domestic violence and child abuse tend to increase. On top of all these challenges, more than 140,000 children in the United States lost a caregiver to COVID-19. And it is no wonder that so many of our children and young adults are in crisis.

These hardships are not unique to young people. Adults are feeling them as well. Regrettably, suicide remains the leading cause of death in the United States. In 2020, suicide claimed the lives of 45,979 Americans, according to the latest data from the CDC. This is about one death every 11 minutes. More people died by suicide in 2020 than in motor vehicle accidents. The number of people who think about or attempt suicide is even higher. In 2020, an estimated 12.2 million American adults seriously thought about suicide, 3.2 million planned a suicide attempt, and 1.2 million attempted suicide.

Now, there are no easy solutions, but there are things we can do to prevent

suicide and improve access to mental health treatment. And we have made some progress. Almost two decades ago, we passed legislation to ensure parity in insurance coverage for mental and behavioral health. We have more work to do to enforce the law, but it was an important first step. And one of the most significant investments we have made in mental healthcare was in passing the Affordable Care Act. We expanded health insurance coverage for millions of Americans and made sure that coverage included mental and behavioral care, which was often excluded from health insurance before the ACA.

We need to do more though. More and more people need mental and behavioral healthcare and do not have the resources to get such care. And those with the resources find that there aren't enough providers to see them, even with good healthcare insurance. There simply aren't enough clinicians for the need. And lastly, we need to better help people in crisis. We can't get people into effective care for the long term if we haven't stopped the immediate crisis. That is why suicidal prevention efforts are so critical.

As I alluded to earlier, last weekend, the National Suicide Prevention Lifeline made the switch from its longstanding 10-digit number to an easy-to-remember 3-digit number, 9-8-8.

In 2019, I joined my colleagues Senators TAMMY BALDWIN and JERRY MORAN and former Senator Cory Gardner in introducing legislation requiring this switch. Our bill was signed into law the next year, and we have been working since then to make sure that 9-8-8 has the funding to be able to handle the influx of new callers. It is estimated that the Lifeline will receive millions more calls with the new number, so we need trained people on the other end of the line ready to get people the help that they need.

When we started this effort, the Lifeline only received about \$7 million in Federal funding each year. Last year, with the help of President Biden, Chair MURRAY and Chairman LEAHY, we were able to secure nearly \$300 million for the Lifeline, and we are working to get the number up to \$700 million next year. This level of funding will help ensure that calls are answered quickly and locally so that people calling can talk to someone from their State who will know exactly where to find nearby resources. We are also working toward a system in which mobile response teams can respond in real time and be deployed to help people in crisis who call.

While the switch to 9-8-8 over the weekend was a huge step forward, we are just beginning to build a much broader system to help people in crisis across the country. I introduced the National Suicide Prevention Lifeline Improvement Act with Senator MORAN last year to help move the Lifeline toward a more comprehensive system. The Health, Education, Labor, and

Pensions Committee passed this bipartisan bill unanimously almost a year ago. It is time for the full Senate to take it up and pass it.

Senator MORAN, I must point out, has been a true leader in these efforts. Recently, we have teamed up in introducing the Suicide Prevention Act to try and intervene with those who may be in crisis but may not know to call 9-8-8 or reach out otherwise. The Suicide Prevention Act would fund prevention programs in hospital emergency departments to better screen for suicide or mental health crises. This is important because over 90 percent of people who attempt suicide have seen a healthcare provider—often a visit to a hospital, particularly an emergency room—in the weeks and days prior to their attempt. As these people are accessing the healthcare system, the mental health issues that really are driving them to seek medical attention are often overlooked. There are evidence-based strategies that healthcare professionals can employ to intervene before it is too late, but they need the training and the resources in order to do so. The bill would also strengthen data collection on suicide so we can better direct resources where they are needed most.

We also need to respond to the challenges facing young people. Back in 2004, I joined my former colleague Senator Gordon Smith in introducing the Garrett Lee Smith Memorial Act, which was named for his son Garrett, who tragically lost his life to suicide the day before his 22nd birthday. This tragedy drove home the realization that suicide and mental health crises are so common among young people.

Our legislation authorized new funding for youth suicide prevention programs in States and on college campuses. Since it was first enacted, the Garrett Lee Smith Memorial Act has delivered roughly \$750 million in suicide prevention funding nationally. And I am pleased that Senator LISA MURKOWSKI, another longstanding partner and champion on this issue, joined me in introducing the reauthorization of this law so we can continue funding programs to support youth and young adults.

Mental health and suicide have for too long been subjects that have been difficult to talk about, much less confront. In meeting the challenge of this mental health crisis, we must be relentless. We cannot just do one thing or even a few things because there is no single solution.

A few days ago, President Biden signed the Bipartisan Safer Communities Act, which included new resources for mental healthcare, including an additional \$150 million for implementation of 9-8-8 and billions of dollars for other mental health services such as the nationwide expansion of the Certified Community Behavioral Health Clinic model. But that cannot be the end of our work.

Each of the efforts and bills I have mentioned represent our continuing

and unfinished work. They would add another layer to help prevent suicide and strengthen our mental healthcare system.

So I urge my colleagues to work with me and my colleagues like Senator MORAN and Senator MURKOWSKI to pass the Suicide Prevention Act, the National Suicide Prevention Lifeline Improvement Act, the Garrett Lee Smith Memorial Act reauthorization, and to undertake many other efforts spearheaded by my colleagues. We should move forward with these measures without delay to prevent another 45,000 Americans from falling victim to suicide.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

SEMICONDUCTORS

Ms. CANTWELL. Mr. President, I know we are expecting a vote soon here, and I know that our colleagues know that we will have two votes—one on a nominee and the second one on a motion to proceed to what has been known as the Innovation and Competition Act. I just wanted to say, because I know there have been a few people out here on the floor—and I won't spend a lot of time now—that, hopefully, we will proceed on the motion to proceed and that we will have a much larger discussion.

I do want to clarify that today's vote is really about whether we are going to stop shipping jobs overseas and instead invest in American R&D. If we invest in American R&D, then we will see the plant, like is being talked about in Ohio, get built instead of getting immediately built in Europe. We will see other companies make investments in States like Texas and Arizona and Idaho and in many other parts of the United States. We will help build an ecosystem here in the United States of technology and next-generation development.

I encourage my colleagues to vote for a bill that makes an investment and competes with the next-generation semiconductors so that we can go even faster with innovation than we are currently doing because so much of that development is happening overseas. It is happening in Taiwan, and it is happening in Korea. They have had "game on" for a while. They have had "game on" and have literally taken a page out of what the United States has done to attract and keep industry here. Innovation is in the DNA of Americans, and if we want to create the economy of the future, we need to invest in the R&D of today. That means passing this next motion to proceed, getting on the bill, and passing as much of it as we can today. That way, we can be assured

that we are not going to lose out in this round of investment that is, yes, very challenging on a global basis.

We should be really realistic. We have a chip shortage today, and it is costing our economy, and it is increasing inflation. We know that there is going to be a chip demand that is going to be threefold from where we are today in the very near future. That means, if we don't start building here, we are not going to catch up. More importantly is the national security element of making sure that the United States is making the most advanced semiconductors.

So today's vote is to say to our colleagues that we believe in the R&D ecosystem of the United States—we believe in the NSF; we believe in our universities; we believe in the DOE—and that we believe that we can do translational science and help our manufacturing base be more competitive whether it is autos or airplanes or other aspects of the tech sector.

This underlying bill invests in 10 key technology areas that we need to make investments in, and it makes sure that we in the United States of America are saying: We want to see that innovation here. We want to see these in tech hubs and in tech centers. We want our universities to translate that science faster and keep our patents and make sure that we are, obviously, continuing to lead the world in innovation. If we fail to do this, I guarantee you that more jobs are going to go overseas.

American R&D can create the hub of innovation that we would like to see for the future. We have done it many times over. We just need to proceed to make sure that we are aware of the competition that exists around the globe. The United States is up to it; it is capable of competing; and this institution is also capable of making decisions and proceeding by working together. Trust me. That is what people are looking at around the world. Whether they are in Europe or Asia, they want to know whether we know how to get things done.

Let's show them that American innovation is here to stay; that it is the top of the game; and that we can compete with anyone given the right investments in STEM, job training, education, and in taking that ecosystem that is so unique and making an investment in it.

I yield the floor.

NOMINATION OF JULIANNA MICHELLE CHILDS

Mr. DURBIN. Mr. President, this week, the Senate continues its work confirming experienced and fair-minded nominees to the Federal judiciary.

Today, we will vote to confirm Judge Julianna Michelle Childs to the U.S. Court of Appeals for the District of Columbia Circuit. With over 15 years of experience as a judge, Judge Childs is exceptionally qualified to serve on the D.C. Circuit. As a district court judge for the District of South Carolina since 2010, Judge Childs has presided over almost 5,000 civil and criminal matters,

including 50 jury trials and 11 bench trials. During this time, she has been reversed or vacated on appeal in fewer than 1 percent of her cases, an impressive record for any District Court Judge.

Before joining the Federal bench, Judge Childs served for 4 years as a circuit court judge for the South Carolina Judicial Department, where she presided over thousands of State court matters. Judge Childs also served as a commissioner on the South Carolina Workers' Compensation Commission, adjudicating administrative decisions and reviewing administrative appeals.

Prior to her judicial service, Judge Childs served South Carolina as the deputy director of the division of labor for the South Carolina Department of Labor, Licensing and Regulation. In this position, she administered State and Federal programs. Given that the D.C. Circuit hears more cases involving administrative law than any other circuit court, this practical experience with administrative law will be an asset to the court.

Before her time in public service, Judge Childs worked in private practice as a civil litigator, and she ultimately became the first Black woman in South Carolina to become a partner in a large law firm—only 8 years after joining her firm.

Judge Childs is also the first member of her family to go to college, and she graduated with her B.S. cum laude from the University of South Florida Honors College. She then received her J.D. and M.A. at the University of South Carolina. While serving as a district court judge, Judge Childs also earned her LL.M. at Duke University School of Law.

The American Bar Association has unanimously rated Judge Childs as "well qualified" to serve on the D.C. Circuit. Her outstanding qualifications make it no surprise that she has received strong, bipartisan support from her home State's delegation, most notably from Congressman and Majority Whip CLYBURN and my colleague on the Senate Judiciary Committee, Senator GRAHAM.

With her extensive judicial service at the State and Federal level, her experience administering State and Federal programs, and her historic career in private practice, Judge Childs will be ready to serve the D.C. Circuit with distinction on day one.

Ms. CANTWELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The Senator from Washington State.

EXECUTIVE CALENDAR

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Senate

vote on the confirmation of Executive Calendar No. 968, the nomination of Julianna Childs, under the previous order.

The PRESIDING OFFICER. Under the previous order, the Senate will begin consideration of the nomination, which the clerk will report.

The legislative clerk read the nomination of Julianna Michelle Childs, of South Carolina, to be United States Circuit Judge for the District of Columbia Circuit.

VOTE ON CHILDS NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Childs nomination?

Ms. CANTWELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. LEAHY) is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Louisiana (Mr. KENNEDY).

The result was announced—yeas 64, nays 34, as follows:

[Rollcall Vote No. 260 Ex.]

YEAS—64

Baldwin	Grassley	Romney
Bennet	Hassan	Rosen
Blackburn	Heinrich	Rounds
Blumenthal	Hickenlooper	Sanders
Blunt	Hirono	Schatz
Booker	Kaine	Schumer
Brown	Kelly	Scott (SC)
Burr	King	Shaheen
Cantwell	Klobuchar	Sinema
Capito	Lujan	Smith
Cardin	Manchin	Stabenow
Carper	Markey	Tester
Casey	Menendez	Tillis
Collins	Merkley	Van Hollen
Coons	Murkowski	Warner
Cornyn	Murphy	Warnock
Cortez Masto	Murray	Warren
Duckworth	Ossoff	Whitehouse
Durbin	Padilla	Wyden
Feinstein	Peters	Young
Gillibrand	Portman	
Graham	Reed	

NAYS—34

Barrasso	Hawley	Risch
Boozman	Hoeven	Rubio
Braun	Hyde-Smith	Sasse
Cassidy	Inhofe	Scott (FL)
Cotton	Johnson	Shelby
Cramer	Lankford	Sullivan
Crapo	Lee	Thune
Cruz	Lummis	Toomey
Daines	Marshall	Tuberville
Ernst	McConnell	Wicker
Fischer	Moran	
Hagerty	Paul	

NOT VOTING—2

Kennedy Leahy

The nomination was confirmed.

The PRESIDING OFFICER (Mr. PETERS). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's actions.

The majority leader.

CHIPS ACT

Mr. SCHUMER. Mr. President, in a few moments, the Senate will take the

first procedural vote on the chips bill that will fight inflation, boost American manufacturing, ease our supply chains, and protect American security interests.

This is one of the important votes that we will take this session, because advancing this bill is crucial for lowering costs, solving our Nation's chip shortage, and making sure America remains competitive in the 21st century.

America will fall behind in so many areas if we don't pass this bill, and we could very well lose our ranking as the No. 1 economy and innovator in the world if we can't pass this.

Lower costs, more jobs, a stronger economy—that is the recipe behind this bill, and it spells good news for the American people today and for decades to come.

I want to thank both my Democratic and Republican colleagues for working together for more than a year on these policies. I want to thank Senator CANTWELL, our very able, dedicated, and hard-working committee chair, as well as Senators WICKER and CORNYN and WARNER and KELLY and SINEMA, as well as our conference members, as well as the many individual Senators on both sides who contributed to this legislation. This has been bipartisan work in the Senate at its best—something we have done on several pieces of legislation this year—and I hope we can do more and do it more often.

Now, on the procedure, Members should know this vote will be a test vote, and a favorable outcome will allow the science portion of USICA to be included in this bill.

Let me explain. This vote will be a motion to proceed on a House message, which we will use as a vehicle to pass our chips legislation. It only requires 50 votes to proceed, but if we can get enough votes to comfortably withstand a filibuster, I will amend this chips, ITC, and ORAN bill to include the science provisions that so many of my colleagues, led by Senators Cantwell and Wicker, have worked on so hard to secure.

I want everyone to understand, a "yes" vote on this motion to proceed indicates Members will vote yes on cloture on a package that includes chips, ITC, ORAN, and the science provision.

As you all know, I am a strong supporter of the science provisions. I was the original author, along with Senator YOUNG, of many of these policies under the Endless Frontier Act.

I urge my colleagues to vote yes on this vote, and I thank Senator YOUNG for his 2-year partnership on this legislation. However, folks, if this vote doesn't produce enough votes to comfortably withstand a filibuster, we will move forward with the chips, ORAN, and ITC provisions here on the floor. It is my preference for the Senate to include the science provisions in this bill because they are so important for the future of our country.

I am very optimistic we will see a strong bipartisan vote later today.

LEGISLATIVE SESSION

CHIPS ACT OF 2022

CHIPS ACT OF 2022—Motion To Proceed

Mr. SCHUMER. Now I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

Mr. SCHUMER. Mr. President, it is my understanding that the Senate has received a message from the House of Representatives to accompany H.R. 4346.

The PRESIDING OFFICER. The Senator is correct.

Mr. SCHUMER. I ask that the Chair lay before the Senate the message to accompany H.R. 4346, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. LEAHY) is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Louisiana (Mr. KENNEDY).

The result was announced—yeas 64, nays 34, as follows:

[Rollcall Vote No. 261 Leg.]

YEAS—64

Baldwin	Hagerty	Romney
Bennet	Hassan	Rosen
Blumenthal	Heinrich	Rounds
Blunt	Hickenlooper	Sasse
Booker	Hirono	Schatz
Brown	Kaine	Schumer
Cantwell	Kelly	Shaheen
Capito	King	Sinema
Cardin	Klobuchar	Smith
Carper	Lujan	Stabenow
Casey	Manchin	Tester
Cassidy	Markey	Tillis
Collins	Menendez	Van Hollen
Coons	Merkley	Warner
Cornyn	Murkowski	Warnock
Cortez Masto	Murphy	Warren
Daines	Murray	Whitehouse
Duckworth	Ossoff	Wicker
Durbin	Padilla	Wyden
Feinstein	Peters	Young
Gillibrand	Portman	
Graham	Reed	

NAYS—34

Barrasso	Hawley	Risch
Blackburn	Hoeven	Rubio
Boozman	Hyde-Smith	Sanders
Braun	Inhofe	Scott (FL)
Burr	Johnson	Scott (SC)
Cotton	Lankford	Shelby
Cramer	Lee	Sullivan
Crapo	Lummis	Thune
Cruz	Marshall	Toomey
Ernst	McConnell	Tuberville
Fischer	Moran	
Grassley	Paul	

NOT VOTING—2

Kennedy Leahy

The motion was agreed to.

(Ms. HASSAN assumed the Chair.)

(Ms. KLOBUCHAR assumed the Chair.)

The PRESIDING OFFICER (Ms. HASSAN). The Chair lays before the Senate the message from the House of Representatives.

The legislative clerk read as follows:

Resolved, That the House agree to the amendment of the Senate to the bill (H.R. 4346) entitled "An Act making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes.", with a House amendment to the Senate amendment.

Mr. SCHUMER. Madam President, I was gratified, as many of us were on both sides of the aisle, with these large votes—64 votes—for this motion to proceed on to the new bill. It bodes very well that we can get this bill done with a large vote and get it done as quickly as we can, so I hope we move forward because this bill is so important for jobs and for the future of the American economy.

MOTION TO CONCUR WITH AMENDMENT NO. 5135

Mr. SCHUMER. I move to concur in the House amendment to the Senate amendment to H.R. 4346, with an amendment.

The PRESIDING OFFICER. The clerk will report the motion with an amendment.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] moves to concur in the House amendment to the Senate amendment with an amendment numbered 5135.

Mr. SCHUMER. I ask consent that further reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. SCHUMER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

AMENDMENT NO. 5136

Mr. SCHUMER. I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] proposes an amendment numbered 5136 to amendment No. 5135.

Mr. SCHUMER. I ask consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To add an effective date)

At the end add the following:

SEC. EFFECTIVE DATE.

This Act shall take effect on the date that is 1 day after the date of enactment of this Act.

MOTION TO REFER WITH AMENDMENT NO. 5137

Mr. SCHUMER. I move to refer H.R. 4346 to the Committee on Commerce, Science, and Transportation with in-

structions to report back forthwith with an amendment.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] moves to refer H.R. 4346 to the Committee on Commerce, Science, and Transportation with instructions to report back forthwith with an amendment numbered 5137.

Mr. SCHUMER. I ask consent that further reading of the motion be dispensed with.

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

The amendment is as follows:

(Purpose: To add an effective date)

At the end add the following:

SEC. EFFECTIVE DATE.

This Act shall take effect on the date that is 2 days after the date of enactment of this Act.

Mr. SCHUMER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

AMENDMENT NO. 5138

Mr. SCHUMER. I have an amendment to the instructions at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] proposes an amendment numbered 5138 to the instructions to the motion to refer.

Mr. SCHUMER. I ask consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To modify the effective date)

On page 1, line 3, strike "2" and insert "3".

Mr. SCHUMER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

Mr. SCHUMER. I withdraw my request.

The PRESIDING OFFICER. The request is withdrawn.

Mr. SCHUMER. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

UKRAINE

Mr. PORTMAN. Madam President, I come to the floor today to once again talk about Russia's brutal invasion of Ukraine. Before I do, though, I want to pause for a minute and honor the lives lost in the downing of Malaysian Airlines Flight MH17 over Ukraine, knocked down by Russian and Russian-backed separatists. This week marks the eighth anniversary of that tragedy. All 238 passengers and 15 crew were killed.

This eighth anniversary is a reminder that Russia's war of aggression

on Ukraine didn't just start this spring. Eight years ago, the people of Ukraine made a courageous choice. They said that they were going to stand up to a corrupt Russian-backed regime. And when they did that, Russia responded by invading their country, taking Ukraine's Crimea Peninsula but also territory here in what is called the Donbas. So this is not new. For almost 9 years, the people of Ukraine have been fighting this war with Russia. More recently, of course, the invasion was even more devastating.

So I join Bridget Brink, who is our new U.S. Ambassador to Ukraine, who said:

[We] honor the memories of those killed eight years ago—even as missiles continue to fall on Mykolaiv, Dnipro, and other Ukrainian cities, killing civilians and demonstrating the Kremlin's disregard for international law and human life."

She is right. Ambassador Brink said it right. The civilian toll in this war is devastating. Ukraine's Prosecutor General recently said that since late February of this year, 353 children have died in this war and more than 1,000 have been wounded.

The Associated Press painted a vivid picture of this with a story about the killing of a 4-year-old girl named Liza, Liza Dmytrieva. Liza had Down syndrome and was on her way to see a speech therapist last Thursday when her mother and she were attacked by Russian missiles. She was in a town called Vinnytsia. At least 24 people were killed that day, including Liza and two boys who were 7 and 8 years old. Almost 200 were wounded. Liza's mother is still in intensive care.

It is important to know that when the war started, Liza's family fled Kyiv but stayed in Ukraine, fleeing to this town, Vinnytsia, about 167 miles southwest of Kyiv.

They thought they could be safe there. It is well behind enemy lines. It is well behind the frontlines of the battle. Yet this is the reality of President Putin's war on Ukraine. It is targeting civilians. But it won't just stop in Ukraine.

This is why Finland and Sweden, in a move that just a few years ago would have seemed impossible, left a history of neutrality behind and joined NATO. Their application is currently in place. They see President Putin's brutal war, and they know that they could be next.

Last week, I mentioned on the floor that as recently as 2016, President Putin said "The borders of Russia never end." It bears repeating because he and other Kremlin leaders seem intent on restoring the Russian empire, even if it means rolling over other free and independent countries.

The Senate Foreign Relations Committee took a momentous step today by voting to ratify the NATO applications for these two allies of the United States: Sweden and Finland. I was proud to vote to ratify and speak in committee about why this expansion is so good for our national security to

have these two countries with strong militaries and strong economies join our NATO alliance. I hope that the leadership of the Senate will put this legislation on the floor as soon as possible so that we can show the world that we are enthusiastically supporting the joining of these two countries to the NATO alliance.

We need to continue to demonstrate global solidarity in this war. President Putin, of course, had hoped to divide NATO and divide Europe and divide the West, but he underestimated what would happen. He underestimated the foresight and wisdom of the people of Sweden and Finland, just as he underestimated the courage and resiliency of the people of Ukraine.

On the energy front, a significant development that isn't getting nearly enough attention happened last week. Back in June, Russia cut gas to Europe via the Nord Stream 1 pipeline by 60 percent because of "maintenance problems." They claimed they needed gas turbines that had gone to Canada to be repaired to be able to continue the flow of the pipeline. Those turbines were prohibited from being returned to Russia because of the sanctions that are in place with regard to Russian energy infrastructure.

Of course, what President Putin's government claims to be true is often not. The reality is Russia was punishing Europe and trying to poke holes in the Western sanctions regime. Unfortunately, the Russians succeeded. What happened next was discouraging. Canada gave in to Russia's demands last week and returned the gas turbines, and then the State Department applauded this move saying that somehow, it was standing up to Russia's energy blackmail.

I understand the administration's desire to preserve allied unity in the face of Russian aggression. That is important, especially in our effort to stand up against Russia over the long term. But if we are unified behind a bad policy, then that unity doesn't do us much good.

We saw this with Nord Stream 2, remember, when the Biden administration sided with Germany to remove sanctions on the pipeline, even though that decision undermined the security of our allies, including Ukraine. And I think it sent the wrong message, the wrong message to Russia, and it is one reason that they felt empowered to invade Ukraine more recently.

Now we are seeing the same thing here. In the name of preserving unity with certain allies, we are giving in to Russia's demands. As I said, unity with our allies is important, I get that. But instead of settling for weak policy, we should be pushing our allies to adopt stronger policies against Russia, including with regard to energy.

Unfortunately, Russia knows that by manufacturing a "maintenance problem" with their pipelines, our allies tend to back down on our sanctions. I wonder when will the next "maintenance problem" appear.

President Zelenskyy has called the return of these gas turbines to Russia "absolutely unacceptable." But the Biden administration characterizes it as a counter to Russia's attempt to weaponize energy. This just isn't the case.

It is worth noting that another crisis is looming as a result of this war and is the direct result of Russia's blockade of Ukraine's ports, especially the port at Odesa. Here is the Odesa Port. There are other ports along this area into the Black Sea that are absolutely essential for Ukraine's exports, and yet Russia is blocking them.

Here, I cannot overstate the importance of this issue as Ukraine supplies so much of the world's food. And without ports to export, that food is not making it to the people who need it badly, and it is causing food shortages around the world. Let me be clear: Food should never be used as a weapon of war. But that is exactly what President Putin is doing.

The effects are far-reaching. According to the World Food Programme, increases in the cost of food and fuel since March have caused 47 million people to experience food insecurity, and of those, some 50 million are living close to famine. And that number grows every single day.

To be specific, according to the Wall Street Journal:

In Somalia, Ethiopia, South Sudan, Yemen, and Afghanistan, nearly 900,000 people already face starvation and death. That is more than 10-fold [the] increase from 2019—and, by some estimates, could result in more people dying from hunger in 2022 and 2023 than in any year since the 1960s and [the] China's disastrous Great Leap Forward agricultural policies.

Wow. The World Food Programme provides aid for these countries, but there are shortages because of Russia's war of choice, and the cost of that aid has risen tremendously. They report that their costs have jumped 46 percent compared with 2019. That is about 50 percent over the last few years. And any organization, let alone one that provides humanitarian aid, would have immense problems keeping up. There are increases in everyday items, like vegetable oils and special nutritional pastes given to children who are in famine or malnourished.

While these problems persist, it is the most vulnerable among us who truly feel the cost of malnourishment. It is the kids and the children who are most at risk from the effects of hunger. Their bodies, from the lack of nutrients from food, are too weak to fight off diseases such as measles or cholera. Even those who survive these terrible illnesses will often face long-term health problems that could impact them forever.

So we are not only facing a brutal invasion of Ukraine. We have talked about that. War crimes are being committed there every day. But there is also a humanitarian crisis that is taking its toll around the world, as we speak, as a result of this war on

Ukraine and the blockade of these ports. This is a battle on so many fronts, and we have to face the realities of this head-on.

In a war that was thought to be over within weeks, the fighting has continued well beyond that and may continue for much longer. It has already gone on longer than most people expected. And while Ukrainians continue to show their fortitude and strength, the world feels the effects of this through the global fallout.

Ukraine's First Lady Olena Zelenska will speak to Congress tomorrow about the damaging effects of this war, just as her husband, President Zelenskyy, addressed these Chambers in March. I look forward to hearing what she has to say. She has been a passionate advocate for the rights of innocent Ukrainian citizens who have been killed and wounded by these Russian attacks. She has even started her own initiative to address the mental health impacts of Russia's terrible war and the trauma that the people of Ukraine have experienced.

That is the kind of leadership Ukraine needs. Frankly, it is the kind of leadership the world needs. She and her husband should be commended for their bravery in the face of tyranny and their steadfastness through the destruction that Vladimir Putin has caused her beloved homeland.

In Ukraine, the stakes remain high. The casualties, both civilian and professional soldiers alike, go into the thousands—thousands. The damage to Ukraine's infrastructure—their beautiful cities, ports, schools, hospitals, daycares, and apartment buildings—goes into the billions.

This is a photograph of an apartment building that was recently bombed in the eastern part of Ukraine, killing, of course, innocent civilians. According to the Kyiv School of Economics, Ukraine will need at least \$165 billion for postwar reconstruction. Per their latest update, almost half of these losses are attributable to housing losses like this one, civilian targets of Russia's unrelenting bombing campaign. Neighborhoods, residential areas, homes, and apartments have been hit by these Russian airstrikes.

These are acts of terror. I am a cosponsor of Senator GRAHAM's resolution to urge the Biden administration to name Russia a state sponsor of terror. I urge leadership to bring this to a vote. We voted it out of committee already. It is on the floor. Let's take it up.

So what happens next? We know that making any territorial concessions to Russia would only embolden President Putin and other future would-be conquerors. The lesson they would learn is that, with enough patience, they can wear down the West and get what they want. We must not let that happen, and the people of Ukraine and the brave President certainly know this. We must do more quickly to arm Ukraine and help them to be able to protect

themselves and to be able to win this war.

It is clear that President Putin underestimated the courage, the effectiveness, and the resiliency of the Ukrainian people and the Ukrainian military, and now President Putin knows what the Ukrainians are capable of. And, by the way, the Russian forces also understand this.

On Monday, Russian Defense Minister Sergei Shoigu told Russian troops to hit Ukraine's High Mobility Artillery Rocket Systems, or HIMARS. He asked them to do so because of the success the Ukrainians have had with just eight of these HIMARS units. These are systems from the United States. Many of us have pushed very hard to get these to Ukraine. They went too late. Many lives were lost and cities were flattened because they did not have them early on.

These rocket systems are absolutely essential because, before that, the Russians could sit back and indiscriminately bomb Ukrainian cities and Ukrainian soldiers and civilians and the Ukrainian artillery could not reach them. These HIMARS systems have a longer range and are more accurate, and they have been quite effective.

Only eight systems are there now, also three from the UK and a few from Germany. They need a lot more. But just this week, because of these systems, Ukrainian forces killed a Russian commander after a HIMARS hit a Russian control and command center here in the south of Ukraine. Last week, HIMARS took out a Russian ammunition warehouse in the same region. They have now taken out a couple dozen of these ammo depots, especially here in the south and here in the east.

That is incredibly important because, by reducing the Russian ammunition stores, it will be much more likely that the Russians will realize that this war is damaging them, their equipment, their soldiers, and be more willing to come to the bargaining table.

If this is what the Ukrainians can do with just eight HIMARS, imagine what they could do with what they have been asking for and what they really need, which is around 40 or 50 of these units. These weapons are crucial to the brave Ukrainian fighters as Ukraine continues its effort to defend itself from these Russian airstrikes and missile strikes.

Finally, Ukrainian forces have missiles with adequate range to reach these Russian missiles, to reach these ammo depots, to reach these command posts. Russia will still have the advantage, of course, of more missiles, more men, and more rockets, and their attacks are relentless.

President Zelenskyy highlighted this when he said on Monday that Russia has fired thousands of cruise missiles and rockets during this war—thousands. These often come in the middle of the night and hit residential areas and city infrastructure in places like Nikopol, a city that is located here,

right near Kherson. Rockets have also hit apartment complexes, as we saw, and shopping malls.

Here is a shopping mall that Russians attacked a few weeks ago. This is a shopping mall, much as you would see in the United States of America. It was full of people who were out shopping on a summer day, maybe buying clothes, maybe buying some food. Over 20 shoppers were killed at this shopping center, and over 56 people were wounded.

This shopping center, by the way, was in the central part of Ukraine. If you look at the map, this is not anywhere near the war zone, more up in this area, in the middle part of Ukraine. So bombings of shopping centers, apartments, schools, hospitals—it is really hard to imagine, but it is happening.

We can help Ukraine fight back. Again, the best way is provide them with more weapons like the HIMARS that they need. We have hundreds in our stocks, by the way. It is more critical than ever that the United States and our allies support Ukraine to try to turn the tide. Only that will get Russia to the bargaining table.

Meanwhile, we must continue to expose the brutality. Much of the media attention has gone away while lives continue to be lost and cities continue to be bombarded. We need to keep letting people know about these atrocities.

That is why I am here on the floor of the Senate for the 18th consecutive week to talk about what is happening to the people of Ukraine, what has happened in the past week, and why they deserve and need our help.

Ukrainians are fighting because they know what it is like to live under the thumb of authoritarianism. They have been subject to that through their history, and, more recently, they broke away from that and toward democracy in 1991 and again in 2014.

It is important to note that Ukraine is not asking us to fight this war for them. They just want us to help them, along with our allies, to be able to have the tools they need to protect themselves. They are asking us for increased lethal military assistance to help defend themselves, and they are asking all of us to abide by the commitments that we have made.

In 1994, after the Berlin Wall came down, Ukraine signed what is called the Budapest Memorandum. It was a treaty where Ukraine agreed to give up all of its nuclear weapons—and they had a lot of them—in exchange for security guarantees from Russia, the United States of America, and the United Kingdom—guarantees that we would all respect the independence and sovereignty of Ukraine and refrain from the threat or use of force against Ukraine. That was in 1994—so much for Russia's commitment.

I have seen the spirit and perseverance of Ukrainians firsthand when I have visited the country. I have been

there seven, eight, nine times. I was there right after the Revolution of Dignity, as it is called, in 2014, when Ukrainians decided to turn away from a Russian-backed and corrupt government and stand with us and Europe to pursue a hopeful future of freedom and democracy.

Now, it is time for us and our allies to stand with them. The world must know that freedom-loving countries around the globe have Ukraine's back and we will be there until the bitter end. President Putin must know that we will not back down as he orders the ruthless slaughter of more innocents.

At the beginning of my speech, I talked about this 4-year-old girl. Liza's death occurred because of these rocket attacks. At her funeral, Orthodox priest Vitalii Holoskevych said this: "We know that evil cannot win."

"We know that evil cannot win." And maybe that is the bottom line here today. This is a struggle between freedom and democracy and the right of self-determination on the one hand and evil on the other hand—the evil of conquest, the evil of authoritarianism, the evil of tyranny. Now is not the time to be tentative or equivocal. At this critical juncture, we need to work with our allies to provide Ukraine what they need to defeat evil, to protect their homeland, and to defend democracy.

I yield the floor.

The PRESIDING OFFICER (Mr. KING). The majority leader.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I ask unanimous consent that at a time to be determined by the majority leader in consultation with the Republican leader, the Senate proceed to executive session to consider the following nomination: Calendar No. 922; that there be 10 minutes of debate equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nomination; that, if confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any related statements be printed in the Record; that the President be immediately notified of the Senate's action and the Senate then resume legislative session; further, that Calendar No. 1051 be considered under the same agreement.

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

EXECUTIVE SESSION

AMENDMENTS TO THE TREATY ON FISHERIES BETWEEN THE GOVERNMENTS OF CERTAIN PACIFIC ISLAND STATES AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate

proceed to executive session to consider Calendar No. 3, Treaty Document No. 115-3; that the treaty be considered as having advanced through the various parliamentary stages up to and including the presentation of the resolution of advice and consent to ratification; that any committee conditions, declarations, or reservations be agreed to as applicable; that any statements be printed in the RECORD as if read; further, that the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action, and the Senate resume legislative session.

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

The treaty will be stated.

The senior assistant legislative clerk read as follows:

Treaty Document No. 115-3, Amendments to the Treaty on Fisheries between the Governments of Certain Pacific Island States and the Government of the United States of America.

Mr. SCHUMER. I ask for a division vote on the resolution of advice and consent to ratification.

The PRESIDING OFFICER. A division vote has been requested.

On Treaty Document No. 115-3, Senators in favor of the resolution of ratification will rise and stand until counted.

All those opposed will rise and stand until counted.

On this division vote, two-thirds of the Senators present having voted in the affirmative, the resolution of advice and consent to the ratification is agreed to.

The resolution of ratification is as follows:

Resolved (two-thirds of the Senators present concurring therein).

SECTION 1. SENATE ADVICE AND CONSENT SUBJECT TO A DECLARATION

The Senate advises and consents to the ratification of the Amendments to the Treaty on Fisheries between the Governments of Certain Pacific Island States and the Government of the United States of America done at Port Moresby April 2, 1987, as amended, done at Nadi, Fiji, December 3, 2016 ("the Amendments") (Treaty Doc. 115-3), subject to the declaration of section 2.

SECTION 2. DECLARATION

The advice and consent of the Senate under section 1 is subject to the following declaration: The Amendments are not self-executing.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

MORNING BUSINESS

NOTICE OF A TIE VOTE UNDER S. RES. 27

Mr. MENENDEZ. Mr. President, I ask unanimous consent to print the following letter in the RECORD.

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

To the Secretary of the Senate:

PN1578, the nomination of Dr. Geeta Rao Gupta, of Virginia, to be Ambassador at Large for Global Women's Issues, having been referred to the Committee on Foreign Relations, the Committee, with a quorum present, has voted on the nomination as follows—

1.) On the question of reporting the nomination favorably with the recommendation that the nomination be confirmed, 11 ayes to 11 noes; and

2.) In accordance with section 3, paragraph (1)(A) of S. Res. 27 of the 117th Congress, I hereby give notice that the Committee has not reported the nomination because of a tie vote, and ask that this notice be printed in the RECORD pursuant to the resolution.

ARMS SALES NOTIFICATION

Mr. MENENDEZ. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

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

DEFENSE SECURITY
COOPERATION AGENCY,
Washington, DC.

Hon. ROBERT MENENDEZ,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 22-39, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Belgium for defense articles and services estimated to cost \$127 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

JAMES A. HURSCH,
Director.

Enclosures.

TRANSMITTAL NO. 22-39

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Belgium.

(ii) Total Estimated Value:
Major Defense Equipment* \$0 million.
Other \$127 million.
Total \$127 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase: Foreign Military Sales (FMS) case BE-D-QBL, was below congressional notification threshold at \$98.4 million for non-MDE F-16 sustainment. The Government of Belgium has requested the case be

amended to include additional non-Major Defense Equipment (non-MDE) items and services. This case amendment will increase the total case value above the non-MDE notification threshold and thus require notification of the entirety of the FMS case.

Major Defense Equipment (MDE): None.

Non-MDE: Included are AN/ARC-210 radios; classified software, Computer Program Identification Numbers (CPINs), and software integration support; Electronic Warfare (EW) database support; test support and equipment; aircraft and munitions support and support equipment; flight simulator support; additional hardware and software delivery and support; spare and repair parts, consumables and accessories; maintenance and maintenance support; mission planning system sustainment; facilities, utilities, and information technology support at U.S. Air Force bases; classified and unclassified publications and technical documentation; and U.S. Government and contractor engineering, technical and logistics support services, studies and surveys; and other related elements of logistical and program support.

(iv) Military Department: Air Force (BE-D-QBL).

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None known at this time.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: July 19, 2022.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Belgium—F-16 Sustainment

The Government of Belgium has requested to buy additional F-16 sustainment support that will be added to a previously implemented case. The original FMS case, valued at \$98.4 million, included F-16 sustainment, consisting of AN/ARC-210 radios; classified software, Computer Program Identification Numbers (CPINs), and software integration support; Electronic Warfare (EW) database support; test support and equipment; aircraft and munitions support and support equipment; flight simulator support; additional hardware and software delivery and support; spare and repair parts, consumables and accessories; maintenance and maintenance support; mission planning system sustainment; facilities, utilities, and information technology support at U.S. Air Force bases; classified and unclassified publications and technical documentation; and U.S. Government and contractor engineering, technical and logistics support services, studies and surveys; and other related elements of logistical and program support. This notification will include more of the same items and services. The estimated total cost is \$127 million.

This proposed sale will support the foreign policy and national security objectives of the United States by improving the security of a NATO ally which is an important force for political stability and economic progress in Europe.

The proposed sale will improve Belgium's capability to meet current and future threats by maintaining its F-16 fleet in combat-ready status and providing rotational forces to NATO's Eastern flank. Belgium will have no difficulty absorbing these articles and services into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be Lockheed Martin, Bethesda, MD. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to Belgium.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 22-39

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The AN/ARC-210 is a voice communications radio system equipped with HAVE QUICK II, which employs cryptographic technology. Other waveforms may be included as needed.

2. The Electronic Warfare Integrated Reprogramming Database (EWIRDB) is used by USG engineers in the reprogramming and creation of shareable Mission Data Files for the AN/ALQ-131 electronic countermeasures pod on the F-16 aircraft.

3. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

4. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

5. A determination has been made that Belgium can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

6. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Belgium.

ARMS SALES NOTIFICATION

Mr. MENENDEZ. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

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

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. ROBERT MENENDEZ,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of

the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 21-45 concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of the United Arab Emirates for defense articles and services estimated to cost \$980.4 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

JAMES A. HURSCH,
Director.

Enclosures.

TRANSMITTAL NO. 21-45

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of the United Arab Emirates.

(ii) Total Estimated Value:

Major Defense Equipment* Other \$0 million.

Other \$980.4 million.

Total \$980.4 million.

Funding Source: National Funds.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE): None.

Non-MDE: Follow-on sustainment and support of C-17 fleet to include aircraft hardware and software modifications and support; Joint Mission Planning System (JMPS) software; classified software support for Electronic Warfare (EW) self-protection; aircraft and engine support equipment, components, consumables, spare parts and repair/return; publications and technical documentation; heavy maintenance support; participation in the C-17 Virtual Fleet for Total System Sustainment (TSS) contractor logistics support and Material Improvement Program (MIP); other U.S. Government and contractor engineering, technical, and logistical support services; and other related elements of program support.

(iv) Military Department: Air Force (AE-D-QAN).

(v) Prior Related Cases, if any: AE-D-QAC.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: None.

(viii) Date Report Delivered to Congress: July 19, 2022.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

United Arab Emirates—C-17 Aircraft Sustainment

The Government of the United Arab Emirates (UAE) has requested to buy follow-on sustainment and support of C-17 fleet to include aircraft hardware and software modifications and support; Joint Mission Planning System (JMPS) software; classified software support for Electronic Warfare (EW) self-protection; aircraft and engine support equipment, components, consumables, spare parts and repair/return; publications and technical documentation; heavy maintenance support; participation in the C-17 Virtual Fleet for Total System Sustainment (TSS) contractor logistics support and Material Improvement Program (MIP); other U.S. Government and contractor engineering, technical, and logistical support services; and other related elements of program support. The total estimated cost is \$980.4 million.

This proposed sale will support the foreign policy and national security of the United States by helping to improve the security of an important regional partner. The UAE has

been, and continues to be, a vital U.S. partner for political stability and economic progress in the Middle East.

The proposed renewal of C-17 aircraft support will provide the Government of the UAE with a credible defense capability, provide strategic and humanitarian airlift, and ensure interoperability with U.S. forces. The UAE already operates the C-17 and will have no difficulty absorbing the additional sustainment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime contractor will be The Boeing Company, Chicago, IL. The purchaser typically requests offsets. Any offset agreement will be defined in negotiations between the purchaser and the contractor.

Implementation of this proposed sale may require the assignment of up to twelve (12) U.S. Government or contractor representatives to the UAE. Implementation of this proposed sale will require periodic Program Management Reviews in the United States or in the UAE.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

VOTE EXPLANATION

Mr. HAWLEY. Mr. President, had there been a recorded vote, I would have voted no on the confirmation of Executive Calendar No. 987, Stephen Henley Locher, of Iowa, to be United States District Judge for the Southern District of Iowa.

VOTE EXPLANATION

Mr. LUJÁN. Mr. President, I was unavailable for rollcall vote No. 246, on Executive Calendar No. 1037, Steven M. Dettelbach, of Ohio, to be Director, Bureau of Alcohol, Tobacco, Firearms, and Explosives. Had I been present, I would have voted yea.

GLOBAL LEARNING LOSS ASSESSMENT ACT

Mr. CARDIN. Mr. President, I rise today to speak about the bipartisan Global Learning Loss Assessment Act, S. 552, which I introduced along with Senator BOOZMAN last year. This bill requires the U.S. Agency for International Development, or USAID, to submit a report to Congress that assesses learning loss, identifies gaps in access to education, and outlines the response that is needed to help students recover from COVID-19 and reach their full potential. I applaud the advancement of this bill, which was voted on favorably in the Senate Foreign Relations Committee earlier today and will now move to the Senate floor for consideration. I should note that the House companion bill passed the House in June 2021. So it is time for the Senate to act.

The COVID-19 pandemic has forced schools around the world to suspend in-person learning as a measure to contain the spread of the virus and safeguard public health. Even before the pandemic began, UNESCO reported that 258 million children were out of

school globally, including 130 million girls. Now, the pandemic has disrupted the education of an estimated 90 percent of the world's student population—over 1.6 billion children and youth—who saw their schools close at some point due to COVID-19.

We already know that school closures lead to interrupted learning, poor nutrition, gaps in childcare, increased dropout rates, exposure to violence, and social isolation. What is more, students already at a disadvantage before COVID-19 will experience greater learning loss, thereby worsening inequity and inequality in education.

School closures are especially burdensome for girls, who are frequently expected to shoulder more household responsibilities and are more vulnerable to gender-based violence—GBV. For example, according to a study by the United Nations Development Program, school closures in Sierra Leone necessitated by the Ebola pandemic led to increased instances of sexual- and gender-based violence, teenage pregnancy, school dropout, and child labor for girls.

Restrictions associated with COVID-19 have also made girls more vulnerable to child and early forced marriage. The United Nations Population Fund—UNFPA—estimates that 13,000,000 more child marriages could take place by 2030 than would have without the pandemic, and when a girl gets married, her education almost always stops.

When school closures occur, a significant percentage of distance learning alternatives rely exclusively on online platforms. However, according to UNICEF, two-thirds of the world's school-aged children do not have an internet connection in their homes, with that number rising to about 90 percent of students in sub-Saharan Africa. Furthermore, schools and local learning centers frequently have inadequate internet connectivity.

The Global Learning Loss Assessment Act will help improve the quality and reach of international education assistance by giving Congress the information we need to assess the status of education worldwide. The critical information included in the report produced by USAID will be used to inform future policy, oversight, and programmatic decisions by Congress and USAID, and will help ensure that our partner countries are better prepared to respond to future crises that could disrupt the education system.

Specifically, the USAID report shall include: an assessment of learning loss globally and of the impact on U.S. basic education programs; an overview of distance learning in low resource contexts; a description of the barriers to education or distance learning for marginalized children; data on USAID programs that have been supporting learning during the pandemic; an overview of how USAID has, independently and in coordination with partners, adapted basic education programming during the COVID-19 pandemic to sup-

port continued learning; and a description of the authorities and resources USAID needs to continue to support education programs during and after the pandemic to mitigate learning loss and help students get back on track.

The Global Learning Loss Assessment Act has been endorsed by several important NGOs, including the Basic Education Coalition, Cambridge Education, Catholic Relief Services, Chemonics International, Childhood Education International, Food for the Hungry, Global Campaign for Education-US, Jesuit Refugee Service/USA, Luminos Fund, RESULTS, RISE Institute, RTI International, Save the Children, Unbounded Associates, UNICEF USA, World Education, and World Learning.

I look forward to the opportunity for this important bill supporting education worldwide to be adopted by the Senate.

AFGHANISTAN

Mr. HAWLEY. Mr. President, following my submission yesterday, I ask unanimous consent to have printed in the RECORD the next part of an investigation directed by the U.S. Central Command concerning the Abbey Gate bombing in Afghanistan in August 2021.

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

ACTS-SCK-DO

SUBJECT: Findings and Recommendation—Attack Against U.S. Forces Conducting NEO at Hamid Karzai International Airport on 26 August 2021

(r) The SPMAGTF EOD Team, attached to 2/1, conducted a post blast analysis at 0620 on 27 August with U.K. Forces EOD and Taliban security (exhibits 5, 65). EOD concluded the blast was either a vest or backpack detonated on the far side of the canal held above the waist, directly across from 1st Platoon, Golf Company Marines (exhibit 5). EOD deduced this location from the fragmentation pattern in the nearside canal wall, fragmentation in the PSYOP vehicle, and blast burns on the wall on the far side of the canal (exhibit 5). The fragmentation from the vest or backpack was primarily ball bearings (exhibits 5, 95). Open source news reported the Taliban had recently freed the individual bomber, (TEXT REDACTED) on 15 August from the Parwan Detention Facility near Bagram Air Base (exhibit 165). The investigation found no evidence to support a conclusion the bomber used U.S. identification to clear Taliban checkpoints on the approaches to the Abbey Gate canal. There were multiple avenues of approach to the canal, continuously used by Afghans to bypass Taliban checkpoints (exhibits 76, 102). The bomber likely used one of these avenues. Further, no Marine mentioned that any person used U.S. identification to move closer to their position in relation to the attack.

(s) There was no complex attack; it was a single suicide bomber not accompanied by enemy small arms fire.

(i) Immediately following the blast, nearly all Marines and personnel reported small arms fire (see all exhibits with 2/1 Marines, 24th MEU). There is wide variation of thought on where the firing originated and who was actually doing the firing. Many Marines described personnel near the canal as the source of outgoing small arms fire immediately following the blast. Many Marines, to

include snipers in the tower, also recall fire from the Chevron area into the outer gate and from the East (see all exhibits with 2/1 Marines, 24th MEU). Marines from Golf Company described seeing individuals on a roof near a water tank to their east, one with a camera and one with a rifle (exhibits 86, 87). These Marines stated they fired on the individuals after confirming they posed a threat, and that they suppressed the threat (exhibits 86, 87, 88). Golf Company Marines reported U.K. Forces occupied the position in that building shortly after the attack, but (TEXT REDACTED) 2 PARA, stated his soldiers never occupied a position in that building (exhibits 86, 87, 88, 127, 148). Several key leaders from 2/1 stated it was unlikely Marines received fire from the East, as Taliban members had occupied those buildings throughout the NEO (exhibits 53, 76, 77). The 2/1 Marines S2 stated that friendly forces occupied all elevated positions around Abbey Gate (exhibit 76). Soldiers from the 82nd Airborne Division provided overwatch of Abbey Gate from a tower 75 meters north of the outer gate tower. (TEXT REDACTED) was in the tower during and after the blast, and was confident small arms fire came from the vicinity of the Barron Hotel and not the Chevron or the East (exhibit 144). (TEXT REDACTED) also had visual of one Afghan civilian on a rooftop near Abbey Gate, but this individual posed no threat (exhibit 144). It is unlikely Marines received fire from buildings to the East of Abbey Gate. If they did, it was far more likely to have originated from a rogue Taliban member, than it was part of a complex attack.

(ii) Marines who reported hearing small arms fire after the blast most likely heard friendly warning shots. Golf Company, 2/1 Marines specifically identified members of the Recon Company, 24th MEU as shooting from near the canal after the explosion (exhibits 77, 87, 88). (TEXT REDACTED) of the 2nd Marine Recon Company, stated during their interview that (TEXT REDACTED) fired unsuppressed warning shots (two hammered pairs) at an individual who positioned himself to observe the Marines' reaction to the blast and had been in the crowd acting suspiciously before the blast (exhibit 106, 184, 237). (TEXT REDACTED) fired the rounds southwest, down the canal, toward the Barron Hotel. The rounds would have crossed the frontage of Marines, who were entering the canal to recover casualties and take up security positions, which would have contributed to their perception that they were taking fire (106, 237). No Marines beyond the Recon element Staff NCOs, and those firing at the individuals near the water tank, describe having positive identification of any targets (exhibits 62, 66, 86, 87, 88, 106). This includes the snipers in the Abbey Gate tower and Soldiers in the tower to the North, who had the best vantage point (exhibit 62, 144).

(iii) In addition to the Recon element firing warning shots, (TEXT REDACTED) 2 PARA, confirmed U.K. Troops fired warning shots to help control the crowd in vicinity of the Barron Hotel (exhibits 127, 148). The Bravo Company, 2/501 PIR (TEXT REDACTED) was in the outer corridor, south of the blast area, and described seeing two U.K. Soldiers firing their weapons at a 45-degree angle into the air, towards the northeast (exhibit 124). These rounds also would have crossed in front of Golf 2/1 Marines, contributing to their confusion about taking fire.

(iv) Claims by the Marines to have heard or felt fire originating from outside Abbey Gate should be attributed to both the 2 PARA and Marine Recon personnel firing warning shots, and their potential for disorientation post blast (exhibits 76, 95, 106, 127, 148). Many of the Marines we interviewed were at Abbey Gate. The vast majority of those Marines

were within the blast radius and suffered potential TBIs or concussions from the event (exhibits 62, 63, 77, 88, 91, 92, 93, 95, 164). There was a tremendous amount of smoke, and tear gas canisters were ruptured and pouring chemicals into the blast area, further limiting visibility, and responsiveness (exhibits 63, 89, 127). Nearby observers noted the overwhelming noise from the wounded and civilian crowd fleeing the area (exhibit 148). Marines at the canal were already exhausted and were now experiencing sensory overload (exhibits 77, 127). It is unknown whom Marines engaged holding a weapon on a rooftop immediately following the blast, or even if this actually occurred. (exhibits 76, 77, 87, 88). During the interviews, fellow Marines expressed skepticism and doubt about possible positive identification of targets (exhibits 87, 88). It is worth noting the only Marines who reported receiving fire following the explosion were junior Marines, with no prior combat experience. (TEXT REDACTED) and other leaders concluded there was no complex attack, merely the belief there was one (exhibits 53, 76, 77, 102, 148).

(t) Interviews with Marines at Abbey Gate post-attack revealed no information supporting a conclusion fratricide or civilian casualties resulted from reaction to the blast. Open source research found no reporting to support a conclusion warning shots or engagement of targets in response to the attack caused additional harm to civilians. Marines did report stopping civilians from running through the gate after the attack, and presenting deadly force to stop civilians with bags from approaching or using hones, but no shots were fired in these instances (exhibit 63). A Platoon (TEXT REDACTED) from 2/1 Marines, (TEXT REDACTED) stated during a group interview he witnessed a flash bang grenade detonate near a civilian's head (exhibit 84). He stated the incident did not appear intentional and assumed the injury resulted in death (exhibit 84). This incident took place during the confrontation at Abbey Gate on 20 August between Golf Company and unruly civilians who breached the gate (exhibit 84). (TEXT REDACTED) Surgeon at the Role II-E, recalled treating a civilian with an eye injury that may have been from Abbey Gate (exhibit 128).

(u) The reaction to the blast, and the immediate CASEVAC, by the 2/1 Marines, and adjacent Army and Marine units, were nothing short of incredible. All wounded personnel were evacuated from the canal blast site to the inner gate CCP in 15 minutes (exhibit 53). All the wounded were evacuated by vehicle to the Role II-E at North HKIA in less than one hour (exhibit 66). Marines flooded the blast area, worked through tear gas, and expeditiously moved over 30 personnel nearly 100 meters to the CCP (exhibits 62, 63, 64, 65, 76, 77, 88, 92). Marines used riot control shields as makeshift litters and a Marine immediately cut multiple holes in the fence to shorten the distance from the blast site to the CCP (exhibits 62, 63, 88, 92). At the CCP, Navy corpsmen, and Marines with additional medical training, were assessing and stabilizing the wounded rapidly (exhibits 63, 77, 98, 144). The situation was chaotic. With many leaders injured, it was difficult to determine if anyone was truly in charge, but collectively the task of triage and movement was successfully accomplished (exhibits 53, 57, 66, 76, 77, 78, 90, 98, 124, 128, 131). At least twenty vehicles rotated through Abbey Gate to move the wounded either to the SPMAGTF's STP Role I-E facility, positioned between Abbey and East Gates, or directly to the Role II-E at North HKIA (exhibits 66, 124). The STP Role I-E facility treated four urgent surgical patients, to include 2/1 Marine (TEXT REDACTED)

during the MASCAL event (exhibit 66). The STP also treated injured Afghan civilians for over an hour and half after the attack (exhibit 66). All wounded from Abbey Gate were evacuated from HKIA rearward to CONUS by 0700 on 27 August.

(v) After the blast and recovery of all Marines and U.S. personnel, (TEXT REDACTED) Echo Company (TEXT REDACTED) took control of the outer gate, closed the gate and focused on internal security (exhibits 56, 77) (TEXT REDACTED) focused internally on his company, which sustained heavy casualties (exhibit 77). The SPMAGTF EOD Team attached to 2/1 conducted a search for secondary devices and sensitive items after the gate was closed (exhibit 65). U.K. Forces took over security of the canal and outer corridor, but the blast dispersed the crowd considerably (exhibits 15, 17, 18, 53, 56, 65, 77). At approximately 0200 on 27 August, (TEXT REDACTED) Bravo Company, 2/501 PIR, began to transition his company into Abbey Gate to relieve Echo Company and 2/1 Marines (exhibit 124). By 0500, Bravo Company had taken responsibility for security of Abbey Gate (exhibit 124). U.K. Forces did not complete their operations at Barron Hotel and fully retrograde through the inner gate of Abbey Gate until 0700 (exhibits 124, 127).

(w) 2/1 Marines consolidated in North HKIA and received the task of demilitarizing equipment in preparation for the JTE (exhibits 54, 57, 77). At approximately 1300 on 27 August, they attended the Ramp Ceremony and the KIA from the blast were evacuated rearward (exhibits 14, 54, 100). Before departing HKIA, but after completion of demilitarization, 2/1 Marines were tasked to police call the PAX Terminal area of trash and debris (exhibits 54, 56). 2/1 Marines perceived this order to be punishment for some of their excessive demilitarization efforts, namely defacing and breaking property that was not supposed to be broken (exhibit 56). MG Donahue specifically commented on the excessive destruction by 2/1 Marines, stating DoS and 82nd had to intervene (exhibit 125). He overtly noted Golf Company Marines, led by (TEXT REDACTED) were not involved in the destruction and had set the standard for all units operating at the gates throughout the NEO (exhibit 125). The 2/1 Marines departed in two groups, with Fox Company (-), Golf Company, and Weapons Company departing for Camp Buehring, Kuwait on 28 August and 2/1 Battalion HQ with Echo Company departing on 29 August for PSAB (exhibit 54).

c. Force Protection, specifically including pertinent issues associated with; Force Posture, and Gate Operations.

(1) Key Finding. The attack was not preventable at the tactical level without degrading the mission to maximize the number of evacuees.

(2) Force Posture

(a) Manning. Abbey Gate was operated by 2/1 Marines throughout the NEO (exhibits 53, 56, 77, 100). On 19 August, Golf Company consisted of three platoons, and was reinforced by two additional platoons of Fox Company, when they established operations at Abbey Gate (exhibits 77, 81). From 19–22 August, Golf Company was responsible for Abbey Gate and relieved by Echo Company on 22 August (exhibits 56, 77). From 22–25 August, Echo Company, with four platoons, reinforced by two Weapons Company platoons, was responsible for Abbey Gate. At approximately 1600 on 25 August, Golf Company reinforced by Fox Company platoons, resumed responsibility of Abbey Gate (exhibits 56, 77). Echo Company, reinforced by Weapons Company platoons, was tasked to prepare Abbey Gate for closure and RIP with 1/82 IBCT (exhibits 56, 57). On the afternoon of 26 August,

the size and aggressiveness of the crowd increased (exhibits 53, 56, 77). (TEXT REDACTED) tasked Echo Company to assume operation of the inner corridor to facilitate Golf Company's need to allocate more platoons for crowd control in the outer corridor (exhibits 53, 56, 77). At the time of the blast, approximately seven platoons were operating Abbey Gate. This consisted of three from Golf Company, two from Fox Company, and two from Echo Company (exhibits 53, 56, 77, 81). Steady state manning was generally five to six platoons (exhibits 53, 56, 77).

(b) Rest Cycle. Companies rotated between Abbey Gate, QRF, rest, and evacuee security for those waiting for processing or flights (exhibits 53, 56, 57, 77). While establishing the gate, rest cycles were initially by opportunity only, resulting in infrequent and short periods for Marines to sleep during 72-hour periods at the gate (exhibits 53, 56, 57, 77). After gate operations normalized, the companies were able to establish a sustainable rest cycle, with one platoon rotating to a rest shift for six or eight hours (exhibits 53, 56, 77, 81). Because of the tempo of operations, all units at HKIA experienced challenges establishing rest cycles (exhibits 13, 15, 53, 57, 76).

(c) Personal Protective Equipment (PPE). Marines at Abbey Gate consistently maintained full PPE while working in the outer corridor and canal areas (exhibits 54, 89, 98). PPE included plate carrier, small arms protective inserts (SAPI), eye protection, ballistic helmet, and issued combat gloves (exhibit 55, 89, 98). Marines could remove PPE during rest periods. In the inner corridor, behind protective cover (exhibits 83, 89). Marines occasionally removed their helmets to humanize themselves and deescalate confrontations with civilian evacuees (exhibits 83, 89). Marines affected by the blast were universally wearing their PPE, as evidenced by statements, autopsy results, and JTAPIC analysis (exhibits 77, 83, 89, 138, 145). The one known exception was (TEXT REDACTED) 1st Platoon (TEXT REDACTED). At the time of the blast, he removed his helmet to engage with a civilian evacuee at the canal wall (exhibit 83, 92). JTAPIC analysis demonstrated helmets and SAPs were effective in stopping all fragmentation (exhibit 138).

(d) Crowd Control Measures. The most effective method of crowd control was physical presence and interaction by Marines with the crowds (exhibits 56, 77, 80, 129). Professional actions, verbal commands, physical force, and riot control shields prevented crowds from breaching the gate (exhibits 56, 77, 80, 89). Forces utilized warning shots with varying degrees of success at HKIA (exhibits 53, 54, 100, 117, 118). 2/1 Marines did not use warning shots and only used flash bang grenades infrequently (exhibits 53, 54, 77, 80, 83). The employment of riot control agents (RCAs), such as tear gas, required 0-6 approval for use in defensive situations (exhibit 116, 117). 2/1 Marines employed cross cultural engagement and de-escalation with the civilian population to establish calm and decrease aggressiveness (exhibits 57, 77). The employment of PSYOP capabilities served to enhance the 2/1 Marines' techniques by communicating threat warnings, document requirements, and advisements for safety and temporary closures (exhibits 105, 129).

(e) Force Protection Measures. Abbey Gate Corridor provided some natural force protection and required additional effort by 2/1 Marines to enhance survivability.

(i) The canal running southwest to northeast initially served as a natural obstacle. The canal was approximately three meters wide and two-three meters deep, and held approximately a foot of water throughout the NEO (exhibits 172, 176-178, 192). The wall and fence of Abbey Gate bordered the canal on

the northwest, or nearside, and a wall and fence on the opposite side divided the area from private property, which created a long alley (exhibits 167, 172, 176-178, 192). The canal walls rose approximately three feet above the ground on each side, providing protection to Marines on one side, and creating an obstacle for the crowd on the other side (exhibits 167, 172, 173, 175, 177, 178, 192). Jersey barriers were located at the base of the sniper tower to impede the flow of civilians from approaching the gate on the nearside of the canal (exhibits 167, 172, 177, 178, 180, 182, 185, 192). The terrain limited the crowd from massing and overwhelming Marine formations (exhibits 167, 172, 175-178, 192).

(ii) 2/1 Marines made a significant improvement to force protection when they employed the shipping containers, known as the Chevron (exhibit 83, 89). This obstacle blocked the road leading to Abbey Gate from the South, reducing risk of VBIEDs and controlling the in-flow of crowds (exhibits 15, 18, 53, 77, 89). Another improvement was installation of concertina wire across the nearside canal wall to prevent civilians from climbing out of the canal (exhibits 167, 172, 176-178, 192). Snipers continuously operated from the tower to provide overwatch of Marines executing screening and to observe the crowd for potential risks to force (exhibit 62). The SPMAGTF EOD section installed two ECM devices at Abbey Gate to prevent the use of remote control detonated IEDs and inhibit the cell phone communications of potential attackers (exhibit 62, 65). When threat streams indicated an impending attack, commanders regularly stopped processing evacuees, pulled Marines back to cover, and reduced posture (exhibits 19, 77, 80, 89). Leaders utilized UAVs and RAID cameras to observe avenues of approach and maintain situational awareness to employ QRF for emergencies (exhibits 13, 15, 18, 54, 102, 125).

100TH ANNIVERSARY OF LEHMAN CAVES NATIONAL MONUMENT

Ms. CORTEZ MASTO. Mr. President, I come forward today to recognize the 100th anniversary of Lehman Caves National Monument, the precursor to Great Basin National Park. Today, Great Basin National Park is a 77,000-acre expanse known for its natural beauty and wonderful trails. The Lehman Caves Monument has been managed by the National Park Service for more than half a century, prior to the creation of the larger park. Lehman Caves attracts tens of thousands of visitors each year, providing them with the opportunity to explore underground wonders.

The caves themselves were first used by Native Americans and later "rediscovered" by settlers in the late 1880s before President Warren Harding established Lehman Caves National Monument on January 24, 1922. This declaration provided for custodians of the caves to make improvements, including much-needed repairs and the creation of safer routes for tourists to explore the caves' beauty. In the 1930s, President Franklin Roosevelt transferred control of Lehman Caves to the National Park Service, enhancing work to repair and rehabilitate the caves. The caves were then added to the larger National Park legislation that officially created Great Basin National Park, which was passed by Congress

and signed into law by President Ronald Reagan on October 27, 1986. As a part of Great Basin National Park, Lehman Caves remains accessible today through tours led by park rangers.

Further, the quarter-mile long cavern is filled with spectacular geological formations, including stalactites, stalagmites, popcorn, and a wavy rock pattern of colorful flowstone, commonly referred to as "cave bacon." The cavern is also home to a number of unique species. The Great Basin cave pseudoscorpion and the Lehman Caves millipede, for example, were first found in Lehman Caves and exist only in Great Basin National Park. From its geology to its ecosystem, Lehman Caves has provided visitors with an experience unlike any other in the world.

The joy that outdoor recreation brings Nevada's residents and visitors is invaluable, and the ongoing success of monuments and parks like Lehman Caves is yet another reason that we must work to keep our natural resources healthy and available for future generations. From Lehman Caves to Lake Tahoe, Nevada's public lands are treasured by visitors and locals alike.

I am pleased to recognize Lehman Caves' 100 years of official service to our great State, and I wish Great Basin National Park staff well in continuing their work to preserve and enhance the park for many years to come. Nevadans are fortunate to have this precious natural wonder in our State, and we will continue to protect it as a part of our home.

ADDITIONAL STATEMENTS

TRIBUTE TO KIRKLEY THOMAS

● Mr. BOOZMAN. Mr. President, I rise today to recognize Kirkley Thomas who is retiring as vice president of governmental affairs for Arkansas Electric Cooperative Corporation.

Kirkley is a devoted Arkansan who has proudly served the State for more than 30 years. As a graduate of Arkansas State University, he earned a bachelor of science in journalism and public relations, and he continued his education at the Economic Development Institute of the University of Oklahoma.

He began his career working as a professional staff member in the U.S. Senate for former Arkansas Senator David Pryor in 1991. He continued his service to Arkansas in positions at the University of Arkansas System and the Arkansas Economic Development Commission. Kirkley has been a reliable leader at the Arkansas Electric Cooperative Corporation since 1998 and assumed the role of vice president of governmental affairs in 2014.

My team and I have worked closely with Kirkley during his tenure on a number of initiatives to help support policies to make energy more affordable and broadband more accessible. He

is a champion for rural Arkansas, and it has been rewarding to partner with him to strengthen infrastructure in these communities.

Kirkley's commitment to the State of Arkansas is an example others should aspire to emulate. Throughout his career, he has earned many well-deserved accolades for his professional and civic involvement. I applaud Kirkley for his accomplished career and the leadership and perseverance he has demonstrated. I know that in whatever he does, he will always continue working to build a better Arkansas.

Our State will be forever appreciative of the contributions made by Kirkley Thomas. He deserves our thanks for dedicating his career to bettering so many communities and our entire State. It is an honor to call him a friend, and I wish him the best in his retirement, where I know he will be happy to spend more time with his son Jack and daughter-in-law Hailey.●

TRIBUTE TO MORGAN EDMUND

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Morgan for her hard work as an intern in my Washington, DC, office. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Morgan is a native of Nebraska. She attends the University of Wyoming, where she studies history. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Morgan for the dedication she has shown while working for me and my staff. It is a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her journey.●

TRIBUTE TO ETHAN HILL

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Ethan for his hard work as an intern in the Senate Republican conference. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Ethan is a native of North Carolina. He attends Aurora University, where he studies political science and communications. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Ethan for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.●

TRIBUTE TO KATIE KARAM

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Katie for her hard work as an intern in the Energy and Natural Resources Committee. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Katie is a native of Virginia. She attends Mississippi State University, where she studies political science and international relations. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Katie for the dedication she has shown while working for me and my staff. It is a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her journey.●

TRIBUTE TO RAGAN SMITH

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Ragan for her hard work as an intern in the Energy and Natural Resources Committee. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Ragan is a native of Laramie. She attends Michigan State University, where she studies international relations. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Ragan for the dedication she has shown while working for me and my staff. It is a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her journey.●

TRIBUTE TO CHILI TANNER

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Chili for his hard work as an intern in my Washington, DC, office. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Chili is a native of California. He attends the Merchant Marine Academy, where he studies maritime logistics and security. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Chili for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.●

TRIBUTE TO RACHELLE TRUJILLO

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Rachelle for her hard work as an intern in my Washington, DC, office. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Rachelle is a native of Casper. She attends the University of Wyoming, where she studies international relations, communications, and journalism. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Rachelle for the dedication she has shown while working for me and my staff. It is a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her journey.●

TRIBUTE TO ELIJAH WHITE

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Elijah for his hard work as an intern in my Washington, DC, office. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Elijah is a native of Sheridan. He attends Oklahoma Wesleyan University, where he studies history and political science. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Elijah for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.●

TRIBUTE TO DR. STEPHEN W. KRESS

● Mr. KING. Mr. President, today, I wish to recognize the outstanding career of Dr. Stephen Kress and his contributions to the restoration of seabird colonies in Maine and around the globe. For over 50 years, Dr. Kress has dedicated his life to preserving and reestablishing seabird colonies that had previously been decimated by hunting. His perseverance has been a driving force in the repopulation of Maine puffin colonies and various other seabird species throughout the world.

Dr. Kress's restoration of seabird populations began in 1969 when he started with the National Audubon Society's Hog Island Education Camp on the coast of Maine. It was there that he learned of the devastation the Atlantic Puffin had experienced at the hands of hunters. In 1973 Dr. Kress launched Project Puffin, a novel approach to translocate puffin chicks from a colony at Great Island, Newfoundland, to

Eastern Egg Rock in Maine. In the early years of Project Puffin, Dr. Kress hand-raised the chicks until they were fledglings. Under his leadership, the project grew to incorporate Seal Island National Wildlife Refuge in Maine, and he oversaw the translocation of over 1,000 puffin chicks over the next decade to both islands.

These efforts were an immediate success, but attracting the fledglings back to the island to nest proved difficult. Through trial and error, Dr. Kress discovered and adopted innovative practices using vocalization playback, decoys, and mirrors to attract the migrating birds to return to the island. These methods are now known collectively as social attraction and are employed by ornithological experts internationally.

Dr. Kress later applied social attraction techniques to seabird restoration projects across the globe, leading the way for the successful rehabilitation of colonies in Hawaii, Bermuda, Japan, China, and Taiwan. As of 2012, 128 seabird restoration projects had utilized social attraction and chick translocation techniques, for the benefit of nearly 50 species at locations in 14 countries. His work transformed ornithological conservation and preserved numerous species of endangered coastal birds, redefining the possibilities for seabird conservation. These projects are a testament to Dr. Kress's commitment to conservation, the environment, and ornithology.

Dr. Kress's research opened new doors for conservation and his contributions to the scientific community have saved countless seabird colonies. As a result of his work, Maine islands are now home to some of the largest and most diverse seabird populations in the Gulf of Maine. His legacy will live on in the hundreds of people he has mentored during his career and the seabird populations our State is home to. I join with the people of Maine in commending Dr. Kress for his extraordinary efforts to preserve and cultivate our State's wildlife.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Swann, one of his secretaries.

PRESIDENTIAL MESSAGE

REPORT RELATIVE TO THE ISSUANCE OF AN EXECUTIVE ORDER DECLARING A NATIONAL EMERGENCY WITH RESPECT TO HOSTAGE-TAKING AND THE WRONGFUL DETENTION OF UNITED STATES NATIONALS—PM 35

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying

report; which was referred to the Committee on Foreign Relations:

To the Congress of the United States:

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), I hereby report that I have issued an Executive Order declaring a national emergency with respect to hostage-taking and the wrongful detention of United States nationals.

Hostage-taking and the wrongful detention of United States nationals are heinous acts that undermine the rule of law. Terrorist organizations, criminal groups, and other malicious actors who take hostages for financial, political, or other gain—as well as foreign states that engage in the practice of wrongful detention, including for political leverage or to seek concessions from the United States—threaten the integrity of the international political system and the safety of United States nationals and other persons abroad. I have determined that hostage-taking and the wrongful detention of United States nationals abroad constitute an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States.

I am enclosing a copy of the Executive Order I have issued.

JOSEPH R. BIDEN, Jr.
THE WHITE HOUSE, July 19, 2022.

MESSAGE FROM THE HOUSE

At 10:03 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 8351. An act to amend the Harmonized Tariff Schedule of the United States to suspend temporarily rates of duty on imports of certain infant formula products, and for other purposes.

MEASURES DISCHARGED

The following concurrent resolution was discharged from the Committee on the Budget pursuant to Section 300 of the Congressional Budget Act, and placed on the calendar:

S. Con. Res. 43. Concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2023 and setting forth the appropriate budgetary levels for fiscal years 2024 through 2032.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-4552. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of Administrator, Federal Aviation Administration, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on June 28, 2022; to the

Committee on Commerce, Science, and Transportation.

EC-4553. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report entitled "Minority Business Development Agency Organizational Structure and Position"; to the Committee on Commerce, Science, and Transportation.

EC-4554. A communication from the Attorney Advisor, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Pipeline Safety: Safety of Gas Gathering Pipelines: Extension of Reporting Requirements, Regulation of Large, High-Pressure Lines, and Other Related Amendments: Technical Corrections" (RIN2137-AF38) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4555. A communication from the Attorney-Advisor, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Civil Procedures in Civil Administrative Enforcement Proceedings" (RIN0648-B172) received during adjournment of the Senate in the Office of the President of the Senate on July 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4556. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "IFR Altitudes; Miscellaneous Amendments; Amendment No. 566" ((RIN2120-AA63) (Docket No. 31435)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4557. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4011" ((RIN2120-AA65) (Docket No. 31431)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4558. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4012" ((RIN2120-AA65) (Docket No. 31432)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4559. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4013" ((RIN2120-AA65) (Docket No. 31433)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4560. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard

Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4014" ((RIN2120-AA65) (Docket No. 31434)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4561. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Oakwood, TX" ((RIN2120-AA66) (Docket No. FAA-2022-0310)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4562. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D Airspace, and Class E Airspace, and Removal of Class E Airspace; Greenville, MS" ((RIN2120-AA66) (Docket No. FAA-2022-0433)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4563. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Honesdale, PA" ((RIN2120-AA66) (Docket No. FAA-2022-0403)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4564. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Connellsville, PA" ((RIN2120-AA66) (Docket No. FAA-2022-0309)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4565. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Class E Airspace; East Stroudsburg, PA" ((RIN2120-AA66) (Docket No. FAA-2022-0332)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4566. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Coeur D'Alene-Pappy Boyington Field, ID" ((RIN2120-AA66) (Docket No. FAA-2022-0253)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4567. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Limon Municipal Airport, CO" ((RIN2120-AA66) (Docket No. FAA-2022-0041)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4568. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class C Airspace and Revocation of Class E Airspace Extension; Fort Lauderdale, FL" ((RIN2120-AA66) (Docket No. FAA-2020-0988)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4569. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace, Revocation of Class E Airspace; Sitka Rocky Gutierrez Airport, AK" ((RIN2120-AA66) (Docket No. FAA-2022-0030)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4570. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Montpelier, VT" ((RIN2120-AA66) (Docket No. FAA-2022-0376)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4571. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class B Airspace; Miami, FL" ((RIN2120-AA66) (Docket No. FAA-2020-0490)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4572. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Class E Airspace; Winfield, FL" ((RIN2120-AA66) (Docket No. FAA-2022-0267)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4573. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Limon Municipal Airport, CO" ((RIN2120-AA66) (Docket No. FAA-2022-0041)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4574. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Owatonna, MN" ((RIN2120-AA66) (Docket No. FAA-2022-0161)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4575. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace, and Revocation of Class E Airspace; Sitka Rocky Gutierrez Airport, AK" ((RIN2120-AA66) (Docket No. FAA-

2022-0030)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4576. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Baldwin, MI" ((RIN2120-AA66) (Docket No. FAA-2022-0306)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4577. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Graham, TX" ((RIN2120-AA66) (Docket No. FAA-2022-0311)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4578. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Rifle Garfield County Airport, CO" ((RIN2120-AA66) (Docket No. FAA-2021-0465)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4579. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class D and E Airspace, Removal of Class E Airspace; King Salmon Airport, AK" ((RIN2120-AA66) (Docket No. FAA-2022-0317)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4580. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Milbank and South Dakota, SD" ((RIN2120-AA66) (Docket No. FAA-2022-0307)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4581. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; AutoGyro Certification Limited (Type Certificate Previously Held by RotorSport UK Ltd) Gyroplanes; Amendment 39-22093" ((RIN2120-AA64) (Docket No. FAA-2022-0685)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4582. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Viking Air Limited (Type Certificate Previously Held by Bombardier, Inc. and de Havilland) Airplanes; Amendment 39-22062" ((RIN2120-AA64) (Docket No. FAA-2022-0284)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4603. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Embraer S.A. (Type Certificate Previously Held by Yabora Industria Aeronautica S.A.; Embraer S.A) Airplanes; Amendment 39-22074" ((RIN2120-AA64) (Docket No. FAA-2022-0597)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4604. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes; Amendment 39-22028" ((RIN2120-AA64) (Docket No. FAA-2022-0844)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4605. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; CFM International, S.A. Turbofan Engines; Amendment 39-22052" ((RIN2120-AA64) (Docket No. FAA-2022-0094)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4606. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Helicopters Deutschland GmbH (AHD) Helicopters; Amendment 39-22049" ((RIN2120-AA64) (Docket No. FAA-2022-0294)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4607. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; De Havilland Aircraft of Canada Limited (Type Certificate Previously Held by Bombardier, Inc.) Airplanes; Amendment 39-22064" ((RIN2120-AA64) (Docket No. FAA-2022-0593)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4608. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; ATR Boeing Company Airplanes; Amendment 39-22049" ((RIN2120-AA64) (Docket No. FAA-2022-0877)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4609. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc., Airplanes; Amendment 39-22073" ((RIN2120-AA64) (Docket No. FAA-2022-0596)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4610. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus SAS Airplanes; Amendment 39-22105" ((RIN2120-AA64) (Docket No. FAA-2022-0800)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4611. A communication from the Management and Program Analyst, Federal

Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; GE Aviation Czech s.r.o. (Type Certificate Previously Held by WALTER Engines a.s., Walter a.s., and MOTORLET a.s.) Turboprop Engines; Amendment 39-22102" ((RIN2120-AA64) (Docket No. FAA-2022-0459)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

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

POM-158. A resolution adopted by the House of Representatives of the State of Ohio urging the United States Commission on International Religious Freedom to take whatever action is necessary to address and rectify the situation described in this resolution, and consider adding Canada to the Special Watch List of countries where the government engages in violations of religious freedom; to the Committee on Foreign Relations.

HOUSE RESOLUTION NO. 194

Whereas, The citizens of Ohio are citizens of the United States, which by its nature is a country of religious freedom free of government interference; and

Whereas, Civilized societies normative structures show churches to have jurisdictions separate from civil authorities, with the civil authorities having no authority in church governance, courts, preaching, or sacraments; and

Whereas, The first line of the First Amendment of the Bill of Rights states that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof," thus upholding freedom of religion as one of our most sacred of Rights; and

Whereas, The founders themselves elaborated upon and celebrated religious freedom in their writings; and

Whereas, Thomas Jefferson in his letter to the Danbury Baptist Convention, said "Believing with you that religion is a matter which lies solely between Man & his God, that he owes account to none other for his faith or his worship, that the legitimate powers of government reach actions only, & not opinions, I contemplate with sovereign reverence that act of the whole American people which declared that their legislature should 'make no law respecting an establishment of religion, or prohibiting the free exercise thereof,' thus building a wall of separation between Church & State. Adhering to this expression of the supreme will of the nation in behalf of the rights of conscience, I shall see with sincere satisfaction the progress of those sentiments which tend to restore to man all his natural rights, convinced he has no natural right in opposition to his social duties"; and

Whereas, Roger Williams, founder of Rhode Island, believed that any government involvement in the church would corrupt the church and coined the term "separation of church and state" to keep the church safe from government interference; and

Whereas, The State of Ohio itself was founded upon similar premises from its inception as a part of the Northwest Territory; and

Whereas, The Northwest Ordinance stated in its first article, "No person, demeaning himself in a peaceable and orderly manner,

shall ever be molested on account of his mode of worship or religious sentiments in the said territory"; and

Whereas, The Northwest Ordinance stated in its third article, "Religion, morality and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged"; and

Whereas, The Ohio Constitution's Bill of Rights states in Article I Section 7, "All men have a natural and indefeasible right to worship Almighty God according to the dictates of their own conscience. No person shall be compelled to attend, erect, or support any place of worship, or maintain any form of worship, against his consent; and no preference shall be given, by law, to any religious society; nor shall any interference with the rights of conscience be permitted. No religious test shall be required, as a qualification for office, nor shall any person be incompetent to be a witness on account of his religious belief; but nothing herein shall be construed to dispense with oaths and affirmations. Religion, morality, and knowledge, however, being essential to good government, it shall be the duty of the general assembly to pass suitable laws to protect every religious denomination in the peaceable enjoyment of its own mode of public worship, and to encourage schools and the means of instruction"; and

Whereas, The citizens of Ohio have a robust system of local religious charity systems; and

Whereas, The citizens of Ohio have stood against injustices throughout our history; and

Whereas, During the American Civil War, to help rid the nation of the injustice of slavery, the State of Ohio provided the United States government with more than two hundred sixty regiments, upwards of three hundred thousand men, including the prominent Generals McDowell, Buell, Sheridan, McClellan, Sherman, and future President Ulysses S. Grant; and

Whereas, Ohio abolitionists played a prominent role in the Underground Railroad, helping thousands escape the bondage of slavery to find freedom, such as our involvement in the abolition of slavery in the North; and

Whereas, We, the members of the House of Representatives of the 134th General Assembly of the State of Ohio, are the State representative body of such a freedom-loving people; and

Whereas, During the COVID-19 emergency, the government of Ohio stood up for religious liberty and exempted religious services from COVID-19 restrictions; and

Whereas, The State of Ohio has a vested interest in the affairs of Canada, being our neighbor to the North and Ohio's number one trading partner in the world in both imports and exports; and

Whereas, Ohio's exports to Canada benefit many segments of the economy, and thousands of individual companies, on both sides of the border; and

Whereas, Indeed Ohio is not alone in valuing freedom. The Canadian Charter of Rights and Freedoms states that "Everyone has the following fundamental freedoms," which include the "freedom of conscience and religion." The arrests and actions described below, taken to enforce overly burdensome and unjustified orders, however, do not seem to live up to this praiseworthy statement; and

Whereas, We, the members of the House of Representatives of the 134th General Assembly of the State of Ohio, have taken note of the abuses of religious liberty that have gone on throughout the Provinces of Canada during the COVID-19 pandemic; and

Whereas, Pastor James Coates of Edmonton, Alberta was jailed for thirty-five days and in solitary confinement for seven days straight for holding religious services at a capacity not in keeping with the Public Health Act; and

Whereas, Brothers Artur and David Pawlowski, pastors from Alberta, Canada were arrested and spent three days in jail for organizing a church service that ignored COVID-19 social distancing rules and mask mandates; and

Whereas, Pastor Coates, and perhaps other Canadian pastors, have held services in undisclosed locations, essentially going underground, in order to avoid persecution by government authorities, and to allay congregant's fears; and

Whereas, Pastor Tobias Tissen of Steinbach, Manitoba, was arrested for holding an outdoor service that violated a health order that prohibited gatherings of more than five people; and

Whereas, Under Province of Alberta health orders, in-person faith group meetings, and other religious gatherings, have been prohibited in private homes while the emergency is in effect, thus intruding into the most sacred liberties of its citizens, those of religious freedom and privacy; and

Whereas, All of the Canadian provinces have at times prohibited religious gatherings outright, or have limited the size of religious gatherings, and many provinces still have severe size limitations on religious gatherings either held indoors or outdoors, punishable by harassment, fines, and jail time of faith leaders, thus limiting the parishioners' or members' ability to attend the assembly of their choice, and generally limiting religious liberty; and

Whereas, On December 8, 2021, Canada's Senate Bill C-4 received royal assent and became law. This act is overly broad in scope and has potential negative implications for religious liberties and expression, including a prison sentence of up to five years for merely expressing a biblical view of marriage, thus restricting the ability of religious leaders from expressing sincerely held religious beliefs on marriage and sexuality; and

Whereas, In 1998, the Congress of the United States established the United States Commission on International Religious Freedom; and

Whereas, The Commission includes members appointed by the President of the United States, by the President Pro Tempore of the United States Senate, and by the Speaker of the United States House of Representatives; and

Whereas, The purpose of the Commission, as enumerated in federal law, in part, is to consider and recommend options for policies of the United States government with respect to each foreign country the government of which has engaged in or tolerated violations of religious freedom; and

Whereas, The Commission maintains a Special Watch List of countries where the government engages in or tolerates "severe" violations of religious freedom; Now, therefore, be it

Resolved, That we, the members of the House of Representatives of the 134th General Assembly of the State of Ohio, urge the United States Commission on International Religious Freedom to take whatever action is necessary to address and rectify the situation, described in this resolution, and consider adding Canada to the Special Watch List; and be it further

Resolved, That the Clerk of the House of Representatives transmit duly authenticated copies of this resolution to each commissioner of the United States Commission on International Religious Freedom, the President of the United States, the President Pro

Tempore of the United States Senate, the Speaker of the United States House of Representatives, each member of the Ohio Congressional delegation, the Prime Minister of Canada, the Speaker of the House of Commons of Canada, the Speaker of the Senate of Canada, and the news media of Ohio.

POM-159. A concurrent resolution adopted by the Legislature of the State of Hawaii affirming Hawaii's ongoing commitment to the goals of the Paris Climate Agreement, the United Nations Sustainable Development Goals, and endorsement of the Fossil Fuel Non-Proliferation Treaty; to the Committee on Foreign Relations.

SENATE CONCURRENT RESOLUTION NO. 108

Whereas, the scientific consensus is clear that human activities are primarily responsible for accelerating global climate change, and that the climate crisis now represents one of the preeminent threats to global civilization; and

Whereas, the Intergovernmental Panel on Climate Change (IPCC) reported in 2018 that we must achieve net zero in greenhouse gas (GHG) emissions by the middle of this century in order to have a reasonable chance of limiting global warming to 1.5 degrees Celsius; and

Whereas, the IPCC released its Sixth Assessment Report from Working Group II, which was approved by one hundred ninety-five member states, in February 2022, and the summary for policy makers notes that there is high confidence that "the rise in weather and climate extremes has led to some irreversible impacts as natural and human systems are pushed beyond their ability to adapt"; and

Whereas, the United Nations Secretary-General Antonio Guterres responded, "The IPCC is an atlas of human suffering . . . according to current commitment, global emissions are set to increase almost 14 percent. . . . It will destroy any chance of keeping 1.5 alive . . . coal and other fossil fuels are choking humanity"; and

Whereas, the United Nations Human Rights Council in 2021 adopted landmark legislation, Resolution 48/13, recognizing that a clean, healthy and sustainable environment is a human right; and

Whereas, changes in Hawaii's climate are already being felt, as evidenced by rising sea levels, coastal inundation, ocean warming as well as coral bleaching, heightened risk of wild fires, and increasing severe storms; and

Whereas, the entire community is impacted by the health and safety risks of fossil fuel expansion, particularly those who also face socioeconomic and health inequities, including low-income families, those experiencing homelessness, people of color and indigenous peoples, youth, seniors, those experiencing mental and physical disabilities, and people with health conditions; and

Whereas, youth and future generations have the most to lose from a lack of immediate action to stop fossil fuel expansion as they face major and lifelong health, ecological, social, and economic impacts from prolonged and cumulative effects of climate change, including food and water shortages, infectious diseases, and natural disasters; and

Whereas, the Paris Climate Agreement is silent on coal, oil, and gas, an omission with respect to the supply and production of fossil fuels (the largest source of GHG) that needs to be collectively addressed by other means; and

Whereas, the Glasgow Climate Pact provided for incremental improvements, only calling for a phase down, not a phase out, of coal; and

Whereas, global governments and the fossil fuel industry are currently planning to

produce about one hundred twenty percent more emissions by 2030 than what is needed to limit warming to 1.5 degrees Celsius and avert catastrophic climate disruption, and such plans risk undoing the work of the State to reduce GHG emissions; and

Whereas, the fossil fuel industry is currently claiming over fifty percent of coronavirus disease 2019 pandemic recovery funding from senior levels of government in the Group of Twenty, thereby siphoning away recovery funding badly needed by cities and other industries; and

Whereas, the construction of new fossil fuel infrastructure and expanded reliance on fossil fuels expose communities to untenable risks to public health and safety at the local and global levels; and

Whereas, the economic opportunities presented by a clean energy transition far outweigh the opportunities presented by an economy supported by expanding fossil fuel use and extraction; and

Whereas, the community is committed, as part of the climate emergency response, to a just energy transition and to ambitious investments in the green infrastructure and industries that will create jobs and rapidly decarbonize the economy; and

Whereas, Hawaii recognizes that it is the urgent responsibility and moral obligation of wealthy fossil fuel producers to lead efforts to end fossil fuel development and to manage the decline of existing production; and

Whereas, a new global initiative is underway calling for a Fossil Fuel Non-Proliferation Treaty that would end new fossil fuel exploration and expansion, phase out existing production in line with the global commitment to limit warming to 1.5 degrees Celsius, and accelerate equitable transition plans; now, therefore,

Be it *Resolved* by the Senate of the Thirty-first Legislature of the State of Hawaii, Regular Session of 2022, the House of Representatives concurring, that this body affirms the State's ongoing commitment to the goals of the Paris Climate Agreement, the United Nations Sustainable Development Goals, and greenhouse gas reduction targets as called for by the Intergovernmental Panel on Climate Change and pledges to meet its proportionate greenhouse gas reductions under the Paris Climate Agreement; and

Be it further *Resolved* that the State and each county are requested to formally endorse the call for a Fossil Fuel NonProliferation Treaty; and

Be it further *Resolved* that the United States government is urged to support the initiative for a Fossil Fuel NonProliferation Treaty; and

Be it further *Resolved* that certified copies of this Concurrent Resolution be transmitted to the United Nations Secretary General and High Commissioner for Human Rights, President and Vice President of the United States, President Pro Tempore of the United States Senate, Majority and Minority Leaders of the United States Senate, Speaker and Minority Leader of the United States House of Representatives, members of the Hawaii congressional delegation, Governor, and Mayor of each county.

POM-160. A resolution adopted by the House of Representatives of the State of New Hampshire condemning the Communist Party of China and the People's Republic of China; to the Committee on Foreign Relations.

HOUSE RESOLUTION NO. 15

Whereas, the communist party of China has ruled over the People's Republic of China with an iron fist for 73 years since its founding in 1949; and

Whereas, the People's Republic of China has illegally occupied Tibet since 1951; and

Whereas, the People's Republic of China has illegally occupied Xinjiang since 1949; and

Whereas, the communist party of China and the People's Republic of China are committing genocide against Uyghurs and other ethnic and religious groups; and

Whereas, the communist party of China and the People's Republic of China have harvested organs of falun gong practitioners and political prisoners; and

Whereas, the communist party of China and the People's Republic of China have violated the "one country, two systems" policy which gave Hong Kong special autonomy; and

Whereas, the communist party of China and the People's Republic of China have violently and undemocratically clamped down on dissent in Hong Kong; and

Whereas, the People's Republic of China has illegally constructed artificial islands in the South China Sea and have laid claim to other countries' sovereign territorial waters; and

Whereas, the People's Republic of China is increasingly becoming a threat to global democracy; and

Whereas, the communist party of China and the People's Republic of China have made it their goal to destabilize America and its allies; and

Whereas, the Republic of China (Taiwan) is one of the world's strongest democracies; now, therefore, be it

Resolved by the House of Representatives:

That the New Hampshire house of representatives stands with the people of Hong Kong and commends the Republic of China (Taiwan) for its strong democratic system; and

That the New Hampshire house of representatives condemns the communist party of the People's Republic of China in the strongest possible terms and calls on the federal government to do more to curb the communist party of China's global influence, impose more sanctions on the communist party of China, and to either eliminate the "one China" policy or to recognize the Republic of China (Taiwan) as the official China; and

That the house clerk forward copies of this resolution to the President of the United States, the President of the United States Senate, the Speaker and Clerk of the United States House of Representatives, the New Hampshire congressional delegation, the Ambassador of the People's Republic of China to the United States, and the Taipei Economic and Cultural Representative.

POM-161. A resolution adopted by the House of Representatives of the State of New Hampshire calling for the federal government to construct a nuclear waste repository to permanently store our nation's nuclear waste; to the Committee on Environment and Public Works.

HOUSE RESOLUTION No. 16

Whereas, the United States has no permanent nuclear waste storage facility; and

Whereas, spent nuclear fuel and other radioactive byproducts of nuclear power generation have nowhere to go and must remain on the sites of nuclear power facilities; and

Whereas, keeping nuclear waste on-site of nuclear power facilities potentially increases the risk to safety; and

Whereas, the state of New Hampshire has such a facility in Seabrook which stores nuclear waste on-site; now, therefore, be it

Resolved by the House of Representatives:

That the New Hampshire house of representatives requests the federal government construct a nuclear waste repository to permanently store our nation's nuclear waste; and

That copies of this resolution, signed by the speaker of the house of representatives be forwarded by him to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and to each member of the New Hampshire congressional delegation.

POM-162. A resolution adopted by the House of Representatives of the State of New Hampshire supporting the principles of federalism; to the Committee on the Judiciary.

HOUSE RESOLUTION No. 9

Whereas, our nation was organized by the Constitution with a clear division of civil authority between the federal government and the individual states; and

Whereas, the Constitution contains several provisions intended to establish and preserve that proper balance of civil authority between the federal government and the individual states; and

Whereas, those provisions in the original Constitution include, in Article I, a Senate with equal suffrage for all states, equal suffrage for the House of Representatives when selecting a President, and a specific limitation of federal authority with the enumerated powers of Congress. In Article III there is a specific list of original jurisdictional authorities for the Supreme Court and Congressional control of appellate jurisdictional authority for the Supreme Court. In Article V equal suffrage is required for all states when proposing and ratifying constitutional amendments; and

Whereas, in the Bill of Rights certain rights of the people are enumerated in the first 8 amendments and the Ninth Amendment reserves all unenumerated rights for the people; and

Whereas, the Tenth Amendment clearly states: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people;" and

Whereas, James Madison said in Federalist #45 "The powers delegated [that is, enumerated] by the proposed Constitution to the federal government are few and defined. Those which are to remain in the state governments are numerous and indefinite. The former [federal powers] will be exercised principally on external objects, as war, peace, negotiation, and foreign commerce; with which last the power of taxation will, for the most part, be connected. The powers reserved to the several states will extend to all the objects which in the ordinary course of affairs concern the lives, liberties, and properties of the people, and the internal order, improvement, and prosperity of the state;" and

Whereas, James Madison warned in 1792: "If Congress can apply money indefinitely to the 'general welfare,' and are the sole and supreme judges of the 'general welfare,' they may take the care of religion into their own hands; they may establish teachers in every state, county, and parish, and pay them out of the public treasury; they may take into their own hands, the education of children, establishing in like manner schools throughout the Union; they may undertake the regulation of all roads other than post roads. In short, everything, from the highest object of state legislation down to the most minute object of police would be thrown under the power of Congress . . ."; and

Whereas, in 1791 Thomas Jefferson wrote: "I consider the foundation of the Constitution as laid on this ground that 'all powers not delegated to the United States, by the Constitution, nor prohibited by it to the states, are reserved to the states or to the

people.' To take a single step beyond the boundaries thus specially drawn around the powers of Congress is to take possession of a boundless field of power, no longer susceptible of any definition;" and

Whereas, in 1800 Thomas Jefferson wrote: "What an augmentation [growth] of the field for jobbing, speculating, plundering, office-building, and office-hunting would be produced by an assumption of all the state powers into the hands of the [federal] government. The true theory of our Constitution is surely the wisest and best: that the States are independent as to everything within themselves, and united as to everything respecting foreign nations;" and

Whereas, Richard Henry Lee, in 1788 wrote: "In forming a federal constitution, which ex vi termini, supposes state governments existing, and which is only to manage a few great national concerns, we often find it easier to enumerate particularly the powers to be delegated to the federal head than to enumerate particularly the individual rights to be reserved;" and

Whereas, Supreme Court Justice Joseph Story wrote in 1833: "Let us never forget that our constitutions of government are solemn instruments, addressed to the common sense of the people and designed to fix and perpetuate their rights and their liberties. They are not to be frittered away to please the demagogues of the day. They are not to be violated to gratify the ambition of political leaders. They are to speak in the same voice now and forever. They are of no man's private interpretation. They are ordained by the will of the people and can be changed only by the sovereign command of the people"; now, therefore, be it

Resolved by the House of Representatives:

That the state of New Hampshire, on behalf of all the citizens of this individual state, renews its commitment to all of the unalienable rights of its citizens and all of the constitutional civil authority reserved for the individual state of New Hampshire; and

That the clerk of the New Hampshire house of representatives transmit a copy of this resolution to the President of the United States, the President of the United States Senate, and the Speaker and the Clerk of the United States House of Representatives.

POM-163. A resolution adopted by the House of Representatives of the State of New Hampshire requesting an investigation on whether opioids, benzodiazepines, and exposure to chemical agents contribute to suicides by veterans; to the Committee on Veterans' Affairs.

HOUSE RESOLUTION No.8

Whereas, in fiscal 2012, the Veterans Administration issued benzodiazepines to 28 percent of the 640,000 veterans seen for post traumatic stress disorder (PTSD), and the amount of prescriptions at the Veterans Administration for these drugs amounted to 2.4 million in fiscal 2014; and

Whereas, 27 percent of veterans who received opioid analgesics from 2004-2009 also received benzodiazepines; and

Whereas, benzodiazepines can be addictive and can possibly enhance fear following trauma and suicidal thoughts, they also have some valid uses, such as stopping panic attacks from escalating, easing sleep disorders, and helping agitated patients at high risk of harm to themselves or others; and

Whereas, the 2015 suicide rate for female veterans receiving care through the Veterans Health Administration was 17.8 per 100,000, compared to 45.6 male veterans under care; and

Whereas, the Department of Veterans Affairs now reports that the New Hampshire

veterans suicide rate of 33 per year was, “significantly higher than the national suicide rate;” and

Whereas, 20.6 armed service veterans are taking their own lives each day, substantially higher than the national average, with the suicide rate for veterans aged 18–34 increased substantially to 45 deaths per 100,000; and

Whereas, while the Veterans Administration’s clinical practice guidelines recommend against their use in patients with PTSD due to “lack of efficacy data and growing evidence for the potential risk of harm,” physicians often prescribe them to patients who come to them already taking those medications because abruptly stopping them can incur serious risks; and

Whereas, the suicide rate among veterans ages 18 to 27 receiving care at VA medical facilities is 79 per 100,000, and suicide rates among armed service veterans receiving care has been substantially higher than among those not under care; now, therefore, be it

Resolved by the House of Representatives: That the New Hampshire house of representatives respectfully urges the Congress of the United States, the Department of Defense, and the Department of Veteran Affairs to continue to investigate whether opioids, benzodiazepines, exposure to agent orange, insecticides, pyridostigmine bromide, and nerve agents including, but not limited to, sarin and cyclosarin, as well as vaccines administered to military personnel such as Mefloquine, and constant, long term stress from service in the theater of operations are contributing to the high number of suicides by veteran members of the armed forces and whether veteran members of the armed forces who seek treatment for conditions that cause pain should receive alternative treatments such as chiropractic, physical therapy, occupational therapy, acupuncture, massage therapy, and/or osteopathic manipulation before receiving prescriptions for opioids; and

That the house clerk forward official copies of this resolution to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, the Secretary of Defense, the Secretary of Veterans Affairs, and to all the members of the New Hampshire congressional delegation with the request that this resolution be officially entered in the Congressional Record as a high priority for the Congress of the United States of America.

POM-164. A resolution adopted by the Council of the County of Maui, affirming the county of Maui’s ongoing commitment to the goals of the Paris Climate Agreement and endorsement of the Fossil Fuel Non-Proliferation Treaty; to the Committee on Foreign Relations.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. MENENDEZ for the Committee on Foreign Relations.

Robert A. Wood, of New York, to be Alternate Representative of the United States of America for Special Political Affairs in the United Nations, with the rank of Ambassador.

Robert A. Wood, of New York, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during his tenure of service as Alternate Representative of the United States of America for Special Political Affairs in the United Nations.

Nominee: Robert Anthony Wood.
Post: Alternate Representative of the United States of America for Special Political

Affairs in the United Nations, with the rank of Ambassador and an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations during tenure of service as an Alternate Representative of the United States of America for Special Political Affairs in the United Nations, Department of State.

Nominated: January 7, 2022 and March 8, 2022.

(The following is a list of members of my immediate family. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, donee, date, and amount:
Robert Anthony Wood, None, Gita Gouri-Wood, None.

Dean R. Thompson, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Nepal.

Nominee: Dean Richard Thompson.
Post: Kathmandu, Nepal.

(The following is a list of members of my immediate family. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:
Dean Thompson: none.
Jane Thompson: none.

Richard Lee Buangan, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Mongolia.

Nominee: Richard Lee Buangan.
Post: Mongolia.

The following is a list of members of my immediate family. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, Amount, Date, and Donee:
None.

David Pressman, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Hungary.
Nominee: David Pressman.
Post: Hungary.

(The following is a list of members of my immediate family. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:
David Pressman, \$2800, July 28, 2020, Biden for President; \$1000, October 29, 2020, Tom Malinowski for Congress; \$250, October 4, 2018, Heidi [Heitkamp] for Senate.

Daniel Basila, \$25, October 8, 2018, ActBlue; \$50, October 8, 2018, ActBlue; \$50, October 8, 2018, ActBlue; \$100, October 8, 2018, ActBlue; \$100, October 10, 2018, ActBlue; \$100, April 10, 2019, ActBlue; \$100, June 30, 2019, ActBlue; \$100, June 30, 2019, ActBlue; \$5, January 17, 2020, ActBlue; \$50, January 17, 2020, ActBlue; \$50, February 16, 2020, ActBlue; \$5, February 16, 2020, ActBlue; \$10, July 18, 2020, ActBlue; \$100, July 23, 2020, ActBlue; \$100, September 22, 2020, ActBlue; \$100, September 22, 2020, ActBlue; \$100, September 22, 2020, ActBlue; \$100, September 22, 2020, ActBlue; \$100, September 22, 2020, ActBlue; \$500, September 22, 2020, Future Now Fund.

Marie C. Damour, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Fiji, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the

United States of America to the Republic of Kiribati, the Republic of Nauru, the Kingdom of Tonga, and Tuvalu.

Nominee: Marie Christine Damour.
Post: Ambassador Extraordinary and Plenipotentiary, Republic of Fiji, Republic of Kiribati, Republic of Nauru, Kingdom of Tonga, and Tuvalu.

Nominated: May 26, 2022.
(The following is a list of members of my immediate family. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, donee, date, and amount:
Marie C. Damour, Spouse, N/A, None.

Elizabeth Shortino, of the District of Columbia, to be United States Executive Director of the International Monetary Fund for a term of two years.

Geoffrey R. Pyatt, of California, a Career Member of the Senior Foreign Service, Class of Career Minister, to be an Assistant Secretary of State (Energy Resources).

Mr. MENENDEZ. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination list which was printed in the RECORD on the date indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that this nomination lie at the Secretary’s desk for the information of Senators.

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

Foreign Service nomination of Sara C. Schuman.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. CRUZ:
S. 4547. A bill to require a report on efforts by Venezuelan state actors and transnational criminal organizations to capture and detain United States citizens as hostages; to the Committee on Foreign Relations.

By Ms. SINEMA (for herself and Mr. KELLY):
S. 4548. A bill to provide for the assumption of full ownership and control of the International Outfall Interceptor in Nogales, Arizona, by the International Boundary and Water Commission, and for other purposes; to the Committee on Foreign Relations.

By Mr. CORNYN (for himself, Mr. DURBIN, Mr. GRASSLEY, Mr. COONS, Mr. COTTON, Mr. OSSOFF, Mrs. BLACKBURN, Mr. WHITEHOUSE, and Mr. KENNEDY):

S. 4549. A bill to provide for a system for reviewing the case files of cold case murders at the instance of certain persons, and for other purposes; to the Committee on the Judiciary.

By Ms. SMITH (for herself, Mrs. MURRAY, Ms. WARREN, Mr. VAN HOLLEN, Ms. CORTEZ MASTO, Mr. KING, Ms. STABENOW, Mr. LUJAN, Mr. BENNET, Mrs. SHAHEEN, Ms. HIRONO, Mr. PADILLA, Mr. SCHATZ, Ms. HASSAN, Mr. KAINE, Mr. MENENDEZ, Ms. ROSEN, Mr. BLUMENTHAL, Mr. DURBIN, Mr. WYDEN, Mr. SANDERS, Mr. MARKEY, Ms. BALDWIN, Mr. REED, Mr. MERKLEY, Ms. DUCKWORTH, Mr. MURPHY, Mr. KELLY, Ms. KLOBUCHAR, Mr.

WARNOCK, Mr. WHITEHOUSE, Mr. WARNER, Mrs. GILLIBRAND, Mr. BROWN, Mr. BOOKER, Mr. HICKENLOOPER, and Ms. SINEMA):

S. 4550. A bill to provide enhanced funding for family planning services; to the Committee on Health, Education, Labor, and Pensions.

By Mr. YOUNG (for himself, Mr. WARNER, Mr. RUBIO, and Mr. COONS):

S. 4551. A bill to provide a consumer protection framework necessary to support the growth of accessible, affordable, and accountable financing options for postsecondary education, and for other purposes; to the Committee on Finance.

By Mr. PETERS (for himself and Mr. PORTMAN):

S. 4552. A bill to extend the program for authority to acquire innovative commercial items using general solicitation procedures; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PETERS (for himself and Mr. PORTMAN):

S. 4553. A bill to extend other transaction authority for the Department of Homeland Security; to the Committee on Homeland Security and Governmental Affairs.

By Mr. GRAHAM (for himself and Mr. MENENDEZ):

S. 4554. A bill to establish a task force to monitor the nuclear weapons and missile capabilities of the Islamic Republic of Iran; to the Committee on Foreign Relations.

By Mr. BARRASSO:

S. 4555. A bill to direct the Secretary of the Interior to establish within the National Park Service the Japanese American World War II History Network, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. FEINSTEIN (for herself, Ms. BALDWIN, and Ms. COLLINS):

S. 4556. A bill to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, and for other purposes; to the Committee on the Judiciary.

By Mr. MARKEY (for himself, Ms. HIRONO, Ms. DUCKWORTH, Mr. MENENDEZ, Mr. SANDERS, Ms. BALDWIN, Ms. WARREN, Mr. MURPHY, Mr. WHITEHOUSE, Mr. CARPER, Mr. VAN HOLLEN, Mr. BROWN, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Ms. CANTWELL, Ms. SMITH, Mrs. SHAHEEN, Mr. REED, Mrs. FEINSTEIN, Mr. BOOKER, Mr. LUJÁN, Ms. STABENOW, Mr. KAINE, Mr. HEINRICH, Mr. MERKLEY, Mr. PADILLA, Mr. WARNER, Ms. ROSEN, and Mr. HICKENLOOPER):

S. 4557. A bill to protect a person's ability to access contraceptives and to engage in contraception, and to protect a health care provider's ability to provide contraceptives, contraception, and information related to contraception; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARDIN (for himself, Mrs. FEINSTEIN, Mr. VAN HOLLEN, Ms. WARREN, and Mr. KING):

S. 4558. A bill to amend title 51, United States Code, to direct the Administrator of the National Aeronautics and Space Administration to establish an initiative to conduct research, development, and demonstration on technologies capable of reducing greenhouse gas emissions and noise emissions from aircraft, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CASEY:

S. 4559. A bill to strengthen and enhance the competitiveness of American manufacturing through the research and development of advanced technologies to reduce steelmaking emissions, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. BRAUN:

S. Con. Res. 43. A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2023 and setting forth the appropriate budgetary levels for fiscal years 2024 through 2032; placed on the calendar.

ADDITIONAL COSPONSORS

S. 190

At the request of Mr. BLUMENTHAL, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 190, a bill to amend chapter 44 of title 18, United States Code, to require the safe storage of firearms, and for other purposes.

S. 212

At the request of Mr. CARDIN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 212, a bill to amend the Internal Revenue Code of 1986 to allow a refundable tax credit against income tax for the purchase of qualified access technology for the blind.

S. 377

At the request of Mrs. GILLIBRAND, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 377, a bill to promote and protect from discrimination living organ donors.

S. 456

At the request of Mr. CARDIN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 456, a bill to amend the Internal Revenue Code of 1986 to permanently extend the new markets tax credit, and for other purposes.

S. 481

At the request of Mr. CARDIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 481, a bill to secure the Federal voting rights of persons when released from incarceration.

S. 888

At the request of Mr. BOOKER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 888, a bill to prohibit discrimination based on an individual's texture or style of hair.

S. 1079

At the request of Mr. HEINRICH, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1079, a bill to award a Congressional Gold Medal to the troops from the United States and the Philippines who defended Bataan and Corregidor, in recognition of their personal sacrifice and service during World War II.

S. 1487

At the request of Mr. PETERS, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1487, a bill to ensure that

certain incidents involving a covered employee that are reported to the title IX coordinator at an eligible institution of higher education have been reviewed by the president of the institution and not less than 1 additional member of the institution's board of trustees, and for other purposes.

S. 2048

At the request of Mr. BROWN, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 2048, a bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare.

S. 2235

At the request of Mr. BENNET, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2235, a bill to amend the Controlled Substances Act to require physicians and other prescribers of controlled substances to complete training on treating and managing patients with opioid and other substance use disorders, and for other purposes.

S. 2263

At the request of Mr. BROWN, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor of S. 2263, a bill to amend the Internal Revenue Code of 1986 to provide a tax credit for sustainable aviation fuel, and for other purposes.

S. 2340

At the request of Mr. MENENDEZ, the name of the Senator from Oklahoma (Mr. INHOFF) was added as a cosponsor of S. 2340, a bill to improve the safety and security of the Federal judiciary.

S. 2372

At the request of Mr. HEINRICH, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2372, a bill to amend the Pittman-Robertson Wildlife Restoration Act to make supplemental funds available for management of fish and wildlife species of greatest conservation need as determined by State fish and wildlife agencies, and for other purposes.

S. 2405

At the request of Ms. BALDWIN, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 2405, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to award grants to States to improve outreach to veterans, and for other purposes.

S. 2409

At the request of Mr. CASEY, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2409, a bill to require the Secretary of Labor to maintain a publicly available list of all employers that relocate a call center or contract call center work overseas, to make such companies ineligible for Federal grants

or guaranteed loans, and to require disclosure of the physical location of business agents engaging in customer service communications, and for other purposes.

S. 2569

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2569, a bill to enhance the rights of domestic workers, and for other purposes.

S. 2607

At the request of Mr. PADILLA, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 2607, a bill to award a Congressional Gold Medal to the former hostages of the Iran Hostage Crisis of 1979–1981, highlighting their resilience throughout the unprecedented ordeal that they lived through and the national unity it produced, marking 4 decades since their 444 days in captivity, and recognizing their sacrifice to the United States.

S. 2702

At the request of Mr. LUJÁN, the names of the Senator from Maryland (Mr. CARDIN), the Senator from Delaware (Mr. CARPER), the Senator from Illinois (Ms. DUCKWORTH), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Michigan (Mr. PETERS) and the Senator from Colorado (Mr. HICKENLOOPER) were added as cosponsors of S. 2702, a bill to protect the voting rights of Native American and Alaska Native voters.

S. 2834

At the request of Mr. DURBIN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2834, a bill to amend title XVIII of the Social Security Act to preserve access to rehabilitation innovation centers under the Medicare program.

S. 2956

At the request of Mr. COONS, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2956, a bill to advance targeted, high-impact, and evidence-based interventions for the prevention and treatment of global malnutrition, to improve the coordination of such programs, and for other purposes.

S. 3281

At the request of Mr. BLUMENTHAL, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 3281, a bill to amend the Bill Emerson Good Samaritan Food Donation Act to clarify and expand food donation, and for other purposes.

S. 3295

At the request of Ms. SMITH, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 3295, a bill to increase access to pre-exposure prophylaxis to reduce the transmission of HIV.

S. 3421

At the request of Mr. MENENDEZ, the names of the Senator from Tennessee

(Mrs. BLACKBURN), the Senator from Maine (Ms. COLLINS), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Kansas (Mr. MARSHALL) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 3421, a bill to clarify that section 107 of the Countering America's Adversaries Through Sanctions Act applies sanctions with respect to unmanned combat aerial vehicles following a 2019 change by the United Nations providing additional clarity to the United Nations Register of Conventional Arms.

S. 3572

At the request of Mr. WYDEN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 3572, a bill to direct the Federal Trade Commission to require impact assessments of automated decision systems and augmented critical decision processes, and for other purposes.

S. 3575

At the request of Mr. CASEY, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 3575, a bill to amend titles II and XVIII of the Social Security Act to eliminate the disability insurance benefits waiting period for individuals with disabilities, and for other purposes.

S. 3742

At the request of Mrs. CAPITO, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 3742, a bill to establish a pilot grant program to improve recycling accessibility, and for other purposes.

S. 3802

At the request of Mr. WHITEHOUSE, the name of the Senator from Virginia (Mr. Kaine) was added as a cosponsor of S. 3802, a bill to amend the Internal Revenue Code of 1986 to impose a windfall profits excise tax on crude oil and to rebate the tax collected back to individual taxpayers, and for other purposes.

S. 3909

At the request of Mr. Kaine, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 3909, a bill to amend the Internal Revenue Code of 1986 to make employers of spouses of military personnel eligible for the work opportunity credit.

S. 3972

At the request of Mr. BOOKER, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Kansas (Mr. MARSHALL) were added as cosponsors of S. 3972, a bill to improve research and data collection on stillbirths, and for other purposes.

S. 4188

At the request of Mr. WHITEHOUSE, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from Rhode Island (Mr. REED) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 4188, a bill to amend title 28, United

States Code, to provide for a code of conduct for justices of the Supreme Court of the United States, and for other purposes.

S. 4192

At the request of Mr. CASEY, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 4192, a bill amend the Internal Revenue Code of 1986 to end the tax subsidy for employer efforts to influence their workers' exercise of their rights around labor organizations and engaging in collective action.

S. 4203

At the request of Ms. COLLINS, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 4203, a bill to extend the National Alzheimer's Project.

S. 4393

At the request of Mr. GRASSLEY, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 4393, a bill to amend the Internal Revenue Code of 1986 to modify the maximum capital gains tax rate, to modify the tax on net investment income, and for other purposes.

S. 4430

At the request of Mr. DURBIN, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 4430, a bill to amend title 35, United States Code, to establish an interagency task force between the United States Patent and Trademark Office and the Food and Drug Administration for purposes of sharing information and providing technical assistance with respect to patents, and for other purposes.

S. 4499

At the request of Mrs. BLACKBURN, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 4499, a bill to prohibit any requirement that a member of the National Guard receive a vaccination against COVID-19.

S. 4504

At the request of Ms. CORTEZ MASTO, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 4504, a bill to protect freedom of travel and reproductive rights.

S. 4512

At the request of Mr. CRAMER, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 4512, a bill to amend part D of title IV of the Social Security Act to ensure that child support for unborn children is collected and distributed under the child support enforcement program, and for other purposes.

S. 4539

At the request of Ms. ERNST, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 4539, a bill to designate June as the "Month of Life".

S.J. RES. 25

At the request of Mrs. SHAHEEN, the name of the Senator from Oregon (Mr.

MERKLEY) was added as a cosponsor of S.J. Res. 25, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

S.J. RES. 56

At the request of Mr. SANDERS, the names of the Senator from Oregon (Mr. WYDEN), the Senator from Illinois (Mr. DURBIN) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S.J. Res. 56, a joint resolution directing the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Ms. BALDWIN, and Ms. COLLINS): S. 4556. A bill to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, and for other purposes; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today, I am reintroducing legislation that would guarantee legal rights for millions of marriages in the United States. Americans should be free to marry the person they love, regardless of their sexual orientation or race, without fear of discrimination or fear that their marriages will be invalidated.

Very simply, this bill makes clear that the Federal Government and the States must recognize a legal marriage—as has been the law of the land for same-sex couples since 2015 and for interracial couples since 1967.

I have long been an ally and advocate for the LGBT community. I spent two decades as a supervisor and mayor of San Francisco, when the city was at the forefront of elevating their voices and advancing their rights, and I watched firsthand as the LGBT community fought for legal recognition of their lives, relationships, and personal dignity.

That is why I first introduced the Respect for Marriage Act in 2011. The initial version of the bill would have repealed the discriminatory Defense of Marriage Act—commonly referred to as DOMA—and ensured that legally married couples, including same-sex couples, were treated equally under Federal law.

In 2015, the Supreme Court ruled in *Obergefell v. Hodges* that same-sex couples have the right to marry under the U.S. Constitution. The Court recognized that committed couples should be able to marry, regardless of their sexual orientation—a belief that the American people have held for quite some time. In fact, a recent poll placed support for same-sex marriage at 71 percent.

Fifty-five years ago, in *Loving v. Virginia*, the Supreme Court ruled that “the freedom to marry . . . a person of another race resides with the indi-

vidual, and cannot be infringed by the state.” Support for interracial marriage has grown exponentially since then, and a 2021 Gallup poll found it has reached an approval rating of 94 percent.

Unfortunately, we may now be taking a step backward. Following the Supreme Court’s decision overturning the longstanding constitutional protections provided by *Roe v. Wade*, it became clear that this conservative Supreme Court is open to revisiting many other established constitutional rights, including the right to same-sex marriage and the right to interracial marriage.

Overturning *Obergefell* and *Loving* would be a disastrous return to a patchwork of State laws where couples could be subject to State-sanctioned discrimination. The legal ramifications would be far-reaching, from disrupting tax filings and benefits to calling parental rights into question—and beyond.

That is why I, along with my colleagues in the House and the Senate, am reintroducing the Respect for Marriage Act: to ensure that Federal law protects marriage equality and to ensure that States cannot discriminate against valid same-sex or interracial marriages.

Inequitable treatment of LGBT Americans and discriminatory marriage laws belong in our history books, not in our Federal code.

I thank Senators BALDWIN and COLLINS for their leadership on this important issue and urge the rest of my colleagues to support this bill.

SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 43—SETTING FORTH THE CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2023 AND SETTING FORTH THE APPROPRIATE BUDGETARY LEVELS FOR FISCAL YEARS 2024 THROUGH 2032

Mr. BRAUN submitted the following concurrent resolution; which was placed on the calendar:

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2023.

(a) DECLARATION.—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2023 and that this resolution sets forth the appropriate budgetary levels for fiscal years 2024 through 2032.

(b) TABLE OF CONTENTS.—The table of contents for this concurrent resolution is as follows:

Sec. 1. Concurrent resolution on the budget for fiscal year 2023.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 1001. Recommended levels and amounts.
Sec. 1002. Major functional categories.
Sec. 1003. Social Security in the Senate.

Sec. 1004. Postal Service discretionary administrative expenses in the Senate.

TITLE II—REPEAL OF RECONCILIATION INSTRUCTIONS

Sec. 2001. Senate.

TITLE III—DEFICIT REDUCTION RESERVE FUNDS

Sec. 3001. Reserve fund for deficit-neutral legislation.

Sec. 3002. Deficit-reduction reserve fund for efficiencies, consolidations, curbing budgetary gimmicks, and other savings.

Sec. 3003. Deficit-reduction reserve fund to provide for legislation imposing spending caps as a percentage of GDP.

Sec. 3004. Deficit-neutral reserve fund to promote United States energy production.

Sec. 3005. Deficit-neutral reserve fund relating to banning fracking in the United States.

Sec. 3006. Deficit-reduction reserve fund for reducing fraud in taxpayer-funded government assistance programs.

Sec. 3007. Deficit-reduction reserve fund to continue proven middle class tax relief.

Sec. 3008. Deficit-reduction reserve fund to improve health care.

Sec. 3009. Deficit-reduction reserve fund relating to protecting pre-existing conditions.

Sec. 3010. Deficit-reduction reserve fund relating to reducing prescription drug costs.

Sec. 3011. Deficit-reduction reserve fund to strengthening United States families and other social contract programs.

Sec. 3012. Deficit-reduction reserve fund to promote economic growth and prosperity for United States workers.

Sec. 3013. Deficit-neutral reserve fund to provide continued tax relief for family-owned businesses, farms, and ranches.

Sec. 3014. Deficit-reduction reserve fund for border security and immigration.

Sec. 3015. Deficit-neutral reserve fund relating to protecting United States taxpayers from the costs associated with cancelling contracts relating to border security.

Sec. 3016. Deficit-neutral reserve fund relating to the improvement of relations between the United States and Canada.

Sec. 3017. Deficit-neutral reserve fund relating to improving the solvency of Federal trust funds.

Sec. 3018. Deficit-reduction reserve fund for preserving and strengthening social contract programs.

Sec. 3019. Deficit-neutral reserve fund to promote economic opportunity and self-sufficiency.

TITLE IV—BUDGET PROCESS

Subtitle A—Enforcement

Sec. 4101. Point of order against advance appropriations in the Senate.

Sec. 4102. Point of order against legislation that would cause a net increase in outlays unless the Director of the Congressional Budget Office certifies that inflation is below 3 percent.

Sec. 4103. Cost estimates for major legislation to incorporate macroeconomic effects.

- Sec. 4104. Surgical strike point of order in the Senate against directing budgetary treatment.
- Sec. 4105. Point of order against budget resolutions that do not include a balanced budget.
- Sec. 4106. Limits on waiver of budget points of order.
- Sec. 4107. Reestablish supermajority enforcement of unfunded mandates in the Senate.
- Sec. 4108. Reestablish emergency legislation.

Subtitle B—Other Provisions

- Sec. 4201. Budgetary treatment of certain discretionary administrative expenses.
- Sec. 4202. Application and effect of changes in allocations and aggregates.
- Sec. 4203. Adjustments to reflect changes in concepts and definitions.
- Sec. 4204. Exercise of rulemaking powers.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 1001. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2023 through 2032:

(1) **FEDERAL REVENUES.**—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2023: \$3,753,670,000,000.
 Fiscal year 2024: \$3,737,443,000,000.
 Fiscal year 2025: \$3,753,492,000,000.
 Fiscal year 2026: \$3,857,843,000,000.
 Fiscal year 2027: \$4,067,183,000,000.
 Fiscal year 2028: \$4,189,123,000,000.
 Fiscal year 2029: \$4,356,051,000,000.
 Fiscal year 2030: \$4,530,110,000,000.
 Fiscal year 2031: \$4,716,518,000,000.
 Fiscal year 2032: \$4,918,283,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2023: \$0.
 Fiscal year 2024: \$0.
 Fiscal year 2025: \$0.
 Fiscal year 2026: –\$149,964,000,000.
 Fiscal year 2027: –\$161,741,000,000.
 Fiscal year 2028: –\$157,466,000,000.
 Fiscal year 2029: –\$158,177,000,000.
 Fiscal year 2030: –\$159,315,000,000.
 Fiscal year 2031: –\$158,011,000,000.
 Fiscal year 2032: –\$160,000,000,000.

(2) **NEW BUDGET AUTHORITY.**—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2023: \$4,543,190,000,000.
 Fiscal year 2024: \$4,572,919,000,000.
 Fiscal year 2025: \$4,752,223,000,000.
 Fiscal year 2026: \$5,085,007,000,000.
 Fiscal year 2027: \$5,228,949,000,000.
 Fiscal year 2028: \$5,471,002,000,000.
 Fiscal year 2029: \$5,409,806,000,000.
 Fiscal year 2030: \$5,556,002,000,000.
 Fiscal year 2031: \$5,634,207,000,000.
 Fiscal year 2032: \$5,736,767,000,000.

(3) **BUDGET OUTLAYS.**—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2023: \$4,518,597,000,000.
 Fiscal year 2024: \$4,493,619,000,000.
 Fiscal year 2025: \$4,650,765,000,000.
 Fiscal year 2026: \$4,983,442,000,000.
 Fiscal year 2027: \$5,119,507,000,000.
 Fiscal year 2028: \$5,395,819,000,000.
 Fiscal year 2029: \$5,291,200,000,000.
 Fiscal year 2030: \$5,451,061,000,000.
 Fiscal year 2031: \$5,533,951,000,000.
 Fiscal year 2032: \$5,629,450,000,000.

(4) **DEFICITS.**—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:

Fiscal year 2023: –\$764,927,000,000.
 Fiscal year 2024: –\$756,176,000,000.
 Fiscal year 2025: –\$897,273,000,000.
 Fiscal year 2026: –\$1,139,790,000,000.
 Fiscal year 2027: –\$1,067,020,000,000.
 Fiscal year 2028: –\$1,221,690,000,000.
 Fiscal year 2029: –\$950,555,000,000.
 Fiscal year 2030: –\$936,798,000,000.
 Fiscal year 2031: –\$833,922,000,000.
 Fiscal year 2032: –\$711,167,000,000.

(5) **PUBLIC DEBT.**—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974 (2 U.S.C. 632(a)(5)), the appropriate levels of the public debt are as follows:

Fiscal year 2023: \$30,861,867,000,000.
 Fiscal year 2024: \$31,756,889,000,000.
 Fiscal year 2025: \$32,794,169,000,000.
 Fiscal year 2026: \$33,904,955,000,000.
 Fiscal year 2027: \$34,819,718,000,000.
 Fiscal year 2028: \$35,942,629,000,000.
 Fiscal year 2029: \$36,844,176,000,000.
 Fiscal year 2030: \$37,814,181,000,000.
 Fiscal year 2031: \$38,684,168,000,000.
 Fiscal year 2032: \$39,360,619,000,000.

(6) **DEBT HELD BY THE PUBLIC.**—The appropriate levels of debt held by the public are as follows:

Fiscal year 2023: \$25,049,647,000,000.
 Fiscal year 2024: \$25,863,463,000,000.
 Fiscal year 2025: \$26,906,901,000,000.
 Fiscal year 2026: \$28,049,800,000,000.
 Fiscal year 2027: \$29,149,085,000,000.
 Fiscal year 2028: \$30,532,742,000,000.
 Fiscal year 2029: \$31,641,590,000,000.
 Fiscal year 2030: \$32,934,444,000,000.
 Fiscal year 2031: \$34,125,675,000,000.
 Fiscal year 2032: \$35,187,625,000,000.

SEC. 1002. MAJOR FUNCTIONAL CATEGORIES.

Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2023 through 2032 for each major functional category are:

(1) **National Defense (050):**

Fiscal year 2023:
 (A) New budget authority, \$871,311,000,000.
 (B) Outlays, \$858,241,300,000.
 Fiscal year 2024:
 (A) New budget authority, \$914,654,000,000.
 (B) Outlays, \$900,934,200,000.
 Fiscal year 2025:
 (A) New budget authority, \$951,128,000,000.
 (B) Outlays, \$936,861,100,000.
 Fiscal year 2026:
 (A) New budget authority, \$957,898,600,000.
 (B) Outlays, \$943,530,100,000.
 Fiscal year 2027:
 (A) New budget authority, \$965,023,000,000.
 (B) Outlays, \$950,547,700,000.
 Fiscal year 2028:
 (A) New budget authority, \$971,967,700,000.
 (B) Outlays, \$957,388,200,000.
 Fiscal year 2029:
 (A) New budget authority, \$979,087,000,000.
 (B) Outlays, \$964,400,700,000.
 Fiscal year 2030:
 (A) New budget authority, \$986,279,100,000.
 (B) Outlays, \$971,484,900,000.
 Fiscal year 2031:
 (A) New budget authority, \$993,722,400,000.
 (B) Outlays, \$978,816,600,000.
 Fiscal year 2032:
 (A) New budget authority, \$997,744,000,000.
 (B) Outlays, \$982,778,000,000.

(2) **International Affairs (150):**

Fiscal year 2023:
 (A) New budget authority, \$72,110,000,000.
 (B) Outlays, \$65,797,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$71,842,000,000.
 (B) Outlays, \$67,566,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$73,417,000,000.
 (B) Outlays, \$70,326,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$75,176,000,000.
 (B) Outlays, \$72,251,000,000.
 Fiscal year 2027:

(A) New budget authority, \$72,110,000,000.
 (B) Outlays, \$65,797,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$71,842,000,000.
 (B) Outlays, \$67,566,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$73,417,000,000.
 (B) Outlays, \$70,326,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$75,176,000,000.
 (B) Outlays, \$72,251,000,000.
 Fiscal year 2027:

(A) New budget authority, \$72,110,000,000.
 (B) Outlays, \$65,797,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$71,842,000,000.
 (B) Outlays, \$67,566,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$73,417,000,000.
 (B) Outlays, \$70,326,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$75,176,000,000.
 (B) Outlays, \$72,251,000,000.
 Fiscal year 2027:

(A) New budget authority, \$76,942,000,000.
 (B) Outlays, \$73,775,000,000.

Fiscal year 2028:

(A) New budget authority, \$78,817,000,000.
 (B) Outlays, \$75,464,000,000.

Fiscal year 2029:

(A) New budget authority, \$80,669,000,000.
 (B) Outlays, \$77,206,000,000.

Fiscal year 2030:

(A) New budget authority, \$82,504,000,000.
 (B) Outlays, \$79,116,000,000.

Fiscal year 2031:

(A) New budget authority, \$84,402,000,000.
 (B) Outlays, \$81,005,000,000.

Fiscal year 2032:

(A) New budget authority, \$86,363,000,000.
 (B) Outlays, \$82,801,000,000.

(3) **General Science, Space, and Technology (250):**

Fiscal year 2023:

(A) New budget authority, \$41,244,000,000.
 (B) Outlays, \$39,348,000,000.

Fiscal year 2024:

(A) New budget authority, \$42,241,000,000.
 (B) Outlays, \$41,319,000,000.

Fiscal year 2025:

(A) New budget authority, \$43,172,000,000.
 (B) Outlays, \$42,283,000,000.

Fiscal year 2026:

(A) New budget authority, \$44,127,000,000.
 (B) Outlays, \$43,113,000,000.

Fiscal year 2027:

(A) New budget authority, \$45,127,000,000.
 (B) Outlays, \$43,978,000,000.

Fiscal year 2028:

(A) New budget authority, \$46,166,000,000.
 (B) Outlays, \$44,830,000,000.

Fiscal year 2029:

(A) New budget authority, \$47,206,000,000.
 (B) Outlays, \$45,852,000,000.

Fiscal year 2030:

(A) New budget authority, \$48,256,000,000.
 (B) Outlays, \$46,886,000,000.

Fiscal year 2031:

(A) New budget authority, \$49,344,000,000.
 (B) Outlays, \$47,939,000,000.

Fiscal year 2032:

(A) New budget authority, \$50,481,000,000.
 (B) Outlays, \$49,026,000,000.

(4) **Energy (270):**

Fiscal year 2023:

(A) New budget authority, \$19,641,000,000.
 (B) Outlays, \$4,419,000,000.

Fiscal year 2024:

(A) New budget authority, \$18,722,000,000.
 (B) Outlays, \$15,390,000,000.

Fiscal year 2025:

(A) New budget authority, \$19,138,000,000.
 (B) Outlays, \$19,794,000,000.

Fiscal year 2026:

(A) New budget authority, \$17,846,000,000.
 (B) Outlays, \$21,646,000,000.

Fiscal year 2027:

(A) New budget authority, \$18,326,000,000.
 (B) Outlays, \$20,121,000,000.

Fiscal year 2028:

(A) New budget authority, \$19,681,000,000.
 (B) Outlays, \$20,127,000,000.

Fiscal year 2029:

(A) New budget authority, \$20,531,000,000.
 (B) Outlays, \$20,578,000,000.

Fiscal year 2030:

(A) New budget authority, \$21,095,000,000.
 (B) Outlays, \$20,097,000,000.

Fiscal year 2031:

(A) New budget authority, \$21,467,000,000.
 (B) Outlays, \$19,962,000,000.

Fiscal year 2032:

(A) New budget authority, \$24,130,000,000.
 (B) Outlays, \$22,360,000,000.

(5) **Natural Resources and Environment (300):**

Fiscal year 2023:

(A) New budget authority, \$100,434,000,000.
 (B) Outlays, \$59,404,000,000.

Fiscal year 2024:

(A) New budget authority, \$104,159,000,000.
 (B) Outlays, \$72,382,000,000.

Fiscal year 2025:

- (A) New budget authority, \$106,946,000,000.
- (B) Outlays, \$82,189,000,000.

Fiscal year 2026:

- (A) New budget authority, \$107,396,000,000.
- (B) Outlays, \$89,371,000,000.

Fiscal year 2027:

- (A) New budget authority, \$109,703,000,000.
- (B) Outlays, \$94,290,000,000.

Fiscal year 2028:

- (A) New budget authority, \$112,061,000,000.
- (B) Outlays, \$97,839,000,000.

Fiscal year 2029:

- (A) New budget authority, \$114,505,000,000.
- (B) Outlays, \$100,988,000,000.

Fiscal year 2030:

- (A) New budget authority, \$116,837,000,000.
- (B) Outlays, \$103,741,000,000.

Fiscal year 2031:

- (A) New budget authority, \$119,496,000,000.
- (B) Outlays, \$106,680,000,000.

Fiscal year 2032:

- (A) New budget authority, \$122,860,000,000.
- (B) Outlays, \$110,578,000,000.

(6) Agriculture (350):

Fiscal year 2023:

- (A) New budget authority, \$31,160,000,000.
- (B) Outlays, \$40,388,000,000.

Fiscal year 2024:

- (A) New budget authority, \$30,421,000,000.
- (B) Outlays, \$34,663,000,000.

Fiscal year 2025:

- (A) New budget authority, \$32,421,000,000.
- (B) Outlays, \$32,229,000,000.

Fiscal year 2026:

- (A) New budget authority, \$35,370,000,000.
- (B) Outlays, \$34,988,000,000.

Fiscal year 2027:

- (A) New budget authority, \$37,691,000,000.
- (B) Outlays, \$36,796,000,000.

Fiscal year 2028:

- (A) New budget authority, \$38,991,000,000.
- (B) Outlays, \$37,909,000,000.

Fiscal year 2029:

- (A) New budget authority, \$38,687,000,000.
- (B) Outlays, \$37,611,000,000.

Fiscal year 2030:

- (A) New budget authority, \$37,545,000,000.
- (B) Outlays, \$36,606,000,000.

Fiscal year 2031:

- (A) New budget authority, \$37,519,000,000.
- (B) Outlays, \$36,584,000,000.

Fiscal year 2032:

- (A) New budget authority, \$38,503,000,000.
- (B) Outlays, \$37,206,000,000.

(7) Commerce and Housing Credit (370):

Fiscal year 2023:

- (A) New budget authority, \$86,859,000,000.
- (B) Outlays, \$21,218,000,000.

Fiscal year 2024:

- (A) New budget authority, \$91,925,000,000.
- (B) Outlays, \$33,722,000,000.

Fiscal year 2025:

- (A) New budget authority, \$95,317,000,000.
- (B) Outlays, \$44,455,000,000.

Fiscal year 2026:

- (A) New budget authority, \$97,232,000,000.
- (B) Outlays, \$54,654,000,000.

Fiscal year 2027:

- (A) New budget authority, \$97,733,000,000.
- (B) Outlays, \$62,155,000,000.

Fiscal year 2028:

- (A) New budget authority, \$98,210,000,000.
- (B) Outlays, \$67,496,000,000.

Fiscal year 2029:

- (A) New budget authority, \$99,119,000,000.
- (B) Outlays, \$68,033,000,000.

Fiscal year 2030:

- (A) New budget authority, \$100,168,000,000.
- (B) Outlays, \$67,887,000,000.

Fiscal year 2031:

- (A) New budget authority, \$101,725,000,000.
- (B) Outlays, \$67,844,000,000.

Fiscal year 2032:

- (A) New budget authority, \$103,945,000,000.
- (B) Outlays, \$68,730,000,000.

(8) Transportation (400):

Fiscal year 2023:

- (A) New budget authority, \$165,184,000,000.
- (B) Outlays, \$134,017,000,000.

Fiscal year 2024:

- (A) New budget authority, \$168,551,000,000.
- (B) Outlays, \$143,749,000,000.

Fiscal year 2025:

- (A) New budget authority, \$171,110,000,000.
- (B) Outlays, \$154,584,000,000.

Fiscal year 2026:

- (A) New budget authority, \$174,174,000,000.
- (B) Outlays, \$162,323,000,000.

Fiscal year 2027:

- (A) New budget authority, \$176,575,000,000.
- (B) Outlays, \$169,448,000,000.

Fiscal year 2028:

- (A) New budget authority, \$178,934,000,000.
- (B) Outlays, \$174,010,000,000.

Fiscal year 2029:

- (A) New budget authority, \$181,031,000,000.
- (B) Outlays, \$177,958,000,000.

Fiscal year 2030:

- (A) New budget authority, \$178,065,000,000.
- (B) Outlays, \$178,254,000,000.

Fiscal year 2031:

- (A) New budget authority, \$180,397,000,000.
- (B) Outlays, \$183,113,000,000.

Fiscal year 2032:

- (A) New budget authority, \$188,636,000,000.
- (B) Outlays, \$192,617,000,000.

(9) Community and Regional Development (450):

Fiscal year 2023:

- (A) New budget authority, \$47,737,000,000.
- (B) Outlays, \$59,990,000,000.

Fiscal year 2024:

- (A) New budget authority, \$48,716,000,000.
- (B) Outlays, \$56,300,000,000.

Fiscal year 2025:

- (A) New budget authority, \$49,506,000,000.
- (B) Outlays, \$49,382,000,000.

Fiscal year 2026:

- (A) New budget authority, \$50,531,000,000.
- (B) Outlays, \$47,939,000,000.

Fiscal year 2027:

- (A) New budget authority, \$51,632,000,000.
- (B) Outlays, \$48,504,000,000.

Fiscal year 2028:

- (A) New budget authority, \$52,782,000,000.
- (B) Outlays, \$48,492,000,000.

Fiscal year 2029:

- (A) New budget authority, \$53,930,000,000.
- (B) Outlays, \$48,206,000,000.

Fiscal year 2030:

- (A) New budget authority, \$55,085,000,000.
- (B) Outlays, \$48,453,000,000.

Fiscal year 2031:

- (A) New budget authority, \$56,197,000,000.
- (B) Outlays, \$49,371,000,000.

Fiscal year 2032:

- (A) New budget authority, \$57,548,000,000.
- (B) Outlays, \$48,152,000,000.

(10) Education, Training, Employment, and Social Services (500):

Fiscal year 2023:

- (A) New budget authority, \$123,930,000,000.
- (B) Outlays, \$197,835,000,000.

Fiscal year 2024:

- (A) New budget authority, \$126,381,000,000.
- (B) Outlays, \$175,709,000,000.

Fiscal year 2025:

- (A) New budget authority, \$129,008,000,000.
- (B) Outlays, \$150,548,000,000.

Fiscal year 2026:

- (A) New budget authority, \$132,958,000,000.
- (B) Outlays, \$135,731,000,000.

Fiscal year 2027:

- (A) New budget authority, \$136,906,000,000.
- (B) Outlays, \$133,750,000,000.

Fiscal year 2028:

- (A) New budget authority, \$140,186,000,000.
- (B) Outlays, \$137,104,000,000.

Fiscal year 2029:

- (A) New budget authority, \$142,863,000,000.
- (B) Outlays, \$139,927,000,000.

Fiscal year 2030:

- (A) New budget authority, \$145,304,000,000.
- (B) Outlays, \$142,476,000,000.

Fiscal year 2031:

- (A) New budget authority, \$148,151,000,000.
- (B) Outlays, \$145,164,000,000.

Fiscal year 2032:

- (A) New budget authority, \$151,670,000,000.
- (B) Outlays, \$148,419,000,000.

(11) Health (550):

Fiscal year 2023:

- (A) New budget authority, \$837,137,000,000.
- (B) Outlays, \$886,337,000,000.

Fiscal year 2024:

- (A) New budget authority, \$769,870,000,000.
- (B) Outlays, \$775,538,000,000.

Fiscal year 2025:

- (A) New budget authority, \$780,873,000,000.
- (B) Outlays, \$773,206,000,000.

Fiscal year 2026:

- (A) New budget authority, \$820,401,000,000.
- (B) Outlays, \$807,943,000,000.

Fiscal year 2027:

- (A) New budget authority, \$857,181,000,000.
- (B) Outlays, \$841,395,000,000.

Fiscal year 2028:

- (A) New budget authority, \$887,616,000,000.
- (B) Outlays, \$880,241,000,000.

Fiscal year 2029:

- (A) New budget authority, \$928,363,000,000.
- (B) Outlays, \$922,004,000,000.

Fiscal year 2030:

- (A) New budget authority, \$980,114,000,000.
- (B) Outlays, \$965,919,000,000.

Fiscal year 2031:

- (A) New budget authority, \$1,021,443,000,000.
- (B) Outlays, \$1,013,263,000,000.

Fiscal year 2032:

- (A) New budget authority, \$1,075,476,000,000.
- (B) Outlays, \$1,064,624,000,000.

(12) Medicare (570):

Fiscal year 2023:

- (A) New budget authority, \$856,689,000,000.
- (B) Outlays, \$856,504,000,000.

Fiscal year 2024:

- (A) New budget authority, \$861,576,000,000.
- (B) Outlays, \$861,544,000,000.

Fiscal year 2025:

- (A) New budget authority, \$976,499,000,000.
- (B) Outlays, \$976,494,000,000.

Fiscal year 2026:

- (A) New budget authority, \$1,056,279,000,000.
- (B) Outlays, \$1,056,291,000,000.

Fiscal year 2027:

- (A) New budget authority, \$1,136,714,000,000.
- (B) Outlays, \$1,136,747,000,000.

Fiscal year 2028:

- (A) New budget authority, \$1,298,959,000,000.
- (B) Outlays, \$1,299,016,000,000.

Fiscal year 2029:

- (A) New budget authority, \$1,218,610,000,000.
- (B) Outlays, \$1,218,691,000,000.

Fiscal year 2030:

- (A) New budget authority, \$1,390,273,000,000.
- (B) Outlays, \$1,390,392,000,000.

Fiscal year 2031:

- (A) New budget authority, \$1,476,694,000,000.
- (B) Outlays, \$1,476,507,000,000.

Fiscal year 2032:

- (A) New budget authority, \$1,596,938,000,000.
- (B) Outlays, \$1,596,754,000,000.

(13) Income Security (600):

Fiscal year 2023:

- (A) New budget authority, \$680,997,000,000.
- (B) Outlays, \$690,966,000,000.

Fiscal year 2024:

- (A) New budget authority, \$670,712,000,000.
- (B) Outlays, \$677,473,000,000.

Fiscal year 2025:

- (A) New budget authority, \$668,932,000,000.
- (B) Outlays, \$669,489,000,000.

Fiscal year 2026:

- (A) New budget authority, \$684,120,000,000.
- (B) Outlays, \$686,451,000,000.

(B) Outlays, \$695,276,000,000.
Fiscal year 2030:
(A) New budget authority, \$730,398,000,000.
(B) Outlays, \$720,791,000,000.
Fiscal year 2031:
(A) New budget authority, \$746,179,000,000.
(B) Outlays, \$735,470,000,000.
Fiscal year 2032:
(A) New budget authority, \$762,077,000,000.
(B) Outlays, \$750,835,000,000.
(14) Social Security (650):
Fiscal year 2023:
(A) New budget authority, \$52,290,000,000.
(B) Outlays, \$52,290,000,000.
Fiscal year 2024:
(A) New budget authority, \$56,030,000,000.
(B) Outlays, \$56,030,000,000.
Fiscal year 2025:
(A) New budget authority, \$59,756,000,000.
(B) Outlays, \$59,756,000,000.
Fiscal year 2026:
(A) New budget authority, \$70,790,000,000.
(B) Outlays, \$70,790,000,000.
Fiscal year 2027:
(A) New budget authority, \$77,655,000,000.
(B) Outlays, \$77,655,000,000.
Fiscal year 2028:
(A) New budget authority, \$82,749,000,000.
(B) Outlays, \$82,749,000,000.
Fiscal year 2029:
(A) New budget authority, \$88,357,000,000.
(B) Outlays, \$88,357,000,000.
Fiscal year 2030:
(A) New budget authority, \$94,188,000,000.
(B) Outlays, \$94,188,000,000.
Fiscal year 2031:
(A) New budget authority, \$99,551,000,000.
(B) Outlays, \$99,551,000,000.
Fiscal year 2032:
(A) New budget authority, \$104,904,000,000.
(B) Outlays, \$104,904,000,000.
(15) Veterans Benefits and Services (700):
Fiscal year 2023:
(A) New budget authority, \$286,186,000,000.
(B) Outlays, \$285,413,000,000.
Fiscal year 2024:
(A) New budget authority, \$299,224,000,000.
(B) Outlays, \$284,112,000,000.
Fiscal year 2025:
(A) New budget authority, \$310,121,000,000.
(B) Outlays, \$308,602,000,000.
Fiscal year 2026:
(A) New budget authority, \$319,942,000,000.
(B) Outlays, \$318,545,000,000.
Fiscal year 2027:
(A) New budget authority, \$329,844,000,000.
(B) Outlays, \$328,676,000,000.
Fiscal year 2028:
(A) New budget authority, \$340,121,000,000.
(B) Outlays, \$353,447,000,000.
Fiscal year 2029:
(A) New budget authority, \$351,318,000,000.
(B) Outlays, \$333,422,000,000.
Fiscal year 2030:
(A) New budget authority, \$362,777,000,000.
(B) Outlays, \$360,287,000,000.
Fiscal year 2031:
(A) New budget authority, \$375,511,000,000.
(B) Outlays, \$372,935,000,000.
Fiscal year 2032:
(A) New budget authority, \$387,921,000,000.
(B) Outlays, \$385,276,000,000.
(16) Administration of Justice (750):
Fiscal year 2023:
(A) New budget authority, \$79,720,000,000.
(B) Outlays, \$77,635,000,000.
Fiscal year 2024:
(A) New budget authority, \$81,720,000,000.
(B) Outlays, \$80,894,000,000.
Fiscal year 2025:
(A) New budget authority, \$83,817,000,000.
(B) Outlays, \$82,141,000,000.
Fiscal year 2026:
(A) New budget authority, \$86,461,000,000.
(B) Outlays, \$84,486,000,000.
Fiscal year 2027:
(A) New budget authority, \$89,000,000,000.
(B) Outlays, \$87,318,000,000.

Fiscal year 2028:
(A) New budget authority, \$91,583,000,000.
(B) Outlays, \$89,508,000,000.
Fiscal year 2029:
(A) New budget authority, \$94,069,000,000.
(B) Outlays, \$91,733,000,000.
Fiscal year 2030:
(A) New budget authority, \$96,738,000,000.
(B) Outlays, \$94,362,000,000.
Fiscal year 2031:
(A) New budget authority, \$99,442,000,000.
(B) Outlays, \$97,046,000,000.
Fiscal year 2032:
(A) New budget authority, \$108,777,000,000.
(B) Outlays, \$106,256,000,000.
(17) General Government (800):
Fiscal year 2023:
(A) New budget authority, \$32,235,000,000.
(B) Outlays, \$31,914,000,000.
Fiscal year 2024:
(A) New budget authority, \$32,704,000,000.
(B) Outlays, \$32,522,000,000.
Fiscal year 2025:
(A) New budget authority, \$33,374,000,000.
(B) Outlays, \$31,648,000,000.
Fiscal year 2026:
(A) New budget authority, \$34,227,000,000.
(B) Outlays, \$32,871,000,000.
Fiscal year 2027:
(A) New budget authority, \$35,148,000,000.
(B) Outlays, \$34,246,000,000.
Fiscal year 2028:
(A) New budget authority, \$36,160,000,000.
(B) Outlays, \$35,415,000,000.
Fiscal year 2029:
(A) New budget authority, \$37,200,000,000.
(B) Outlays, \$36,441,000,000.
Fiscal year 2030:
(A) New budget authority, \$38,267,000,000.
(B) Outlays, \$37,496,000,000.
Fiscal year 2031:
(A) New budget authority, \$39,320,000,000.
(B) Outlays, \$38,528,000,000.
Fiscal year 2032:
(A) New budget authority, \$40,756,000,000.
(B) Outlays, \$39,971,000,000.
(18) Net Interest (900):
Fiscal year 2023:
(A) New budget authority, \$440,451,000,000.
(B) Outlays, \$440,451,000,000.
Fiscal year 2024:
(A) New budget authority, \$519,150,000,000.
(B) Outlays, \$519,150,000,000.
Fiscal year 2025:
(A) New budget authority, \$591,054,000,000.
(B) Outlays, \$591,054,000,000.
Fiscal year 2026:
(A) New budget authority, \$660,721,000,000.
(B) Outlays, \$660,721,000,000.
Fiscal year 2027:
(A) New budget authority, \$729,126,000,000.
(B) Outlays, \$729,126,000,000.
Fiscal year 2028:
(A) New budget authority, \$804,901,000,000.
(B) Outlays, \$804,901,000,000.
Fiscal year 2029:
(A) New budget authority, \$873,633,000,000.
(B) Outlays, \$873,633,000,000.
Fiscal year 2030:
(A) New budget authority, \$937,141,000,000.
(B) Outlays, \$937,141,000,000.
Fiscal year 2031:
(A) New budget authority, \$1,003,728,000,000.
(B) Outlays, \$1,003,728,000,000.
Fiscal year 2032:
(A) New budget authority, \$1,068,087,000,000.
(B) Outlays, \$1,068,087,000,000.
(19) Allowances (920):
Fiscal year 2023:
(A) New budget authority, \$141,372,000,000.
(B) Outlays, — \$141,372,000,000.
Fiscal year 2024:
(A) New budget authority, \$204,514,000,000.
(B) Outlays, — \$204,514,000,000.
Fiscal year 2025:

(A) New budget authority, \$287,602,000,000.
(B) Outlays, — \$287,602,000,000.
Fiscal year 2026:
(A) New budget authority, \$200,660,000,000.
(B) Outlays, — \$200,660,000,000.
Fiscal year 2027:
(A) New budget authority, \$274,300,000,000.
(B) Outlays, — \$274,300,000,000.
Fiscal year 2028:
(A) New budget authority, \$358,125,000,000.
(B) Outlays, — \$358,125,000,000.
Fiscal year 2029:
(A) New budget authority, \$495,051,000,000.
(B) Outlays, — \$495,051,000,000.
Fiscal year 2030:
(A) New budget authority, \$684,804,000,000.
(B) Outlays, — \$684,804,000,000.
Fiscal year 2031:
(A) New budget authority, \$855,249,000,000.
(B) Outlays, — \$855,249,000,000.
Fiscal year 2032:
(A) New budget authority, \$1,076,093,000,000.
(B) Outlays, — \$1,076,093,000,000.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2023:
(A) New budget authority, \$127,442,000,000.
(B) Outlays, — \$129,087,000,000.
Fiscal year 2024:
(A) New budget authority, \$117,411,000,000.
(B) Outlays, — \$117,316,000,000.
Fiscal year 2025:
(A) New budget authority, \$121,572,000,000.
(B) Outlays, — \$122,695,000,000.
Fiscal year 2026:
(A) New budget authority, \$125,579,000,000.
(B) Outlays, — \$125,354,000,000.
Fiscal year 2027:
(A) New budget authority, \$136,065,000,000.
(B) Outlays, — \$137,290,000,000.
Fiscal year 2028:
(A) New budget authority, \$141,442,000,000.
(B) Outlays, — \$141,167,000,000.
Fiscal year 2029:
(A) New budget authority, \$138,935,000,000.
(B) Outlays, — \$138,660,000,000.
Fiscal year 2030:
(A) New budget authority, \$144,140,000,000.
(B) Outlays, — \$143,865,000,000.
Fiscal year 2031:
(A) New budget authority, \$148,093,000,000.
(B) Outlays, — \$147,818,000,000.
Fiscal year 2032:
(A) New budget authority, \$153,956,000,000.
(B) Outlays, — \$153,831,000,000.

SEC. 1003. SOCIAL SECURITY IN THE SENATE.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974 (2 U.S.C. 633 and 642), the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2023: \$1,135,933,000,000.
Fiscal year 2024: \$1,186,442,000,000.
Fiscal year 2025: \$1,228,027,000,000.
Fiscal year 2026: \$1,271,916,000,000.
Fiscal year 2027: \$1,319,510,000,000.
Fiscal year 2028: \$1,369,046,000,000.

Fiscal year 2029: \$1,419,744,000,000.
 Fiscal year 2030: \$1,471,910,000,000.
 Fiscal year 2031: \$1,527,276,000,000.
 Fiscal year 2032: \$1,583,786,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974 (2 U.S.C. 633 and 642), the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2023: \$1,320,290,000,000.
 Fiscal year 2024: \$1,408,997,000,000.
 Fiscal year 2025: \$1,491,333,000,000.
 Fiscal year 2026: \$1,576,748,000,000.
 Fiscal year 2027: \$1,665,182,000,000.
 Fiscal year 2028: \$1,760,444,000,000.
 Fiscal year 2029: \$1,859,623,000,000.
 Fiscal year 2030: \$1,962,593,000,000.
 Fiscal year 2031: \$2,068,247,000,000.
 Fiscal year 2032: \$2,174,947,000,000.

(c) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

Fiscal year 2023:
 (A) New budget authority, \$6,462,000,000.
 (B) Outlays, \$6,388,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$6,685,000,000.
 (B) Outlays, \$6,620,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$6,900,000,000.
 (B) Outlays, \$6,840,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$7,110,000,000.
 (B) Outlays, \$7,052,000,000.
 Fiscal year 2027:
 (A) New budget authority, \$7,326,000,000.
 (B) Outlays, \$7,268,000,000.
 Fiscal year 2028:
 (A) New budget authority, \$7,553,000,000.
 (B) Outlays, \$7,493,000,000.
 Fiscal year 2029:
 (A) New budget authority, \$7,779,000,000.
 (B) Outlays, \$7,718,000,000.
 Fiscal year 2030:
 (A) New budget authority, \$8,013,000,000.
 (B) Outlays, \$7,951,000,000.
 Fiscal year 2031:
 (A) New budget authority, \$8,255,000,000.
 (B) Outlays, \$8,191,000,000.
 Fiscal year 2032:
 (A) New budget authority, \$8,500,000,000.
 (B) Outlays, \$8,435,000,000.

SEC. 1004. POSTAL SERVICE DISCRETIONARY ADMINISTRATIVE EXPENSES IN THE SENATE.

In the Senate, the amounts of new budget authority and budget outlays of the Postal Service for discretionary administrative expenses are as follows:

Fiscal year 2023:
 (A) New budget authority, \$332,000,000.
 (B) Outlays, \$331,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$344,000,000.
 (B) Outlays, \$343,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$356,000,000.
 (B) Outlays, \$355,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$368,000,000.
 (B) Outlays, \$367,000,000.
 Fiscal year 2027:
 (A) New budget authority, \$380,000,000.
 (B) Outlays, \$379,000,000.
 Fiscal year 2028:
 (A) New budget authority, \$394,000,000.
 (B) Outlays, \$393,000,000.
 Fiscal year 2029:
 (A) New budget authority, \$406,000,000.
 (B) Outlays, \$405,000,000.
 Fiscal year 2030:
 (A) New budget authority, \$419,000,000.

(B) Outlays, \$418,000,000.

Fiscal year 2031:

(A) New budget authority, \$434,000,000.

(B) Outlays, \$433,000,000.

Fiscal year 2032:

(A) New budget authority, \$447,000,000.

(B) Outlays, \$446,000,000.

TITLE II—REPEAL OF RECONCILIATION INSTRUCTIONS

SEC. 2001. SENATE.

In the Senate, section 2001 of S. Con. Res. 14 (117th Congress), the concurrent resolution on the budget for fiscal year 2022, shall no longer apply.

TITLE III—DEFICIT-REDUCTION RESERVE FUNDS

SEC. 3001. RESERVE FUND FOR DEFICIT-NEUTRAL LEGISLATION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, or conference reports by the amounts provided in such legislation, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2023 through 2026 or the period of the total of fiscal years 2023 through 2032.

SEC. 3002. DEFICIT-REDUCTION RESERVE FUND FOR EFFICIENCIES, CONSOLIDATIONS, CURBING BUDGETARY GIMMICKS, AND OTHER SAVINGS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to efficiencies, consolidations, curbing budgetary gimmicks, and other savings, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2023 through 2026 or the period of the total of fiscal years 2023 through 2032.

SEC. 3003. DEFICIT-REDUCTION RESERVE FUND TO PROVIDE FOR LEGISLATION IMPOSING SPENDING CAPS AS A PERCENTAGE OF GDP.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to Federal spending, which may include provisions limiting Federal spending to certain percentages of GDP, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2023 through 2026 or the period of the total of fiscal years 2023 through 2032.

SEC. 3004. DEFICIT-NEUTRAL RESERVE FUND TO PROMOTE UNITED STATES ENERGY PRODUCTION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to United States energy and natural resources policies, which may include—

(1) energy development and permitting;

(2) nuclear waste;

(3) State mineral royalty revenues; or

(4) soda ash royalties,

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2023 through 2026 or the period of the total of fiscal years 2023 through 2032.

SEC. 3005. DEFICIT-NEUTRAL RESERVE FUND RELATING TO BANNING FRACKING IN THE UNITED STATES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and environmental laws and policies, which may include limiting or prohibiting the Chair of the Council on Environmental Quality and the Administrator of the Environmental Protection Agency from proposing, finalizing, or implementing a rule or guidance that bans fracking in the United States by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2023 through 2026 or the period of the total of fiscal years 2023 through 2032.

SEC. 3006. DEFICIT-REDUCTION RESERVE FUND FOR REDUCING FRAUD IN TAX-PAYER-FUNDED GOVERNMENT ASSISTANCE PROGRAMS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to reducing fraud in taxpayer funded Government assistance by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2023 through 2026 or the period of the total of fiscal years 2023 through 2032.

SEC. 3007. DEFICIT-REDUCTION RESERVE FUND TO CONTINUE PROVEN MIDDLE CLASS TAX RELIEF.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to changes in Federal tax laws, which may include provision of continued tax relief to working families and the middle class such as through extension or modification of tax provisions of Public Law 115-97 (131 Stat. 2054), by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2023 through 2026 or the period of the total of fiscal years 2023 through 2032.

SEC. 3008. DEFICIT-REDUCTION RESERVE FUND TO IMPROVE HEALTH CARE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference

reports relating to improving United States healthcare, which may include—

(1) repealing and replacing the Patient Protection and Affordable Care Act or the Health Care and Education Reconciliation Act of 2010, and preserving pre-existing conditions protections;

(2) increasing health care options for individuals;

(3) lowering health care costs for United States families, such as reducing prescription drug costs and promoting biosimilar competition;

(4) encouraging State flexibility and innovation;

(5) improving consumers' access to care; or

(6) investing in public health, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2023 through 2026 or the period of the total of fiscal years 2023 through 2032.

SEC. 3009. DEFICIT-REDUCTION RESERVE FUND RELATING TO PROTECTING PRE-EXISTING CONDITIONS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to supporting congressional efforts to preserve preexisting condition protections with respect to health insurance, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2023 through 2026 or the period of the total of fiscal years 2023 through 2032.

SEC. 3010. DEFICIT-REDUCTION RESERVE FUND RELATING TO REDUCING PRESCRIPTION DRUG COSTS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to improving access to, and affordability of, prescription drugs for all people of the United States, holding the health care industry accountable for the prices that consumers and Federal programs pay for critical medications, and addressing issues that artificially increase the costs of drugs, such as price gouging and pay-for-delay, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2023 through 2026 or the period of the total of fiscal years 2023 through 2032.

SEC. 3011. DEFICIT-REDUCTION RESERVE FUND TO STRENGTHENING UNITED STATES FAMILIES AND OTHER SOCIAL CONTRACT PROGRAMS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to strengthening United States families, which may include—

(1) addressing the opioid and substance abuse crisis;

(2) improving child and maternal health;

(3) making child and dependent care more affordable and useful for United States families;

(4) supporting child nutrition programs;

(5) foster care, marriage, and fatherhood programs;

(6) enhancing other social contract programs;

(7) maintaining existing prohibitions on Federal funds being used to pay for abortions; or

(8) providing transitional supports to States implementing the Family First Prevention Services Act (title VII of division E of the Bipartisan Budget Act of 2018 (Public Law 115-123; 132 Stat. 232)),

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2023 through 2026 or the period of the total of fiscal years 2023 through 2032.

SEC. 3012. DEFICIT-REDUCTION RESERVE FUND TO PROMOTE ECONOMIC GROWTH AND PROSPERITY FOR UNITED STATES WORKERS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to promoting economic growth and prosperity for United States workers, which may include—

(1) reducing the costs to businesses and individuals stemming from Federal regulations;

(2) streamlining and enhancing outcomes from Federal workforce development, job training, and re-employment programs, such as apprenticeship or certificate programs that provide training for a new industry;

(3) increasing job creation, commerce, and economic growth;

(4) increasing exports from the United States;

(5) supporting robust intellectual property protections; or

(6) as part of Federal tax reform, provide continued tax relief to working families and the middle class, such as through extension of tax provisions of Public Law 115-97 (131 Stat. 2054),

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2023 through 2026 or the period of the total of fiscal years 2023 through 2032.

SEC. 3013. DEFICIT-NEUTRAL RESERVE FUND TO PROVIDE CONTINUED TAX RELIEF FOR FAMILY-OWNED BUSINESSES, FARMS, AND RANCHES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to changes in Federal tax laws, which may include provision of continued tax relief for family-owned businesses, farms, and ranches such as through extensions of provisions of Public Law 115-97 (131 Stat. 2054), by the amounts provided in such legislation for those purposes, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2023 through 2026 or the period of the total of fiscal years 2023 through 2032.

SEC. 3014. DEFICIT-REDUCTION RESERVE FUND FOR BORDER SECURITY AND IMMIGRATION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations

of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to border security and immigration, which may include—

(1) securing the borders of the United States through investments in infrastructure and technology;

(2) ending human trafficking

(3) intercepting narcotics being transported into the United States,

(4) ensuring that no Federal funds can be used to deconstruct existing border wall;

(5) prioritizing Department of Homeland Security funding for robust border enforcement, including continued construction of a border wall;

(6) continuing funding and execution of the authority under regulations promulgated pursuant to 362 and 365 of the Public Health Service Act (42 U.S.C. 265, 268) at the Southern border, a policy that allows border officials to immediately expel migrants trying to cross into the United States for public health reasons;

(7) ending Federal funding of sanctuary cities, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2023 through 2026 or the period of the total of fiscal years 2023 through 2032.

SEC. 3015. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PROTECTING UNITED STATES TAXPAYERS FROM THE COSTS ASSOCIATED WITH CANCELING CONTRACTS RELATING TO BORDER SECURITY.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to protecting United States taxpayers and the United States border, which may include prohibiting the cancellation of contracts for physical barriers and other border security measures for which funds already have been obligated, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2023 through 2026 or the period of the total of fiscal years 2023 through 2032.

SEC. 3016. DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE IMPROVEMENT OF RELATIONS BETWEEN THE UNITED STATES AND CANADA.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to improving relations between the United States and Canada, increasing energy trade between the two nations, and reducing transportation emissions through the approval of the importation of oil from Canada to the United States through the Keystone XL Pipeline by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2023 through 2026 or the period of the total of fiscal years 2023 through 2032.

SEC. 3017. DEFICIT-NEUTRAL RESERVE FUND RELATING TO IMPROVING THE SOLVENCY OF FEDERAL TRUST FUNDS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to improving the solvency of major Federal trust funds, which may include developing recommendations and legislation to rescue programs that support surface transportation, health care services, and financial protection and security for individuals, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2023 through 2026 or the period of the total of fiscal years 2023 through 2032.

SEC. 3018. DEFICIT-REDUCTION RESERVE FUND FOR PRESERVING AND STRENGTHENING SOCIAL CONTRACT PROGRAMS.

The Chair of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to legislation that winds down the conservatorship of Fannie Mae and Freddie Mac, and to address budgetary treatment of such enterprises by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2023 through 2026 or the period of the total of fiscal years 2023 through 2032.

SEC. 3019. DEFICIT-NEUTRAL RESERVE FUND TO PROMOTE ECONOMIC OPPORTUNITY AND SELF-SUFFICIENCY.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments between the Houses, motions, or conference reports relating to promoting economic opportunity and self-sufficiency, which may include—

- (1) advancing policies that promote economic opportunities for all people of the United States; or
- (2) implementing work requirements in means tested welfare programs and promoting self-sufficiency, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2023 through 2026 or the period of the total of fiscal years 2023 through 2032.

TITLE IV—BUDGET PROCESS

Subtitle A—Enforcement

SEC. 4101. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS IN THE SENATE.

(a) IN GENERAL.—

(1) POINT OF ORDER.—Except as provided in subsection (b), it shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would provide an advance appropriation for a discretionary account.

(2) DEFINITION.—In this section, the term “advance appropriation” means any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2023 that first becomes available for any fiscal year after 2023, or any new budget au-

thority provided in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2024, that first becomes available for any fiscal year after 2024.

(b) EXCEPTIONS.—Advance appropriations may be provided—

(1) for fiscal years 2023 and 2024 for programs, projects, activities, or accounts identified in the joint explanatory statement of managers accompanying this concurrent resolution under the heading “Accounts Identified for Advance Appropriations” in an aggregate amount not to exceed \$28,852,000,000 in new budget authority in each fiscal year;

(2) for the Corporation for Public Broadcasting; and

(3) for the Department of Veterans Affairs for the Medical Services, Medical Support and Compliance, Veterans Medical Community Care, and Medical Facilities accounts of the Veterans Health Administration.

(c) SUPERMAJORITY WAIVER AND APPEAL.—

(1) WAIVER.—In the Senate, subsection (a) may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

(d) FORM OF POINT OF ORDER.—A point of order under subsection (a) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974 (2 U.S.C. 644(e)).

(e) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill or joint resolution, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report or House amendment shall be stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

SEC. 4102. POINT OF ORDER AGAINST LEGISLATION THAT WOULD CAUSE A NET INCREASE IN OUTLAYS UNLESS THE DIRECTOR OF THE CONGRESSIONAL BUDGET OFFICE CERTIFIES THAT INFLATION IS BELOW 3 PERCENT.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would cause a net increase in outlays relative to the most recently published Congressional Budget Office baseline unless the Director of the Congressional Budget Office certifies (based on the most recent data available to the Director) that inflation, as measured in either the average of the annualized changes in the 3 most recently published monthly reports on the consumer price index for all-urban consumers published by the Bureau of Labor Statistics of the Department of Labor, or the previous year's unadjusted annual change in that index, is below 3 percent.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of

the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SEC. 4103. COST ESTIMATES FOR MAJOR LEGISLATION TO INCORPORATE MACRO-ECONOMIC EFFECTS.

(a) CBO AND JCT ESTIMATES.—During the 117th Congress, any estimate provided by the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 (2 U.S.C. 653) or by the Joint Committee on Taxation to the Congressional Budget Office under section 201(f) of such Act (2 U.S.C. 601(f)) for major legislation considered in the Senate shall, to the greatest extent practicable, incorporate the budgetary effects of changes in economic output, employment, capital stock, and other macroeconomic variables resulting from such major legislation.

(b) CONTENTS.—Any estimate referred to in subsection (a) shall, to the extent practicable, include—

(1) a qualitative assessment of the budgetary effects (including macroeconomic variables described in subsection (a)) of the major legislation in the 20-fiscal year period beginning after the last fiscal year of the most recently agreed to concurrent resolution on the budget that sets forth budgetary levels required under section 301 of the Congressional Budget Act of 1974 (2 U.S.C. 632); and

(2) an identification of the critical assumptions and the source of data underlying that estimate.

(c) DEFINITIONS.—In this section:

(1) MAJOR LEGISLATION.—The term “major legislation” means a bill, joint resolution, conference report, amendment, amendment between the Houses, or treaty considered in the Senate—

(A) for which an estimate is required to be prepared pursuant to section 402 of the Congressional Budget Act of 1974 (2 U.S.C. 653) and that causes a gross budgetary effect (before incorporating macroeconomic effects and not including timing shifts) in a fiscal year in the period of years of the most recently agreed to concurrent resolution on the budget equal to or greater than—

(i) 0.25 percent of the current projected gross domestic product of the United States for that fiscal year; or

(ii) for a treaty, equal to or greater than \$15,000,000,000 for that fiscal year; or

(B) designated as such by—

(i) the Chairman of the Committee on the Budget of the Senate for all direct spending and revenue legislation; or

(ii) the Senator who is Chairman or Vice Chairman of the Joint Committee on Taxation for revenue legislation.

(2) BUDGETARY EFFECTS.—The term “budgetary effects” means changes in revenues, direct spending outlays, and deficits.

(3) TIMING SHIFTS.—The term “timing shifts” means—

(A) provisions that cause a delay of the date on which outlays flowing from direct spending would otherwise occur from one fiscal year to the next fiscal year; or

(B) provisions that cause an acceleration of the date on which revenues would otherwise occur from one fiscal year to the prior fiscal year.

SEC. 4104. SURGICAL STRIKE POINT OF ORDER IN THE SENATE AGAINST DIRECTING BUDGETARY TREATMENT.

(a) DEFINITION.—In this section, the term “directs budgetary treatment” with respect to a provision means that the provision, as determined by the Chairman of the Committee on the Budget of the Senate—

(1) directs the congressional estimating process for determining the budgetary effects of legislation;

(2) directs that a provision of legislation be considered a change in concepts and definitions under section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)); or

(3) reclassifies the budgetary treatment of funding.

(b) POINT OF ORDER.—

(1) IN GENERAL.—In the Senate, it shall not be in order to consider a provision that directs budgetary treatment in a bill, joint resolution, motion, amendment, amendment between the Houses, or conference report, unless the provision is included in—

(A) a bill or resolution which has been reported by the Committee on the Budget (or from the consideration of which such committee has been discharged); or

(B) a motion on, amendment to, amendment between the Houses in relation to, or conference report on a bill or resolution described in subparagraph (A).

(2) POINT OF ORDER SUSTAINED.—If a point of order is made by a Senator against a provision described in paragraph (1), and the point of order is sustained by the Chair, that provision shall be stricken from the measure and may not be offered as an amendment from the floor.

(c) FORM OF THE POINT OF ORDER.—A point of order under subsection (b)(1) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974 (2 U.S.C. 644(e)).

(d) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill or resolution, upon a point of order being made by any Senator pursuant to subsection (b)(1), and such point of order being sustained, such material contained in such conference report or House amendment shall be stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(e) SUPERMAJORITY WAIVER AND APPEAL.—In the Senate, this section may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of Members of the Senate, duly chosen and sworn shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

SEC. 4105. POINT OF ORDER AGAINST BUDGET RESOLUTIONS THAT DO NOT INCLUDE A BALANCED BUDGET.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider a concurrent resolution on the budget that does not reduce the deficit to zero on or before the end of the 9th fiscal year after the budget year.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SEC. 4106. LIMITS ON WAIVER OF BUDGET POINTS OF ORDER.

(a) DEFINITION.—In this section, the term “budget point of order” means a point of order under the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 621 et seq.), the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.), the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 931 et seq.), a concurrent resolution on the budget, or this Act.

(b) PROHIBITION ON WAIVING MULTIPLE POINTS OF ORDER.—In the Senate, it shall not be in order to move to waive more than 1 budget point of order with respect to a bill, joint resolution, motion, amendment, amendment between the Houses, or conference report as part of a single motion, including a motion to waive all applicable budget points of order.

(c) PROHIBITION ON PREEMPTIVE WAIVERS.—In the Senate, it shall not be in order to move to waive or suspend a budget point of order with respect to a bill, joint resolution, motion, amendment, amendment between the Houses, or conference report unless the budget point of order has been specifically raised by a Senator.

(d) NO WAIVER.—It shall not be in order to move to waive or suspend this section.

SEC. 4107. REESTABLISH SUPERMAJORITY ENFORCEMENT OF UNFUNDED MANDATES IN THE SENATE.

Section 4007 of S. Con. Res. 5 (117th Congress), the concurrent resolution on the budget for fiscal year 2021, is repealed.

SEC. 4108. REESTABLISH EMERGENCY LEGISLATION.

Section 4001 of S. Con. Res. 14 (117th Congress), the concurrent resolution on the budget for fiscal year 2022, is repealed.

Subtitle B—Other Provisions

SEC. 4201. BUDGETARY TREATMENT OF CERTAIN DISCRETIONARY ADMINISTRATIVE EXPENSES.

(a) IN GENERAL.—In the Senate, notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)(1)), section 13301 of the Budget Enforcement Act of 1990 (2 U.S.C. 632 note), and section 2009a of title 39, United States Code, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocations under section 302(a) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)) to the Committees on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration and of the Postal Service.

(b) SPECIAL RULE.—In the Senate, for purposes of enforcing sections 302(f) of the Congressional Budget Act of 1974 (2 U.S.C. 633(f)), estimates of the level of total new budget authority and total outlays provided by a measure shall include any discretionary amounts described in subsection (a).

SEC. 4202. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.) as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution the levels of

new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

SEC. 4203. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

Upon the enactment of a bill or joint resolution providing for a change in concepts or definitions, the Chairman of the Committee on the Budget of the Senate may make adjustments to the levels and allocations in this resolution in accordance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)).

SEC. 4204. EXERCISE OF RULEMAKING POWERS.

Congress adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the Senate, and as such they shall be considered as part of the rules of the Senate and such rules shall supersede other rules only to the extent that they are inconsistent with such other rules; and

(2) with full recognition of the constitutional right of the Senate to change those rules at any time, in the same manner, and to the same extent as is the case of any other rule of the Senate.

AMENDMENTS SUBMITTED AND PROPOSED

SA 5135. Mr. SCHUMER proposed an amendment to the bill H.R. 4346, making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes.

SA 5136. Mr. SCHUMER proposed an amendment to amendment SA 5135 proposed by Mr. SCHUMER to the bill H.R. 4346, supra.

SA 5137. Mr. SCHUMER proposed an amendment to the bill H.R. 4346, supra.

SA 5138. Mr. SCHUMER proposed an amendment to amendment SA 5137 proposed by Mr. SCHUMER to the bill H.R. 4346, supra.

TEXT OF AMENDMENTS

SA 5135. Mr. SCHUMER proposed an amendment to the bill H.R. 4346, making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes; as follows:

In lieu of the matter proposed to be inserted by the amendment of the House to the amendment of the Senate, insert the following:

SECTION 1. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Table of contents.

Sec. 2. References.

DIVISION A—CHIPS ACT OF 2022

Sec. 101. Short title.

Sec. 102. Creating helpful incentives to produce semiconductors (CHIPS) for America fund.

Sec. 103. Semiconductor incentives.

Sec. 104. Opportunity and inclusion.

Sec. 105. Additional GAO reporting requirements.

Sec. 106. Appropriations for wireless supply chain innovation.

Sec. 107. Advanced manufacturing investment credit.

DIVISION B—RESEARCH AND INNOVATION

Sec. 10000. Table of contents.

Sec. 10001. Short title.

Sec. 10002. Definitions.

Sec. 10003. Budgetary effects.

TITLE I—DEPARTMENT OF ENERGY SCIENCE FOR THE FUTURE

- Sec. 10101. Mission of the Office of Science.
- Sec. 10102. Basic energy sciences program.
- Sec. 10103. Biological and environmental research.
- Sec. 10104. Advanced scientific computing research program.
- Sec. 10105. Fusion energy research.
- Sec. 10106. High energy physics program.
- Sec. 10107. Nuclear physics program.
- Sec. 10108. Science laboratories infrastructure program.
- Sec. 10109. Accelerator research and development.
- Sec. 10110. Isotope research, development, and production.
- Sec. 10111. Increased collaboration with teachers and scientists.
- Sec. 10112. High intensity laser research initiative; helium conservation program; Office of Science emerging biological threat preparedness research initiative; midscale instrumentation and research equipment program; authorization of appropriations.
- Sec. 10113. Established program to stimulate competitive research.
- Sec. 10114. Research security.

TITLE II—NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY FOR THE FUTURE

- Sec. 10201. Definitions.
- Subtitle A—Authorization of Appropriations
- Sec. 10211. Authorization of appropriations.
- Subtitle B—Measurement Research
- Sec. 10221. Engineering biology and biometrology.
- Sec. 10222. Greenhouse gas measurement research.
- Sec. 10223. NIST authority for cybersecurity and privacy activities.
- Sec. 10224. Software security and authentication.
- Sec. 10225. Digital identity management research.
- Sec. 10226. Biometrics research and testing.
- Sec. 10227. Federal biometric performance standards.
- Sec. 10228. Protecting research from cybersecurity theft.
- Sec. 10229. Dissemination of resources for research institutions.
- Sec. 10230. Advanced communications research.
- Sec. 10231. Neutron scattering.
- Sec. 10232. Artificial intelligence.
- Sec. 10233. Sustainable chemistry research and education.
- Sec. 10234. Premise plumbing research.
- Sec. 10235. Dr. David Satcher Cybersecurity Education Grant Program.

Subtitle C—General Activities

- Sec. 10241. Educational outreach and support for underrepresented communities.
- Sec. 10242. Other transactions authority.
- Sec. 10243. Report to Congress on collaborations with government agencies.
- Sec. 10244. Hiring critical technical experts.
- Sec. 10245. International standards development.
- Sec. 10246. Standard technical update.
- Sec. 10247. GAO study of NIST research security policies and protocols.
- Sec. 10248. Standards development organization grants.

Subtitle D—Hollings Manufacturing Extension Partnership

- Sec. 10251. Establishment of expansion awards pilot program as a part of the Hollings Manufacturing Extension Partnership.

- Sec. 10252. Update to Hollings Manufacturing Extension Partnership.
- Sec. 10253. National Supply Chain Database.
- Sec. 10254. Hollings Manufacturing Extension Partnership activities.
- Sec. 10255. Amendment to the Hollings Manufacturing Extension Partnership relating to institutions of higher education.

Subtitle E—Manufacturing USA Program

- Sec. 10261. Supporting geographic diversity.
- Sec. 10262. Expanding opportunities through the Manufacturing USA Program.
- Sec. 10263. Promoting domestic production of technologies developed under Manufacturing USA Program.

TITLE III—NATIONAL SCIENCE FOUNDATION FOR THE FUTURE

Subtitle A—Preliminary Matters

- Sec. 10301. Sense of Congress.
- Sec. 10302. Definitions.
- Sec. 10303. Authorization of appropriations.

Subtitle B—STEM Education

- Sec. 10311. PreK–12 STEM education.
- Sec. 10312. Undergraduate STEM education.
- Sec. 10313. Graduate STEM education.
- Sec. 10314. STEM workforce data.
- Sec. 10315. Cyber workforce development research and development.
- Sec. 10316. Federal cyber scholarship-for-service program.
- Sec. 10317. Cybersecurity workforce data initiative.
- Sec. 10318. Microelectronics workforce development activities.
- Sec. 10319. Incorporation of art and design into certain STEM education.
- Sec. 10320. Mandatory cost-sharing.
- Sec. 10321. Programs to address the STEM workforce.

Subtitle C—Broadening Participation

- Sec. 10321. Presidential awards for excellence in mathematics and science.
- Sec. 10322. Robert Noyce Teacher Scholarship program update.
- Sec. 10323. NSF Eddie Bernice Johnson INCLUDES Initiative.
- Sec. 10324. Broadening participation on major facilities awards.
- Sec. 10325. Expanding geographic and institutional diversity in research.
- Sec. 10326. Diversity in tech research.
- Sec. 10327. Chief Diversity Officer of the NSF.
- Sec. 10328. Research and dissemination to increase the participation of women and underrepresented minorities in STEM fields.
- Sec. 10329. Activities to expand STEM opportunities.
- Sec. 10330. Intramural emerging research institutions pilot program.

Subtitle D—NSF Research Security

- Sec. 10331. Office of Research Security and Policy.
- Sec. 10332. Chief of Research Security.
- Sec. 10333. Reporting to Congress.
- Sec. 10334. Online resource.
- Sec. 10335. Research awards.
- Sec. 10336. Authorities.
- Sec. 10337. Responsible conduct in research training.
- Sec. 10338. Research security and integrity information sharing analysis organization.
- Sec. 10339. Plan with respect to controlled information and background screening.
- Sec. 10339A. Foundation funding to institutions hosting or supporting Confucius Institutes.
- Sec. 10339B. Foreign financial support.
- Sec. 10339C. Authorization of appropriations.

Subtitle E—Fundamental Research

- Sec. 10341. Broader impacts.
- Sec. 10342. Sense of Congress.
- Sec. 10343. Research ethics.
- Sec. 10344. Research reproducibility and replicability.
- Sec. 10345. Climate change research.
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- Sec. 10348. Food-energy-water research.
- Sec. 10349. Biological Field Stations and Marine Laboratories.
- Sec. 10350. Sustainable chemistry research and education.
- Sec. 10351. Risk and resilience research.
- Sec. 10352. Unmanned aircraft systems technologies.
- Sec. 10353. Accelerating unmanned maritime systems technologies.
- Sec. 10354. Leveraging international expertise in research.
- Sec. 10355. Biological research collections.
- Sec. 10356. Clean water research and technology acceleration.
- Sec. 10357. Technology and behavioral science research.
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- Sec. 10360. Study of AI research capacity.
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- Sec. 10362. Astronomy and satellite constellations.
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- Sec. 10364. Microgravity utilization policy.
- Sec. 10365. Recognition of the Arecibo Observatory.

Subtitle F—Research Infrastructure

- Sec. 10371. Facility operation and maintenance.
- Sec. 10372. Reviews.
- Sec. 10373. Helium conservation.
- Sec. 10374. Advanced computing.
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Subtitle G—Directorate for Technology, Innovation, and Partnerships

- Sec. 10381. Establishment.
- Sec. 10382. Purposes.
- Sec. 10383. Activities.
- Sec. 10384. Requirements.
- Sec. 10385. Assistant Director.
- Sec. 10386. Advisory committee.
- Sec. 10387. Challenges and focus areas.
- Sec. 10388. Regional Innovation Engines.
- Sec. 10389. Translation accelerator.
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- Sec. 10391. Planning and capacity building awards.
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- Sec. 10396. Authorities.
- Sec. 10397. Coordination of activities.
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Subtitle H—Administrative Amendments

- Sec. 10399D. Supporting veterans in STEM careers.
- Sec. 10399E. Sunshine Act compliance.
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TITLE IV—BIOECONOMY RESEARCH AND DEVELOPMENT

- Sec. 10401. Definitions.

- Sec. 10402. National engineering biology research and development initiative.
 Sec. 10403. Initiative coordination.
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TITLE V—BROADENING PARTICIPATION IN SCIENCE

Subtitle A—STEM Opportunities

- Sec. 10501. Federal research agency policies for caregivers.
 Sec. 10502. Collection and reporting of data on federal research awards.
 Sec. 10503. Policies for review of Federal research awards.
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 Sec. 10505. Cultural and institutional barriers to expanding the academic and Federal STEM workforce.
 Sec. 10506. Existing activities.
 Sec. 10507. Report to Congress.
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- Subtitle B—Rural STEM Education Research
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 Sec. 10512. National Science Foundation rural STEM activities.
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TITLE VI—MISCELLANEOUS SCIENCE AND TECHNOLOGY PROVISIONS

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 Sec. 10602. Authorization of appropriations.
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 Sec. 10611. National science and technology strategy.
 Sec. 10612. Strategy and report on the Nation's economic security, science, research, and innovation to support the national security strategy.
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Subtitle C—Regional Innovation

- Sec. 10621. Regional innovation capacity.
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Subtitle D—Research Security

- Sec. 10631. Requirements for foreign talent recruitment programs.
 Sec. 10632. Malign foreign talent recruitment program prohibition.
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 Sec. 10634. Research security training requirement for Federal research award personnel.
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Subtitle E—Coastal and Ocean Acidification Research and Innovation

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- Sec. 10651. Interagency working group.

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- Sec. 10661. Quantum networking and communications.

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PART 2—SUPPORTING TECHNOLOGY DEVELOPMENT AT THE NATIONAL LABORATORIES

- Sec. 10716. Lab partnering service pilot program.
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PART 3—DEPARTMENT OF ENERGY MODERNIZATION

- Sec. 10722. Office of Technology Transitions.
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- Sec. 10742. Purposes.
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- Sec. 10751. Low-emissions steel manufacturing research program.

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- Sec. 10801. Short title.
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- Sec. 10821. Science priorities.
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- Sec. 10831. Experimental aircraft projects.
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- Sec. 10841. Space nuclear capabilities.
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Subtitle E—STEM Engagement

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- Sec. 10861. Program, workforce, and industrial base reviews.
 Sec. 10862. Modification of lease of non-excess property.

DIVISION C—SUPPLEMENTAL APPROPRIATIONS TO ADDRESS THREATS TO THE SUPREME COURT OF THE UNITED STATES

SEC. 2. REFERENCES.

Except as expressly provided otherwise, any reference to “this Act” contained in any division of this Act shall be treated as referring only to the provisions of that division.

DIVISION A—CHIPS ACT OF 2022

SEC. 101. SHORT TITLE.

This division may be cited as the “CHIPS Act of 2022”.

SEC. 102. CREATING HELPFUL INCENTIVES TO PRODUCE SEMICONDUCTORS (CHIPS) FOR AMERICA FUND.

(a) CHIPS FOR AMERICA FUND.—

(1) **ESTABLISHMENT.**—There is established in the Treasury of the United States a fund to be known as the “Creating Helpful Incentives to Produce Semiconductors (CHIPS) for America Fund” (referred to in this subsection as the “Fund”) for the Secretary of Commerce to carry out sections 9902, 9904, and 9906 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4652, 4654, and 4656; Public Law 116-283). Amounts in the Fund to carry out sections 9904 and 9906 of Public Law 116-283 shall be transferred to and merged with accounts within the Department of Commerce to be used for such purposes, except that amounts transferred to carry out section 9904 of Public Law 116-283 shall remain available until September 30, 2025.

(2) APPROPRIATION.—

(A) In addition to amounts otherwise available for such purposes, there is appropriated to the Fund established in subsection (a)(1), out of amounts in the Treasury not otherwise appropriated—

(i) for fiscal year 2022, \$24,000,000,000, to remain available until expended, of which \$19,000,000,000 shall be for section 9902 of Public Law 116-283, \$2,000,000,000 shall be for subsection (c) of section 9906 of Public Law 116-283, \$2,500,000,000 shall be for subsection (d) of section 9906 of Public Law 116-283, and \$500,000,000 shall be for subsections (e) and (f) of section 9906 of Public Law 116-283;

(ii) for fiscal year 2023, \$7,000,000,000 to remain available until expended, of which \$5,000,000,000 shall be for section 9902 of Public Law 116-283 and \$2,000,000,000 shall be for subsections (c), (d), (e), and (f) of section 9906 of Public Law 116-283;

(iii) for fiscal year 2024, \$6,300,000,000, to remain available until expended, of which \$5,000,000,000 shall be for section 9902 of Public Law 116-283 and \$1,300,000,000 shall be for subsections (c), (d), (e), and (f) of section 9906 of Public Law 116-283;

(iv) for fiscal year 2025, \$6,100,000,000, to remain available until expended, of which \$5,000,000,000 shall be for section 9902 of Public Law 116-283 and \$1,100,000,000 shall be for subsections (c), (d), (e), and (f) of section 9906 of Public Law 116-283; and

(v) for fiscal year 2026, \$6,600,000,000, to remain available until expended, of which \$5,000,000,000 shall be for section 9902 of Public Law 116-283 and \$1,600,000,000 shall be for subsections (c), (d), (e), and (f) of section 9906 of Public Law 116-283.

(B) DIRECT LOANS AND LOAN GUARANTEES.—The Secretary of Commerce may use—

(i) up to \$6,000,000,000 of the amounts made available for fiscal year 2022 for section 9902 of Public Law 116-283 for the cost of direct loans and loan guarantees, as authorized by section 9902 of Public Law 116-283, provided that—

(I) such costs, including the cost of modifying such loans and loan guarantees shall be as defined in section 502 of the Congressional Budget Act of 1974; and

(II) these funds are available to subsidize gross obligations for the principal amount of direct loans and total loan principal, any part of which is to be guaranteed, not to exceed \$75,000,000,000;

(ii) up to 2 percent of the amounts made available in each fiscal year for salaries and expenses, administration, and oversight purposes to carry out sections 9902 and 9906 of Public Law 116-283, of which \$5,000,000 in each of fiscal years 2022 through 2026 shall be transferred to the Office of Inspector General of the Department of Commerce to oversee expenditures from the Fund; and

(iii) up to \$2,300,000 of the amounts made available in fiscal year 2022 to carry out section 9904 of Public Law 116-283.

(3) ASSISTANCE FOR MATURE TECHNOLOGY NODES.—Of the amount available in fiscal year 2022 to implement section 9902 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4652), \$2,000,000,000 shall be to provide Federal financial assistance to covered entities to incentivize investment in facilities and equipment in the United States for the fabrication, assembly, testing, or packaging of semiconductors at mature technology nodes under subsection (e) of that section, as added by section 103 of this Act.

(4) ALLOCATION AUTHORITY.—

(A) SUBMISSION OF COST ESTIMATES.—The President shall submit to Congress detailed account, program, and project allocations of the full amount made available under subsection (a)(2)—

(i) for fiscal years 2022 and 2023, not later than 60 days after the date of enactment of this Act; and

(ii) for each subsequent fiscal year through 2026, as part of the annual budget submission of the President under section 1105(a) of title 31, United States Code.

(B) ALTERNATE ALLOCATION.—

(i) IN GENERAL.—The Committees on Appropriations of the House of Representatives and the Senate may provide for alternate allocation of amounts made available under subsection (a)(2), including by account, program, and project.

(ii) ALLOCATION BY PRESIDENT.—

(I) NO ALTERNATE ALLOCATIONS.—If Congress has not enacted legislation establishing alternate allocations, including by account, program, and project, by the date on which the Act making full-year appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the applicable fiscal year is enacted into law, only then shall amounts made available under subsection (a)(2) be allocated by the President or apportioned or allotted by account, program, and project pursuant to title 31, United States Code.

(II) INSUFFICIENT ALTERNATE ALLOCATION.—If Congress enacts legislation establishing alternate allocations, including by account, program, and project, for amounts made available under subsection (a)(2) that are less than the full amount appropriated under that subsection, the difference between the amount appropriated and the alternate allocation shall be allocated by the President and apportioned and allotted by account, program, and project pursuant to title 31, United States Code.

(b) CHIPS FOR AMERICA DEFENSE FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the “Creating Helpful Incentives to Produce Semiconductors (CHIPS) for America Defense Fund” (referred to in this subsection as the “Fund”) to provide for those requirements that are necessary to carry out section 9903(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4653(b)). Amounts in the Fund shall be transferred to and merged with accounts within the Department of Defense to be used for such purposes. Amounts in the Fund or transferred to and merged with accounts within the Department of Defense may not be used for construction of facilities.

(2) APPROPRIATION.—In addition to amounts otherwise available for such purposes, there is appropriated to the Fund established in subsection (b)(1), out of amounts in the Treasury not otherwise appropriated—

(A) for fiscal year 2023, \$400,000,000, to remain available until September 30, 2023;

(B) for fiscal year 2024, \$400,000,000, to remain available until September 30, 2024;

(C) for fiscal year 2025, \$400,000,000, to remain available until September 30, 2025;

(D) for fiscal year 2026, \$400,000,000, to remain available until September 30, 2026; and

(E) for fiscal year 2027, \$400,000,000, to remain available until September 30, 2027.

(3) ALLOCATION AUTHORITY.—

(A) SUBMISSION OF COST ESTIMATES.—The President shall submit to Congress detailed account, program element, and project allocations of the full amount made available under subsection (b)(2)—

(i) for fiscal year 2023, not later than 60 days after the date of enactment of this Act; and

(ii) for each subsequent fiscal year through 2027, as part of the annual budget submission of the President under section 1105(a) of title 31, United States Code.

(B) ALTERNATE ALLOCATION.—

(i) IN GENERAL.—The Committees on Appropriations of the House of Representatives and the Senate may provide for alternate allocation of amounts made available under subsection (b)(2), including by account, program element, and project.

(ii) ALLOCATION BY PRESIDENT.—

(I) NO ALTERNATE ALLOCATIONS.—If Congress has not enacted legislation establishing alternate allocations, including by account, program element, and project, by the date on which the Act making full-year appropriations for the Department of Defense for the applicable fiscal year is enacted into law, only then shall amounts made available under subsection (b)(2) be allocated by the President or apportioned or allotted by account, program element, and project pursuant to title 31, United States Code.

(II) INSUFFICIENT ALTERNATE ALLOCATION.—If Congress enacts legislation establishing alternate allocations, including by account, program element, and project, for amounts made available under subsection (b)(2) that are less than the full amount appropriated under that subsection, the difference between the amount appropriated and the alternate allocation shall be allocated by the President and apportioned and allotted by account, program element, and project pursuant to title 31, United States Code.

(c) CHIPS FOR AMERICA INTERNATIONAL TECHNOLOGY SECURITY AND INNOVATION FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the “Creating Helpful Incentives to Produce Semiconductors (CHIPS) for America International Technology Security and Innovation Fund” (referred to in this subsection as the “Fund”) to provide for international information and communications technology security and semiconductor supply chain activities, including to support the development and adoption of secure and trusted telecommunications technologies, secure semiconductors, secure semiconductor supply chains, and other emerging technologies and to carry out sections 9905 and 9202(a)(2) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4655 and 47 U.S.C. 906(a)(2)), as appropriate. Amounts in the Fund shall be transferred by the Secretary of State to accounts within the Department of State, the United States Agency for International Development, the Export-Import Bank, and the United States International Development Finance Corporation, as appropriate, to be used for such purposes and under the terms and conditions of the account to which transferred.

(2) APPROPRIATION.—

(A) In addition to amounts otherwise available for such purposes, there is appropriated to the Fund established in subsection (c)(1),

out of amounts in the Treasury not otherwise appropriated—

- (i) for fiscal year 2023, \$100,000,000, to remain available until September 30, 2027;
- (ii) for fiscal year 2024, \$100,000,000, to remain available until September 30, 2028;
- (iii) for fiscal year 2025, \$100,000,000, to remain available until September 30, 2029;
- (iv) for fiscal year 2026, \$100,000,000, to remain available until September 30, 2030; and
- (v) for fiscal year 2027, \$100,000,000, to remain available until September 30, 2031.

(B) **USE.**—In carrying out this subsection, the Secretary of State may use up to \$5,000,000 of the amounts made available in each fiscal year for the Fund for salaries and expenses, administration, and oversight purposes, of which \$500,000 in each of fiscal years 2023 through 2027 shall be transferred to the Office of Inspector General of the Department of State to oversee expenditures under the Fund.

(3) **ALLOCATION AUTHORITY.**—

(A) **SUBMISSION OF COST ESTIMATES.**—The President shall submit to Congress detailed account, program, project, and activity allocations of the full amount made available under subsection (c)(2)—

(i) for fiscal year 2023, not later than 90 days after the date of enactment of this Act; and

(ii) for each subsequent fiscal year through 2027, as part of the annual budget submission of the President under section 1105(a) of title 31, United States Code.

(B) **ALTERNATE ALLOCATION.**—

(i) **IN GENERAL.**—The Committees on Appropriations of the House of Representatives and the Senate may provide for alternate allocation of amounts made available under subsection (c)(2), including by account, program, project, and activity.

(ii) **ALLOCATION BY PRESIDENT.**—

(I) **NO ALTERNATE ALLOCATIONS.**—If Congress has not enacted legislation establishing alternate allocations, including by account, program, project, and activity, by the date on which the Act making full-year appropriations for the Department of State, Foreign Operations, and Related Programs for the applicable fiscal year is enacted into law, only then shall amounts made available under subsection (c)(2) be allocated by the President or apportioned or allotted by account, program, project, and activity pursuant to title 31, United States Code.

(II) **INSUFFICIENT ALTERNATE ALLOCATION.**—If Congress enacts legislation establishing alternate allocations, including by account, program, project, and activity, for amounts made available under subsection (c)(2) that are less than the full amount appropriated under that subsection, the difference between the amount appropriated and the alternate allocation shall be allocated by the President and apportioned and allotted by account, program, project, and activity pursuant to title 31, United States Code.

(d) **CREATING HELPFUL INCENTIVES TO PRODUCE SEMICONDUCTORS (CHIPS) FOR AMERICA WORKFORCE AND EDUCATION FUND.**—

(1) **ESTABLISHMENT.**—There is established in the Treasury of the United States a fund to be known as the “Creating Helpful Incentives to Produce Semiconductors (CHIPS) for America Workforce and Education Fund” (referred to in this subsection as the “Fund”) for the National Science Foundation for microelectronics workforce development activities to meet the requirements under section 9906 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4656).

(2) **APPROPRIATION.**—In addition to amounts otherwise available for such purposes, there is appropriated to the Fund established in subsection (d)(1), out of amounts in the Treasury not otherwise appropriated—

(A) for fiscal year 2023, \$25,000,000, to remain available until expended;

(B) for fiscal year 2024, \$25,000,000, to remain available until expended;

(C) for fiscal year 2025, \$50,000,000, to remain available until expended;

(D) for fiscal year 2026, \$50,000,000, to remain available until expended; and

(E) for fiscal year 2027, \$50,000,000, to remain available until expended.

(3) **ALLOCATION AUTHORITY.**—

(A) **SUBMISSION OF COST ESTIMATES.**—The President shall submit to Congress detailed account, program, and project allocations of the full amount made available under paragraph (2)—

(i) for fiscal year 2023, not later than 60 days after the date of enactment of this Act; and

(ii) for each subsequent fiscal year through 2027, as part of the annual budget submission of the President under section 1105(a) of title 31, United States Code.

(B) **ALTERNATE ALLOCATION.**—

(i) **IN GENERAL.**—The Committees on Appropriations of the House of Representatives and the Senate may provide for alternate allocation of amounts made available under paragraph (2), including by account, program, and project.

(ii) **ALLOCATION BY PRESIDENT.**—

(I) **NO ALTERNATE ALLOCATIONS.**—If Congress has not enacted legislation establishing alternate allocations, including by account, program, and project, by the date on which the Act making full-year appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the applicable fiscal year is enacted into law, only then shall amounts made available under subsection (d)(2) be allocated by the President or apportioned or allotted by account, program, and project pursuant to title 31, United States Code.

(II) **INSUFFICIENT ALTERNATE ALLOCATION.**—If Congress enacts legislation establishing alternate allocations, including by account, program, and project, for amounts made available under subsection (d)(2) that are less than the full amount appropriated under that subsection, the difference between the amount appropriated and the alternate allocation shall be allocated by the President and apportioned and allotted by account, program, and project pursuant to title 31, United States Code.

(e) **SEQUESTRATION.**—Section 255(g)(1)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 905(g)(1)(A)) is amended by inserting after “Continuing Fund, Southwestern Power Administration (89–5649–0–2–271).” the following:

“Creating Helpful Incentives to Produce Semiconductors (CHIPS) for America Fund.

“Creating Helpful Incentives to Produce Semiconductors (CHIPS) for America Defense Fund.

“Creating Helpful Incentives to Produce Semiconductors (CHIPS) for America International Technology Security and Innovation Fund.

“Creating Helpful Incentives to Produce Semiconductors (CHIPS) for America Workforce and Education Fund”.

(f) **BUDGETARY EFFECTS.**—

(1) **STATUTORY PAYGO SCORECARDS.**—The budgetary effects of this section shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(d)).

(2) **SENATE PAYGO SCORECARDS.**—The budgetary effects of this section shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

(3) **CLASSIFICATION OF BUDGETARY EFFECTS.**—Notwithstanding Rule 3 of the Budg-

et Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this section shall not be estimated—

(A) for purposes of section 251 of such Act;

(B) for purposes of an allocation to the Committee on Appropriations pursuant to section 302(a) of the Congressional Budget Act of 1974; and

(C) for purposes of paragraph (4)(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

(g) **LIMITATION ON USING AMOUNTS FOR STOCK BUYBACKS OR THE PAYMENT OF DIVIDENDS.**—

(1) **IN GENERAL.**—A person receiving amounts appropriated under this section or from a covered fund may not use such amounts, as determined using the criteria for eligible uses of amounts under sections 9902(a)(4) and 9905(a)(4) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4652(a)(4), 15 U.S.C. 4655(a)(4)), the activities under section 9903(b) of such Act (15 U.S.C. 4653(b)), and the functions under 9906(c)(2) of such Act (15 U.S.C. 4656(c)(2)) —

(A) to purchase an equity security that is listed on a national securities exchange of such person or any parent company of such person; or

(B) to pay dividends or make other capital distributions with respect to the common stock (or equivalent interest) of the person.

(2) **COVERED FUND.**—In this subsection, the term “covered fund” means—

(A) the Creating Helpful Incentives to Produce Semiconductors (CHIPS) for America Fund;

(B) the Creating Helpful Incentives to Produce Semiconductors (CHIPS) for America Defense Fund;

(C) the Creating Helpful Incentives to Produce Semiconductors (CHIPS) for America International Technology Security and Innovation Fund; and

(D) the Creating Helpful Incentives to Produce Semiconductors (CHIPS) for America Workforce and Education Fund.

SEC. 103. SEMICONDUCTOR INCENTIVES.

(a) **DEFINITIONS.**—Section 9901 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4651) is amended—

(1) in paragraph (2)—

(A) by striking “a private entity, a consortium of private entities, or a consortium of public and private entities” and inserting “a nonprofit entity, a private entity, a consortium of private entities, or a consortium of nonprofit, public, and private entities”;

(B) by inserting “production,” before “or research and development”; and

(C) by striking “of semiconductors,” and inserting “of semiconductors, materials used to manufacture semiconductors, or semiconductor manufacturing equipment.”;

(2) by redesignating paragraphs (5), (6), (7), (8), and (9) as paragraphs (6), (8), (9), (12), and (13), respectively;

(3) by inserting after paragraph (4), the following:

“(5) The term ‘critical manufacturing industry’—

“(A) means an industry, industry group, or a set of related industries or related industry groups—

“(i) assigned a North American Industry Classification System code beginning with 31, 32, or 33; and

“(ii) for which the applicable industry group or groups in the North American Industry Classification System code cumulatively—

“(I) manufacture primary products and parts, the sum of which account for not less than 5 percent of the manufacturing value added by industry gross domestic product of the United States; and

“(II) employ individuals for primary products and parts manufacturing activities that, combined, account for not less than 5 percent of manufacturing employment in the United States; and

“(B) may include any other manufacturing industry designated by the Secretary based on the relevance of the manufacturing industry to the national and economic security of the United States, including the impacts of job losses.”; and

(4) by inserting after paragraph (6), as so redesignated, the following:

“(7) The term ‘foreign country of concern’ means—

“(A) a country that is a covered nation (as defined in section 4872(d) of title 10 United States Code); and

“(B) any country that the Secretary, in consultation with the Secretary of Defense, the Secretary of State, and the Director of National Intelligence, determines to be engaged in conduct that is detrimental to the national security or foreign policy of the United States.”; and

(5) by inserting after paragraph (9), as so redesignated, the following:

“(10) The term ‘mature technology node’ has the meaning given the term by the Secretary.

“(11) The term ‘nonprofit entity’ means an entity described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code.”.

(b) SEMICONDUCTOR PROGRAM.—Section 9902 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4652) is amended—

(1) in subsection (a)(1)—

(A) by striking “for semiconductor fabrication” and inserting “for the fabrication”;;

(B) by inserting “production,” before “or research and development”; and

(C) by striking the period at the end and inserting “of semiconductors, materials used to manufacture semiconductors, or semiconductor manufacturing equipment.”; and

(2) in subsection (a)(2)—

(A) in subparagraph (B)(i), by striking “; and” at the end;

(B) in subparagraph (B)(ii)—

(i) in subclause (III), by striking “and” at the end;

(ii) in subclause (IV), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

“(V) determined—

“(aa) the type of semiconductor technology, equipment, materials, or research and development the covered entity will produce at the facility described in clause (i); and

“(bb) the customers, or categories of customers, to which the covered entity plans to sell the semiconductor technology, equipment, materials, or research and development described in item (aa); and

“(VI) documented, to the extent practicable, workforce needs and developed a strategy to meet such workforce needs consistent with the commitments described in subclauses (II) and (III).”; and

(C) by inserting after subparagraph (B)(ii) the following—

“(iii) with respect to the project described in clause (i), the covered entity has an executable plan to identify and mitigate relevant semiconductor supply chain security risks, such as risks associated with access, availability, confidentiality, integrity, and a lack of geographic diversification in the covered entity’s supply chain; and

“(iv) with respect to any project for the production, assembly, or packaging of semiconductors, the covered entity has implemented policies and procedures to combat cloning, counterfeiting, and relabeling of semiconductors, as applicable.”;

(D) in subparagraph (C)—

(i) in clause (i)—

(I) in subclause (II), by striking “is in the interest of the United States” and inserting “is in the economic and national security interests of the United States”; and

(II) in subclause (III), by striking “and” at the end;

(ii) in clause (ii)(IV), by striking “and” at the end;

(iii) by redesignating clause (iii) as clause (v); and

(iv) by inserting after clause (ii) the following:

“(iii) the Secretary shall consider the type of semiconductor technology produced by the covered entity and whether that semiconductor technology advances the economic and national security interests of the United States;

“(iv) the Secretary may not approve an application, unless the covered entity provides a plan that does not use Federal financial assistance to assist efforts to physically relocate existing facility infrastructure to another jurisdiction within the United States, unless the project is in the interest of the United States; and”;

(E) by redesignating subparagraph (D) as subparagraph (E); and

(F) by inserting after subparagraph (C) the following:

“(D) PRIORITY.—In awarding Federal financial assistance to covered entities under this subsection, the Secretary shall—

“(i) give priority to ensuring that a covered entity receiving financial assistance will—

“(I) manufacture semiconductors necessary to address gaps and vulnerabilities in the domestic supply chain across a diverse range of technology and process nodes; and

“(II) provide a secure supply of semiconductors necessary for the national security, manufacturing, critical infrastructure, and technology leadership of the United States and other essential elements of the economy of the United States; and

“(ii) ensure that the assistance is awarded to covered entities for both advanced and mature technology nodes to meet the priorities described in clause (i).”;;

(3) in subsection (a)(4)(A), by striking “used for semiconductors” and inserting “used for the purposes”;;

(4) in subsection (a)(5)—

(A) in subparagraph (A), by striking “major”;;

(B) in subparagraph (D), by striking “major”; and

(C) in subparagraph (E)(i), by striking “major”;;

(5) by inserting after subsection (a)(5) the following:

“(6) EXPANSION CLAWBACK.—

“(A) DEFINITION OF LEGACY SEMICONDUCTOR.—

“(i) IN GENERAL.—In this paragraph, the term ‘legacy semiconductor’—

“(I) includes—

“(aa) a semiconductor technology that is of the 28 nanometer generation or older for logic;

“(bb) with respect to memory technology, analog technology, packaging technology, and any other relevant technology, any legacy generation of semiconductor technology relative to the generation described in item (aa), as determined by the Secretary, in consultation with the Secretary of Defense and the Director of National Intelligence; and

“(cc) any additional semiconductor technology identified by the Secretary in a public notice issued under clause (ii); and

“(II) does not include a semiconductor that is critical to national security, as determined by the Secretary, in consultation with the Secretary of Defense and the Director of National Intelligence.

“(ii) UPDATES.—Not later than 2 years after the date of enactment of the CHIPS Act of 2022, and not less frequently than once every 2 years thereafter for the 8-year period after the last award under this section is made, the Secretary, after public notice and an opportunity for comment and if applicable and necessary, shall issue a public notice identifying any additional semiconductor technology included in the meaning of the term ‘legacy semiconductor’ under clause (i).

“(iii) FUNCTIONS OF THE SECRETARY.—The functions of the Secretary under this paragraph shall not be subject to sections 551, 553 through 559, and 701 through 706 of title 5, United States Code.

“(iv) CONSULTATION.—In carrying out clause (ii), the Secretary shall consult with the Director of National Intelligence and the Secretary of Defense.

“(v) CONSIDERATIONS.—In carrying out clause (ii), the Secretary shall consider—

“(I) state-of-the-art semiconductor technologies in the United States and internationally, including in foreign countries of concern; and

“(II) consistency with export controls relating to semiconductors.

“(B) DEFINITION OF SEMICONDUCTOR MANUFACTURING.—In this paragraph, the term ‘semiconductor manufacturing’—

“(i) has the meaning given the term by the Secretary, in consultation with the Secretary of Defense and the Director of National Intelligence; and

“(ii) includes front-end semiconductor fabrication.

“(C) REQUIRED AGREEMENT.—

“(i) IN GENERAL.—On or before the date on which the Secretary awards Federal financial assistance to a covered entity under this section, the covered entity shall enter into an agreement with the Secretary specifying that, during the 10-year period beginning on the date of the award, subject to clause (ii), the covered entity may not engage in any significant transaction, as defined in the agreement, involving the material expansion of semiconductor manufacturing capacity in the People’s Republic of China or any other foreign country of concern.

“(ii) EXCEPTIONS.—The prohibition in the agreement required under clause (i) shall not apply to—

“(I) existing facilities or equipment of a covered entity for manufacturing legacy semiconductors; or

“(II) significant transactions involving the material expansion of semiconductor manufacturing capacity that—

“(aa) produces legacy semiconductors; and

“(bb) predominately serves the market of a foreign country of concern.

“(iii) AFFILIATED GROUP.—For the purpose of applying the requirements in an agreement required under clause (i), a covered entity shall include the covered entity receiving financial assistance under this section, as well as any member of the covered entity’s affiliated group under section 1504(a) of the Internal Revenue Code of 1986, without regard to section 1504(b)(3) of such Code.

“(D) NOTIFICATION REQUIREMENTS.—During the applicable term of the agreement of a covered entity required under subparagraph (C)(i), the covered entity shall notify the Secretary of any planned significant transactions of the covered entity involving the material expansion of semiconductor manufacturing capacity in the People’s Republic

of China or any other foreign country of concern.

“(E) VIOLATION OF AGREEMENT.—

“(i) NOTIFICATION TO COVERED ENTITIES.—Not later than 90 days after the date of receipt of a notification described in subparagraph (D) from a covered entity, the Secretary, in consultation with the Secretary of Defense and the Director of National Intelligence, shall—

“(I) determine whether the significant transaction described in the notification would be a violation of the agreement of the covered entity required under subparagraph (C)(i); and

“(II) notify the covered entity of the Secretary’s decision under subclause (I).

“(ii) OPPORTUNITY TO REMEDY.—Upon a notification under clause (i)(II) that a planned significant transaction of a covered entity is a violation of the agreement of the covered entity required under subparagraph (C)(i), the Secretary shall—

“(I) immediately request from the covered entity tangible proof that the planned significant transaction has ceased or been abandoned; and

“(II) provide the covered entity 45 days to produce and provide to the Secretary the tangible proof described in subclause (I).

“(iii) FAILURE BY THE COVERED ENTITY TO CEASE OR REMEDY THE ACTIVITY.—Subject to clause (iv), if a covered entity fails to remedy a violation as set forth under clause (ii), the Secretary shall recover the full amount of the Federal financial assistance provided to the covered entity under this section.

“(iv) MITIGATION.—If the Secretary, in consultation with the Secretary of Defense and the Director of National Intelligence, determines that a covered entity planning a significant transaction that would violate the agreement required under subparagraph (C)(i) could take measures in connection with the transaction to mitigate any risk to national security, the Secretary—

“(I) may negotiate, enter into, and enforce any agreement or condition for the mitigation; and

“(II) waive the recovery requirement under clause (iii).

“(F) SUBMISSION OF RECORDS.—

“(i) IN GENERAL.—The Secretary may request from a covered entity records and other necessary information to review the compliance of the covered entity with the agreement required under subparagraph (C)(i).

“(ii) ELIGIBILITY.—In order to be eligible for Federal financial assistance under this section, a covered entity shall agree to provide records and other necessary information requested by the Secretary under clause (i).

“(G) CONFIDENTIALITY OF RECORDS.—

“(i) IN GENERAL.—Subject to clause (ii), any information derived from records or necessary information disclosed by a covered entity to the Secretary under this section—

“(I) shall be exempt from disclosure under section 552(b)(3) of title 5, United States Code; and

“(II) shall not be made public.

“(ii) EXCEPTIONS.—Clause (i) shall not prevent the disclosure of any of the following by the Secretary:

“(I) Information relevant to any administrative or judicial action or proceeding.

“(II) Information that a covered entity has consented to be disclosed to third parties.

“(III) Information necessary to fulfill the requirement of the congressional notification under subparagraph (H).

“(H) CONGRESSIONAL NOTIFICATION.—Not later than 60 days after the date on which the Secretary finds a violation by a covered entity of an agreement required under subparagraph (C)(i), and after providing the covered entity with an opportunity to provide

information in response to that finding, the Secretary shall provide to the appropriate Committees of Congress—

“(i) a notification of the violation;

“(ii) a brief description of how the Secretary determined the covered entity to be in violation; and

“(iii) a summary of any actions or planned actions by the Secretary in response to the violation.

“(I) REGULATIONS.—The Secretary may issue regulations implementing this paragraph.”; and

(6) by adding at the end the following:

“(d) SENSE OF CONGRESS.—It is the sense of Congress that, in carrying out subsection (a), the Secretary should allocate funds in a manner that—

“(1) strengthens the security and resilience of the semiconductor supply chain, including by mitigating gaps and vulnerabilities;

“(2) provides a supply of secure semiconductors relevant for national security;

“(3) strengthens the leadership of the United States in semiconductor technology;

“(4) grows the economy of the United States and supports job creation in the United States;

“(5) bolsters the semiconductor and skilled technical workforces in the United States;

“(6) promotes the inclusion of economically disadvantaged individuals and small businesses; and

“(7) improves the resiliency of the semiconductor supply chains of critical manufacturing industries.

“(e) ADDITIONAL ASSISTANCE FOR MATURE TECHNOLOGY NODES.—

“(1) IN GENERAL.—The Secretary shall establish within the program established under subsection (a) an additional program that provides Federal financial assistance to covered entities to incentivize investment in facilities and equipment in the United States for the fabrication, assembly, testing, or packaging of semiconductors at mature technology nodes.

“(2) ELIGIBILITY AND REQUIREMENTS.—In order for an entity to qualify to receive Federal financial assistance under this subsection, the covered entity shall agree to—

“(A) submit an application under subsection (a)(2)(A);

“(B) meet the eligibility requirements under subsection (a)(2)(B);

“(C)(i) provide equipment or materials for the fabrication, assembly, testing, or packaging of semiconductors at mature technology nodes in the United States; or

“(ii) fabricate, assemble using packaging, or test semiconductors at mature technology nodes in the United States;

“(D) commit to using any Federal financial assistance received under this section to increase the production of semiconductors at mature technology nodes; and

“(E) be subject to the considerations described in subsection (a)(2)(C).

“(3) PROCEDURES.—In granting Federal financial assistance to covered entities under this subsection, the Secretary may use the procedures established under subsection (a).

“(4) CONSIDERATIONS.—In addition to the considerations described in subsection (a)(2)(C), in granting Federal financial assistance under this subsection, the Secretary may consider whether a covered entity produces or supplies equipment or materials used in the fabrication, assembly, testing, or packaging of semiconductors at mature technology nodes that are necessary to support a critical manufacturing industry.

“(5) PRIORITY.—In awarding Federal financial assistance to covered entities under this subsection, the Secretary shall give priority to covered entities that support the resiliency of semiconductor supply chains for

critical manufacturing industries in the United States.

“(6) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this subsection \$2,000,000,000, which shall remain available until expended.

“(f) CONSTRUCTION PROJECTS.—Section 602 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3212) shall apply to a construction project that receives financial assistance from the Secretary under this section.

“(g) LOANS AND LOAN GUARANTEES.—

“(1) IN GENERAL.—Subject to the requirements of subsection (a) and this subsection, the Secretary may make or guarantee loans to covered entities as financial assistance under this section.

“(2) CONDITIONS.—The Secretary may select eligible projects to receive loans or loan guarantees under this subsection if the Secretary determines that—

“(A) the covered entity—

“(i) has a reasonable prospect of repaying the principal and interest on the loan; and

“(ii) has met such other criteria as may be established and published by the Secretary; and

“(B) the amount of the loan (when combined with amounts available to the loan recipient from other sources) will be sufficient to carry out the project.

“(3) REASONABLE PROSPECT OF REPAYMENT.—The Secretary shall base a determination of whether there is a reasonable prospect of repayment of the principal and interest on a loan under paragraph (2)(A)(i) on a comprehensive evaluation of whether the covered entity has a reasonable prospect of repaying the principal and interest, including, as applicable, an evaluation of—

“(A) the strength of the contractual terms of the project the covered entity plans to perform (if commercially reasonably available);

“(B) the forecast of noncontractual cash flows supported by market projections from reputable sources, as determined by the Secretary;

“(C) cash sweeps and other structure enhancements;

“(D) the projected financial strength of the covered entity—

“(i) at the time of loan close; and

“(ii) throughout the loan term after the project is completed;

“(E) the financial strength of the investors and strategic partners of the covered entity, if applicable;

“(F) other financial metrics and analyses that the private lending community and nationally recognized credit rating agencies rely on, as determined appropriate by the Secretary; and

“(G) such other criteria the Secretary may determine relevant.

“(4) RATES, TERMS, AND REPAYMENTS OF LOANS.—A loan provided under this subsection—

“(A) shall have an interest rate that does not exceed a level that the Secretary determines appropriate, taking into account, as of the date on which the loan is made, the cost of funds to the Department of the Treasury for obligations of comparable maturity; and

“(B) shall have a term of not more than 25 years.

“(5) ADDITIONAL TERMS.—A loan or guarantee provided under this subsection may include any other terms and conditions that the Secretary determines to be appropriate.

“(6) RESPONSIBLE LENDER.—No loan may be guaranteed under this subsection, unless the Secretary determines that—

“(A) the lender is responsible; and

“(B) adequate provision is made for servicing the loan on reasonable terms and protecting the financial interest of the United States.

“(7) **ADVANCED BUDGET AUTHORITY.**—New loans may not be obligated and new loan guarantees may not be committed to under this subsection, unless appropriations of budget authority to cover the costs of such loans and loan guarantees are made in advance in accordance with section 504(b) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c(b)).

“(8) **CONTINUED OVERSIGHT.**—The loan agreement for a loan guaranteed under this subsection shall provide that no provision of the loan agreement may be amended or waived without the consent of the Secretary.

“(h) **OVERSIGHT.**—Not later than 4 years after disbursement of the first financial award under subsection (a), the Inspector General of the Department of Commerce shall audit the program under this section to assess—

“(1) whether the eligibility requirements for covered entities receiving financial assistance under the program are met;

“(2) whether eligible entities use the financial assistance received under the program in accordance with the requirements of this section;

“(3) whether the covered entities receiving financial assistance under this program have carried out the commitments made to worker and community investment under subsection (a)(2)(B)(ii)(II) by the target date for completion set by the Secretary under subsection (a)(5)(A);

“(4) whether the required agreement entered into by covered entities and the Secretary under subsection (a)(6)(C)(i), including the notification process, has been carried out to provide covered entities sufficient guidance about a violation of the required agreement;

“(5) whether the Secretary has provided timely Congressional notification about violations of the required agreement under subsection (a)(6)(C)(i), including the required information on how the Secretary reached a determination of whether a covered entity was in violation under subsection (a)(6)(E); and

“(6) whether the Secretary has sufficiently reviewed any covered entity engaging in a listed exception under subsection (a)(6)(C)(ii).

“(i) **PROHIBITION ON USE OF FUNDS.**—No funds made available under this section may be used to construct, modify, or improve a facility outside of the United States.”

(c) **ADVANCED MICROELECTRONICS RESEARCH AND DEVELOPMENT.**—Section 9906 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4656) is amended—

(1) in subsection (a)(3)(A)(ii)—

(A) in subclause (II), by inserting “, including for technologies based on organic and inorganic materials” after “components”; and

(B) in subclause (V), by striking “and supply chain integrity” and inserting “supply chain integrity, and workforce development”;

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by inserting “and grow the domestic semiconductor workforce” after “prototyping of advanced semiconductor technology”; and

(ii) by adding at the end the following: “The Secretary may make financial assistance awards, including construction awards, in support of the national semiconductor technology center.”; and

(B) in paragraph (2)—

(i) in subparagraph (B), by inserting “and capitalize” before “an investment fund”; and

(ii) by striking subparagraph (C) and inserting the following:

“(C) To work with the Secretary of Labor, the Director of the National Science Foundation, the Secretary of Energy, the private sector, institutions of higher education, and workforce training entities to incentivize and expand geographically diverse participation in graduate, undergraduate, and community college programs relevant to microelectronics, including through—

“(i) the development and dissemination of curricula and research training experiences; and

“(ii) the development of workforce training programs and apprenticeships in advanced microelectronic design, research, fabrication, and packaging capabilities.”;

(3) in subsection (d)—

(A) by striking “the Manufacturing USA institute” and inserting “a Manufacturing USA institute”; and

(B) by adding at the end the following: “The Director may make financial assistance awards, including construction awards, in support of the National Advanced Packaging Manufacturing Program.”;

(4) in subsection (f)—

(A) in the matter preceding paragraph (1)—

(i) by striking “a Manufacturing USA Institute” and inserting “not more than 3 Manufacturing USA Institutes”; and

(ii) by striking “is focused on semiconductor manufacturing.” and inserting “are focused on semiconductor manufacturing. The Secretary of Commerce may award financial assistance to any Manufacturing USA Institute for work relating to semiconductor manufacturing.”; and

(iii) by striking “Such institute may emphasize” and inserting “Such institutes may emphasize”; and

(5) by adding at the end the following:

“(h) **CONSTRUCTION PROJECTS.**—Section 602 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3212) shall apply to a construction project that receives financial assistance under this section.”

(d) **ADDITIONAL AUTHORITIES.**—Division H of title XCIX of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4651 et seq.) is amended by adding at the end the following:

“**SEC. 9909. ADDITIONAL AUTHORITIES.**

“(a) **IN GENERAL.**—In carrying out the responsibilities of the Department of Commerce under this division, the Secretary may—

“(1) enter into agreements, including contracts, grants and cooperative agreements, and other transactions as may be necessary and on such terms as the Secretary considers appropriate;

“(2) make advance payments under agreements and other transactions authorized under paragraph (1) without regard to section 3324 of title 31, United States Code;

“(3) require a person or other entity to make payments to the Department of Commerce upon application and as a condition for receiving support through an award of assistance or other transaction;

“(4) procure temporary and intermittent services of experts and consultants in accordance with section 3109 of title 5, United States Code;

“(5) notwithstanding section 3104 of title 5, United States Code, or the provisions of any other law relating to the appointment, number, classification, or compensation of employees, make appointments of scientific, engineering, and professional personnel, and fix the basic pay of such personnel at a rate to be determined by the Secretary at rates not in excess of the highest total annual compensation payable at the rate determined under section 104 of title 3, United States

Code, except that the Secretary shall appoint not more than 25 personnel under this paragraph;

“(6) with the consent of another Federal agency, enter into an agreement with that Federal agency to use, with or without reimbursement, any service, equipment, personnel, or facility of that Federal agency; and

“(7) establish such rules, regulations, and procedures as the Secretary considers appropriate.

“(b) **REQUIREMENT.**—Any funds received from a payment made by a person or entity pursuant to subsection (a)(3) shall be credited to and merged with the account from which support to the person or entity was made”.

(e) **CONFORMING AMENDMENT.**—The table of contents for division H of title XCIX of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283) is amended by adding after the item relating to section 9908 the following:

“9909. Additional authorities.”.

SEC. 104. OPPORTUNITY AND INCLUSION.

(a) **ESTABLISHMENT.**—Not later than 180 days after the date of enactment of this Act, the Secretary of Commerce shall establish activities in the Department of Commerce, within the program established under section 9902 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4652), to carry out this section using funds appropriated under this Act.

(b) **IN GENERAL.**—The Secretary of Commerce shall assign personnel to lead and support the activities carried out under this section, including coordination with other workforce development activities of the Department of Commerce or of Federal agencies, as defined in section 551 of title 5, United States Code, as appropriate.

(c) **ACTIVITIES.**—Personnel assigned by the Secretary to carry out the activities under this section shall—

(1) assess the eligibility of a covered entity, as defined in section 9901 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4651), for financial assistance for a project with respect to the requirements under subclauses (II) and (III) of section 9902(a)(2)(B)(ii) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4652(a)(2)(B)(ii)(II) and (III));

(2) ensure that each covered entity, as defined in section 9901 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4651), that is awarded financial assistance under section 9902 of that Act (15 U.S.C. 4652) is carrying out the commitments of the covered entity to economically disadvantaged individuals as described in the application of the covered entity under that section by the target dates for completion established by the Secretary of Commerce under subsection(a)(5)(A) of that section; and

(3) increase participation of and outreach to economically disadvantaged individuals, minority-owned businesses, veteran-owned businesses, and women-owned businesses, as defined by the Secretary of Commerce, respectively, in the geographic area of a project under section 9902 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4652) and serve as a resource for those individuals, businesses, and covered entities.

(d) **STAFF.**—The activities under this section shall be staffed at the appropriate levels to carry out the functions and responsibilities under this section until 95 percent of

the amounts of funds made available for the program established under section 9902 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4652) have been expended.

(e) REPORT.—Beginning on the date that is 1 year after the date on which the Secretary of Commerce establishes the activities described in subsection (c), the Secretary of Commerce shall submit to the appropriate committees of Congress, as defined in section 9901(1) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4651), and make publicly available on the website of the Department of Commerce an annual report regarding the actions taken by the Department of Commerce under this section.

SEC. 105. ADDITIONAL GAO REPORTING REQUIREMENTS.

(a) NDAA.—Section 9902(c) of William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4652(c)) is amended—

(1) in paragraph (1)—
(A) in subparagraph (B)—
(i) in clause (i), by striking “; and” and inserting a semicolon; and

(ii) by adding at the end the following:
“(iii) the Federal Government could take specific actions to address shortages in the semiconductor supply chain, including—

“(I) demand-side incentives, including incentives related to the information and communications technology supply chain; and
“(II) additional incentives, at national and global scales, to accelerate utilization of leading-edge semiconductor nodes to address shortages in mature semiconductor nodes; and”;

(B) in subparagraph (C)—
(i) in clause (iii), by striking “; and” and inserting a semicolon; and
(ii) by inserting after clause (iv) the following:

“(v) how projects are supporting the semiconductor needs of critical infrastructure industries in the United States, including those industries designated by the Cybersecurity and Infrastructure Security Agency as essential infrastructure industries; and”;

and
(2) by inserting after paragraph (1)(C)(iv) the following:

“(D) drawing on data made available by the Department of Labor or other sources, to the extent practicable, an analysis of—

“(i) semiconductor industry data regarding businesses that are—

“(I) majority owned and controlled by minority individuals;

“(II) majority owned and controlled by women; or

“(III) majority owned and controlled by both women and minority individuals;

“(ii) the number and amount of contracts and subcontracts awarded by each covered entity using funds made available under subsection (a) disaggregated by recipients of each such contract or subcontracts that are majority owned and controlled by minority individuals and majority owned and controlled by women; and

“(iii) aggregated workforce data, including data by race or ethnicity, sex, and job categories.”.

(b) DEPARTMENT OF DEFENSE.—Section 9202(a)(1)(G)(ii)(I) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (47 U.S.C. 906(a)(1)(G)(ii)(I)) is amended by inserting “(including whether recipients are majority owned and controlled by minority individuals and majority owned and controlled by women)” after “to whom”.

SEC. 106. APPROPRIATIONS FOR WIRELESS SUPPLY CHAIN INNOVATION.

(a) DIRECT APPROPRIATIONS.—In addition to amounts otherwise available for such purposes, there is appropriated to the Public Wireless Supply Chain Innovation Fund established under section 9202(a)(1) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4652(a)(1)), out of amounts in the Treasury not otherwise appropriated—

(1) \$150,000,000 for fiscal year 2022, to remain available until September 30, 2031; and
(2) \$1,350,000,000 for fiscal year 2023, to remain available until September 30, 2032.

(b) USE OF FUNDS, ADMINISTRATION, AND OVERSIGHT.—Of the amounts made available under subsection (a)—

(1) not more than 5 percent of the amounts allocated pursuant to subsection (c) in a given fiscal year may be used by the Assistant Secretary of Commerce for Communications and Information to administer the programs funded from the Public Wireless Supply Chain Innovation Fund; and

(2) not less than \$2,000,000 per fiscal year shall be transferred to the Office of Inspector General of the Department of Commerce for oversight related to activities conducted using amounts provided under this section.

(c) ALLOCATION AUTHORITY.—

(1) SUBMISSION OF COST ESTIMATES.—The President shall submit to Congress detailed account, program, and project allocations of the amount recommended for allocation in a fiscal year from amounts made available under subsection (a)—

(A) for fiscal years 2022 and 2023, not later than 60 days after the date of enactment of this Act; and

(B) for each subsequent fiscal year through 2032, as part of the annual budget submission of the President under section 1105(a) of title 31, United States Code.

(2) ALTERNATE ALLOCATION.—

(A) IN GENERAL.—The Committees on Appropriations of the House of Representatives and the Senate may provide for alternate allocation of amounts recommended for allocation in a given fiscal year from amounts made available under subsection (a), including by account, program, and project.

(B) ALLOCATION BY PRESIDENT.—

(i) NO ALTERNATE ALLOCATIONS.—If Congress has not enacted legislation establishing alternate allocations, including by account, program, and project, by the date on which the Act making full-year appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the applicable fiscal year is enacted into law, only then shall amounts recommended for allocation for that fiscal year from amounts made available under subsection (a) be allocated by the President or apportioned or allotted by account, program, and project pursuant to title 31, United States Code.

(ii) INSUFFICIENT ALTERNATE ALLOCATION.—If Congress enacts legislation establishing alternate allocations, including by account, program, and project, for amounts recommended for allocation in a given fiscal year from amounts made available under subsection (a) that are less than the full amount recommended for allocation for that fiscal year, the difference between the amount recommended for allocation and the alternate allocation shall be allocated by the President and apportioned and allotted by account, program, and project pursuant to title 31, United States Code.

(d) SEQUESTRATION.—Section 255(g)(1)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 905(g)(1)(A)) is amended by inserting after “Postal Service Fund (18–4020–0–3–372).” the following:

“Public Wireless Supply Chain Innovation Fund.”.

(e) BUDGETARY EFFECTS.—

(1) STATUTORY PAYGO SCORECARDS.—The budgetary effects of this section shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(2) SENATE PAYGO SCORECARDS.—The budgetary effects of this section shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

(3) CLASSIFICATION OF BUDGETARY EFFECTS.—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this section shall not be estimated—

(A) for purposes of section 251 of such Act;

(B) for purposes of an allocation to the Committee on Appropriations pursuant to section 302(a) of the Congressional Budget Act of 1974; and

(C) for purposes of paragraph (4)(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

SEC. 107. ADVANCED MANUFACTURING INVESTMENT CREDIT.

(a) IN GENERAL.—Subpart E of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 48C the following new section:

“SEC. 48D. ADVANCED MANUFACTURING INVESTMENT CREDIT.

“(a) ESTABLISHMENT OF CREDIT.—For purposes of section 46, the advanced manufacturing investment credit for any taxable year is an amount equal to 25 percent of the qualified investment for such taxable year with respect to any advanced manufacturing facility of an eligible taxpayer.

“(b) QUALIFIED INVESTMENT.—

“(1) IN GENERAL.—For purposes of subsection (a), the qualified investment with respect to any advanced manufacturing facility for any taxable year is the basis of any qualified property placed in service by the taxpayer during such taxable year which is part of an advanced manufacturing facility.

“(2) QUALIFIED PROPERTY.—

“(A) IN GENERAL.—For purposes of this subsection, the term ‘qualified property’ means property—

“(i) which is tangible property,

“(ii) with respect to which depreciation (or amortization in lieu of depreciation) is allowable,

“(iii) which is—

“(I) constructed, reconstructed, or erected by the taxpayer, or

“(II) acquired by the taxpayer if the original use of such property commences with the taxpayer, and

“(iv) which is integral to the operation of the advanced manufacturing facility.

“(B) BUILDINGS AND STRUCTURAL COMPONENTS.—

“(i) IN GENERAL.—The term ‘qualified property’ includes any building or its structural components which otherwise satisfy the requirements under subparagraph (A).

“(ii) EXCEPTION.—Clause (i) shall not apply with respect to a building or portion of a building used for offices, administrative services, or other functions unrelated to manufacturing.

“(3) ADVANCED MANUFACTURING FACILITY.—For purposes of this section, the term ‘advanced manufacturing facility’ means a facility for which the primary purpose is the manufacturing of semiconductors or semiconductor manufacturing equipment.

“(4) COORDINATION WITH REHABILITATION CREDIT.—The qualified investment with respect to any advanced manufacturing facility for any taxable year shall not include that portion of the basis of any property which is attributable to qualified rehabilitation expenditures (as defined in section 47(c)(2)).

“(5) CERTAIN PROGRESS EXPENDITURE RULES MADE APPLICABLE.—Rules similar to the rules of subsections (c)(4) and (d) of section 46 (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990) shall apply for purposes of subsection (a).

“(c) ELIGIBLE TAXPAYER.—For purposes of this section, the term ‘eligible taxpayer’ means any taxpayer which—

“(1) is not a foreign entity of concern (as defined in section 9901(6) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021), and

“(2) has not made an applicable transaction (as defined in section 50(a)) during the taxable year.

“(d) ELECTIVE PAYMENT.—

“(1) IN GENERAL.—Except as otherwise provided in paragraph (2)(A), in the case of a taxpayer making an election (at such time and in such manner as the Secretary may provide) under this subsection with respect to the credit determined under subsection (a) with respect to such taxpayer, such taxpayer shall be treated as making a payment against the tax imposed by subtitle A (for the taxable year with respect to which such credit was determined) equal to the amount of such credit.

“(2) SPECIAL RULES.—For purposes of this subsection—

“(A) APPLICATION TO PARTNERSHIPS AND S CORPORATIONS.—

“(i) IN GENERAL.—In the case of the credit determined under subsection (a) with respect to any property held directly by a partnership or S corporation, any election under paragraph (1) shall be made by such partnership or S corporation. If such partnership or S corporation makes an election under such paragraph (in such manner as the Secretary may provide) with respect to such credit—

“(I) the Secretary shall make a payment to such partnership or S corporation equal to the amount of such credit,

“(II) paragraph (3) shall be applied with respect to such credit before determining any partner’s distributive share, or shareholder’s pro rata share, of such credit,

“(III) any amount with respect to which the election in paragraph (1) is made shall be treated as tax exempt income for purposes of sections 705 and 1366, and

“(IV) a partner’s distributive share of such tax exempt income shall be based on such partner’s distributive share of the otherwise applicable credit for each taxable year.

“(ii) COORDINATION WITH APPLICATION AT PARTNER OR SHAREHOLDER LEVEL.—In the case of any property held directly by a partnership or S corporation, no election by any partner or shareholder shall be allowed under paragraph (1) with respect to any credit determined under subsection (a) with respect to such property.

“(B) ELECTIONS.—Any election under paragraph (1) shall be made not later than the due date (including extensions of time) for the return of tax for the taxable year for which the election is made, but in no event earlier than 270 days after the date of the enactment of this section. Any such election, once made, shall be irrevocable. Except as otherwise provided in this subparagraph, any election under paragraph (1) shall apply with respect to any credit for the taxable year for which the election is made.

“(C) TIMING.—The payment described in paragraph (1) shall be treated as made on the

later of the due date (determined without regard to extensions) of the return of tax for the taxable year or the date on which such return is filed.

“(D) TREATMENT OF PAYMENTS TO PARTNERSHIPS AND S CORPORATIONS.—For purposes of section 1324 of title 31, United States Code, the payments under subparagraph (A)(i)(I) shall be treated in the same manner as a refund due from a credit provision referred to in subsection (b)(2) of such section.

“(E) ADDITIONAL INFORMATION.—As a condition of, and prior to, any amount being treated as a payment which is made by the taxpayer under paragraph (1) or any payment being made pursuant to subparagraph (A), the Secretary may require such information or registration as the Secretary deems necessary or appropriate for purposes of preventing duplication, fraud, improper payments, or excessive payments under this section.

“(F) EXCESSIVE PAYMENT.—

“(i) IN GENERAL.—In the case of any amount treated as a payment which is made by the taxpayer under paragraph (1), or any payment made pursuant to subparagraph (A), which the Secretary determines constitutes an excessive payment, the tax imposed on such taxpayer by chapter 1 for the taxable year in which such determination is made shall be increased by an amount equal to the sum of—

“(I) the amount of such excessive payment, plus

“(II) an amount equal to 20 percent of such excessive payment.

“(ii) REASONABLE CAUSE.—Clause (i)(II) shall not apply if the taxpayer demonstrates to the satisfaction of the Secretary that the excessive payment resulted from reasonable cause.

“(iii) EXCESSIVE PAYMENT DEFINED.—For purposes of this subparagraph, the term ‘excessive payment’ means, with respect to property for which an election is made under this subsection for any taxable year, an amount equal to the excess of—

“(I) the amount treated as a payment which is made by the taxpayer under paragraph (1), or the amount of the payment made pursuant to subparagraph (A), with respect to such property for such taxable year, over

“(II) the amount of the credit which, without application of this subsection, would be otherwise allowable (determined without regard to section 38(c)) under subsection (a) with respect to such property for such taxable year.

“(3) DENIAL OF DOUBLE BENEFIT.—In the case of a taxpayer making an election under this subsection with respect to the credit determined under subsection (a), such credit shall be reduced to zero and shall, for any other purposes under this title, be deemed to have been allowed to the taxpayer for such taxable year.

“(4) MIRROR CODE POSSESSIONS.—In the case of any possession of the United States with a mirror code tax system (as defined in section 24(k)), this subsection shall not be treated as part of the income tax laws of the United States for purposes of determining the income tax law of such possession unless such possession elects to have this subsection be so treated.

“(5) BASIS REDUCTION AND RECAPTURE.—Rules similar to the rules of subsections (a) and (c) of section 50 shall apply with respect to—

“(A) any amount treated as a payment which is made by the taxpayer under paragraph (1), and

“(B) any payment made pursuant to paragraph (2)(A).

“(6) REGULATIONS.—The Secretary shall issue such regulations or other guidance as

may be necessary or appropriate to carry out the purposes of this subsection, including—

“(A) regulations or other guidance providing rules for determining a partner’s distributive share of the tax exempt income described in paragraph (2)(A)(i)(III), and

“(B) guidance to ensure that the amount of the payment or deemed payment made under this subsection is commensurate with the amount of the credit that would be otherwise allowable (determined without regard to section 38(c)).

“(e) TERMINATION OF CREDIT.—The credit allowed under this section shall not apply to property the construction of which begins after December 31, 2026.”

(b) RECAPTURE IN CONNECTION WITH CERTAIN EXPANSIONS.—

(1) IN GENERAL.—Section 50(a) of the Internal Revenue Code of 1986 is amended redesignating paragraphs (3) through (5) as paragraphs (4) through (6), respectively, and by inserting after paragraph (2) the following new paragraph:

“(3) CERTAIN EXPANSIONS IN CONNECTION WITH ADVANCED MANUFACTURING FACILITIES.—

“(A) IN GENERAL.—If there is an applicable transaction by an applicable taxpayer before the close of the 10-year period beginning on the date such taxpayer placed in service investment credit property which is eligible for the advanced manufacturing investment credit under section 48D(a), then the tax under this chapter for the taxable year in which such transaction occurs shall be increased by 100 percent of the aggregate decrease in the credits allowed under section 38 for all prior taxable years which would have resulted solely from reducing to zero any credit determined under section 46 which is attributable to the advanced manufacturing investment credit under section 48D(a) with respect to such property.

“(B) EXCEPTION.—Subparagraph (A) shall not apply if the applicable taxpayer demonstrates to the satisfaction of the Secretary that the applicable transaction has been ceased or abandoned within 45 days of a determination and notice by the Secretary.

“(C) REGULATIONS AND GUIDANCE.—The Secretary shall issue such regulations or other guidance as the Secretary determines necessary or appropriate to carry out the purposes of this paragraph, including regulations or other guidance which provide for requirements for recordkeeping or information reporting for purposes of administering the requirements of this paragraph.”

(2) APPLICABLE TRANSACTION; APPLICABLE TAXPAYER.—Section 50(a)(6) of the Internal Revenue Code of 1986, as redesignated by paragraph (1), is amended adding at the end the following new subparagraphs:

“(D) APPLICABLE TRANSACTION.—For purposes of this subsection—

“(i) IN GENERAL.—The term ‘applicable transaction’ means, with respect to any applicable taxpayer, any significant transaction (as determined by the Secretary, in coordination with the Secretary of Commerce and the Secretary of Defense) involving the material expansion of semiconductor manufacturing capacity of such applicable taxpayer in the People’s Republic of China or a foreign country of concern (as defined in section 9901(7) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021).

“(ii) EXCEPTION.—Such term shall not include a transaction which primarily involves the expansion of manufacturing capacity for legacy semiconductors (as defined in section 9902(a)(6) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021).

“(E) APPLICABLE TAXPAYER.—For purposes of this subsection, the term ‘applicable taxpayer’ means any taxpayer who has been allowed a credit under section 48D(a) for any prior taxable year.”.

(3) CONFORMING AMENDMENTS.—

(A) Section 50(a)(4) of the Internal Revenue Code of 1986, as redesignated by paragraph (1), is amended—

(i) by inserting “, or any applicable transaction to which paragraph (3)(A) applies” after “paragraphs (1) and (2)”, and

(ii) by inserting “or applicable transaction” after “such cessation”.

(B) Section 50(a)(6)(C) of such Code, as redesignated by paragraph (1), is amended by striking “paragraph (1) or (2)” and inserting “paragraph (1), (2), or (3)”.

(C) Section 1371(d)(1) of such Code is amended by striking “section 50(a)(4)” and inserting “section 50(a)(5)”.

(c) EXEMPTION OF ELECTIVE PAYMENTS FROM SEQUESTRATION.—Subsection (d) of section 255 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 905) is amended to read as follows:

“(d) REFUNDABLE INCOME TAX CREDITS AND CERTAIN ELECTIVE PAYMENTS.—

“(1) REFUNDABLE INCOME TAX CREDITS.—Payments to individuals made pursuant to provisions of the Internal Revenue Code of 1986 establishing refundable tax credits shall be exempt from reduction under any order issued under this part.

“(2) CERTAIN ELECTIVE PAYMENTS.—Payments made to taxpayers pursuant to elections under subsection (d) of section 48D of the Internal Revenue Code of 1986, or amounts treated as payments which are made by taxpayers under paragraph (1) of such subsection, shall be exempt from reduction under any order issued under this part.”.

(d) CONFORMING AMENDMENTS.—

(1) Paragraph (6) of section 46 of the Internal Revenue Code of 1986 is amended to read as follows:

“(6) the advanced manufacturing investment credit.”.

(2) Section 49(a)(1)(C) of such Code is amended—

(A) by striking “and” at the end of clause (iv),

(B) by striking the period at the end of clause (v) and inserting “, and”, and

(C) by adding at the end the following new clause:

“(vi) the basis of any qualified property (as defined in subsection (b)(2) of section 48D) which is part of an advanced manufacturing facility (as defined in subsection (b)(3) of such section).”.

(3) Section 50(a)(2)(E) of such Code is amended by striking “or 48C(b)(2)” and inserting “48C(b)(2), or 48D(b)(5)”.

(4) The table of sections for subpart E of part IV of subchapter A of chapter 1 of such Code is amended by inserting after the item relating to section 48C the following new item:

“Sec. 48D. Advanced manufacturing investment credit.”.

(e) BUDGETARY EFFECTS.—

(1) STATUTORY PAYGO SCORECARDS.—The budgetary effects of this section shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(d)).

(2) SENATE PAYGO SCORECARDS.—The budgetary effects of this section shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

(3) CLASSIFICATION OF BUDGETARY EFFECTS.—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the

joint explanatory statement of the committee of conference accompanying Conference Report 105–217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this section shall not be estimated—

(A) for purposes of section 251 of such Act;

(B) for purposes of an allocation to the Committee on Appropriations pursuant to section 302(a) of the Congressional Budget Act of 1974; and

(C) for purposes of paragraph (4)(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

(f) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to property placed in service after December 31, 2022, and, for any property the construction of which begins prior to January 1, 2023, only to the extent of the basis thereof attributable to the construction, reconstruction, or erection after the date of enactment of this Act.

(2) EXEMPTION OF ELECTIVE PAYMENTS FROM SEQUESTRATION.—The amendment made by subsection (c) shall apply to any sequestration order issued under the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) on or after December 31, 2022.

DIVISION B—RESEARCH AND INNOVATION
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Sec. 10103. Biological and environmental research.

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Sec. 10110. Isotope research, development, and production.

Sec. 10111. Increased collaboration with teachers and scientists.

Sec. 10112. High intensity laser research initiative; helium conservation program; Office of Science emerging biological threat preparedness research initiative; midscale instrumentation and research equipment program; authorization of appropriations.

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SEC. 10001. SHORT TITLE.

This division may be cited as the “Research and Development, Competition, and Innovation Act”.

SEC. 10002. DEFINITIONS.

In this division:

(1) **ARTIFICIAL INTELLIGENCE.**—The term “artificial intelligence” or “AI” has the meaning given such term in section 5002 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 9401).

(2) **AWARDEE.**—The term “awardee” means the legal entity to which Federal assistance is awarded and that is accountable to the Federal Government for the use of the funds provided.

(3) **AWARD PERSONNEL.**—The term “award personnel” means principal investigators and co-principal investigators, faculty, postdoctoral researchers, and other employees supported by a grant, cooperative agreement, or contract under Federal law.

(4) **BIOMANUFACTURING.**—The term “biomanufacturing” means the utilization of biological systems to develop new and advance existing products, tools, and processes at commercial scale.

(5) **EMERGING RESEARCH INSTITUTION.**—The term “emerging research institution” means an institution of higher education with an established undergraduate or graduate program that has less than \$50,000,000 in Federal research expenditures.

(6) **ENGINEERING BIOLOGY.**—The term “engineering biology” means the application of engineering design principles and practices to biological systems, including molecular and cellular systems, to advance fundamental understanding of complex natural systems and to enable novel or optimize functions and capabilities.

(7) **EPSCoR.**—The term “EPSCoR” has the meaning given the term in section 502 of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 1862p note).

(8) **EPSCoR INSTITUTION.**—The term “EPSCoR institution” means an institution of higher education, nonprofit organization, or other institution located in a jurisdiction eligible to participate in the program under section 113 of the National Science Foundation Authorization Act of 1988 (42 U.S.C. 1862g).

(9) **FEDERAL LABORATORY.**—The term “Federal laboratory” has the meaning given such term in section 4 of the Stevenson-Wydler

Technology Innovation Act of 1980 (15 U.S.C. 3703).

(10) **FEDERAL RESEARCH AGENCY.**—The term “Federal research agency” means any Federal agency with an annual extramural research expenditure of over \$100,000,000 in fiscal year 2022 constant dollars.

(11) **FOUNDATION.**—The term “Foundation” means the National Science Foundation.

(12) **HISTORICALLY BLACK COLLEGE AND UNIVERSITY.**—The term “historically Black college and university” has the meaning given the term “part B institution” in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(13) **INSTITUTION OF HIGHER EDUCATION.**—The term “institution of higher education” has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(14) **INTERAGENCY WORKING GROUP ON INCLUSION IN STEM.**—The term “interagency working group on inclusion in STEM” means the interagency working group established by section 308 of the American Innovation and Competitiveness Act (42 U.S.C. 6626).

(15) **LABOR ORGANIZATION.**—The term “labor organization” has the meaning given the term in section 2(5) of the National Labor Relations Act (29 U.S.C. 152(5)), except that such term shall also include—

(A) any organization composed of labor organizations, such as a labor union federation or a State or municipal labor body; and

(B) any organization which would be included in the definition for such term under such section 2(5) but for the fact that the organization represents—

(i) individuals employed by the United States, any wholly owned Government corporation, any Federal Reserve Bank, or any State or political subdivision thereof;

(ii) individuals employed by persons subject to the Railway Labor Act (45 U.S.C. 151 et seq.); or

(iii) individuals employed as agricultural laborers.

(16) **LOW-INCOME INDIVIDUAL.**—The term “low-income individual” means an individual from a family whose taxable income for the preceding year did not exceed 150 percent of an amount equal to the poverty level determined by using criteria of poverty established by the Bureau of the Census.

(17) **MANUFACTURING EXTENSION CENTER.**—The term “manufacturing extension center” has the meaning given the term “Center” in section 25(a) of the National Institute of Standards and Technology Act (15 U.S.C. 278k(a)).

(18) **MANUFACTURING USA INSTITUTE.**—The term “Manufacturing USA institute” means a Manufacturing USA institute described in section 34(d) of the National Institute of Standards and Technology Act (15 U.S.C. 278s(d)).

(19) **MINORITY-SERVING INSTITUTION.**—The term “minority-serving institution” means a Hispanic-serving institution as defined in section 502(a) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)); an Alaska Native-serving institution or Native Hawaiian-serving institution as defined in section 317(b) of such Act (20 U.S.C. 1059d(b)); or a Predominantly Black institution, Asian American and Native American Pacific Islander-serving institution, or Native American-serving nontribal institution as defined in section 371(c) of such Act (20 U.S.C. 1067q(c)).

(20) **NATIONAL ACADEMIES.**—The term “National Academies” means the National Academies of Sciences, Engineering, and Medicine.

(21) **NON-PROFIT ORGANIZATION.**—The term “non-profit organization” means an organization which is described in section 501(c)(3)

of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such code.

(22) PREK-12.—The term “PreK-12” means pre-kindergarten through grade 12.

(23) QUANTUM INFORMATION SCIENCE.—The term “quantum information science” has the meaning given such term in section 2 of the National Quantum Initiative Act (15 U.S.C. 8801).

(24) RECIPIENT.—The term “recipient” means an entity, usually a non-Federal entity, that receives a Federal award directly from a Federal research agency. The term “recipient” does not include entities that receive subawards or individuals that are the beneficiaries of the award.

(25) RESEARCH AND DEVELOPMENT AWARD.—The term “research and development award” means support provided to an individual or entity by a Federal research agency to carry out research and development activities, which may include support in the form of a grant, contract, cooperative agreement, or other such transaction. The term does not include a grant, contract, agreement or other transaction for the procurement of goods or services to meet the administrative needs of a Federal research agency.

(26) SKILLED TECHNICAL WORK.—The term “skilled technical work” means an occupation that requires a high level of knowledge in a technical domain and does not require a bachelor’s degree for entry.

(27) STEM.—The term “STEM” means science, technology, engineering, and mathematics, including computer science.

(28) STEM EDUCATION.—The term “STEM education” has the meaning given the term in section 2 of the STEM Education Act of 2015 (42 U.S.C. 6621 note).

(29) TECHNICAL STANDARD.—The term “technical standard” has the meaning given such term in section 12(d)(5) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note).

(30) TRIBAL COLLEGE OR UNIVERSITY.—The term “Tribal College or University” has the meaning given such term in section 316 of the Higher Education Act of 1965 (20 U.S.C. 1059c).

SEC. 10003. BUDGETARY EFFECTS.

(a) STATUTORY PAYGO SCORECARDS.—The budgetary effects of this division shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(d)).

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of this division shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

(c) CLASSIFICATION OF BUDGETARY EFFECTS.—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105-217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this division shall not be estimated—

(1) for purposes of section 251 of such Act;

(2) for purposes of an allocation to the Committee on Appropriations pursuant to section 302(a) of the Congressional Budget Act of 1974; and

(3) for purposes of paragraph (4)(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

TITLE I—DEPARTMENT OF ENERGY SCIENCE FOR THE FUTURE

SEC. 10101. MISSION OF THE OFFICE OF SCIENCE.

Section 209 of the Department of Energy Organization Act (42 U.S.C. 7139) is amended by adding at the end the following:

“(d) USER FACILITIES.—The Director shall carry out the construction, operation, and maintenance of user facilities to support the mission described in subsection (c). As practicable, these facilities shall serve the needs of the Department, industry, the academic community, and other relevant entities for the purposes of advancing the missions of the Department, improving the competitiveness of the United States, protecting public health and safety, and addressing other national priorities including emergencies.

“(e) COORDINATION.—

“(1) IN GENERAL.—The Secretary—

“(A) shall ensure the coordination of the Office of Science with the other activities of the Department, including the transfer of knowledge, capabilities, and relevant technologies from basic research programs of the Department to applied research and development programs of the Department for the purpose of enabling development of mission-relevant technologies;

“(B) shall support joint activities among the programs of the Department;

“(C) shall coordinate with other relevant Federal agencies operating under existing authorizations relating to subjects relating to the mission described in subsection (c) in supporting advancements in related research areas as appropriate; and

“(D) may form partnerships to enhance the utilization of and ensure access to user facilities by other Federal agencies.

“(2) OFFICE OF SCIENCE.—The Director—

“(A) shall ensure the coordination of programs and activities carried out by the Office of Science; and

“(B) shall direct all programs which have not recently completed a future planning roadmap consistent with the funding of such programs authorized under the Research and Development, Competition, and Innovation Act to complete such a roadmap.”.

SEC. 10102. BASIC ENERGY SCIENCES PROGRAM.

(a) DEPARTMENT OF ENERGY RESEARCH AND INNOVATION ACT.—Section 303 of the Department of Energy Research and Innovation Act (42 U.S.C. 18641) is amended—

(1) by redesignating subsections (a) through (e) as subsections (c) through (g), respectively;

(2) by inserting before subsection (c), as so redesignated, the following:

“(a) PROGRAM.—As part of the activities authorized under section 209 of the Department of Energy Organization Act (42 U.S.C. 7139), the Director shall carry out a research and development program in basic energy sciences, including materials sciences and engineering, chemical sciences, physical biosciences, geosciences, and other disciplines, to understand, model, and control matter and energy at the electronic, atomic, and molecular levels in order to provide the foundations for new energy technologies, address scientific grand challenges, and support the energy, environment, and national security missions of the Department.

“(b) SUSTAINABLE CHEMISTRY.—In carrying out chemistry-related research and development activities under this section, the Director shall prioritize research and development of sustainable chemistry to support clean, safe, and economic alternatives and methodologies to traditional chemical products and processes.”.

(3) in subsection (d), as so redesignated—

(A) in paragraph (3)—

(i) in subparagraph (C), by striking “and” at the end;

(ii) by redesignating subparagraph (D) as subparagraph (E); and

(iii) by inserting after subparagraph (C) the following:

“(D) autonomous chemistry and materials synthesis and characterization facilities that

leverage advances in artificial intelligence; and”; and

(B) by adding at the end the following:

“(4) ADVANCED PHOTON SOURCE UPGRADE.—

“(A) DEFINITIONS.—In this paragraph:

“(i) FLUX.—The term ‘flux’ means the rate of flow of photons.

“(ii) HARD X-RAY.—The term ‘hard x-ray’ means a photon with energy greater than 20 kiloelectron volts.

“(B) UPGRADE.—The Secretary shall provide for the upgrade to the Advanced Photon Source described in the publication approved by the Basic Energy Sciences Advisory Committee on June 9, 2016, entitled ‘Report on Facility Upgrades’, including the development of a multibend achromat lattice to produce a high flux of coherent x-rays within the hard x-ray energy region and a suite of beamlines optimized for this source.

“(C) START OF OPERATIONS.—The Secretary shall, subject to the availability of appropriations, ensure that the start of full operations of the upgrade under this paragraph occurs before March 31, 2026.

“(D) FUNDING.—Out of funds authorized to be appropriated under subsection (j), there is authorized to be appropriated to the Secretary to carry out the upgrade under this paragraph \$14,200,000 for fiscal year 2023.

“(5) SPALLATION NEUTRON SOURCE PROTON POWER UPGRADE.—

“(A) IN GENERAL.—The Secretary shall provide for the proton power upgrade to the Spallation Neutron Source.

“(B) PROTON POWER UPGRADE DEFINED.—In this paragraph, the term ‘proton power upgrade’ means the Spallation Neutron Source power upgrade described in—

“(i) the publication entitled ‘Facilities for the Future of Science: A Twenty-Year Outlook’, published by the Office of Science of the Department in December, 2003;

“(ii) the publication entitled ‘Four Years Later: An Interim Report on Facilities for the Future of Science: A Twenty-Year Outlook’, published by the Office of Science of the Department in August, 2007; and

“(iii) the publication approved by the Basic Energy Sciences Advisory Committee on June 9, 2016, entitled ‘Report on Facility Upgrades’.

“(C) START OF OPERATIONS.—The Secretary shall, subject to the availability of appropriations, ensure that the start of full operations of the upgrade under this paragraph occurs before July 30, 2028, with the option for early operation in 2025.

“(D) FUNDING.—Out of funds authorized to be appropriated under subsection (j), there is authorized to be appropriated to the Secretary to carry out the upgrade under this paragraph—

“(i) \$17,000,000 for fiscal year 2023;

“(ii) \$14,202,000 for fiscal year 2024; and

“(iii) \$1,567,000 for fiscal year 2025.

“(6) SPALLATION NEUTRON SOURCE SECOND TARGET STATION.—

“(A) IN GENERAL.—The Secretary shall provide for a second target station for the Spallation Neutron Source.

“(B) SECOND TARGET STATION DEFINED.—In this paragraph, the term ‘second target station’ means the Spallation Neutron Source second target station described in—

“(i) the publication entitled ‘Facilities for the Future of Science: A Twenty-Year Outlook’, published by the Office of Science of the Department in December, 2003;

“(ii) the publication entitled ‘Four Years Later: An Interim Report on Facilities for the Future of Science: A Twenty-Year Outlook’, published by the Office of Science of the Department in August, 2007; and

“(iii) the publication approved by the Basic Energy Sciences Advisory Committee on June 9, 2016, entitled ‘Report on Facility Upgrades’.

“(C) START OF OPERATIONS.—The Secretary shall, subject to the availability of appropriations, ensure that the start of full operations of the second target station under this paragraph occurs before December 31, 2033, with the option for early operation in 2029.

“(D) FUNDING.—Out of funds authorized to be appropriated under subsection (j), there are authorized to be appropriated to the Secretary to carry out the activities under this paragraph, including construction—

- “(i) \$127,000,000 for fiscal year 2023;
- “(ii) \$205,000,000 for fiscal year 2024;
- “(iii) \$279,000,000 for fiscal year 2025;
- “(iv) \$300,000,000 for fiscal year 2026; and
- “(v) \$281,000,000 for fiscal year 2027.

“(7) ADVANCED LIGHT SOURCE UPGRADE.—

“(A) DEFINITIONS.—In this paragraph:

“(i) FLUX.—The term ‘flux’ means the rate of flow of photons.

“(ii) SOFT X-RAY.—The term ‘soft x-ray’ means a photon with energy in the range from 50 to 2,000 electron volts.

“(B) UPGRADE.—The Secretary shall provide for the upgrade to the Advanced Light Source described in the publication approved by the Basic Energy Sciences Advisory Committee on June 9, 2016, entitled ‘Report on Facility Upgrades’, including the development of a multibend achromat lattice to produce a high flux of coherent x-rays within the soft x-ray energy region.

“(C) START OF OPERATIONS.—The Secretary shall, subject to the availability of appropriations, ensure that the start of full operations of the upgrade under this paragraph occurs before September 30, 2029.

“(D) FUNDING.—Out of funds authorized to be appropriated under subsection (j), there are authorized to be appropriated to the Secretary to carry out the upgrade under this paragraph—

- “(i) \$135,000,000 for fiscal year 2023;
- “(ii) \$102,500,000 for fiscal year 2024;
- “(iii) \$50,000,000 for fiscal year 2025; and
- “(iv) \$1,400,000 for fiscal year 2026.

“(8) LINAC COHERENT LIGHT SOURCE II HIGH ENERGY UPGRADE.—

“(A) DEFINITIONS.—In this paragraph:

“(i) HIGH ENERGY.—The term ‘high energy’, with respect to an x-ray, means a photon with an energy in the 5 to 13 kiloelectron volt range.

“(ii) HIGH REPETITION RATE.—The term ‘high repetition rate’ means the delivery of x-ray pulses up to 1,000,000 pulses per second.

“(iii) ULTRA-SHORT PULSE.—The term ‘ultra-short pulse’, with respect to an x-ray, means that the x-ray has bursts capable of durations of less than 100 femtoseconds.

“(B) UPGRADE.—The Secretary shall—

“(i) provide for the upgrade to the Linac Coherent Light Source II facility described in the publication approved by the Basic Energy Sciences Advisory Committee on June 9, 2016, entitled ‘Report on Facility Upgrades’, including the development of experimental capabilities for high energy x-rays to reveal fundamental scientific discoveries; and

“(ii) ensure such upgrade enables the production and use of high energy, ultra-short pulse x-rays delivered at a high repetition rate.

“(C) START OF OPERATIONS.—The Secretary shall, subject to the availability of appropriations, ensure that the start of full operations of the upgrade under this paragraph occurs before December 31, 2026.

“(D) FUNDING.—Out of funds authorized to be appropriated under subsection (j), there are authorized to be appropriated to the Secretary to carry out the upgrade under this paragraph—

- “(i) \$100,000,000 for fiscal year 2023;
- “(ii) \$130,000,000 for fiscal year 2024;
- “(iii) \$135,000,000 for fiscal year 2025; and

“(iv) \$99,343,000 for fiscal year 2026.

“(9) CRYOMODULE REPAIR AND MAINTENANCE FACILITY.—

“(A) IN GENERAL.—The Secretary shall provide for the construction of a cryomodule repair and maintenance facility to service the Linac Coherent Light Source II and subsequent upgrades.

“(B) CONSULTATION REQUIRED.—The Secretary shall consult with the private sector, institutions of higher education, National Laboratories, and relevant Federal agencies to ensure that the facility described in subparagraph (A) has the capability to maintain, repair, and test superconducting radio frequency accelerator components.

“(C) FUNDING.—Out of funds authorized to be appropriated under subsection (j), there are authorized to be appropriated to the Secretary to carry out the activities under this paragraph—

- “(i) \$29,300,000 for fiscal year 2023;
- “(ii) \$24,000,000 for fiscal year 2024;
- “(iii) \$20,000,000 for fiscal year 2025; and
- “(iv) \$15,700,000 for fiscal year 2026.

“(10) NANOSCALE SCIENCE RESEARCH CENTER RECAPITALIZATION PROJECT.—

“(A) IN GENERAL.—The Secretary shall provide for the recapitalization of the Nanoscale Science Research Centers, to include the upgrade of equipment at each Center supported by the Office of Science on the date of enactment of the Research and Development, Competition, and Innovation Act, to accelerate advances in the various fields of science including nanoscience, materials, chemistry, biology, and quantum information science.

“(B) FUNDING.—Out of funds authorized to be appropriated under subsection (j), there are authorized to be appropriated to the Secretary to carry out the recapitalization under this paragraph—

- “(i) \$25,000,000 for fiscal year 2023; and
- “(ii) \$25,000,000 for fiscal year 2024.

“(11) NATIONAL SYNCHROTRON LIGHT SOURCE II BEAMLINE BUILDOUT.—

“(A) IN GENERAL.—The Secretary shall provide for the development and construction of experimental stations to provide significant additional beamline and instrument capacity, complement the existing portfolio of beamlines, and complete the buildout of the National Synchrotron Light Source II.

“(B) START OF OPERATIONS.—Subject to the availability of appropriations, the Secretary—

“(i) shall begin carrying out subparagraph (A) not later than September 30, 2036; and

“(ii) may begin carrying out subparagraph (A)—

“(I) in calendar year 2033; or

“(II) after the construction of individual beamlines is complete.”; and

(4) by adding at the end the following:

“(h) COMPUTATIONAL MATERIALS AND CHEMICAL SCIENCES.—

“(1) IN GENERAL.—The Director shall support a program of research and development for the application of advanced computing practices to foundational and emerging research problems in chemistry and materials science. Research activities shall include—

“(A) chemical catalysis research and development;

“(B) the use of large data sets to model materials phenomena, including through advanced characterization of materials, materials synthesis, processing, and innovative use of experimental and theoretical data;

“(C) codesign of chemical system and chemistry modeling software with advanced computing systems and hardware technologies; and

“(D) modeling of chemical processes, assemblies, and reactions such as molecular dynamics and quantum chemistry, including through novel computing methods.

“(2) COMPUTATIONAL MATERIALS AND CHEMICAL SCIENCES CENTERS.—

“(A) IN GENERAL.—In carrying out the activities authorized under paragraph (1), the Director shall select and establish up to 6 computational materials and chemical sciences centers to—

“(i) develop open-source, robust, and validated computational codes and user-friendly software, coupled with innovative use of experimental and theoretical data, to enable the design, discovery, and development of new materials and chemical systems; and

“(ii) focus on overcoming challenges and maximizing the benefits of exascale and other high performance computing underpinned by accelerated node technologies.

“(B) SELECTION.—The Director shall select centers under subparagraph (A) on a competitive, merit-reviewed basis. The Director shall consider applications from the National Laboratories, institutions of higher education, multi-institutional collaborations, and other appropriate entities.

“(C) DURATION.—

“(i) NEW CENTERS.—A center selected under subparagraph (A) shall receive support for a period of not more than 5 years beginning on the date of establishment of that center, subject to the availability of appropriations.

“(ii) EXISTING CENTERS.—A center already in existence on the date of enactment of the Research and Development, Competition, and Innovation Act may continue to receive support for a period of not more than 5 years beginning on the date of establishment of that center.

“(D) RENEWAL.—Upon the expiration of any period of support of a center under this subsection, the Director may renew support for the center, on a merit-reviewed basis, for a period of not more than 5 years.

“(i) MATERIALS RESEARCH DATABASE.—

“(1) IN GENERAL.—The Director shall support the development of a web-based platform to develop and provide access to a database of computed information on known and predicted materials properties and computational tools to accelerate breakthroughs in materials discovery and design.

“(2) PROGRAM.—In carrying out this subsection, the Director shall—

“(A) conduct cooperative research among National Laboratories, industry, academia, and other research institutions to advance understanding, prediction, and manipulation of materials and facilitate the design of novel materials;

“(B) develop and maintain data infrastructure at user facilities that generate data to collect, analyze, label, and otherwise prepare the data for inclusion in the database;

“(C) leverage existing high performance computing systems to conduct high throughput calculations, and develop computational and data mining algorithms for the prediction of material properties;

“(D) strengthen the foundation for new technologies and advanced manufacturing; and

“(E) drive the development of advanced materials for applications that span the Department’s missions in energy, environment, and national security.

“(3) COORDINATION.—In carrying out this subsection, the Director shall leverage programs and activities across the Department, including computational materials and chemical sciences centers established under subsection (h).

“(4) FUNDING.—Out of funds authorized to be appropriated under subsection (j), there is authorized to be appropriated to the Secretary to carry out activities under this subsection \$10,000,000 for each of fiscal years 2023 through 2027.

“(j) AUTHORIZATION OF APPROPRIATIONS.—Out of funds authorized to be appropriated to

the Office of Science in a fiscal year, there are authorized to be appropriated to the Secretary to carry out the activities described in this section—

“(1) \$2,685,414,000 for fiscal year 2023;

“(2) \$2,866,890,840 for fiscal year 2024;

“(3) \$2,987,727,170 for fiscal year 2025;

“(4) \$3,062,732,781 for fiscal year 2026; and

“(5) \$3,080,067,167 for fiscal year 2027.”.

(b) ARTIFICIAL PHOTOSYNTHESIS.—Section 973 of the Energy Policy Act of 2005 (42 U.S.C. 16313) is amended—

(1) in subsection (b), by striking paragraph (4) and inserting the following:

“(4) FUNDS.—Of the funds authorized to be appropriated for basic energy sciences in a fiscal year, there is authorized to be appropriated to the Secretary to carry out activities under this subsection \$50,000,000 for each of fiscal years 2023 through 2027.”; and

(2) in subsection (c), by striking paragraph (4) and inserting the following:

“(4) FUNDS.—Of the funds authorized to be appropriated for basic energy sciences in a fiscal year, there is authorized to be appropriated to the Secretary to carry out activities under this subsection \$50,000,000 for each of fiscal years 2023 through 2027.”.

(c) ELECTRICITY STORAGE RESEARCH INITIATIVE.—Section 975 of the Energy Policy Act of 2005 (42 U.S.C. 16315) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (A)(ii), by striking “and” after the semicolon at the end;

(ii) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(C) to ensure the competitiveness of the United States in energy storage by fostering an ecosystem linking fundamental research and development to deployment of storage solutions while minimizing the environmental impacts of energy storage technologies.”; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “and” after the semicolon at the end;

(ii) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(C) any other relevant office of the Department.”;

(2) in subsection (b), by striking paragraph (4) and inserting the following:

“(4) FUNDING.—Of the funds authorized to be appropriated for basic energy sciences in a fiscal year, there is authorized to be appropriated to the Secretary to carry out activities under this subsection \$50,000,000 for each of fiscal years 2023 through 2027.”;

(3) in subsection (c), by striking paragraph (4) and inserting the following:

“(4) FUNDING.—Of the funds authorized to be appropriated for basic energy sciences in a fiscal year, there is authorized to be appropriated to the Secretary to carry out activities under this subsection \$50,000,000 for each of fiscal years 2023 through 2027.”; and

(4) in subsection (d), by striking paragraph (4) and inserting the following:

“(4) FUNDING.—Of the funds authorized to be appropriated for basic energy sciences in a fiscal year, there is authorized to be appropriated to the Secretary to carry out activities under this subsection \$20,000,000 for each of fiscal years 2023 through 2027.”.

(d) FOUNDATIONAL NUCLEAR SCIENCE.—

(1) IN GENERAL.—The Director of the Office of Science shall support a program of research and development to bridge scientific barriers to, and expand theoretical and fundamental knowledge relevant to, understanding nuclear materials and matter for the benefit of commerce, medicine, and national security.

(2) ACTIVITIES.—As part of the program described in paragraph (1)—

(A) the Director of the Office of Science shall support basic research to pursue distinct lines of scientific inquiry, including—

(i) research in nuclear materials science, including the application of advanced computing practices to foundational and emerging research areas in nuclear materials science and discovery, such as—

(I) the advanced characterization of materials;

(II) materials synthesis;

(III) processing;

(IV) the innovative use of experimental and theoretical data; and

(V) mechanical behavior in unique environments, including the effects of radiation;

(ii) electrochemistry research and associated techniques for processing nuclear materials;

(iii) the development of advanced instrumentation and nuclear data collection to inform the activities described in clauses (i) and (ii); and

(iv) any other area of research, as determined by the Director of the Office of Science; and

(B) the Assistant Secretary for Nuclear Energy shall consult with the Director of the Office of Science to support the direction of translational research, development, and validation of physical concepts developed under the program.

(3) FUNDING.—Of the funds authorized to be appropriated for basic energy sciences in a fiscal year, there is authorized to be appropriated to the Secretary of Energy to carry out activities under this subsection \$50,000,000 for each of fiscal years 2023 through 2027.

(e) CARBON MATERIALS SCIENCE INITIATIVE.—

(1) INITIATIVE.—

(A) IN GENERAL.—The Director of the Office of Science (referred to in this subsection as the “Director”) shall establish a research initiative, to be known as the “Carbon Materials Science Initiative” (referred to in this subsection as the “Initiative”), to expand the fundamental knowledge of coal, coal-wastes, and carbon ore chemistry useful for understanding the conversion of carbon to material products.

(B) COORDINATION.—In carrying out programs and activities under the Initiative, the Director shall leverage expertise and resources from the Office of Fossil Energy and Carbon Management and the United States Geological Survey.

(C) TEAMS.—

(i) IN GENERAL.—In carrying out the Initiative, the Director shall establish and organize activities among multidisciplinary teams to leverage, to the maximum extent practicable, expertise from the National Laboratories, institutions of higher education, and the private sector.

(ii) GOALS.—The multidisciplinary teams described in clause (i) shall pursue expedient, milestone-driven research goals established by the Director.

(2) RESEARCH PROGRAM.—

(A) IN GENERAL.—The Director shall carry out under the Initiative a program to support, and discover fundamental knowledge relevant to, carbon materials and carbon ore processing research.

(B) ACTIVITIES.—As part of the program described in subparagraph (A), the Director shall, in coordination with the Assistant Secretary of Energy for Fossil Energy and Carbon Management, as appropriate, support research to pursue distinct lines of scientific inquiry, including—

(i) methods of extraction, processing, recycling, and utilization of the materials and valuable minerals contained in raw coal and coal-waste;

(ii) methods of improving performance, cost, and availability of materials for use in carbon capture systems; and

(iii) unconventional pathways and materials for conversion of carbon dioxide molecules, minerals, and materials.

(C) REVIEW.—The Director shall periodically review activities carried out under the program described in subparagraph (A) to evaluate the achievement of scientific objectives and research milestones.

(D) COORDINATION WITH EXISTING PROGRAMS AND CENTERS.—In carrying out the program described in subparagraph (A), the Director shall—

(i) ensure coordination and knowledge sharing with—

(I) the United States Geological Survey; and

(II) the programs and the Carbon Utilization Research Center established under section 969A of the Energy Policy Act of 2005 (42 U.S.C. 16298a); and

(ii) avoid duplication of efforts to the maximum extent practicable.

(3) CARBON MATERIALS RESEARCH CENTERS.—

(A) IN GENERAL.—In carrying out the activities authorized under paragraph (2), the Director shall establish 1 center in each of the 2 major coal-producing regions of the United States, each of which shall—

(i) be known as a “Carbon Materials Research Center” (referred to in this paragraph as a “Center”); and

(ii) focus on early stage research and development activities, including—

(I) developing and advancing methods of extracting, processing, or recycling carbon or other valuable materials or minerals from raw coal, coal-waste, or other solid carbon materials, for the development of new carbon-based materials;

(II) methods of improving the structural, physical, and chemical properties of carbon-based materials or other valuable materials from raw coal, coal-waste, or other solid carbon materials and their recyclability;

(III) overcoming the challenges and maximizing the benefits of commercially extracting, producing, or improving coal-derived carbon and resulting products; and

(IV) identifying novel pathways and materials for carbon storage and conversion into useful products.

(B) SELECTION.—The Director shall—

(i) select Centers under subparagraph (A) on a competitive, merit-reviewed basis; and

(ii) consider applications from the National Laboratories, institutions of higher education, multi-institutional collaborations, and other appropriate entities.

(C) DURATION.—A Center shall receive support for a period of not more than 5 years beginning on the date of establishment of that Center, subject to the availability of appropriations.

(D) RENEWAL.—On the expiration of any period of support of a Center, the Director may renew support for that Center, on a merit-reviewed basis, for a period of not more than 5 years.

(E) EXISTING FACILITIES.—The Director shall—

(i) ensure that the research activities carried out by the Centers are not duplicative of existing efforts; and

(ii) if practicable, leverage existing user facilities and other capabilities of the Department of Energy to carry out the research objectives of the Centers.

(f) CARBON SEQUESTRATION RESEARCH AND GEOLOGIC COMPUTATIONAL SCIENCE INITIATIVE.—

(1) INITIATIVE.—

(A) IN GENERAL.—The Secretary of Energy (referred to in this subsection as the “Secretary”) shall establish a research initiative, to be known as the “Carbon Sequestration

Research and Geologic Computational Science Initiative" (referred to in this subsection as the "Initiative"), to expand the fundamental knowledge, data collection, data analysis, and modeling of subsurface geology for the purpose of advancing carbon sequestration in geologic formations.

(B) **LEVERAGING.**—In carrying out programs and activities under the Initiative, the Secretary shall leverage expertise and resources from the Office of Fossil Energy and Carbon Management and the United States Geological Survey.

(C) **TEAMS.**—

(i) **IN GENERAL.**—In carrying out the Initiative, the Secretary shall establish and organize activities among multidisciplinary teams to leverage, to the maximum extent practicable, expertise from the National Laboratories, institutions of higher education, and the private sector.

(ii) **GOALS.**—The multidisciplinary teams described in clause (i) shall pursue aggressive, milestone-driven research goals established by the Secretary.

(D) **ADDITIONAL ACTIVITIES.**—The Secretary may organize additional activities under this subsection through other organizational structures.

(2) **RESEARCH PROGRAM.**—

(A) **IN GENERAL.**—The Secretary shall carry out under the Initiative a program to support research needed for, and discover knowledge relevant to, the sequestration of carbon in geologic formations.

(B) **ACTIVITIES.**—As part of the program described in subparagraph (A), the Director of the Office of Science shall support fundamental research to pursue distinct lines of scientific inquiry, including—

(i) gathering geologic data for pore space characterization, including improvements to geologic seismic imaging;

(ii) evaluating pore space quality, including evaluation of geologic samples, to determine appropriate sequestration zones for carbon;

(iii) testing carbon sequestration;

(iv) monitoring carbon migration in geologic formations;

(v) advancements in data analytics, including the analysis of seismic data, and computational science to improve the advanced computing, visualization, and imaging of geologic formations for the sequestration of carbon; and

(vi) predictive understanding of coupled processes in complex subsurface geologic systems for secure carbon storage.

(C) **REVIEW.**—The Secretary shall periodically review activities carried out under the program described in subparagraph (A) to evaluate achievement of scientific objectives and research milestones.

(3) **CARBON STORAGE RESEARCH AND GEOLOGIC COMPUTATIONAL SCIENCE CENTERS.**—

(A) **IN GENERAL.**—In carrying out the activities authorized under paragraph (2), the Secretary shall select and establish not more than 2 carbon storage research and geologic computational science centers (referred to in this paragraph as a "Center") to develop and advance improvements to data collection, analysis, and modeling of subsurface geology for the purpose of advancing carbon sequestration in geologic formations.

(B) **SELECTION.**—

(i) **IN GENERAL.**—The Secretary shall—

(I) select Centers under subparagraph (A) on a competitive, merit-reviewed basis; and

(II) to the maximum extent practicable, locate each Center in a geographically diverse region with established and ongoing geologic carbon sequestration research and demonstration.

(ii) **APPLICATIONS.**—In selecting Centers under subparagraph (A), the Secretary shall consider applications from institutions of

higher education, multi-institutional collaborations, and other appropriate entities.

(C) **DURATION.**—

(i) **NEW CENTERS.**—A Center established after the date of enactment of this Act shall receive support for a period of not more than 5 years beginning on the date of establishment of that Center, subject to the availability of appropriations.

(ii) **EXISTING CENTERS.**—A Center already in existence on the date of enactment of this Act may continue to receive support for a period of not more than 5 years beginning on that date of enactment.

(iii) **RENEWAL.**—On expiration of a period of support described in clause (i) or (ii), the Secretary may renew support for the Center, on a merit-reviewed basis, for a period of not more than 5 years.

(4) **COORDINATION WITH EXISTING PROGRAMS AND CENTERS.**—In carrying out this subsection, the Secretary shall—

(A) ensure coordination with—

(i) the United States Geological Survey; and

(ii) the programs established under section 963 of the Energy Policy Act of 2005 (42 U.S.C. 16293); and

(B) avoid duplication of efforts to the maximum extent practicable.

(g) **FUNDING FOR CARBON INITIATIVES.**—Of the funds authorized to be appropriated for basic energy sciences in a fiscal year, there is authorized to be appropriated to the Secretary to carry out activities under subsections (e) and (f) \$50,000,000 for each of fiscal years 2023 through 2027.

SEC. 10103. BIOLOGICAL AND ENVIRONMENTAL RESEARCH.

(a) **PROGRAM; BIOLOGICAL SYSTEMS; BIOMOLECULAR CHARACTERIZATION AND IMAGING SCIENCE.**—Section 306 of the Department of Energy Research and Innovation Act (42 U.S.C. 18644) is amended—

(1) in subsection (c), by redesignating paragraphs (6) through (8) as paragraphs (5) through (7), respectively;

(2) by redesignating subsections (b) through (d) as subsections (d) through (f), respectively;

(3) by striking subsection (a) and inserting the following:

“(a) **PROGRAM.**—As part of the duties of the Director authorized under section 209 of the Department of Energy Organization Act (42 U.S.C. 7139), and coordinated with the activities authorized under sections 303 and 304, the Director shall carry out a program of research and development in the areas of biological systems science and climate and environmental science, including subsurface science, relevant to the development of new energy technologies and to support the energy, environmental, and national security missions of the Department.

“(b) **BIOLOGICAL SYSTEMS.**—The Director shall carry out research and development activities in genomic science including fundamental research on plants and microbes to increase systems-level understanding of the complex biological systems, which may include activities—

“(1) to provide a fundamental understanding of the biology of plants, fungi, and microbes as a basis for developing innovative processes for bioenergy and bioproducts and accelerate breakthroughs and new knowledge that would enable the cost-effective, sustainable production of—

“(A) advanced biofuels;

“(B) bioenergy; and

“(C) biobased materials;

“(2) to conduct foundational functional systems biology research—

“(A) to support expanded biosystems design research; and

“(B) to understand—

“(i) fundamental genome structure; and

“(ii) phenomes, including functional genomics of gene products at genome scale;

“(3) to develop biosystems designs and synthetic biology approaches for new nonfood plant-derived and microbially derived bioproducts as a basis for new bioeconomy and biotechnology applications in bioproducts production, resource recovery, recycling, and upcycling ventures;

“(4) to better understand the behavior of microbiomes in the environment and the interdependencies between plants and microbes in a sustainable ecosystem;

“(5) to improve fundamental understanding of plant and microbial processes impacting the global carbon cycle, including processes for removing carbon dioxide from the atmosphere, through photosynthesis and other biological processes, for sequestration, storage, and utilization;

“(6) to understand the microbiome mechanisms and microbiota used to transform, immobilize, or remove contaminants from subsurface environments and that affect the cycling and disposition of carbon, nutrients, and contaminants in the environment;

“(7) to develop the computational approaches and integrated platforms for open access collaborative science;

“(8) to leverage tools and approaches across the Office of Science to expand research to include novel processes, methods, and science to develop bio-based chemicals, polymers, inorganic materials, including research—

“(A) to advance fungal, microbial, and plant biosystems design research to advance the understanding of how CRISPR tools and other gene editing tools and technologies work in nature, in the laboratory, and in practice;

“(B) to deepen genome-enabled knowledge of the roles of microbes and microbial communities, including fungi, in—

“(i) supporting plant and tree growth, productivity, performance, adaptation, and resilience in changing environmental conditions; and

“(ii) optimizing end uses of biomass;

“(C) to develop biosystems design methods and tools to increase the efficiency of photosynthesis in plants; and

“(D) to increase the scale and pace of characterizing the functions and physical characteristics of microbes and microbial communities to improve biosystems design;

“(9) to conduct research focused on developing analysis techniques and simulation capabilities, including artificial intelligence and machine learning, on high-performance computing platforms to accelerate collaborative and reproducible systems biology research;

“(10) to develop and improve new technologies for bioimaging, measurement, and characterization purposes to understand the structural, spatial, and temporal relationships of metabolic processes governing phenotypic expression in plants and microbes;

“(11) to conduct research focused on genotype-to-phenotype translations to develop a predictive understanding of cellular function under a variety of relevant environmental and bioenergy-related conditions;

“(12) to conduct metagenomic and metadata assembly research sequencing and analysis; and

“(13) to develop other relevant methods and processes as determined by the Director.

“(c) **BIOMOLECULAR CHARACTERIZATION AND IMAGING SCIENCE.**—The Director shall carry out research and development activities in biomolecular characterization and imaging science, including development of new and integrative imaging and analysis platforms and biosensors to understand the expression,

structure, and function of genome information encoded within cells and for real-time measurements in ecosystems and field sites of relevance to the mission of the Department.”; and

(4) by adding at the end the following:

“(1) DEFINITIONS.—In this section:

“(1) ADVANCED BIOFUEL.—The term ‘advanced biofuel’ has the meaning given the term in section 9001 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8101).

“(2) BIOENERGY.—The term ‘bioenergy’ means energy derived from biofuels.

“(3) BIOMASS.—The term ‘biomass’ has the meaning given the term in section 203(b) of the Energy Policy Act of 2005 (42 U.S.C. 15852(b)).

“(4) BIOPRODUCT.—The term ‘bioproduct’ has the meaning given the term ‘biobased product’ in section 9001 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8101).”.

(b) LOW-DOSE RADIATION RESEARCH PROGRAM.—Paragraph (8) of subsection (e) of section 306 of the Department of Energy Research and Innovation Act (42 U.S.C. 18644), as redesignated by subsection (a)(2), is amended—

(1) in subparagraph (C), by striking “and”;

(2) in subparagraph (D), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(E) \$40,000,000 for fiscal year 2025;

“(F) \$50,000,000 for fiscal year 2026; and

“(G) \$50,000,000 for fiscal year 2027.”.

(c) LOW-DOSE RADIATION AND SPACE RADIATION RESEARCH PROGRAM.—Subsection (f) of section 306 of the Department of Energy Research and Innovation Act (42 U.S.C. 18644), as redesignated by subsection (a)(2), is amended to read as follows:

“(f) LOW-DOSE RADIATION AND SPACE RADIATION RESEARCH PROGRAM.—

“(1) IN GENERAL.—The Secretary, in consultation with the Administrator of the National Aeronautics and Space Administration, shall carry out a basic research program on the similarities and differences between the effects of exposure to low-dose radiation on Earth, in low Earth orbit, and in the space environment.

“(2) PURPOSE.—The purpose of the program described in paragraph (1) is to accelerate breakthroughs in low-dose and low dose-rate radiation research and development as described in subsection (e) and to inform the advancement of new tools, technologies, and advanced materials needed to facilitate long-duration space exploration.”.

(d) CLIMATE, ENVIRONMENTAL SCIENCE, AND OTHER ACTIVITIES.—Section 306 of the Department of Energy Research and Innovation Act (42 U.S.C. 18644) (as amended by subsection (a)) is amended by inserting after subsection (f) the following:

“(g) EARTH AND ENVIRONMENTAL SYSTEMS SCIENCES ACTIVITIES.—

“(1) IN GENERAL.—As part of the activities authorized under subsection (a), and in coordination with activities carried out under subsection (b), the Director shall coordinate with the National Oceanic and Atmospheric Administration, the National Science Foundation, the Environmental Protection Agency, the National Aeronautics and Space Administration, the Department of Agriculture, the Department of the Interior, and any other relevant agencies to carry out activities relating to Earth and environmental systems science research, which may include activities—

“(A) to understand, observe, measure, and model the response of Earth’s atmosphere and biosphere to changing concentrations of greenhouse gas emissions and any associated changes in climate, including frequency and intensity of extreme weather events;

“(B) to understand the coupled physical, chemical, and biological processes to transform, immobilize, remove, or move carbon, nitrogen, and other energy production-derived contaminants such as radionuclides and heavy metals, and understand the process of sequestration and transformation of these, carbon dioxide, and other relevant molecules in subsurface environments;

“(C) to understand, observe, and model the cycling of water, carbon, and nutrients in terrestrial systems across spatiotemporal scales;

“(D) to understand the biological, biogeochemical, and physical processes across the multiple scales that control the flux of environmentally relevant compounds between the terrestrial surface and the atmosphere; and

“(E) to understand and predict interactions among natural and human systems to inform potential mitigation and adaptation options for increased concentrations of greenhouse gas emissions and any associated changes in climate.

“(2) PRIORITIZATION.—In carrying out the program authorized under paragraph (1), the Director shall prioritize—

“(A) the development of software and algorithms to enable the productive application of environmental systems and extreme weather in climate and Earth system prediction models in high-performance computing systems; and

“(B) capabilities that support the Department’s mission needs for energy and infrastructure security, resilience, and reliability.

“(3) ENVIRONMENTAL SYSTEMS SCIENCE RESEARCH.—

“(A) IN GENERAL.—As part of the activities described in paragraph (1), the Director shall carry out research to advance an integrated, robust, and scale-aware predictive understanding of environmental systems, including the role of hydrobiogeochemistry, from the subsurface to the top of the vegetative canopy that considers effects of seasonal to interannual variability and change.

“(B) CLEAN WATER AND WATERSHED RESEARCH.—As part of the activities described in subparagraph (A), the Director shall—

“(i) support interdisciplinary research to significantly advance our understanding of water availability, quality, and the impact of human activity and a changing climate on urban and rural watershed systems, including in freshwater environments;

“(ii) consult with the Interagency Research, Development, and Demonstration Coordination Committee on the Nexus of Energy and Water for Sustainability established under section 1010 of the Energy Act of 2020 (Public Law 116-260) on energy-water nexus research activities;

“(iii) engage with representatives of research and academic institutions, nonprofit organizations, State, territorial, local, and Tribal governments, and industry, who have expertise in technologies, technological innovations, or practices relating to the energy-water nexus, as applicable; and

“(iv) coordinate with the National Oceanic and Atmospheric Administration, the National Science Foundation, the Environmental Protection Agency, the National Aeronautics and Space Administration, the Department of Agriculture, the Department of the Interior, and any other relevant agency.

“(C) COORDINATION.—

“(i) DIRECTOR.—The Director shall carry out activities under this paragraph in accordance with priorities established by the Secretary to support and accelerate the decontamination of relevant facilities managed by the Department.

“(ii) SECRETARY.—The Secretary shall ensure the coordination of activities of the De-

partment, including activities under this paragraph, to support and accelerate the decontamination of relevant facilities managed by the Department.

“(4) CLIMATE AND EARTH MODELING.—As part of the activities described in paragraph (1), the Director, in collaboration with the Advanced Scientific Computing Research program described in section 304 and other programs carried out by the Department, as applicable, and in coordination with the National Oceanic and Atmospheric Administration, the National Science Foundation, the National Aeronautics and Space Administration, and other relevant agencies, shall carry out research to develop, evaluate, and use high-resolution regional climate, global climate, Earth system, and other relevant models to inform decisions on reducing greenhouse gas emissions and the resulting impacts of a changing global climate. Such modeling shall include—

“(A) integrated capabilities for modeling multisectoral interactions, including the impacts of climate policies on human systems and the interdependencies and risks at the energy-water-land nexus;

“(B) greenhouse gas emissions, air quality, energy supply and demand, and other critical elements; and

“(C) interaction among human and Earth systems informed by interdisciplinary research, including the economic and social sciences.

“(5) MIDSACLE FUNDING MECHANISM.—

“(A) IN GENERAL.—Any of the activities authorized in this subsection may be carried out, in lieu of individual research grants—

“(i) by competitively selected midscale, multi-institutional research centers;

“(ii) by large-scale experiments or user facilities; or

“(iii) through existing facilities and systems of the Department or the National Oceanic and Atmospheric Administration.

“(B) CONSIDERATION.—The Biological and Environmental Research Advisory Committee shall provide recommendations to the Director on projects most suitable for the research centers described in subparagraph (A).

“(6) ATMOSPHERIC SYSTEMS AND SCIENCES RESEARCH PROGRAM.—

“(A) IN GENERAL.—As part of the activities carried out under paragraph (1), the Director shall carry out a program, to be known as the ‘Atmospheric Systems and Sciences Research Program’, to use observations to improve understanding of atmospheric processes, under which the Director, in coordination, and as appropriate, collaboration, with the National Oceanic and Atmospheric Administration and other relevant Federal agencies conducting research under the topics described in this subparagraph, shall conduct research relating to—

“(i) better understanding the atmosphere and the interaction of the atmosphere with the surface of the Earth;

“(ii) understanding sources of uncertainty in Earth system models, including with respect to the interdependence of clouds, atmospheric aerosols, radiation processes, and precipitation;

“(iii) understanding the radiative balance and hydrological cycle of Earth;

“(iv) demonstrating the improved predictability of regional and global atmospheric models due to improved process-level understanding;

“(v) atmospheric regimes with large uncertainties in earth system prediction, aerosol processes, warm boundary-layer processes, convective processes, and high-latitude processes;

“(vi) reduced uncertainty and improved simulation capability of earth system models of the atmospheric system in a holistic, comprehensive fashion; and

“(vii) understanding and modeling representation of priority research areas, including aerosol, warm boundary layer, convective, and high-latitude processes.

“(B) ACTIVITIES.—In carrying out the Atmospheric Systems and Sciences Research Program, the Director shall, in coordination, and as appropriate, in collaboration, with other relevant Federal agencies—

“(i) collect data and conduct research to advance atmospheric and Earth system modeling capabilities;

“(ii) develop or participate in existing or future integrated, scalable test-beds that—

“(I) incorporate process-level understanding of the life cycles of aerosols, clouds, and precipitation; and

“(II) can be incorporated into other models;

“(iii) improve data, analysis, and prediction systems in marine, littoral, terrestrial, and arctic environments, including those environments sensitive to changes in the climate, relating to the energy and science mission of the Department; and

“(iv) support the development of technologies relating to—

“(I) more accurate cloud, aerosol, and other atmospheric sensors;

“(II) observing sensor networks; and

“(III) computational predictive modeling.

“(C) USE OF ATMOSPHERIC RADIATION MEASUREMENT PROGRAM FACILITIES AND INFRASTRUCTURE.—To support the Atmospheric Systems and Sciences Research Program and, in coordination, and as appropriate, in collaboration, with the National Oceanic and Atmospheric Administration and other relevant Federal agencies, to improve fundamental understanding of the physical and chemical processes that impact the formation, life cycle, and radiative impacts of cloud and aerosol particles, atmospheric processes, and surface or subsurface phenomena, the Director shall use the facilities and infrastructure of the Atmospheric Radiation Measurement User Facility, the Global Monitoring Laboratory of the National Oceanic and Atmospheric Administration, or other Earth and Environmental Systems Sciences User Facilities—

“(i) to provide support to environmental scientists by collecting high-quality and well-characterized in-situ, remote-sensing, and aircraft observations of—

“(I) the microphysical properties of clouds and atmospheric aerosols;

“(II) the coincident and highly detailed dynamical and thermodynamic properties of the atmospheric environment that contains those clouds and aerosols;

“(III) the properties of precipitation;

“(IV) the properties of radiation and the background environment; and

“(V) the properties of surface or subsurface phenomena;

“(ii) to carry out laboratory studies and ground-based and airborne field campaigns to target specific atmospheric and surface or subsurface processes relating to the energy and science mission of the Department in different locations and across a range of environments, including by developing technologies to assist in advancing predictive capabilities;

“(iii) to build data sets that can be incorporated into atmospheric models; and

“(iv) to enhance observations by using modeling and simulations that test the accuracy of climate model parameterizations.

“(h) BIOLOGICAL AND ENVIRONMENTAL RESEARCH USER FACILITIES.—

“(1) IN GENERAL.—The Director shall carry out a program for the development, construction, operation, and maintenance of user facilities to enhance the collection and analysis of observational data related to

complex biological, climate, and environmental systems.

“(2) SELECTION.—

“(A) IN GENERAL.—The Director shall select user facilities under paragraph (1) on a competitive, merit-reviewed basis.

“(B) APPLICANTS.—In selecting user facilities under paragraph (1), the Director shall consider applications from the National Laboratories, institutions of higher education, multi-institutional collaborations, and other appropriate entities.

“(3) FACILITY REQUIREMENTS.—To the maximum extent practicable, the user facilities developed, constructed, operated, or maintained under paragraph (1) shall include—

“(A) distributed field research and observation platforms for understanding earth system processes;

“(B) analytical techniques, instruments, and modeling resources, including high-throughput molecular phenotyping, for understanding and predicting the functional processes of biological and environmental systems;

“(C) integrated high-throughput sequencing, advanced bioanalytic techniques, DNA design and synthesis, metabolomics, and computational analysis; and

“(D) such other facilities as the Director considers appropriate, consistent with section 209 of the Department of Energy Organization Act (42 U.S.C. 7139).

“(4) EXISTING FACILITIES.—In carrying out the program established under paragraph (1), the Director is encouraged to evaluate the capabilities of existing user facilities and, to the maximum extent practicable, invest in modernization of those capabilities to address emerging research priorities.

“(5) EARTH AND ENVIRONMENTAL SYSTEMS SCIENCES USER FACILITIES.—In carrying out the program established under paragraph (1), the Director shall operate at least 1 user facility to advance the collection, validation, and analysis of atmospheric data, including through activities—

“(A) to advance knowledge of the Earth and environmental systems and improve model representations; and

“(B) to measure the impact of atmospheric gases, aerosols, and clouds on the Earth and environmental systems.

“(6) MICROBIAL MOLECULAR PHENOTYPING CAPABILITY PROJECT.—

“(A) IN GENERAL.—The Secretary shall provide for the expansion of the Environmental Molecular Sciences Laboratory, or subsequent facility successor, to advance high-throughput microbial plant and molecular phenotyping capability to accelerate discovery of new protein functions and metabolic pathways in microbial systems.

“(B) CAPABILITIES.—In carrying out subparagraph (A), the Secretary shall ensure the following capabilities:

“(i) Coupled high-throughput autonomous experimental and multimodal analytical capabilities.

“(ii) Direct integration of automated multiomics analyses, biomolecular and cellular imaging, and functional biological assays with high-throughput microbial culturing and cultivation capabilities at timescales relevant to biological processes under natural and perturbed environmental conditions.

“(C) DATA COORDINATION.—In carrying out subparagraph (A), the Secretary shall ensure integration and coordination with existing data platforms and user facilities of the Department.

“(D) START OF OPERATIONS.—Subject to the availability of appropriations, the Secretary shall begin carrying out subparagraph (A) not later than September 29, 2027.

“(E) FUNDING.—Of the funds authorized to be appropriated under subsection (k) for a

fiscal year, there are authorized to be appropriated to the Secretary to carry out this paragraph—

“(i) \$550,000 for fiscal year 2023;

“(ii) \$29,000,000 for fiscal year 2024;

“(iii) \$32,000,000 for fiscal year 2025;

“(iv) \$30,500,000 for fiscal year 2026; and

“(v) \$27,500,000 for fiscal year 2027.

“(7) USER FACILITIES INTEGRATION AND COLLABORATION PROGRAM.—

“(A) IN GENERAL.—The Director shall support a program of collaboration between user facilities to encourage and enable researchers to more readily integrate the tools, expertise, resources, and capabilities of multiple Office of Science user facilities (as described in subsection (d) of section 209 of the Department of Energy Organization Act (42 U.S.C. 7139)) to further research and advance emerging technologies.

“(B) ACTIVITIES.—The program shall advance the integration of automation, robotics, computational biology, bioinformatics, biosensing, cellular platforms and other relevant emerging technologies as determined by the Director to enhance productivity and scientific impact of user facilities.

“(8) COORDINATION.—In carrying out the program authorized under paragraph (1), the Director shall ensure that the Office of Science coordinates with—

“(A) the National Oceanic Atmospheric Administration, the Environmental Protection Agency, the National Aeronautics and Space Administration, the Department of Agriculture, the Department of the Interior, and any other relevant Federal agency on the collection, validation, and analysis of atmospheric data; and

“(B) relevant stakeholders, including institutions of higher education, nonprofit research institutions, industry, State, territorial, local, and Tribal governments, and other appropriate entities to ensure access to the best available relevant atmospheric and historical weather data.

“(i) TERRESTRIAL-AQUATIC INTERFACE RESEARCH INITIATIVE.—

“(1) IN GENERAL.—The Director shall carry out a research program to enhance the understanding of terrestrial-aquatic interface. In carrying out the program, the Director shall prioritize efforts to enhance the collection of observational data, and shall develop models to analyze the natural and human processes that interact in littoral zones.

“(2) LITTORAL DATA COLLECTION SYSTEM.—The Director shall establish an integrated system of geographically diverse field research sites in order to improve the scientific understanding and predictability of the major land water interfaces of the United States through improved data quantity and quality, including in—

“(A) the Great Lakes region;

“(B) the Pacific coast;

“(C) the Atlantic coast;

“(D) the Arctic;

“(E) the Gulf coast; and

“(F) the coasts of United States territories and freely associated States.

“(3) EXISTING INFRASTRUCTURE.—In carrying out the programs and establishing the field research sites under paragraphs (1) and (2), the Secretary shall leverage existing research and development infrastructure supported by the Department, including the Department's existing marine and coastal research lab.

“(4) COORDINATION.—For the purposes of carrying out the programs and establishing the field research sites under paragraphs (1) and (2), the Secretary may enter into agreements with Federal departments and agencies with complementary capabilities, including the National Oceanic and Atmospheric Administration and any other relevant Federal agency as appropriate.

“(5) REPORT.—Not earlier than 2 years after the date of enactment of the Research and Development, Competition, and Innovation Act, the Director shall provide to the Committee on Science, Space, and Technology, the Committee on Natural Resources, and the Committee on Appropriations of the House of Representatives, and the Committee on Energy and Natural Resources and the Committee on Appropriations of the Senate, a report examining whether the system described in paragraph (2) should be established as a National User Facility within the Department or as a research facility within another Federal agency.

“(6) INTEROPERABILITY.—

“(A) IN GENERAL.—The Director shall ensure that activities carried out under paragraphs (1) and (2), including observation, data collection, monitoring, and model development and enhancements, are interoperable and may be integrated with existing related systems at the National Oceanic and Atmospheric Administration and other relevant Federal agencies, as practicable.

“(B) RESOURCES.—In carrying out subparagraph (A), in support of interoperability, as practicable, the Director may make available to other Federal agencies high performance computing resources.

“(C) NOAA.—The National Oceanic and Atmospheric Administration shall integrate the data collected under the programs carried out under paragraphs (1) and (2) into relevant data systems and models, as practicable.

“(j) ENGINEERED ECOSYSTEMS INITIATIVE.—

“(1) IN GENERAL.—The Secretary shall establish within the Biological and Environmental Research program an initiative focused on the development of engineered ecosystems through the application of artificial intelligence, novel sensing capabilities, and other emerging technologies.

“(2) INTERAGENCY COORDINATION.—The Secretary shall coordinate with the Director of the National Science Foundation, the Administrator of the National Oceanic and Atmospheric Administration, the Director of the U.S. Geological Survey, the Secretary of Agriculture, and other relevant officials to avoid duplication of research and observational activities and to ensure that activities carried out under the initiative established under paragraph (1) are complimentary to activities being undertaken by other agencies.

“(3) REPORT.—Not later than 180 days after the date of enactment of the Research and Development, Competition, and Innovation Act, the Secretary shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the activity authorized under this subsection.

“(k) AUTHORIZATION OF APPROPRIATIONS.—Out of funds authorized to be appropriated for the Office of Science in a fiscal year, there are authorized to be appropriated to the Secretary to carry out the activities described in this section—

- “(1) \$885,420,000 for fiscal year 2023;
- “(2) \$946,745,200 for fiscal year 2024;
- “(3) \$1,001,149,912 for fiscal year 2025;
- “(4) \$1,068,818,907 for fiscal year 2026; and
- “(5) \$1,129,948,041 for fiscal year 2027.”.

(e) BIOENERGY RESEARCH CENTERS.—Section 977 of the Energy Policy Act of 2005 (42 U.S.C. 16317) is amended by striking subsection (f) and inserting the following:

“(f) BIOENERGY RESEARCH CENTERS.—

“(1) IN GENERAL.—In carrying out the program under section 306(a) of the Department of Energy Research and Innovation Act (42 U.S.C. 18644(a)), the Director shall support up to 6 bioenergy research centers to conduct

fundamental research in plant and microbial systems biology, biological imaging and analysis, and genomics, and to accelerate advanced research and development of advanced biofuels, bioenergy or biobased materials, chemicals, and products that are produced from a variety of regionally diverse feedstocks, and to facilitate the translation of research results to industry. The activities of the centers authorized under this subsection may include—

“(A) accelerating the domestication of bioenergy-relevant plants, microbes, and associated microbial communities to enable high-impact, value-added coproduct development at multiple points in the bioenergy supply chain;

“(B) developing the science and technological advances to ensure process sustainability is considered in the creation of advanced biofuels and bioproducts from lignocellulosic biomass; and

“(C) using the latest tools in genomics, molecular biology, catalysis science, chemical engineering, systems biology, and computational and robotics technologies to sustainably produce and transform biomass into advanced biofuels and bioproducts.

“(2) SELECTION AND DURATION.—

“(A) IN GENERAL.—A center established under paragraph (1) shall be selected on a competitive, merit-reviewed basis for a period of not more than 5 years, subject to the availability of appropriations, beginning on the date of establishment of that center.

“(B) APPLICATIONS.—The Director shall consider applications from National Laboratories, multi-institutional collaborations, and other appropriate entities.

“(C) EXISTING CENTERS.—A center already in existence on the date of enactment of the Research and Development, Competition, and Innovation Act may continue to receive support for a period of not more than 5 years beginning on the date of establishment of that center.

“(D) NEW CENTERS.—The Director shall select any new center pursuant to paragraph (1) on a competitive, merit-reviewed basis, with special consideration for applications from an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) that is located in an eligible jurisdiction (as defined in section 2203(b)(3)(A) of the Energy Policy Act of 1992 (42 U.S.C. 13503(b)(3)(A))).

“(3) RENEWAL.—After the end of the applicable period described in paragraph (2), the Director may renew support for a center for a period of not more than 5 years on a merit-reviewed basis. For a center in operation for 10 years after its previous selection on a competitive, merit-reviewed basis, the Director may renew support for the center on a competitive, merit-reviewed basis for a period of not more than 5 years, and may subsequently provide an additional renewal on a merit-reviewed basis for a period of not more than 5 years.

“(4) ACTIVITIES.—Centers shall undertake research activities to accelerate the production of advanced biofuels and bioproducts from biomass resources by identifying the most suitable species of plants for use as energy crops; and improving methods of breeding, propagation, planting, producing, harvesting, storage and processing. Activities may include the following:

“(A) Research activities to increase sustainability, including—

“(i) advancing knowledge of how bioenergy crop interactions with biotic and abiotic environmental factors influence crop growth, yield, and quality;

“(ii) identifying the most impactful research areas that address the economics of advanced biofuels and bioproducts production; and

“(iii) utilizing multiscale modeling to advance predictive understanding of advanced biofuel cropping ecosystems.

“(B) Research activities to further feedstock development, including lignocellulosic, algal, gaseous wastes including carbon oxides and methane, and direct air capture of single carbon gases via plants and microbes, including—

“(i) developing genetic and genomic tools, high-throughput analytical tools, and biosystems design approaches to enhance bioenergy feedstocks and their associated microbiomes;

“(ii) conducting field testing of new potential bioenergy feedstock crops under environmentally benign and geographically diverse conditions to assess viability and robustness; and

“(iii) developing quantitative models informed by experimentation to predict how bioenergy feedstocks perform under diverse conditions.

“(C) Research activities to improve lignocellulosic deconstruction and separation methods, including—

“(i) developing feedstock-agnostic deconstruction processes capable of efficiently fractionating biomass into targeted output streams;

“(ii) gaining a detailed understanding of plant cell wall biosynthesis, composition, structure, and properties during deconstruction; and

“(iii) improving enzymes and approaches for biomass breakdown and cellulose, hemicellulose, and lignin processing.

“(D) Research activities to improve the feedstock conversion process for advanced biofuels and bioproducts, including—

“(i) developing high-throughput methods to screen or select high-performance microbial strains and communities to improve product formation rates, yields, and selectivity;

“(ii) establishing a broad set of platform microorganisms and microbial communities suitable for metabolic engineering to produce advanced biofuels and bioproducts and high-throughput methods for experimental validation of gene function;

“(iii) developing techniques to enhance microbial robustness for tolerating toxins to improve advanced biofuel and bioproduct yields and to gain a better understanding of the cellular and molecular bases of tolerance for major chemical classes of inhibitors found in these processes;

“(iv) advancing technologies for the use of batch, continuous, and consolidated bioprocessing;

“(v) identifying, creating, and optimizing microbial and chemical pathways to produce promising, atom-economical intermediates and final bioproducts from biomass with considerations given to environmentally benign processes;

“(vi) developing high-throughput, real-time, in situ analytical techniques to understand and characterize the pre- and post-bioprocess separation streams in detail;

“(vii) creating methodologies for efficiently identifying viable target molecules, identifying high-value bioproducts in existing biomass streams, and utilizing current byproduct streams;

“(viii) identifying and improving plant feedstocks with enhanced extractable levels of desired bioproducts or bioproduct precursors, including lignin streams; and

“(ix) developing integrated biological and chemical catalytic approaches to valorize and produce a diverse portfolio of advanced biofuels and bioproducts.

“(5) INDUSTRY PARTNERSHIPS.—Centers shall establish industry partnerships to translate research results to commercial applications.

“(6) COORDINATION.—In coordination with the Bioenergy Technologies Office of the Department, the Secretary shall support interdisciplinary research activities to improve the capacity, efficiency, resilience, security, reliability, and affordability, of the production and use of advanced biofuels and bioproducts, as well as activities to enable positive impacts and avoid the potential negative impacts that the production and use of advanced biofuels and bioproducts may have on ecosystems, people, and historically marginalized communities.

“(7) FUNDING.—Of the funds authorized to be appropriated under subsection (k) of section 306 of the Department of Energy Research and Innovation Act (42 U.S.C. 18644) for a fiscal year, there is authorized to be appropriated to the Secretary to carry out this subsection \$30,000,000 per center established under paragraph (1) for each of fiscal years 2023 through 2027.

“(8) DEFINITIONS.—In this subsection:

“(A) ADVANCED BIOFUEL.—The term ‘advanced biofuel’ has the meaning given the term in section 9001 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8101).

“(B) BIOENERGY.—The term ‘bioenergy’ means energy derived from biofuels.

“(C) BIOMASS.—The term ‘biomass’ has the meaning given the term in section 203(b) of the Energy Policy Act of 2005 (42 U.S.C. 15852(b)).

“(D) BIOPRODUCT.—The term ‘bioproduct’ has the meaning given the term ‘biobased product’ in section 9001 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8101).”.

SEC. 10104. ADVANCED SCIENTIFIC COMPUTING RESEARCH PROGRAM.

(a) ADVANCED SCIENTIFIC COMPUTING RESEARCH.—Section 304 of the Department of Energy Research and Innovation Act (42 U.S.C. 18642) is amended—

(1) by redesignating subsections (a) through (c) as subsections (b) through (d), respectively;

(2) by inserting before subsection (b), as so redesignated, the following:

“(a) IN GENERAL.—As part of the activities authorized under section 209 of the Department of Energy Organization Act (42 U.S.C. 7139), the Director shall carry out, in coordination with academia and relevant public and private sector entities, a research, development, and demonstration program—

“(1) to steward applied mathematics, computational science, and computer science research relevant to the missions of the Department and the competitiveness of the United States;

“(2) to develop modeling, simulation, and other computational tools relevant to other scientific disciplines and to the development of new energy technologies and other technologies;

“(3) to advance computing and networking capabilities for data-driven discovery; and

“(4) to develop advanced scientific computing hardware and software tools for science and engineering.”;

(3) in subsection (c), as so redesignated—

(A) by striking “The Director” and inserting the following:

“(1) DIRECTOR.—The Director”; and

(B) by adding at the end the following:

“(2) COORDINATION.—The Under Secretary for Science shall ensure the coordination of the activities of the Department, including activities under this section, to determine and meet the computational and networking research and facility needs of the Office of Science and all other relevant energy technology and energy efficiency programs within the Department and with other Federal agencies as appropriate.”;

(4) by amending subsection (d), as so redesignated, to read as follows:

“(d) APPLIED MATHEMATICS AND SOFTWARE DEVELOPMENT FOR HIGH-END COMPUTING SYSTEMS AND COMPUTER SCIENCES RESEARCH.—

“(1) IN GENERAL.—The Director shall carry out activities to develop, test, and support—

“(A) mathematics, statistics, and algorithms for modeling complex systems relevant to the missions of the Department, including on advanced computing architectures; and

“(B) tools, languages, programming environments, and operations for high-end computing systems (as defined in section 2 of the American Super Computing Leadership Act of 2017 (15 U.S.C. 5541)).

“(2) PORTFOLIO BALANCE.—

“(A) IN GENERAL.—The Director shall maintain a balanced portfolio within the advanced scientific computing research and development program established under section 976 of the Energy Policy Act of 2005 (42 U.S.C. 16316) that supports robust investment in—

“(i) applied mathematical, computational, and computer sciences research needs relevant to the mission of the Department, including foundational areas that are critical to the advancement of energy sciences and technologies and new and emerging computing technologies; and

“(ii) associated high-performance computing hardware and facilities.

“(B) EXASCALE ECOSYSTEM SUSTAINMENT.—

“(i) SENSE OF CONGRESS.—It is the sense of Congress that the Exascale Computing Project has successfully created a broad ecosystem that provides shared software packages, novel evaluation systems, and applications relevant to the science and engineering requirements of the Department, and that such products must be maintained and improved in order that the full potential of the deployed systems can be continuously realized.

“(ii) SUSTAINMENT.—The Secretary shall seek to sustain and evolve the ecosystem described in clause (i) to ensure that the exascale software stack and other research software will continue to be maintained, hardened, and otherwise optimized for long-term use on exascale systems and beyond and reliable availability to the user community.”; and

(5) by adding at the end the following:

“(e) ADVANCED COMPUTING PROGRAM.—

“(1) IN GENERAL.—The Secretary shall establish a program to develop and implement a strategy for achieving computing systems with capabilities beyond exascale computing systems. In establishing this program, the Secretary shall—

“(A) maintain foundational research programs in mathematical, computational, and computer sciences focused on new and emerging computing needs within the mission of the Department, including post-Moore’s law computing architectures, novel approaches to modeling and simulation, artificial intelligence and scientific machine learning, quantum computing, edge computing, extreme heterogeneity, including potential quantum accelerators, and distributed high-performance computing;

“(B) retain best practices and maintain support for essential hardware, applications, and software elements of the Exascale Computing Program that are necessary for sustaining the vitality of a long-term capable software ecosystem for exascale and beyond; and

“(C) develop a Department-wide strategy for balancing on-premises and cloud-based computing and scientific data management.

“(2) REPORT.—Not later than 1 year after the date of enactment of the Research and Development, Competition, and Innovation

Act, the Secretary shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the development and implementation of the strategy described in paragraph (1).

“(f) GUIDANCE ON MITIGATION OF BIAS IN HIGH-PERFORMANCE COMPUTING CAPABILITIES.—In leveraging high-performance computing systems for research purposes, including through the use of machine learning algorithms for data analysis and artificial intelligence, the Secretary shall issue, and ensure adherence to, guidance for the Department, the National Laboratories, and users as to how those capabilities should be employed in a manner that mitigates and, to the maximum extent practicable, avoids harmful algorithmic bias.

“(g) ARCHITECTURAL RESEARCH IN HETEROGENEOUS COMPUTING SYSTEMS.—

“(1) IN GENERAL.—The Secretary shall carry out a program of research and development in heterogeneous and reconfigurable computing systems to expand understanding of the potential for heterogeneous and reconfigurable computing systems to deliver high performance, high efficiency computing for Department mission challenges. The program shall include research and development that explores the convergence of big data analytics, simulations, and artificial intelligence to drive the design of heterogeneous computing system architectures.

“(2) COORDINATION.—In carrying out the program described in paragraph (1), the Secretary shall ensure coordination between research activities undertaken by the Advanced Scientific Computing Research program and materials research supported by the Basic Energy Sciences program within the Office of Science.

“(h) ENERGY EFFICIENT COMPUTING PROGRAM.—

“(1) IN GENERAL.—The Secretary shall support a program of fundamental research, development, and demonstration of energy efficient computing and data center technologies relevant to advanced computing applications, including high-performance computing, artificial intelligence, and scientific machine learning.

“(2) EXECUTION.—

“(A) PROGRAM.—In carrying out the program under paragraph (1), the Secretary shall—

“(i) establish a partnership for National Laboratories, industry partners, and institutions of higher education for codesign of energy efficient hardware, technology, software, and applications across all applicable program offices of the Department, and provide access to energy efficient computing resources to such partners;

“(ii) develop hardware and software technologies that decrease the energy needs of advanced computing practices, including through data center codesign;

“(iii) consider multiple heterogeneous computing architectures in collaboration with the program established under subsection (g), including neuromorphic computing, persistent computing, and ultrafast networking; and

“(iv) provide, as appropriate, on a competitive, merit-reviewed basis, access for researchers from institutions of higher education, National Laboratories, industry, and other Federal agencies to the energy efficient computing technologies developed pursuant to clause (i).

“(B) SELECTION OF PARTNERS.—In selecting participants for the partnership established under subparagraph (A)(i), the Secretary shall select participants through a competitive, merit review process.

“(C) REPORT.—Not later than 1 year after the date of enactment of the Research and Development, Competition, and Innovation Act, the Secretary shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on—

“(i) the activities conducted under subparagraph (A); and

“(ii) the coordination and management of the program under subparagraph (A) to ensure an integrated research program across the Department.

“(i) ENERGY SCIENCES NETWORK.—

“(1) IN GENERAL.—The Secretary shall provide for upgrades to the Energy Sciences Network user facility in order to meet the research needs of the Department for highly reliable data transport capabilities optimized for the requirements of large-scale science.

“(2) CAPABILITIES.—In carrying out paragraph (1), the Secretary shall ensure the following capabilities:

“(A) To provide high bandwidth scientific networking across the continental United States and the Atlantic Ocean.

“(B) To ensure network reliability.

“(C) To protect the network infrastructure from cyberattacks.

“(D) To manage transport of exponentially increasing levels of data from the Department's National Laboratories and sites, user facilities, experiments, and sensors.

“(E) To contribute to the integration of heterogeneous computing frameworks and systems.

“(j) COMPUTATIONAL SCIENCE GRADUATE FELLOWSHIP.—

“(1) IN GENERAL.—The Secretary shall support the Computational Science Graduate Fellowship program in order to facilitate collaboration between graduate students and researchers at the National Laboratories, and contribute to the development of a diverse and inclusive computational workforce to help advance research in all areas of computational science relevant to the mission of the Department, including quantum computing.

“(2) FUNDING.—Of the funds authorized to be appropriated for the Advanced Scientific Computing Research Program, there are authorized to be appropriated to the Secretary for carrying out activities under this subsection—

“(A) \$15,750,000 for fiscal year 2023;

“(B) \$16,537,500 for fiscal year 2024;

“(C) \$17,364,375 for fiscal year 2025;

“(D) \$18,232,594 for fiscal year 2026; and

“(E) \$19,144,223 for fiscal year 2027.

“(k) AUTHORIZATION OF APPROPRIATIONS.—Out of funds authorized to be appropriated for the Office of Science in a fiscal year, there are authorized to be appropriated to the Secretary to carry out the activities described in this section—

“(1) \$1,126,950,000 for fiscal year 2023;

“(2) \$1,194,109,500 for fiscal year 2024;

“(3) \$1,265,275,695 for fiscal year 2025;

“(4) \$1,340,687,843 for fiscal year 2026; and

“(5) \$1,420,599,500 for fiscal year 2027.”.

(b) QUANTUM SCIENCE NETWORK.—

(1) DEFINITIONS.—Section 2 of the National Quantum Initiative Act (15 U.S.C. 8801) is amended—

(A) by redesignating paragraph (7) as paragraph (8); and

(B) by inserting after paragraph (6) the following:

“(7) QUANTUM NETWORK INFRASTRUCTURE.—The term ‘quantum network infrastructure’ means any facility, expertise, or capability that is necessary to enable the development and deployment of scalable and diverse quantum network technologies.”.

(2) DEPARTMENT OF ENERGY QUANTUM NETWORK INFRASTRUCTURE RESEARCH AND DEVELOPMENT PROGRAM.—

(A) IN GENERAL.—Title IV of the National Quantum Initiative Act (15 U.S.C. 8851 et seq.) is amended by adding at the end the following:

“SEC. 403. DEPARTMENT OF ENERGY QUANTUM NETWORK INFRASTRUCTURE RESEARCH AND DEVELOPMENT PROGRAM.

“(a) IN GENERAL.—The Secretary of Energy (referred to in this section as the ‘Secretary’) shall carry out a research, development, and demonstration program to accelerate innovation in quantum network infrastructure in order to—

“(1) facilitate the advancement of distributed quantum computing systems through the internet and intranet;

“(2) improve the precision of measurements of scientific phenomena and physical imaging technologies;

“(3) develop secure national quantum communications technologies and strategies;

“(4) demonstrate quantum networking utilizing the Department of Energy's Energy Sciences Network User Facility; and

“(5) advance the relevant domestic supply chains, manufacturing capabilities, and associated simulations or modeling capabilities.

“(b) PROGRAM.—In carrying out this section, the Secretary shall—

“(1) coordinate with—

“(A) the Director of the National Science Foundation;

“(B) the Director of the National Institute of Standards and Technology;

“(C) the Chair of the Subcommittee on Quantum Information Science of the National Science and Technology Council established under section 103(a); and

“(D) the Chair of the Subcommittee on the Economic and Security Implications of Quantum Science;

“(2) conduct cooperative research with industry, National Laboratories, institutions of higher education, and other research institutions to facilitate new quantum infrastructure methods and technologies, including—

“(A) quantum-limited detectors, ultra-low loss optical channels, space-to-ground connections, and classical networking and cybersecurity protocols;

“(B) entanglement and hyper-entangled state sources and transmission, control, and measurement of quantum states;

“(C) quantum interconnects that allow short range local connections between quantum processors;

“(D) transducers for quantum sources and signals between optical wavelength regimes, including telecommunications regimes and quantum computer-relevant domains, including microwaves;

“(E) development of quantum memory buffers and small-scale quantum computers that are compatible with photon-based quantum bits in the optical or telecommunications wavelengths;

“(F) long-range entanglement distribution, including allowing entanglement-based protocols between small- and large scale quantum processors, at the terrestrial and space-based level using quantum repeaters and optical or laser communications;

“(G) quantum routers, multiplexers, repeaters, and related technologies necessary to create secure long-distance quantum communication; and

“(H) integration of systems across the quantum technology stack into traditional computing networks, including the development of remote controlled, high-performance, and reliable implementations of key quantum network components by leveraging the expertise, infrastructure and supple-

mental investments at the National Laboratories in the Energy Sciences Network User Facility;

“(3) engage with the Quantum Economic Development Consortium and other organizations, as applicable, to transition component technologies to help facilitate as appropriate the development of a quantum supply chain for quantum network technologies;

“(4) advance basic research in advanced scientific computing, particle and nuclear physics, and material science to enhance the understanding, prediction, and manipulation of materials, processes, and physical phenomena relevant to quantum network infrastructure;

“(5) develop experimental tools and testbeds in collaboration with the Energy Sciences Network User Facility necessary to support cross-cutting fundamental research and development activities with diverse stakeholders from industry, National Laboratories, and institutions of higher education; and

“(6) consider quantum network infrastructure applications that span the Department of Energy's missions in energy, environment, and national security.

“(c) LEVERAGING.—In carrying out this section, the Secretary shall leverage resources, infrastructure, and expertise across the Department of Energy and from—

“(1) the National Institute of Standards and Technology;

“(2) the National Science Foundation;

“(3) the National Aeronautics and Space Administration;

“(4) other relevant Federal agencies;

“(5) the National Laboratories;

“(6) industry stakeholders;

“(7) institutions of higher education; and

“(8) the National Quantum Information Science Research Centers.

“(d) RESEARCH PLAN.—Not later than 180 days after the date of enactment of the Research and Development, Competition, and Innovation Act, the Secretary shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a 4-year research plan that identifies and prioritizes basic research needs relating to quantum network infrastructure.

“(e) STANDARD OF REVIEW.—The Secretary shall review activities carried out under this section to determine the achievement of technical milestones.

“(f) FUNDING.—Of the funds authorized to be appropriated for the Department of Energy's Office of Science, there is authorized to be appropriated to the Secretary to carry out the activities under this section \$100,000,000 for each of fiscal years 2023 through 2027.

“SEC. 404. DEPARTMENT OF ENERGY QUANTUM USER EXPANSION FOR SCIENCE AND TECHNOLOGY PROGRAM.

“(a) IN GENERAL.—The Secretary of Energy (referred to in this section as the ‘Secretary’) shall establish and carry out a program, to be known as the ‘Quantum User Expansion for Science and Technology program’ or ‘QUEST program’, to encourage and facilitate access to United States quantum computing hardware and quantum computing clouds for research purposes—

“(1) to enhance the United States quantum research enterprise;

“(2) to educate the future quantum computing workforce;

“(3) to accelerate the advancement of United States quantum computing capabilities; and

“(4) to advance the relevant domestic supply chains, manufacturing processes, and associated simulations or modeling capabilities.

“(b) PROGRAM.—In carrying out this section, the Secretary shall—

“(1) coordinate with—

“(A) the Director of the National Science Foundation;

“(B) the Director of the National Institute of Standards and Technology;

“(C) the Chair of the Subcommittee on Quantum Information Science of the National Science and Technology Council established under section 103(a); and

“(D) the Chair of the Subcommittee on the Economic and Security Implications of Quantum Science;

“(2) provide researchers based within the United States with access to, and use of, United States quantum computing resources through a competitive, merit-reviewed process;

“(3) consider applications from the National Laboratories, multi-institutional collaborations, institutions of higher education, industry stakeholders, and any other entities that the Secretary determines are appropriate to provide national leadership on quantum computing related issues;

“(4) coordinate with private sector stakeholders, the user community, and inter-agency partners on program development and best management practices; and

“(5) to the extent practicable, balance user access to commercial prototypes available for use across a broad class of applications and Federal research prototypes that enable benchmarking a wider variety of early-stage devices.

“(c) LEVERAGING.—In carrying out this section, the Secretary shall leverage resources and expertise across the Department of Energy and from—

“(1) the National Institute of Standards and Technology;

“(2) the National Science Foundation;

“(3) the National Aeronautics and Space Administration;

“(4) other relevant Federal agencies;

“(5) the National Laboratories;

“(6) industry stakeholders;

“(7) institutions of higher education; and

“(8) the National Quantum Information Science Research Centers.

“(d) SECURITY.—In carrying out the activities authorized by this section, the Secretary, in consultation with the Director of the National Science Foundation and the Director of the National Institute of Standards and Technology, shall ensure proper security controls are in place to protect sensitive information, as appropriate.

“(e) FUNDING.—Of the funds authorized to be appropriated for the Department of Energy’s Office of Science, there are authorized to be appropriated to the Secretary to carry out the activities under this section—

“(1) \$30,000,000 for fiscal year 2023;

“(2) \$31,500,000 for fiscal year 2024;

“(3) \$33,075,000 for fiscal year 2025;

“(4) \$34,728,750 for fiscal year 2026; and

“(5) \$36,465,188 for fiscal year 2027.”

(B) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the National Quantum Initiative Act (Public Law 115-368; 132 Stat. 5092) is amended by inserting after the item relating to section 402 the following:

“Sec. 403. Department of Energy quantum network infrastructure research and development program.

“Sec. 404. Department of Energy quantum user expansion for science and technology program.”

SEC. 10105. FUSION ENERGY RESEARCH.

(a) FUSION ENERGY RESEARCH.—Section 307 of the Department of Energy Research and Innovation Act (42 U.S.C. 18645) is amended—

(1) in subsection (b)—

(A) in paragraph (2), by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(B) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(C) in the matter preceding subparagraph (A) (as so redesignated), by striking “As part of” and inserting the following:

“(1) IN GENERAL.—As part of”; and

(D) by adding at the end the following:

“(2) AUTHORIZATION OF APPROPRIATIONS.—Of funds authorized to be appropriated under subsection (q), there is authorized to be appropriated to the Secretary to carry out activities described in paragraph (1) \$50,000,000 for each of fiscal years 2023 through 2027.”;

(2) in subsection (d)(3)—

(A) by striking “(o)” and inserting “(q)”;

(B) by striking “subsection (d)” and inserting “this subsection”; and

(C) by striking “2025” and inserting “2027”;

(3) in subsection (e)(4)—

(A) by striking “(o)” and inserting “(q)”;

(B) by striking “subsection (e)” and inserting “this subsection”; and

(C) by striking “2025” and inserting “2027”;

(4) in subsection (i)(10)—

(A) in the matter preceding subparagraph (A)—

(i) by striking “(o)” and inserting “(q)”;

(ii) by striking “subsection (i)” and inserting “this subsection”;

(B) in subparagraph (D), by striking “and” at the end;

(C) in subparagraph (E), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(F) \$45,000,000 for fiscal year 2026; and

“(G) \$45,000,000 for fiscal year 2027.”;

(5) by striking subsection (j) and inserting the following:

“(j) FUSION REACTOR SYSTEM DESIGN.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Research and Development, Competition, and Innovation Act, the Director shall establish not less than 2 national teams described in paragraph (2) that shall—

“(A) develop conceptual pilot plant designs and technology roadmaps; and

“(B) create an engineering design of a pilot plant that will bring fusion to commercial viability.

“(2) NATIONAL TEAMS.—A national team referred to in paragraph (1) shall—

“(A) be composed of developers, manufacturers, universities, National Laboratories, and representatives of the engineering, procurement, and construction industries; and

“(B) include public-private partnerships.

“(3) AUTHORIZATION OF APPROPRIATIONS.—Of the funds authorized to be appropriated for Fusion Energy Sciences in a fiscal year, there are authorized to be appropriated to the Secretary to carry out this subsection—

“(A) \$35,000,000 for fiscal year 2023;

“(B) \$50,000,000 for fiscal year 2024;

“(C) \$65,000,000 for fiscal year 2025;

“(D) \$80,000,000 for fiscal year 2026; and

“(E) \$80,000,000 for fiscal year 2027.”;

(6) by redesignating subsection (o) as subsection (r);

(7) by inserting after subsection (n) the following:

“(o) HIGH-PERFORMANCE COMPUTATION COLLABORATIVE RESEARCH PROGRAM.—

“(1) IN GENERAL.—The Secretary shall carry out a program to conduct and support collaborative research, development, and demonstration of fusion energy technologies, through high-performance computation modeling and simulation techniques, in order—

“(A) to support fundamental research in plasmas and matter at very high temperatures and densities;

“(B) to inform the development of a broad range of fusion energy systems; and

“(C) to facilitate the translation of research results in fusion energy science to industry.

“(2) COORDINATION.—In carrying out the program under paragraph (1), the Secretary shall coordinate with relevant Federal agencies, and prioritize the following objectives:

“(A) To use expertise from the private sector, institutions of higher education, and the National Laboratories to leverage existing, and develop new, computational software and capabilities that prospective users may use to accelerate research and development of fusion energy systems.

“(B) To develop computational tools to simulate and predict fusion energy science phenomena that may be validated through physical experimentation.

“(C) To increase the utility of the research infrastructure of the Department by coordinating with the Advanced Scientific Computing Research program within the Office of Science.

“(D) To leverage experience from existing modeling and simulation entities sponsored by the Department.

“(E) To ensure that new experimental and computational tools are accessible to relevant research communities, including private sector entities engaged in fusion energy technology development.

“(F) To ensure that newly developed computational tools are compatible with modern virtual engineering and visualization capabilities to accelerate the realization of fusion energy technologies and systems.

“(3) DUPLICATION.—The Secretary shall ensure the coordination of, and avoid unnecessary duplication of, the activities of the program under paragraph (1) with the activities of—

“(A) other research entities of the Department, including the National Laboratories, the Advanced Research Projects Agency—Energy, and the Advanced Scientific Computing Research program within the Office of Science; and

“(B) industry.

“(4) HIGH-PERFORMANCE COMPUTING FOR FUSION INNOVATION CENTER.—

“(A) IN GENERAL.—In carrying out the program under paragraph (1), the Secretary shall, in coordination with the Innovation Network for Fusion Energy, establish and operate a national High-Performance Computing for Fusion Innovation Center (referred to in this paragraph as the “Center”), to support the program under paragraph (1) by providing, to the extent practicable, a centralized entity for multidisciplinary, collaborative, fusion energy research and development through high-performance computing and advanced data analytics technologies and processes.

“(B) ELIGIBLE ENTITIES.—An entity eligible to serve as the Center shall be—

“(i) a National Laboratory;

“(ii) an institution of higher education;

“(iii) a multi-institutional collaboration;

or

“(iv) any other entity that the Secretary determines to be appropriate.

“(C) APPLICATION; SELECTION.—

“(i) APPLICATION.—To be eligible to serve as the Center, an eligible entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

“(ii) SELECTION.—The Secretary shall select the Center on a competitive, merit-reviewed basis.

“(D) EXISTING ACTIVITIES.—The Center may incorporate existing research activities that

are consistent with the program under paragraph (1).

“(E) PRIORITIES.—

“(i) IN GENERAL.—The Center shall prioritize activities that utilize expertise and infrastructure from a balance among the private sector, institutions of higher education, and the National Laboratories to enhance existing computation tools and develop new computational software and capabilities to accelerate the commercial application of fusion energy systems.

“(ii) MAINTENANCE OF RESOURCE AVAILABILITY.—The Secretary may enter into contracts with commercial cloud computing providers to ensure that resource availability within the Department is not reduced or disproportionately distributed as a result of Center activities.

“(F) DURATION.—Subject to subparagraph (G), the Center shall receive support for a period of not more than 5 years, subject to the availability of appropriations.

“(G) RENEWAL.—On the expiration of the period of support of the Center under subparagraph (F), the Secretary may renew support for the Center, on a merit-reviewed basis, for a period of not more than 5 years.

“(p) MATERIAL PLASMA EXPOSURE EXPERIMENT.—

“(1) IN GENERAL.—The Secretary shall construct a Material Plasma Exposure Experiment facility as described in the 2020 publication approved by the Fusion Energy Sciences Advisory Committee entitled ‘Powering the Future: Fusion and Plasmas’. The Secretary shall consult with the private sector, institutions of higher education, National Laboratories, and relevant Federal agencies to ensure that the facility is capable of meeting Federal research needs for steady state, high-heat-flux, and plasma-material interaction testing of fusion materials over a range of fusion energy relevant parameters.

“(2) FACILITY CAPABILITIES.—The Secretary shall ensure that the facility described in paragraph (1) will provide the following capabilities:

“(A) A magnetic field at the target of 1 Tesla.

“(B) An energy flux at the target of 10 MW/m².

“(C) The ability to expose previously irradiated plasma facing material samples to plasma.

“(3) START OF OPERATIONS.—The Secretary shall, subject to the availability of appropriations, ensure that the start of full operations of the facility described in paragraph (1) occurs before December 31, 2027.

“(4) FUNDING.—Of the funds authorized to be appropriated for Fusion Energy Sciences, there are authorized to be appropriated to the Secretary for the Office of Fusion Energy Sciences to complete construction of the facility described in paragraph (1)—

“(A) \$21,895,000 for fiscal year 2023; and

“(B) \$3,800,000 for fiscal year 2024.

“(q) MATTER IN EXTREME CONDITIONS INSTRUMENT UPGRADE.—

“(1) IN GENERAL.—The Secretary shall provide for the upgrade to the Matter in Extreme Conditions endstation at the Linac Coherent Light Source as described in the 2020 publication approved by the Fusion Energy Sciences Advisory Committee entitled ‘Powering the Future: Fusion and Plasmas’. The Secretary shall consult with the private sector, institutions of higher education, National Laboratories, and relevant Federal agencies to ensure that this facility is capable of meeting Federal research needs for understanding physical and chemical changes to plasmas at fundamental timescales, and explore new regimes of dense material physics, astrophysics, planetary physics, and short-pulse laser-plasma interactions.

“(2) START OF OPERATIONS.—The Secretary shall, subject to the availability of appropriations, ensure that the start of full operations of the facility described in paragraph (1) occurs before December 31, 2028.”; and

(8) in subsection (r) (as so redesignated)—

(A) by striking “There” and inserting “Out of funds authorized to be appropriated for the Office of Science in a fiscal year, there”; and

(B) by striking paragraphs (3) through (5) and inserting the following:

“(3) \$1,025,500,400 for fiscal year 2023;

“(4) \$1,043,489,724 for fiscal year 2024;

“(5) \$1,053,266,107 for fiscal year 2025;

“(6) \$1,047,962,074 for fiscal year 2026; and

“(7) \$1,114,187,798 for fiscal year 2027.”.

(b) ITER CONSTRUCTION.—Section 972(c)(3) of the Energy Policy Act of 2005 (42 U.S.C. 16312(c)(3)) is amended—

(1) in subparagraph (A), by striking “and” at the end; and

(2) by striking subparagraph (B) and inserting the following:

“(B) \$379,700,000 for fiscal year 2023;

“(C) \$419,250,000 for fiscal year 2024;

“(D) \$415,000,000 for fiscal year 2025;

“(E) \$370,500,000 for fiscal year 2026; and

“(F) \$411,078,000 for fiscal year 2027.”.

SEC. 10106. HIGH ENERGY PHYSICS PROGRAM.

(a) PROGRAM.—Section 305 of the Department of Energy Research and Innovation Act (42 U.S.C. 18643) is amended—

(1) by redesignating subsections (b) through (d) as subsections (d) through (f), respectively; and

(2) by inserting after subsection (a) the following:

“(b) PROGRAM.—As part of the activities authorized under section 209 of the Department of Energy Organization Act (42 U.S.C. 7139), the Director shall carry out a research program in elementary particle physics and advanced technology research and development to improve the understanding of the fundamental properties of the universe, including constituents of matter and energy and the nature of space and time.

“(c) HIGH ENERGY FRONTIER RESEARCH.—As part of the program described in subsection (b), the Director shall carry out research using high energy accelerators and advanced detectors, including accelerators and detectors that will function as national user facilities, to create and study interactions of elementary particles and investigate fundamental forces.”.

(b) INTERNATIONAL COLLABORATION.—Section 305 of the Department of Energy Research and Innovation Act (42 U.S.C. 18643) is amended by striking subsection (d) (as redesignated by subsection (a)(1)) and inserting the following:

“(d) INTERNATIONAL COLLABORATION.—The Director shall—

“(1) as practicable and in coordination with other appropriate Federal agencies as necessary, ensure the access of United States researchers to the most advanced accelerator facilities and research capabilities in the world, including the Large Hadron Collider;

“(2) to the maximum extent practicable, continue to leverage United States participation in the Large Hadron Collider, and prioritize expanding international partnerships and investments in the Long-Baseline Neutrino Facility and Deep Underground Neutrino Experiment; and

“(3) to the maximum extent practicable, prioritize engagement in collaborative efforts in support of future international facilities that would provide access to the most advanced accelerator facilities in the world to United States researchers.”.

(c) COSMIC FRONTIER RESEARCH.—Section 305 of the Department of Energy Research and Innovation Act (42 U.S.C. 18645) is

amended by striking subsection (f) (as redesignated by subsection (a)(1)) and inserting the following:

“(f) COSMIC FRONTIER RESEARCH.—The Director shall carry out research activities on the nature of the primary contents of the universe, including the nature of dark energy and dark matter. These activities shall, to the maximum extent practicable, be consistent with the research priorities identified by the High Energy Physics Advisory Panel or the National Academy of Sciences, and may include—

“(1) collaborations with the National Aeronautics and Space Administration, the National Science Foundation, or international partners on relevant projects; and

“(2) the development of space-based, land-based, water-based, and underground facilities and experiments.”.

(d) FURTHER ACTIVITIES.—Section 305 of the Department of Energy Research and Innovation Act (42 U.S.C. 18645) (as amended by subsection (c)), is amended by adding at the end the following:

“(g) FACILITY CONSTRUCTION AND MAJOR ITEMS OF EQUIPMENT.—

“(1) PROJECTS.—Consistent with the Office of Science’s project management practices, the Director shall, to the maximum extent practicable, by incorporating the findings and recommendations of the 2014 Particle Physics Project Prioritization Panel (P5) report entitled ‘Building for Discovery’, support construction or fabrication of—

“(A) an international Long-Baseline Neutrino Facility based in the United States;

“(B) the Proton Improvement Plan II;

“(C) Second Generation Dark Matter experiments;

“(D) the Legacy Survey of Space and Time camera;

“(E) upgrades to detectors and other components of the Large Hadron Collider; and

“(F) the Cosmic Microwave Background Stage 4 project; and

“(G) other high priority projects recommended in the most recent report of the Particle Physics Project Prioritization Panel of the High Energy Physics Advisory Panel.

“(2) LONG-BASELINE NEUTRINO FACILITY.—

“(A) IN GENERAL.—The Secretary shall support construction of a Long-Baseline Neutrino Facility to facilitate the international Deep Underground Neutrino Experiment to examine the fundamental properties of neutrinos, explore physics beyond the Standard Model, and better clarify the existence and nature of antimatter.

“(B) FACILITY CAPABILITIES.—The Secretary shall ensure that the facility described in subparagraph (A) will provide, at a minimum, the following capabilities:

“(i) A neutrino beam with wideband capability of 1.2 megawatts of beam power and upgradable to 2.4 megawatts of beam power.

“(ii) 3 caverns excavated for a 70 kiloton fiducial detector mass and supporting surface buildings and utilities.

“(iii) Cryogenic systems to support neutrino detectors.

“(C) START OF OPERATIONS.—The Secretary shall, subject to the availability of appropriations, ensure that the start of full operations of the facility described in subparagraph (A) occurs before December 31, 2031.

“(D) FUNDING.—Out of funds authorized to be appropriated under subsection (k), there are authorized to be appropriated to the Secretary to carry out construction of the project described in subparagraph (A)—

“(i) \$180,000,000 for fiscal year 2023;

“(ii) \$255,000,000 for fiscal year 2024;

“(iii) \$305,000,000 for fiscal year 2025;

“(iv) \$305,000,000 for fiscal year 2026; and

“(v) \$305,000,000 for fiscal year 2027.

“(3) PROTON IMPROVEMENT PLAN—II ACCELERATOR UPGRADE PROJECT.—

“(A) IN GENERAL.—The Secretary shall support construction of the Proton Improvement Plan II, an upgrade to the Fermilab accelerator complex identified in the 2014 Particle Physics Project Prioritization Panel (P5) report entitled ‘Building for Discovery’, to provide the world’s most intense beam of neutrinos to the international Long Baseline Neutrino Facility and to carry out a broad range of future high energy physics experiments. The Secretary shall work with international partners to enable further significant contributions to the capabilities of that project.

“(B) FACILITY CAPABILITIES.—The Secretary shall ensure that the facility described in subparagraph (A) will provide, at a minimum, the following capabilities:

“(i) A state-of-the-art 800 megaelectron volt superconducting linear accelerator.

“(ii) Proton beam power of 1.2 megawatts at the start of LBNF/DUNE, upgradeable to 2.4 megawatts of beam power.

“(iii) A flexible design to enable high power beam delivery to multiple users simultaneously and customized beams tailored to specific scientific needs.

“(iv) Sustained high reliability operation of the Fermilab accelerator complex.

“(C) START OF OPERATIONS.—The Secretary shall, subject to the availability of appropriations, ensure that the start of full operations of the facility described in subparagraph (A) occurs before December 31, 2028.

“(D) FUNDING.—Out of funds authorized to be appropriated under subsection (k), there are authorized to be appropriated to the Secretary to carry out construction of the facility described in subparagraph (A)—

“(i) \$130,000,000 for fiscal year 2023;

“(ii) \$120,000,000 for fiscal year 2024;

“(iii) \$120,000,000 for fiscal year 2025;

“(iv) \$115,000,000 for fiscal year 2026; and

“(v) \$110,000,000 for fiscal year 2027.

“(4) COSMIC MICROWAVE BACKGROUND STAGE 4.—

“(A) IN GENERAL.—The Secretary, in partnership with the Director of the National Science Foundation, shall support construction of the Cosmic Microwave Background Stage 4 project to survey the cosmic microwave background to test theories of cosmic inflation as described in the 2014 Particle Physics Project Prioritization Panel (P5) report entitled ‘Building for Discovery: Strategic Plan for U.S. Particle Physics in the Global Context.’.

“(B) CONSULTATION.—The Secretary shall consult with the private sector, institutions of higher education, National Laboratories, and relevant Federal agencies to ensure that the project described in subparagraph (A) is capable of meeting Federal research needs in accessing the ultra-high energy physics of inflation and important neutrino properties.

“(C) EXPERIMENTAL CAPABILITIES.—The Secretary shall ensure to the maximum extent practicable that the facility described in subparagraph (A) will provide, at a minimum, 500,000 superconducting detectors deployed on an array of millimeter-wave telescopes with the required range in frequency, sensitivity, and survey speed that will provide sufficient capability to enable an order of magnitude advance in observations of the Cosmic Microwave Background, delivering transformative discoveries in fundamental physics, cosmology, and astrophysics.

“(D) START OF OPERATIONS.—The Secretary shall, subject to the availability of appropriations, ensure that the start of full operations of the facility described in subparagraph (A) occurs before December 31, 2030.

“(E) FUNDING.—Out of funds authorized to be appropriated under subsection (k), there are authorized to be appropriated to the Sec-

retary to carry out construction of the facility described in subparagraph (A)—

“(i) \$10,000,000 for fiscal year 2023;

“(ii) \$25,000,000 for fiscal year 2024;

“(iii) \$60,000,000 for fiscal year 2025;

“(iv) \$80,000,000 for fiscal year 2026; and

“(v) \$80,000,000 for fiscal year 2027.

“(h) ACCELERATOR AND DETECTOR UPGRADES.—The Director shall upgrade accelerator facilities and detectors, as necessary and appropriate, to increase beam power, sustain high reliability, and improve precision measurement to advance the highest priority particle physics research programs. In carrying out facility upgrades, the Director shall continue to work with international partners, when appropriate and in the United States’ interest, to leverage investments and expertise in critical technologies to help build and upgrade accelerator and detector facilities in the United States.

“(i) ACCELERATOR AND DETECTOR RESEARCH AND DEVELOPMENT.—As part of the program described in subsection (b), the Director shall carry out research and development in particle beam physics, accelerator science and technology, and particle and radiation detection with relevance to the specific needs of the High Energy Physics program, in coordination with the Accelerator Research and Development program authorized under section 310.

“(j) UNDERGROUND SCIENCE.—The Director shall—

“(1) support an underground science program consistent with the missions of the Department and the scientific needs of the High Energy Physics program, including those articulated in the most recent report of the Particle Physics Project Prioritization Panel of the High Energy Physics Advisory Panel, that leverages the capabilities of relevant underground science and engineering facilities;

“(2) carry out a competitive grant program to award scientists and engineers at institutions of higher education, nonprofit institutions, and National Laboratories to conduct research in underground science and engineering; and

“(3) submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on the inventory of underground mines in the United States that may be suitable for future development of underground science and engineering facilities and any anticipated challenges associated with repurposing, repair, facility siting, or construction.

“(k) AUTHORIZATION OF APPROPRIATIONS.—Out of funds authorized to be appropriated for the Office of Science in a fiscal year, there are authorized to be appropriated to the Secretary to carry out the activities described in this section—

“(1) \$1,159,520,000 for fiscal year 2023;

“(2) \$1,289,891,200 for fiscal year 2024;

“(3) \$1,428,284,672 for fiscal year 2025;

“(4) \$1,499,881,752 for fiscal year 2026; and

“(5) \$1,554,874,657 for fiscal year 2027.”.

SEC. 10107. NUCLEAR PHYSICS PROGRAM.

Section 308 of the Department of Energy Research and Innovation Act (Public Law 115-246; 132 Stat. 3150) is amended to read as follows:

“SEC. 308. NUCLEAR PHYSICS.

“(a) PROGRAM.—As part of the activities authorized under section 209 of the Department of Energy Organization Act (42 U.S.C. 7139), the Director shall carry out a research program, and support relevant facilities, to discover and understand various forms of nuclear matter.

“(b) ELECTRON ION COLLIDER.—

“(1) IN GENERAL.—The Secretary shall support construction of an Electron Ion Collider as described in the 2015 Long Range Plan of the Nuclear Science Advisory Committee and the report from the National Academies of Science, Engineering, and Medicine entitled ‘An Assessment of U.S.-Based Electron-Ion Collider Science’, in order to measure the internal structure of the proton and the nucleus and answer fundamental questions about the nature of visible matter.

“(2) FACILITY CAPABILITY.—The Secretary shall ensure that the facility described in paragraph (1) meets the requirements in the 2015 Long Range Plan described in that paragraph, including—

“(A) at least 70 percent polarized beams of electrons and light ions;

“(B) ion beams from deuterium to the heaviest stable nuclei;

“(C) variable center of mass energy from 20 to 140 GeV;

“(D) high collision luminosity of $10^{33-34} \text{ cm}^{-2} \text{ s}^{-1}$; and

“(E) the possibility of more than 1 interaction region.

“(3) START OF OPERATIONS.—The Secretary shall, subject to the availability of appropriations, ensure that the start of full operations of the facility under this subsection occurs before December 31, 2030.

“(4) FUNDING.—Out of funds authorized to be appropriated under subsection (c), there are authorized to be appropriated to the Secretary to carry out construction of the facility under this subsection—

“(A) \$90,000,000 for fiscal year 2023;

“(B) \$181,000,000 for fiscal year 2024;

“(C) \$219,000,000 for fiscal year 2025;

“(D) \$297,000,000 for fiscal year 2026; and

“(E) \$301,000,000 for fiscal year 2027.

“(c) AUTHORIZATION OF APPROPRIATIONS.—Out of funds authorized to be appropriated for the Office of Science in a fiscal year, there are authorized to be appropriated to the Secretary to carry out the activities described in this section—

“(1) \$840,480,000 for fiscal year 2023;

“(2) \$976,508,800 for fiscal year 2024;

“(3) \$1,062,239,328 for fiscal year 2025;

“(4) \$1,190,833,688 for fiscal year 2026; and

“(5) \$1,248,463,709 for fiscal year 2027.”.

SEC. 10108. SCIENCE LABORATORIES INFRASTRUCTURE PROGRAM.

Section 309 of the Department of Energy Research and Innovation Act (42 U.S.C. 18647) is amended by adding at the end the following:

“(c) APPROACH.—In carrying out the program under subsection (a), the Director shall use all available approaches and mechanisms, as the Secretary determines to be appropriate, including—

“(1) capital line items;

“(2) minor construction projects;

“(3) energy savings performance contracts;

“(4) utility energy service contracts;

“(5) alternative financing; and

“(6) expense funding.

“(d) SUBMISSION TO CONGRESS.—For each fiscal year through fiscal year 2027, at the same time as the annual budget submission of the President, the Secretary shall submit to the Committee on Appropriations and the Committee on Energy and Natural Resources of the Senate and the Committee on Appropriations and the Committee on Science, Space, and Technology of the House of Representatives a list of projects for which the Secretary will provide funding under this section, including a description of each project and the funding profile for the project.

“(e) AUTHORIZATION OF APPROPRIATIONS.—Out of funds authorized to be appropriated for the Office of Science in a fiscal year, there is authorized to be appropriated to the

Secretary to carry out the activities described in this section \$550,000,000 for each of fiscal years 2023 through 2027.”

SEC. 10109. ACCELERATOR RESEARCH AND DEVELOPMENT.

The Department of Energy Research and Innovation Act (42 U.S.C. 18601 et seq.) is amended by adding at the end the following: **“SEC. 310. ACCELERATOR RESEARCH AND DEVELOPMENT.**

“(a) PROGRAM.—As part of the activities authorized under section 209 of the Department of Energy Organization Act (42 U.S.C. 7139), the Director shall carry out a research program—

“(1) to advance accelerator science and technology relevant to the Department, other Federal agencies, and United States industry;

“(2) to foster partnerships to develop, demonstrate, and enable the commercial application of accelerator technologies;

“(3) to support the development of a skilled, diverse, and inclusive accelerator workforce; and

“(4) to provide access to accelerator design and engineering resources.

“(b) ACCELERATOR RESEARCH.—In carrying out the program authorized under subsection (a), the Director shall support—

“(1) research activities in cross-cutting accelerator technologies including superconducting magnets and accelerators, beam physics, data analytics-based accelerator controls, simulation software, new particle sources, advanced laser technology, and transformative research; and

“(2) optimal operation of the Accelerator Test Facility.

“(c) ACCELERATOR DEVELOPMENT.—In carrying out the program authorized under subsection (a), the Director shall support partnerships to foster the development, demonstration, and commercial application of accelerator technologies, including advanced superconducting wire and cable, superconducting RF cavities, and high efficiency radiofrequency power sources for accelerators.

“(d) RESEARCH COLLABORATIONS.—In developing accelerator technologies under the program authorized under subsection (a), the Director shall—

“(1) consider the requirements necessary to support translational research and development for medical, industrial, security, and defense applications; and

“(2) leverage investments in accelerator technologies and fundamental research in particle physics by partnering with institutions of higher education, industry, and other Federal agencies to enable the commercial application of advanced accelerator technologies.

“(e) AUTHORIZATION OF APPROPRIATIONS.—Out of funds authorized to be appropriated for the Office of Science in a fiscal year, there are authorized to be appropriated to the Secretary to carry out the activities described in this section—

“(1) \$19,080,000 for fiscal year 2023;

“(2) \$20,224,800 for fiscal year 2024;

“(3) \$21,438,288 for fiscal year 2025;

“(4) \$22,724,585 for fiscal year 2026; and

“(5) \$24,088,060 for fiscal year 2027.”

SEC. 10110. ISOTOPE RESEARCH, DEVELOPMENT, AND PRODUCTION.

(a) IN GENERAL.—The Department of Energy Research and Innovation Act (42 U.S.C. 18601 et seq.) is amended by adding after section 310 (as added by section 10109) the following:

“SEC. 311. ISOTOPE RESEARCH, DEVELOPMENT, AND PRODUCTION.

“(a) DEFINITION OF CRITICAL RADIOACTIVE AND STABLE ISOTOPE.—

“(1) IN GENERAL.—In this section, the term ‘critical radioactive and stable isotope’ means a radioactive and stable isotope—

“(A) the domestic commercial production of which is unavailable or inadequate to satisfy the demand of research, medical, industrial, or related industries in the United States; and

“(B) the supply of which is augmented through—

“(i) Department production; or

“(ii) foreign suppliers.

“(2) EXCLUSION.—In this section, the term ‘critical radioactive and stable isotope’ does not include the medical isotope molybdenum-99, the production and supply of which is addressed in the American Medical Isotopes Production Act of 2012 (Public Law 112-239; 126 Stat. 2211) (including the amendments made by that Act).

“(b) PROGRAM.—The Director shall—

“(1) carry out, in coordination with other relevant programs across the Department, a program—

“(A) for the production of critical radioactive and stable isotopes, including the development of techniques to produce isotopes, that the Secretary determines are needed and of sufficient quality and quantity for research, medical, industrial, or related purposes;

“(B) for the production of critical radioactive and stable isotopes that are in short supply or projected to be in short supply in the future, including byproducts, surplus materials, and related isotope services;

“(C) to maintain and enhance the infrastructure required to produce and supply critical radioactive and stable isotope products and related services;

“(D) to conduct research and development on new and improved isotope production and processing techniques that can make critical radioactive and stable isotopes available for research and application as soon as possible while assisting in workforce development;

“(E) to reduce domestic dependency on the foreign supply of critical radioactive and stable isotopes to ensure national preparedness; and

“(F) to the maximum extent practicable, in accordance with—

“(i) evidence-based reports, such as the 2015 report of the Nuclear Science Advisory Committee entitled ‘Meeting Isotope Needs and Capturing Opportunities for the Future’; and

“(ii) assessments of isotope supply chains, including the assessment described in paragraph (3), any reports submitted pursuant to subsection (d), and other current and future assessments;

“(2) ensure that isotope production activities carried out under this subsection are consistent with the statement of policy entitled ‘Policies and Procedures for Transfer of Commercial Radioisotope Production and Distribution to Private Industry’ (30 Fed. Reg. 3247 (March 9, 1965));

“(3) assess the domestic requirements of current and emerging critical radioactive and stable isotopes and associated applications, including by consulting end-users, to identify areas that may require Federal investment for expedited development of domestic production capacity for those isotopes, including through public-private partnerships, as appropriate;

“(4) ensure that actions taken by the Department do not interfere with, delay, compete with, or otherwise adversely affect efforts by the private sector to make available or otherwise facilitate the supply of critical radioactive and stable isotopes, including efforts under existing agreements between the Department or contractors of the Department and the private sector; and

“(5) in coordination with the Assistant Secretary for Nuclear Energy, assess options for demonstrating the production of critical radioactive and stable isotopes in research,

test, or commercial nuclear reactors and accelerators, including reactors and accelerators operated at universities.

“(c) ADVISORY COMMITTEE.—

“(1) IN GENERAL.—Not later than 90 days after the date of enactment of this section, the Secretary shall establish an advisory committee (referred to in this subsection as the ‘committee’) in alignment with the program established under subsection (b)—

“(A) to carry out the activities previously executed as part of the Isotope Subcommittee of the Nuclear Science Advisory Committee; and

“(B) to provide expert advice and assistance to the Director in carrying out that program.

“(2) REPORT.—

“(A) IN GENERAL.—Not later than 1 year after the committee is established, the committee shall—

“(i) update the 2015 Nuclear Science Advisory Committee Isotopes Subcommittee Report entitled ‘Meeting Isotope Needs and Capturing Opportunities for the Future’; and

“(ii) periodically update that report thereafter as needed.

“(B) INCLUSIONS.—An updated report under subparagraph (A) shall include an assessment of—

“(i) current demand in the United States for critical radioactive and stable isotopes;

“(ii) the impact of continued reliance on foreign supply of critical radioactive and stable isotopes;

“(iii) proposed mitigation strategies, including increasing domestic production sources for critical radioactive and stable isotopes, that—

“(I) are not commercially available; or

“(II) are commercially produced in quantities that are not sufficient—

“(aa) to satisfy domestic demand; and

“(bb) to minimize production constraints and supply disruptions to the United States healthcare and industrial isotope industries;

“(iv) current facilities, including upgrades to those facilities, and new facilities needed to meet domestic critical isotope needs; and

“(v) workforce development needs.

“(3) NONDUPLICATION.—The committee shall work in alignment with, and shall not duplicate the efforts of, preexisting advisory committees that are advising the program established under subsection (b).

“(4) FACA.—The committee shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

“(d) REPORT.—

“(1) IN GENERAL.—Not later than the end of the first fiscal year beginning after the date of enactment of this section, and biennially thereafter, the Secretary of Energy Advisory Board shall submit to the Committees on Energy and Natural Resources and Environment and Public Works of the Senate and the Committees on Science, Space, and Technology and Energy and Commerce of the House of Representatives a report describing the progress made under the program established under subsection (b) during the preceding 2 fiscal years.

“(2) INCLUSIONS.—Each report under paragraph (1) shall include—

“(A) an updated assessment of any critical radioactive and stable isotope shortages in the United States;

“(B) a description of—

“(i) any disruptions in the international supply of critical radioactive and stable isotopes during the preceding 2 fiscal years; and

“(ii) the impact of those disruptions on related activities; and

“(C)(i) a projection of anticipated disruptions in the international supply, or supply constraints, of critical radioactive and stable isotopes during the next 2 fiscal years; and

“(ii) the anticipated impact of those disruptions or constraints, as applicable, on related domestic activities.

“(e) **AUTHORIZATION OF APPROPRIATIONS.**—Out of funds authorized to be appropriated for the Office of Science in a fiscal year, there are authorized to be appropriated to the Secretary to carry out this section—

- “(1) \$175,708,000 for fiscal year 2023;
- “(2) \$196,056,480 for fiscal year 2024;
- “(3) \$215,759,869 for fiscal year 2025;
- “(4) \$200,633,461 for fiscal year 2026; and
- “(5) \$146,293,469 for fiscal year 2027.”

(b) **DEMONSTRATION OF ISOTOPE PRODUCTION.**—Section 952(a) of the Energy Policy Act of 2005 (42 U.S.C. 16272(a)) is amended—

(1) by redesignating paragraph (2) as paragraph (4) and moving the paragraph so as to appear after paragraph (3); and

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

“(2) **ISOTOPE DEMONSTRATION EVALUATION.**—

“(A) **IN GENERAL.**—Not later than 1 year after the date of enactment of the Research and Development, Competition, and Innovation Act, the Secretary, acting through the Assistant Secretary for Nuclear Energy, shall evaluate the technical and economic feasibility of the establishment of an isotope demonstration subprogram of the program established under paragraph (1) to support the development and commercial demonstration of critical radioactive and stable isotope production in existing commercial nuclear power plants.

“(B) **CONSULTATION.**—The Secretary, acting through the Assistant Secretary for Nuclear Energy, shall consult with the Director of the Office of Science in carrying out the evaluation under subparagraph (A).

“(C) **DEFINITION OF CRITICAL RADIOACTIVE AND STABLE ISOTOPE.**—In this paragraph, the term ‘critical radioactive and stable isotope’ has the meaning given the term in section 311(a) of the Department of Energy Research and Innovation Act.”

(c) **RADIOISOTOPE PROCESSING FACILITY.**—

(1) **IN GENERAL.**—The Secretary of Energy (referred to in this subsection as “the Secretary”) shall construct a radioisotope processing facility to provide for the growing radiochemical processing capability needs associated with the production of critical radioactive isotopes authorized under section 311 of the Department of Energy Research and Innovation Act.

(2) **FUNDING.**—Out of funds authorized to be appropriated under section 311(e) of the Department of Energy Research and Innovation Act, there are authorized to be appropriated to the Secretary to carry out this subsection—

- (A) \$30,500,000 for fiscal year 2023;
- (B) \$75,000,000 for fiscal year 2024;
- (C) \$105,000,000 for fiscal year 2025;
- (D) \$83,000,000 for fiscal year 2026; and
- (E) \$43,000,000 for fiscal year 2027.

(d) **STABLE ISOTOPE PRODUCTION AND RESEARCH CENTER.**—

(1) **IN GENERAL.**—The Secretary of Energy (referred to in this subsection as “the Secretary”) shall establish a stable isotope production and research center—

(A) to expand the ability of the United States to perform multiple stable isotope production campaigns at large-scale production, as authorized under section 311 of the Department of Energy Research and Innovation Act;

(B) to mitigate the dependence of the United States on foreign-produced stable isotopes;

(C) to promote economic resilience; and

(D) to conduct research and development on stable isotope production and associated methods and technology.

(2) **FUNDING.**—Out of funds authorized to be appropriated under section 311(e) of the De-

partment of Energy Research and Innovation Act, there are authorized to be appropriated to the Secretary to carry out this subsection—

- (A) \$74,400,000 for fiscal year 2023;
- (B) \$46,000,000 for fiscal year 2024;
- (C) \$31,200,000 for fiscal year 2025;
- (D) \$33,300,000 for fiscal year 2026; and
- (E) \$13,900,000 for fiscal year 2027.

SEC. 10111. INCREASED COLLABORATION WITH TEACHERS AND SCIENTISTS.

(a) **IN GENERAL.**—The Department of Energy Research and Innovation Act (42 U.S.C. 18601 et seq.) is amended by adding after section 311 (as added by section 10110), the following:

“SEC. 312. INCREASED COLLABORATION WITH TEACHERS AND SCIENTISTS.

“The Director shall support the development of a scientific workforce through programs that facilitate collaboration between and among teachers at elementary schools and secondary schools served by local educational agencies, students at institutions of higher education, early-career researchers, faculty at institutions of higher education, and the National Laboratories, including through the use of proven techniques to expand the number of individuals from underrepresented groups pursuing and attaining skills or undergraduate and graduate degrees relevant to the mission of the Office of Science.”

(b) **AUTHORIZATION OF APPROPRIATIONS.**—Section 3169 of the Department of Energy Science Education Enhancement Act (42 U.S.C. 7381e) is amended—

(1) by striking “There are” and inserting “Out of funds authorized to be appropriated for the Office of Science of the Department of Energy in a fiscal year, there are”; and

(2) by striking “fiscal year 1991” and inserting “each of fiscal years 2023 through 2027”.

(c) **BROADENING PARTICIPATION IN WORKFORCE DEVELOPMENT FOR TEACHERS AND SCIENTISTS.**—

(1) **IN GENERAL.**—The Department of Energy Science Education Enhancement Act is amended by inserting after section 3167 (42 U.S.C. 7381c-1) the following:

“SEC. 3167A. BROADENING PARTICIPATION FOR TEACHERS AND SCIENTISTS.

“(a) **IN GENERAL.**—The Secretary shall—

“(1) expand opportunities to increase the number of highly skilled science, technology, engineering, and mathematics (STEM) professionals working in disciplines relevant to the mission of the Department; and

“(2) broaden the recruitment pool to increase participation from Historically Black Colleges or Universities (as defined in section 3167B(f)), Hispanic-serving institutions (as defined in that section), Tribal Colleges or Universities (as defined in that section), minority-serving institutions (as defined in that section), institutions in eligible jurisdictions (as defined in that section), emerging research institutions, community colleges, and scientific societies in those disciplines.

“(b) **PLAN.**—Not later than 1 year after the date of enactment of the Research and Development, Competition, and Innovation Act, the Secretary shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committees on Energy and Natural Resources and Commerce, Science, and Transportation of the Senate and make available to the public a plan for broadening participation of underrepresented groups in science, technology, engineering, and mathematics in programs supported by the Department, including—

“(1) a plan for supporting relevant Federal research award grantees and leveraging the

National Science Foundation INCLUDES National Network and relevant partnerships, including partnerships maintained by other Federal research agencies;

“(2) metrics for assessing the participation of underrepresented groups in programs supported by the Department;

“(3) experienced and potential barriers to broadening participation of underrepresented groups in programs supported by the Department, including recommended solutions; and

“(4) any other activities the Secretary determines appropriate.

“(c) **AUTHORIZATION OF APPROPRIATIONS.**—Of the amounts authorized to be appropriated under section 3169, not less than \$2,000,000 is authorized to be appropriated each fiscal year for the activities described in this section.

“SEC. 3167B. EXPANDING OPPORTUNITIES FOR HIGHLY SKILLED SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS (STEM) PROFESSIONALS.

“(a) **IN GENERAL.**—The Secretary shall—

“(1) expand opportunities and increase the number of highly skilled science, technology, engineering, and mathematics (STEM) professionals working in disciplines relevant to the mission of the Department; and

“(2) broaden the recruitment pool to increase participation from and expand partnerships with Historically Black Colleges or Universities, Hispanic serving institutions, Tribal Colleges or Universities, minority-serving institutions, institutions in eligible jurisdictions, emerging research institutions, community colleges, and scientific societies in those disciplines.

“(b) **PLAN AND OUTREACH STRATEGY.**—

“(1) **PLAN.**—

“(A) **IN GENERAL.**—Not later than 180 days after the date of enactment of the Research and Development, Competition, and Innovation Act, the Secretary shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a 10-year educational plan to fund and expand new or existing programs administered by the Office of Science and sited at the National Laboratories and Department user facilities to expand educational and workforce development opportunities for underrepresented individuals, including—

“(i) high school, undergraduate, and graduate students; and

“(ii) recent graduates, teachers, and faculty in STEM fields.

“(B) **CONTENTS.**—The plan under subparagraph (A) may include paid internships, fellowships, temporary employment, training programs, visiting student and faculty programs, sabbaticals, and research support.

“(2) **OUTREACH CAPACITY.**—The Secretary shall include in the plan under paragraph (1) an outreach strategy to improve the advertising, recruitment, and promotion of educational and workforce development programs to community colleges, Historically Black Colleges or Universities, Hispanic-serving institutions, Tribal Colleges or Universities, minority-serving institutions, institutions in eligible jurisdictions, and emerging research institutions.

“(c) **BUILDING RESEARCH CAPACITY.**—

“(1) **IN GENERAL.**—The Secretary shall develop programs that strengthen the research capacity relevant to Office of Science disciplines at emerging research institutions, including minority-serving institutions, Tribal Colleges or Universities, Historically Black Colleges or Universities, institutions in eligible jurisdictions (as defined in section 2203(b)(3)(A) of the Energy Policy Act of 1992 (42 U.S.C. 13503(b)(3)(A))), institutions in

communities with dislocated workers who were previously employed in manufacturing, energy production, including coal power plants, and mineral and material mining, and other institutions of higher education.

“(2) INCLUSIONS.—The programs developed under paragraph (1) may include—

“(A) enabling mutually beneficial and jointly managed partnerships between research-intensive institutions and emerging research institutions; and

“(B) soliciting research proposals, fellowships, training programs, and research support directly from emerging research institutions.

“(d) TRAINEESHIPS.—

“(1) IN GENERAL.—The Secretary shall establish a university-led Traineeship Program to address workforce development needs in STEM fields relevant to the Department.

“(2) FOCUS.—The focus of the Traineeship Program established under paragraph (1) shall be on—

“(A) supporting workforce development and research experiences for underrepresented undergraduate and graduate students; and

“(B) increasing participation from underrepresented populations.

“(3) INCLUSION.—The traineeships under the Traineeship Program established under paragraph (1) shall include opportunities to build the next-generation workforce in research areas critical to maintaining core competencies across the programs of the Office of Science.

“(e) EVALUATION.—

“(1) IN GENERAL.—The Secretary shall establish key performance indicators to measure and monitor progress of education and workforce programs and expand Departmental activities for data collection and analysis.

“(2) REPORT.—Not later than 2 years after the date of enactment of the Research and Development, Competition, and Innovation Act, and every 2 years thereafter, the Secretary shall submit to the Committee on Science, Space, and Technology and the Committee on Education and Labor of the House of Representatives and the Committee on Energy and Natural Resources and the Committee on Health, Education, Labor, and Pensions of the Senate a report summarizing progress toward meeting the key performance indicators established under paragraph (1).

“(f) DEFINITIONS.—In this section:

“(1) COMMUNITY COLLEGE.—The term ‘community college’ means—

“(A) a public institution of higher education, including additional locations, at which the highest awarded degree, or the predominantly awarded degree, is an associate degree; or

“(B) any Tribal college or university.

“(2) DISLOCATED WORKER.—The term ‘dislocated worker’ has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

“(3) HISPANIC-SERVING INSTITUTION.—The term ‘Hispanic-serving institution’ has the meaning given the term in section 502(a) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)).

“(4) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term ‘Historically Black College or University’ has the meaning given the term ‘part B institution’ in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

“(5) INSTITUTION IN AN ELIGIBLE JURISDICTION.—The term ‘institution in an eligible jurisdiction’ means an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) that is located in an eligible jurisdiction (as

defined in section 2203(b)(3)(A) of the Energy Policy Act of 1992 (42 U.S.C. 13503(b)(3)(A))).

“(6) MINORITY-SERVING INSTITUTION.—The term ‘minority-serving institution’ includes the entities described in any of paragraphs (1) through (7) of section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

“(7) STEM.—The term ‘STEM’ means the subjects listed in section 2 of the STEM Education Act of 2015 (42 U.S.C. 6621 note; Public Law 114–59).

“(8) TRIBAL COLLEGE OR UNIVERSITY.—The term ‘Tribal College or University’ has the meaning given the term in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)).”

(2) CLERICAL AMENDMENT.—The table of contents in section 2(b) of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 104 Stat. 1497) is amended by striking the items relating to sections 3167 and 3168 and inserting the following:

“Sec. 3167. Partnerships with historically Black colleges and universities, Hispanic-serving institutions, and tribal colleges.

“Sec. 3167A. Broadening participation for teachers and scientists.

“Sec. 3167B. Expanding opportunities for highly skilled science, technology, engineering, and mathematics (STEM) professionals.

“Sec. 3168. Definitions.

“Sec. 3169. Authorization of appropriations.”

SEC. 10112. HIGH INTENSITY LASER RESEARCH INITIATIVE; HELIUM CONSERVATION PROGRAM; OFFICE OF SCIENCE EMERGING BIOLOGICAL THREAT PREPAREDNESS RESEARCH INITIATIVE; MIDSCALE INSTRUMENTATION AND RESEARCH EQUIPMENT PROGRAM; AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—The Department of Energy Research and Innovation Act (42 U.S.C. 18601 et seq.) (as amended by section 10111(a)) is amended by adding at the end the following:

“SEC. 313. HIGH INTENSITY LASER RESEARCH INITIATIVE.

“(a) IN GENERAL.—The Director shall establish a high intensity laser research initiative consistent with the recommendations of the National Academies report entitled ‘Opportunities in Intense Ultrafast Lasers: Reaching for the Brightest Light’ and the report from the Brightest Light Initiative workshop entitled ‘The Future of Intense Ultrafast Lasers in the U.S.’. The initiative should include research and development of petawatt-scale and of high average power laser technologies necessary for future facility needs in discovery science and to advance energy technologies, as well as support for a user network of academic and National Laboratory high intensity laser facilities.

“(b) LEVERAGE.—The Director shall leverage new laser technologies for more compact, less complex, and low-cost accelerator systems needed for science applications.

“(c) COORDINATION.—

“(1) DIRECTOR.—The Director shall coordinate the initiative established under subsection (a) among all relevant programs within the Office of Science.

“(2) UNDER SECRETARY.—The Under Secretary for Science shall coordinate the initiative established under subsection (a) with other relevant programs within the Department and other Federal agencies.

“(d) AUTHORIZATION OF APPROPRIATIONS.—Out of funds authorized to be appropriated for the Office of Science in a fiscal year, there are authorized to be appropriated to the Secretary to carry out the activities described in this section—

“(1) \$50,000,000 for fiscal year 2023;

“(2) \$100,000,000 for fiscal year 2024;

“(3) \$150,000,000 for fiscal year 2025;

“(4) \$200,000,000 for fiscal year 2026; and

“(5) \$250,000,000 for fiscal year 2027.

“SEC. 314. HELIUM CONSERVATION PROGRAM.

“(a) IN GENERAL.—The Secretary shall establish a program to reduce the consumption of helium for Department grant recipients and facilities and encourage helium recycling and reuse. The program shall competitively award grants for—

“(1) the purchase of equipment to capture, reuse, and recycle helium;

“(2) the installation, maintenance, and repair of new and existing helium capture, reuse, and recycling equipment; and

“(3) helium alternatives research and development activities.

“(b) REPORT.—Not later than 2 years after the date of enactment of the Research and Development, Competition, and Innovation Act, and every 3 years thereafter, the Director shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the purchase of helium as part of research projects and facilities supported by the Department. The report shall include—

“(1) the quantity of helium purchased for projects and facilities supported by Department grants;

“(2) a cost-analysis for such helium;

“(3) to the maximum extent practicable, information on whether such helium was imported from outside the United States, and if available, the country or region of the world from which the helium was imported;

“(4) expected or experienced impacts of helium supply shortages or prices on the research projects and facilities supported by the Department; and

“(5) recommendations for reducing Department grant recipients’ exposure to volatile helium prices and supply shortages.

“(c) COORDINATION.—In carrying out the program under this section, the Director shall coordinate with the National Science Foundation and other relevant Federal agencies on helium conservation activities.

“(d) DURATION.—The program established under this section shall receive support for a period of not more than 5 years, subject to the availability of appropriations.

“(e) RENEWAL.—Upon expiration of any period of support of the program under this section, the Director may renew support for the program for a period of not more than 5 years.

“SEC. 315. OFFICE OF SCIENCE BIOLOGICAL THREAT PREPAREDNESS RESEARCH INITIATIVE.

“(a) IN GENERAL.—The Secretary shall establish within the Office of Science a cross-cutting research initiative, to be known as the ‘Biological Threat Preparedness Research Initiative’, to leverage the innovative analytical resources and tools, user facilities, and advanced computational and networking capabilities of the Department in order to support efforts that prevent, prepare for, predict, and respond to biological threats to national security, including infectious diseases.

“(b) COMPETITIVE, MERIT-REVIEWED PROCESS.—The Secretary shall carry out the initiative established under subsection (a) through a competitive, merit-reviewed process, and consider applications from National Laboratories, institutions of higher education, multi-institutional collaborations, industry partners and other appropriate entities.

“(c) ACTIVITIES.—In carrying out the initiative established under subsection (a), the Secretary shall—

“(1) determine a comprehensive set of technical milestones for the research activities described in that subsection;

“(2) prioritize the objectives of—

“(A) supporting fundamental research and development in advanced analytics, experimental studies, materials synthesis, and high-performance computing technologies needed in order to more quickly and effectively characterize, model, simulate, and predict complex natural phenomena and biological materials related to emerging biological threats;

“(B) supporting the development of tools that inform epidemiological modeling, and applying artificial intelligence, machine learning, and other computing tools to accelerate such processes;

“(C) supporting research and capabilities that enhance understanding and modeling of the transport of pathogens in indoor and outdoor air and water environments;

“(D) identifying priority research opportunities and capabilities for molecular design and modeling for medical countermeasures;

“(E) ensuring that new experimental and computational tools are accessible to relevant research communities, including private sector entities and other Federal research institutions; and

“(F) supporting activities and projects that combine computational modeling and simulation with experimental research facilities and studies;

“(3) leverage the research infrastructure of the Department, including scientific computing user facilities, x-ray light sources, neutron scattering facilities, nanoscale science research centers, and sequencing and biocharacterization facilities;

“(4) leverage experience from existing modeling and simulation research and work sponsored by the Department and promote collaboration and data sharing between National Laboratories, research entities, and user facilities of the Department by providing necessary access and secure data transfer capabilities; and

“(5) ensure that new experimental and computational tools are accessible to relevant research communities, including private sector entities, to address emerging biological threats.

“(d) COORDINATION.—In carrying out the initiative established under subsection (a), the Secretary shall coordinate activities with—

“(1) other relevant offices of the Department;

“(2) the National Nuclear Security Administration;

“(3) the National Laboratories;

“(4) the Director of the National Science Foundation;

“(5) the Director of the Centers for Disease Control and Prevention;

“(6) the Director of the National Institutes of Health;

“(7) the Assistant Secretary for Preparedness and Response;

“(8) the heads of other relevant Federal agencies;

“(9) institutions of higher education; and

“(10) the private sector.

“(e) INFECTIOUS DISEASES HIGH PERFORMANCE COMPUTING RESEARCH CONSORTIUM.—

“(1) IN GENERAL.—The Secretary, in coordination with the Director of the National Science Foundation and the Director of the Office of Science and Technology Policy, shall establish and operate an Emerging Infectious Diseases High Performance Computing Research Consortium (referred to in this section as the ‘Consortium’), to support the initiative established under subsection (a) by providing, to the extent practicable, a centralized entity for multidisciplinary, collaborative, emerging infectious disease and biosecurity research and development through high performance computing and advanced data analytics technologies and proc-

esses, in conjunction with the experimental research facilities and studies supported by the Department.

“(2) MEMBERSHIP.—The members of the Consortium may include representatives from relevant Federal agencies, the National Laboratories, the private sector, and institutions of higher education, which can each contribute relevant compute time, capabilities, or other resources.

“(3) ACTIVITIES.—The Consortium shall—

“(A) match applicants with available Federal and private sector computing resources;

“(B) consider supplemental awards for computing partnerships with Consortium members to qualifying entities on a competitive merit-review basis;

“(C) encourage collaboration and communication among member representatives of the Consortium and awardees;

“(D) provide access to the high-performance computing capabilities, expertise, and user facilities of the Department and the National Laboratories; and

“(E) submit an annual report to the Secretary summarizing the activities of the Consortium, including—

“(i) describing each project undertaken by the Consortium;

“(ii) detailing organizational expenditures; and

“(iii) evaluating contributions to the achievement of technical milestones as determined in subsection (a).

“(4) COORDINATION.—The Secretary shall ensure the coordination of, and avoid unnecessary duplication of, the activities of the Consortium with the activities of other research entities of the Department, other Federal research institutions, institutions of higher education, and the private sector.

“(f) REPORT.—Not later than 2 years after the date of enactment of the Research and Development, Competition, and Innovation Act, the Secretary shall submit to the Committee on Science, Space, and Technology and the Committee on Energy and Commerce of the House of Representatives, and the Committee on Energy and Natural Resources, the Committee on Commerce, Science, and Transportation, and the Committee on Health, Education, Labor, and Pensions of the Senate, a report detailing the effectiveness of—

“(1) the interagency coordination among each Federal agency involved in the initiative established under subsection (a);

“(2) the collaborative research achievements of that initiative, including the achievement of the technical milestones determined under that subsection; and

“(3) potential opportunities to expand the technical capabilities of the Department.

“(g) FUNDING.—Out of funds authorized to be appropriated for the Office of Science in a fiscal year, there is authorized to be appropriated to the Secretary to carry out the activities under this section \$50,000,000 for each of fiscal years 2023 through 2027.

“SEC. 316. MIDSCALE INSTRUMENTATION AND RESEARCH EQUIPMENT PROGRAM.

“(a) IN GENERAL.—The Director shall establish a midscale instrumentation and research equipment program to develop, acquire, and commercialize research instrumentation and equipment needed to meet the missions of the Department and to provide platform technologies for the broader scientific community.

“(b) ACTIVITIES.—Under the program established under subsection (a), the Director shall—

“(1) enable the development and acquisition of novel, state-of-the-art instruments that—

“(A) range in cost from \$1,000,000 to \$20,000,000 each; and

“(B) would significantly accelerate scientific breakthroughs at user facilities; and

“(2) strongly encourage partnerships among—

“(A) National Laboratories;

“(B) user facilities; and

“(C)(i) institutions in a State receiving funding under the Established Program to Stimulate Competitive Research established under section 2203(b)(3) of the Energy Policy Act of 1992 (42 U.S.C. 13503(b)(3));

“(ii) historically Black colleges or universities;

“(iii) minority-serving institutions of higher education; or

“(iv) institutions of higher education in a rural area.

“(c) COORDINATION WITH OTHER PROGRAMS.—The Director shall coordinate the program established under subsection (a) with all other programs carried out by the Office of Science of the Department.

“(d) RESEARCH EQUIPMENT AND TECHNOLOGY DEVELOPMENT COORDINATION.—The Director shall encourage coordination among the Office of Science, the National Laboratories, the Office of Technology Transitions, and relevant academic and private sector entities to identify, disseminate, and commercialize research instruments, equipment, and related technologies developed to aid basic science research discoveries that meet the mission of the Department.

“(e) AUTHORIZATION OF APPROPRIATIONS.—Out of funds authorized to be appropriated for the Office of Science in a fiscal year, there is authorized to be appropriated to carry out this section \$150,000,000 for each of fiscal years 2023 through 2027.

“SEC. 317. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to the Secretary to carry out the activities described in this title—

“(1) \$8,902,392,400 for fiscal year 2023;

“(2) \$9,541,895,744 for fiscal year 2024;

“(3) \$10,068,198,994 for fiscal year 2025;

“(4) \$10,468,916,520 for fiscal year 2026; and

“(5) \$10,831,342,317 for fiscal year 2027.”

(b) TABLE OF CONTENTS.—Section 1(b) of the Department of Energy Research and Innovation Act is amended in the table of contents by inserting after the item relating to section 309 the following:

“Sec. 310. Accelerator research and development.

“Sec. 311. Isotope research, development, and production.

“Sec. 312. Increased collaboration with teachers and scientists.

“Sec. 313. High intensity laser research initiative.

“Sec. 314. Helium conservation program.

“Sec. 315. Office of Science Biological Threat Preparedness Research Initiative.

“Sec. 316. Midscale instrumentation and research equipment program.

“Sec. 317. Authorization of appropriations.”.

SEC. 10113. ESTABLISHED PROGRAM TO STIMULATE COMPETITIVE RESEARCH.

(a) RESEARCH AREAS.—Section 2203(b)(3)(E) of the Energy Policy Act of 1992 (42 U.S.C. 13503(b)(3)(E)) is amended—

(1) in the subparagraph heading, by striking “IN AREAS OF APPLIED ENERGY RESEARCH, ENVIRONMENTAL MANAGEMENT, AND BASIC SCIENCE”;

(2) in clause (i)—

(A) in subclause (I), by inserting “nuclear energy,” before “and”; and

(B) by striking subclause (V) and inserting the following:

“(V) scientific research, including—

“(aa) advanced scientific computing research;

“(bb) basic energy sciences;

“(cc) biological and environmental research;

“(dd) fusion energy sciences;
 “(ee) high energy physics;
 “(ff) nuclear physics;
 “(gg) isotope research, development, and production;
 “(hh) accelerator research, development, and production; and
 “(ii) other areas of research funded by the Office of Science, as determined by the Secretary.”; and
 (3) in clause (ii)—
 (A) in subclause (II), by striking “graduate” and inserting “undergraduate scholarships, graduate fellowships, and”;
 (B) in subclause (III), by striking “; and” and inserting “and staff.”;
 (C) in subclause (IV)—
 (i) by striking “biennial” and inserting “annual”; and
 (ii) by striking the period at the end and inserting a semicolon; and
 (D) by adding at the end the following:
 “(V) to develop research clusters for particular areas of expertise; and
 “(VI) to diversify the future workforce.”.
 (b) RESEARCH CAPABILITY ENHANCEMENT.—Section 2203(b)(3) of the Energy Policy Act of 1992 (42 U.S.C. 13503(b)(3)) is amended by striking subparagraph (F) and inserting the following:
 “(F) RESEARCH CAPABILITY ENHANCEMENT.—
 “(i) SCHOLARSHIPS AND FELLOWSHIPS.—
 “(I) IN GENERAL.—Pursuant to subparagraph (E)(ii), the Secretary shall award grants to institutions of higher education in eligible jurisdictions for those institutions of higher education to provide scholarships and fellowships.
 “(II) GRANT.—A scholarship or fellowship awarded by an institution of higher education in an eligible jurisdiction using a grant provided under subclause (I)—
 “(aa) in the case of an undergraduate scholarship—
 “(AA) shall be for a period of 1 year; and
 “(BB) may be competitively renewable on an annual basis; and
 “(bb) in the case of a graduate level fellowship, shall be for a period of not more than 5 years.
 “(ii) EARLY CAREER CAPACITY DEVELOPMENT.—
 “(I) IN GENERAL.—Pursuant to subparagraph (E)(ii), the Secretary shall award grants to early career faculty and staff at institutions of higher education in eligible jurisdictions—
 “(aa) to support investigator-initiated research, including associated research equipment and instrumentation;
 “(bb) to support activities associated with identifying and responding to funding opportunities;
 “(cc) to secure technical assistance for the pursuit of funding opportunities; and
 “(dd) to develop and enhance collaboration among National Laboratories, Department of Energy programs, the private sector, and other relevant entities.
 “(II) GRANTS.—A grant awarded under subclause (I) shall be—
 “(aa) for a period of not more than 5 years; and
 “(bb) competitively renewable for an additional 5-year period.
 “(iii) RESEARCH CAPACITY DEVELOPMENT.—
 “(I) IN GENERAL.—Pursuant to subparagraph (E)(ii), the Secretary shall award competitive grants to institutions of higher education in eligible jurisdictions for research capacity development and implementation, including—
 “(aa) developing expertise in key technology areas, including associated equipment and instrumentation;
 “(bb) developing and acquiring novel, state-of-the-art instruments and equipment that range in cost from \$500,000 to \$20,000,000;

“(cc) enhancing collaboration with National Laboratories, the Department of Energy, and the private sector through faculty or staff placement programs; and
 “(dd) supporting formal partnership programs with institutions of higher education and National Laboratories.
 “(II) GRANTS.—A grant awarded under subclause (I) shall be—
 “(aa) for a period of not more than 5 years; and
 “(bb) renewable for an additional 5-year period.
 “(III) EQUIPMENT AND INSTRUMENTATION.—To the maximum extent practicable, the Secretary shall ensure that research equipment and instrumentation developed or acquired pursuant to a grant awarded under subclause (I) may sustain continued operation and be maintained without the need for additional or subsequent funding under this section.”.
 (c) PROGRAM IMPLEMENTATION UPDATE.—Section 2203(b)(3)(G) of the Energy Policy Act of 1992 (42 U.S.C. 13503(b)(3)(G)) is amended by adding at the end the following:
 “(iii) UPDATE.—Not later than 270 days after the date of enactment of the Research and Development, Competition, and Innovation Act, the Secretary shall—
 “(I) update the plan submitted under clause (i); and
 “(II) submit the updated plan to the committees described in that clause.”.
 (d) PROGRAM EVALUATION REPORT.—Section 2203(b)(3)(H) of the Energy Policy Act of 1992 (42 U.S.C. 13503(b)(3)(H)) is amended by adding at the end the following:
 “(iv) ANNUAL REPORT.—At the end of each fiscal year, the Secretary shall submit to the Committee on Energy and Natural Resources and the Committee on Appropriations of the Senate and the Committee on Energy and Commerce and the Committee on Appropriations of the House of Representatives a report that includes—
 “(I) the total amount of expenditures made by the Department to carry out EPSCoR in each eligible jurisdiction for each of the 3 most recent fiscal years for which such information is available;
 “(II)(aa) the number of EPSCoR awards made to institutions of higher education located in eligible jurisdictions; and
 “(bb) the amount and type of each award;
 “(III) the number of awards that are not EPSCoR awards made by the Secretary to institutions of higher education located in eligible jurisdictions;
 “(IV)(aa) the number of representatives of institutions of higher education in eligible jurisdictions serving on each Office of Science advisory committee; and
 “(bb) for each such advisory committee, the percentage of committee membership that those individuals constitute; and
 “(V) the number of individuals from institutions of higher education in eligible jurisdictions serving on peer review committees.”.
 (e) FUNDING.—Section 2203(b)(3) of the Energy Policy Act of 1992 (42 U.S.C. 13503(b)(3)) is amended by adding at the end the following:
 “(I) FUNDING.—
 “(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out EPSCoR, to remain available until expended—
 “(I) \$50,000,000 for fiscal year 2023;
 “(II) \$50,000,000 for fiscal year 2024;
 “(III) \$75,000,000 for fiscal year 2025;
 “(IV) \$100,000,000 for fiscal year 2026; and
 “(V) \$100,000,000 for fiscal year 2027.
 “(ii) GRANTS TO CONSORTIA.—In the case of an EPSCoR grant awarded to a consortium that contains institutions of higher edu-

cation that are not located in eligible jurisdictions, the Secretary may count—

“(I) the full amount of funds expended to provide the grant towards meeting the funding requirement in clause (iii) if the lead entity of the consortium is an institution of higher education located in an eligible jurisdiction; and

“(II) only the funds provided to institutions of higher education located in eligible jurisdictions towards meeting the funding requirement in clause (iii) if the lead entity of the consortium is an institution of higher education that is not located in an eligible jurisdiction.

“(iii) ADDITIONAL FUNDS FOR ELIGIBLE JURISDICTIONS.—In addition to funds authorized to be appropriated under clause (i), the Secretary, to the maximum extent practicable while maintaining the competitive, merit-based award processes of the Office of Science, shall ensure that, of the research and development funds of the Office of Science that are awarded by the Secretary each year to institutions of higher education, not less than 10 percent is awarded to institutions of higher education in eligible jurisdictions pursuant to the evaluation and selection criteria in section 605.10 of title 10, Code of Federal Regulations (or successor regulations).

“(iv) ADDITIONAL FUNDS FOR EQUIPMENT AND INSTRUMENTATION.—In addition to funds authorized to be appropriated under clause (i), there is authorized to be appropriated to the Secretary to award grants under subparagraph (F)(iii)(I) for the purpose described in item (bb) of that subparagraph \$25,000,000 for each of fiscal years 2023 through 2027, to remain available until expended.

“(v) ACCOUNTING.—To the maximum extent practicable, the Secretary shall ensure that each program within the Department of Energy that endorses an EPSCoR grant award-ee shall contribute funding to the award to acknowledge the research benefits to the mission of that program.”.

(f) ADVISORY COMMITTEES TO THE OFFICE OF SCIENCE.—In order to improve the advice and guidance provided to the Office of Science, the Undersecretary for Science shall seek to ensure, to the maximum extent practicable, the robust participation of institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) located in eligible jurisdictions (as defined in section 2203(b)(3)(A) of the Energy Policy Act of 1992 (42 U.S.C. 13503(b)(3)(A))) on the Office of Science Federal Advisory Committee.

(g) TECHNICAL AMENDMENTS.—Section 2203(b) of the Energy Policy Act of 1992 (42 U.S.C. 13503(b)) is amended—

(1) in paragraph (1), by striking “(1) The Secretary” and inserting the following:

“(1) UNIVERSITY RESEARCH REACTORS.—The Secretary”; and

(2) in paragraph (2), by striking “(2) The Secretary” and inserting the following:

“(2) METHOD TO EVALUATE EFFECTIVENESS OF EDUCATION PROGRAMS.—The Secretary”.

SEC. 10114. RESEARCH SECURITY.

(a) DEFINITIONS.—In this section:

(1) COUNTRY OF RISK.—

(A) IN GENERAL.—The term “country of risk” means a foreign country determined by the Secretary, in accordance with subparagraph (B), to present a risk of theft of United States intellectual property or a threat to the national security of the United States if nationals of the country, or entities owned or controlled by the country or nationals of the country, participate in any research, development, demonstration, or deployment activity authorized under this division or division A or an amendment made by this division or division A.

(B) DETERMINATION.—In making a determination under subparagraph (A), the Secretary, in coordination with the Director of the Office of Intelligence and Counterintelligence, shall take into consideration—

(i) the most recent World Wide Threat Assessment of the United States Intelligence Community, prepared by the Director of National Intelligence; and

(ii) the most recent National Counterintelligence Strategy of the United States.

(2) COVERED SUPPORT.—The term “covered support” means any grant, contract, subcontract, award, loan, program, support, or other activity authorized under this division or division A, or an amendment made by this division or division A.

(3) ENTITY OF CONCERN.—The term “entity of concern” means any entity, including a national, that is—

(A) identified under section 1237(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (50 U.S.C. 1701 note; Public Law 105-261);

(B) identified under section 1260H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (10 U.S.C. 113 note; Public Law 116-283);

(C) on the Entity List maintained by the Bureau of Industry and Security of the Department of Commerce and set forth in Supplement No. 4 to part 744 of title 15, Code of Federal Regulations;

(D) included in the list required by section 9(b)(3) of the Uyghur Human Rights Policy Act of 2020 (Public Law 116-145; 134 Stat. 656); or

(E) identified by the Secretary, in coordination with the Director of the Office of Intelligence and Counterintelligence and the applicable office that would provide, or is providing, covered support, as posing an unmanageable threat—

(i) to the national security of the United States; or

(ii) of theft or loss of United States intellectual property.

(4) NATIONAL.—The term “national” has the meaning given the term in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(5) SECRETARY.—The term “Secretary” means the Secretary of Energy.

(b) SCIENCE AND TECHNOLOGY RISK ASSESSMENT.—

(1) IN GENERAL.—The Secretary shall develop and maintain tools and processes to manage and mitigate research security risks, such as a science and technology risk matrix, informed by threats identified by the Director of the Office of Intelligence and Counterintelligence, to facilitate determinations of the risk of loss of United States intellectual property or threat to the national security of the United States posed by activities carried out under any covered support.

(2) CONTENT AND IMPLEMENTATION.—In developing and using the tools and processes developed under paragraph (1), the Secretary shall—

(A) deploy risk-based approaches to evaluating, awarding, and managing certain research, development, demonstration, and deployment activities, including designations that will indicate the relative risk of activities;

(B) assess, to the extent practicable, ongoing high-risk activities;

(C) designate an officer or employee of the Department of Energy to be responsible for tracking and notifying recipients of any covered support of unmanageable threats to United States national security or of theft or loss of United States intellectual property posed by an entity of concern;

(D) consider requiring recipients of covered support to implement additional research se-

curity mitigations for higher-risk activities if appropriate; and

(E) support the development of research security training for recipients of covered support on the risks posed by entities of concern.

(3) ANNUAL UPDATES.—The tools and processes developed under paragraph (1) shall be evaluated annually and updated as needed, with threat-informed input from the Office of Intelligence and Counterintelligence, to reflect changes in the risk designation under paragraph (2)(A) of research, development, demonstration, and deployment activities conducted by the Department.

(c) ENTITY OF CONCERN.—

(1) PROHIBITION.—Except as provided in paragraph (2), no entity of concern, or individual that owns or controls, is owned or controlled by, or is under common ownership or control with an entity of concern, may receive, or perform work under, any covered support.

(2) WAIVER OF PROHIBITION.—

(A) IN GENERAL.—The Secretary may waive the prohibition under paragraph (1) if determined by the Secretary to be in the national interest.

(B) NOTIFICATION TO CONGRESS.—Not less than 2 weeks prior to issuing a waiver under subparagraph (A), the Secretary shall notify the Committee on Energy and Natural Resources of the Senate and the Committee on Science, Space, and Technology of the House of Representatives of the intent to issue the waiver, including a justification for the waiver.

(3) PENALTY.—

(A) TERMINATION OF SUPPORT.—On finding that any entity of concern or individual described in paragraph (1) has received covered support and has not received a waiver under paragraph (2), the Secretary shall terminate all covered support to that entity of concern or individual, as applicable.

(B) PENALTIES.—An entity of concern or individual identified under subparagraph (A) shall be—

(i) prohibited from receiving or participating in covered support for a period of not less than 1 year but not more than 10 years, as determined by the Secretary; or

(ii) instead of the penalty described in clause (i), subject to any other penalties authorized under applicable law or regulations that the Secretary determines to be in the national interest.

(C) NOTIFICATION TO CONGRESS.—Prior to imposing a penalty under subparagraph (B), the Secretary shall notify the Committee on Energy and Natural Resources of the Senate and the Committee on Science, Space, and Technology of the House of Representatives of the intent to impose the penalty, including a description of and justification for the penalty.

(4) COORDINATION.—The Secretary shall—

(A) share information about the unmanageable threats described in subsection (a)(3)(E) with other Federal agencies; and

(B) develop consistent approaches to identifying entities of concern.

(d) INTERNATIONAL AGREEMENTS.—This section shall be applied in a manner consistent with the obligations of the United States under international agreements.

(e) REPORT REQUIRED.—Not later than 240 days after the date of enactment of this Act, the Secretary shall submit to Congress a report that—

(1) describes—

(A) the tools and processes developed under subsection (b)(1) and any updates to those tools and processes; and

(B) if applicable, the science and technology risk matrix developed under that subsection and how that matrix has been applied;

(2) includes a mitigation plan for managing risks posed by countries of risk with respect to future or ongoing research and development activities of the Department of Energy; and

(3) defines critical research areas, designated by risk, as determined by the Secretary.

TITLE II—NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY FOR THE FUTURE

SEC. 10201. DEFINITIONS.

In this title:

(1) DIRECTOR.—The term “Director” means the Director of the National Institute of Standards and Technology.

(2) ENROLLMENT OF NEEDY STUDENTS.—The term “enrollment of needy students” has the meaning given the term in section 312(d) of the Higher Education Act of 1965 (20 U.S.C. 1058(d)).

(3) FRAMEWORK.—The term “Framework” means the Framework for Improving Critical Infrastructure Cybersecurity developed by the National Institute of Standards and Technology and referred to in Executive Order No. 13800 issued on May 11, 2017 (82 Fed. Reg. 22391 et seq.).

(4) INSTITUTE.—The term “Institute” means the National Institute of Standards and Technology.

(5) INTERNATIONAL STANDARDS ORGANIZATION.—The term “international standards organization” has the meaning given such term in section 451 of the Trade Agreements Act of 1979 (19 U.S.C. 2571).

(6) SECRETARY.—The term “Secretary” means the Secretary of Commerce.

Subtitle A—Authorization of Appropriations

SEC. 10211. AUTHORIZATION OF APPROPRIATIONS.

(a) FISCAL YEAR 2023.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of Commerce \$1,551,450,000 for the National Institute of Standards and Technology for fiscal year 2023.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized by paragraph (1)—

(A) \$979,100,000 is authorized for scientific and technical research and services laboratory activities;

(B) \$200,000,000 is authorized for the construction and maintenance of facilities, of which \$80,000,000 is authorized to be appropriated for Safety, Capacity, Maintenance, and Major Repairs; and

(C) \$372,350,000 is authorized for industrial technology services activities, of which \$275,300,000 is authorized to be appropriated for the Manufacturing Extension Partnership program under sections 25, 25A, and 26 of the National Institute of Standards and Technology Act (15 U.S.C. 278k, 278k-1, and 278l) (of which \$31,000,000 is authorized to establish the National Supply Chain Database under section 10253) and \$97,050,000 is authorized to be appropriated for the Manufacturing USA Program under section 34 of the National Institute of Standards and Technology Act (15 U.S.C. 278s).

(b) FISCAL YEAR 2024.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of Commerce \$1,651,600,000 for the National Institute of Standards and Technology for fiscal year 2024.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized by paragraph (1)—

(A) \$1,047,600,000 is authorized for scientific and technical research and services laboratory activities;

(B) \$200,000,000 is authorized for the construction and maintenance of facilities, of which \$80,000,000 is authorized to be appropriated for Safety, Capacity, Maintenance,

and Major Repairs, including \$20,000,000 for IT infrastructure; and

(C) \$404,000,000 is authorized for industrial technology services activities, of which \$300,000,000 is authorized to be appropriated for the Manufacturing Extension Partnership program under sections 25, 25A, and 26 of the National Institute of Standards and Technology Act (15 U.S.C. 278k, 278k-1, and 278l) (of which \$26,000,000 is authorized to maintain, update, and support Federal coordination of State supply chain databases maintained by the Centers (as such term is defined in such section 25 of such Act)) and \$104,000,000 is authorized to be appropriated for the Manufacturing USA Program under section 34 of the National Institute of Standards and Technology Act (15 U.S.C. 278s).

(c) FISCAL YEAR 2025.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of Commerce \$2,039,900,000 for the National Institute of Standards and Technology for fiscal year 2025.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized by paragraph (1)—

(A) \$1,120,900,000 is authorized for scientific and technical research and services laboratory activities;

(B) \$200,000,000 is authorized for the construction and maintenance of facilities, of which \$80,000,000 is authorized to be appropriated for Safety, Capacity, Maintenance, and Major Repairs, including \$20,000,000 for IT infrastructure; and

(C) \$719,000,000 is authorized for industrial technology services activities, of which \$550,000,000 is authorized to be appropriated for the Manufacturing Extension Partnership program under sections 25, 25A, and 26 of the National Institute of Standards and Technology Act (15 U.S.C. 278k, 278k-1, and 278l) (of which \$26,000,000 is authorized to maintain, update, and support Federal coordination of State supply chain databases maintained by the Centers (as such term is defined in such section 25 of such Act)) and \$169,000,000 is authorized to be appropriated for the Manufacturing USA Program under section 34 of the National Institute of Standards and Technology Act (15 U.S.C. 278s).

(d) FISCAL YEAR 2026.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of Commerce \$2,158,400,000 for the National Institute of Standards and Technology for fiscal year 2026.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized by paragraph (1)—

(A) \$1,199,400,000 is authorized for scientific and technical research and services laboratory activities;

(B) \$200,000,000 is authorized for the construction and maintenance of facilities, of which \$80,000,000 is authorized to be appropriated for Safety, Capacity, Maintenance, and Major Repairs, including \$20,000,000 for IT infrastructure; and

(C) \$759,000,000 is authorized for industrial technology services activities, of which \$550,000,000 is authorized to be appropriated for the Manufacturing Extension Partnership program under sections 25, 25A, and 26 of the National Institute of Standards and Technology Act (15 U.S.C. 278k, 278k-1, and 278l) (of which \$26,000,000 is authorized to maintain, update, and support Federal coordination of State supply chain databases maintained by the Centers (as such term is defined in such section 25 of such Act)) and \$209,000,000 is authorized to be appropriated for the Manufacturing USA Program under section 34 of the National Institute of Standards and Technology Act (15 U.S.C. 278s).

(e) FISCAL YEAR 2027.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of Commerce \$2,283,360,000 for the National Institute of

Standards and Technology for fiscal year 2027.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized by paragraph (1)—

(A) \$1,283,360,000 is authorized for scientific and technical research and services laboratory activities;

(B) \$200,000,000 is authorized for the construction and maintenance of facilities, of which \$80,000,000 is authorized to be appropriated for Safety, Capacity, Maintenance, and Major Repairs, including \$20,000,000 for IT infrastructure; and

(C) \$800,000,000 is authorized for industrial technology services activities, of which \$550,000,000 is authorized to be appropriated for the Manufacturing Extension Partnership program under sections 25, 25A, and 26 of the National Institute of Standards and Technology Act (15 U.S.C. 278k, 278k-1, and 278l) (of which \$26,000,000 is authorized to maintain, update, and support Federal coordination of State supply chain databases maintained by the Centers (as such term is defined in such section 25 of such Act)) and \$250,000,000 is authorized to be appropriated for the Manufacturing USA Program under section 34 of the National Institute of Standards and Technology Act (15 U.S.C. 278s).

Subtitle B—Measurement Research

SEC. 10221. ENGINEERING BIOLOGY AND BIOMETROLOGY.

(a) IN GENERAL.—The Director, in coordination with the National Engineering Biology Research and Development Initiative established pursuant to title IV, shall—

(1) support basic measurement science and technology research for engineering biology, biomufacturing, and biometrology to advance—

(A) measurement technologies to support foundational understanding of the mechanisms of conversion of DNA information into cellular function;

(B) technologies for measurement of such biomolecular components and related systems;

(C) new data tools, techniques, and processes to improve engineering biology, biomufacturing, and biometrology research; and

(D) other areas of measurement science and technology research determined by the Director to be critical to the development and deployment of engineering biology, biomufacturing and biometrology;

(2) support activities to inform and expand the development of measurements infrastructure needed to develop technical standards to establish interoperability and facilitate commercial development of biomolecular measurement technology and engineering biology applications;

(3) convene industry, institutions of higher education, nonprofit organizations, Federal laboratories, and other Federal agencies engaged in engineering biology research and development to develop coordinated technical roadmaps for authoritative measurement of the molecular components of the cell;

(4) provide access to user facilities with advanced or unique equipment, services, materials, and other resources to industry, institutions of higher education, nonprofit organizations, and government agencies to perform research and testing;

(5) establish or expand collaborative partnerships or consortia with other Federal agencies engaged in engineering biology research and development, institutions of higher education, Federal laboratories, and industry to advance engineering biology applications; and

(6) support graduate and postgraduate research and training in biometrology, biomufacturing, and engineering biology.

(b) RULE OF CONSTRUCTION.—Nothing in this section may be construed to alter the policies, processes, or practices of individual Federal agencies in effect on the day before the date of the enactment of this Act relating to the conduct or support of biomedical research and advanced development, including the solicitation and review of extramural research proposals.

(c) CONTROLS.—In carrying out activities authorized by this section, the Secretary shall ensure proper security controls are in place to protect sensitive information, as appropriate.

SEC. 10222. GREENHOUSE GAS MEASUREMENT RESEARCH.

(a) IN GENERAL.—The Director, in consultation with the Administrator of the National Oceanic and Atmospheric Administration, the Administrator of the Environmental Protection Agency, the National Aeronautics and Space Administration, the Director of the National Science Foundation, the Secretary of Energy, and the heads of other Federal agencies, as appropriate, shall carry out a measurement research program to inform the development or improvement of best practices, benchmarks, methodologies, procedures, and technical standards for the measurement of greenhouse gas emissions and to assess and improve the performance of greenhouse gas emissions measurement systems placed in situ and on space-based platforms.

(b) ACTIVITIES.—In carrying out such a program, the Director may—

(1) conduct research and testing to improve the accuracy, efficacy, and reliability of the measurement of greenhouse gas emissions at a range of scales that covers direct measurement at the component or process level through atmospheric observations;

(2) conduct research to create novel measurement technologies and techniques for the measurement of greenhouse gas emissions;

(3) convene and engage with relevant Federal agencies and stakeholders to establish common definitions and characterizations for the measurement of greenhouse gas emissions, taking into account any existing United States and international technical standards and guidance;

(4) conduct outreach and coordination to share technical expertise with relevant industry and nonindustry stakeholders and standards development organizations to—

(A) assist such entities in the development and adoption of best practices and technical standards for greenhouse gas emissions measurements; and

(B) promote consistency and traceability in international reference standards and central calibration laboratories;

(5) in coordination with the Administrator of the National Oceanic and Atmospheric Administration, the Administrator of the Environmental Protection Agency, and the Secretary of Energy, develop such standard reference materials as the Director determines is necessary to further the development of such technical standards, taking into account any existing United States or international standards;

(6) coordinate with the National Oceanic and Atmospheric Administration to ensure data are managed, stewarded, and archived at all levels and promote full and open exchange at Federal and State levels, and with academia, industry, and other users; and

(7) coordinate with international partners, including international standards organizations, to maintain global greenhouse gas measurement technical standards.

(c) TESTBEDS.—In coordination with the private sector, institutions of higher education, State and local governments, the National Oceanic and Atmospheric Administration, the Environmental Protection Agency,

the Department of Energy, and other Federal agencies, as appropriate, the Director may continue to develop and manage testbeds to advance research and standards development for greenhouse gas emissions measurements from in situ and space-based platforms.

(d) CENTER FOR GREENHOUSE GAS MEASUREMENTS, STANDARDS, AND INFORMATION.—

(1) IN GENERAL.—The Director, in collaboration with the Administrator of the National Oceanic and Atmospheric Administration, the Administrator of the Environmental Protection Agency, and the heads of other Federal agencies, as appropriate, shall establish a Center for Greenhouse Gas Measurements, Standards, and Information (in this subsection referred to as the “Center”).

(2) COLLABORATIONS.—The Director shall require that the activities of the Center include collaboration among public and private organizations, including institutions of higher education, nonprofit organizations, private sector entities, and State, Tribal, territorial, and local officials.

(3) PURPOSE.—The purpose of the Center shall be to—

(A) advance measurement science, data analytics, and modeling at a range of scales that covers direct measurement and estimation at the component or process level through atmospheric observations and at the analysis level to improve the accuracy of spatially and temporally resolved greenhouse gas emissions measurement, validation, and attribution to specific underlying activities and processes;

(B) test and evaluate the performance of existing capabilities, and inform and improve best practices, benchmarks, methodologies, procedures, and technical standards, for the measurement and validation of greenhouse gas emissions at scales noted in subparagraph (A);

(C) educate and train students in measurement science, computational science, and systems engineering research relevant to greenhouse gas emissions measurements;

(D) foster collaboration among academic researchers, private sector stakeholders, and State, Tribal, territorial, and local officials in the use of Institute testbeds as described in subsection (c);

(E) conduct activities with research institutions, industry partners, and State and local officials to identify research, testing, and technical standards needs relevant to greenhouse gas emissions; and

(F) collaborate with other Federal agencies to conduct outreach and coordination to share and promote technical data, tools, and expertise with relevant public and private sector stakeholders, including State, Tribal, territorial, and local officials, to assist such in the accurate measurement of greenhouse gas emissions.

SEC. 10223. NIST AUTHORITY FOR CYBERSECURITY AND PRIVACY ACTIVITIES.

Subsection (c) of section 2 of the National Institute of Standards and Technology Act (15 U.S.C. 272) is amended—

(1) in paragraph (16), by striking the period at the end and inserting a semicolon;

(2) by redesignating paragraphs (16) through (27) as paragraphs (21) through (32), respectively; and

(3) by inserting after paragraph (15) the following:

“(16) support information security measures for the development and lifecycle of software and the software supply chain, including development of voluntary, consensus-based technical standards, best practices, frameworks, methodologies, procedures, processes, and software engineering toolkits and configurations;

“(17) support information security measures, including voluntary, consensus-based technical standards, best practices, and

guidelines, for the design, adoption, and deployment of cloud computing services;

“(18) support research, development, and practical application to improve the usability of cybersecurity processes and technologies;

“(19) facilitate and support the development of a voluntary, consensus-based set of technical standards, guidelines, best practices, methodologies, procedures, and processes to improve privacy protections in systems, technologies, and processes used by both the public and private sector;

“(20) support privacy measures, including voluntary, consensus-based technical standards, best practices, guidelines, metrology, and testbeds for the design, adoption, and deployment of privacy enhancing technologies;”.

SEC. 10224. SOFTWARE SECURITY AND AUTHENTICATION.

(a) VULNERABILITIES IN OPEN SOURCE SOFTWARE.—The Director shall assign severity metrics to identified vulnerabilities with open source software and produce voluntary guidance to assist the entities that maintain open source software repositories to discover and mitigate vulnerabilities.

(b) ARTIFICIAL INTELLIGENCE-ENABLED DEFENSES.—The Director shall carry out research and testing to improve the effectiveness of artificial intelligence-enabled cybersecurity, including by generating optimized data sets to train artificial intelligence defense systems and evaluating the performance of varying network architectures at strengthening network security.

(c) AUTHENTICATION OF INSTITUTE SOFTWARE.—The Director shall ensure all software released by the Institute is digitally signed and maintained to enable stakeholders to verify its authenticity and integrity upon installation and execution.

(d) ASSISTANCE TO INSPECTORS GENERAL.—Subject to available funding, the Director shall provide technical assistance to improve the education and training of individual Federal agency Inspectors General and staff who are responsible for the annual independent evaluation they are required to perform of the information security program and practices of Federal agencies under section 3555 of title 44, United States Code.

(e) SOFTWARE SUPPLY CHAIN SECURITY PRACTICES.—

(1) IN GENERAL.—The Director shall, in coordination with industry, academia, and other Federal agencies, as appropriate, develop a set of security outcomes and practices, including security controls, control enhancements, supplemental guidance, or other supporting information to enable software developers and operators to identify, assess, and manage cybersecurity risks over the full lifecycle of software products.

(2) OUTREACH.—The Director shall conduct outreach and coordination activities to share technical expertise with Federal agencies, relevant industry stakeholders, and standards development organizations, as appropriate, to encourage the voluntary adoption of the software lifecycle security practices by Federal agencies and industry stakeholders.

SEC. 10225. DIGITAL IDENTITY MANAGEMENT RESEARCH.

Section 504 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7464) is amended to read as follows:

“SEC. 504. IDENTITY MANAGEMENT RESEARCH AND DEVELOPMENT.

“(a) IN GENERAL.—The Director shall carry out a program of research to support the development of voluntary, consensus-based technical standards, best practices, benchmarks, methodologies, metrology, testbeds, and conformance criteria for identity man-

agement, taking into account appropriate user concerns to—

“(1) improve interoperability and portability among identity management technologies;

“(2) strengthen identity proofing and verification methods used in identity management systems commensurate with the level of risk, including identity and attribute validation services provided by Federal, State, and local governments;

“(3) improve privacy protection in identity management systems; and

“(4) improve the accuracy, usability, and inclusivity of identity management systems.

“(b) DIGITAL IDENTITY TECHNICAL ROADMAP.—The Director, in consultation with other relevant Federal agencies and stakeholders from the private sector, shall develop and maintain a technical roadmap for digital identity management research and development focused on enabling the voluntary use and adoption of modern digital identity solutions that align with the four criteria in subsection (a).

“(c) DIGITAL IDENTITY MANAGEMENT GUIDANCE.—

“(1) IN GENERAL.—The Director shall develop, and periodically update, in collaboration with other public and private sector organizations, common definitions and voluntary guidance for digital identity management systems, including identity and attribute validation services provided by Federal, State, and local governments.

“(2) GUIDANCE.—The Guidance shall—

“(A) align with the four criteria in subsection (a), as practicable;

“(B) provide case studies of implementation of guidance;

“(C) incorporate voluntary technical standards and industry best practices; and

“(D) not prescribe or otherwise require the use of specific technology products or services.

“(3) CONSULTATION.—In carrying out this subsection, the Director shall consult with—

“(A) Federal and State agencies;

“(B) industry;

“(C) potential end-users and individuals that will use services related to digital identity verification; and

“(D) experts with relevant experience in the systems that enable digital identity verification, as determined by the Director.”.

SEC. 10226. BIOMETRICS RESEARCH AND TESTING.

(a) IN GENERAL.—The Secretary, acting through the Director, shall establish a program to support measurement research to inform the development of best practices, benchmarks, methodologies, procedures, and voluntary, consensus-based technical standards for biometric identification systems, including facial recognition systems, to assess and improve the performance of such systems. In carrying out such program, the Director may—

(1) conduct measurement research to support efforts to improve the performance of biometric identification systems, including in areas related to conformity assessment, image quality and interoperability, contactless biometric capture technologies, and human-in-the-loop biometric identification systems and processes;

(2) convene and engage with relevant stakeholders to establish common definitions and characterizations for biometric identification systems, which may include accuracy, fairness, bias, privacy, consent, and other properties, taking into account definitions in relevant international technical standards and other publications;

(3) carry out measurement research and testing on a range of biometric modalities, such as fingerprints, voice, iris, face, vein,

behavioral biometrics, genetics, multimodal biometrics, and emerging applications of biometric identification technology;

(4) study the use of privacy-enhancing technologies and other technical protective controls to facilitate access, as appropriate, to public data sets for biometric research;

(5) conduct outreach and coordination to share technical expertise with relevant industry and nonindustry stakeholders and standards development organizations to assist such entities in the development of best practices and voluntary technical standards; and

(6) develop such standard reference artifacts as the Director determines is necessary to further the development of such voluntary technical standards.

(b) **BIOMETRICS TEST PROGRAM.**—

(1) **IN GENERAL.**—The Secretary, acting through the Director, shall carry out a test program to provide biometrics vendors the opportunity to test biometric identification technologies across a range of modalities.

(2) **ACTIVITIES.**—In carrying out the program under this subsection, the Director shall—

(A) conduct research and regular testing to improve and benchmark the accuracy, efficacy, and bias of biometric identification technologies, which may include research and testing on demographic variations, capture devices, presentation attack detection, partially occluded or computer generated images, privacy and security designs and controls, template protection, de-identification, and comparison of algorithm, human, and combined algorithm-human recognition capability;

(B) develop an approach for testing software and cloud-based biometrics applications, including remote systems, in Institute test facilities;

(C) establish reference use cases for biometric identification technologies and performance criteria for assessing each use case, including accuracy, efficacy, and bias metrics;

(D) produce public-facing reports of the findings from such testing for a general audience;

(E) develop policies and procedures accounting for the legal and social implications of activities under this paragraph when working with a foreign entity of concern (as such term is defined in section 10612);

(F) establish procedures to prioritize testing of biometrics identification technologies developed by entities headquartered in the United States; and

(G) conduct such other activities as determined necessary by the Director.

(c) **GAO REPORT TO CONGRESS.**—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit a detailed report to Congress on the impact of biometric identification technologies on historically marginalized communities, including low-income communities and minority religious, racial, and ethnic groups. Such report should be made publicly available on an internet website.

SEC. 10227. FEDERAL BIOMETRIC PERFORMANCE STANDARDS.

Subsection (b) of section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3) is amended—

(1) in paragraph (2), by striking “and” after the semicolon;

(2) in paragraph (3), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(4) performance standards and guidelines for high risk biometric identification systems, including facial recognition systems, accounting for various use cases, types of bi-

ometric identification systems, and relevant operational conditions.”.

SEC. 10228. PROTECTING RESEARCH FROM CYBERSECURITY THEFT.

Subparagraph (A) of section 2(e)(1) of the National Institute of Standards and Technology Act (15 U.S.C. 272(e)(1)) is amended—

(1) in clause (viii), by striking “and” after the semicolon;

(2) by redesignating clause (ix) as clause (x); and

(3) by inserting after clause (viii) the following:

“(ix) consider institutions of higher education (as such term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)); and”.

SEC. 10229. DISSEMINATION OF RESOURCES FOR RESEARCH INSTITUTIONS.

(a) **DISSEMINATION OF RESOURCES FOR RESEARCH INSTITUTIONS.**—

(1) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, the Director shall, using the authorities of the Director under subsections (c)(15) and (e)(1)(A)(ix) of section 2 of the National Institute of Standards and Technology Act (15 U.S.C. 272), disseminate and make publicly available tailored resources to help qualifying institutions identify, assess, manage, and reduce their cybersecurity risk related to conducting research.

(2) **REQUIREMENTS.**—The Director shall ensure that the resources disseminated pursuant to paragraph (1)—

(A) are generally applicable and usable by a wide range of qualifying institutions;

(B) vary with the nature and size of the qualifying institutions, and the nature and sensitivity of the data collected or stored on the information systems or devices of the qualifying institutions;

(C) include elements that promote awareness of simple, basic controls, a workplace cybersecurity culture, and third-party stakeholder relationships, to assist qualifying institutions in mitigating common cybersecurity risks;

(D) include case studies, examples, and scenarios of practical application;

(E) are outcomes-based and can be implemented using a variety of technologies that are commercial and off-the-shelf; and

(F) to the extent practicable, are based on international technical standards.

(3) **NATIONAL CYBERSECURITY AWARENESS AND EDUCATION PROGRAM.**—The Director shall ensure that the resources disseminated under paragraph (1) are consistent with the efforts of the Director under section 303 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7443).

(4) **UPDATES.**—The Director shall review periodically and update the resources under paragraph (1) as the Director determines appropriate.

(5) **VOLUNTARY RESOURCES.**—The use of the resources disseminated under paragraph (1) shall be considered voluntary.

(b) **OTHER FEDERAL CYBERSECURITY REQUIREMENTS.**—Nothing in this section may be construed to supersede, alter, or otherwise affect any cybersecurity requirements applicable to Federal agencies.

(c) **DEFINITIONS.**—In this section:

(1) **QUALIFYING INSTITUTIONS.**—The term “qualifying institutions” means institutions of higher education that are awarded in excess of \$50,000,000 per year in total Federal research funding.

(2) **RESOURCES.**—The term “resources” means guidelines, tools, best practices, technical standards, methodologies, and other ways of providing information.

SEC. 10230. ADVANCED COMMUNICATIONS RESEARCH.

The National Institute of Standards and Technology Act (15 U.S.C. 271 et seq.) is amended—

(1) by redesignating section 35 as section 36; and

(2) by inserting after section 34 the following:

“SEC. 35. ADVANCED COMMUNICATIONS RESEARCH ACTIVITIES.

“(a) **ADVANCED COMMUNICATIONS RESEARCH.**—

“(1) **IN GENERAL.**—The Director, in consultation with the Assistant Secretary for Communications and Information, the Director of the National Science Foundation, and heads of other Federal agencies, as appropriate, shall carry out a program of measurement research for advanced communications technologies.

“(2) **RESEARCH AREAS.**—Research areas may include—

“(A) radio frequency emissions and interference, including technologies and techniques to mitigate such emissions and interference;

“(B) advanced antenna arrays and artificial intelligence systems capable of operating advanced antenna arrays;

“(C) artificial intelligence systems to enable internet of things networks, immersive technology, and other advanced communications technologies;

“(D) network sensing and monitoring technologies;

“(E) technologies to enable spectrum flexibility and agility;

“(F) optical and quantum communications technologies;

“(G) security of advanced communications systems;

“(H) public safety communications;

“(I) resilient internet of things applications for advanced manufacturing; and

“(J) other research areas determined necessary by the Director.

“(3) **TESTBEDS.**—In coordination with the Assistant Secretary for Communications and Information, the private sector, and other Federal agencies as appropriate, the Director may develop and manage testbeds for research and development of advanced communications technologies, avoiding duplication of existing testbeds run by other agencies or the private sector.

“(4) **OUTREACH.**—In carrying out the activities under this subsection, the Director shall seek input from other Federal agencies and from private sector stakeholders, on an ongoing basis, to help inform research and development priorities, including through workshops and other multistakeholder activities.

“(5) **TECHNICAL ROADMAPS.**—In carrying out the activities under this subsection, the Director shall convene industry, institutions of higher education, nonprofit organizations, Federal laboratories, and other Federal agencies engaged in advanced communications research and development to develop, and periodically update, coordinated technical roadmaps for advanced communications research in priority areas, such as those described in paragraph (2).

“(b) **NATIONAL ADVANCED SPECTRUM AND COMMUNICATIONS TEST NETWORK.**—

“(1) **IN GENERAL.**—The Director, in coordination with the Administrator of the National Telecommunications and Information Administration and heads of other Federal agencies, as appropriate, shall operate a national network of government, academic, and commercial test capabilities and facilities to be known as the National Advanced Spectrum and Communications Test Network (referred to in this section as ‘NASCTN’).

“(2) PURPOSES.—NASCTN shall be for the purposes of facilitating and coordinating the use of intellectual capacity, modeling and simulation, laboratory facilities, and test facilities to meet national spectrum interests and challenges, including—

“(A) measurements and analyses of electromagnetic propagation, radio systems characteristics, and operating techniques affecting the utilization of the electromagnetic spectrum in coordination with specialized, related research and analysis performed by other Federal agencies in their areas of responsibility;

“(B) conducting research and analysis in the general field of telecommunications sciences in support of the Institute’s mission and in support of other Government agencies;

“(C) developing methodologies for testing, measuring, and setting guidelines for interference;

“(D) conducting interference tests to better understand the impact of current and proposed Federal and commercial spectrum activities;

“(E) conducting research and testing to improve spectrum interference tolerance, flexibility, agility, and interference mitigation methods; and

“(F) other activities as determined necessary by the Director.”.

SEC. 10231. NEUTRON SCATTERING.

(a) STRATEGIC PLAN FOR THE INSTITUTE NEUTRON REACTOR.—The Director shall develop a strategic plan for the future of the NIST Center for Neutron Research after the current neutron reactor is decommissioned, including—

(1) a succession plan for the reactor, including a roadmap with timeline and milestones;

(2) conceptual design of a new reactor and accompanying facilities, as appropriate; and

(3) a plan to minimize disruptions to the user community during the transition.

(b) COORDINATION WITH THE DEPARTMENT OF ENERGY.—The Secretary, acting through the Director, shall coordinate with the Secretary of Energy on issues related to Federal support for neutron science, including estimation of long-term needs for research using neutron sources, and planning efforts for future facilities to meet such needs.

(c) REPORT TO CONGRESS.—Not later than 30 months after the date of enactment of this Act, the Director shall submit to Congress the plan required under subsection (a), and shall notify Congress of any substantial updates to such plan in subsequent years.

SEC. 10232. ARTIFICIAL INTELLIGENCE.

(a) IN GENERAL.—The Director shall continue to support the development of artificial intelligence and data science, and carry out the activities of the National Artificial Intelligence Initiative Act of 2020 authorized in division E of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283), including through—

(1) expanding the Institute’s capabilities, including scientific staff and research infrastructure;

(2) supporting measurement research and development for advanced computer chips and hardware designed for artificial intelligence systems;

(3) supporting the development of technical standards and guidelines that promote safe and trustworthy artificial intelligence systems, such as enhancing the accuracy, explainability, privacy, reliability, robustness, safety, security, and mitigation of harmful bias in artificial intelligence systems;

(4) creating a framework for managing risks associated with artificial intelligence systems; and

(5) developing and publishing cybersecurity tools, encryption methods, and best practices for artificial intelligence and data science.

(b) AI TESTBEDS.—Section 22A of the National Institute of Standards and Technology Act (15 U.S.C. 278h-1) is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

“(g) TESTBEDS.—In coordination with other Federal agencies as appropriate, the private sector, and institutions of higher education (as such term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), the Director may establish testbeds, including in virtual environments, to support the development of robust and trustworthy artificial intelligence and machine learning systems, including testbeds that examine the vulnerabilities and conditions that may lead to failure in, malfunction of, or attacks on such systems.”.

SEC. 10233. SUSTAINABLE CHEMISTRY RESEARCH AND EDUCATION.

In accordance with section 263 of the National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 9303), the Director shall carry out activities in support of sustainable chemistry, including coordinating and partnering with academia, industry, nonprofit organizations, and other entities in activities to support clean, safe, and economic alternatives, technologies, and methodologies to traditional chemical products and processes.

SEC. 10234. PREMISE PLUMBING RESEARCH.

(a) IN GENERAL.—The Secretary, acting through the Director, shall create a program, in consultation with the Environmental Protection Agency, for premise plumbing research, including to—

(1) conduct metrology research on premise plumbing in relation to water safety, security, efficiency, sustainability, and resilience; and

(2) coordinate research activities with academia, the private sector, nonprofit organizations, and other Federal agencies.

(b) DEFINITIONS.—For purposes of this section, the term “premise plumbing” means the water distribution system located within the property lines of a property, including all buildings and permanent structures on such property. Such term includes building supply and distribution pipes, fixtures, fittings, water heaters, water-treating and water-using equipment, and all respective joints, connections, devices, and appurtenances.

SEC. 10235. DR. DAVID SATCHER CYBERSECURITY EDUCATION GRANT PROGRAM.

(a) AUTHORIZATION OF GRANTS.—

(1) IN GENERAL.—Subject to the availability of appropriations, the Director shall carry out the Dr. David Satcher Cybersecurity Education Grant Program by—

(A) awarding grants to assist institutions of higher education that have an enrollment of needy students, historically Black colleges and universities, Tribal Colleges and Universities, and minority-serving institutions, to establish or expand cybersecurity programs, to build and upgrade institutional capacity to better support new or existing cybersecurity programs, including cybersecurity partnerships with public and private entities, and to support such institutions on the path to producing qualified entrants in the cybersecurity workforce or becoming a National Center of Academic Excellence in Cybersecurity; and

(B) awarding grants to build capacity at institutions of higher education that have an enrollment of needy students, historically Black colleges and universities, Tribal Col-

leges and Universities, and minority-serving institutions, to expand cybersecurity education opportunities, cybersecurity programs, cybersecurity research, and cybersecurity partnerships with public and private entities.

(2) RESERVATION.—The Director shall award not less than 50 percent of the amount available for grants under this section to historically Black colleges and universities, Tribal Colleges and Universities, and minority-serving institutions.

(3) COORDINATION.—The Director shall carry out this section in coordination with appropriate Federal agencies, including the Departments of Homeland Security, Education, and Labor.

(4) SUNSET.—The Director’s authority to award grants under paragraph (1) shall terminate on the date that is 5 years after the date the Director first awards a grant under paragraph (1).

(b) APPLICATIONS.—An eligible institution seeking a grant under subsection (a) shall submit an application to the Director at such time, in such manner, and containing such information as the Director may reasonably require, including a statement of how the institution will use the funds awarded through the grant to expand cybersecurity education opportunities at the eligible institution.

(c) ACTIVITIES.—An eligible institution that receives a grant under this section may use the funds awarded through such grant for increasing research, education, technical, partnership, and innovation capacity, including for—

(1) building and upgrading institutional capacity to better support new or existing cybersecurity programs, including cybersecurity partnerships with public and private entities;

(2) building and upgrading institutional capacity to provide hands-on research and training experiences for undergraduate and graduate students; and

(3) outreach and recruitment to ensure students are aware of such new or existing cybersecurity programs, including cybersecurity partnerships with public and private entities.

(d) REPORTING REQUIREMENTS.—Not later than—

(1) one year after the effective date of this section, as provided in subsection (f), and annually thereafter until the Director submits the report under paragraph (2), the Director shall prepare and submit to Congress a report on the status and progress of implementation of the grant program under this section, including on the number and demographics of institutions participating, the number and nature of students served by cybersecurity programs at institutions receiving grants, as well as the number of certificates or degrees awarded through such cybersecurity programs, the level of funding provided to grant recipients, the types of activities being funded by the grants program, and plans for future implementation and development; and

(2) five years after the effective date of this section, as provided in subsection (f), the Director shall prepare and submit to Congress a report on the status of cybersecurity education programming and capacity-building at institutions receiving grants under this section, including changes in the scale and scope of these programs, associated facilities, or in accreditation status, and on the educational and employment outcomes of students participating in cybersecurity programs that have received support under this section.

(e) PERFORMANCE METRICS.—The Director shall establish performance metrics for grants awarded under this section.

(f) EFFECTIVE DATE.—This section shall take effect 1 year after the date of enactment of this Act.

Subtitle C—General Activities

SEC. 10241. EDUCATIONAL OUTREACH AND SUPPORT FOR UNDERREPRESENTED COMMUNITIES.

Section 18 of the National Institute of Standards and Technology Act (15 U.S.C. 278g-1) is amended—

(1) in subsection (a), in the second sentence—

(A) by striking “may” and inserting “shall”; and

(B) by striking “academia” and inserting “diverse types of institutions of higher education, including historically Black colleges and universities, Tribal Colleges and Universities, and minority-serving institutions, and community colleges”; and

(2) in subsection (e)—

(A) in paragraph (4), by striking “and” at the end;

(B) in paragraph (5), by striking the period at the end and inserting “; and”; and

(C) by inserting after paragraph (5) the following:

“(6) conduct outreach to and develop research collaborations with historically Black colleges and universities, Tribal Colleges or Universities, and minority serving institutions, including through the recruitment of students and faculty at such institutions to participate in programs developed under paragraph (3);

“(7) conduct outreach to and develop research collaborations with community colleges, including through the recruitment of students and faculty at such institutions to participate in programs developed under paragraph (3);

“(8) carry out other activities to increase the participation of persons historically underrepresented in STEM in the Institute’s programs; and

“(9) conduct outreach to and develop collaborations with nontraditional educational organizations, including those that offer training through nonprofit associations and professional associations or professional societies, to engage persons historically underrepresented in STEM through programs developed under this subsection.”.

SEC. 10242. OTHER TRANSACTIONS AUTHORITY.

(a) IN GENERAL.—Paragraph (4) of section 2(b) of the National Institute of Standards and Technology Act (15 U.S.C. 272(b)) is amended to read as follows:

“(4) to enter into and perform such contracts, including cooperative research and development arrangements and grants and cooperative agreements or other transactions, as may be necessary in the conduct of its work and on such terms as it may determine appropriate, in furtherance of the purposes of this Act;”.

(b) REPORTING.—Not later than one year after the date of the enactment of this Act and not less than annually thereafter, the Secretary shall submit to the Committee on Science, Space, and Technology and the Committee on Appropriations of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate a report on the use of agreements, activities, and associated funding for transactions (other than contracts, cooperative agreements, and grants) described in paragraph (4) of section 2(b) of the National Institute of Standards and Technology Act (as amended by subsection (a)), including the following elements:

(1) A description of when the other transactions authority described in such amended paragraph was used and for what purpose.

(2) A description of why such other transactions authority was required.

(3) Steps taken to ensure necessary and sufficient oversight of Federal Government requirements implemented using such other transactions authority.

SEC. 10243. REPORT TO CONGRESS ON COLLABORATIONS WITH GOVERNMENT AGENCIES.

Not later than 6 months after the date of the enactment of this Act, the Director shall submit a report to the Committee on Science, Space, and Technology and the Committee on Appropriations of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate describing the Institute’s challenges with respect to collaboration between the Institute and other Federal agencies. The report shall include, at a minimum—

(1) an assessment of the challenges that arise with interagency collaboration, including transfer of funds with a limited period of availability to the Institute and issues with sharing personnel, associates, facilities, and property with collaborating agencies; and

(2) descriptions of projects that were disrupted due to the challenges outlined in paragraph (1).

SEC. 10244. HIRING CRITICAL TECHNICAL EXPERTS.

Section 6 of the National Institute of Standards and Technology Act (15 U.S.C. 275) is amended to read as follows:

“SEC. 6. HIRING CRITICAL TECHNICAL EXPERTS.

“(a) IN GENERAL.—The officers and employees of the Institute, except the director, shall be appointed by the Secretary at such time as their respective services may become necessary.

“(b) HIRING CRITICAL TECHNICAL EXPERTS.—Notwithstanding section 3104 of title 5 or the provisions of any other law relating to the appointment, number, classification, or compensation of employees, the Secretary shall have the authority to make appointments of scientific, engineering, and professional personnel, and to fix the basic pay of such personnel at a rate to be determined by the Secretary at rates not in excess of the highest total annual compensation payable at the rate determined under section 104 of title 3, United States Code. The Director shall appoint not more than 15 personnel under this section.

“(c) SUNSET.—The authority under section (b) shall expire on the date that is 5 years after the date of the enactment of this section.”.

SEC. 10245. INTERNATIONAL STANDARDS DEVELOPMENT.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the principles of openness, transparency, due process, balance of interests, appeals, and consensus in the development of international standards are critical;

(2) voluntary consensus standards, developed through an industry-led process, serve as the cornerstone of the United States standardization system and have become the basis of a sound national economy and the key to global market access;

(3) strengthening the unique United States public-private partnerships approach to standards development is critical to United States economic competitiveness; and

(4) the United States Government should ensure cooperation and coordination across Federal agencies to partner with and support private sector stakeholders to continue to shape international dialogues in regard to standards development for emerging technologies.

(b) INTERNATIONAL STANDARDS ENGAGEMENT.—

(1) IN GENERAL.—The Director shall lead information exchange and coordination among

Federal agencies and communication from Federal agencies to the private sector of the United States to ensure effective Federal engagement in the development and use of international technical standards.

(2) REQUIREMENTS.—To support private sector-led engagement and ensure effective Federal engagement in the development and use of international technical standards, the Director shall consider—

(A) the role and needs of the Federal Government with respect to international technical standards;

(B) organizations developing international technical standards of interest to the United States, United States representation and influence in these organizations, and key contributors for technical and leadership expertise in these organizations;

(C) support for persons with domain subject matter expertise, especially from small businesses located in the United States, to influence and engage in technical standards leadership positions, working groups and meetings;

(D) opportunities for partnerships for supporting international technical standards from across the Federal Government, Federally funded research and development centers, university-affiliated research centers, institutions of higher education, industry, industry associations, nonprofit organizations, and other key contributors;

(E) support for activities to encourage the adoption of technical standards developed in the United States to be adopted by international standards organizations; and

(F) other activities determined by the Director to be necessary to support United States participation in international standards development, economic competitiveness, and national security in the development and use of international technical standards.

(c) CAPACITY BUILDING GUIDANCE.—The Director shall support education and workforce development efforts to promote United States participation in international standards organizations. The Director shall—

(1) identify and create, as appropriate, technical standards education and training resources for interested businesses, industry associations, academia, nonprofit organizations, Federal agencies, and other relevant standards contributors, including activities targeted at integrating standards content into undergraduate and graduate curricula in science, engineering, business, public policy, and law;

(2) conduct outreach, including to private sector leaders, to support engagement by more United States stakeholders in international technical standards development; and

(3) other activities determined necessary by the Director to support increased engagement, influence, and leadership of United States organizations in the development of international technical standards.

(d) CAPACITY BUILDING PILOT PROGRAM.—

(1) IN GENERAL.—The Director, in coordination with the Director of the National Science Foundation, and the heads of other relevant Federal agencies, as appropriate, shall establish or enter into cooperative agreements with appropriate nongovernmental organizations to establish a 5-year pilot program to award grants, on a merit-reviewed, competitive basis, to private sector entities, institutions of higher education, or nonprofit institutions based in the United States to support increased participation and leadership by small business and academic interests in international standards organizations.

(2) USE OF FUNDS.—Grants awarded to eligible entities under this subsection may be

used to cover reasonable costs, up to a specified ceiling set by the Director, of activities to support increased engagement and leadership of eligible entity employees in international standards organizations, which may include costs associated with—

(A) travel;
(B) education and training;
(C) dues or fees related to participation in technical standards development activities; and

(D) other such costs that the Director determines may reasonably support participation of the eligible entity in international standards organizations.

(3) **AWARD CRITERIA.**—The Director shall ensure that award decisions made under this subsection take into account the extent to which the eligible entity—

(A) employs full-time an individual or individuals who demonstrate deep technical standards expertise;

(B) employs full-time an individual or individuals who demonstrate knowledge with the processes of the standards development organization in which the eligible entity intends to engage using grant funds;

(C) proposes a feasible set of standard deliverables to be completed over the period of the grant;

(D) explains how the eligible entity will fund additional standards-related activities necessary to achieve the deliverables referred to in subparagraph (C) if the grant funds are insufficient to cover all costs of such activities;

(E) commits personnel with appropriate expertise to regularly engage in relevant international organizations responsible for developing technical standards over the period of the grant; and

(F) identifies a clearly defined current or anticipated market need or gap that would be addressed by their standards development proposal.

(4) **ELIGIBILITY.**—A small business concern (as such term is defined in section 3 of the Small Business Act (15 U.S.C. 632) based in the United States, an institution of higher education, or a nonprofit institution (as such term is defined in section 4 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3703)) shall be eligible to receive grants under this program.

(5) **GUIDANCE ON APPLICATION AND AWARD PROCESS.**—The Director shall develop, and periodically update, guidance, including eligibility, applicant disclosure requirements, grant amount and duration, the merit review process, priority areas for standards development, and any additional requirements for how grants are awarded under this subsection.

(6) **MERIT REVIEW PROCESS.**—The Director shall ensure that grants under this subsection are awarded based on a competitive, merit review process including the use of merit review panels that may include experts from both government, the private sector, and, as appropriate, academic, nonprofit, or other organizations as the Director determines appropriate.

(7) **CONSULTATION.**—In carrying out the pilot program established under this subsection, the Director shall consult with other Federal agencies, private sector organizations, institutions of higher education, and nonprofit organizations to help inform the pilot program, including the guidance developed under paragraph (5).

(8) **REPORT TO CONGRESS.**—The Director shall brief Congress after the second year of the pilot program and each year following that includes the following:

(A) An assessment of the effectiveness of the pilot program for improving the participation of United States small businesses, United States institutions of higher edu-

cation, or other nonprofit research institutions in international standards organizations, including—

(i) the type of activities supported, including leadership roles;

(ii) the international standards organizations participated in; and

(iii) the technical areas covered by the activities.

(B) If determined effective, a plan for permanent implementation of the pilot program.

SEC. 10246. STANDARD TECHNICAL UPDATE.

(a) **NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY ACT UPDATES.**—The National Institute of Standards and Technology Act (15 U.S.C. 271) is amended—

(1) by amending subsection (a) of section 17 (15 U.S.C. 278g) to read as follows:

“(a) The Secretary is authorized, notwithstanding any other provision of law, to expend such sums, within the limit of appropriated funds, as the Secretary may determine desirable through direct support for activities of international organizations and foreign national metrology institutes with which the Institute cooperates to advance measurement methods, technical standards, and related basic technologies, for official representation, to host official receptions, dinners, and similar events, and to otherwise extend official courtesies, including transportation of foreign dignitaries and representatives of foreign national metrology institutes to and from the Institute, for the purpose of maintaining the standing and prestige of the Department of Commerce and the Institute, through the grant of fellowships or other appropriate form of financial or logistical assistance or support to foreign nationals not in service to the Government of the United States while they are performing scientific or engineering work at the Institute or participating in the exchange of scientific or technical information at the Institute.”; and

(2) in section 20 (15 U.S.C. 278g-3)—

(A) in subsection (c), by amending paragraph (3) to read as follows:

“(3) submit such standards and guidelines to the Secretary of Commerce for promulgation under section 11331 of title 40;” and

(B) in subsection (d)—

(i) in paragraph (1), by striking “Director of the Office of Management and Budget” and inserting “Secretary of Commerce”; and

(ii) in paragraph (8), by striking “Director of Management and Budget with such standards submitted to the Director” and inserting “Secretary of Commerce with such standards submitted to the Secretary”.

(b) **STEVENSON-WYDLER UPDATES.**—The Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3701 et seq.) is amended—

(1) in paragraph (1) of section 17(c) (15 U.S.C. 3711a(c))—

(A) by moving each of subparagraphs (D) and (E) two ems to the left; and

(B) by adding at the end the following:

“(G) Community.”; and

(2) in subsection (m) of section 26 (15 U.S.C. 3721)—

(A) by striking paragraph (2);

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

(C) in paragraph (2), as so redesignated, by striking “and the Comptroller General’s review under paragraph (2)”.

(c) **AMERICAN INNOVATION AND COMPETITIVENESS ACT UPDATE.**—Section 113 of the American Innovation and Competitiveness Act (15 U.S.C. 278e note) is repealed.

(d) **CLERICAL AMENDMENT.**—The item relating to section 113 in the table of contents in section 1(b) of the American Innovation and Competitiveness Act is repealed.

(e) **FEDERAL ENERGY MANAGEMENT IMPROVEMENT ACT UPDATE.**—Section 4 of the Federal Energy Management Improvement Act of 1988 (15 U.S.C. 5001) is amended—

(1) by striking “Secretary of Commerce” and “Secretary” each place either such term appears and inserting “Consumer Product Safety Commission”; and

(2) by redesignating the second subsection (c) as subsection (e); and

(3) in subsection (g), by redesignating clauses (i) and (ii) as paragraphs (1) and (2), respectively.

(f) **TITLE 40, UNITED STATES CODE.**—Section 11331 of title 40, United States Code, is amended by striking subsections (a) through (d) and inserting the following:

“(a) **STANDARDS AND GUIDELINES.**—

“(1) **AUTHORITY TO PRESCRIBE.**—Except as provided under paragraph (2), the Secretary of Commerce shall, on the basis of standards and guidelines developed by the National Institute of Standards and Technology pursuant to paragraphs (2) and (3) of section 20(a) of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3(a)), prescribe standards and guidelines pertaining to Federal information systems.

“(2) **NATIONAL SECURITY SYSTEMS.**—Standards and guidelines for national security systems shall be developed, prescribed, enforced, and overseen as otherwise authorized by law and as directed by the President.

“(b) **MANDATORY REQUIREMENTS.**—

“(1) **AUTHORITY TO MAKE MANDATORY.**—Except as provided under paragraph (2), the Secretary of Commerce shall make standards prescribed under subsection (a)(1) compulsory and binding to the extent determined necessary by the Secretary to improve the efficiency of operation or security of Federal information systems.

“(2) **REQUIRED MANDATORY STANDARDS.**—

“(A) **IN GENERAL.**—Standards prescribed under subsection (a)(1) shall include information security standards that—

“(i) provide minimum information security requirements as determined under section 20(b) of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3(b)); and

“(ii) are otherwise necessary to improve the security of Federal information and information systems.

“(B) **REQUIREMENT.**—Information security standards described in subparagraph (A) shall be compulsory and binding.

“(c) **AUTHORITY TO DISAPPROVE OR MODIFY.**—The President may disapprove or modify the standards and guidelines referred to in subsection (a)(1) if the President determines such action to be in the public interest. The President’s authority to disapprove or modify such standards and guidelines may not be delegated. Notice of such disapproval or modification shall be published promptly in the Federal Register. Upon receiving notice of such disapproval or modification, the Secretary of Commerce shall immediately rescind or modify such standards or guidelines as directed by the President.

“(d) **EXERCISE OF AUTHORITY.**—To ensure fiscal and policy consistency, the Secretary of Commerce shall exercise the authority conferred by this section subject to direction by the President and in coordination with the Director of the Office of Management and Budget.

“(e) **APPLICATION OF MORE STRINGENT STANDARDS.**—The head of an executive agency may employ standards for the cost-effective information security for Federal information systems within or under the supervision of that agency that are more stringent than the standards the Secretary prescribes under this section if the more stringent standards—

“(1) contain at least the applicable standards made compulsory and binding by the Secretary of Commerce; and

“(2) are otherwise consistent with policies and guidelines issued under section 3553 of title 44.

“(f) DECISIONS ON PROMULGATION OF STANDARDS.—The decision by the Secretary of Commerce regarding the promulgation of any standard under this section shall occur not later than 6 months after the submission of the proposed standard to the Secretary by the National Institute of Standards and Technology, as provided under section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g–3).

“(g) DEFINITIONS.—In this section:

“(1) FEDERAL INFORMATION SYSTEM.—The term ‘Federal information system’ means an information system used or operated by an executive agency, by a contractor of an executive agency, or by another organization on behalf of an executive agency.

“(2) INFORMATION SECURITY.—The term ‘information security’ has the meaning given that term in section 3552(b)(3) of title 44.

“(3) NATIONAL SECURITY SYSTEM.—The term ‘national security system’ has the meaning given that term in section 3552(b)(6) of title 44.”

(g) TECHNICAL AND CONFORMING AMENDMENT.—Paragraph (2) of section 20(a) of the National Institute of Standards and Technology Act (15 U.S.C. 278g–3(a)) is amended by striking “section 3552(b)(5) of title 44, United States Code” and inserting “section 3552(b)(6) of title 44, United States Code”.

(h) NATIONAL CONSTRUCTION SAFETY TEAM ACT UPDATES.—Section 4 of the National Construction Safety Team Act (15 U.S.C. 7303) is amended—

(1) in subsection (c), by adding at the end the following:

“(5) CIVIL SUITS.—Where practicable, a Team shall cooperate with civil litigants without compromising a Team’s investigation or the evidence preservation activities as described in this section.”; and

(2) in subsection (d)—

(A) in the subsection heading, by striking “INTERAGENCY” and inserting “INVESTIGATION”; and

(B) in paragraph (1), by inserting “or any civil suit or civil action” after “Federal agency”.

SEC. 10247. GAO STUDY OF NIST RESEARCH SECURITY POLICIES AND PROTOCOLS.

(a) EVALUATION.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study of the Institute’s policies and protocols to protect its research and combat undue foreign influence.

(b) MATTERS TO BE INCLUDED.—The study conducted under subsection (a) shall include, to the extent practicable, the following:

(1) An analysis of steps taken by the Institute to address foreign threats to Institute-funded research over the previous 5 years.

(2) An analysis of the coordination and engagement between the Department of Commerce’s Office of Inspector General, the Department of Commerce’s Office of Intelligence, the National Counterintelligence and Security Center of the Office of the Director of National Intelligence, and the Institute in identifying and addressing concerning findings.

(3) An assessment of the Institute’s review process for foreign national associates.

(4) An assessment of the Institute’s policies as it relates to employees and associates participating in foreign talent recruitment programs.

(5) An assessment of the Institute’s implementation of conflict of interest and disclosure policies and requirements, including the disclosure requirements authorized in section 223 of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283).

(6) An assessment of the Institute’s, the Department of Commerce’s Office of Security, the Department of Commerce’s Office of Intelligence, and the Department of Commerce’s Office of Inspector General’s ability to monitor and enforce conflict of interest and disclosure policies and requirements, including the disclosure requirements authorized in section 223 of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283).

(7) An assessment of the Institute’s, the Department of Commerce’s, and the Department of Commerce’s Office of Inspector General’s ability to conduct risk assessments of research and development award applications and disclosures to the Institute.

(8) An assessment of the Institute’s research security training programs for both internal and externally-supported researchers and associates, including training focused on international collaboration, and international travel, foreign interference, and rules for proper use of funds, disclosure, conflict of commitment, and conflict of interest.

(9) An analysis and summary of incidents of undue foreign influence at Institute-supported research facilities and programs over the past 10 years.

(10) Recommendations for the Institute to bolster its research security policies and protocols.

(11) Other matters the Comptroller General determines appropriate.

(c) CONGRESSIONAL BRIEFING.—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall brief the Committee on Science, Space, and Technology and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee of Commerce, Science, and Transportation and the Select Committee on Intelligence of the Senate on the findings available from the evaluation conducted under subsection (a).

(d) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to the congressional committees specified in subsection (c) a report on the findings and recommendations of the evaluation conducted under subsection (a).

SEC. 10248. STANDARDS DEVELOPMENT ORGANIZATION GRANTS.

(a) NONGOVERNMENTAL STANDARDS DEVELOPMENT ORGANIZATION DEFINED.—In this section, the term “nongovernmental standards development organization” means a nongovernmental standards development organization (as defined in section 2(e) of the Office of Management and Budget Circular A–119 (relating to Federal participation in the development and use of voluntary consensus standards in conformity assessment activities), or any successor document) that adheres to the American National Standards Institute (ANSI) Essential Requirements for Due Process for American National Standards.

(b) GRANT AUTHORITY.—The Secretary of Commerce, acting through the Director, shall establish a competitive program of grants for nongovernmental standards development organizations for the purposes described in subsection (c).

(c) PURPOSES.—A grant awarded under subsection (b) shall be used to develop, approve, disseminate, maintain, and review forensic science voluntary consensus standards and best practices that shall be available to the public free of charge.

(d) ADDITIONAL REQUIREMENTS.—The Director may promulgate such requirements, guidelines, and procedures as may be necessary to carry out this section.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to

carry out this section \$2,000,000 for each of fiscal years 2022 through 2026.

Subtitle D—Hollings Manufacturing Extension Partnership

SEC. 10251. ESTABLISHMENT OF EXPANSION AWARDS PILOT PROGRAM AS A PART OF THE HOLLINGS MANUFACTURING EXTENSION PARTNERSHIP.

(a) ESTABLISHMENT OF EXPANSION AWARDS PROGRAM.—The National Institute of Standards and Technology Act (15 U.S.C. 271 et seq.) is amended by inserting after section 25A (15 U.S.C. 278k–1) the following:

“SEC. 25B. EXPANSION AWARDS PILOT PROGRAM.

“(a) DEFINITIONS.—The terms used in this section have the meanings given the terms in section 25.

“(b) ESTABLISHMENT.—The Director shall establish, subject to the availability of appropriations, as a part of the Hollings Manufacturing Extension Partnership under sections 25 and 25A, a pilot program of expansion awards among participants described in subsection (c) for the purposes described in subsection (e).

“(c) PARTICIPANTS.—Participants receiving awards under this section shall be Centers, or a consortium of Centers (as such term is defined in section 25).

“(d) AWARD AMOUNTS.—Subject to the availability of appropriations, an award for a recipient under this section shall be in an amount equal to the sum of the following:

“(1) Such amount as the Director considers appropriate as a minimum base funding level for each award under this section.

“(2) Such additional amount as the Director considers in proportion to the manufacturing density of the region of the recipient.

“(3) Such supplemental amounts as the Director considers appropriate.

“(e) PURPOSE OF AWARDS.—An award under this section shall be made for one or more of the following purposes:

“(1) To provide worker education, training, development, and entrepreneurship training and to connect individuals or business with such services offered in their community, which may include employee ownership and workforce training, including connecting manufacturers with career and technical education entities, institutions of higher education (including community colleges), workforce development boards, labor organizations, and nonprofit job training providers to develop and support training and job placement services, including apprenticeship and online learning platforms, for new and incumbent workers, programming to prevent job losses when adopting new technologies and processes, and development of employee ownership practices.

“(2) To provide services to improve the resiliency of domestic supply chains.

“(3) To mitigate vulnerabilities to cyberattacks, including helping to offset the cost of cybersecurity projects for small manufacturers.

“(4) To expand advanced technology services to United States-based small- and medium-sized manufacturers, which may include—

“(A) developing technology demonstration laboratories;

“(B) training and demonstration in areas of supply chain and critical technology needs, including a focus on the demonstration of technologies developed by companies based in the United States;

“(C) services for the adoption of advanced technologies, including smart manufacturing technologies and practices; and

“(D) establishing partnerships, for the development, demonstration, and deployment of advanced technologies, with—

“(i) national laboratories (as defined in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801));

“(ii) Federal laboratories;

“(iii) Manufacturing USA institutes (as described in section 34(d)); and

“(iv) institutions of higher education.

“(5) To build capabilities across the Hollings Manufacturing Extension Partnership for domestic supply chain resiliency and optimization, including—

“(A) assessment of domestic manufacturing capabilities, expanded capacity for researching and deploying information on supply chain risk, hidden costs of reliance on offshore suppliers, redesigning products and processes to encourage reshoring, and other relevant topics; and

“(B) expanded services to provide industry-wide support that assists United States manufacturers with reshoring manufacturing to strengthen the resiliency of domestic supply chains, including in critical technology areas and foundational manufacturing capabilities that are key to domestic manufacturing competitiveness and resiliency, including forming, casting, machining, joining, surface treatment, tooling, and metal or chemical refining.

“(f) REIMBURSEMENT.—The Director may reimburse Centers for costs incurred by the Centers under this section.

“(g) APPLICATIONS.—Applications for awards under this section shall be submitted in such manner, at such time, and containing such information as the Director shall require in consultation with the Manufacturing Extension Partnership Advisory Board.

“(h) SELECTION.—

“(1) REVIEWED AND MERIT-BASED.—The Director shall ensure that awards under this section are reviewed and merit-based.

“(2) GEOGRAPHIC DIVERSITY.—The Director shall endeavor to have broad geographic diversity among selected proposals.

“(3) CRITERIA.—The Director shall select applications consistent with the purposes identified pursuant to subsection (e) to receive awards that the Director determines will achieve one or more of the following:

“(A) Improvement of the competitiveness of industries in the region in which the Center or Centers are located.

“(B) Creation of jobs or training of newly hired employees.

“(C) Promotion of the transfer and commercialization of research and technology from institutions of higher education, national laboratories, or other federally funded research programs, and nonprofit research institutes.

“(D) Recruitment of a diverse manufacturing workforce, including through outreach to underrepresented populations, including individuals identified in section 33 or section 34 of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885a, 1885b).

“(E) Any other result the Director determines will advance the objective set forth in section 25(c) or 25A.

“(i) PROGRAM CONTRIBUTION.—Recipients of awards under this section shall not be required to provide a matching contribution.

“(j) GLOBAL MARKETPLACE PROJECTS.—In making an award under this section, the Director, in consultation with the Manufacturing Extension Partnership Advisory Board and the Secretary, may take into consideration whether an application has significant potential for enhancing the competitiveness of small and medium-sized United States manufacturers in the global marketplace.

“(k) DURATION.—The Director shall ensure that the duration of an award under this section is aligned and consistent with a Center’s cooperative agreement established in section 25(e).

“(1) REPORT.—Not later than October 1, 2025, the Director shall submit to Congress a report that includes—

“(1) a summary description of what activities were funded and the measurable outcomes of such activities;

“(2) a description of which types of activities under paragraph (1) could remain as part of a permanent expansion awards program;

“(3) a description of which types of activities under paragraph (1) could be integrated into, and supported under, the program under section 25;

“(4) a description of which types of activities under paragraph (1) could be integrated into, and supported under, the competitive awards program under section 25A; and

“(5) a recommendation, supported by a clear explanation, as to whether the pilot program should be continued.”.

(b) RESOURCE OPTIMIZATION.—Of amounts authorized for the Hollings Manufacturing Extension Partnership program under section 25 of the National Institute of Standards and Technology Act (15 U.S.C. 278k), the Secretary shall optimize funding across sections 25 and 25A of such Act, as well as the program established under section 25B of such Act (as added by subsection (a)), to the extent practicable and subject to the availability of appropriations, in order to maximize Center (as such term is defined in such section 25) participation as well as competitiveness, productivity, and technological performance in United States manufacturing.

SEC. 10252. UPDATE TO HOLLINGS MANUFACTURING EXTENSION PARTNERSHIP.

(a) ACCEPTANCE OF FUNDS.—Subsection (1) of section 25 of the National Institute of Standards and Technology Act (15 U.S.C. 278k) is amended to read as follows:

“(1) ACCEPTANCE OF FUNDS.—

“(1) IN GENERAL.—To the extent provided in advance in appropriations Acts, other Federal departments and agencies may transfer amounts to the Institute, and the Secretary and Director may accept and make available cash donations from the private sector pursuant to section 2(c)(7), to be used for strengthening United States manufacturing under this section.

“(2) COMPETITIVE AWARDS.—Funds accepted from other Federal departments and agencies and from the private sector under paragraph (1) shall be awarded competitively by the Secretary and Director to Centers, provided that the Secretary and Director may make noncompetitive awards, pursuant to this section or section 25A, or as a non-competitive contract, as appropriate, if the Secretary and Director determine that—

“(A) the manufacturing market or sector targeted is limited geographically or in scope;

“(B) the number of States (or territory, in the case of Puerto Rico) with Centers serving manufacturers of such market or sector is five or fewer; and

“(C) such Center has or Centers have received a positive evaluation in the most recent evaluation conducted pursuant to subsection (g).”.

(b) SUPPORTING AMERICAN MANUFACTURING.—Section 25 of the National Institute of Standards and Technology Act (15 U.S.C. 278k) is amended—

(1) in subsection (a)(5)—

(A) by striking “or consortium thereof,”; and

(B) by inserting “or a consortium thereof” before the period at the end of the sentence;

(2) in subsection (c)(4), by inserting “United States-based” before “industrial”; and

(3) in subsection (d)—

(A) in paragraph (1), by inserting “at United States-based industrial facilities, in-

cluding small and medium manufacturing companies” before “based”;

(B) in paragraph (2), by inserting “United States-based” before “companies”; and

(C) in paragraph (3), by inserting “United States-based” before “small”;

(4) in subsection (f)(5)(B)(i), by inserting “in the United States” before the semicolon at the end of the clause; and

(5) in subsection (n)(1)(A), by inserting “United States-based” before “small”.

(c) AMENDING THE MEP COMPETITIVE AWARDS PROGRAM.—Section 25A(c)(2) of the National Institute of Standards and Technology Act (15 U.S.C. 278k-1(c)(2)) is amended by inserting “United States” before “manufacturers”.

(d) MEP OUTREACH.—Section 25 of the National Institute of Standards and Technology Act (15 U.S.C. 278k) is amended—

(1) in subsection (c)—

(A) in paragraph (6), by striking “community colleges and area career and technical education schools” and inserting the following: “secondary schools, community colleges, and area career and technical education schools, including those in underserved and rural communities,”; and

(B) in paragraph (7)—

(i) by striking “and local colleges” and inserting “local secondary schools and local colleges, including historically Black colleges and universities, Tribal Colleges or Universities, minority-serving institutions, community colleges, and secondary schools and colleges in underserved and rural communities,”; and

(ii) by inserting “or other applied learning opportunities” after “apprenticeships”; and

(2) in subsection (d)(3), by striking “, community colleges, and area career and technical education schools,” and inserting the following: “and local high schools, community colleges, and area career and technical education schools, including those in underserved and rural communities,”.

SEC. 10253. NATIONAL SUPPLY CHAIN DATABASE.

(a) ESTABLISHMENT OF NATIONAL SUPPLY CHAIN DATABASE.—The Director shall establish a voluntary National Supply Chain Database, subject to the availability of appropriations.

(b) PURPOSE.—The purpose of the voluntary National Supply Chain Database shall be to assist the Federal Government and industry sectors in minimizing disruptions to the United States supply chain by having an assessment of United States manufacturers’ capabilities.

(c) STUDY ON NATIONAL SUPPLY CHAIN DATABASE.—In establishing the National Supply Chain Database, the Director shall consider the findings and recommendations from the study authorized pursuant to section 9413 of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283), including measures to secure and protect the Database from adversarial attacks and vulnerabilities.

(d) DATABASE AND MANUFACTURING EXTENSION PARTNERSHIP.—

(1) IN GENERAL.—The Director shall establish the infrastructure for the National Supply Chain Database through the Hollings Manufacturing Extension Partnership, established pursuant to section 25 of the National Institute of Standards and Technology Act (15 U.S.C. 278k), by connecting information from the Centers (as such term is defined in such section) through the Database.

(2) NATIONAL VIEW.—The Director shall ensure that connections under paragraph (1)—

(A) provide a national overview of the networks of supply chains of the United States; and

(B) support understanding of whether there is a need for some manufacturers to retool in

some critical areas to meet the urgent need for key products.

(3) **INDIVIDUAL HOLLINGS MANUFACTURING EXTENSION PARTNERSHIP CENTER DATABASES.**—

(A) **IN GENERAL.**—The Director shall ensure that—

(i) each Center is connected to the National Supply Chain Database; and

(ii) each supply chain database maintained by a Center is interoperable with the Database.

(B) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed to require a State or territory of the United States to establish a new supply chain database through the Hollings Manufacturing Extension Partnership program.

(C) **MAINTENANCE OF NATIONAL SUPPLY CHAIN DATABASE.**—The Director, acting through the Hollings Manufacturing Extension Partnership program or a designee of the program—

(1) shall maintain the National Supply Chain Database as an integration of State-level databases from the Center of each State or territory of the United States;

(2) may populate the Database with information from past or current clients of Centers; and

(3) may include in the Database information voluntarily provided by non-client private sector entities based and operating in the United States, as applicable and appropriate.

(f) **DATABASE CONTENT.**—The National Supply Chain Database may include the following:

(1) Basic private sector entity information.

(2) An overview of capabilities, accreditations, and products.

(3) Proprietary information.

(g) **STANDARD CLASSIFICATION SYSTEM.**—The National Supply Chain Database may, where applicable, use the North American Industry Classification System (NAICS) Codes as follows:

(1) Sector 31-33 – Manufacturing.

(2) Sector 54 – Professional, Scientific, and Technical Services.

(3) Sector 48-49 – Transportation and Warehousing.

(h) **LEVELS.**—The National Supply Chain Database shall be multi-leveled as agreed to under terms of mutual disclosure as follows:

(1) Level 1 shall have the capability to provide basic private sector entity information and shall be available to the public.

(2) Level 2 shall have the capability to provide a deeper, nonproprietary overview into capabilities, products, and accreditations and shall be available to all companies that contribute to the Database.

(3) Level 3 shall have the capability to hold proprietary information.

(i) **MATTERS RELATING TO DISCLOSURE AND ACCESS.**—

(1) **FOIA EXEMPTION.**—The National Supply Chain Database, and any information contained therein that is not publicly released by the Institute, shall be exempt from public disclosure under section 552(b)(3) of title 5, United States Code.

(2) **LIMITATION ON ACCESS TO CONTENT.**—Access to a contributing private sector entity's nonpublic content in the National Supply Chain Database shall be limited to—

(A) the contributing private sector entity, the Institute, and staff from a Center who sign a nondisclosure agreement, and

(B) other Federal departments and agencies, as the Director considers appropriate.

(3) **AGGREGATED INFORMATION.**—The Director may make aggregated, de-identified information available to contributing companies, Centers, or the public, as the Director

considers appropriate, in support of the purposes of this section.

(j) **COORDINATION WITH NATIONAL TECHNOLOGY AND INDUSTRIAL BASE COUNCIL.**—The Director, acting through the Hollings Manufacturing Extension Partnership program, may work with the National Defense Technology and Industrial Base Council established under section 4812 of title 10, United States Code, as the Director considers appropriate, to include in the National Supply Chain Database information regarding the defense manufacturing supply chain.

(k) **PROTECTIONS.**—

(1) **IN GENERAL.**—Supply chain information that is voluntarily and lawfully submitted to the National Supply Chain Database by a private sector entity and accompanied by an express statement described in paragraph (2)—

(A) shall be exempt from disclosure under section 552(b)(3) of title 5, United States Code;

(B) may not be made available pursuant to any Federal, State, local, or Tribal authority pursuant to any Federal, State, local, or Tribal law requiring public disclosure of information or records; and

(C) may not, without the written consent of the private sector entity submitting such information, be used directly by the Director, or any other Federal, State, or local authority in any civil enforcement action brought by a Federal, State, Tribal, or local authority.

(2) **EXPRESS STATEMENT.**—The express statement described in this paragraph, with respect to information or records, is—

(A) in the case of written information or records, a written marking on the information or records substantially similar to the following: “This information is voluntarily submitted to the Federal Government in expectation of protection from disclosure as provided by the provisions of section 10253(k) of the Research and Development, Competition, and Innovation Act.”; or

(B) in the case of oral information, a written statement similar to the statement described in subparagraph (A) submitted within a reasonable period following the oral communication.

(l) **RULES OF CONSTRUCTION.**—

(1) **PRIVATE ENTITIES.**—Nothing in this section may be construed to require any private sector entity to share data, including proprietary information, with the Director or the National Supply Chain Database.

(2) **PROHIBITION ON NEW REGULATORY AUTHORITY.**—Nothing in this section may be construed to grant the Director, or the head of any other Federal agency, any authority to promulgate regulations or set standards on manufacturers, based on data within the National Supply Chain Database, that was not in effect on the day before the date of the enactment of this section.

SEC. 10254. HOLLINGS MANUFACTURING EXTENSION PARTNERSHIP ACTIVITIES.

Section 70924(b) of the Infrastructure Investment and Jobs Act (Public Law 117-58) is amended to read as follows:

“(b) **AUTOMATIC ENROLLMENT IN GSA ADVANTAGE.**—The Administrator of the General Services Administration and the Secretary of Commerce, acting through the Under Secretary of Commerce for Standards and Technology, shall jointly ensure that businesses that participate in the Hollings Manufacturing Extension Partnership, and so desire, are automatically enrolled in General Services Administration Advantage.”.

SEC. 10255. AMENDMENT TO THE HOLLINGS MANUFACTURING EXTENSION PARTNERSHIP RELATING TO INSTITUTIONS OF HIGHER EDUCATION.

Subsection (a) of section 25 of the National Institute of Standards and Technology Act (15 U.S.C. 278k) is amended—

(1) by redesignating paragraph (6) (relating to the definition of “Hollings Manufacturing Extension Partnership or Program”) as paragraph (7);

(2) by inserting after paragraph (5) the following new paragraph:

“(6) **HISTORICALLY BLACK COLLEGE AND UNIVERSITY.**—The term ‘historically Black college and university’ has the meaning given the term ‘part B institution’ in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).”;

(3) by redesignating the second paragraph (7) (relating to the definition of “MEP Advisory Board”) as paragraph (8);

(4) by inserting after paragraph (6) (as inserted by paragraph (2), relating to the definition of “historically Black college and university”) the following new paragraph:

“(7) **INSTITUTION OF HIGHER EDUCATION.**—The term ‘institution of higher education’ has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).”;

(5) by adding at the end the following new paragraphs:

“(9) **MINORITY-SERVING INSTITUTION.**—The term ‘minority-serving institution’ means a Hispanic-serving institution as defined in section 502(a) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)); an Alaska Native-serving institution or Native Hawaiian-serving institution as defined in section 317(b) of such Act (20 U.S.C. 1059d(b)); or a Predominantly Black institution, Asian American and Native American Pacific Islander-serving institution, or Native American-serving nontribal institution as defined in section 371(c) of such Act (20 U.S.C. 1067q(c)).

“(10) **SECONDARY SCHOOL.**—The term ‘secondary school’ has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

“(11) **TRIBAL COLLEGE OR UNIVERSITY.**—The term ‘Tribal College or University’ has the meaning given the term ‘Tribal College or University’ in section 316 of the Higher Education Act of 1965 (20 U.S.C. 1059c).”.

Subtitle E—Manufacturing USA Program **SEC. 10261. SUPPORTING GEOGRAPHIC DIVERSITY.**

Section 34(e) of the National Institute of Standards and Technology Act (15 U.S.C. 278s(e)) is amended by adding at the end the following:

“(8) **DIVERSITY PREFERENCES.**—In awarding financial assistance under paragraph (1) for planning or establishing a Manufacturing USA institute, an agency head shall give special consideration to Manufacturing USA institutes that—

“(A) contribute to the geographic diversity of the Manufacturing USA Program;

“(B) are located in an area with a low per capita income;

“(C) are located in an area with a high proportion of socially disadvantaged residents; or

“(D) are located in small and rural communities.”.

SEC. 10262. EXPANDING OPPORTUNITIES THROUGH THE MANUFACTURING USA PROGRAM.

(a) **IN GENERAL.**—The Secretary of Commerce, in consultation with the Secretary of Energy, the Secretary of Defense, and the heads of such other Federal agencies as the Secretary of Commerce considers relevant, shall coordinate with existing and new Manufacturing USA institutes to integrate covered entities as active members of the Manufacturing USA institutes, including through the development of preferences in selection criteria for proposals to create new Manufacturing USA institutes or renew existing Manufacturing USA institutes that include one or more covered entities.

(b) COVERED ENTITIES.—For purposes of this subsection, a covered entity is—

- (1) an historically Black college and university;
- (2) a Tribal College or University;
- (3) a minority-serving institution;
- (4) a minority business enterprise (as such term is defined in section 1400.2 of title 15, Code of Federal Regulations, or successor regulation); or
- (5) a rural-serving institution of higher education (as such term is defined in section 861 of the Higher Education Act of 1965 (20 U.S.C. 1161q)).

SEC. 10263. PROMOTING DOMESTIC PRODUCTION OF TECHNOLOGIES DEVELOPED UNDER MANUFACTURING USA PROGRAM.

(a) DEPARTMENT OF COMMERCE POLICIES TO PROMOTE DOMESTIC PRODUCTION OF TECHNOLOGIES DEVELOPED UNDER MANUFACTURING USA NETWORK.—

(1) POLICIES.—

(A) IN GENERAL.—Each agency head (as such term is defined in section 34(a) of the National Institute of Standards and Technology Act (15 U.S.C. 278s(a))) and the Secretary of Defense shall, in consultation with the Secretary of Commerce, establish policies to promote the domestic production of technologies developed by the Manufacturing USA Network.

(B) ELEMENTS.—The policies established under subparagraph (A) shall include the following:

(i) Measures to partner domestic developers of goods, services, or technologies by Manufacturing USA Network activities with domestic manufacturers and sources of financing.

(ii) Measures to develop and provide incentives to promote transfer of intellectual property and goods, services, or technologies developed by Manufacturing USA Network activities to domestic manufacturers.

(iii) Measures to assist with supplier scouting and other supply chain development, including the use of the Hollings Manufacturing Extension Partnership under section 25 of the National Institute of Standards and Technology Act (15 U.S.C. 278k) to carry out such measures.

(iv) A process to review and approve or deny membership in a Manufacturing USA institute by foreign-owned entities, especially from countries of concern, including the People's Republic of China.

(v) Measures to prioritize Federal procurement of goods, services, or technologies developed by the Manufacturing USA Network activities from domestic sources, as appropriate.

(C) PROCESSES FOR WAIVERS.—The policies established under this paragraph shall include processes to permit waivers, on a case by case basis, for policies that promote domestic production based on cost, availability, severity of technical and mission requirements, emergency requirements, operational needs, other legal or international treaty obligations, or other factors determined important to the success of the Manufacturing USA Program.

(2) PROHIBITION.—

(A) IN GENERAL.—A company of the People's Republic of China may not participate in the Manufacturing USA Program without a waiver, as described in paragraph (1)(C).

(B) COMPANY DEFINED.—In this paragraph, the term “company” has the meaning given such term in section 847(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 10 U.S.C. 4819 note).

(b) COORDINATION OF MANUFACTURING USA INSTITUTES.—Subsection (h) of section 34 of the National Institute of Standards and Technology Act (15 U.S.C. 278s) is amended by adding at the end the following:

“(7) COUNCIL FOR COORDINATION OF INSTITUTES.—

“(A) COUNCIL.—The National Program Office shall establish or designate a council of heads of any Manufacturing USA institute receiving Federal funding at any time to foster collaboration between Manufacturing USA institutes.

“(B) MEETINGS.—The council established or designated pursuant to subparagraph (A) shall meet not less frequently than twice each year.

“(C) DUTIES OF THE COUNCIL.—The council established pursuant to subparagraph (A) shall assist the National Program Office in carrying out the functions of the National Program Office under paragraph (2).”

(c) REQUIREMENT FOR NATIONAL PROGRAM OFFICE TO DEVELOP STRATEGIES FOR RETAINING DOMESTIC PUBLIC BENEFIT AFTER CESSATION OF FEDERAL FUNDING.—Subparagraph (C) of section 34(h)(2) of the National Institute of Standards and Technology Act (15 U.S.C. 278s(h)(2)) is amended by inserting “, including a strategy for retaining domestic public benefits from Manufacturing USA institutes once Federal funding has been discontinued” after “Program”.

(d) MODIFICATION OF FUNCTIONS OF NATIONAL PROGRAM OFFICE TO INCLUDE DEVELOPMENT OF INDUSTRY CREDENTIALS.—Subparagraph (J) of section 34(h)(2) of the National Institute of Standards and Technology Act (15 U.S.C. 278s(h)(2)) is amended by inserting “, including the development of industry credentials” after “activities”.

(e) ADVICE FROM THE UNITED STATES MANUFACTURING COUNCIL.—The Secretary shall seek advice from the United States Manufacturing Council of the International Trade Administration of the Department of Commerce on matters concerning investment in and support of the manufacturing workforce within the Manufacturing USA Program.

TITLE III—NATIONAL SCIENCE FOUNDATION FOR THE FUTURE
Subtitle A—Preliminary Matters

SEC. 10301. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the National Science Foundation, the Department of Energy and its National Laboratories, and other key Federal agencies have carried out vital work supporting basic and applied research to create knowledge that is a key driver of the economy of the United States and a critical component of national security;

(2) openness to diverse perspectives and a focus on freedom from censorship and political bias will continue to make educational and research institutions in the United States beacons to thousands of students from across the world;

(3) increasing research and technology transfer investments, building regional capacity and reducing geographic disparity, strengthening supply chains, and increasing capabilities in key technology focus areas will enhance the competitive advantage and leadership of the United States in the global economy;

(4) the Federal Government must utilize the full talent and potential of the entire Nation by avoiding undue geographic concentration of research and STEM education funding, encouraging broader participation of populations underrepresented in STEM, and collaborating with nongovernment partners to ensure the leadership of the United States in technological innovation; and

(5) authorization and funding for investments in research, education, technology transfer, intellectual property, manufacturing, and other core strengths of the United States innovation ecosystem, including at the National Science Foundation and the Department of Energy, should be done on a bipartisan basis.

SEC. 10302. DEFINITIONS.

In this title:

(1) BOARD.—The term “Board” means the National Science Board.

(2) DIRECTOR.—The term “Director” means the Director of the National Science Foundation.

(3) NSF INCLUDES.—The term “NSF INCLUDES” means the initiative carried out under section 10323.

(4) STEM ECOSYSTEM.—The term “STEM ecosystem” means a local, regional, or statewide network, consortium, or multi-sector partnership, which may be led or co-led by a nonprofit organizational entity, that is operating in the United States with the goal of supporting participation in STEM study, activities, and career pathways as defined in the CoSTEM Annual Progress Report of 2020 with a broad range of non-Federal partners.

SEC. 10303. AUTHORIZATION OF APPROPRIATIONS.

(a) FISCAL YEAR 2023.—

(1) IN GENERAL.—There are authorized to be appropriated to the Foundation \$11,897,480,000 for fiscal year 2023.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized under paragraph (1)—

(A) \$9,050,000,000 is authorized to be appropriated to carry out research and related activities, of which—

(i) \$55,000,000 is authorized to be appropriated for the Mid-Scale Research Infrastructure Program; and

(ii) \$1,500,000,000 is authorized to be appropriated for the Directorate for Technology, Innovation, and Partnerships;

(B) \$1,950,000,000 is authorized to be appropriated for STEM education, of which—

(i) \$73,700,000 is authorized to be appropriated for the Robert Noyce Teacher Scholarship Program;

(ii) \$59,500,000 is authorized to be appropriated for the NSF Research Traineeship Program;

(iii) \$416,300,000 is authorized to be appropriated for the Graduate Research Fellowship Program;

(iv) \$70,000,000 is authorized to be appropriated for the Cybercorps Scholarship for Service Program; and

(v) \$350,000,000 is authorized to be appropriated for fellowships, traineeships, and scholarships described in section 10393;

(C) \$249,000,000 is authorized to be appropriated for major research equipment and facilities construction, of which \$76,250,000 is authorized to be appropriated for the Mid-Scale Research Infrastructure Program;

(D) \$620,000,000 is authorized to be appropriated for agency operations and award management;

(E) \$5,090,000 is authorized to be appropriated for the Office of the National Science Board; and

(F) \$23,390,000 is authorized to be appropriated for the Office of the Inspector General.

(b) FISCAL YEAR 2024.—

(1) IN GENERAL.—There are authorized to be appropriated to the Foundation \$15,646,930,000 for fiscal year 2024.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized under paragraph (1)—

(A) \$12,050,000,000 is authorized to be appropriated to carry out research and related activities, of which—

(i) \$60,000,000 is authorized to be appropriated for the Mid-Scale Research Infrastructure Program; and

(ii) \$3,350,000,000 is authorized to be appropriated for the Directorate for Technology, Innovation, and Partnerships;

(B) \$2,500,000,000 is authorized to be appropriated for STEM education, of which—

(i) \$80,400,000 is authorized to be appropriated for the Robert Noyce Teacher Scholarship Program;

(ii) \$64,910,000 is authorized to be appropriated for the NSF Research Traineeship Program;

(iii) \$454,140,000 is authorized to be appropriated for the Graduate Research Fellowship Program;

(iv) \$72,000,000 is authorized to be appropriated for the Cybercorps Scholarship for Service Program; and

(v) \$800,000,000 is authorized to be appropriated for fellowships, traineeships, and scholarships described in section 10393;

(C) \$355,000,000 is authorized to be appropriated for major research equipment and facilities construction, of which \$80,000,000 is authorized to be appropriated for the Mid-Scale Research Infrastructure Program;

(D) \$710,000,000 is authorized to be appropriated for agency operations and award management;

(E) \$26,610,000 is authorized to be appropriated for the Office of the National Science Board; and

(F) \$26,610,000 is authorized to be appropriated for the Office of the Inspector General.

(c) FISCAL YEAR 2025.—

(1) IN GENERAL.—There are authorized to be appropriated to the Foundation \$16,706,670,000 for fiscal year 2025.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized under paragraph (1)—

(A) \$12,850,000,000 is authorized to be appropriated to carry out research and related activities, of which—

(i) \$70,000,000 is authorized to be appropriated for the Mid-Scale Research Infrastructure Program; and

(ii) \$3,550,000,000 is authorized to be appropriated for the Directorate for Technology, Innovation, and Partnerships;

(B) \$2,700,000,000 is authorized to be appropriated for STEM education, of which—

(i) \$87,100,000 is authorized to be appropriated for the Robert Noyce Teacher Scholarship Program;

(ii) \$70,320,000 is authorized to be appropriated for the NSF Research Traineeship Program;

(iii) \$491,990,000 is authorized to be appropriated for the Graduate Research Fellowship Program;

(iv) \$78,000,000 is authorized to be appropriated for the Cybercorps Scholarship for Service Program; and

(v) \$900,000,000 is authorized to be appropriated for fellowships, traineeships, and scholarships described in section 10393;

(C) \$370,000,000 is authorized to be appropriated for major research equipment and facilities construction, of which \$85,000,000 is authorized to be appropriated for the Mid-Scale Research Infrastructure Program;

(D) \$750,000,000 is authorized to be appropriated for agency operations and award management;

(E) \$5,560,000 is authorized to be appropriated for the Office of the National Science Board; and

(F) \$31,110,000 is authorized to be appropriated for the Office of the Inspector General.

(d) FISCAL YEAR 2026.—

(1) IN GENERAL.—There are authorized to be appropriated to the Foundation \$17,832,420,000 for fiscal year 2026.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized under paragraph (1)—

(A) \$13,800,000,000 is authorized to be appropriated to carry out research and related activities, of which—

(i) \$75,000,000 is authorized to be appropriated for the Mid-Scale Research Infrastructure Program; and

(ii) \$3,800,000,000 is authorized to be appropriated for the Directorate for Technology, Innovation, and Partnerships;

(B) \$2,850,000,000 is authorized to be appropriated for STEM education, of which—

(i) \$93,800,000 is authorized to be appropriated for the Robert Noyce Teacher Scholarship Program;

(ii) \$75,730,000 is authorized to be appropriated for the NSF Research Traineeship Program;

(iii) \$529,830,000 is authorized to be appropriated for the Graduate Research Fellowship Program;

(iv) \$84,000,000 is authorized to be appropriated for the Cybercorps Scholarship for Service Program; and

(v) \$950,000,000 is authorized to be appropriated for fellowships, traineeships, and scholarships described in section 10393;

(C) \$372,000,000 is authorized to be appropriated for major research equipment and facilities construction, of which \$90,000,000 is authorized to be appropriated for the Mid-Scale Research Infrastructure Program;

(D) \$770,000,000 is authorized to be appropriated for agency operations and award management;

(E) \$5,810,000 is authorized to be appropriated for the Office of the National Science Board; and

(F) \$34,610,000 is authorized to be appropriated for the Office of the Inspector General.

(e) FISCAL YEAR 2027.—

(1) IN GENERAL.—There are authorized to be appropriated to the Foundation \$18,919,180,000 for fiscal year 2027.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized under paragraph (1)—

(A) \$14,700,000,000 is authorized to be appropriated to carry out research and related activities, of which—

(i) \$80,000,000 is authorized to be appropriated for the Mid-Scale Research Infrastructure Program; and

(ii) \$4,100,000,000 is authorized to be appropriated for the Directorate for Technology, Innovation, and Partnerships;

(B) \$3,000,000,000 is authorized to be appropriated for STEM education, of which—

(i) \$100,500,000 is authorized to be appropriated for the Robert Noyce Teacher Scholarship Program;

(ii) \$81,140,000 is authorized to be appropriated for the NSF Research Traineeship Program;

(iii) \$567,680,000 is authorized to be appropriated for the Graduate Research Fellowship Program;

(iv) \$90,000,000 is authorized to be appropriated for the Cybercorps Scholarship for Service Program; and

(v) \$1,000,000,000 is authorized to be appropriated for fellowships, traineeships, and scholarships described in section 10393;

(C) \$375,000,000 is authorized to be appropriated for major research equipment and facilities construction, of which \$100,000,000 is authorized to be appropriated for the Mid-Scale Research Infrastructure Program;

(D) \$800,000,000 is authorized to be appropriated for agency operations and award management;

(E) \$6,070,000 is authorized to be appropriated for the Office of the National Science Board; and

(F) \$38,110,000 is authorized to be appropriated for the Office of the Inspector General.

Subtitle B—STEM Education

SEC. 10311. PREK-12 STEM EDUCATION.

(a) NATIONAL ACADEMIES STUDY.—Not later than 120 days after the date of enactment of this Act, the Director shall enter into an agreement with the National Academies to conduct a study to—

(1) review the research literature and identify research gaps regarding the interconnected factors that foster and hinder suc-

cessful implementation of promising, evidence-based PreK-12 STEM education innovations at the local, regional, and national level;

(2) present a compendium of promising, evidence-based PreK-12 STEM education practices, models, programs, and technologies;

(3) identify barriers to widespread and sustained implementation of such innovations; and

(4) make recommendations to the Foundation, the Department of Education, the National Science and Technology Council's Committee on Science, Technology, Engineering, and Mathematics Education, State and local educational agencies, and other relevant stakeholders on measures to address such barriers.

(b) SUPPORTING PREK-12 INFORMAL STEM OPPORTUNITIES.—Section 3 of the STEM Education Act of 2015 (42 U.S.C. 1862g) is amended by adding at the end the following:

“(c) PreK-12 INFORMAL STEM.—

“(1) IN GENERAL.—The Director of the National Science Foundation shall make awards, through existing programs where appropriate to institutions of higher education and nonprofit organizations (or consortia of such intuitions or organizations) on a merit-reviewed, competitive basis for research on effective approaches to engaging students in PreK-12, including students from groups historically underrepresented in STEM and rural students.

“(2) PURPOSES.—The purposes of this subsection are to—

“(A) provide effective, compelling, and engaging means for teaching and reinforcing fundamental STEM concepts to PreK-12 students;

“(B) expand the STEM workforce pipeline by increasing the number of youth in the United States exposed to STEM from an early age and encourage them to pursue careers in STEM-related fields; and

“(C) broaden participation of groups historically underrepresented in STEM and rural students, in the STEM workforce.

“(3) USE OF FUNDS.—

“(A) IN GENERAL.—Awards made under this subsection shall support research and development on innovative before-school, after-school, out-of-school, or summer activities that are designed to encourage interest, engagement, and skills development in STEM, including for students from groups historically underrepresented in STEM and rural students.

“(B) PERMITTED ACTIVITIES.—The research and development activities described in subparagraph (A) may include—

“(i) the provision of programming described in such subparagraph for the purpose of research described in such subparagraph;

“(ii) the use of a variety of engagement methods, including cooperative and hands-on learning;

“(iii) exposure of students to role models in the fields of STEM and near-peer mentors;

“(iv) training of informal learning educators, youth-serving professionals, and volunteers who lead informal STEM programs in using evidence-based methods consistent with the target student population being served;

“(v) education of students on the relevance and significance of STEM careers, provision of academic advice and assistance, and activities designed to help students make real-world connections to STEM content;

“(vi) the preparation of students to attend events, competitions, and academic programs that provide content expertise and encourage career exposure in STEM, which may include the purchase of parts and supplies needed to prepare for participation in such competitions;

“(vii) activities designed to engage parents and families of students in PreK–12 in STEM;

“(viii) innovative strategies to engage students, such as using leadership skills and outcome measures to impart youth with the confidence to pursue STEM coursework and academic study;

“(ix) coordination with STEM-rich environments, including other nonprofit, non-governmental organizations, out-of-classroom settings, institutions of higher education, vocational facilities, corporations, museums, or science centers; and

“(x) the acquisition of instructional materials or technology-based tools to conduct applicable award activity.

“(4) APPLICATION.—An applicant seeking funding under this subsection shall submit an application at such time, in such manner, and containing such information as may be required by the Director. Applications that include or partner with a nonprofit, non-governmental organization that has extensive experience and expertise in increasing the participation of students in PreK–12 in STEM are encouraged. At a minimum, the application shall include the following:

“(A) A description of the target audience to be served by the research activity or activities for which such funding is sought.

“(B) A description of the process for recruitment and selection of students to participate in such activities.

“(C) A description of how such activity or activities may inform programming that engages students in PreK–12 in STEM.

“(D) A description of how such activity or activities may inform programming that promotes student academic achievement in STEM.

“(E) An evaluation plan that includes, at a minimum, the use of outcome-oriented measures to determine the impact and efficacy of programming being researched.

“(5) EVALUATIONS.—Each recipient of an award under this subsection shall provide, at the conclusion of every year during which the award funds are received, a report in a form prescribed by the Director.

“(6) ENCOURAGE APPLICATIONS.—In making awards under this subsection, the Director shall encourage applications which, for the purpose of the activity or activities funded through the award, are from or include eligible nonprofit programs serving students that attend elementary schools or secondary schools (including high schools) that—

“(A) are implementing comprehensive support and improvement activities or targeted support and improvement activities under paragraph (1) or (2) of section 1111(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(d)); or

“(B) serve high percentages of students who are eligible for a free or reduced-price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) (which, in the case of a high school, may be calculated using comparable data from the schools that feed into the high school).

“(7) ACCOUNTABILITY AND DISSEMINATION.—

“(A) EVALUATION REQUIRED.—The Director shall evaluate the activities established under this subsection. Such evaluation shall—

“(i) use a common set of benchmarks and tools to assess the results of research conducted under such awards; and

“(ii) to the extent practicable, integrate the findings of the research resulting from the activity or activities funded through the award with the current research on serving students with respect to the pursuit of degrees or careers in STEM, including underrepresented and rural students, in PreK–12.

“(B) REPORT ON EVALUATIONS.—Not later than 180 days after the completion of the evaluation under subparagraph (A), the Di-

rector shall submit to Congress and make widely available to the public a report that includes—

“(i) the results of the evaluation; and

“(ii) any recommendations for administrative and legislative action that could optimize the effectiveness of the program under this subsection.

“(8) COORDINATION.—In carrying out this subsection, the Director shall, for purposes of enhancing program effectiveness and avoiding duplication of activities, consult, and coordinate with other relevant Federal agencies.”.

(c) [LOG 907 S2522] NATIONAL STEM TEACHER CORPS PILOT.—

(1) PURPOSE.—It is the purpose of this subsection to elevate the profession of STEM teaching by establishing a National STEM Teacher Corps pilot program to recognize outstanding STEM teachers in our Nation's classrooms, rewards them for their accomplishments, elevates their public profile, and creates rewarding career paths to which all STEM teachers can aspire, both to prepare future STEM researchers and to create a scientifically literate public.

(2) DEFINITIONS.—In this subsection:

(A) ADMINISTRATOR.—The term “Administrator” means the Administrator of the National STEM Teacher Corps.

(B) ELIGIBLE ENTITY.—The term “eligible entity” means—

(i) an institution of higher education; or

(ii) a consortium consisting of an institution of higher education and one or more of the following:

(I) A State educational agency (as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)).

(II) A local educational agency (as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)).

(III) An education nonprofit Association.

(IV) A cross sector STEM organization.

(V) A private entity, including a STEM-related business.

(C) HIGH-NEED SCHOOL.—The term “high-need school” has the meaning given the term in section 2211(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6631(b)).

(D) PROFESSIONAL DEVELOPMENT.—The term “professional development” has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(E) CORPS ALLIANCE.—The term “Corps Alliance” means a regionally or topically based award under this subsection.

(F) NATIONAL STEM TEACHER CORPS ADVISORY BOARD.—The term “National STEM Teacher Corps Advisory Board” means the Advisory Board for the National STEM Teacher Corps established under paragraph (5).

(3) ESTABLISHMENT OF NATIONAL STEM TEACHER CORPS.—The Director may, subject to the availability of appropriations, establish within the Foundation, a National STEM Teacher Corps 10-year pilot program to be administered by the Administrator, who shall be appointed by the Director. As appropriate, the Director may use existing NSF programs to establish and execute this program.

(4) DUTIES OF THE ADMINISTRATOR.—The Administrator shall—

(A) create a process and standards for selection of eligible applicants to become members of the National STEM Teacher Corps, including—

(i) uniform selection criteria that includes—

(I) deep knowledge of STEM content and pedagogy;

(II) a passion for STEM subjects and dedication to teaching, evidence of leadership skills, and potential for continued career growth as an educator; and

(III) demonstrated experience increasing STEM student achievement and STEM participation rates for all students, particularly those from rural and high-need schools; and

(i) a uniform selection process, including a comprehensive application that includes recommendations and other relevant professional information;

(B) promote the National STEM Teacher Corps and elevate best practices that emerge from the National STEM Teacher Corps to a national audience;

(C) evaluate the operation and effectiveness of the Corps alliances; and

(D) evaluate the overall and long-term impact of the National STEM Teacher Corps by—

(i) documenting, monitoring, and assessing the program outcomes or impact on the STEM careers of participants; and

(ii) documenting, monitoring, and assessing the program outcomes for the STEM education profession nationwide, particularly for rural and high-need schools.

(5) NATIONAL STEM TEACHER CORPS ADVISORY BOARD.—

(A) ESTABLISHMENT.—There is established a National STEM Teacher Corps Advisory Board to advise the Director on matters pertaining to the National STEM Teacher Corps for the length of the pilot program.

(B) COMPOSITION.—

(i) IN GENERAL.—The membership of the National STEM Teacher Corps Advisory Board shall—

(I) be appointed by the Director;

(II) include a representative from each of the following: School leaders, STEM researchers, STEM education researchers, Business leaders, PreK–12 STEM educators, and Students pursuing a postsecondary STEM degree; and

(III) be geographically diverse.

(ii) EXISTING COMMITTEE.—The Director may assign the duties of the National STEM Teacher Corps Advisory Board to another advisory committee of the Foundation.

(6) DUTIES OF THE CORPS ALLIANCES.—Subject to the availability of appropriated funds, the Administrator may make awards on a competitive, merit-review basis, to establish Corps alliances at eligible entities. Activities carried out by such alliances shall include—

(A) engaging local partners, which may include local educational agencies, institutions of higher education, STEM organizations, or education nonprofit organizations, to—

(i) develop and serve the community of National STEM Teacher Corps members within the region or topic area, in coordination with local partners to carry out day-to-day activities;

(ii) coordinate professional development activities, including activities led by National STEM Teacher Corps members;

(iii) connect National STEM Teacher Corps members with existing educator professional development programs and coordinate members' involvement as cooperating teachers or mentors;

(iv) seek opportunities to involve teachers who are not members of the National STEM Teacher Corps to participate in National STEM Teacher Corps activities; and

(v) build partnerships with existing education organizations and other efforts by State educational agencies and local educational agencies that operate programs relevant to the National STEM Teacher Corps and its activities;

(B) recruiting eligible applicants, with a focus on recruiting diverse STEM educators

to advance equity based on race, ethnicity, sex, socioeconomic status, age, disability status, geography, and language ability;

(C) screening, interviewing, and selecting members of the National STEM Teacher Corps using procedures and standards provided by the Administrator;

(D) coordinating the online network that supports all National STEM Teacher Corps members in the region or topic area;

(E) convening occasional meetings of National STEM Teacher Corps members in a region or topic area;

(F) creating opportunities for the professional growth of National STEM Teacher Corps members, with a focus on increasing STEM student achievement and STEM participation rates for all students, particularly those from rural and high-need schools; and

(G) supporting the retention and success of National STEM Teacher Corps members in the region or topic area.

(7) DUTIES OF MEMBERS OF THE NATIONAL STEM TEACHER CORPS.—An applicant that is selected by a Corps alliance to be a member of the National STEM Teacher Corps shall—

(A) serve a 4-year term with a possibility of reappointment;

(B) receive an annual stipend in an amount not less than \$10,000; and

(C) have substantial responsibilities, including—

(i) working with other members of the National STEM Teacher Corps to develop and improve innovative teaching practices, including practices such as inquiry-based learning;

(ii) participating in professional development in innovative teaching methodology and mentorship; and

(iii) continuing to excel in teaching the member's own students, with a focus on advancing equity by spending additional time teaching and coaching underserved students to increase STEM student achievement and STEM participation rates for students from rural and high-need schools.

(8) EVALUATION.—The Director, acting through the Administrator, shall submit a report to Congress after the third year of the pilot program that includes—

(A) an assessment, drawing on the evaluations the Administrator shall conduct under subparagraphs (C) and (D) of paragraph (4), and other sources of information, of the effectiveness of the pilot program in recruiting and retaining high-quality STEM teachers in the selected regions or topic areas, particularly in high-need and rural schools; and

(B) if deemed effective, a proposal to Congress for permanent implementation of the pilot program.

(9) SUNSET.—The authority to carry out this subsection shall terminate on the date that is 15 years after the date of enactment of this Act.

(10) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$60,000,000 for each of fiscal years 2023 through 2032 to carry out this subsection.

SEC. 10312. UNDERGRADUATE STEM EDUCATION.

(a) RESEARCH ON STEM EDUCATION AND WORKFORCE NEEDS.—The Director shall make awards, on a competitive basis, to four-year institutions of higher education or nonprofit organizations (or consortia of such institutions or organizations) to support research and development activities to—

(1) encourage greater collaboration and coordination between institutions of higher education and industry to enhance education, foster hands-on learn experiences, and improve alignment with workforce needs;

(2) understand the current composition of the STEM workforce and the factors that influence growth, retention, and development of that workforce;

(3) increase the size, diversity, capability, and flexibility of the STEM workforce; and

(4) increase dissemination and widespread adoption of effective practices in undergraduate education and workforce development.

(b) ADVANCED TECHNOLOGICAL EDUCATION PROGRAM UPDATE.—Section 3(b) of the Scientific and Advanced-Technology Act of 1992 (42 U.S.C. 1862i(b)) is amended to read as follows:

“(b) CENTERS OF SCIENTIFIC AND TECHNICAL EDUCATION.—

“(1) IN GENERAL.—The Director shall make awards for the establishment of centers of excellence, in advanced-technology fields, among associate-degree-granting colleges. Centers shall meet one or both of the following criteria:

“(A) Exceptional instructional programs in advanced-technology fields.

“(B) Excellence in undergraduate STEM education.

“(2) PURPOSES.—The centers shall serve as national and regional clearinghouses and models for the benefit of both colleges and secondary schools, and shall provide seminars and programs to disseminate model curricula and model teaching methods and instructional materials to other associate-degree-granting colleges.

“(3) NETWORKS.—The centers may enter into partnerships with other institutions of higher education, nonprofit organizations, and stakeholder groups, or a consortium thereof, to develop networks to—

“(A) coordinate research, training, and education activities funded by awards under subsection (a);

“(B) share information and best practices; or

“(C) promote collaboration between academic institutions, workforce development programs, labor organizations, and industry to communicate and meet workforce education and training needs.”.

(c) INNOVATIONS IN STEM EDUCATION AT COMMUNITY COLLEGES.—

(1) IN GENERAL.—The Director shall make awards on a merit-reviewed, competitive basis to institutions of higher education or nonprofit organizations (or consortia of such institutions or organizations) to advance research on the nature of learning and teaching at community colleges and to improve outcomes for students who enter the workforce upon completion of their STEM degree or credential or transfer to 4-year institutions, including by—

(A) examining how to scale up successful programs at community colleges that are improving student outcomes in foundational STEM courses;

(B) supporting research on effective STEM teaching practices in community college settings;

(C) designing and developing new STEM curricula;

(D) providing STEM students with hands-on training and research experiences, internships, and other experiential learning opportunities;

(E) increasing access to high quality STEM education through new technologies;

(F) re-skilling or up-skilling incumbent workers for new STEM jobs;

(G) building STEM career and seamless transfer pathways; and

(H) developing novel mechanisms to identify and recruit talent into STEM programs, in particular talent from groups historically underrepresented in STEM.

(2) PARTNERSHIPS.—In carrying out activities under this subsection, the Director shall encourage applications to develop, enhance, or expand cooperative STEM education and training partnerships between institutions of

higher education, industry, and labor organizations.

(d) IMPROVING ACCESS TO STEM EDUCATION AT CAREER AND TECHNICAL EDUCATION INSTITUTIONS.—

(1) IN GENERAL.—The Director shall make awards, on a competitive basis, to institutions of higher education (including postsecondary vocational institutions) to support career and technical education in STEM and computer science related fields.

(2) PRIORITY.—In making awards under this subsection, the Director shall give priority to institutions that demonstrate effective strategies to recruit and provide career and technical education to veterans and members of the Armed Forces transitioning to the private sector workforce.

(3) CAREER AND TECHNICAL EDUCATION DEFINED.—In this subsection, the term “career and technical education” has the meaning given that term in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302).

(e) COURSE-BASED UNDERGRADUATE RESEARCH EXPERIENCES.—

(1) IN GENERAL.—The Director shall carry out a 4-year pilot program under which the Director shall make awards, on a competitive basis, to institutions of higher education and nonprofit organizations (or consortia of such institutions or organizations) to establish a total of not fewer than five Centers to develop and scale up successful models for providing undergraduate students with hands-on, course-based research experiences.

(2) USE OF FUNDS.—Awards made under this paragraph shall be used to—

(A) develop, assess, and disseminate models for providing undergraduate students with course-based research experiences across STEM disciplines and education levels;

(B) identify and address opportunities and challenges in facilitating implementation across a broad range of institution types, including historically Black colleges and universities, Tribal Colleges or Universities, minority serving institutions and community colleges;

(C) identify and develop best practices to address barriers for faculty, including institutional culture, resources, and incentive structures;

(D) identify and address factors that may facilitate or discourage participation by students from all backgrounds;

(E) provide faculty with curriculum, professional development, training, networking opportunities, and other support to enable the development, adaptation, or expansion of a course-based research experience; and

(F) collect data and carry out research to evaluate the impacts of course-based undergraduate research experiences on the STEM workforce.

(3) PARTNERSHIPS.—In making awards under this paragraph, the Director shall consider the extent to which the proposed Center will establish partnerships among multiple types of academic institutions, including community colleges, emerging research institutions, EPSCoR institutions, historically Black colleges and universities, Tribal Colleges or Universities, and minority-serving institutions, the private sector, and other relevant stakeholders in supporting programs and activities to facilitate faculty training and the widespread and sustained implementation of promising, evidence-based practices, models, programs, and curriculum.

(4) REPORT.—Not later than 180 days after the date on which the pilot program is completed, the Director shall submit to Congress a report that includes—

(A) an assessment, that includes feedback from the research community, of the effectiveness of the pilot program in increasing the number, diversity, and workforce readiness of STEM graduates; and

(B) if determined to be effective, a plan for permanent implementation of the pilot program.

(f) **ADVANCED TECHNOLOGICAL MANUFACTURING ACT.**—

(1) **FINDINGS AND PURPOSE.**—Section 2 of the Scientific and Advanced-Technology Act of 1992 (42 U.S.C. 1862h) is amended—

(A) in subsection (a)—

(i) in paragraph (3), by striking “science, mathematics, and technology” and inserting “science, technology, engineering, and mathematics or STEM”;

(ii) in paragraph (4), by inserting “educated” and before “trained”;

(iii) in paragraph (5), by striking “scientific and technical education and training” and inserting “STEM education and training”;

(B) in subsection (b)—

(i) in paragraph (2), by striking “mathematics and science” and inserting “STEM fields”;

(ii) in paragraph (4), by striking “mathematics and science instruction” and inserting “STEM instruction”.

(2) **MODERNIZING REFERENCES TO STEM.**—Section 3 of the Scientific and Advanced-Technology Act of 1992 (42 U.S.C. 1862i) is amended—

(A) in the section heading, by striking “**SCIENTIFIC AND TECHNICAL EDUCATION**” and inserting “**STEM EDUCATION**”;

(B) in subsection (a)—

(i) in the subsection heading, by striking “**SCIENTIFIC AND TECHNICAL EDUCATION**” and inserting “**STEM EDUCATION**”;

(ii) in the matter preceding paragraph (1)—

(I) by inserting “and education to prepare the skilled technical workforce to meet workforce demands” before “, and to improve”;

(II) by striking “core education courses in science and mathematics” and inserting “core education courses in STEM fields”;

(III) by inserting “veterans and individuals engaged in” before “work in the home”;

(IV) by inserting “and on building a pathway from secondary schools to associate-degree-granting institutions, to careers that require technical training” before “, and shall be designed”;

(iii) in paragraph (1)—

(I) by inserting “and study” after “development”;

(II) by striking “core science and mathematics courses” and inserting “core STEM courses”;

(iv) in paragraph (2), by striking “science, mathematics, and advanced-technology fields” and inserting “STEM and advanced-technology fields”;

(v) in paragraph (3)(A), by inserting “to support the advanced-technology industries that drive the competitiveness of the United States in the global economy” before the semicolon at the end;

(vi) in paragraph (4), by striking “scientific and advanced-technology fields” and inserting “STEM and advanced-technology fields”;

(vii) in paragraph (5), by striking “advanced scientific and technical education” and inserting “advanced STEM and advanced-technology”;

(C) in subsection (c)—

(i) in paragraph (1)—

(I) in subparagraph (A)—

(aa) in the matter preceding clause (i), by striking “to encourage” and all that follows through “such means as—” and inserting “to encourage the development of career and educational pathways with multiple entry

and exit points leading to credentials and degrees, and to assist students pursuing pathways in STEM fields to transition from associate-degree-granting colleges to bachelor-degree-granting institutions, through such means as—”;

(bb) in clause (i), by striking “to ensure” and inserting “to develop articulation agreements that ensure”;

(cc) in clause (ii), by striking “courses at the bachelor-degree-granting institution” and inserting “the career and educational pathways supported by the articulation agreements”;

(II) in subparagraph (B)—

(aa) in clause (i), by inserting “veterans and individuals engaged in” before “work in the home”;

(bb) in clause (iii)—

(AA) by striking “bachelor’s-degree-granting institutions” and inserting “institutions or work sites”;

(BB) by inserting “or industry internships” after “summer programs”;

(cc) by striking the flush text following clause (iv);

(III) by striking subparagraph (C);

(ii) in paragraph (2)—

(I) by striking “mathematics and science programs” and inserting “STEM programs”;

(II) by inserting “and, as appropriate, elementary schools,” after “with secondary schools”;

(III) by striking “mathematics and science education” and inserting “STEM education”;

(IV) by striking “secondary school students” and inserting “students at these schools”;

(V) by striking “science and advanced-technology fields” and inserting “STEM and advanced-technology fields”;

(VI) by striking “agreements with local educational agencies” and inserting “articulation agreements or dual credit courses with local secondary schools, or other means as the Director determines appropriate”;

(iii) in paragraph (3)—

(I) by striking subparagraph (B);

(II) by striking “shall—” and all that follows through “establish a” and inserting “shall establish a”;

(III) by striking “the fields of science, technology, engineering, and mathematics” and inserting “STEM fields”;

(IV) by striking “; and” and inserting “, including jobs at Federal and academic laboratories.”;

(D) in subsection (d)(2)—

(i) in subparagraph (D), by striking “and” after the semicolon;

(ii) in subparagraph (E), by striking the period at the end and inserting a “; and”;

(iii) by adding at the end the following:

“(F) as appropriate, applications that apply the best practices for STEM education and technical skills education through distance learning or in a simulated work environment, as determined by research described in subsection (f); and”;

(E) in subsection (g), by striking the second sentence;

(F) in subsection (h)(1)—

(i) in subparagraph (A), by striking “2022” and inserting “2026”;

(ii) in subparagraph (B), by striking “2022” and inserting “2026”;

(iii) in subparagraph (C)—

(I) by striking “up to \$2,500,000” and inserting “not less than \$3,000,000”;

(II) by striking “2022” and inserting “2026”;

(G) in subsection (i)—

(i) by striking paragraph (3);

(ii) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(H) in subsection (j)—

(i) by striking paragraph (1) and inserting the following:

“(1) the term advanced-technology includes technological fields such as advanced manufacturing, agricultural-, biological- and chemical-technologies, energy and environmental technologies, engineering technologies, information technologies, micro and nano-technologies, cybersecurity technologies, geospatial technologies, and new, emerging technology areas”;

(ii) in paragraph (4), by striking “separate bachelor-degree-granting institutions” and inserting “other entities”;

(iii) by striking paragraph (7);

(iv) by redesignating paragraphs (8) and (9) as paragraphs (7) and (8), respectively;

(v) in paragraph (7), as redesignated by clause (iv), by striking “and” after the semicolon;

(vi) in paragraph (8), as redesignated by clause (iv)—

(I) by striking “mathematics, science, engineering, or technology” and inserting “science, technology, engineering, or mathematics”;

(II) by striking the period at the end and inserting “; and”;

(vii) by adding at the end the following:

“(9) the term skilled technical workforce has the meaning given such term in section 4(b) of the Innovations in Mentoring, Training, and Apprenticeships Act (42 U.S.C. 1862p).”

(3) **AUTHORIZATION OF APPROPRIATIONS.**—Section 5 of the Scientific and Advanced-Technology Act of 1992 (42 U.S.C. 1862j) is amended to read as follows:

“SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to the Director for carrying out sections 2 through 4 \$150,000,000 for each of fiscal years 2023 through 2027.”

SEC. 10313. GRADUATE STEM EDUCATION.

(a) **MENTORING AND PROFESSIONAL DEVELOPMENT.**—

(1) **MENTORING PLANS.**—

(A) **UPDATE.**—Section 7008(a) of the America Creating Opportunities to Meaningfully Promote Excellence in Technology, Education, and Science Act (42 U.S.C. 1862o(a)) is amended by—

(i) inserting “and graduate student” after “postdoctoral”;

(ii) inserting “The requirement may be satisfied by providing such individuals with access to mentors, including individuals not listed on the award.” after “review criterion.”

(B) **EVALUATION.**—Not later than 120 days after the date of enactment of this Act, the Director shall enter into an agreement with a qualified independent organization to evaluate the effectiveness of the postdoctoral mentoring plan requirement for improving mentoring for Foundation-supported postdoctoral researchers.

(2) **CAREER EXPLORATION.**—

(A) **IN GENERAL.**—The Director shall make awards, on a competitive basis, to institutions of higher education and nonprofit organizations (or consortia of such institutions or organizations) to develop innovative approaches for facilitating career exploration of academic and nonacademic career options and for providing opportunity-broadening experiences, including work-integrated opportunities, for graduate students and postdoctoral scholars that can then be considered, adopted, or adapted by other institutions and to carry out research on the impact and outcomes of such activities.

(B) **REVIEW OF PROPOSALS.**—In selecting award recipients under this subparagraph, the Director shall consider, at a minimum—

(i) the extent to which the administrators of the institution are committed to making the proposed activity a priority; and

(ii) the likelihood that the institution or organization will sustain or expand the proposed activity effort beyond the period of the award.

(3) **DEVELOPMENT PLANS.**—The Director shall require that annual project reports for awards that support graduate students and postdoctoral scholars include certification by the principal investigator that each graduate student and postdoctoral scholar receiving substantial support from such award, as determined by has developed and annually updated an individual development plan to map educational goals, career exploration, and professional development.

(4) **PROFESSIONAL DEVELOPMENT SUPPLEMENT.**—The Director shall carry out a five-year pilot initiative to award up to 2,500 administrative supplements of up to \$2,000 to existing research awards annually, on a competitive basis, to support professional development experiences for graduate students and postdoctoral researchers who receive a substantial portion of their support under such award, as determined by the Director. Not more than 10 percent of supplements awarded under this subparagraph may be used to support professional development experiences for postdoctoral researchers.

(5) **GRADUATE EDUCATION RESEARCH.**—The Director shall make awards, on a competitive basis, to institutions of higher education or nonprofit organizations (or consortia of such institutions or organizations) to support research on the graduate education system and outcomes of various interventions and policies, including—

(A) the effects of traineeships, fellowships, internships, and teaching and research assistantships on outcomes for graduate students;

(B) the effects of graduate education and mentoring policies and procedures on degree completion, including differences by—

(i) sex, race and ethnicity, and citizenship; and

(ii) student debt load;

(C) the development and assessment of new or adapted interventions, including approaches that improve mentoring relationships, develop conflict management skills, and promote healthy research teams; and

(D) research, data collection, and assessment of the state of graduate student mental health and wellbeing, factors contributing to and consequences of poor graduate student mental health, and the development, adaptation, and assessment of evidence-based strategies and policies to support emotional wellbeing and mental health.

(b) **GRADUATE RESEARCH FELLOWSHIP PROGRAM UPDATE.**—

(1) **SENSE OF CONGRESS.**—It is the sense of Congress that the Foundation should increase the number of new graduate research fellows supported annually over the next 5 years to no fewer than 3,000 fellows.

(2) **PROGRAM UPDATE.**—Section 10 of the National Science Foundation Act of 1950 (42 U.S.C. 1869) is amended—

(A) in subsection (a), by inserting “and as will address national workforce demand in critical STEM fields” after “throughout the United States”;

(B) in subsection (b), by striking “of \$12,000” and inserting “of at least \$16,000”; and

(C) by adding at the end the following:

“(c) **OUTREACH.**—The Director shall ensure program outreach to recruit fellowship applicants from fields of study that are in areas of critical national need from all regions of the country, and from historically underrepresented populations in STEM.”.

(3) **CYBERSECURITY SCHOLARSHIPS AND GRADUATE FELLOWSHIPS.**—The Director shall ensure that students pursuing master's degrees and doctoral degrees in fields relating to cy-

bersecurity are eligible to apply for scholarships and graduate fellowships under the Graduate Research Fellowship Program under section 10 of the National Science Foundation Act of 1950 (42 U.S.C. 1869).

(c) **STUDY ON GRADUATE STUDENT FUNDING.**—

(1) **IN GENERAL.**—Not later than 120 days after the date of enactment of this Act, the Director shall enter into an agreement with a qualified independent organization to evaluate—

(A) the role of the Foundation in supporting graduate student education and training through fellowships, traineeships, and other funding models; and

(B) the impact of different funding mechanisms on graduate student experiences and outcomes, including whether such mechanisms have differential impacts on subsets of the student population.

(2) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Director shall publish the results of the evaluation carried out under paragraph (1), including a recommendation for the appropriate balance between fellowships, traineeships, and other funding models.

(d) [LOG 165 H10304(G)/S2208] **AI SCHOLARSHIP-FOR-SERVICE.**—

(1) **DEFINITION OF EXECUTIVE AGENCY.**—In this subsection, the term “executive agency” has the meaning given the term “Executive agency” in section 105 of title 5, United States Code.

(2) **AI SCHOLARSHIP-FOR-SERVICE INITIATIVE REPORT.**—Not later than 1 year after the date of enactment of this Act, the Director, in coordination with the Office of Personnel Management, shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Science, Space, and Technology of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Oversight and Reform of the House of Representatives a report on the need and feasibility, and if appropriate, plans to implement a program to recruit and train the next generation of artificial intelligence professionals to meet the needs of Federal, State, local, and Tribal governments. The report shall include—

(A) recent statistical data on the size, composition, and educational requirements of the Federal AI workforce, including an assessment of current and future demand for additional AI professionals across the Federal Government;

(B) an assessment of the capacity of institutions of higher education to produce graduates with degrees, certifications, and relevant skills related to artificial intelligence that meet the current and future needs of the Federal workforce; and

(C) an evaluation of the need for and feasibility of establishing a scholarship-for-service program to recruit and train the next generation of artificial intelligence professionals to meet the needs of Federal, State, local, and Tribal governments, including opportunities for leveraging existing processes and resources for administering the Federal Cyber Scholarship-for-Service Program established under section 302 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7442) in standing up such a program.

(3) **PROGRAM ESTABLISHMENT.**—Upon submitting the report required in paragraph (2), the Director, in coordination with the Director of the Office of Personnel Management, the Director of the National Institute of Standards and Technology, and the heads of other agencies with appropriate scientific knowledge, is authorized to establish a Federal artificial intelligence scholarship-for-service program (referred to in this section as the Federal AI Scholarship-for-Service

Program) to recruit and train artificial intelligence professionals to lead and support the application of artificial intelligence to the missions of Federal, State, local, and Tribal governments.

(4) **QUALIFIED INSTITUTION OF HIGHER EDUCATION.**—The Director, in coordination with the heads of other agencies with appropriate scientific knowledge, shall establish criteria to designate qualified institutions of higher education that shall be eligible to participate in the Federal AI Scholarship-for-Service program. Such criteria shall include—

(A) measures of the institution's demonstrated excellence in the education of students in the field of artificial intelligence; and

(B) measures of the institution's ability to attract and retain a diverse and nontraditional student population in the fields of science, technology, engineering, and mathematics, which may include the ability to attract women, minorities, and individuals with disabilities.

(5) **PROGRAM DESCRIPTION AND COMPONENTS.**—The Federal AI Scholarship-for-Service Program shall—

(A) provide scholarships through qualified institutions of higher education to students who are enrolled in programs of study at institutions of higher education leading to degrees or concentrations in or related to the artificial intelligence field;

(B) provide the scholarship recipients with summer internship opportunities or other meaningful temporary appointments in the Federal workforce focusing on AI projects or research;

(C) prioritize the employment placement of scholarship recipients in executive agencies;

(D) identify opportunities to promote multi-disciplinary programs of study that integrate basic or advanced AI training with other fields of study, including those that address the social, economic, legal, and ethical implications of human interaction with AI systems;

(E) support capacity-building education research programs that will enable postsecondary educational institutions to expand their ability to train the next-generation AI workforce, including AI researchers and practitioners;

(F) create courses or training programs in technology ethics for students receiving scholarships; and

(G) award fellowships to masters and doctoral students who are pursuing degrees or research in artificial intelligence and related fields, including in the field of technology ethics.

(6) **SCHOLARSHIP AMOUNTS.**—Each scholarship under paragraph (5) shall be in an amount that covers the student's tuition and fees at the institution for not more than 3 years and provides the student with an additional stipend.

(7) **POST-AWARD EMPLOYMENT OBLIGATIONS.**—Each scholarship recipient, as a condition of receiving a scholarship under the program, shall enter into an agreement under which the recipient agrees to work for a period equal to the length of the scholarship, following receipt of the student's degree, in the AI mission of—

(A) an executive agency;

(B) Congress, including any agency, entity, office, or commission established in the legislative branch;

(C) an interstate agency;

(D) a State, local, or Tribal government, which may include instruction in AI-related skill sets in a public school system; or

(E) a State, local, or Tribal government-affiliated nonprofit entity that is considered to be critical infrastructure (as defined in section 1016(e) of the USA Patriot Act (42 U.S.C. 5195c(e))).

(8) HIRING AUTHORITY.—

(A) APPOINTMENT IN EXPECTED SERVICE.—Notwithstanding any provision of chapter 33 of title 5, United States Code, governing appointments in the competitive service, an executive agency may appoint an individual who has completed the eligible degree program for which a scholarship was awarded to a position in the excepted service in the executive agency.

(B) NONCOMPETITIVE CONVERSION.—Except as provided in subparagraph (D), upon fulfillment of the service term, an employee appointed under subparagraph (A) may be converted noncompetitively to term, career-conditional, or career appointment.

(C) TIMING OF CONVERSION.—An executive agency may noncompetitively convert a term employee appointed under subparagraph (B) to a career-conditional or career appointment before the term appointment expires.

(D) AUTHORITY TO DECLINE CONVERSION.—An executive agency may decline to make the noncompetitive conversion or appointment under subparagraph (B) for cause.

(9) ELIGIBILITY.—To be eligible to receive a scholarship under this section, an individual shall—

(A) be a citizen or lawful permanent resident of the United States;

(B) demonstrate a commitment to a career in advancing the field of AI;

(C) be—

(i) a full-time student in an eligible degree program at a qualified institution of higher education, as determined by the Director;

(ii) a student pursuing a degree on a less than full-time basis, but not less than half-time basis; or

(iii) an AI faculty member on sabbatical to advance knowledge in the field; and

(D) accept the terms of a scholarship under this section.

(10) CONDITIONS OF SUPPORT.—

(A) IN GENERAL.—As a condition of receiving a scholarship under this section, a recipient shall agree to provide the qualified institution of higher education with annual verifiable documentation of post-award employment and up-to-date contact information.

(B) TERMS.—A scholarship recipient under this section shall be liable to the United States as provided in paragraph (12) if the individual—

(i) fails to maintain an acceptable level of academic standing at the applicable institution of higher education, as determined by the Director;

(ii) is dismissed from the applicable institution of higher education for disciplinary reasons;

(iii) withdraws from the eligible degree program before completing the program;

(iv) declares that the individual does not intend to fulfill the post-award employment obligation under this section; or

(v) fails to fulfill the post-award employment obligation of the individual under this section.

(11) MONITORING COMPLIANCE.—As a condition of participating in the program, a qualified institution of higher education shall—

(A) enter into an agreement with the Director to monitor the compliance of scholarship recipients with respect to their post-award employment obligations; and

(B) provide to the Director, on an annual basis, the post-award employment documentation required under paragraph (10) for scholarship recipients through the completion of their post-award employment obligations.

(12) AMOUNT OF REPAYMENT.—

(A) LESS THAN 1 YEAR OF SERVICE.—If a circumstance described in paragraph (10) occurs before the completion of 1 year of a post-

award employment obligation under this section, the total amount of scholarship awards received by the individual under this section shall—

(i) be repaid; or

(ii) be treated as a loan to be repaid in accordance with paragraph (13).

(B) 1 OR MORE YEARS OF SERVICE.—If a circumstance described in clause (iv) or (v) of paragraph (10)(B) occurs after the completion of 1 or more years of a post-award employment obligation under this section, the total amount of scholarship awards received by the individual under this section, reduced by the ratio of the number of years of service completed divided by the number of years of service required, shall—

(i) be repaid; or

(ii) be treated as a loan to be repaid in accordance with paragraph (13).

(13) REPAYMENTS.—A loan described in paragraph (12) shall—

(A) be treated as a Federal Direct Unsubsidized Stafford Loan under part D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a et seq.); and

(B) be subject to repayment, together with interest thereon accruing from the date of the scholarship award, in accordance with terms and conditions specified by the Director (in consultation with the Secretary of Education).

(14) COLLECTION OF REPAYMENT.—

(A) IN GENERAL.—In the event that a scholarship recipient is required to repay the scholarship award under this section, the qualified institution of higher education providing the scholarship shall—

(i) determine the repayment amounts and notify the recipient and the Director of the amounts owed; and

(ii) collect the repayment amounts within a period of time as determined by the Director, or the repayment amounts shall be treated as a loan in accordance with paragraph (13).

(B) RETURNED TO TREASURY.—Except as provided in subparagraph (C), any repayment under this subsection shall be returned to the Treasury of the United States.

(C) RETAIN PERCENTAGE.—A qualified institution of higher education may retain a percentage of any repayment the institution collects under this subsection to defray administrative costs associated with the collection. The Director shall establish a fixed percentage that will apply to all eligible entities, and may update this percentage as needed, in the determination of the Director.

(15) EXCEPTIONS.—The Director may provide for the partial or total waiver or suspension of any service or payment obligation by an individual under this section whenever compliance by the individual with the obligation is impossible or would involve extreme hardship to the individual, or if enforcement of such obligation with respect to the individual would be unconscionable.

(16) PUBLIC INFORMATION.—

(A) EVALUATION.—The Director, in coordination with the Director of the Office of Personnel Management, shall annually evaluate and make public, in a manner that protects the personally identifiable information of scholarship recipients, information on the success of recruiting individuals for scholarships under this section and on hiring and retaining those individuals in the public sector AI workforce, including information on—

(i) placement rates;

(ii) where students are placed, including job titles and descriptions;

(iii) salary ranges for students not released from obligations under this section;

(iv) how long after graduation students are placed;

(v) how long students stay in the positions they enter upon graduation;

(vi) how many students are released from obligations; and

(vii) what, if any, remedial training is required.

(B) REPORTS.—The Director, in coordination with the Office of Personnel Management, shall submit, not less frequently than once every 3 years, to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Oversight and Reform of the House of Representatives a report, including the results of the evaluation under subparagraph (A) and any recent statistics regarding the size, composition, and educational requirements of the Federal AI workforce.

(C) RESOURCES.—The Director, in coordination with the Director of the Office of Personnel Management, shall provide consolidated and user-friendly online resources for prospective scholarship recipients, including, to the extent practicable—

(i) searchable, up-to-date, and accurate information about participating institutions of higher education and job opportunities related to the AI field; and

(ii) a modernized description of AI careers.

(17) REFRESH.—Not less than once every 2 years, the Director, in coordination with the Director of the Office of Personnel Management, shall review and update the Federal AI Scholarship-for-Service Program to reflect advances in technology.

SEC. 10314. STEM WORKFORCE DATA.

(a) SKILLED TECHNICAL WORKFORCE PORTFOLIO REVIEW.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Director shall conduct a full portfolio analysis of the Foundation's skilled technical workforce investments across all Directorates in the areas of education, research, infrastructure, data collection, and analysis.

(2) REPORT.—Not later than 180 days after the date of the review under paragraph (1) is complete, the Director shall submit to Congress and make widely available to the public a summary report of the portfolio review.

(b) SURVEY DATA.—

(1) ROTATING TOPIC MODULES.—To meet evolving needs for data on the state of the science and engineering workforce, the Director shall assess, through coordination with other Federal statistical agencies and drawing on input from relevant stakeholders, the feasibility and benefits of incorporating questions or topic modules to existing National Center for Science and Engineering Statistics surveys that would vary from cycle to cycle.

(2) NEW DATA.—Not later than 1 year after the date of enactment of this Act, the Director shall submit to Congress and the Board the results of an assessment, carried out in coordination with other Federal agencies and with input from relevant stakeholders, of the feasibility and benefits of incorporating new questions or topic modules to existing National Center for Science and Engineering Statistics surveys on—

(A) the skilled technical workforce;

(B) working conditions and work-life balance;

(C) harassment and discrimination;

(D) immigration and emigration; and

(E) any other topics at the discretion of the Director.

(3) LONGITUDINAL DESIGN.—The Director shall continue and accelerate efforts to enhance the usefulness of National Center for Science and Engineering Statistics survey data for longitudinal research and analysis.

(4) GOVERNMENT ACCOUNTABILITY OFFICE REVIEW.—Not later than 1 year after the date of

enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that—

(A) evaluates Foundation processes for ensuring the data and analysis produced by the National Center for Science and Engineering Statistics meets current and future needs; and

(B) includes such recommendations as the Comptroller General determines are appropriate to improve such processes.

SEC. 10315. CYBER WORKFORCE DEVELOPMENT RESEARCH AND DEVELOPMENT.

(a) **IN GENERAL.**—The Director shall make awards on a merit-reviewed, competitive basis to institutions of higher education or nonprofit organizations (or consortia of such institutions or organizations) to carry out research on the cyber workforce.

(b) **RESEARCH.**—In carrying out research pursuant to subsection (a), the Director shall support research and development activities to—

(1) understand the current state of the cyber workforce, including factors that influence growth, retention, and development of that workforce;

(2) examine paths to entry and re-entry into the cyber workforce;

(3) understand trends of the cyber workforce, including demographic representation, educational and professional backgrounds present, competencies available, and factors that shape employee recruitment, development, and retention and how to increase the size, diversity, and capability of the cyber workforce;

(4) examine and evaluate training practices, models, programs, and technologies; and

(5) other closely related topics as the Director determines appropriate.

(c) **REQUIREMENTS.**—In carrying out the activities described in subsection (b), the Director shall—

(1) collaborate with the National Institute of Standards and Technology, including the National Initiative for Cybersecurity Education, the Department of Homeland Security, the Department of Defense, the Office of Personnel Management, and other Federal departments and agencies, as appropriate;

(2) align with or build on the National Initiative on Cybersecurity Education Cybersecurity Workforce Framework wherever practicable and applicable;

(3) leverage the collective body of knowledge from existing cyber workforce development research and education activities; and

(4) engage with other Federal departments and agencies, research communities, and potential users of information produced under this subsection.

SEC. 10316. FEDERAL CYBER SCHOLARSHIP-FOR-SERVICE PROGRAM.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) since cybersecurity risks are constant in the growing digital world, it is critical that the United States stay ahead of malicious cyber activity with a workforce that can safeguard our innovation, research, and work environments; and

(2) Federal investments in the Federal Cyber Scholarship-for-Service Program at the National Science Foundation play a critical role in preparing and sustaining a strong, talented, and much-needed national cybersecurity workforce and should be strengthened.

(b) **IN GENERAL.**—Section 302(b)(1) of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7442(b)(1)) is amended by striking the semicolon at the end and inserting the following “and cybersecurity-related aspects of other related fields as appropriate, including artificial intelligence, quantum computing and aerospace;”.

SEC. 10317. CYBERSECURITY WORKFORCE DATA INITIATIVE.

The Director, acting through the National Center for Science and Engineering Statistics established in section 505 of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 1862p) and in coordination with the Director of the National Institute of Standards and Technology and other appropriate Federal statistical agencies, shall establish a cybersecurity workforce data initiative that—

(1) assesses the feasibility of providing nationally representative estimates and statistical information on the cybersecurity workforce;

(2) utilizes the National Initiative for Cybersecurity Education (NICE) Cybersecurity Workforce Framework (NIST Special Publication 800-181), or other frameworks, as appropriate, to enable a consistent measurement of the cybersecurity workforce;

(3) utilizes and complements existing data on employer requirements and unfilled positions in the cybersecurity workforce;

(4) consults key stakeholders and the broader community of practice in cybersecurity workforce development to determine data requirements needed to strengthen the cybersecurity workforce;

(5) evaluates existing Federal survey data for information pertinent to developing national estimates of the cybersecurity workforce;

(6) evaluates administrative data and other supplementary data sources, as available, to describe and measure the cybersecurity workforce; and

(7) collects statistical data, to the greatest extent practicable, on credential attainment and employment outcomes information for the cybersecurity workforce.

SEC. 10318. MICROELECTRONICS WORKFORCE DEVELOPMENT ACTIVITIES.

(a) **CREATING HELPFUL INITIATIVES TO PRODUCE PERSONNEL IN NEEDED GROWTH INDUSTRIES.**—

(1) **IN GENERAL.**—The Director shall make awards to institutions of higher education, non-profit organizations, or consortia thereof, for research, development, and related activities to advance innovative approaches to developing, improving, and expanding evidence-based education and workforce development activities and learning experiences at all levels of education in fields and disciplines related to microelectronics.

(2) **PURPOSES.**—Activities carried out under this section shall be for the purpose of supporting the growth, retention, and development of a diverse and sustainable microelectronics workforce to meet the requirements of the programs established in section 9906(c)(2)(C) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 in support of the evolving needs of industry, academia, government, and Federal laboratories.

(3) **USES OF FUNDS.**—Awards made under this section shall be used to support activities, such as—

(A) development of industry-oriented curricula and teaching modules for topics relevant to microelectronics, including those that provide meaningful hands-on learning experiences;

(B) dissemination of materials developed in subparagraph (A), including through the creation and maintenance of a publicly-accessible database and online portal;

(C) development and implementation of training, research, and professional development programs for teachers, including innovative pre-service and in-service programs, in microelectronics and related fields;

(D) support for learning activities and experiences that provide physical, simulated, or remote access to training facilities and

industry-standard processes and tools, including equipment and software for the design, development, manufacturing, and testing of microelectronics;

(E) increasing the integration of microelectronics content into STEM curricula at all education levels;

(F) Growing academic research capacity in microelectronics by incentivizing the hiring of faculty in fields critical to microelectronics;

(G) support for innovative industry pathway programs that connect high school, vocational, military, college, and graduate programs; and

(H) providing informal hands-on microelectronics learning opportunities for PreK-12 students in different learning environments, including competitions.

(4) **ADVANCED MICROELECTRONICS TRAINEESHIPS.**—

(A) **IN GENERAL.**—The Director shall make awards to institutions of higher education or nonprofit organizations (or consortia of such institutions and organizations) to establish traineeship programs for graduate students who pursue microelectronics research leading to a masters or doctorate degree by providing funding and other assistance, and by providing graduate students with opportunities for research experiences in government or industry related to the students' microelectronics studies.

(B) **USE OF FUNDS.**—Institutions of higher education or non-profit organizations (or consortia of such institutions and organizations) shall use award funds provided under subparagraph (A) for the purposes of—

(i) paying tuition and fees, and providing stipends, for students receiving traineeships who are citizens, nationals, or aliens lawfully admitted for permanent residence;

(ii) facilitating opportunities for scientific internship programs for students receiving traineeships in microelectronics at private industry, nonprofit research institutions, or Federal laboratories; and

(iii) such other costs associated with the administration of the program.

(5) **MICROELECTRONICS SKILLED TECHNICAL WORKFORCE PROGRAMS.**—The Director shall make awards under the Scientific and Advanced-Technology Act of 1992 (42 U.S.C. 1862h-j) to support programs for skilled technical workers in STEM disciplines that are aligned with skilled workforce needs of the microelectronics industry and lead to an associate's degree, or equivalent certification, by providing funding and other assistance, including opportunities for internships and other hands-on experiences in industry related to the students' microelectronics studies.

(6) **MICROELECTRONICS RESEARCH EXPERIENCES THROUGH EXISTING PROGRAMS.**—The Director shall seek to increase opportunities for microelectronics research for students and trainees at all levels by encouraging proposals in microelectronics through existing programs including—

(A) research experiences for undergraduates pursuant to section 514 of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 1862p-6);

(B) postdoctoral fellowship programs established pursuant to section 522 of the America COMPETES Act of 2010 (42 U.S.C. 1862p-11);

(C) graduate fellowships established pursuant to section 10 of the National Science Foundation Act of 1950 (42 U.S.C. 1869);

(D) informal STEM education programs established pursuant to section 3 of the STEM Education Act of 2015 (42 U.S.C. 1862q);

(E) the Robert Noyce Teacher Scholarship Program established pursuant to section 10 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n-1);

(F) major research instrumentation programs established pursuant to section 7036 of the America COMPETES Act (42 U.S.C. 1862o-14); and

(G) low-income scholarship program established pursuant to section 414(d) of the American Competitiveness and Workforce Improvement Act of 1998 (42 U.S.C. 1869c).

(7) **INDUSTRY PARTNERSHIPS.**—In carrying out the activities under this section, the Director shall encourage awardees to partner with industry and other private sector organizations to facilitate the expansion of workforce pipelines and enable access to industry-standard equipment and software for use in undergraduate and graduate microelectronics education programs.

(8) **INTERAGENCY COORDINATION.**—In carrying out activities under this section, the Director shall collaborate with the Subcommittee on Microelectronics Leadership of the National Science and Technology Council, established in subsection (a) of section 9906 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 and the National Semiconductor Technology Center established in subsection (c) of section 9906 of such Act, and other relevant Federal agencies to maintain the effectiveness of microelectronics workforce development activities across the agencies.

(b) **NATIONAL NETWORK FOR MICROELECTRONICS EDUCATION.**—

(1) **IN GENERAL.**—The Director, in coordination with the Secretary of Commerce, shall on a competitive, merit-reviewed basis, make awards to institutions of higher education and non-profit organizations (or consortia of such institutions and organizations) to establish partnerships to enhance and broaden participation in microelectronics education.

(2) **ACTIVITIES.**—Awards made under this subsection shall be used for the following:

(A) To conduct training and education activities funded by awards under paragraph (1) and in coordination with the Network Coordination Hub established in paragraph (3), including curricula design, development, dissemination, and assessment, and the sharing of information and best practices across the network of awardees.

(B) To develop regional partnerships among associate-degree-granting colleges, bachelor-degree-granting institutions, workforce development programs, labor organizations, and industry to create a diverse national technical workforce trained in microelectronics and ensure education and training is meeting the evolving needs of industry.

(C) To develop local workforce pipelines that align with capacity investments made by industry and the Federal government, including vocational and high school training programs, community college degrees and certificates, veteran post service opportunities, and mentoring.

(D) To facilitate partnerships with employers, employer consortia or other private sector organizations that offer apprenticeships, internships, or applied learning experiences in the field of microelectronics.

(E) To develop shared infrastructure available to institutions of higher education, two-year colleges, and private organizations to enable experiential learning activities and provide physical or digital access to training facilities and industry-standard tools and processes.

(F) To create and disseminate public outreach to support awareness of microelectronics education and career opportunities, including through outreach to PreK-12 schools and STEM-related organizations.

(G) To collaborate and coordinate with industry and existing public and private orga-

nizations conducting microelectronics education and workforce development activities, as practicable.

(3) **NETWORK COORDINATION HUB.**—The Director shall make an award on a competitive, merit-reviewed basis to an institution of higher education or nonprofit organization (or a consortium thereof) to establish a national network of partnerships (referred to in this section as the “National Network for Microelectronics Education”) to coordinate activities, best practice sharing, and access to facilities across the partnerships established in accordance with paragraph (1).

(4) **INCENTIVIZING PARTICIPATION.**—To the extent practicable, the Director shall encourage participation in the National Network for Microelectronics Education through the coordination of activities and distribution of awards described in subsection (a).

(5) **PARTNERSHIPS.**—The Director shall encourage the submission of proposals that are led by historically Black colleges and universities, Tribal Colleges or Universities, and minority-serving institutions or that include partnerships with or among such institutions to increase the recruitment of students from groups historically underrepresented in STEM to pursue graduate studies in microelectronics.

(6) **OUTREACH.**—In addition to any other requirements as determined appropriate by the Director, the Director shall require that proposals for awards under this section shall include a description of how the applicant will develop and implement outreach activities to increase the participation of women and other students from groups historically underrepresented in STEM.

(7) **COORDINATION ACROSS FOUNDATION PROGRAMS.**—In carrying out the activities under this section, the Director shall ensure awardees coordinate with, and avoid unnecessary duplication of, the activities carried out under this Section with the activities of the 21st Century Nanotechnology Research and Development Act (Public Law 108-153), the National Quantum Initiative Act (Public Law 115-368), and Division E of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021, and other related programs, as appropriate.

(8) **INTERAGENCY COORDINATION.**—In carrying out activities under this section, the Director shall collaborate with the Subcommittee on Microelectronics Leadership of the National Science and Technology Council, established in subsection (a) of section 9906 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 and the National Semiconductor Technology Center established in subsection (c) of section 9906 of such Act.

SEC. 10319. INCORPORATION OF ART AND DESIGN INTO CERTAIN STEM EDUCATION.

(a) **NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT.**—Section 9(a) of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n(a)) is amended in paragraph (3)—

(1) in subparagraph (M), by striking “and” at the end;

(2) by redesignating subparagraph (N) as subparagraph (O); and

(3) after subparagraph (M), by inserting the following new subparagraph:

“(N) developing science, technology, engineering, and mathematics educational curriculum that incorporates art and design to promote creativity and innovation; and”.

(b) **STEM EDUCATION ACT** [LOG 169 H10304(K)].—Section 3 of the STEM Education Act of 2015 (42 U.S.C. 1862q) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking “and” at the end;

(B) in paragraph (3), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(4) the integration of art and design in STEM educational programs.”; and

(2) in subsection (b)—

(A) in paragraph (3), by striking “and” at the end;

(B) in paragraph (4), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(5) design and testing of programming that integrates art and design in STEM education to promote creativity and innovation.”.

SEC. 10320. MANDATORY COST-SHARING.

(a) **WAIVER.**—The cost-sharing requirements under section 7036(c) of the America Creating Opportunities to Meaningfully Promote Excellence in Technology, Education, and Science Act (42 U.S.C. 1862o-14(c)) for the Major Research Instrumentation Program and under section 10A(i) of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n-1a(i)) for teaching fellowships administered within the Robert Noyce Teacher Scholarship Program are waived for a period of 5 years following the date of enactment of this Act.

(b) **ASSESSMENT.**—Not later than 5 years following the date of enactment of this Act, the Director shall submit to Congress an assessment, that includes feedback from the research community, of the impacts of the waivers provided under subsection (a), including—

(1) programmatic and scientific goals;

(2) institutional commitment and stewardship of Federal resources;

(3) institutional strategic planning and administrative burden;

(4) equity among recipient institutions; and

(5) recommendations for or against extending or making permanent such waivers.

SEC. 10321. PROGRAMS TO ADDRESS THE STEM WORKFORCE.

(a) **IN GENERAL.**—The Director shall issue undergraduate scholarships, including at community colleges, graduate fellowships and traineeships, postdoctoral awards, and, as appropriate, other awards, to address STEM workforce gaps, including for programs that recruit, retain, and advance students to a bachelor's degree in a STEM discipline concurrent with a secondary school diploma, such as through existing and new partnerships with State educational agencies.

(b) **POSTDOCTORAL PROFESSIONAL DEVELOPMENT.**—In carrying out this section, the Director shall encourage innovation in postdoctoral professional development, support the development and diversity of the STEM workforce, and study the impacts of such innovation and support. To do so, the Director may use postdoctoral awards established under subsection (a) or leveraged under subsection (d)(1) for fellowships or other temporary rotational postings of not more than 2 years. Such fellowships or temporary rotational postings shall be awarded—

(1) to qualified individuals who have a doctoral degree and received such degree not earlier than 5 years before the date that the fellowship or temporary rotational posting begins; and

(2) to carry out research at Federal, State, local, and Tribal government research facilities.

(c) **DIRECT HIRE AUTHORITY.**—

(1) **IN GENERAL.**—The head of any Federal agency may appoint, without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code, other than sections 3303 and 3328 of that title, a qualified

candidate described in paragraph (2) directly to a position in the competitive service with the Federal agency for which the candidate meets Office of Personnel Management qualification standards.

(2) FELLOWSHIP OR TEMPORARY ROTATIONAL POSTING.—Paragraph (1) applies with respect to a former recipient of an award under this subsection who—

(A) earned a doctoral degree in a STEM field from an institution of higher education; and

(B) successfully fulfilled the requirements of the fellowship or temporary rotational posting within a Federal agency.

(3) LIMITATION.—The direct hire authority under this subsection shall be exercised with respect to a specific qualified candidate not later than 2 years after the date that the candidate completed the requirements related to the fellowship or temporary rotational posting described under this subsection.

(d) EXISTING PROGRAMS.—In carrying out this section, the Director may leverage existing programs, including programs that issue—

(1) postdoctoral awards;

(2) graduate fellowships and traineeships, inclusive of the NSF Research Traineeships and fellowships awarded under the Graduate Research Fellowship Program;

(3) scholarships, research experiences, and internships, including—

(A) scholarships to attend community colleges; and

(B) research experiences and internships under sections 513, 514, and 515 of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 1862p-5; 1862p-6; 42 U.S.C. 1862p-7); and

(4) awards to institutions of higher education to enable the institutions to fund innovation in undergraduate and graduate education, increased educational capacity, and the development and establishment of new or specialized programs of study for graduate, undergraduate, or technical college students, and the evaluation of the effectiveness of the programs of study.

Subtitle C—Broadening Participation

SEC. 10321. PRESIDENTIAL AWARDS FOR EXCELLENCE IN MATHEMATICS AND SCIENCE.

(a) IN GENERAL.—Section 117(a) of the National Science Foundation Authorization Act of 1988 (42 U.S.C. 1881b(a)) is amended—

(1) in subparagraph (B)—

(A) by striking “108” and inserting “110”;

(B) by striking clause (iv);

(C) in clause (v), by striking the period at the end and inserting “; and”;

(D) by redesignating clauses (i), (ii), (iii), and (v) as subclauses (I), (II), (III), and (IV), respectively, and moving the margins of such subclauses (as so redesignated) two ems to the right; and

(E) by striking “In selecting teachers” and all that follows through “two teachers—” and inserting the following:

“(C) In selecting teachers for an award authorized by this subsection, the President shall select—

“(i) at least two teachers—”;

(2) in subparagraph (C), as so designated by paragraph (1)(E) of this subsection, by adding at the end the following:

“(ii) at least one teacher—

“(I) from the Commonwealth of the Northern Mariana Islands;

“(II) from American Samoa;

“(III) from the Virgin Islands of the United States; and

“(IV) from Guam.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to awards made on or after the date of the enactment of this Act.

SEC. 10322. ROBERT NOYCE TEACHER SCHOLARSHIP PROGRAM UPDATE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that over the next five years the Foundation should increase the number of scholarships awarded under the Robert Noyce Teacher Scholarship program established under section 10 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n-1) by 50 percent.

(b) OUTREACH.—To increase the diversity of participants, the Director shall support symposia, forums, conferences, and other activities to expand and enhance outreach to—

(1) historically Black colleges and universities;

(2) Tribal Colleges or Universities;

(3) minority-serving institutions;

(4) institutions of higher education that are located near or serve rural communities, including EPSCoR institutions;

(5) labor organizations;

(6) emerging research institutions; and

(7) higher education programs that serve or support veterans.

SEC. 10323. NSF EDDIE BERNICE JOHNSON INCLUDES INITIATIVE.

(a) IN GENERAL.—The Director shall make awards, on a competitive basis, to institutions of higher education or non-profit organizations (or consortia of such institutions or organizations) to carry out a comprehensive national initiative to facilitate the development of networks and partnerships to build on and scale up effective practices in broadening participation in STEM studies and careers of groups historically underrepresented in such studies and careers.

(b) CHANGE OF NAME.—The initiative under subsection (a) shall be known as the “Eddie Bernice Johnson Inclusion across the Nation of Communities of Learners of Underrepresented Discoverers in Engineering and Science Initiative” or the “Eddie Bernice Johnson INCLUDES Initiative”.

SEC. 10324. BROADENING PARTICIPATION ON MAJOR FACILITIES AWARDS.

The Director shall require organizations seeking a cooperative agreement for the management of the operations and maintenance of a Foundation project to demonstrate prior experience and current capabilities in or to have a plan for employing best practices in broadening participation in science and engineering and ensure implementation of such practices is considered in oversight of the award.

SEC. 10325. EXPANDING GEOGRAPHIC AND INSTITUTIONAL DIVERSITY IN RESEARCH.

(a) CONTINUING SUPPORT FOR EPSCoR.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) because maintaining the Nation’s scientific and economic leadership requires the participation of talented individuals nationwide, EPSCoR investments into State research and education capacities are in the Federal interest and should be sustained;

(B) EPSCoR should maintain its experimental component by supporting innovative methods for improving research capacity and competitiveness; and

(C) the Director should carry out this subsection while maintaining or increasing proposal success rates at emerging research institutions throughout the United States and without precluding access to awards for such institutions.

(2) UPDATE OF EPSCoR.—Section 517(f)(2) of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 1862p-9(f)(2)) is amended—

(A) in subparagraph (A), by striking “and” at the end; and

(B) by adding at the end the following:

“(C) to increase the capacity of rural communities to provide quality STEM education

and STEM workforce development programming to students, and teachers; and”.

(3) GEOGRAPHIC DIVERSITY AND INCLUSION.—

(A) IN GENERAL.—To the maximum extent practicable, not less than—

(i) 15.5 percent in fiscal year 2023,

(ii) 16 percent in fiscal year 2024,

(iii) 16.5 percent in fiscal year 2025,

(iv) 17 percent in fiscal year 2026,

(v) 18 percent in fiscal year 2027,

(vi) 19 percent in fiscal year 2028, and

(vii) 20 percent in fiscal year 2029,

of the amounts appropriated to the Foundation for research and related activities, and science, mathematics, and engineering education and human resources programs and activities, excluding those amounts made available for polar research and operations support (and operations and maintenance of research facilities), shall be awarded to EPSCoR institutions.

(B) SCHOLARSHIPS.—To the maximum extent practicable, not less than—

(i) 16 percent in fiscal year 2023,

(ii) 18 percent in fiscal year 2024, and

(iii) 20 percent in each of fiscal years 2025 through 2029,

of the amounts appropriated to the Foundation for scholarships (including at community colleges), graduate fellowships and traineeships, and postdoctoral awards shall be used to support EPSCoR institutions.

(C) CONSIDERATIONS.—The Director shall consider prioritizing funding and activities that enable sustainable growth in the competitiveness of EPSCoR jurisdictions, including—

(i) infrastructure investments to build research capacity in EPSCoR jurisdictions;

(ii) scholarships, fellowships, and traineeships within new and existing programs, to promote the development of sustainable research and academic personnel;

(iii) partnerships between eligible organizations in EPSCoR and non-EPSCoR jurisdictions, to develop administrative, grant management, and proposal writing capabilities in EPSCoR jurisdictions;

(iv) capacity building activities for emerging research institutions, historically Black colleges and universities, Tribal Colleges or Universities, and minority serving institutions, consistent with this section and section 10524 of this division; and

(v) leveraging the Partnerships for Innovation program, as well as the Foundation coordination role in the Department of Commerce technology and innovation hub program under section 28 of the Stevenson-Wydler Technology Innovation Act of 1980 as added by section 10621, to build sustainable innovation ecosystems in EPSCoR jurisdictions.

(D) MERIT REVIEW.—The Director shall achieve the percentages specified in this paragraph to the maximum extent practicable, consistent with the National Science Foundation merit review process.

(E) CONSORTIA.—In the case of an award to a consortium, the Director may count the entire award toward meeting the funding requirements of subparagraph (A) if the lead entity of the consortium is located in an EPSCoR institution

(F) ANNUAL REPORTING.—Beginning with the fiscal year 2023, the Director shall submit to Congress a report describing—

(i) the Foundation’s implementation of this paragraph;

(ii) progress in building research capacity, including both infrastructure and personnel, in EPSCoR jurisdictions, including at historically Black colleges and universities, Tribal Colleges or Universities, minority-serving institutions, and emerging research institutions; and

(iii) if the Foundation does not meet the requirement described in subparagraph (A),

an explanation relating thereto and a plan for compliance in the following fiscal year and remediation.

(G) ANALYSIS AND SUSTAINABILITY REPORT.—Not later than December 31, 2026, the Director shall submit to Congress a report containing an analysis of the impacts of the requirements under subparagraphs (A) and (B). The report shall include—

(i) an analysis of how the requirements under this paragraph affected the balance of total funding awarded by the Foundation to states and territories across the United States;

(ii) an analysis of any changes in award success and total funding awarded to Historically black colleges and universities, Tribal Colleges or Universities, minority-serving institutions, and emerging research institutions between the date of enactment and December 31, 2026;

(iii) an analysis of the gains in academic research capacity, quality, and competitiveness and in science and technology human resource development in EPSCoR jurisdictions made between the enactment of this Act and December 31, 2026;

(iv) an assessment of EPSCoR eligibility criteria and determination on whether new eligibility criteria should be developed based on the findings from clauses (i), (ii), and (iii); and

(v) a plan to sustain and grow improvements in research capacity and competitiveness in EPSCoR jurisdictions.

(H) EPSCoR ELIGIBILITY.—

(i) IN GENERAL.—The Director shall ensure eligibility for current EPSCoR jurisdictions for five years from the date of enactment of this Act, after which the Director shall determine whether new eligibility criteria should be developed based on the findings in the report required under subparagraph (G).

(ii) REPORT.—Not later than December 31, 2028, the Director shall report to Congress regarding any new eligibility criteria determined under clause (i), any changes to jurisdictional eligibility based on such criteria, and the necessity and practicality of continuing or modifying the requirement under subparagraph (A) given any such changes to eligibility. The report shall include an analysis of options to support regions in non-EPSCoR jurisdictions, adjacent to EPSCoR jurisdictions, that historically receive disproportionately low levels of funding from the Foundation, including, if appropriate, options to expand the EPSCoR program or to establish new programs.

(b) FOSTERING STEM RESEARCH DIVERSITY AND CAPACITY PROGRAM.—

(1) IN GENERAL.—The Director shall make awards on a competitive, merit-reviewed basis to eligible institutions to implement and study innovative approaches for building research capacity in order to engage and retain students from a range of institutions and diverse backgrounds in STEM.

(2) ELIGIBLE INSTITUTION DEFINED.—In this subsection the term “eligible institution” means an institution of higher education that, according to the data published by the National Center for Science and Engineering Statistics, is not, on average, among the top 100 institutions in Federal research and development expenditures during the 3-year period prior to the year of the award.

(3) PURPOSE.—The activities under this subsection shall be focused on achieving simultaneous impacts at the student, faculty, and institutional levels by increasing the research capacity at eligible institutions and the number of undergraduate and graduate students pursuing STEM degrees from eligible institutions.

(4) REQUIREMENTS.—In carrying out this program, the Director shall—

(A) require eligible institutions seeking funding under this subsection to submit an application to the Director at such time, in such manner, containing such information and assurances as the Director may require. The application shall include, at a minimum a description of how the eligible institution plans to sustain the proposed activities beyond the duration of the award;

(B) require applicants to identify disciplines and focus areas in which the eligible institution can excel, and explain how the applicant will use the award to build capacity to bolster the institutional research competitiveness of eligible entities to support awards made by the Foundation and increase regional and national capacity in STEM;

(C) require the awards funded under this subsection to support research and related activities, which may include—

(i) development or expansion of research programs in disciplines and focus areas in subparagraph (B);

(ii) faculty recruitment and professional development in disciplines and focus areas in subparagraph (B), including for early-career researchers;

(iii) stipends for undergraduate and graduate students participating in research in disciplines and focus areas in subparagraph (B);

(iv) acquisition of instrumentation necessary to build research capacity at an eligible institution in disciplines and focus areas in subparagraph (B);

(v) an assessment of capacity-building and research infrastructure needs;

(vi) administrative research development support; and

(vii) other activities necessary to build research capacity; and

(D) require that no eligible institution should receive more than \$10,000,000 in any single year of funds made available under this section.

(5) ADDITIONAL CONSIDERATIONS.—In making awards under this subsection, the Director may also consider—

(A) the extent to which the applicant will support students from diverse backgrounds, including first-generation undergraduate students;

(B) the geographic and institutional diversity of the applying institutions; and

(C) how the applicants can leverage public-private partnerships and existing partnerships with Federal Research Agencies.

(6) DUPLICATION.—The Director shall ensure the awards made under this subsection are complementary and not duplicative of existing programs.

(7) REPORT.—The Director shall submit a report to Congress after the third year of the program that includes—

(A) an assessment of the effectiveness of the program for growing the geographic and institutional diversity of institutions of higher education receiving research awards from the Foundation;

(B) an assessment of the quality, quantity, and geographic and institutional diversity of institutions of higher education conducting Foundation-sponsored research since the establishment of the program in this subsection;

(C) an assessment of the quantity and diversity of undergraduate and graduate students graduating from eligible institutions with STEM degrees; and

(D) statistical summary data on the program, including the geographic and institutional allocation of award funding, the number and diversity of supported graduate and undergraduate students, and how it contributes to capacity building at eligible entities.

(8) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Director \$150,000,000 for each of the fiscal

years 2023 through 2027 to carry out the activities under this subsection.

(c) PARTNERSHIPS WITH EMERGING RESEARCH INSTITUTIONS.—

(1) IN GENERAL.—The Director shall establish a five-year pilot program for awards to research partnerships that involve emerging research institutions and may involve institutions classified as very high research activity by the Carnegie Classification of Institutions of Higher Education at the time of application.

(2) REQUIREMENTS.—In carrying out this program, the Director shall—

(A) require that each proposal submitted by a multi-institution collaboration for an award, including those under subtitle G of this title, that exceeds \$1,000,000, as appropriate, specify how the applicants will support substantive, meaningful, sustainable, and mutually beneficial partnerships with one or more emerging research institutions;

(B) require recipients funded under this subsection to direct no less than 35 percent of the total award to one or more emerging research institutions;

(C) require recipients funded under this subsection to report on the partnership activities as part of the annual reporting requirements of the Foundation; and

(D) solicit feedback on the partnership directly from partner emerging research institutions, in such form as the Director deems appropriate.

(3) CAPACITY BUILDING.—Funds awarded to emerging research institutions under this subsection may be used to build research capacity, including through support for faculty salaries and training, field and laboratory research experiences for undergraduate and graduate students, and maintenance and repair of research equipment and instrumentation.

(4) REPORT.—The Director shall submit a report to Congress after the third year of the pilot program that includes—

(A) an assessment, drawing on feedback from the research community and other sources of information, of the effectiveness of the pilot program for improving the quality of partnerships with emerging research institutions; and

(B) if deemed effective, a plan for permanent implementation of the pilot program.

SEC. 10326. DIVERSITY IN TECH RESEARCH.

The Director shall make awards, on a competitive basis, to institutions of higher education or nonprofit organizations (or consortia of such institutions or organizations) to support basic, applied, and use-inspired research that yields a scientific evidence base for improving the design and emergence, development and deployment, and management and ultimate effectiveness of entities involved in technology research, including research related to diversity and inclusion in the technology sector.

SEC. 10327. CHIEF DIVERSITY OFFICER OF THE NSF.

(a) CHIEF DIVERSITY OFFICER.—

(1) APPOINTMENT.—The Director shall appoint a senior agency official within the Office of the Director as a Chief Diversity Officer.

(2) QUALIFICATIONS.—The Chief Diversity Officer shall have significant experience, within the Federal Government and the science community, with diversity- and inclusion-related matters, including—

(A) civil rights compliance;

(B) harassment policy, reviews, and investigations;

(C) equal employment opportunity; and

(D) disability policy.

(b) DUTIES.—The Chief Diversity Officer is responsible for providing advice on policy, oversight, guidance, and coordination with

respect to matters of the Foundation related to diversity and inclusion, including ensuring the geographic diversity of the Foundation programs. Other duties may include—

(1) establishing and maintaining a strategic plan that publicly states a diversity definition, vision, and goals for the Foundation;

(2) defining a set of strategic metrics that are—

(A) directly linked to key organizational priorities and goals;

(B) actionable; and

(C) actively used to implement the strategic plan under paragraph (1);

(3) advising in the establishment of a strategic plan for diverse participation by individuals and institutions of higher education, including community colleges, historically Black colleges and universities, Tribal Colleges or Universities, minority serving institutions, institutions of higher education with an established STEM capacity building program focused on Native Hawaiians or Alaska Natives, and EPSCoR institutions);

(4) advising in the establishment of a strategic plan for outreach to, and recruiting from, untapped locations and underrepresented populations;

(5) advising on a diversity and inclusion strategy for the Foundation's portfolio of PreK–12 STEM education focused programs and activities, including goals for addressing barriers to participation;

(6) advising on the application of the Foundation's broader impacts review criterion; and

(7) performing such additional duties and exercise such powers as the Director may prescribe.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—To carry out this section, there are authorized to be appropriated \$5,000,000 for each of fiscal years 2023 through 2027.

SEC. 10328. RESEARCH AND DISSEMINATION TO INCREASE THE PARTICIPATION OF WOMEN AND UNDERREPRESENTED MINORITIES IN STEM FIELDS.

(a) **IN GENERAL.**—The Director shall make awards on a competitive, merit-reviewed basis, to institutions of higher education or non-profit organizations (or consortia of such institutions or organizations), to enable such entities to increase the participation of women and underrepresented minorities in STEM studies and careers.

(b) **USE OF FUNDS.**—An eligible entity that receives an award under this subsection shall use such award funds to carry out one or more of the following activities designed to increase the participation of women or minorities historically underrepresented in STEM, or both:

(1) Research to analyze the record-level data collected under sections 10502 and 10504, consistent with policies to ensure the privacy of individuals identifiable by such data.

(2) Research to study best practices for work-life accommodation.

(3) Research to study the impact of policies and practices that are implemented or are otherwise consistent with the purposes of this section.

(4) Mentoring programs that facilitate engagement of STEM professionals with students.

(5) Research experiences for undergraduate and graduate students in STEM fields.

(6) Outreach to elementary school and secondary school students to provide opportunities to increase their exposure to STEM fields.

(c) **DISSEMINATION ACTIVITIES.**—The Director shall carry out dissemination activities consistent with the purposes of this section, including—

(1) collaboration with other Federal research agencies and professional associations

to exchange best practices, harmonize work-life accommodation policies and practices, and overcoming common barriers to work-life accommodation; and

(2) collaboration with institutions of higher education in order to clarify and catalyze the adoption of a coherent and consistent set of work-life accommodation policies and practices.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2023, 2024, 2025, 2026, and 2027.

SEC. 10329. ACTIVITIES TO EXPAND STEM OPPORTUNITIES.

(a) **NATIONAL SCIENCE FOUNDATION SUPPORT FOR INCREASING DIVERSITY AMONG STEM FACULTY AT INSTITUTIONS OF HIGHER EDUCATION.**—Section 305 of the American Innovation and Competitiveness Act (42 U.S.C. 1862s–5) is amended—

(1) by redesignating subsections (e) and (f) as subsections (g) and (h), respectively; and

(2) by inserting after subsection (d) the following:

“(e) **SUPPORT FOR INCREASING DIVERSITY AMONG STEM FACULTY AT INSTITUTIONS OF HIGHER EDUCATION.**—

“(1) **IN GENERAL.**—The Director of the Foundation shall make awards to institutions of higher education (or consortia thereof) for the development and assessment of innovative reform efforts designed to increase the recruitment, retention, and advancement of individuals from underrepresented minority groups in academic STEM careers, which may include implementing or expanding successful evidence-based practices.

“(2) **MERIT REVIEW; COMPETITION.**—Awards shall be made under this subsection on a merit-reviewed, competitive basis.

“(3) **USE OF FUNDS.**—Activities supported by awards under this subsection may include—

“(A) institutional assessment activities, such as data analyses and policy review, in order to identify and address specific issues in the recruitment, retention, and advancement of faculty members from underrepresented minority groups;

“(B) assessments of distribution of mentoring and advising responsibilities among faculty, particularly for faculty from underrepresented minority groups, that may detract from time spent on research, publishing papers, and other activities required to achieve tenure status or promotion (or equivalents for non-tenure track faculty) and run a productive research program;

“(C) development and assessment of training courses for administrators and search committee members designed to ensure unbiased evaluation of candidates from underrepresented minority groups;

“(D) development and hosting of intra- or inter-institutional workshops to propagate best practices in recruiting, retaining, and advancing faculty members from underrepresented minority groups;

“(E) professional development opportunities for faculty members from underrepresented minority groups;

“(F) activities aimed at making undergraduate STEM students from underrepresented minority groups aware of opportunities for academic careers in STEM fields; and

“(G) activities to identify and engage exceptional graduate students and postdoctoral researchers from underrepresented minority groups at various stages of their studies and to encourage them to enter academic careers.

“(4) **SELECTION PROCESS.**—

“(A) **APPLICATION.**—An institution of higher education (or a consortium of such institutions) seeking funding under this subsection shall submit an application to the

Director of the Foundation at such time, in such manner, and containing such information and assurances as such Director may require. The application shall include, at a minimum, a description of—

“(i) the reform effort that is being proposed for implementation by the institution of higher education;

“(ii) any available evidence of specific difficulties in the recruitment, retention, and advancement of faculty members from underrepresented minority groups in STEM academic careers within the institution of higher education submitting an application, and how the proposed reform effort would address such issues;

“(iii) support for the proposed reform effort by administrators of the institution, which may include details on previous or ongoing reform efforts;

“(iv) how the proposed reform effort may contribute to change in institutional culture and policy such that a greater value is placed on the recruitment, retention, and advancement of faculty members from underrepresented minority groups;

“(v) how the institution of higher education submitting an application plans to sustain the proposed reform effort beyond the duration of the award, if the effort proved successful; and

“(vi) how the success and effectiveness of the proposed reform effort will be evaluated and assessed in order to contribute to the national knowledge base about models for catalyzing institutional change.

“(B) **AWARD DISTRIBUTION.**—The Director of the Foundation shall ensure, to the extent practicable, that awards under this section are made to a variety of types of institutions of higher education.

“(5) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this subsection \$8,000,000 for each of fiscal years 2023 through 2027.”

(b) **NATIONAL SCIENCE FOUNDATION SUPPORT FOR BROADENING PARTICIPATION IN UNDERGRADUATE STEM EDUCATION.**—Section 305 of the American Innovation and Competitiveness Act (42 U.S.C. 1862s–5), as amended by subsection (b), is further amended by inserting after subsection (e) the following:

“(f) **SUPPORT FOR BROADENING PARTICIPATION IN UNDERGRADUATE STEM EDUCATION.**—

“(1) **IN GENERAL.**—The Director of the Foundation shall make awards to institutions of higher education (or a consortium of such institutions) to implement or expand research-based reforms in undergraduate STEM education for the purpose of recruiting and retaining students from minority groups who are underrepresented in STEM fields.

“(2) **MERIT REVIEW; COMPETITION.**—Awards shall be made under this subsection on a merit-reviewed, competitive basis.

“(3) **USE OF FUNDS.**—Activities supported by awards under this subsection may include—

“(A) implementation or expansion of innovative, research-based approaches to broaden participation of underrepresented minority groups in STEM fields;

“(B) implementation or expansion of successful, research-based bridge, cohort, tutoring, or mentoring programs, including those involving community colleges and technical schools, designed to enhance the recruitment and retention of students from underrepresented minority groups in STEM fields;

“(C) implementation or expansion of outreach programs linking institutions of higher education and PreK–12 school systems in order to heighten awareness among precollege students from underrepresented minority groups of opportunities in college-level STEM fields and STEM careers;

“(D) implementation or expansion of faculty development programs focused on improving retention of undergraduate STEM students from underrepresented minority groups;

“(E) implementation or expansion of mechanisms designed to recognize and reward faculty members who demonstrate a commitment to increasing the participation of students from underrepresented minority groups in STEM fields;

“(F) expansion of successful reforms aimed at increasing the number of STEM students from underrepresented minority groups beyond a single course or group of courses to achieve reform within an entire academic unit, or expansion of successful reform efforts beyond a single academic unit or field to other STEM academic units or fields within an institution of higher education;

“(G) expansion of opportunities for students from underrepresented minority groups to conduct STEM research in industry, at Federal labs, and at international research institutions or research sites;

“(H) provision of stipends for students from underrepresented minority groups participating in research;

“(I) development of research collaborations between research-intensive universities and primarily undergraduate historically Black colleges and universities, Tribal Colleges or Universities, and minority serving institutions;

“(J) support for graduate students and postdoctoral fellows from underrepresented minority groups to participate in instructional or assessment activities at primarily undergraduate institutions, including primarily undergraduate historically Black colleges and universities, Tribal Colleges or Universities, and minority serving institutions and 2-year institutions of higher education; and

“(K) other activities consistent with paragraph (1), as determined by the Director of the Foundation.

“(4) SELECTION PROCESS.—

“(A) APPLICATION.—An institution of higher education (or a consortium thereof) seeking an award under this subsection shall submit an application to the Director of the Foundation at such time, in such manner, and containing such information and assurances as such Director may require. The application shall include, at a minimum—

“(i) a description of the proposed reform effort;

“(ii) a description of the research findings that will serve as the basis for the proposed reform effort or, in the case of applications that propose an expansion of a previously implemented reform, a description of the previously implemented reform effort, including data about the recruitment, retention, and academic achievement of students from underrepresented minority groups;

“(iii) evidence of an institutional commitment to, and support for, the proposed reform effort, including a long-term commitment to implement successful strategies from the current reform beyond the academic unit or units included in the award proposal;

“(iv) a description of how the proposed reform effort may contribute to, or in the case of applications that propose an expansion of a previously implemented reforms has contributed to, change in institutional culture and policy such that a greater value is placed on the recruitment, retention and academic achievement of students from underrepresented minority groups;

“(v) a description of existing or planned institutional policies and practices regarding faculty hiring, promotion, tenure, and teaching assignment that reward faculty contributions to improving the education of students

from underrepresented minority groups in STEM; and

“(vi) how the success and effectiveness of the proposed reform effort will be evaluated and assessed in order to contribute to the national knowledge base about models for catalyzing institutional change.

“(B) AWARD DISTRIBUTION.—The Director of the Foundation shall ensure, to the extent practicable, that awards under this subsection are made to a variety of types of institutions of higher education, including historically Black colleges and universities, Tribal Colleges or Universities, minority serving institutions, and 2-year institutions of higher education.

“(5) EDUCATION RESEARCH.—

“(A) IN GENERAL.—All awards made under this subsection shall include an education research component that will support the design and implementation of a system for data collection and evaluation of proposed reform efforts in order to build the knowledge base on promising models for increasing recruitment and retention of students from underrepresented minority groups in STEM education at the undergraduate level across a diverse set of institutions.

“(B) DISSEMINATION.—The Director of the Foundation shall coordinate with the Committee on STEM Education of the National Science and Technology Council in disseminating the results of the research under this paragraph to ensure that best practices in broadening participation in STEM education at the undergraduate level are made readily available to all institutions of higher education, other Federal agencies that support STEM programs, non-Federal funders of STEM education, and the general public.

“(6) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection \$15,000,000 for each of fiscal years 2023 through 2027.”

SEC. 10330. INTRAMURAL EMERGING RESEARCH INSTITUTIONS PILOT PROGRAM.

(a) ESTABLISHMENT.—The Director may conduct multiple pilot programs, including through existing programs or other programs authorized in this division or division A, within the Foundation to expand the number of institutions of higher education (including such institutions that are community colleges), and other eligible entities that the Director determines appropriate, that are able to successfully compete for Foundation awards.

(b) COMPONENTS.—Pilot programs under this section may include—

(1) a mentorship program;

(2) award application writing technical assistance;

(3) targeted outreach, including to a historically Black college or university, a Tribal college or university, or a minority-serving institution (including a Hispanic-serving institution or an institution of higher education with an established STEM capacity building program focused on Native Hawaiians or Alaska Natives);

(4) programmatic support or solutions for institutions or entities that do not have an experienced award management office;

(5) an increase in the number of award proposal reviewers from institutions of higher education that have not traditionally received funds from the Foundation; or

(6) an increase of the term and funding, for a period of 3 years or less, as appropriate, for awards with a first-time principal investigator, when paired with regular mentoring on the administrative aspects of award management.

(c) LIMITATION.—As appropriate, each pilot program under this section shall work to reduce administrative burdens for recipients and award personnel.

(d) AGENCY-WIDE PROGRAMS.—Not later than 5 years after the date of enactment of this Act, the Director shall—

(1) review the results of the pilot programs under this section; and

(2) develop agencywide best practices from the pilot programs for implementation across the Foundation, in order to fulfill the requirement under section 3(e) of the National Science Foundation Act of 1950 (42 U.S.C. 1862(e)).

Subtitle D—NSF Research Security

SEC. 10331. OFFICE OF RESEARCH SECURITY AND POLICY.

The Director shall maintain a Research Security and Policy office within the Office of the Director with not fewer than four full-time equivalent positions, in addition to the Chief of Research Security established pursuant to section 10332. The functions of the Research Security and Policy office shall be to coordinate all research security policy issues across the Foundation, including by—

(1) consulting and coordinating with the Foundation Office of Inspector General, with other Federal research agencies, and intelligence and law enforcement agencies, and the National Science and Technology Council, as appropriate, in accordance with the authority provided under section 1746 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 42 U.S.C. 6601 note), to identify and address potential security risks that threaten research integrity and other risks to the research enterprise and to develop research security policy and best practices, taking into account the policy guidelines to be issued by the Director of the Office of Science and Technology Policy under section 10631 of this division;

(2) serving as a resource at the Foundation for all issues related to the security and integrity of the conduct of Foundation-supported research;

(3) conducting outreach and education activities for recipients on research policies and potential security risks and on policies and activities to protect intellectual property and information about critical technologies relevant to national security, consistent with the controls relevant to the grant or award;

(4) educating Foundation program managers and other directorate staff on evaluating Foundation awards and recipients for potential security risks;

(5) communicating reporting and disclosure requirements to recipients and applicants for funding;

(6) performing risk assessments, in consultation, as appropriate, with other Federal agencies, of Foundation proposals and awards using analytical tools to assess non-disclosures of required information;

(7) establishing policies and procedures for identifying, communicating, and addressing security risks that threaten the integrity of Foundation-supported research and development, working in consultation, as appropriate, with other Federal agencies, to ensure compliance with National Security Presidential Memorandum-33 (relating to strengthening protections of United States Government-supported research and development against foreign government interference and exploitation) or a successor policy document; and

(8) in accordance with relevant policies of the agency, conducting or facilitating due diligence with regard to applications for research and development awards from the Foundation prior to making such awards.

SEC. 10332. CHIEF OF RESEARCH SECURITY.

The Director shall appoint a senior agency official within the Office of the Director as a Chief of Research Security, whose primary responsibility shall be to manage the office established under section 10331.

SEC. 10333. REPORTING TO CONGRESS.

(a) **REPORT ON RESOURCE NEEDS.**—Not later than 180 days after the date of the enactment of this Act, the Director shall provide a report to the Committee on Science, Space, and Technology of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate on the resources and the number of full time employees needed to carry out the functions of the office established in section 10331.

(b) ANNUAL REPORT ON OFFICE ACTIVITIES.—

(1) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act and annually thereafter, the Director shall submit to Congress a report on the activities carried out by the Office of Research Security, detailing—

(A) a description of the activities conducted by the Office, including administrative actions taken;

(B) such recommendations as the Director may have for legislative or administrative action relating to improving research security;

(C) identification and discussion of the gaps in legal authorities that need to be improved to enhance the security of institutions of higher education performing research supported by the Foundation; and

(D) information on Foundation Inspector General cases, as appropriate, relating to undue influence and security threats to research and development activities funded by the Foundation, including theft of property or intellectual property relating to a project funded by the Foundation at an institution of higher education.

(2) **FORM.**—The report submitted under paragraph (1) shall be submitted in both unclassified and classified formats, as appropriate.

SEC. 10334. ONLINE RESOURCE.

The Director shall develop an online resource hosted on the Foundation's website containing up-to-date information, tailored for institutions and individual researchers, including—

(1) an explanation of Foundation research security policies;

(2) unclassified guidance on potential security risks that threaten research integrity and other risks to the research enterprise;

(3) examples of beneficial international collaborations and how such collaborations differ from foreign government interference efforts that threaten research integrity;

(4) best practices for mitigating security risks that threaten research integrity; and

(5) additional reference materials, including tools that assist organizations seeking Foundation funding and awardees in information disclosure to the Foundation.

SEC. 10335. RESEARCH AWARDS.

The Director shall continue to make awards, on a competitive basis, to institutions of higher education or non-profit organizations (or consortia of such institutions or organizations) to support research on the conduct of research and the research environment, including research on research misconduct or breaches of research integrity and detrimental research practices.

SEC. 10336. AUTHORITIES.

In addition to existing authorities for preventing waste, fraud, abuse, and mismanagement of Federal funds, the Director, acting through the Office of Research Security and Policy and in coordination with the Foundation's Office of Inspector General, shall have the authority to conduct risk assessments, including through the use of open-source analysis and analytical tools, of research and development award applications and disclosures to the Foundation.

SEC. 10337. RESPONSIBLE CONDUCT IN RESEARCH TRAINING.

Section 7009 of the America Creating Opportunities to Meaningfully Promote Excellence in Technology, Education, and Science Act (42 U.S.C. 1862o-1) is amended by—

(1) striking “and postdoctoral researchers” and inserting “postdoctoral researchers, faculty, and other senior personnel”; and

(2) by striking the period and inserting the following: “, including—

“(1) mentor training and mentorship;

“(2) training to raise awareness of potential research security threats; and

“(3) Federal export control, disclosure, and reporting requirements.”.

SEC. 10338. RESEARCH SECURITY AND INTEGRITY INFORMATION SHARING ANALYSIS ORGANIZATION.

(a) **ESTABLISHMENT.**—The Director shall enter into an agreement with a qualified independent organization to establish a research security and integrity information sharing analysis organization (referred to in this section as the “RSI-ISAO”), which shall include members described in subsection (d) and carry out the duties described in subsection (b).

(b) **DUTIES.**—The RSI-ISAO shall—

(1) serve as a clearinghouse for information to help enable the members and other entities in the research community to understand the context of their research and identify improper or illegal efforts by foreign entities to obtain research results, know how, materials, and intellectual property;

(2) develop a set of standard risk assessment frameworks and best practices, relevant to the research community, to assess research security risks in different contexts;

(3) share information concerning security threats and lessons learned from protection and response efforts through forums and other forms of communication;

(4) provide timely reports on research security risks to provide situational awareness tailored to the research and STEM education community;

(5) provide training and support, including through webinars, for relevant faculty and staff employed by institutions of higher education on topics relevant to research security risks and response;

(6) enable standardized information gathering and data compilation, storage, and analysis for compiled incident reports;

(7) support analysis of patterns of risk and identification of bad actors and enhance the ability of members to prevent and respond to research security risks; and

(8) take other appropriate steps to enhance research security.

(c) **FUNDING.**—The Foundation may provide initial funds toward the RSI-ISAO but shall seek to have the fees authorized in subsection (d)(2) cover the costs of operations at the earliest practicable time.

(d) **MEMBERSHIP.**—

(1) **IN GENERAL.**—The RSI-ISAO shall serve and include members representing institutions of higher education, nonprofit research institutions, and small and medium-sized businesses.

(2) **FEES.**—As soon as practicable, members of the RSI-ISAO shall be charged an annual rate to enable the RSI-ISAO to cover its costs. Rates shall be set on a sliding scale based on research and development expenditures to ensure that membership is accessible to a diverse community of stakeholders and ensure broad participation. The RSI-ISAO shall develop a plan to sustain the RSI-ISAO without Federal funding, as practicable.

(e) **BOARD OF DIRECTORS.**—The RSI-ISAO may establish a board of directors to provide guidance for policies, legal issues, and plans and strategies of the entity's operations. The

board shall include a diverse group of stakeholders representing the research community, including academia, industry, and experienced research security administrators.

(f) **STAKEHOLDER ENGAGEMENT.**—In establishing the RSI-ISAO under this section, the Director shall take necessary steps to ensure the services provided are aligned with the needs of the research community, including by—

(1) convening a series of workshops or other multi-stakeholder events; or

(2) publishing a description of the services the RSI-ISAO intends to provide and the requirements for membership in the Federal Register and provide an opportunity for submission of public comments for a period of not less than 60 days.

SEC. 10339. PLAN WITH RESPECT TO CONTROLLED INFORMATION AND BACKGROUND SCREENING.

(a) **IN GENERAL.**—Not later than 180 days after the enactment of this Act, the Director, in consultation with the Director of National Intelligence and, as appropriate, other Federal agencies, shall develop a plan to—

(1) identify research areas supported by the Foundation, including in the key technology focus areas, that may involve access to controlled unclassified or classified information, including in the key technology focus areas; and

(2) exercise due diligence in granting access, as appropriate, to the CUI or classified information identified under paragraph (1) to individuals working on such research who are employees of the Foundation or covered individuals on research and development awards funded by the Foundation.

(b) **DEFINITIONS.**—In this section:

(1) **CLASSIFIED INFORMATION.**—The term “classified information” means any information that has been determined pursuant to Executive Order 13526, any predecessor or successor order, or sections 1-274, 275-321, and 1001-3115 of the Atomic Energy Act of 1954 (42 U.S.C. 2011-2021, 2022-2286i, 2296a-2297h-13) to require protection against unauthorized disclosure and that is so designated.

(2) **CONTROLLED UNCLASSIFIED INFORMATION.**—The term “controlled unclassified information” or “CUI” means information described as “Controlled Unclassified Information” under Executive Order 13556 or any successor order, to require protection against unauthorized disclosure and that is so designated.

SEC. 10339A. FOUNDATION FUNDING TO INSTITUTIONS HOSTING OR SUPPORTING CONFUCIUS INSTITUTES.

(a) **CONFUCIUS INSTITUTE DEFINED.**—In this section the term “Confucius Institute” means a cultural institute established as a partnership between a United States institution of higher education and a Chinese institution of higher education to promote and teach Chinese language and culture that is funded, directly or indirectly, by the Government of the People's Republic of China.

(b) **RESTRICTIONS OF CONFUCIUS INSTITUTES.**—Except as provided in subsection (d), none of the funds made available to the Foundation under this division or division A, or an amendment made by this division or division A, may be obligated or expended to an institution of higher education that maintains a contract or agreement between the institution and a Confucius Institute, unless the Director, after consultation with the National Academies, determines such a waiver is appropriate in accordance with subsection (c).

(c) **WAIVER.**—The Director, after consultation with the National Academies, may issue a waiver for an institution of higher education that maintains a contract or agreement between the institution and a Confucius Institute if such contract or agreement includes clear provisions that—

(1) protect academic freedom at the institution;

(2) prohibit the application of any foreign law on any campus of the institution;

(3) grant full managerial authority of the Confucius Institute to the institution, including full control over what is being taught, the activities carried out, the research awards that are made, and who is employed at the Confucius Institute; and

(4) prohibit co-location with the institution's Chinese language, history, and cultural programs and require separate promotional materials.

(d) SPECIAL RULE.—

(1) **IN GENERAL.**—Notwithstanding any other provision of this section, this section shall not apply to an institution of higher education if that institution has fulfilled the requirements for a waiver from the Department of Defense as described under section 1062 of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283).

(2) **EXCEPTION.**—Notwithstanding any other provision of this section, the prohibition under subsection (b) shall not apply to amounts provided to students as educational assistance.

(e) **EFFECTIVE DATE.**—The limitation under subsection (b) shall apply with respect to the first fiscal year that begins after the date that is two years after the date of the enactment of this Act and to any subsequent fiscal year subject to subsection (f).

(f) **SUNSET.**—This section shall cease to be effective on the date that is five years after the date of the enactment of this Act.

SEC. 10339B. FOREIGN FINANCIAL SUPPORT.

(a) **IN GENERAL.**—The Director shall request, on an annual basis, from a recipient institution of higher education a disclosure, in the form of a summary document, from the institution, a foundation of the institution, and related entities such as any educational, cultural, or language entity, of the current financial support, the value of which is \$50,000 or more, including gifts and contracts, received directly or indirectly from a foreign source (as such term is defined in section 117 of the Higher Education Act of 1965 (20 U.S.C. 1011f(h)(2))) associated with a foreign country of concern.

(b) **RECORDS.**—Each disclosure to the Director under this section shall be made on the condition that the institution will maintain a true copy of the relevant records subject to the disclosure requirement until the latest of—

(1) the date that is four years after the date of the agreement;

(2) the date on which the agreement terminates; or

(3) the last day of any period that applicable State public record law requires a true copy of such agreement to be maintained.

(c) **DOCUMENTATION.**—Upon review of the disclosures under this section, the Director may request that a recipient institution provide true copies of any contracts, agreements, or documentation of financial transactions associated with disclosures made under this section.

(d) **OFFICE OF THE INSPECTOR GENERAL.**—The Director, acting through the Office of Research Security and Policy in coordination with the Foundation's Office of Inspector General and in consultation with the recipient institution, may reduce the award funding amount or suspend or terminate the award if the Director determines—

(1) such institution fails to comply with the records retention requirement in subsection (b) or fails to provide information requested under this section; or

(2) the Chief of Research Security determines the disclosures under this section indicate a threat to research security.

SEC. 10339C. AUTHORIZATION OF APPROPRIATIONS.

From any amounts appropriated for the Foundation for each of fiscal years 2023 through 2027, the Director shall allocate \$6,000,000 to carry out the activities under this subtitle.

Subtitle E—Fundamental Research

SEC. 10341. BROADER IMPACTS.

(a) **ASSESSMENT.**—Not later than 120 days after the date of enactment of this Act, the Director shall enter into an agreement with a qualified independent organization to assess how the Broader Impacts review criterion is applied across the Foundation and make recommendations for improving the effectiveness for meeting the goals established in section 526 of the America Creating Opportunities to Meaningfully Promote Excellence in Technology, Education, and Science Reauthorization Act of 2010 (42 U.S.C. 1862p-14).

(b) **ACTIVITIES.**—The Director shall make awards on a competitive basis, to institutions of higher education or non-profit organizations (or consortia of such institutions or organizations) to support activities to increase the efficiency, effectiveness, and availability of resources for implementing the Broader Impacts review criterion, including—

(1) training and workshops for program officers, merit review panelists, award office administrators, faculty, and students to improve understanding of the goals and the full range of potential broader impacts available to researchers to satisfy this criterion;

(2) repositories and clearinghouses for sharing best practices and facilitating collaboration; and

(3) tools for evaluating and documenting societal impacts of research.

SEC. 10342. SENSE OF CONGRESS.

It is the sense of Congress that the Director should continue to identify opportunities to reduce the administrative burden on researchers.

SEC. 10343. RESEARCH ETHICS.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) a number of emerging areas of research have potential ethical, social, safety, and security implications that might be apparent as early as the basic research stage;

(2) the incorporation of ethical, social, safety, and security considerations into the research design and review process for Federal awards, may help mitigate potential harms before they happen;

(3) the Foundation's agreement with the National Academies to conduct a study and make recommendations with respect to governance of research in emerging technologies is a positive step toward accomplishing this goal; and

(4) the Foundation should continue to work with stakeholders to promote best practices for governance of research in emerging technologies at every stage of research.

(b) **INCORPORATION OF ETHICS CONSIDERATIONS.**—Drawing on stakeholder input, not later than 24 months after the date of enactment of this Act, the Director shall revise proposal instructions to require that ethical and societal considerations are to be included as part of a proposal for funding prior to making the award, where such considerations are applicable. Such considerations shall be evaluated by the Director in the review of proposals, taking into account any relevant input from the peer-reviewers for the proposal, and shall factor into award decisions, as deemed necessary by the Director. When incorporating such considerations, proposers may include, as appropriate—

(1)(A) any readily foreseeable or quantifiable risks to society, including how the re-

search could enable products, technologies, or other outcomes that could intentionally or unintentionally cause significant societal harm; or

(B) an assertion that no readily foreseeable potential ethical, social, safety, or security implications are apparent;

(2) how technical or social solutions can mitigate such risks and, as appropriate, a plan to implement such mitigation measures; and

(3) how partnerships and collaborations in the research can help mitigate potential harm and amplify potential societal benefits.

(c) **GUIDANCE.**—The Director shall solicit stakeholder input to develop clear guidance on what constitutes a readily foreseeable or quantifiable risk as described in subsection (b)(1), and to the extent practicable harmonize this policy with existing ethical policies or related requirements for human subjects.

(d) **RESEARCH.**—The Director shall make awards, on a competitive basis, to institutions of higher education or non-profit organizations (or consortia of such institutions or organizations) to support—

(1) research to assess the potential ethical and societal implications of Foundation-supported research and products or technologies enabled by such research, including the benefits and risks identified pursuant to subsection (b)(1); and

(2) the development and verification of approaches to proactively mitigate foreseeable risks to society, including the technical and social solutions identified pursuant to subsection (b)(1).

(e) **ANNUAL REPORT.**—The Director shall encourage recipients to update their consideration of potential risks and benefits as appropriate as part of the annual reports required by all awardees under the award terms and conditions.

SEC. 10344. RESEARCH REPRODUCIBILITY AND REPLICABILITY.

(a) **IN GENERAL.**—Consistent with existing Federal law for privacy, intellectual property, and security, the Director shall facilitate public access to research products, including data, software, and code, developed as part of Foundation-supported projects.

(b) DATA MANAGEMENT PLANS.—

(1) **IN GENERAL.**—The Director shall require that every proposal for funding for research include a machine-readable data management plan that includes a description of how the awardee will archive and preserve public access to data, software, and code developed as part of the proposed project.

(2) **REQUIREMENTS.**—In carrying out the requirement in paragraph (1), the Director shall—

(A) provide necessary resources, including trainings and workshops, to educate researchers and students on how to develop and review high quality data management plans;

(B) ensure program officers and merit review panels are equipped with the resources and training necessary to review the quality of data management plans; and

(C) ensure program officers and merit review panels treat data management plans as essential elements of award proposals, where appropriate.

(c) **OPEN REPOSITORIES.**—The Director shall—

(1) consult with the heads of other Federal research agencies, as appropriate, and solicit input from the scientific community, to develop and widely disseminate a set of criteria for trusted open repositories to be used by Foundation-funded researchers, accounting for discipline-specific needs and necessary protections for sensitive information;

(2) work with stakeholders to identify significant gaps in available repositories meeting the criteria developed under paragraph

(1) and options for supporting the development of additional or enhanced repositories;

(3) make awards on a competitive basis to institutions of higher education or non-profit organizations (or consortia of such institutions or organizations) for the development, upgrades, and maintenance of open data repositories that meet the criteria developed under paragraph (1);

(4) work with stakeholders and build on existing models, where appropriate, to establish a single, public, web-based point of access to help users locate repositories storing data, software, and code resulting from or used in Foundation-supported projects;

(5) work with stakeholders to establish the necessary policies and procedures and allocate the necessary resources to ensure, as practicable, data underlying published findings resulting from Foundation-supported projects are deposited in repositories meeting the criteria developed under paragraph (1) at the time of publication;

(6) incentivize the deposition of data, software, and code into repositories that meet the criteria developed under paragraph (1); and

(7) coordinate with the scientific publishing community and the heads of other relevant Federal departments and agencies to support the development of voluntary consensus standards around data archiving and sharing.

(d) **RESEARCH, DEVELOPMENT, AND EDUCATION.**—The Director shall make awards, on a competitive basis to institutions of higher education or non-profit organizations (or consortia of such institutions or organizations) to—

(1) support research and development of open source, sustainable, usable tools and infrastructure that support reproducibility for a broad range of studies across different disciplines;

(2) support research on computational reproducibility, including the limits of reproducibility and the consistency of computational results in the development of new computation hardware, tools, and methods; and

(3) support the education and training of students, faculty, and researchers on computational methods, tools, and techniques to improve the quality and sharing of data, code, and supporting metadata to produce reproducible research.

SEC. 10345. CLIMATE CHANGE RESEARCH.

The Director shall make awards, on a competitive basis, to institutions of higher education or non-profit organizations (or consortia of such institutions or organizations) to support research to improve our understanding of the climate system and related human and environmental systems.

SEC. 10346. SOCIAL, BEHAVIORAL, AND ECONOMIC SCIENCES.

The Director shall—

(1) actively communicate opportunities and solicit proposals for social, behavioral, and economic science researchers to participate in cross-cutting and interdisciplinary programs, including the Convergence Accelerator and agency priority activities, and the Mid-Scale Research Infrastructure program; and

(2) ensure social, behavioral, and economic science researchers are represented on relevant merit review panels for such activities.

SEC. 10347. MEASURING IMPACTS OF FEDERALLY FUNDED RESEARCH AND DEVELOPMENT.

The Director shall make awards on a competitive, merit-reviewed basis to institutions of higher education or non-profit organizations (or consortia of such institutions or organizations) to support research and development of data, models, indicators, and associ-

ated analytical tools to improve our understanding of the impacts of Federally funded research on society, the economy, and the workforce, including domestic job creation.

SEC. 10348. FOOD-ENERGY-WATER RESEARCH.

The Director shall make awards on a competitive basis to institutions of higher education or non-profit organizations (or consortia of such institutions or organizations) to—

(1) support research to significantly advance our understanding of the food-energy-water system through quantitative and computational modeling, including support for relevant cyberinfrastructure;

(2) develop real-time, cyber-enabled interfaces that improve understanding of the behavior of food-energy-water systems and increase decision support capability;

(3) support research that will lead to innovative solutions to critical food-energy-water system problems; and

(4) grow the scientific workforce capable of studying and managing the food-energy-water system, through education and other professional development.

SEC. 10349. BIOLOGICAL FIELD STATIONS AND MARINE LABORATORIES.

The Director shall continue to support enhancing, repairing and maintaining research instrumentation, laboratories, telecommunications and housing at biological field stations and marine laboratories.

SEC. 10350. SUSTAINABLE CHEMISTRY RESEARCH AND EDUCATION.

In accordance with section 263 of the National Defense Authorization Act for Fiscal Year 2021, the Director shall carry out activities in support of sustainable chemistry, including—

(1) establishing a program to make awards, on a competitive basis, to institutions of higher education or non-profit organizations (or consortia of such institutions or organizations) to support—

(A) individual investigators and teams of investigators, including to the extent practicable, early career investigators for research and development;

(B) collaborative research and development partnerships among universities, industry, and non-profit organizations;

(C) integrating sustainable chemistry principles into elementary, secondary, undergraduate, and graduate chemistry and chemical engineering curriculum and research training, as appropriate to that level of education and training; and

(2) incorporating sustainable chemistry into existing Foundation research and development programs.

SEC. 10351. RISK AND RESILIENCE RESEARCH.

The Director shall make awards on a competitive basis to institutions of higher education or non-profit organizations (or consortia of such institutions or organizations) to advance knowledge of risk assessment and predictability and to support the creation of tools and technologies, including advancing data analytics and utilization of artificial intelligence, for increased resilience through—

(1) improvements in our ability to understand, model, and predict extreme events and natural hazards;

(2) the creation of novel engineered systems solutions for resilient complex infrastructures, particularly those that address critical interdependence among infrastructures and leverage the growing infusion of cyber-physical-social components into the infrastructures;

(3) development of equipment and instrumentation for innovation in resilient engineered infrastructures;

(4) multidisciplinary research on the behaviors individuals and communities engage

in to detect, perceive, understand, predict, assess, mitigate, and prevent risks and to improve and increase resilience; and

(5) advancements in multidisciplinary wildfire science, including those related to air quality impacts, human behavior, and early detection and warning.

SEC. 10352. UNMANNED AIRCRAFT SYSTEMS TECHNOLOGIES.

In coordination with the Administrator of the Federal Aviation Administration and the Administrator of the National Aeronautics and Space Administration, the Director shall carry out a program of research and related activities related to unmanned aircraft system technologies, which may include a prize competition pursuant to section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719) and support for undergraduate and graduate curriculum development.

SEC. 10353. ACCELERATING UNMANNED MARITIME SYSTEMS TECHNOLOGIES.

(a) **IN GENERAL.**—In order to support advances in marine science, maritime domain awareness, and national security the Director, in consultation with the Under Secretary of Commerce for Oceans and Atmosphere and the Commandant of the Coast Guard, shall issue awards, on a competitive basis, to institutions of higher education or nonprofit organizations (or consortia of such institutions or organizations) to support research that will accelerate innovation to advance unmanned maritime systems for the purpose of providing greater maritime domain awareness to the Nation.

(b) **COORDINATION.**—In implementing this section, the Director shall coordinate with the Coast Guard, the Department of Defense, the National Oceanic and Atmospheric Administration, and other Federal agencies, including those established under the Commercial Engagement Through Ocean Technology Act of 2018 (Public Law 115-394).

SEC. 10354. LEVERAGING INTERNATIONAL EXPERTISE IN RESEARCH.

The Director shall explore and advance opportunities for leveraging international capabilities and resources that align with the Foundation and United States research community priorities and have the potential to benefit United States prosperity, security, health, and well-being, including through binational research and development organizations and foundations and by sending teams of Foundation scientific staff for site visits of scientific facilities and agencies in other countries. The Director shall establish and implement policies, including through any research security training requirements, to mitigate the potential risks of such interactions, including risks to the protection of intellectual property and the risk of undue foreign influence on research.

SEC. 10355. BIOLOGICAL RESEARCH COLLECTIONS.

(a) **IN GENERAL.**—The Director shall continue to support databases, tools, methods, and other activities that secure and improve existing physical and digital biological research collections, improve the accessibility of collections and collection-related data for research and educational purposes, develop capacity for curation and collection management, and to transfer ownership of collections that are significant to the biological research community, including to museums and universities.

(b) **SPECIMEN MANAGEMENT PLAN.**—In consultation with other relevant Federal research agencies, and as the Director determines is appropriate, the Director shall require that proposals submitted to the Foundation for funding for research that involves collecting or generating specimens include, as part of the data management plan under

section 10344, a description of how the specimens and associated data will be accessioned into and maintained in an established biological collection.

(c) ACTION CENTER FOR BIOLOGICAL COLLECTIONS.—In coordination with other relevant Federal research agencies, as appropriate, the Director shall make awards on a competitive basis to institutions of higher education or non-profit organizations (or consortia of such institutions or organizations) to facilitate coordination and data sharing among communities of practice for research, education, workforce training, evaluation, and business model development, including by establishing an Action Center for Biological Collections.

SEC. 10356. CLEAN WATER RESEARCH AND TECHNOLOGY ACCELERATION.

The Director shall make awards on a competitive, merit-reviewed basis to institutions of higher education or non-profit organizations (or consortia of such institutions or organizations) to—

(1) support transdisciplinary research to significantly advance our understanding of water availability, quality, and dynamics and the impact of human activity and a changing climate on urban and rural water and wastewater systems, including in low-income, underserved, and disadvantaged communities;

(2) develop, pilot, and deploy innovative technologies, systems, and other approaches to identifying and addressing challenges that affect water availability, quality, and security, including through direct engagement with affected communities and partnerships with the private sector, State, territorial, Tribal, and local governments, non-profit organizations and water management professionals; and

(3) grow the scientific workforce capable of studying and managing water and wastewater systems and of conducting wastewater surveillance, through education, training, and other professional development.

SEC. 10357. TECHNOLOGY AND BEHAVIORAL SCIENCE RESEARCH.

(a) IN GENERAL.—The Director shall make awards on a merit-reviewed, competitive basis for research and development to—

(1) increase understanding of social media and consumer technology access and use patterns and related mental health, behavioral, and substance use disorder issues, particularly for children and adolescents; and

(2) explore the role of social media and consumer technology in rising rates of mental health and substance use disorder issues, including within communities experiencing long-term economic distress.

(b) COORDINATION TO AVOID DUPLICATION.—In making awards under this subsection, the Director shall, for purposes of avoiding duplication of activities and research, consult, collaborate, and coordinate with the heads of other relevant Federal departments and agencies, including the Department of Health and Human Services.

SEC. 10358. MANUFACTURING RESEARCH AMENDMENT.

Section 506(a) of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 1862p-1(a)) is amended—

(1) in paragraph (5), by striking “and” at the end;

(2) in paragraph (6)—

(A) by striking “and” before “virtual manufacturing”; and

(B) by striking the period at the end and inserting “; and artificial intelligence and machine learning; and”;

(3) by adding at the end the following:

“(7) additive manufacturing, including new material designs, complex materials, rapid printing techniques, and real-time process controls.”.

SEC. 10359. CRITICAL MINERALS MINING RESEARCH AND DEVELOPMENT.

(a) CRITICAL MINERALS MINING RESEARCH AND DEVELOPMENT AT THE FOUNDATION.—

(1) IN GENERAL.—In order to support supply chain resiliency, the Director shall make awards, on a competitive basis, to institutions of higher education or nonprofit organizations (or consortia of such institutions or organizations) to support basic research that will accelerate innovation to advance critical minerals mining strategies and technologies for the purpose of making better use of domestic resources and eliminating national reliance on minerals and mineral materials that are subject to supply disruptions.

(2) USE OF FUNDS.—Activities funded by an award under this section may include—

(A) advancing mining research and development activities to develop new mapping and mining technologies and techniques, including advanced critical mineral extraction and production, separation, alloying, or processing techniques and technologies that can decrease energy intensity to improve existing or to develop new supply chains of critical minerals, and to yield more efficient, economical, and environmentally benign mining practices;

(B) advancing critical mineral processing research activities to improve separation, alloying, manufacturing, or recycling techniques and technologies that can decrease the energy intensity, waste, potential environmental impact, and costs of those activities;

(C) conducting long-term earth observation of reclaimed mine sites, including the study of the evolution of microbial diversity at such sites;

(D) examining the application of artificial intelligence for geological exploration of critical minerals, including what size and diversity of data sets would be required;

(E) examining the application of machine learning for detection and sorting of critical minerals, including what size and diversity of data sets would be required;

(F) conducting detailed isotope studies of critical minerals and the development of more refined geologic models;

(G) improved understanding of the geological and geochemical processes through which critical minerals form and are concentrated into economically viable deposits; or

(H) providing training and research opportunities to undergraduate and graduate students to prepare the next generation of mining engineers and researchers.

(3) EXISTING PROGRAMS.—The Director shall ensure awards made under this subsection are complementary and not duplicative of existing programs across the Foundation and Federal Government.

(b) CRITICAL MATERIALS INTERAGENCY SUBCOMMITTEE.—

(1) IN GENERAL.—The Critical Minerals Subcommittee of the National Science and Technology Council (referred to in this section as the “Subcommittee”), shall coordinate Federal science and technology efforts to ensure secure, reliable, and environmentally sustainable supplies of critical materials to the United States.

(2) PURPOSES.—The purposes of the Subcommittee shall be—

(A) to advise and assist the National Science and Technology Council, including the Committee on Homeland and National Security, on United States policies, procedures, and plans as it relates to critical materials, including—

(i) Federal research, development, and commercial application efforts to minimize the environmental impacts of methods for extractions, concentration, separation and

purification of conventional, secondary, and unconventional sources of critical materials;

(ii) efficient use, substitution, and reuse of critical materials;

(iii) the critical materials workforce of the United States; and

(iv) United States private industry investments in innovation and technology transfer from federally funded science and technology;

(B) to identify emerging opportunities, stimulate international cooperation, and foster the development of secure and reliable supply chains of critical materials and establish scenario modeling systems for supply problems of critical materials and energy critical materials;

(C) to ensure the transparency of information and data related to critical materials; and

(D) to provide recommendations on coordination and collaboration among the research, development, and deployment programs and activities of Federal agencies to promote a secure and reliable supply of critical materials necessary to maintain national security, economic well-being, public health, and industrial production.

(3) RESPONSIBILITIES.—In carrying out this subsection, the Subcommittee may, taking into account the findings and recommendations of relevant advisory committees—

(A) provide recommendations on how Federal agencies may improve the topographic, geologic, and geophysical mapping of the United States and improve the discoverability, accessibility, and usability of the resulting and existing data, to the extent permitted by law and subject to appropriate limitation for purposes of privacy and security;

(B) assess the progress towards developing critical materials recycling and reprocessing technologies, and technological alternatives to critical materials;

(C) establish a mechanism for the coordination and evaluation of Federal programs with critical material needs, including Federal programs involving research and development, in a manner that complements related efforts carried out by the private sector and other domestic and international agencies and organizations;

(D) examine options for accessing and developing critical materials through investment and trade with our allies and partners and provide recommendations;

(E) evaluate and provide recommendations to incentivize the development and use of advances in science and technology in the private industry;

(F) assess the need for and make recommendations to address the challenges the United States critical materials supply chain workforce faces, including aging and retiring personnel and faculty, and foreign competition for United States talent;

(G) develop, and update as necessary, a strategic plan to guide Federal programs and activities to enhance scientific and technical capabilities across critical material supply chains, including a roadmap that identifies key research and development needs and coordinates on-going activities for source diversification, more efficient use, recycling, and substitution for critical materials; as well as cross-cutting mining science, data science techniques, materials science, manufacturing science and engineering, computational modeling, and environmental health and safety research and development;

(H) assess the need for, and make recommendations concerning, the availability and adequacy of the supply of technically trained personnel necessary for critical materials research, development, extraction, and industrial production, with a particular

focus on the problem of attracting and maintaining high-quality professionals for maintaining an adequate supply of energy critical materials; and

(I) report to the appropriate Congressional committees on activities and findings under this section.

(c) **DEFINITIONS OF CRITICAL MINERAL AND CRITICAL MINERAL OR METAL.**—In this section, the terms “critical mineral” and “critical mineral or metal” include any host mineral of a critical mineral (within the meaning of those terms in section 7002 of title VII of division Z of the Consolidated Appropriations Act, 2021 (Public Law 116-260)).

SEC. 10360. STUDY OF AI RESEARCH CAPACITY.

(a) **IN GENERAL.**—The Director shall conduct a study or support the development of a study by a qualified independent organization as determined by the Director, on artificial intelligence research capacity at United States institutions of higher education.

(b) **STUDY CONTENTS.**—The Director shall ensure that, at a minimum, the study under subsection (a) addresses the following topics:

(1) Which universities are putting out significant peer-reviewed artificial intelligence research, including based on quantity and number of citations.

(2) For each of the universities described in paragraph (1), what specific factors enable their AI research, including computing power, data set availability, specialized curriculum, faculty and graduate students, sources of Federal and non-Federal research funding, and industry and other partnerships.

(3) Promising practices at universities described in paragraph (1) for advancing diversity, equity, and inclusion in AI research programs.

(4) Geographic diversity across the country of universities with the factors identified in paragraph (2).

(5) How universities not included in paragraph (1) could implement the factors in paragraph (2) to produce AI research, as well as case studies that universities can look to as examples and potential pilot programs that the Federal Government could develop or support to help universities produce AI research.

(c) **WORKSHOPS.**—The Director may support workshops to help inform the study required under this subsection.

(d) **PUBLICATION.**—The Director shall ensure that the study carried out under this subsection is made publicly available not later than 12 months after the date of enactment of this Act.

(e) **AVOID DUPLICATION.**—The Director shall ensure that the activities carried out under this section are not duplicative of activities supported by other parts of the Foundation or other relevant Federal agencies, including but not limited to the activities of the National AI Research Resource Task Force.

SEC. 10361. ADVANCING IOT FOR PRECISION AGRICULTURE CAPABILITIES ACT.

(a) **SHORT TITLE.**—This section may be cited as the “Advancing IoT for Precision Agriculture Act of 2021”.

(b) **PURPOSE.**—It is the purpose of this section to promote scientific research and development opportunities for connected technologies that advance precision agriculture capabilities.

(c) **FOUNDATION DIRECTIVE ON AGRICULTURAL SENSOR RESEARCH.**—In making awards under the sensor systems and networked systems programs of the Foundation, the Director shall include in consideration of portfolio balance research and development on sensor connectivity in environments of intermittent connectivity and intermittent computation—

(1) to improve the reliable use of advance sensing systems in rural and agricultural areas; and

(2) that considers—

(A) direct gateway access for locally stored data;

(B) attenuation of signal transmission;

(C) loss of signal transmission; and

(D) at-scale performance for wireless power.

(d) **UPDATING CONSIDERATIONS FOR PRECISION AGRICULTURE TECHNOLOGY WITHIN THE NSF ADVANCED TECHNICAL EDUCATION PROGRAM.**—Section 3 of the Scientific and Advanced-Technology Act of 1992 (42 U.S.C. 1862i), as amended by section 10312, is further amended—

(1) in subsection (d)(2), by adding at the end the following:

“(G) applications that incorporate distance learning tools and approaches.”; and

(2) in subsection (e)(3)—

(A) in subparagraph (C), by striking “and” after the semicolon;

(B) in subparagraph (D), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(E) applications that incorporate distance learning tools and approaches.”.

(e) **GAO REVIEW.**—Not later than 18 months after the date of enactment of this section, the Comptroller General of the United States shall provide—

(1) a technology assessment of precision agriculture technologies, such as the existing use of—

(A) sensors, scanners, radio-frequency identification, and related technologies that can monitor soil properties, irrigation conditions, and plant physiology;

(B) sensors, scanners, radio-frequency identification, and related technologies that can monitor livestock activity and health;

(C) network connectivity and wireless communications that can securely support digital agriculture technologies in rural and remote areas;

(D) aerial imagery generated by satellites or unmanned aerial vehicles;

(E) ground-based robotics;

(F) control systems design and connectivity, such as smart irrigation control systems;

(G) Global Positioning System-based applications; and

(H) data management software and advanced analytics that can assist decision making and improve agricultural outcomes; and

(2) a review of Federal programs that provide support for precision agriculture research, development, adoption, education, or training, in existence on the date of enactment of this section.

SEC. 10362. ASTRONOMY AND SATELLITE CONSTELLATIONS.

The Director shall support research into and the design, development, and testing of mitigation measures to address the potential impact of satellite constellations on Foundation scientific programs by—

(1) making awards on a competitive basis to support study of the potential impacts of satellite constellations on ground-based optical, infrared, and radio astronomy, including through existing programs such as Spectrum and Wireless Innovation enabled by Future Technologies (SWIFT) and the Spectrum Innovation Initiative;

(2) supporting research on potential satellite impacts and benefits and mitigation strategies to be carried out at one or more Foundation supported Federally Funded Research and Development Centers or major multiuser research facilities as defined in section 110(g) of the American Innovation and Competitiveness Act (42 U.S.C. 1862s-2(g)), as appropriate; and

(3) supporting workshops related to the potential impact of satellite constellations on scientific research and how those constella-

tions could be used to improve scientific research.

SEC. 10363. RESEARCH ON THE IMPACT OF INFLATION.

(a) **IN GENERAL.**—The Director may make awards, on a competitive merit-reviewed basis, to institutions of higher education or nonprofit organizations (or consortia of such institutions or organizations) to support research to improve our understanding of the impact of inflation.

(b) **USE OF FUNDS.**—Activities funded by an award under this section may include—

(1) measuring the economic impact of inflation on the American people, including an analysis of cost-of-living and wage impacts;

(2) considering the impact of inflation on American international competitiveness;

(3) evaluating the impact of inflation on rural and underserved communities throughout the country;

(4) assessing the ways inflation could impact future American generations; and

(5) evaluating the impact of policymaking on inflation, including the impact of further Government spending.

(c) **COORDINATION TO AVOID DUPLICATION.**—In making awards under this section, the Director shall, for purposes of avoiding duplication of activities and research, consult, collaborate, and coordinate with the programs and policies of other relevant Federal agencies.

SEC. 10364. MICROGRAVITY UTILIZATION POLICY.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that space technology and the utilization of the microgravity environment for science, engineering, and technology development is critical to long-term competitiveness with near-peer competitors, including China.

(b) **POLICY.**—To the extent appropriate during an award period, the Foundation shall facilitate access by recipients of Foundation awards to the microgravity environment, including in private sector platforms, for the development of science, engineering, and technology relevant to the award.

(c) **REPORT.**—Not later than 180 days after the date of enactment of this Act, the Director shall provide to the appropriate committees of Congress a report on the Foundation’s plan for facilitating awardee access to the microgravity environment.

SEC. 10365. RECOGNITION OF THE ARECIBO OBSERVATORY.

(a) **FINDINGS.**—Congress finds the following:

(1) The Department of Defense began developing the Arecibo Observatory located in Barrio Esperanza, Arecibo, Puerto Rico, during the 1950s, and its characteristic instrument, a large radio telescope of 305 meters in diameter was completed in 1963.

(2) The facility was later owned by the National Science Foundation, and supported by the National Aeronautics and Space Administration and various university partners.

(3) The Arecibo Observatory’s 305-meter fixed spherical radio telescope, was the world’s largest single-dish radio telescope until the Five-Hundred-Meter Aperture Spherical Radio Telescope located in Gishou, China, began observing in 2016.

(4) The 305-meter radio telescope made unparalleled contributions to the fields of radio astronomy, planetary, and atmospheric sciences, and played a role in inspiring thousands of students in Puerto Rico, the Nation, and the world to pursue careers in STEM fields through the Arecibo Observatory Education and Public Outreach Programs.

(5) The radio telescope significantly advanced the field of radio astronomy, including the first indirect detection of gravitational waves, the first detection of extrasolar planets, innumerable contributions to the field of time domain astronomy

and the study of the interstellar medium, and played a key role in the search for extraterrestrial intelligence.

(6) The Arecibo Observatory had the best planetary radar system in the world, used by the National Aeronautics and Space Administration for near-Earth object detection and was an essential part of the agency's planetary defense program.

(7) The planetary radar at the Arecibo Observatory has contributed fundamentally and significantly to the knowledge of the solar system.

(8) The Arecibo Observatory's Incoherent Scatter Radar and supporting facilities have provided fundamental understanding of the ionosphere and upper atmosphere, and the interface between the atmosphere and space that protects the planet from solar wind, meteors, and other potential threats.

(9) December 1, 2021, marks the 1-year anniversary of the uncontrolled collapse sustained by the radio telescope after a series of cable failures in tower 4.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Congress—

(1) acknowledges the loss of the Arecibo Observatory's radio telescope due to its collapse and its implications for the loss of a unique world-class multidisciplinary science facility which conducted research in the areas of space and atmospheric sciences, radar astronomy and planetary sciences, astronomy, and astrophysics;

(2) acknowledges that the uncontrolled collapse of the 305-meter radio telescope represents a loss of astronomical observation capabilities, scientific research and development, planetary defense capabilities, and applied science capabilities for the United States;

(3) recognizes the rich scientific, educational, and economic benefits that the Arecibo Telescope has made to the people of Puerto Rico, the Nation, and the world;

(4) recognizes the work and contributions made by the thousands of dedicated staff who have supported the Arecibo Observatory for close to 6 decades;

(5) commends the National Science Foundation for convening a virtual workshop in June 2021, to explore ideas for future scientific and educational activities at the Arecibo Observatory; and

(6) encourages the National Science Foundation, in consultation with other Federal agencies, to explore opportunities for strengthening and expanding the role of the Arecibo Observatory in Puerto Rico through education, outreach, and diversity programs, and future research capabilities and technology at the site.

Subtitle F—Research Infrastructure

SEC. 10371. FACILITY OPERATION AND MAINTENANCE.

(a) IN GENERAL.—The Director shall continue the Facility Operation Transition pilot program for a total of 5 years.

(b) COST SHARING.—The Facility Operation Transition program shall provide funding for 10 to 50 percent of the operations and maintenance costs for major research facilities that are within the first five years of operation, where the share is determined based on—

(1) the operations and maintenance costs of the major research facility; and

(2) the capacity of the managing directorate or division to absorb such costs.

(c) REPORT.—After the fifth year of the pilot program, the Director shall transmit a report to Congress that includes—

(1) an assessment, that includes feedback from the research community, of the effectiveness of the pilot program for—

(A) supporting research directorates and divisions in balancing investments in re-

search grants and funding for the initial operation and maintenance of major facilities;

(B) incentivizing the development of new world-class facilities;

(C) facilitating interagency and international partnerships;

(D) funding core elements of multi-disciplinary facilities; and

(E) supporting facility divestment costs; and

(2) if deemed effective, a plan for permanent implementation of the pilot program.

SEC. 10372. REVIEWS.

The Director shall periodically carry out reviews within each of the directorates and divisions to assess the cost and benefits of extending the operations of research facilities that have exceeded their planned operational lifespan.

SEC. 10373. HELIUM CONSERVATION.

(a) MAJOR RESEARCH INSTRUMENTATION SUPPORT.—

(1) IN GENERAL.—The Director shall support, through the Major Research Instrumentation program, proposal requests that include the purchase, installation, operation, and maintenance of equipment and instrumentation to reduce consumption of helium.

(2) COST SHARING.—The Director may waive the cost-sharing requirement for helium conservation measures for non-Ph.D.-granting institutions of higher education and Ph.D.-granting institutions of higher education that are not ranked among the top 100 institutions receiving Federal research and development funding, as documented by the National Center for Science and Engineering Statistics.

(b) ANNUAL REPORT.—No later than 1 year after the date of enactment of this Act and annually for the subsequent two years, the Director shall submit an annual report to Congress on the use of funding awarded by the Foundation for the purchase and conservation of helium. The report should include—

(1) the volume and price of helium purchased;

(2) changes in pricing and availability of helium; and

(3) any supply disruptions impacting a substantial number of institutions.

SEC. 10374. ADVANCED COMPUTING.

(a) COMPUTING NEEDS.—To gather information about the computational needs of Foundation-funded projects, the Director shall require award proposals submitted to the Foundation, as appropriate, to include estimates of computational resource needs for projects that require use of advanced computing. The Director shall encourage and provide access to tools that facilitate the inclusion of these measures, including those identified in the 2016 National Academies report entitled "Future Directions for NSF Advanced Computing Infrastructure to Support U.S. Science and Engineering in 2017–2020".

(b) REPORTS.—The Director shall document and publish every two years a summary of the amount and types of advanced computing capabilities that are needed to fully meet the Foundation's project needs as identified under subsection (a).

(c) ROADMAP.—To set priorities and guide strategic decisions regarding investments in advanced computing capabilities, the Director shall develop, publish, and regularly update a 5-year advanced computing roadmap that—

(1) describes the advanced computing resources and capabilities that would fully meet anticipated project needs, including through investments in the Mid-Scale Research Infrastructure program and the Major Research Equipment and Facilities Construction account;

(2) draws on community input, information contained in research proposals, allocation

requests, insights from Foundation-funded cyber-infrastructure operators, and Foundation-wide information gathering regarding community needs;

(3) considers computational needs of planned major facilities;

(4) reflects anticipated technology trends;

(5) informs users and potential partners about future facilities and services;

(6) addresses the needs of groups historically underrepresented in STEM and geographic regions with low availability and high demand for advanced computing resources;

(7) considers how Foundation-supported advanced computing capabilities can be leveraged for activities through the Directorate for Technology, Innovation, and Partnerships; and

(8) provides an update to Congress about the level of funding necessary to fully meet computational resource needs for the research community.

(d) SECURING AMERICAN RESEARCH FROM CYBER THEFT.—

(1) NETWORKING AND INFORMATION TECHNOLOGY RESEARCH AND DEVELOPMENT UPDATE.—Section 101(a)(1) of the High-Performance Computing Act of 1991 (15 U.S.C. 5511) is amended—

(A) by moving the margins of subparagraph (D) and each of subparagraphs (J) through (O) two ems to the left;

(B) by redesignating subparagraphs (J) through (O) as subparagraphs (K) through (P), respectively; and

(C) by inserting after subparagraph (I) the following:

“(J) provide for improving the security, reliability, and resiliency of computing and networking systems used by institutions of higher education and other nonprofit research institutions for the processing, storage and transmission of sensitive federally funded research and associated data;”.

(2) COMPUTING ENCLAVE PILOT PROGRAM.—

(A) IN GENERAL.—The Director, in consultation with the Director of the National Institute of Standards and Technology and the Secretary of Energy, and the heads of other relevant Federal departments and agencies, shall establish a pilot program to make awards to ensure the security of federally supported research data and to assist regional institutions of higher education and their researchers in compliance with regulations regarding the safeguarding of sensitive information and other relevant regulations and Federal guidelines.

(B) STRUCTURE.—In carrying out the pilot program established pursuant to subparagraph (A), the Director shall select, for the development, installation, maintenance, or sustainment of secure computing enclaves, three institutions of higher education that have an established graduate student program and a demonstrated history of working with secure information, consistent with appropriate security protocols.

(C) REGIONALIZATION.—

(i) IN GENERAL.—In selecting universities pursuant to subparagraph (B), the Director shall give preference to institutions of higher education with the capability of serving other regional universities.

(ii) GEOGRAPHIC DISPERSAL.—The enclaves should be geographically dispersed to better meet the needs of regional interests.

(D) PROGRAM ELEMENTS.—The Director shall work with institutions of higher education selected pursuant to subparagraph (B) to—

(i) develop an approved design blueprint for compliance with Federal data protection protocols;

(ii) develop a comprehensive and confidential list, or a bill of materials, of each binary component of the software, firmware, or

product that is required to deploy additional secure computing enclaves;

(iii) develop templates for all policies and procedures required to operate the secure computing enclave in a research setting;

(iv) develop a system security plan template; and

(v) develop a process for managing a plan of action and milestones for the secure computing enclave.

(E) **SUSTAINABILITY.**—In reviewing applications for awards, the Director shall review and consider plans and prospects of the applicant institution of higher education to ensure long-term sustainability of the computing enclave, beyond the availability of Federal funds.

(F) **DURATION.**—Subject to other availability of appropriations, the pilot program established pursuant to subparagraph (A) shall operate for not less than 3 years.

(G) **REPORT.**—

(i) **IN GENERAL.**—The Director shall report to Congress not later than 6 months after the completion of the pilot program under subparagraph (A).

(ii) **CONTENTS.**—The report required under clause (i) shall include—

(I) an assessment of the pilot program under subparagraph (A), including an assessment of the security benefits provided by such secure computing enclaves;

(II) recommendations related to the value of expanding the network of secure computing enclaves; and

(III) recommendations on the efficacy of the use of secure computing enclaves by other Federal agencies in a broader effort to expand security of Federal research.

(H) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Director, \$38,000,000 for fiscal years 2023 through 2025, to carry out the activities outlined in this paragraph.

SEC. 10375. NATIONAL SECURE DATA SERVICE.

(a) **IN GENERAL.**—The Director, in consultation with the Director of the Office of Management and Budget and the interagency committee established under section 5103 of the National Artificial Intelligence Initiative Act of 2020 (15 U.S.C. 9415), shall establish a demonstration project to develop, refine, and test models to inform the full implementation of the Commission on Evidence-Based Policymaking recommendation for a governmentwide data linkage and access infrastructure for statistical activities conducted for statistical purposes, as defined in chapter 35 of title 44, United States Code.

(b) **ESTABLISHMENT.**—Not later than one year after the date of enactment of this Act, the Director shall establish a National Secure Data Service demonstration project. The National Secure Data Service demonstration project shall be—

(1) aligned with the principles, best practices, and priority actions recommended by the Advisory Committee on Data for Evidence Building, to the extent feasible; and

(2) operated directly by or via a contract that is managed by the National Center for Science and Engineering Statistics.

(c) **DATA.**—In carrying out this section, the Director shall engage with Federal and State agencies to collect, acquire, analyze, report, and disseminate statistical data in the United States and other nations to support governmentwide evidence-building activities consistent with the Foundations for Evidence-Based Policymaking Act of 2018.

(d) **VOLUNTARY PARTICIPATION.**—Participation in the National Secure Data Service demonstration project by Federal and State agencies shall be voluntary.

(e) **PRIVACY AND CONFIDENTIALITY PROTECTIONS.**—If the Director issues a management contract under subsection (b), the recipient

shall be designated as an “agent” under subchapter III of chapter 35 of title 44, United States Code, with all requirements and obligations for protecting confidential information delineated in the Confidential Information Protection and Statistical Efficiency Act of 2018 and the Privacy Act of 1974.

(f) **TECHNOLOGY AND PRIVACY STANDARDS.**—In carrying out this subsection, the Director shall—

(1) consider application and use only of systems and technologies that incorporate protection measures to reasonably ensure confidential data and statistical products are protected in accordance with obligations under subchapter III of chapter 35 of title 44, United States Code, including systems and technologies that ensure—

(A) raw data and other sensitive inputs are not accessible to recipients of statistical outputs from the National Secure Data Service demonstration project;

(B) no individual entity’s data or information is revealed by the National Secure Data Service demonstration project platform to any other party in an identifiable form;

(C) no information about the data assets used in the National Secure Data Service demonstration project is revealed to any other party, except as incorporated into the final statistical output;

(D) the National Secure Data Service demonstration project permits only authorized analysts to perform statistical queries necessary to answer approved project questions, and prohibits any other queries; and

(E) the National Secure Data Service demonstration project conducts privacy risk assessments to minimize the privacy risks to individual entities whose data has been made available by a reporting entity, including those privacy risks that could result from data breaches of any system operated by the reporting entity, as well as for determining approved project questions under subparagraph (D) to minimize the privacy risks to individuals affected by uses of the statistical output; and

(2) the National Secure Data Service demonstration project shall implement reasonable measures commensurate with the risks to individuals’ privacy to achieve the outcomes under subparagraphs (A) through (E) of paragraph (1), which may include the appropriate application of privacy-enhancing technologies and appropriate measures to minimize or prevent reidentification risks consistent with any applicable guidance or regulations issued under subchapter III of chapter 35 of title 44, United States Code.

(g) **TRANSPARENCY.**—The National Secure Data Service established under subsection (b) shall maintain a public website with up-to-date information on supported projects.

(h) **REPORT.**—Not later than 2 years after the date of enactment of this Act, the National Secure Data Service demonstration project established under subsection (b) shall submit a report to Congress that includes—

(1) a description of policies for protecting data, consistent with applicable Federal law;

(2) a comprehensive description of all completed or active data linkage activities and projects;

(3) an assessment of the effectiveness of the demonstration project for mitigating risks and removing barriers to a sustained implementation of the National Secure Data Service as recommended by the Commission on Evidence-Based Policymaking; and

(4) if deemed effective by the Director, a plan for scaling up the demonstration project to facilitate data access for evidence building while ensuring transparency and privacy.

(i) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Director to carry out this subsection

\$9,000,000 for each of fiscal years 2023 through 2027.

Subtitle G—Directorate for Technology, Innovation, and Partnerships

SEC. 10381. ESTABLISHMENT.

There is established within the Foundation the Directorate for Technology, Innovation, and Partnerships to advance research and development, technology development, and related solutions to address United States societal, national, and geostrategic challenges, for the benefit of all Americans.

SEC. 10382. PURPOSES.

The purposes of the Directorate established under section 10381 are to—

(1) support use-inspired and translational research and accelerate the development and use of federally funded research;

(2) strengthen United States competitiveness by accelerating the development of key technologies; and

(3) grow the domestic workforce in key technology focus areas, and expand the participation of United States students and researchers in areas of societal, national, and geostrategic importance, at all levels of education.

SEC. 10383. ACTIVITIES.

Subject to the availability of appropriated funds, the Director shall achieve the purposes described in section 10382 by making awards through the Directorate that—

(1) support transformational advances in use-inspired and translational research and technology development, including through diverse funding mechanisms and models at different scales, to include convergence accelerators and projects designed to achieve specific technology metrics or objectives;

(2) encourage the translation of research into innovations, processes, and products, including by—

(A) engaging researchers on topics relevant to United States societal, national, and geostrategic challenges, including by educating researchers on engaging with end users and the public;

(B) advancing novel approaches and reducing barriers to technology transfer, including through intellectual property frameworks between academia and industry, non-profit entities, venture capital communities, and approaches to technology transfer for applications with public benefit that may not rely on traditional commercialization tools; and

(C) establishing partnerships that connect researchers and research products to businesses, accelerators, and incubators that enable research uptake, prototype development and scaling, entrepreneurial education, and the formation and growth of new companies;

(3) develop mutually-beneficial research and technology development partnerships and collaborations among institutions of higher education, including historically Black colleges and universities, Tribal Colleges or Universities, minority-serving institutions, emerging research institutions, EPSCoR institutions, and nonprofit organizations, labor organizations, businesses and other for-profit entities, Federal or State agencies, local or Tribal governments, civil society organizations, other Foundation directorates, national labs, field stations and marine laboratories, and, as appropriate, international entities and binational research and development foundations and funds, excluding foreign entities of concern;

(4) partner with other directorates and offices of the Foundation for specific projects or research areas including—

(A) to pursue basic questions about natural, human, and physical phenomena that could enable advances in the challenges and key technology focus areas under section 10387;

(B) to study questions that could affect the design (including human interfaces), safety, security, operation, deployment, or the social and ethical consequences of technologies and innovations in the challenges and key technology focus areas under section 10387, including the development of technologies and innovations that complement or enhance the abilities of workers and impact of specific innovations on domestic jobs and equitable opportunity; and

(C) to further the creation of a domestic workforce capable of advancing, using, and adapting to the key technology focus areas;

(5) build capacity and infrastructure for use-inspired and translational research at institutions of higher education across the United States, including by making awards to support administrative activities that advance development, operation, integration, deployment, and sharing of innovation;

(6) support the education, mentoring, and training of undergraduate students, graduate students, and postdoctoral researchers, to both advance use-inspired and translational research and to address workforce challenges, through scholarships, fellowships, and traineeships; and

(7) identify social, behavioral, and economic drivers and consequences of technological innovations that could enable advances in the challenges and key technology focus areas under section 10387.

SEC. 10384. REQUIREMENTS.

In carrying out the activities under the Directorate, the Director shall ensure the programmatic work of the Directorate and Foundation—

(1) utilizes the full potential of the United States workforce by avoiding undue geographic concentration of research and development and education funding across the United States, and encourages broader participation in the key technology focus area workforce by populations historically underrepresented in STEM; and

(2) incorporates a worker perspective through participation by labor organizations and workforce training organizations.

SEC. 10385. ASSISTANT DIRECTOR.

(a) IN GENERAL.—The Director shall appoint an Assistant Director responsible for the management of the Directorate established under this subtitle, in the same manner as other Assistant Directors of the Foundation are appointed.

(b) QUALIFICATIONS.—The Assistant Director shall be an individual, who by reason of professional background and experience, is specially qualified to—

(1) advise the Director on all matters pertaining to use-inspired and translational research, development, and commercialization at the Foundation, including partnership with the private sector and other users of Foundation funded research; and

(2) develop and implement the necessary policies and procedures to promote a culture of use-inspired and translational research within the Directorate and across the Foundation and carry out the responsibilities under subsection (c).

(c) RESPONSIBILITIES.—The responsibilities of the Assistant Director shall include—

(1) advising the Director on all matters pertaining to use-inspired and translational research and development activities at the Foundation, including effective practices for convergence research, and the potential impact of Foundation research on United States societal, national and geostrategic challenges;

(2) identifying opportunities for and facilitating coordination and collaboration, where appropriate, on use-inspired and translational research, development, adoption, and commercialization—

(A) among the offices, directorates, and divisions within the Foundation; and

(B) between the Foundation and stakeholders in academia, the private sector, including non-profit entities, labor organizations, Federal or State agencies, and international entities, as appropriate;

(3) ensuring that the activities carried out under this subtitle do not substantially and unnecessarily duplicate activities supported by other parts of the Foundation or other relevant Federal agencies;

(4) approving all new programs within the Directorate;

(5) developing and testing diverse merit-review models and mechanisms for selecting and providing awards for use-inspired and translational research and development at different scales, from individual investigator awards to large multi-institution collaborations;

(6) assessing the success of programs;

(7) administering awards to achieve the purposes described in section 10382; and

(8) performing other such duties pertaining to the purposes in section 10382 as are required by the Director.

(d) RELATIONSHIP TO THE DIRECTOR.—The Assistant Director shall report to the Director.

(e) RELATIONSHIP TO OTHER PROGRAMS.—No other directorate within the Foundation shall report to the Assistant Director.

SEC. 10386. ADVISORY COMMITTEE.

(a) IN GENERAL.—In accordance with the Federal Advisory Committee Act (5 U.S.C. App.) the Director shall establish an advisory committee to assess, and make recommendations regarding, the activities carried out under this subtitle.

(b) MEMBERSHIP.—The advisory committee members shall—

(1) be individuals with relevant experience or expertise, including individuals from industry and national labs, educators, academic subject matter experts, including individuals with knowledge of key technology focus areas and their impact on United States national security and geostrategic leadership, the technical and social dimensions of science and technology, technology transfer experts, labor organizations, representatives of civil society, and other non-governmental organizations; and

(2) consist of at least 10 members broadly representative of stakeholders, including no less than 3 members from the private sector, none of whom shall be an employee of the Federal Government, and no less than 1 member with significant expertise in United States national security and economic competitiveness.

(c) RESPONSIBILITIES.—The Committee's responsibilities shall include—

(1) reviewing and advising on activities carried out under this subtitle;

(2) proposing strategies for fulfilling the purposes in section 10382;

(3) proposing potential areas of research, particularly as relevant to United States societal, national, and geostrategic challenges; and

(4) other relevant issues as determined by the Director.

SEC. 10387. CHALLENGES AND FOCUS AREAS.

(a) IN GENERAL.—In consultation with the Assistant Director, the Board, and the interagency working group established under subtitle F of title VI, the Director shall identify, and annually review and update as appropriate, a list of—

(1) not more than 5 United States societal, national, and geostrategic challenges that may be addressed by technology to guide activities under this subtitle; and

(2) not more than 10 key technology focus areas to guide activities under this subtitle.

(b) INITIAL LIST OF SOCIETAL, NATIONAL, AND GEOSTRATEGIC CHALLENGES.—The initial list of societal, national, and geostrategic challenges are the following:

(1) United States national security.

(2) United States manufacturing and industrial productivity.

(3) United States workforce development and skills gaps.

(4) Climate change and environmental sustainability.

(5) Inequitable access to education, opportunity, or other services.

(c) INITIAL LIST OF KEY TECHNOLOGY FOCUS AREAS.—The initial list of key technology focus areas are the following:

(1) Artificial intelligence, machine learning, autonomy, and related advances.

(2) High performance computing, semiconductors, and advanced computer hardware and software.

(3) Quantum information science and technology.

(4) Robotics, automation, and advanced manufacturing.

(5) Natural and anthropogenic disaster prevention or mitigation.

(6) Advanced communications technology and immersive technology.

(7) Biotechnology, medical technology, genomics, and synthetic biology.

(8) Data storage, data management, distributed ledger technologies, and cybersecurity, including biometrics.

(9) Advanced energy and industrial efficiency technologies, such as batteries and advanced nuclear technologies, including but not limited to for the purposes of electric generation (consistent with section 15 of the National Science Foundation Act of 1950 (42 U.S.C. 1874)).

(10) Advanced materials science, including composites 2D materials, other next-generation materials, and related manufacturing technologies.

(d) RELATIONSHIP BETWEEN UNITED STATES SOCIETAL, NATIONAL, AND GEOSTRATEGIC CHALLENGES AND KEY TECHNOLOGY FOCUS AREAS.—

(1) In updating the list under subsection (a)(1), the Director shall evaluate national and global technology trends.

(2) In updating the list under subsection (a)(2), the Director shall consider the impact of the selected technologies on United States societal, national, and geostrategic challenges.

(3) The list under subsection (a)(2) may, but is not required to, align directly with the list under subsection (a)(1).

(4) Nothing under this section shall prevent the Director from making limited investments in technologies or areas not identified in subsection (a)(1) or subsection (a)(2).

(e) REVIEW AND UPDATES.—The Director, in coordination with the interagency working group established under subtitle F of title VI and in consultation with the Director of National Intelligence and the Director of the Federal Bureau of Investigation, shall annually review and update as appropriate, the list of key technology focus areas for purposes of this division. As part of the annual review, the Director—

(1) shall consider input from relevant industries and stakeholders;

(2) may consider the challenges and recommendations identified in the reports required by sections 206 and 206B of the National Science and Technology Policy, Organization, and Priorities Act of 1976, as added by section 10611 and 10613 of this division and in other relevant reports, such as technology and global trend reports from the defense and intelligence communities;

(3) shall consider the potential impact of the key technology focus areas on addressing

societal, national, and geostrategic challenges; and

(4) subject to the limitation under subsection (a), may add or delete key technology focus areas in light of shifting national needs or competitive threats to the United States (including for reasons of the United States or other countries having advanced or fallen behind in a technological area).

(f) **REPORTING.**—At the conclusion of the annual review and update process required by subsection (e), the Director, in consultation with other Federal research agencies, as appropriate, shall deliver a report to Congress detailing—

(1) the key technology focus areas and rationale for their selection;

(2) the societal, national, and geostrategic challenges and rationale for their selection;

(3) the role of the Foundation in advancing the key technology focus areas;

(4) the impact, including to the academic research community, of any changes to the key technology focus areas; and

(5) the activities and partnerships between the Directorate and the private sector.

(g) **DETAILED DESCRIPTION.**—The National Science Foundation shall, in coordination with the Office of Management and Budget, submit as part of their annual budget requests to Congress, a detailed description of the activities to be funded under this subtitle, including an explanation of how the requested funding is complementary and not redundant of programs, efforts, and infrastructure undertaken or supported by other relevant Federal agencies.

(h) **NATIONAL ACADEMIES.**—Not later than 5 years after the date of enactment of this Act, the Director shall contract with the National Academies to conduct a review of the key technology focus areas and the societal, national, and geostrategic challenges, including—

(1) an assessment of their selection process;

(2) an assessment of their relevance to the purposes of the Directorate, including to solving challenges with social, economic, health, scientific, and national security implications;

(3) a review of whether Federal investment in the key technology focus areas have resulted in new domestic manufacturing capacity and job creation;

(4) an assessment of any critical, new emerging areas;

(5) an assessment of Federal investments in education and workforce development to support the key technology focus areas; and

(6) an assessment of relative balance in leadership in addressing the key technology focus areas between the United States, allied and partner countries, and the People's Republic of China.

SEC. 10388. REGIONAL INNOVATION ENGINES.

(a) **IN GENERAL.**—From amounts made available to the Directorate, the Director shall make awards to eligible entities for the planning, establishment, and support of Regional Innovation Engines.

(b) **PURPOSE.**—The purpose of the Regional Innovation Engines shall be to—

(1) advance multidisciplinary, collaborative, use-inspired and translational research, technology development, in key technology focus areas;

(2) address regional, national, societal, or geostrategic challenges;

(3) leverage the expertise of multi-disciplinary and multi-sector partners, including partners from private industry, nonprofit organizations, and civil society organizations; and

(4) support the development of scientific, innovation, entrepreneurial, and STEM edu-

cational capacity within the region of the Regional Innovation Engine to grow and sustain regional innovation.

(c) **USES OF FUNDS.**—Funds awarded under this section may be used by a Regional Innovation Engine to—

(1) conduct use-inspired and translational research and technology development to advance innovation in at least one of the key technology focus areas and to help solve a compelling regional, national, societal, or geostrategic challenge;

(2) further the development, adoption, and commercialization of innovations in key technology focus areas, including through support for proof-of-concept development, and through partnership with other Federal agencies and Federal laboratories, industry, including startup companies, labor organizations, civil society organizations, and State, territorial, local, and Tribal governments;

(3) develop and manage, or facilitate access to, test beds and instrumentation, which may include fabrication facilities and cyberinfrastructure, to advance the development, integration, and demonstration of new, innovative technologies, including hardware or software;

(4) establish traineeship programs for graduate students who pursue degrees and research related to the key technology focus areas leading to a masters or doctorate degree by providing funding and other assistance, and opportunities for research experiences in government or industry related to the students' studies;

(5) engage in outreach and engagement in the region to broaden participation in the activities of the Regional Innovation Engine; and

(6) reimburse, in part or in whole, the cost of instrumentation, technology transfer, and commercialization activities, including patenting and licensing, and for operations and staff, as the Director determines appropriate.

(d) **SELECTION PROCESS.**—In making awards under this subtitle, the Director shall consider, in addition to the scientific and technical merit of the proposal, the extent to which the activities and locations proposed—

(1) have the potential to create an innovation ecosystem, or enhance existing ecosystems and contribute to job creation in a region;

(2) demonstrate a capacity to engage and partner with multiple types of institutions of higher education, industry, labor, nonprofit organizations, civil society organizations, other Federal agencies, Federal laboratories, State, local, and Tribal governments, and other appropriate organizations, including to inform research directions and account for ethical, societal, safety, and security implications relevant to the potential applications of the research;

(3) demonstrate a capacity to broaden participation of populations historically underrepresented in STEM in the activities of the Regional Innovation Engine; and

(4) demonstrate a plan and capability to prevent the inappropriate use or dissemination of the research and technology, including research results, data, and intellectual property, as appropriate and consistent with the requirements of the relevant award.

(e) **REQUIREMENTS.**—

(1) **ELIGIBILITY.**—For the purposes of this section, an “eligible entity” means an institution of higher education, a nonprofit organization, a private sector entity, or a consortium thereof.

(2) **PARTNERSHIPS.**—To be eligible for an award under this section an eligible entity—

(A) shall include in its proposal partnership with 1 or more institution that is—

(i) a historically Black college or university;

(ii) a Tribal College or University;

(iii) a minority-serving institution;

(iv) an EPSCoR institution;

(v) an emerging research institution; or

(vi) a community college;

(B) may include partnership with 1 or more—

(i) additional entities described in paragraph (2)(A);

(ii) industry entities, including startups, small businesses, and public-private partnerships;

(iii) economic development organizations or venture development organizations, as such terms are defined in section 28(a) of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 13701 et seq.), as added by section 10621 of this division;

(iv) National Laboratories;

(v) Federal laboratories, as defined in section 4 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3703);

(vi) Federal research facilities;

(vii) labor organizations;

(viii) entities described in paragraph (1) or (2) from allied or partner countries;

(ix) other entities to be vital to the success of the program, as determined by the Director;

(x) binational research and development foundations and funds, excluding those affiliated with foreign entities of concern, as defined in section 10612; and

(xi) Engineer Research and Development Center laboratories of the Army Corps of Engineers; and

(C) shall include as part of its proposal a plan for—

(i) establishing a sustained partnership that is jointly developed and managed, draws from the capacities of each institution, and is mutually beneficial; and

(ii) documents governance and management plans, financial contributions from non-Federal sources, and plans for ownership and use of any intellectual property.

(3) **PROMOTING PARTNERSHIPS.**—In making awards under this section, the Director shall encourage applicants for a Regional Innovation Engine that include multiple regional partners as described in subsection (e)(2).

(4) **GEOGRAPHIC DISTRIBUTION.**—In making awards under this section, the Director shall take into consideration the extent to which the proposals expand the geographic distribution of the Regional Innovation Engines, including by giving special consideration to rural-serving institutions of higher education.

(5) **RESOURCE AVAILABILITY.**—The Director shall ensure that any eligible entity receiving an award under this section shall—

(A) provide information on relevant currently existing resources available to the proposing team from all internal and external sources, including all partner organizations; and

(B) include letters of collaboration from partner organizations that include information on resource contributions committed by such partners.

(f) **COLLABORATION WITH REGIONAL TECHNOLOGY HUBS.**—Each Regional Innovation Engine established under this section may collaborate and participate in, as appropriate, the activities of any regional technology hub designated under section 28 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3701 et seq.), as added by section 10621.

(g) **DURATION.**—

(1) **INITIAL PERIOD.**—An award under this section shall be for an initial period of 5 years.

(2) **RENEWAL.**—An established Regional Innovation Engine may apply for, and the Director may award, extended funding for periods of 5 years on a merit-reviewed basis.

(h) **COMPETITIVE, MERIT-REVIEW.**—In making awards under this section, the Director shall—

(1) use a competitive, merit review process that includes peer review by a diverse group of individuals with relevant expertise from both the private and public sectors; and

(2) ensure the focus areas of the Regional Innovation Engines do not substantially and unnecessarily duplicate the efforts of any other Regional Innovation Engine or any other similar effort at another Federal agency.

(i) **COLLABORATION.**—In making awards under this section, the Director may collaborate with Federal departments and agencies whose missions contribute to or are affected by the technology focus area of the institute.

SEC. 10389. TRANSLATION ACCELERATOR.

(a) **IN GENERAL.**—The Director shall establish Translation Accelerators to further the research, development, and commercialization of innovation in the key technology focus areas.

(b) **PARTNERSHIPS.**—

(1) **IN GENERAL.**—Each Translation Accelerator shall be comprised of a partnership including 2 or more of the following entities:

(A) An institution of higher education.

(B) A for-profit company.

(C) A nonprofit organization.

(D) A Federal agency.

(E) Another entity, if that entity is determined by the Director to be vital to the success of the program.

(2) **INSTITUTIONAL OR ORGANIZATIONAL LEVEL.**—The Director shall work to ensure that such partnerships exist at the institutional or organization level, rather than solely at the principal investigator level.

(3) **COST SHARE.**—Not less than 25 percent of the funding for an institute shall be provided by non-Federal entities.

(4) **NUMBER OF CENTERS AND INSTITUTES ESTABLISHED.**—The Director shall endeavor to establish a balance in the number of Regional Innovation Engines and Translation Accelerators.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—From within funds authorized for the Directorate for Technology, Innovation, and Partnerships, there are authorized to carry out the activities under this section and section 10388 \$6,500,000,000 for fiscal years 2023 through 2027.

SEC. 10390. TEST BEDS.

(a) **PROGRAM AUTHORIZED.**—

(1) **IN GENERAL.**—From amounts made available for the Directorate, the Director, in coordination with the Director of the National Institute of Standards and Technology, the Secretary of Energy, and other Federal agencies, as determined appropriate by the Director, shall establish a program in the Directorate to make awards, on a competitive basis, to institutions of higher education, nonprofit organizations, or consortia thereof to establish and operate test beds, which may include fabrication facilities and cyberinfrastructure, to advance the development, operation, integration, deployment, and, as appropriate, demonstration of new, innovative critical technologies, which may include hardware or software.

(2) **COORDINATION.**—In establishing new test beds under this section, the Director shall ensure coordination with other test beds supported by the Foundation or other Federal agencies to avoid duplication and maximize the use of Federal resources.

(b) **PROPOSALS.**—An applicant for an award under this section shall submit a proposal to the Director, at such time, in such manner, and containing such information as the Director may reasonably require. The proposal shall, at a minimum, describe—

(1) the technology or technologies that will be the focus of the test bed;

(2) the goals of the work to be done at the test bed;

(3) how the applicant will assemble a workforce with the skills needed to operate the test bed;

(4) how the applicant will ensure broad access to the test bed;

(5) how the applicant will collaborate with firms in critical technologies, including through coordinated research and development and funding, to ensure that work in the test bed will contribute to the commercial viability of any technologies and will include collaboration from industry and labor organizations;

(6) how the applicant will encourage the participation of inventors and entrepreneurs and the development of new businesses;

(7) how the applicant will increase participation by populations that are underrepresented in STEM;

(8) how the applicant will demonstrate that the commercial viability of any new technologies will support the creation of high-quality domestic jobs;

(9) how the test bed will operate after Federal funding has ended;

(10) how the test bed will disseminate lessons and other technical information to United States entities or allied or partner country entities in the United States; and

(11) how the applicant plans to take measures to prevent the inappropriate use of research results, data, and intellectual property, as applicable and consistent with the requirements of the award.

(c) **AUTHORIZED USE OF FUNDS.**—A recipient of an award under this section may, consistent with the purposes of this section, use the award for the purchase of equipment and for the support of students, faculty and staff, and postdoctoral researchers.

(d) **GEOGRAPHIC DIVERSITY.**—In selecting award recipients under this section, the Director shall consider the extent to which proposals would expand the geographic diversity of test beds.

SEC. 10391. PLANNING AND CAPACITY BUILDING AWARDS.

(a) **IN GENERAL.**—Under the program established in section 508 of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 1862p-2) and the activities authorized under this section, from amounts made available to the Directorate, the Director, in coordination with other Federal agencies as determined appropriate by the Director, shall make awards, on a competitive basis, to eligible entities to advance the development, adoption, and commercialization of technologies, consistent with the purposes of the Directorate under section 10382.

(b) **ELIGIBLE ENTITY.**—To be eligible to receive an award under this section, an entity shall be—

(1) an institution of higher education, which may be a community college (or a consortium of such institutions);

(2) a nonprofit organization that is either affiliated with an institution of higher education or designed to support technology development or entrepreneurship; or

(3) a consortium that includes—

(A) an entity described in paragraph (1) or (2) as the lead award recipient; and

(B) one or more additional individuals or entities, which shall be—

(i) an economic development organization or similar entity that is focused primarily on improving science, technology, innovation, or entrepreneurship;

(ii) an industry organization or firm in a relevant technology or innovation sector;

(iii) an industry-experienced executive with entrepreneurship experience that is focused primarily on de-risking technologies from both a scientific and a business perspective; or

(iv) an individual or entity with industry and startup expertise, including a mentor network, across relevant technology or innovation sectors.

(c) **USE OF FUNDS.**—In addition to activities listed under section 10383, an eligible entity receiving an award under this section may use funds to—

(1) identify academic research with the potential for technology transfer and commercialization, particularly as relevant to the purposes of the Directorate under section 10382;

(2) ensure the availability of staff, including technology transfer professionals, entrepreneurs in residence, and other mentors as required to accomplish the purpose of this section;

(3) help offset the costs of patenting and licensing research products, both domestically and internationally;

(4) revise institution policies, including policies related to intellectual property and faculty entrepreneurship, and taking other necessary steps to implement relevant best practices for academic technology transfer;

(5) develop local, regional, and national partnerships among institutions of higher education and between institutions of higher education and private sector entities and other relevant organizations, including investors, with the purpose of building networks, expertise, and other capacity to identify promising research that may have potential market value and enable researchers to pursue further development and transfer of their ideas into possible commercial or other use;

(6) develop seminars, courses, and other educational opportunities for students, postdoctoral researchers, faculty, and other relevant staff at institutions of higher education to increase awareness and understanding of entrepreneurship, patenting, business planning, research security, and other areas relevant to technology transfer, and connect students and researchers to relevant resources, including mentors in the private sector; and

(7) create, support, or fund entities or competitions to allow entrepreneurial students and faculty to illustrate the commercialization potential of their ideas, including through venture funds of institution of higher education.

(d) **LIMITATIONS ON FUNDING.**—

(1) Awards made under this section shall be at least 3 years in duration and shall not exceed \$1,000,000 per fiscal year.

(2) Awards made under this section shall not support the development or operation of capital investment funds.

(e) **APPLICATION.**—An eligible entity seeking funding under this section shall submit an application to the Director at such time, in such manner, and containing such information and assurances as such Director may require. The application shall include, at a minimum, a description of—

(1) how the eligible entity submitting an application plans to sustain the proposed activities beyond the duration of the award;

(2) the steps the applicant will take to enable technology transfer and adoption and why such steps are likely to be effective;

(3) how the applicant will encourage the training and participation of students and potential entrepreneurs and the transition of research results to practice, including the development of new businesses;

(4) as relevant, potential steps to drive economic growth in a particular region, by collaborating with industry, venture capital entities, non-profit organizations, and State and local governments within that region; and

(5) background information that the Director determines is relevant to demonstrate

the success of the innovation and entrepreneurship support models proposed by the applicant to commercialize technologies.

(f) **COLLABORATIVE INNOVATION RESOURCE CENTER PROGRAM.**—

(1) **IN GENERAL.**—The Director shall make awards under this section to eligible entities to establish collaborative innovation resource centers that promote regional technology transfer and technology development activities available to more than one institution of higher education and to other entities in a region.

(2) **USE OF FUNDS.**—An eligible entity that receives an award under this subsection shall use award funds to carry out one or more of the following activities, to the benefit of the region in which the center is located:

(A) Providing start-ups and small business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 632)) within the region with access to facilities, scientific infrastructure, personnel, and other assets as required for technology maturation.

(B) Supporting entrepreneurial training for start-up and small business personnel.

(3) Providing engineering and entrepreneurial experiences and hands-on training for students enrolled in participating institutions of higher education.

(g) **REPORTING ON COMMERCIALIZATION METRICS.**—The Director shall establish—

(1) metrics related to commercialization for an award under this section; and

(2) a reporting schedule for recipients of such awards that takes into account both short- and long-term goals of the programs under this section.

(h) **GEOGRAPHIC DIVERSITY.**—The Director shall ensure regional and geographic diversity in issuing awards under this section.

(i) **AUTHORIZATION OF APPROPRIATIONS.**—From within funds authorized for the Directorate for Technology, Innovation, and Partnerships, there are authorized to carry out the activities under this section \$3,100,000,000 for fiscal years 2023 through 2027.

SEC. 10392. ENTREPRENEURIAL FELLOWSHIPS.

(a) **IN GENERAL.**—The Director, acting through the Directorate for Technology, Innovation, and Partnerships, shall award fellowships to scientists and engineers to help develop leaders capable of maturing promising ideas and technologies from lab to market or other use and forge connections between academic research and the government, industry, financial sectors, and other end users.

(b) **APPLICATION.**—An applicant for a fellowship under this section shall submit to the Director an application at such time, in such manner, and containing such information as the Director may require. At a minimum, the Director shall require that applicants—

(1) have completed a doctoral degree in a STEM field no more than 5 years prior to the date of the application, or have otherwise demonstrated significant postbaccalaureate scientific research experience and are considered early career, according to requirements established by the Director; and

(2) have included in the application a proposal for how the fellow will be embedded in a host institution's research environment.

(c) **OUTREACH.**—The Director shall conduct program outreach to recruit fellowship applicants—

(1) from diverse research institutions;

(2) from all regions of the country; and

(3) from groups historically underrepresented in STEM fields.

(d) **ADMINISTRATION AGREEMENTS.**—The Director may enter into an agreement with a qualified third-party entity to administer the fellowships, subject to the provisions of this section.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Director a total of \$125,000,000 for fiscal years 2023 through 2027, to carry out the activities outlined in this section.

SEC. 10393. SCHOLARSHIPS AND FELLOWSHIPS.

(a) **IN GENERAL.**—The Director, acting through the Directorate, shall fund undergraduate scholarships (including at community colleges), graduate fellowships and traineeships, and postdoctoral awards in the key technology focus areas.

(b) **IMPLEMENTATION.**—The Director may carry out subsection (a) by making awards—

(1) directly to students; and

(2) to institutions of higher education or consortia of institutions of higher education, including those institutions or consortia involved in operating Regional Innovation Engines established under section 10388.

(c) **BROADENING PARTICIPATION.**—In carrying out this section, the Director shall take steps to increase the participation of populations that are underrepresented in STEM, which may include—

(1) establishing or augmenting programs targeted at populations that are underrepresented in STEM;

(2) supporting traineeships or other relevant programs at historically Black colleges and universities, Tribal Colleges or Universities, and minority-serving institutions;

(3) enabling low-income populations to pursue associate, undergraduate, or graduate level degrees in STEM;

(4) addressing current and expected gaps in the availability or skills of the STEM workforce, or addressing needs of the STEM workforce, including by increasing educational capacity at institutions and by prioritizing awards to United States citizens, permanent residents, and individuals that will grow the domestic workforce; and

(5) addressing geographic diversity in the STEM workforce.

(d) **ENCOURAGING INNOVATION.**—In carrying out this section, the Director shall encourage innovation in graduate education, including through encouraging institutions of higher education to offer graduate students opportunities to gain experience in industry or Government as part of their graduate training, and through support for students in professional master's programs related to the key technology focus areas or to the societal, national, and geostrategic challenges.

(e) **AREAS OF FUNDING SUPPORT.**—Subject to the availability of funds to carry out this section, the Director shall—

(1) issue—

(A) postdoctoral awards,

(B) graduate fellowships and traineeships, inclusive of the NSF Research Traineeships and fellowships awarded under the Graduate Research Fellowship Program; and

(C) scholarships, including undergraduate scholarships, research experiences, and internships, including—

(i) scholarships to attend community colleges; and

(ii) research experiences and internships under sections 513, 514, and 515 of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 1862p-5; 1862p-6; 1862p-7);

(2) ensure that not less than 10 percent of the funds made available to carry out this section are used to support additional awards that focus on community college training, education, and teaching programs that increase the participation of populations that are historically underrepresented in STEM, including technical programs through programs such as the Advanced Technological Education program; and

(3) if funds remain after carrying out paragraphs (1) and (2) make awards to institu-

tions of higher education to enable the institutions to fund the development and establishment of new or specialized programs of study for graduate, undergraduate, or technical college students and the evaluation of the effectiveness of those programs of study.

(f) **LOW-INCOME SCHOLARSHIP PROGRAM.**—

(1) **IN GENERAL.**—The Director shall award scholarships to low-income individuals to enable such individuals to pursue associate, undergraduate, or graduate level degrees in STEM fields.

(2) **ELIGIBILITY.**—

(A) **IN GENERAL.**—To be eligible to receive a scholarship under this subsection, an individual—

(i) must be a citizen of the United States, a national of the United States (as defined in section 1101(a) of title 8), an alien admitted as a refugee under section 1157 of title 8, or an alien lawfully admitted to the United States for permanent residence;

(ii) shall prepare and submit to the Director an application at such time, in such manner, and containing such information as the Director may require; and

(iii) shall certify to the Director that the individual intends to use amounts received under the scholarship to enroll or continue enrollment at an institution of higher education (as defined in section 1001(a) of title 20) in order to pursue an associate, undergraduate, or graduate level degree in STEM fields designated by the Director.

(B) **ABILITY.**—Awards of scholarships under this subsection shall be made by the Director solely on the basis of the ability of the applicant, except that in any case in which 2 or more applicants for scholarships are deemed by the Director to be possessed of substantially equal ability, and there are not sufficient scholarships available to award one to each of such applicants, the available scholarship or scholarships shall be awarded to the applicants in a manner that will tend to result in a geographically wide distribution throughout the United States recipients' places of permanent residence.

(3) **SCHOLARSHIP AMOUNT AND RENEWAL.**—Section 414(d) of the American Competitiveness and Workforce Improvement Act of 1998 (42 U.S.C. 1869c) is amended in paragraph (3) by—

(A) striking “, except that the Director shall not award a scholarship in an amount exceeding \$10,000 per year”; and

(B) striking “4 years” and inserting “5 years”.

(4) **AUTHORIZATION.**—Of amounts authorized for the Directorate for Technology, Innovation, and Partnerships, \$100,000,000 shall be authorized to carry out this subsection.

(g) **EXISTING PROGRAMS.**—The Director may use or augment existing STEM education programs of the Foundation and leverage education or entrepreneurial partners to carry out this section.

SEC. 10394. RESEARCH AND DEVELOPMENT AWARDS.

(a) **IN GENERAL.**—From amounts made available for the Directorate, the Director shall make awards, on a competitive basis, for research and technology development within the key technology focus areas, including investments that advance solutions to the challenges under section 10387.

(b) **PURPOSE.**—The purpose of the awards under this section shall be to accelerate technological advances and technology adoption in the key technology focus areas.

(c) **RECIPIENTS.**—Recipients of funds under this section may include institutions of higher education, research institutions, nonprofit organizations, private sector entities, consortia, or other entities as defined by the Director.

(d) **METRICS.**—The Director may set metrics, including goals and deadlines, for

the development and demonstration of technology as determined in the terms of the award, and may use such metrics to determine whether an award recipient shall be eligible for continued or follow-on funding.

(e) **SHORT TERM TECHNOLOGY DEPLOYMENT.**—The Director shall also make awards, including through the SBIR and STTR programs (as defined in section 9(e) of the Small Business Act (15 U.S.C. 638(e)), to expedite short-term technology deployment within a period of no longer than 24 months.

(f) **SELECTION CRITERIA.**—In selecting recipients for an award under this section, the Director shall consider, at a minimum—

(1) the relevance of the project to the challenges and the key technology focus areas under section 10387, and the potential of the project to result in transformational advances for such challenges and the key technology focus areas;

(2) the current status of similar technology, the limits of current practice, and the novelty and risks of the proposed project;

(3) the ethical, societal, safety, and security implications relevant to the application of the technology;

(4) the appropriateness of quantitative goals and metrics for evaluating the project and a plan for evaluating those metrics; and

(5) the path for developing and, as appropriate, commercializing the technology into products and processes in the United States.

(g) **AUTHORIZATION OF APPROPRIATIONS.**—From within funds authorized for the Directorate for Technology, Innovation, and Partnerships, there are authorized to carry out the activities under this section \$1,000,000,000 for fiscal years 2023 through 2027.

SEC. 10395. SCALING INNOVATIONS IN PREK-12 STEM EDUCATION.

(a) **IN GENERAL.**—Taking into consideration the recommendations under section 10311(a)(4) of subtitle B, the Director shall make awards, on a competitive, merit-reviewed basis, to establish multidisciplinary Centers for Transformative Education Research and Translation (in this section referred to as “Centers”) to support research and development on widespread and sustained implementation of STEM education innovations.

(b) **ELIGIBILITY.**—The entity seeking an award for a Center under this section must be an institution of higher education, a nonprofit organization, or a consortium of such institutions or organizations, which may include a STEM ecosystem.

(c) **APPLICATION.**—An eligible entity under subsection (b) seeking an award under this section shall submit an application to the Director at such time, in such manner, and containing such information as the Director may require. The application shall include, at a minimum, a description of how the proposed Center will be used to—

(1) establish partnerships among academic institutions, local or State educational agencies, and other relevant stakeholders in supporting programs and activities to facilitate the widespread and sustained implementation of promising, evidence-based STEM education practices, models, programs, curriculum, and technologies;

(2) support enhanced STEM education infrastructure, including cyberlearning technologies, to facilitate the widespread adoption of promising, evidence-based practices;

(3) support research and development on scaling practices, partnerships, and alternative models to current approaches, including approaches sensitive to the unique combinations of capabilities, resources, and needs of varying localities, educators, and learners;

(4) include a focus on the learning needs of under-resourced schools and learners in low-

resource or underachieving local educational agencies in urban and rural communities and the development of high-quality curriculum that engages these learners in the knowledge and practices of STEM fields;

(5) include a focus on the learning needs and unique challenges facing students with disabilities;

(6) support research, development, or education on one or more of the key technology focus areas;

(7) support research and development on scaling practices and models to support and sustain highly-qualified STEM educators in urban and rural communities; and

(8) at the discretion of the Director, any other requirements recommended in the study commissioned under section 10311(a) of subtitle B.

(d) **ADDITIONAL CONSIDERATIONS.**—In making an award under this section, the Director may also consider the extent to which the proposed Center will—

(1) leverage existing collaborations, tools, and strategies supported by the Foundation, including NSF INCLUDES and the Convergence Accelerators;

(2) support research on and the development and scaling of innovative approaches to distance learning and education for various student populations;

(3) support education innovations that leverage new technologies or deepen understanding of the impact of technology on educational systems; and

(4) include a commitment from local or State education administrators to making the proposed reforms and activities a priority.

(e) **PARTNERSHIP.**—In carrying out the program under this section, the Director shall explore opportunities to partner with the Department of Education, including through jointly funding activities under this section.

(f) **DURATION.**—Each award made under this section shall be for a duration of no more than 5 years.

(g) **ANNUAL MEETING.**—The Director shall encourage and facilitate an annual meeting of the Centers, as appropriate, to foster collaboration among the Centers and to further disseminate the results of the Centers' supported activities.

(h) **EXISTING PROGRAMS.**—The Director may use existing NSF programs to establish and execute this section.

(i) **REPORT.**—Not later than 5 years after the date of enactment of this Act, the Director shall submit to Congress and make widely available to the public a report that includes—

(1) a description of the focus and proposed goals of each Center;

(2) an assessment, based on a common set of benchmarks and tools, of the Centers' success in helping to promote scalable solutions in PreK-12 STEM education; and

(3) any recommendations for administrative and legislative action that could optimize the effectiveness of the Centers established under this section.

SEC. 10396. AUTHORITIES.

In addition to existing authorities available to the Foundation, the Director may exercise the following authorities in carrying out the activities under this subtitle:

(1) **AWARDS.**—In carrying out this subtitle, the Director may provide awards in the form of grants, contracts, cooperative agreements, cash prizes, and other transactions.

(2) **PROGRAM DIRECTORS.**—

(A) **DESIGNATION.**—The Director may designate individuals to serve as program directors for the programs established within the Directorate pursuant to the responsibilities established under subparagraph (B). The Director shall ensure that program directors—

(i) have expertise in one or more of the challenges and key technology focus areas under section 10387; and

(ii) come from a variety of backgrounds, including industry, and from a variety of institutions of higher education.

(B) **RESPONSIBILITIES.**—A program director of a program of the Directorate, in consultation with the Assistant Director, shall be responsible for—

(i) establishing research and development goals for the program, including through the convening of workshops, conferring with a broad range of stakeholders and outside experts, taking into account relevant expert reports, and publicizing the goals of the program to the public and private sectors;

(ii) surveying a wide range of institutions of higher education, nonprofit organizations, and private entities to identify emerging trends in the challenges and key technology focus areas under section 10387, and, as appropriate, soliciting proposals from such entities to conduct research in areas of particular promise that the private sector is the not likely to undertake independently.

(iii) facilitating research collaborations in the challenges and key technology focus areas under section 10387, including connecting academic researchers with potential end-users of technology, including industry, labor organizations, nonprofit organizations, civil society organizations, and other relevant organizations;

(iv) reviewing applications for projects submitted under section 10394 according to the Merit Review Criteria established by the Director for such projects and described in the Foundation's Proposal and Award Policies and Procedures Guide, and any such additional criteria as determined by the Director; and

(v) monitoring the progress of projects supported under the program and taking into account input from relevant experts and stakeholders, recommending program updates as needed.

(C) **SELECTION CRITERIA.**—Program directors may use diverse merit review models for selection of award recipients under section 10394, including internal review and different models that use peer review.

(D) **TERMS.**—Program directors of the Directorate may be appointed by the Director for a limited term, renewable at the discretion of the Director.

(3) **EXPERTS IN SCIENCE AND ENGINEERING.**—

(A) **PROGRAM AUTHORIZED.**—The Foundation may carry out a program of personnel management authority provided under subparagraph (B) in order to facilitate recruitment of eminent experts in science or engineering for research and development projects and to enhance the administration and management of the Foundation.

(B) **PERSONNEL MANAGEMENT AUTHORITY.**—Under the program under subparagraph (A), the Foundation may—

(i) without regard to any provision of title 5, United States Code, governing the appointment of employees in the competitive service, appoint individuals to a total of not more than 70 positions in the Foundation, of which not more than 5 such positions may be positions of administration or management of the Foundation;

(ii) prescribe the rates of basic pay for positions to which employees are appointed under clause (i)—

(I) in the case of employees appointed pursuant to clause (i) to any of 5 positions designated by the Foundation for purposes of this clause, at rates not in excess of a rate equal to 150 percent of the maximum rate of basic pay authorized for positions at level I of the Executive Schedule under section 5312 of title 5, United States Code; and

(II) in the case of any other employee appointed pursuant to clause (i), at rates not in excess of the maximum rate of basic pay authorized for senior-level positions under section 5376 of title 5, United States Code; and

(iii) pay any employee appointed under subparagraph (A), other than an employee appointed to a position designated as described in clause (ii)(I), payments in addition to basic pay within the limit applicable to the employee under subparagraph (D).

(C) LIMITATION ON TERM OF APPOINTMENT.—

(i) IN GENERAL.—Except as provided in clause (ii), the service of an employee under an appointment under subparagraph (B)(i) may not exceed 4 years.

(ii) EXTENSION.—The Director may, in the case of a particular employee under the program under subparagraph (A), extend the period to which service is limited under clause (i) by up to 2 years if the Director determines that such action is necessary to promote the efficiency of the Foundation.

(D) MAXIMUM AMOUNT OF ADDITIONAL PAYMENTS PAYABLE.—Notwithstanding any other provision of this subsection or section 5307 of title 5, United States Code, no additional payments may be paid to an employee under subparagraph (B)(iii) in any calendar year if, or to the extent that, the employee's total annual compensation in such calendar year will exceed the maximum amount of total annual compensation payable at the salary set in accordance with section 104 of title 3, United States Code.

(4) HIGHLY QUALIFIED EXPERTS IN NEEDED OCCUPATIONS.—

(A) IN GENERAL.—The Foundation may carry out a program using the authority provided in subparagraph (B) in order to attract highly qualified experts in needed occupations, as determined by the Foundation. Individuals hired by the Director through such authority may include individuals with expertise in business creativity, innovation management, design thinking, entrepreneurship, venture capital, and related fields.

(B) AUTHORITY.—Under the program, the Foundation may—

(i) appoint personnel from outside the civil service and uniformed services (as such terms are defined in section 2101 of title 5, United States Code) to positions in the Foundation without regard to any provision of title 5, United States Code, governing the appointment of employees in the competitive service;

(ii) prescribe the rates of basic pay for positions to which employees are appointed under clause (i) at rates not in excess of the maximum rate of basic pay authorized for senior-level positions under section 5376 of title 5, United States Code; and

(iii) pay any employee appointed under clause (i) payments in addition to basic pay within the limits applicable to the employee under subparagraph (D).

(C) LIMITATION ON TERM OF APPOINTMENT.—

(i) IN GENERAL.—Except as provided in clause (ii), the service of an employee under an appointment made pursuant to this subsection may not exceed 5 years.

(ii) EXTENSION.—The Foundation may, in the case of a particular employee, extend the period to which service is limited under clause (i) by up to 1 additional year if the Foundation determines that such action is necessary to promote the Foundation's national security missions.

(D) LIMITATIONS ON ADDITIONAL PAYMENTS.—

(i) TOTAL AMOUNT.—The total amount of the additional payments paid to an employee under this subsection for any 12-month period may not exceed the maximum amount of total compensation payable at the salary set in accordance with section 104 of title, United States Code.

(ii) ELIGIBILITY FOR PAYMENTS.—An employee appointed under this subsection is not eligible for any bonus, monetary award, or other monetary incentive for service, except for payments authorized under this subsection.

(E) LIMITATION ON NUMBER OF HIGHLY QUALIFIED EXPERTS.—The number of highly qualified experts appointed and retained by the Foundation under sub (B)(i) shall not exceed 70 at any time.

(F) SAVINGS PROVISIONS.—In the event that the Foundation terminates the program under this paragraph, in the case of an employee who, on the day before the termination of the program, is serving in a position pursuant to an appointment under this paragraph—

(i) the termination of the program does not terminate the employee's employment in that position before the expiration of the lesser of—

(I) the period for which the employee was appointed; or

(II) the period to which the employee's service is limited under subparagraph (C), including any extension made under this paragraph before the termination of the program; and

(ii) the rate of basic pay prescribed for the position under this paragraph may not be reduced as long as the employee continues to serve at an acceptable level of performance in the position without a break in service.

(5) ADDITIONAL HIRING AUTHORITY.—To the extent needed to carry out the duties under paragraph (1)(A), the Director is authorized to utilize hiring authorities under section 3372 of title 5, United States Code, to staff the Foundation with employees from other Federal agencies, State and local governments, Indian Tribes and Tribal organizations, institutions of higher education, and other organizations, as described in that section, in the same manner and subject to the same conditions, that apply to such individuals utilized to accomplish other missions of the Foundation.

(6) NATIONAL ACADEMY OF PUBLIC ADMINISTRATION.—

(A) STUDY.—Not later than 30 days after the date of enactment of this Act, the Director shall contract with the National Academy of Public Administration to conduct a study on the organizational and management structure of the Foundation, to—

(i) evaluate and make recommendations to efficiently and effectively implement the Directorate for Technology, Innovation, and Partnerships; and

(ii) evaluate and make recommendations to ensure coordination of the Directorate for Technology, Innovation, and Partnerships with other directorates and offices of the Foundation and other Federal agencies.

(B) REVIEW.—Upon completion of the study under subparagraph (A), the Foundation shall review the recommendations from the National Academy of Public Administration and provide a briefing to Congress on the plans of the Foundation to implement any such recommendations.

(7) PROVIDING AUTHORITY TO DISSEMINATE INFORMATION.—Section 11 of the National Science Foundation Act of 1950 (42 U.S.C. 1870) is amended—

(A) in subsection (j), by striking “and” after the semicolon;

(B) in subsection (k), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(I) to provide for the widest practicable and appropriate dissemination of information within the United States concerning the Foundation's activities and the results of those activities.”.

SEC. 10397. COORDINATION OF ACTIVITIES.

(a) IN GENERAL.—In carrying out the activities of the Directorate, the Director shall coordinate and collaborate as appropriate with the Secretary of Energy, the Director of the National Institute of Standards and Technology, and the heads of other Federal research agencies, as appropriate, to further the goals of this subtitle.

(b) AVOID DUPLICATION.—The Director shall ensure, to the greatest extent practicable, that activities carried out by the Directorate are not duplicative of activities supported by other parts of the Foundation or other relevant Federal agencies. In carrying out the activities prescribed by this division, the Director shall coordinate with the interagency working group established under subtitle F of title VI and heads of other Federal research agencies to ensure these activities enhance and complement, but do not constitute unnecessary duplication of effort and to ensure the responsible stewardship of funds.

(c) EMERGING TECHNOLOGIES.—After completion of the studies regarding emerging technologies conducted by the Secretary of Commerce under title XV of division FF of the Consolidated Appropriations Act, 2021 (Public Law 116-260), the Director shall consider the results of such studies in carrying out the activities of the Directorate.

SEC. 10398. ETHICAL, LEGAL, AND SOCIETAL CONSIDERATIONS.

The Director shall engage, as appropriate, experts in the social dimensions of science and technology and set up formal avenues for public input, as appropriate, to ensure that ethical, legal, and societal considerations are taken into account in the priorities and activities of the Directorate, including in the selection of the challenges and key technology focus areas under section 10387 and the award-making process, and throughout all stages of supported projects.

SEC. 10399. REPORTS AND ROADMAPS.

(a) ANNUAL REPORT.—The Director shall provide to the relevant authorizing and appropriations committees of Congress an annual report describing projects supported by the Directorate during the previous year.

(b) ROADMAP.—Not later than 1 year after the date of enactment of this Act, the Director shall provide to the relevant authorizing and appropriations committees of Congress a roadmap describing the strategic vision that the Directorate will use to guide investment decisions over the following 3 years.

(c) REPORTS.—Not later than 1 year after the date of enactment of this Act and every 3 years thereafter, the Director, in consultation with the heads of relevant Federal agencies, shall prepare and submit to Congress—

(1) a strategic vision for the next 5 years for the Directorate, including a description of how the Foundation will increase funding for research and education for populations underrepresented in STEM and geographic areas; and

(2) a description of the planned activities of the Directorate to secure federally funded science and technology pursuant to section 1746 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 42 U.S.C. 6601 note) and section 223 of William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283) and the requirements under subtitle D of this title and subtitle E of title VI.

(d) SELECTION CRITERIA REPORT.—Not later than 24 months after the establishment of the Directorate, the Director shall prepare and submit a report to Congress regarding the use of alternative methods for the selection of award recipients and the distribution of funding to recipients, as compared to the traditional peer review process.

SEC. 10399A. EVALUATION.

(a) IN GENERAL.—After the Directorate has been in operation for 6 years, the Director shall enter into an agreement with the National Academies to provide an evaluation of how well the Directorate is achieving the purposes identified in section 10382.

(b) INCLUSIONS.—The evaluation shall include—

(1) an assessment of the impact of Directorate activities on the Foundation's primary science mission;

(2) an assessment of the Directorate's impact on the challenges and key technology focus areas under section 10387;

(3) an assessment of efforts to ensure coordination between the Directorate and other Federal agencies, and with external entities;

(4) a description of lessons learned from operation of the Directorate; and

(5) recommended funding levels for the Directorate;

(c) AVAILABILITY.—On completion of the evaluation, the evaluation shall be made available to Congress and the public.

Subtitle H—Administrative Amendments**SEC. 10399D. SUPPORTING VETERANS IN STEM CAREERS.**

Section 3(c) of the Supporting Veterans in STEM Careers Act (42 U.S.C. 1862t) is amended by striking “annual” and inserting “biennial”.

SEC. 10399E. SUNSHINE ACT COMPLIANCE.

Section 15(a) of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n–5(a)) is amended—

(1) so that paragraph (3) reads as follows:

“(3) COMPLIANCE REVIEW.—The Inspector General of the Foundation shall conduct a review of the compliance by the Board with the requirements described in paragraph (2) as necessary based on a triennial risk assessment. Any review deemed necessary shall examine the proposed and actual content of closed meetings and determine whether the closure of the meetings was consistent with section 552b of title 5, United States Code.”; and

(2) by striking paragraphs (4) and (5) and inserting the following:

“(4) MATERIALS RELATING TO CLOSED PORTIONS OF MEETING.—To facilitate the risk assessment required under paragraph (3) of this subsection, and any subsequent review conducted by the Inspector General, the Office of the National Science Board shall maintain the General Counsel's certificate, the presiding officer's statement, and a transcript or recording of any closed meeting, for at least 3 years after such meeting.”.

SEC. 10399F. SCIENCE AND ENGINEERING INDICATORS REPORT SUBMISSION.

Section 4(j)(1) of the National Science Foundation Act of 1950 (42 U.S.C. 1863(j)(1)) is amended by striking “January 15” and inserting “March 15”.

TITLE IV—BIOECONOMY RESEARCH AND DEVELOPMENT**SEC. 10401. DEFINITIONS.**

In this title:

(1) INITIATIVE.—The term “Initiative” means the National Engineering Biology Research and Development Initiative established under section 10402.

(2) OMICS.—The term “omics” refers to the collective technologies used to explore the roles, relationships, and actions of the various types of molecules that make up the cells and systems of an organism and the systems level analysis of their functions.

SEC. 10402. NATIONAL ENGINEERING BIOLOGY RESEARCH AND DEVELOPMENT INITIATIVE.

(a) IN GENERAL.—The President, acting through the Office of Science and Tech-

nology Policy, shall implement a National Engineering Biology Research and Development Initiative to advance societal well-being, national security, sustainability, and economic productivity and competitiveness through the following:

(1) Advancing areas of research at the intersection of the biological, physical, chemical, data, and computational and information sciences and engineering to accelerate scientific understanding and technological innovation in engineering biology.

(2) Advancing areas of biomanufacturing research to optimize, standardize, scale, and deliver new products and solutions.

(3) Supporting social and behavioral sciences and economics research that advances the field of engineering biology and contributes to the development and public understanding of new products, processes, and technologies.

(4) Improving the understanding of engineering biology of the scientific and lay public and supporting greater evidence-based public discourse about its benefits and risks.

(5) Supporting research relating to the risks and benefits of engineering biology, including under subsection (d).

(6) Supporting the development of novel tools and technologies to accelerate scientific understanding and technological innovation in engineering biology.

(7) Expanding the number of researchers, educators, and students and a retooled workforce with engineering biology training, including from traditionally underrepresented and underserved populations.

(8) Accelerating the translation and commercialization of engineering biology and biomanufacturing research and development by the private sector.

(9) Improving the interagency planning and coordination of Federal Government activities related to engineering biology.

(b) INITIATIVE ACTIVITIES.—The activities of the Initiative shall include the following:

(1) Sustained support for engineering biology research and development through the following:

(A) Grants to fund the work of individual investigators and teams of investigators, including interdisciplinary teams.

(B) Projects funded under joint solicitations by a collaboration of not fewer than two agencies participating in the Initiative.

(C) Interdisciplinary research centers that are organized to investigate basic research questions, carry out technology development and demonstration activities, and increase understanding of how to scale up engineering biology processes, including biomanufacturing.

(2) Sustained support for databases and related tools, including the following:

(A) Support for the establishment, curation, and maintenance of curated genomics, epigenomics, and other relevant omics databases, including plant, animal, and microbial databases, that are available to researchers to carry out engineering biology research in a manner that does not compromise national security or the privacy or security of information within such databases.

(B) Development of standards for such databases, including for curation, interoperability, and protection of privacy and security.

(C) Support for the development of computational tools, including artificial intelligence tools, that can accelerate research and innovation using such databases.

(D) An inventory and assessment of all Federal government omics databases to identify opportunities to improve the utility of such databases, as appropriate and in a manner that does not compromise national security or the privacy and security of informa-

tion within such databases, and inform investment in such databases as critical infrastructure for the engineering biology research enterprise.

(3) Sustained support for the development, optimization, and validation of novel tools and technologies to enable the dynamic study of molecular processes in situ, including through the following:

(A) Research conducted at Federal laboratories.

(B) Grants to fund the work of investigators at institutions of higher education and other nonprofit research institutions.

(C) Incentivized development of retooled industrial sites across the country that foster a pivot to modernized engineering biology initiatives.

(D) Awards under the Small Business Innovation Research Program and the Small Business Technology Transfer Program (as described in section 9 of the Small Business Act (15 U.S.C. 638)).

(4) Support for education and training of undergraduate and graduate students in engineering biology, biomanufacturing, bioprocess engineering, and computational science applied to engineering biology and in the related ethical, legal, environmental, safety, security, and other societal domains.

(5) Support for a national network of testbeds based on open standards, interfaces, and processes, including by repurposing existing facilities such as those specified in paragraph (3)(C), that would enable scale up of laboratory engineering biology research.

(6) Activities to develop robust mechanisms for documenting and quantifying the outputs and economic benefits of engineering biology.

(7) Activities to accelerate the translation and commercialization of new products, processes, and technologies by carrying out the following:

(A) Identifying precompetitive research opportunities.

(B) Facilitating public-private partnerships in engineering biology research and development, including to address barriers to scaling up innovations in engineering biology.

(C) Connecting researchers, graduate students, and postdoctoral fellows with entrepreneurship education and training opportunities.

(D) Supporting proof of concept activities and the formation of startup companies including through programs such as the Small Business Innovation Research Program and the Small Business Technology Transfer Program.

(c) EXPANDING PARTICIPATION.—The Initiative shall include, to the maximum extent practicable, outreach to primarily undergraduate and historically Black colleges and universities, Tribal Colleges or Universities, and minority-serving institutions about Initiative opportunities, and shall encourage the development of research collaborations between research-intensive universities and primarily undergraduate and historically Black colleges and universities, Tribal Colleges or Universities, and minority-serving institutions.

(d) ETHICAL, LEGAL, ENVIRONMENTAL, SAFETY, SECURITY, AND SOCIETAL ISSUES.—Initiative activities shall take into account ethical, legal, environmental, safety, security, and other appropriate societal issues by carrying out the following:

(1) Supporting research, including in the social sciences, and other activities addressing ethical, legal, environmental, and other appropriate societal issues related to engineering biology, including integrating research on such topics with the research and development in engineering biology, and encouraging the dissemination of the results of

such research, including through interdisciplinary engineering biology research centers described in subsection (b)(1)(C).

(2) Supporting research and other activities related to the safety and security implications of engineering biology, including outreach to increase awareness among Federal researchers and federally-funded researchers at institutions of higher education about potential safety and security implications of engineering biology research, as appropriate.

(3) Ensuring that input from Federal and non-Federal experts on the ethical, legal, environmental, safety, security, and other appropriate societal issues related to engineering biology is integrated into the Initiative.

(4) Ensuring, through the agencies and departments that participate in the Initiative, that public input and outreach are integrated into the Initiative by the convening of regular and ongoing public discussions through mechanisms such as workshops, consensus conferences, and educational events, as appropriate.

(5) Complying with all applicable provisions of Federal law.

SEC. 10403. INITIATIVE COORDINATION.

(a) INTERAGENCY COMMITTEE.—The President, acting through the Office of Science and Technology Policy, shall designate an interagency committee to coordinate activities of the Initiative as appropriate, which shall be co-chaired by the Office of Science and Technology Policy. The Director of the Office of Science and Technology Policy shall select an additional co-chairperson from among the members of the interagency committee. The interagency committee shall oversee the planning, management, and coordination of the Initiative. The interagency committee shall carry out the following:

(1) Provide for interagency coordination of Federal engineering biology research, development, and other activities undertaken pursuant to the Initiative.

(2) Establish and periodically update goals and priorities for the Initiative.

(3) Develop, not later than 12 months after the date of the enactment of this Act, and update every five years thereafter, a strategic plan submitted to the Committee on Science, Space, and Technology, the Committee on Agriculture, and the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation, the Committee on Agriculture, Nutrition, and Forestry, the Committee on Small Business and Entrepreneurship, and the Committee on Health, Education, Labor, and Pensions of the Senate that—

(A) guides the activities of the Initiative for purposes of meeting the goals and priorities established under (and updated pursuant to) paragraph (2); and

(B) describes—

(i) the Initiative's support for long-term funding for interdisciplinary engineering biology research and development;

(ii) the Initiative's support for education and public outreach activities;

(iii) the Initiative's support for research and other activities on ethical, legal, environmental, safety, security, and other appropriate societal issues related to engineering biology, including—

(I) an applied biorisk management research plan;

(II) recommendations for integrating security into biological data access and international reciprocity agreements;

(III) recommendations for manufacturing restructuring to support engineering biology research, development, and scaling-up initiatives; and

(IV) an evaluation of existing biosecurity governance policies, guidance, and directives

for the purposes of creating an adaptable, evidence-based framework to respond to emerging biosecurity challenges created by advances in engineering biology;

(iv) how the Initiative will contribute to moving results out of the laboratory and into application for the benefit of society and United States competitiveness; and

(v) how the Initiative will measure and track the contributions of engineering biology to United States economic growth and other societal indicators.

(4) Develop a national genomic sequencing strategy to ensure engineering biology research fully leverages plant, animal, and microbe biodiversity, as appropriate and in a manner that does not compromise economic competitiveness, national security, or the privacy or security of human genetic information, to enhance long-term innovation and competitiveness in engineering biology in the United States.

(5) Develop a plan to utilize Federal programs, such as the Small Business Innovation Research Program and the Small Business Technology Transfer Program (as described in section 9 of the Small Business Act (15 U.S.C. 638)), in support of the activities described in section 10402(b)(3).

(6) In carrying out this section, take into consideration the recommendations of the advisory committee established under section 10404, the results of the workshop convened under section 10402, existing reports on related topics, and the views of academic, State, industry, and other appropriate groups.

(b) QUINQUENNIAL REPORT.—Beginning with fiscal year 2023 and every five years thereafter for ten years, the interagency committee shall prepare and submit to the Committee on Science, Space, and Technology, the Committee on Energy and Commerce, and the Committee on Agriculture of the House of Representatives and the Committee on Commerce, Science, and Transportation, the Committee on Health, Education, Labor, and Pensions, the Committee on Small Business and Entrepreneurship, and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that includes the following:

(1) A summarized agency budget in support of the Initiative for the current fiscal year, including a breakout of spending for each agency participating in the Program, and for the development and acquisition of any research facilities and instrumentation.

(2) An assessment of how Federal agencies are implementing the plan described in subsection (a)(3), including the following:

(A) A description of the amount and number of awards made under the Small Business Innovation Research Program and the Small Business Technology Transfer Program (as described in section 9 of the Small Business Act (15 U.S.C. 638)) in support of the Initiative.

(B) A description of the amount and number of projects funded under joint solicitations by a collaboration of not fewer than two agencies participating in the Initiative.

(C) A description of effects of newly-funded projects by the Initiative.

(c) INITIATIVE COORDINATION OFFICE.—

(1) IN GENERAL.—The President shall establish an Initiative Coordination Office, with a Director and full-time staff, which shall—

(A) provide technical and administrative support to the interagency committee and the advisory committee established under subsection (a) and section 10404;

(B) serve as the point of contact on Federal engineering biology activities for government organizations, academia, industry, professional societies, State governments, interested citizen groups, and others to exchange technical and programmatic information;

(C) oversee interagency coordination of the Initiative, including by encouraging and supporting joint agency solicitation and selection of applications for funding of activities under the Initiative, as appropriate;

(D) conduct public outreach, including dissemination of findings and recommendations of the advisory committee, as appropriate;

(E) serve as the coordinator of ethical, legal, environmental, safety, security, and other appropriate societal input; and

(F) promote access to, and early application of, the technologies, innovations, and expertise derived from Initiative activities to agency missions and systems across the Federal Government, and to United States industry, including startup companies.

(2) FUNDING.—The Director of the Office of Science and Technology Policy, in coordination with each participating Federal department and agency, as appropriate, shall develop and annually update an estimate of the funds necessary to carry out the activities of the Initiative Coordination Office and submit such estimate with an agreed summary of contributions from each agency to Congress as part of the President's annual budget request to Congress.

(3) TERMINATION.—The Initiative Coordination Office established under this subsection shall terminate on the date that is 10 years after the date of the enactment of this Act.

(d) RULE OF CONSTRUCTION.—Nothing in this section may be construed to alter the policies, processes, or practices of individual Federal agencies in effect on the day before the date of the enactment of this Act relating to the conduct of biomedical research and advanced development, including the solicitation and review of extramural research proposals.

SEC. 10404. ADVISORY COMMITTEE ON ENGINEERING BIOLOGY RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—The agency co-chair of the interagency committee established under section 10403 shall, in consultation with the Office of Science and Technology Policy, designate or establish an advisory committee on engineering biology research and development (in this section referred to as the “advisory committee”) to be composed of not fewer than 12 members, including representatives of research and academic institutions, industry, and nongovernmental entities, who are qualified to provide advice on the Initiative.

(b) ASSESSMENT.—The advisory committee shall assess the following:

(1) The current state of United States competitiveness in engineering biology, including the scope and scale of United States investments in engineering biology research and development in the international context.

(2) Current market barriers to commercialization of engineering biology products, processes, and tools in the United States.

(3) Progress made in implementing the Initiative.

(4) The need to revise the Initiative.

(5) The balance of activities and funding across the Initiative.

(6) Whether the strategic plan developed or updated by the interagency committee established under section 10403 is helping to maintain United States leadership in engineering biology.

(7) Whether ethical, legal, environmental, safety, security, and other appropriate societal issues are adequately addressed by the Initiative.

(c) REPORTS.—Beginning not later than two years after the date of the enactment of this Act and not less frequently than once every five years thereafter, the advisory committee shall submit to the President, the

Committee on Science, Space, and Technology, the Committee on Energy and Commerce, and the Committee on Agriculture of the House of Representatives, and the Committee on Commerce, Science, and Transportation, the Committee on Health, Education, Labor, and Pensions, and the Committee on Agriculture, Nutrition, and Forestry of the Senate, a report on the following:

(1) The findings of the advisory committee's assessment under subsection (b).

(2) The advisory committee's recommendations for ways to improve the Initiative.

(d) APPLICATION OF FEDERAL ADVISORY COMMITTEE ACT.—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the advisory committee.

(e) TERMINATION.—The advisory committee established under subsection (a) shall terminate on the date that is 10 years after the date of the enactment of this Act.

SEC. 10405. EXTERNAL REVIEW OF ETHICAL, LEGAL, ENVIRONMENTAL, SAFETY, SECURITY, AND SOCIETAL ISSUES.

(a) IN GENERAL.—Not later than six months after the date of enactment of this Act, the Director of the National Science Foundation shall seek to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine to conduct a review, and make recommendations with respect to, the ethical, legal, environmental, safety, security, and other appropriate societal issues related to engineering biology research and development. The review shall include the following:

(1) An assessment of the current research on such issues.

(2) A description of the research needs relating to such issues.

(3) Recommendations on how the Initiative can address the research needs identified pursuant to paragraph (2).

(4) Recommendations on how researchers engaged in engineering biology can best incorporate considerations of such issues into the development of research proposals and the conduct of research.

(b) REPORT TO CONGRESS.—The agreement entered into under subsection (a) shall require the National Academies of Sciences, Engineering, and Medicine to, not later than two years after the date of the enactment of this Act—

(1) submit to the Committee on Science, Space, and Technology and the Committee on Agriculture of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report containing the findings and recommendations of the review conducted under subsection (a); and

(2) make a copy of such report available on a publicly accessible website.

SEC. 10406. AGENCY ACTIVITIES.

(a) NATIONAL SCIENCE FOUNDATION.—As part of the Initiative, the National Science Foundation shall carry out the following:

(1) Support research in engineering biology and biomanufacturing through individual grants, collaborative grants, and through interdisciplinary research centers.

(2) Support research on the environmental, legal, ethical, and social implications of engineering biology.

(3) Provide support for research instrumentation, equipment, and cyberinfrastructure for engineering biology disciplines, including support for research, development, optimization, and validation of novel technologies to enable the dynamic study of molecular processes in situ.

(4) Support curriculum development and research experiences for secondary, undergraduate, and graduate students in engineering biology and biomanufacturing, including

through support for graduate fellowships and traineeships in engineering biology.

(5) Award grants, on a competitive basis, to enable institutions to support graduate students and postdoctoral fellows who perform some of their engineering biology research in an industry setting.

(b) DEPARTMENT OF COMMERCE.—

(1) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—As part of the Initiative, the Director of the National Institute of Standards and Technology shall carry out the following:

(A) Advance the development of standard reference materials and measurements, including to promote interoperability between new component technologies and processes for engineering biology and biomanufacturing discovery, innovation, and production processes.

(B) Establish new data tools, techniques, and processes necessary to advance engineering biology and biomanufacturing.

(C) Provide access to user facilities with advanced or unique equipment, services, materials, and other resources to industry, institutions of higher education, nonprofit organizations, and government agencies to perform research and testing.

(D) Provide technical expertise to inform the potential development of guidelines or safeguards for new products, processes, and systems of engineering biology.

(2) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—As part of the initiative, the Administrator of the National Oceanic and Atmospheric Administration shall carry out the following:

(A) Conduct and support research in omics and associated bioinformatic sciences and develop tools and products to improve ecosystem stewardship, monitoring, management, assessments, and forecasts, consistent with the mission of the agency.

(B) Collaborate with other agencies to understand potential environmental threats and safeguards related to engineering biology.

(c) DEPARTMENT OF ENERGY.—As part of the Initiative, the Secretary of Energy shall carry out the following:

(1) Conduct and support research, development, demonstration, and commercial application activities in engineering biology, including in the areas of synthetic biology, advanced biofuel and bioproduct development, biobased materials, and environmental remediation.

(2) Support the development, optimization and validation of novel, scalable tools and technologies to enable the dynamic study of molecular processes in situ.

(3) Provide access to user facilities with advanced or unique equipment, services, materials, and other resources, including secure access to high-performance computing, as appropriate, to industry, institutions of higher education, nonprofit organizations, and government agencies to perform research and testing.

(4) Strengthen collaboration between the Office of Science and the Energy Efficiency and Renewable Energy Office to help transfer fundamental research results to industry and accelerate commercial applications.

(d) DEPARTMENT OF DEFENSE.—As part of the Initiative, the Secretary of Defense shall carry out the following:

(1) Conduct and support research and development in engineering biology and associated data and information sciences.

(2) Support curriculum development and research experiences in engineering biology and associated data and information sciences across the military education system, including the service academies, professional military education, and military graduate education.

(3) Assess risks of potential national security and economic security threats relating to engineering biology.

(e) NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.—As part of the Initiative, the National Aeronautics and Space Administration shall carry out the following:

(1) Conduct and support research in engineering biology, including in synthetic biology, and related to Earth and space sciences, aeronautics, space technology, and space exploration and experimentation, consistent with the priorities established in the National Academies' decadal surveys.

(2) Award grants, on a competitive basis, that enable institutions to support graduate students and postdoctoral fellows who perform some of their engineering biology research in an industry setting.

(f) DEPARTMENT OF AGRICULTURE.—As part of the Initiative, the Secretary of Agriculture shall support research and development in engineering biology through the Agricultural Research Service, the National Institute of Food and Agriculture programs and grants, and the Office of the Chief Scientist.

(g) ENVIRONMENTAL PROTECTION AGENCY.—As part of the Initiative, the Environmental Protection Agency shall support research on how products, processes, and systems of engineering biology will affect or can protect the environment.

(h) DEPARTMENT OF HEALTH AND HUMAN SERVICES.—As part of the Initiative, the Secretary of Health and Human Services, as appropriate and consistent with activities of the Department of Health and Human Services in effect on the day before the date of the enactment of this Act, shall carry out the following:

(1) Support research and development to advance the understanding and application of engineering biology for human health.

(2) Support relevant interdisciplinary research and coordination.

(3) Support activities necessary to facilitate oversight of relevant emerging biotechnologies.

SEC. 10407. RULE OF CONSTRUCTION.

Nothing in this title may be construed to require public disclosure of information that is exempt from mandatory disclosure under section 552 of title 5, United States Code.

TITLE V—BROADENING PARTICIPATION IN SCIENCE

Subtitle A—STEM Opportunities

SEC. 10501. FEDERAL RESEARCH AGENCY POLICIES FOR CAREGIVERS.

(a) OSTP GUIDANCE.—Not later than 12 months after the date of the enactment of this Act, the Director, in consultation with the heads of relevant agencies, shall provide guidance to each Federal research agency to establish policies that—

(1) apply to all—

(A) research awards granted by such agency; and

(B) principal investigators of such research and their trainees, including postdoctoral researchers and graduate students, who have caregiving responsibilities, including care for a newborn or newly adopted child and care for an immediate family member who has a disability or a serious health condition; and

(2) provide, to the extent feasible—

(A) flexibility in timing for the initiation of approved research awards granted by such agency;

(B) no-cost extensions of such research awards;

(C) award supplements, as appropriate, to research awards to sustain research activities conducted under such awards; and

(D) any other appropriate accommodations at the discretion of the director of each such agency.

(b) **UNIFORMITY OF GUIDANCE.**—In providing guidance under subsection (a), the Director shall encourage uniformity, to the extent practicable, and consistency in the policies established pursuant to such guidance across all Federal research agencies.

(c) **ESTABLISHMENT OF POLICIES.**—Consistent, to the extent practicable, with the guidance under subsection (a), Federal research agencies shall—

(1) maintain or develop and implement policies for individuals described in paragraph (1)(B) of such subsection; and

(2) broadly disseminate in easily accessible formats such policies to current and potential award recipients.

(d) **DATA ON USAGE.**—Federal research agencies shall consider—

(1) collecting data, including demographic data that can be disaggregated by sex, geographic location, and socioeconomic indicators, which may include employment status, occupation, educational attainment, parental education, and income, on the usage of the policies under subsection (c), at both institutions of higher education and Federal laboratories; and

(2) reporting such data on an annual basis to the Director in such form as required by the Director.

SEC. 10502. COLLECTION AND REPORTING OF DATA ON FEDERAL RESEARCH AWARDS.

(a) **COLLECTION OF DATA.**—

(1) **IN GENERAL.**—Each Federal research agency shall collect, as practicable, with respect to all applications for merit-reviewed research and development awards made by such agency, standardized record-level annual information on demographics, primary field, award type, institution type, review rating, budget request, funding outcome, and awarded budget.

(2) **UNIFORMITY AND STANDARDIZATION.**—The Director, in consultation with the heads of each Federal research agency, shall establish, and update as necessary, a policy to ensure uniformity and standardization of the data collection required under paragraph (1).

(3) **RECORD-LEVEL DATA.**—

(A) **REQUIREMENT.**—Beginning not later than two years after the issuance of the policy under paragraph (2) to Federal research agencies, and on an annual basis thereafter, each Federal research agency shall submit to the National Center for Science and Engineering Statistics record-level data collected under paragraph (1) in the form required by the Director of the National Science Foundation.

(B) **PREVIOUS DATA.**—As part of the first submission under subparagraph (A), each Federal research agency, to the extent practicable, shall also submit comparable record-level data, if it is available to the agency, for the five years preceding the date of such submission, or an analysis for why such data cannot be provided.

(b) **REPORTING OF DATA.**—The Director of the National Science Foundation shall publish statistical summary data, as practicable, collected under this section, disaggregated and cross-tabulated by race, ethnicity, sex, socioeconomic indicators, which may include employment status, occupation, educational attainment, parental education, and income, geographic location, and years since completion of doctoral degree, including in conjunction with the National Science Foundation's report required by section 37 of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885d; Public Law 96-516).

SEC. 10503. POLICIES FOR REVIEW OF FEDERAL RESEARCH AWARDS.

(a) **ASSESSMENT OF POLICIES.**—Federal research agencies shall regularly assess, and update as necessary, policies, and practices

to remove or reduce cultural and institutional barriers limiting the recruitment, retention, and success of groups historically underrepresented in STEM research careers, including policies and practices relevant to the unbiased review of Federal research applications.

(b) **CONSIDERATIONS AND ACTIVITIES.**—In carrying out the requirements under subsection (a), Federal research agencies shall—

(1) review current levels of participation of groups historically underrepresented in STEM in peer-review panels and consider approaches for expanding their participation;

(2) analyze the data collected under section 10502, including funding rates of proposals from all groups, including those historically underrepresented in STEM;

(3) collect and disseminate best practices to remove or reduce cultural and institutional barriers limiting the recruitment, retention, and success of groups historically underrepresented in STEM research careers; and

(4) implement evidence-based policies and practices to achieve the goals of this section.

SEC. 10504. COLLECTION OF DATA ON DEMOGRAPHICS OF FACULTY.

(a) **COLLECTION OF DATA.**—

(1) **IN GENERAL.**—Not later than 5 years after the date of the enactment of this Act and at least every five years thereafter, the Director of the National Science Foundation shall carry out a survey to collect data from award recipients on the demographics of STEM faculty, by broad fields of STEM, at different types of institutions of higher education that receive Federal research funding.

(2) **SURVEY CONSIDERATIONS.**—To the extent practicable, the Director of the National Science Foundation shall survey, by sex, race, socioeconomic indicators, which may include employment status, occupation, educational attainment, parental education, and income, geographic location, ethnicity, citizenship status, and years since completion of doctoral degree—

(A) the number and percentage of faculty;

(B) the number and percentage of faculty at each rank;

(C) the number and percentage of faculty who are in nontenure-track positions, including teaching and research;

(D) the number and percentage of faculty who are reviewed for promotion, including tenure, and the percentage of that number who are promoted, including being awarded tenure;

(E) faculty years in rank;

(F) the number and percentage of faculty to leave tenure-track positions;

(G) the number and percentage of faculty hired, by rank; and

(H) the number and percentage of faculty in leadership positions.

(b) **EXISTING SURVEYS.**—The Director of the National Science Foundation, may, in modifying or expanding existing Federal surveys of higher education (as necessary)—

(1) take into account the considerations under subsection (a)(2) by collaborating with statistical centers at other Federal agencies; or

(2) make an award to an institution of higher education or nonprofit organization (or consortia thereof) to take such considerations into account.

(c) **REPORTING DATA.**—The Director of the National Science Foundation shall publish statistical summary data collected under this section, including as part of the National Science Foundation's report required by section 37 of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885d; Public Law 96-516).

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Director of the National Science Founda-

tion \$4,000,000 in each of fiscal years 2023 through 2025 to develop and carry out the initial survey required under subsection (a).

SEC. 10505. CULTURAL AND INSTITUTIONAL BARRIERS TO EXPANDING THE ACADEMIC AND FEDERAL STEM WORKFORCE.

(a) **BEST PRACTICES.**—

(1) **DEVELOPMENT OF GUIDANCE.**—Not later than 12 months after the date of enactment of this Act, the Director, in consultation with the interagency working group on inclusion in STEM and utilizing existing guidance already developed by Federal research agencies where applicable, shall broadly disseminate to entities that receive Federal research funding best practices for—

(A) conducting periodic climate surveys of STEM departments and divisions, with a particular focus on identifying and addressing any cultural or institutional barriers to the recruitment, retention, or advancement of groups historically underrepresented in STEM studies and careers; and

(B) providing educational opportunities, including workshops, for STEM professionals to learn about current research on effective practices for unbiased recruitment, evaluation, and promotion of undergraduate and graduate students and research personnel.

(2) **ESTABLISHMENT OF POLICIES.**—Consistent with the guidance developed under paragraph (1)—

(A) The Director of the National Science Foundation, in consultation with the heads of Federal research agencies, shall develop a policy that—

(i) applies to, at a minimum, doctoral degree granting institutions that receive Federal research funding; and

(ii) requires each such institution, not later than 3 years after the date of enactment of this Act, and to the extent practicable, to report to the Director of the National Science Foundation on activities and policies developed and implemented based on the guidance disseminated under paragraph (1); and

(B) each Federal research agency with a Federal laboratory shall maintain or develop and implement practices and policies for the purposes described in paragraph (1) for such laboratory and, not later than three years after the date of the enactment of this Act, each Federal laboratory shall report to the head of such agency on such practices and policies.

(b) **REPORT TO CONGRESS.**—Not later than four years after the date of the enactment of this Act, the Director of the National Science Foundation shall submit a report to Congress that includes a summary and analysis of the types and frequency of activities and policies developed and carried out under subsection (a) based on the reports submitted under paragraph (2) of such subsection.

SEC. 10506. EXISTING ACTIVITIES.

A Federal research agency may satisfy requirements under this subtitle through activities and programs in existence as of the date of the enactment of this Act.

SEC. 10507. REPORT TO CONGRESS.

Not later than four years after the date of the enactment of this Act, the Director shall submit to Congress a report that includes the following:

(1) A description and evaluation of the status and usage of policies implemented pursuant to section 10505 at all Federal research agencies, including any recommendations for revising or expanding such policies.

(2) With respect to efforts to remove or reduce cultural and institutional barriers limiting the recruitment, retention, and success of groups historically underrepresented in academic and government STEM research careers under section 10505—

(A) what steps all Federal research agencies have taken to implement policies and practices to further such efforts;

(B) a description of any significant updates to the policies for review of Federal research awards required under such section; and

(C) any evidence of the impact of such policies on the review or awarding of Federal research awards; and

(3) A description and evaluation of the status of institution of higher education and Federal laboratory policies and practices required under section 10505, including any recommendations for revising or expanding such policies.

SEC. 10508. MERIT REVIEW.

Nothing in this subtitle may be construed as altering any intellectual or broader impacts criteria at Federal research agencies for evaluating award applications.

SEC. 10509. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this subtitle, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this subtitle, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SEC. 10510. DEFINITION.

In this subtitle, the term "Director" means the Director of the Office of Science and Technology Policy.

Subtitle B—Rural STEM Education Research

SEC. 10511. DEFINITION.

In this subtitle, the term "Director" means the Director of the National Science Foundation.

SEC. 10512. NATIONAL SCIENCE FOUNDATION RURAL STEM ACTIVITIES.

(a) PREPARING RURAL STEM EDUCATORS.—

(1) IN GENERAL.—The Director shall make awards on a merit-reviewed, competitive basis to institutions of higher education or nonprofit organizations (or a consortium thereof) for research and development activities to advance innovative approaches to support and sustain high-quality STEM teaching in rural schools.

(2) USE OF FUNDS.—

(A) IN GENERAL.—Awards made under this subsection shall be used for the research and development activities referred to in paragraph (1), which may include—

(i) engaging rural educators, principals, or other school leaders of students in prekindergarten through grade 12 in professional learning opportunities to enhance STEM knowledge, including computer science, and develop best practices;

(ii) supporting research on effective STEM teaching and school leadership practices in rural settings, including the use of rubrics and mastery-based grading practices to assess student performance when employing the transdisciplinary teaching approach for STEM disciplines;

(iii) designing and developing pre-service and in-service training resources to assist such rural educators, principals, and other school leaders in adopting transdisciplinary teaching practices across STEM courses;

(iv) coordinating with local partners to adapt STEM teaching practices to leverage local, natural, and community assets in order to support in-place learning in rural areas;

(v) providing hands-on training and research opportunities for rural educators described in clause (i) at Federal laboratories or institutions of higher education, or in industry;

(vi) developing training and best practices for educators who teach multiple grade levels within a STEM discipline;

(vii) designing and implementing professional development courses and experiences, including mentoring, for rural educators, principals, and other school leaders described in clause (i) that combine face-to-face and online experiences; and

(viii) any other activity the Director determines will accomplish the goals of this paragraph.

(B) RURAL STEM COLLABORATIVE.—The Director shall establish a pilot program of regional cohorts in rural areas that will provide peer support, mentoring, and hands-on research experiences for rural STEM educators, principals, and other school leaders of students in prekindergarten through grade 12, in order to build an ecosystem of cooperation among educators, principals, other school leaders, researchers, academia, and local industry.

(b) BROADENING PARTICIPATION OF RURAL STUDENTS IN STEM.—

(1) IN GENERAL.—The Director shall make awards on a merit-reviewed, competitive basis to institutions of higher education or nonprofit organizations (or a consortium thereof) for—

(A) research and development of programming to identify the barriers rural students face in accessing high-quality STEM education; and

(B) development of innovative solutions to improve the participation and advancement of rural students in prekindergarten through grade 12 in STEM studies.

(2) USE OF FUNDS.—

(A) IN GENERAL.—Awards made under this subsection shall be used for the research and development activities referred to in paragraph (1), which may include—

(i) developing partnerships with community colleges to offer advanced STEM course work, including computer science, to rural high school students;

(ii) supporting research on effective STEM practices in rural settings;

(iii) implementing a school-wide STEM approach, including preparation and support for principals and other school leaders;

(iv) improving the Foundation's Advanced Technology Education program's coordination and engagement with rural communities;

(v) collaborating with existing community partners and networks, such as the Cooperative Extension System services and extramural research programs of the Department of Agriculture and youth serving organizations like 4-H, after school STEM programs, and summer STEM programs, to leverage community resources and develop place-based programming;

(vi) connecting rural school districts and institutions of higher education, to improve precollegiate STEM education and engagement;

(vii) supporting partnerships that offer hands-on inquiry-based science activities, including coding, and access to lab resources for students studying STEM in prekindergarten through grade 12 in a rural area;

(viii) evaluating the role of broadband connectivity and its associated impact on the STEM and technology literacy of rural students;

(ix) building capacity to support extracurricular STEM programs in rural schools, including mentor-led engagement programs, STEM programs held during non-school hours, STEM networks, makerspaces, coding activities, and competitions;

(x) creating partnerships with local industries and local educational agencies to tailor STEM curricula and educational experiences to the needs of a particular local or regional economy; and

(xi) any other activity the Director determines will accomplish the goals of this paragraph.

(c) APPLICATION.—An applicant seeking an award under subsection (a) or (b) shall submit an application at such time, in such manner, and containing such information as the Director may require. The application may include the following:

(1) A description of the target population to be served by the research activity or activities for which such award is sought.

(2) A description of the process for recruitment and selection of students, educators, principals, and other school leaders, or schools from rural areas to participate in such activity or activities.

(3) A description of how such activity or activities may inform efforts to promote the engagement and achievement of rural students in prekindergarten through grade 12 in STEM studies.

(4) In the case of a proposal consisting of a partnership or partnerships with one or more rural schools and one or more researchers, a plan for establishing a sustained partnership that is jointly developed and managed, draws from the capacities of each partner, and is mutually beneficial.

(d) PARTNERSHIPS.—In making awards under subsection (a) or (b), the Director shall—

(1) encourage applicants which, for the purpose of the activity or activities funded through the award, include or partner with a nonprofit organization or an institution of higher education (or a consortium thereof) that has extensive experience and expertise in increasing the participation of rural students in prekindergarten through grade 12 in STEM;

(2) encourage applicants which, for the purpose of the activity or activities funded through the award, include or partner with a consortium of rural schools or rural school districts; and

(3) encourage applications which, for the purpose of the activity or activities funded through the award, include commitments from school principals, other school leaders, and administrators to making reforms and activities proposed by the applicant a priority.

(e) EVALUATIONS.—All proposals for awards under subsections (a) and (b) shall include an evaluation plan that includes the use of outcome-oriented measures to assess the impact and efficacy of the award. Each recipient of an award under this subsection shall include results from these evaluative activities in annual and final projects.

(f) ACCOUNTABILITY AND DISSEMINATION.—

(1) EVALUATION REQUIRED.—The Director shall evaluate the portfolio of awards made under subsections (a) and (b). Such evaluation shall—

(A) use a common set of benchmarks and tools to assess the results of research conducted under such awards and identify best practices; and

(B) to the extent practicable, integrate the findings of research resulting from the activity or activities funded through such awards with the findings of other research on rural students' pursuit of degrees or careers in STEM.

(2) REPORT ON EVALUATIONS.—Not later than 180 days after the completion of the evaluation under paragraph (1), the Director shall submit to Congress and make widely available to the public a report that includes—

(A) the results of the evaluation; and

(B) any recommendations for administrative and legislative action that could optimize the effectiveness of the awards made under this subsection.

(g) REPORT BY COMMITTEE ON EQUAL OPPORTUNITIES IN SCIENCE AND ENGINEERING.—As part of the first report required by section 36(e) of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885c(e)) transmitted to Congress after the date of enactment of this division, the Committee on Equal Opportunities in Science and Engineering, in consultation with the Chief Diversity Officer of the National Science Foundation, shall include—

(1) a description of past and present policies and activities of the Foundation to encourage full participation of students in rural communities in science, mathematics, engineering, and computer science fields;

(2) an assessment of trends in participation of rural students in prekindergarten through grade 12 in Foundation activities; and

(3) an assessment of the policies and activities of the Foundation, along with proposals for new strategies or the broadening of existing successful strategies towards facilitating the goal of increasing participation of rural students in prekindergarten through grade 12 in Foundation activities.

(h) COORDINATION.—In carrying out this subsection, the Director shall, for purposes of enhancing program effectiveness and avoiding duplication of activities, consult, cooperate, and coordinate with the programs and policies of other relevant Federal agencies.

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Director—

(1) \$8,000,000 to carry out the activities under subsection (a) for each of fiscal years 2023 through 2027; and

(2) \$12,000,000 to carry out the activities under subsection (b) for each of fiscal years 2023 through 2027.

SEC. 10513. OPPORTUNITIES FOR ONLINE EDUCATION.

(a) IN GENERAL.—The Director shall make competitive awards to institutions of higher education or nonprofit organizations (or a consortium thereof, which may include a private sector partner) to conduct research on online STEM education courses for rural communities.

(b) RESEARCH AREAS.—The research areas eligible for funding under this subsection shall include—

(1) evaluating the learning and achievement of rural students in prekindergarten through grade 12 in STEM subjects;

(2) understanding how computer-based and online professional development courses and mentor experiences can be integrated to meet the needs of educators, principals, and other school leaders of rural students in prekindergarten through grade 12;

(3) combining computer-based and online STEM education and training with mentoring and other applied learning arrangements;

(4) leveraging online programs to supplement STEM studies for rural students that need physical and academic accommodation; and

(5) any other activity the Director determines will accomplish the goals of this subsection.

(c) EVALUATIONS.—All proposals for awards under this section shall include an evaluation plan that includes the use of outcome-oriented measures to assess the impact and efficacy of the award. Each recipient of an award under this subsection shall include results from these evaluative activities in annual and final projects.

(d) ACCOUNTABILITY AND DISSEMINATION.—

(1) EVALUATION REQUIRED.—The Director shall evaluate the portfolio of awards made under this subsection. Such evaluation shall—

(A) use a common set of benchmarks and tools to assess the results of research con-

ducted under such awards and identify best practices; and

(B) to the extent practicable, integrate findings from activities carried out pursuant to research conducted under this section, with respect to the pursuit of careers and degrees in STEM, with those activities carried out pursuant to other research on serving rural students and communities.

(2) REPORT ON EVALUATIONS.—Not later than 180 days after the completion of the evaluation under paragraph (1), the Director shall submit to Congress and make widely available to the public a report that includes—

(A) the results of the evaluation; and

(B) any recommendations for administrative and legislative action that could optimize the effectiveness of the awards made under this section.

(e) COORDINATION.—In carrying out this section, the Director shall, for purposes of enhancing program effectiveness and avoiding duplication of activities, consult, cooperate, and coordinate with the programs and policies of other relevant Federal agencies.

SEC. 10514. NATIONAL ACADEMIES EVALUATION.

(a) STUDY.—Not later than 12 months after the date of enactment of this division, the Director shall enter into an agreement with the National Academies under which the National Academies agree to conduct an evaluation and assessment that—

(1) evaluates the quality and quantity of current Federal programming and research directed at examining STEM education for students in prekindergarten through grade 12 and workforce development in rural areas;

(2) in coordination with the Federal Communications Commission, assesses the impact that the scarcity of broadband connectivity in rural communities, and the affordability of broadband connectivity, have on STEM and technical literacy for students in prekindergarten through grade 12 in rural areas;

(3) assesses the core research and data needed to understand the challenges rural areas are facing in providing quality STEM education and workforce development;

(4) makes recommendations for action at the Federal, State, and local levels for improving STEM education, including online STEM education, for students in prekindergarten through grade 12 and workforce development in rural areas; and

(5) makes recommendations to inform the implementation of programs in sections 10512 and 10513 (____-LOG262) and (____-LOG263).

(b) REPORT TO DIRECTOR.—The agreement entered into under subsection (a) shall require the National Academies, not later than 24 months after the date of enactment of this division, to submit to the Director a report on the study conducted under such paragraph, including the National Academies' findings and recommendations.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Director to carry out this section \$1,000,000 for fiscal year 2023.

SEC. 10515. GAO REVIEW.

Not later than 3 years after the date of enactment of this division, the Comptroller General of the United States shall conduct a study on the engagement of rural populations in Federal STEM education programs and submit to Congress a report that includes—

(1) an assessment of how Federal STEM education programs are serving rural populations;

(2) a description of initiatives carried out by Federal agencies that are targeted at supporting STEM education in rural areas;

(3) an assessment of what is known about the impact and effectiveness of Federal in-

vestments in STEM education programs that are targeted to rural areas; and

(4) an assessment of challenges that State and Federal STEM education programs face in reaching rural population centers.

SEC. 10516. NIST ENGAGEMENT WITH RURAL COMMUNITIES.

(a) PRIZE COMPETITION.—Pursuant to section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719), the Secretary of Commerce shall carry out a program to award prizes competitively to stimulate research and development of creative technologies to support the deployment of affordable and reliable broadband connectivity in rural communities, including unserved rural communities.

(b) PLAN FOR DEPLOYMENT IN RURAL COMMUNITIES.—Each proposal submitted pursuant to subsection (a) shall include a proposed plan for deployment of the technology that is the subject of such proposal.

(c) PRIZE AMOUNT.—In carrying out the program under subsection (a), the Secretary may award not more than a total of \$5,000,000 to one or more winners of the prize competition.

(d) REPORT.—Not later than 60 days after the date on which a prize is awarded under the prize competition, the Secretary shall submit to the relevant committees of Congress a report that describes the winning proposal of the prize competition.

(e) CONSULTATION.—In carrying out the program under this section, the Secretary shall consult with the Federal Communications Commission and the heads of relevant departments and agencies of the Federal Government.

Subtitle C—MSI STEM Achievement

SEC. 10521. GAO REVIEW.

Not later than three years after the date of the enactment of this Act, the Comptroller General of the United States shall report to Congress—

(1) an inventory of competitive funding programs and initiatives carried out by Federal research agencies that are targeted to HBCUs, TCUs, and MSIs or partnerships with HBCUs, TCUs, and MSIs;

(2) an assessment of Federal research agency outreach activities to increase the participation and competitiveness of HBCUs, TCUs, and MSIs in the funding programs and initiatives identified in paragraph (1); and

(3) recommendations of the Comptroller General to increase the participation of and the rate of success of HBCUs, TCUs, and MSIs in competitive funding programs offered by Federal research agencies.

SEC. 10522. AGENCY RESPONSIBILITIES.

(a) IN GENERAL.—In consultation with outside stakeholders and the heads of Federal research agencies and the Interagency Working Group on Inclusion in STEM, the Director of the Office of Science and Technology Policy shall develop a uniform set of policy guidelines for Federal research agencies to carry out a sustained program of outreach activities to increase clarity, transparency, and accountability for Federal research agency investments in STEM education and research activities at HBCUs, TCUs, and MSIs, including such institutions in rural areas.

(b) OUTREACH ACTIVITIES.—In developing policy guidelines under subsection (a) the Director of the Office of Science and Technology Policy shall include guidelines that require each Federal research agency—

(1) to designate a liaison for HBCUs, TCUs, and MSIs responsible for—

(A) enhancing direct communication with HBCUs, TCUs, and MSIs to increase the Federal research agency's understanding of the capacity and needs of such institutions and to raise awareness of available Federal funding opportunities at such institutions;

(B) coordinating programs, activities, and initiatives while accounting for the capacity and needs of HBCUs, TCUs, and MSIs;

(C) tracking Federal research agency investments in and engagement with HBCUs, TCUs, and MSIs; and

(D) reporting progress toward increasing participation of HBCUs, TCUs, and MSIs in award programs;

(2) to the extent practicable, to produce an annual summary of funding opportunities and proposal deadlines targeted at HBCUs, TCUs, and MSIs, including for grants, contracts, subcontracts, and cooperative agreements;

(3) to the extent practicable, identifying in annual budget requests potential areas for collaboration with HBCUs, TCUs, and MSIs in the relevant fiscal year, including relating to potential meetings and workshops;

(4) to investigate proposal structures that support broader participation by emerging research institutions, including HBCUs, TCUs, and MSIs;

(5) to conduct on-site reviews of research facilities at HBCUs, TCUs, and MSIs, as practicable, and make recommendations regarding strategies for becoming more competitive in research;

(6) to hold geographically accessible or virtual workshops on research priorities of the Federal research agency and on how to write competitive award proposals and how to bolster award management capacity for the entire award lifecycle, from application to completion;

(7) to ensure opportunities for HBCUs, TCUs, and MSIs to directly communicate with Federal research agency officials responsible for managing competitive award programs in order to receive feedback on research ideas and proposals, including guidance on the Federal research agency's merit review process; and

(8) to foster mutually beneficial public-private collaboration among Federal research agencies, industry, Federal laboratories, academia, and nonprofit organizations to—

(A) identify alternative sources of funding for STEM education and research at HBCUs, TCUs, and MSIs;

(B) provide access to high-quality, relevant research experiences for students and faculty of HBCUs, TCUs, and MSIs;

(C) expand the professional networks of students and faculty of HBCUs, TCUs, and MSIs;

(D) broaden STEM educational opportunities for students and faculty of HBCUs, TCUs, and MSIs; and

(E) support the transition of students of HBCUs, TCUs, and MSIs into the STEM workforce;

(C) STRATEGIC PLAN.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Director of the Office of Science and Technology Policy, in collaboration with the head of each Federal research agency, shall submit to Congress a report containing a strategic plan which reflects the plans of each Federal research agency to increase the capacity of HBCUs, TCUs, and MSIs to compete effectively for grants, contracts, or cooperative agreements and to encourage HBCUs, TCUs, and MSIs to participate in Federal programs.

(2) CONSIDERATIONS.—In developing a strategic plan under paragraph (1), the Director and the head of each Federal research agency shall consider the following:

(A) Issuing new or expanding existing funding opportunities targeted to HBCUs, TCUs, and MSIs.

(B) Modifying existing research and development program solicitations to incentivize effective partnerships with HBCUs, TCUs, and MSIs.

(C) Offering planning grants for HBCUs, TCUs, and MSIs to develop or equip grant offices with the requisite depth of knowledge to submit competitive grant proposals and manage awarded grants.

(D) Offering additional training programs, including individualized and timely guidance to grant officers, faculty, and postdoctoral researchers at HBCUs, TCUs, and MSIs to ensure their understanding of the requirements for an effective grant proposal.

(E) Other approaches for making current competitive funding models more accessible for underresourced HBCUs, TCUs, and MSIs.

(d) REPORT ON POLICY GUIDELINES.—Not later than two years after the date of the enactment of this Act and every five years thereafter, the Director of the Office of Science and Technology Policy shall report to Congress on the implementation by Federal research agencies of the policy guidelines developed under this section.

(e) REPORT ON COORDINATION OF FEDERAL STEM EDUCATION.—Subsection (d) of section 101(d) of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 6621) is amended—

(1) in paragraph (7) by striking “and”;

(2) in paragraph (8) by striking the period at the end;

(3) by adding at the end the following:

“(9) an account of Federal research agency investments in HBCUs, TCUs, and MSIs, including, to the degree practicable, data on the level of participation of HBCUs, TCUs, and MSIs as prime recipients, contractors, subrecipients, or subcontractors of an award, or reasonable estimates thereof; and

“(10) a description of material changes to the implementation of section 10522 of the Research and Development, Competition, and Innovation Act.”.

SEC. 10523. RESEARCH AT THE NATIONAL SCIENCE FOUNDATION.

(a) IN GENERAL.—The Director shall make awards, on a competitive basis, to institutions of higher education or nonprofit organizations (or consortia thereof) to—

(1) conduct research described in subsection (b) with respect to HBCUs, TCUs, and MSIs; and

(2) identify and broadly disseminate effective models for programs and practices at HBCUs, TCUs, and MSIs that promote the education and workforce preparation of minority students pursuing STEM studies and careers in which such students are underrepresented.

(b) RESEARCH.—Research described in this subsection is research on the contribution of HBCUs, TCUs, and MSIs to the education and training of underrepresented minority students in STEM fields and to the meeting of national STEM workforce needs, including relating to the following:

(1) The diversity with respect to local context, cultural differences, and institutional structure among HBCUs, TCUs, and MSIs and any associated impact on education and research endeavors.

(2) Effective practices at HBCUs, TCUs, and MSIs and associated outcomes on student recruitment, retention, and advancement in STEM fields, including the ability for students to compete for fellowships, employment, and advancement in the workforce.

(3) Contributions made by HBCUs, TCUs, and MSIs to local, regional, and national workforces.

(4) The challenges and opportunities for HBCUs, TCUs, and MSIs in attaining the resources needed for integrating effective practices in STEM education, including providing research experiences for underrepresented minority students.

(5) The access of students at HBCUs, TCUs, and MSIs to STEM infrastructure and any associated outcomes for STEM competency.

(6) Models of STEM curriculum, learning, and teaching successful at HBCUs, TCUs, and MSIs for increasing participation, retention, and success of underrepresented minority students.

(7) Successful or promising partnerships between HBCUs, TCUs, and MSIs and other institutions of higher education, private sector and nonprofit organizations, Federal laboratories, and international research institutions.

(c) RESEARCH EXPERIENCES.—Awards under this section may fund the development or expansion of opportunities for the exchange of students and faculty to conduct research, facilitate professional development, and provide mentorship, including through partnerships with institutions of higher education that are not HBCUs, TCUs, or MSIs, private sector and nonprofit organizations, Federal laboratories, and international research institutions.

SEC. 10524. CAPACITY-BUILDING PROGRAM FOR DEVELOPING UNIVERSITIES.

(a) AWARDS.—

(1) IN GENERAL.—The Director shall make awards, on a competitive basis, to eligible institutions described in subsection (b) to support the mission of the Foundation and to build institutional research capacity at eligible institutions.

(2) ADMINISTRATION.—The Director may administer separate competitions for each category of eligible institution described in subparagraphs (A) through (C) of subsection (b)(1) in order to ensure fair competition for institutions with significantly different research capacities.

(b) ELIGIBLE INSTITUTIONS.—To be eligible to receive an award under this subsection, an entity—

(1) shall be—

(A) a historically Black college or university;

(B) a Tribal College or University;

(C) a minority-serving institution;

(D) an institution of higher education with an established STEM capacity-building program focused on Native Hawaiians and Alaska Natives; or

(E) consortia thereof;

(2) shall—

(A) have not more than \$50,000,000 in annual federally financed research and development expenditures for science and engineering as reported through the National Science Foundation Higher Education Research and Development Survey; or

(B) not be an institution classified as having very high research activity by the Carnegie Classification of Institutions of Higher Education.

(c) PARTNERSHIPS.—In making awards under this section, the Director shall—

(1) encourage entities that are consortia of eligible institutions to submit proposals and require such proposals to include a plan for establishing a sustained partnership that is jointly developed and managed, draws from the capacities of each institution, and is mutually beneficial;

(2) encourage proposals submitted in partnership with the private sector, nonprofit organizations, Federal laboratories, and international research institutions, as appropriate;

(3) require proposals described in paragraphs (1) and (2) to include a plan to strengthen the administrative and research capacity of the partnering HBCUs, TCUs, or MSIs to lead future proposals.

(d) VERY HIGH RESEARCH ACTIVITY STATUS HISTORICALLY BLACK COLLEGES AND UNIVERSITIES PROGRAM.—Awards under this section may be used to enable HBCUs which have

high research activity status to achieve very high research activity status, as classified under the Carnegie Classification of Institutions of Higher Education, by enabling—

- (1) faculty professional development;
- (2) stipends for graduate and undergraduate students, and postdoctoral scholars;
- (3) acquisition of laboratory equipment and instrumentation; and
- (4) other activities as necessary to build research capacity.

(e) PROPOSALS.—To receive an award under this subsection, an eligible institution shall submit an application to the Director at such time, in such manner, and containing such information as the Director may require, including—

(1) a plan that describes how the eligible institution will establish or expand research office capacity and how such award would be used to—

(A) conduct an assessment of capacity-building and research infrastructure needs of an eligible institution;

(B) enhance institutional resources to provide administrative research development support to faculty at an eligible institution;

(C) bolster the institutional research competitiveness of an eligible institution to support awards made by the Foundation;

(D) support the acquisition of instrumentation necessary to build research capacity at an eligible institution in research areas directly associated with the Foundation;

(E) increase capability of an eligible institution to move technology into the marketplace;

(F) increase engagement with industry to execute research through the SBIR and STTR programs (as such terms are defined in section 9(e) of the Small Business Act (15 U.S.C. 638(e)) and direct contracts at an eligible institution;

(G) enhance STEM curriculum and research training opportunities at the undergraduate, graduate, and postdoctoral levels at an eligible institution;

(H) further faculty development initiatives and strengthen institutional research training infrastructure, capacity, and competitiveness of an eligible institution;

(I) address plans and prospects for long-term sustainability of institutional enhancements at an eligible institution resulting from the award including, if applicable, how the award may be leveraged by an eligible institution to build a broader base of support; and

(J) develop and implement mechanisms for institutions of higher education to partner with HBCUs, TCUs, and MSIs on STEM education, including the facilitation of student exchanges, course and resource sharing, collaboration, and matriculation of students to either institution's graduate programs, mentoring programs for students and junior faculty, joint research projects, and student access to graduate education; and

(2) as relevant, a plan, which shall be updated every three years, that describes the institution's strategy to achieve very high research activity status, including making investments with institutional and non-Federal funds, to achieve that status within a decade of the grant award, to the extent practicable.

(f) MSI CENTERS OF INNOVATION.—Awards under this section may fund the establishment of not more than five MSI Centers of Innovation to leverage successes of HBCUs, TCUs, and MSIs in STEM education and research training of underrepresented minority students as models for other institutions, including both HBCUs, TCUs, and MSIs and institutions of higher education that are not HBCUs, TCUs, or MSIs. Such centers will be located on campuses of selected HBCUs,

TCUs, or MSIs, and serve as incubators to allow institutions of higher education to experiment, pilot, evaluate, and scale up promising practices.

(g) AWARDS.—Awards made under this subsection shall be for periods of three years and may be extended for periods of not more than five years.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Director \$200,000,000 for fiscal year 2023 and \$250,000,000 for each of fiscal years 2024 through 2027 to carry out the activities in this section and section 10523.

(i) REPORT ON IMPROVING THE RESEARCH CAPACITY AT HIGH RESEARCH ACTIVITY HISTORICALLY BLACK COLLEGES AND UNIVERSITIES.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the National Science and Technology Council shall prepare and submit a report that—

(A) identifies challenges and barriers to Federal research and development awards for high research activity status HBCUs; and

(B) identifies recommendations for Federal research agencies to sustainably boost the research capacity of high research activity status HBCUs through awards-making authorities.

(2) REPORT SUBMISSION.—The National Science and Technology Council shall transmit the report required under paragraph (1) to the Director, the Administrator of the National Aeronautics and Space Administration, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Defense, the Secretary of Energy, the Secretary of Health and Human Services, and the heads of other such agencies as determined relevant by the National Science and Technology Council.

(3) INFORMATION FROM FEDERAL AGENCIES.—The National Science and Technology Council may secure directly from a Federal department or agency such information as the National Science and Technology Council considers necessary to prepare the report required under paragraph (1). Upon a request from the National Science and Technology Council, the head of a Federal department or agency shall furnish such information as is requested to the National Science and Technology Council.

SEC. 10525. TRIBAL COLLEGES AND UNIVERSITIES PROGRAM.

(a) AWARDS TO BROADEN TRIBAL COLLEGE AND UNIVERSITY STUDENT PARTICIPATION IN COMPUTER SCIENCE.—Section 525 of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 1862p-13) is amended by adding at the end the following:

“(d) AWARDS TO BROADEN TRIBAL COLLEGE AND UNIVERSITY STUDENT PARTICIPATION IN COMPUTER SCIENCE.—

“(1) IN GENERAL.—The Director, as part of the program authorized under this section, shall make awards on a competitive, merit-reviewed basis to eligible entities to increase the participation of Tribal populations in computer science and computational thinking education programs to enable students to develop skills and competencies in coding, problem-solving, critical thinking, creativity and collaboration.

“(2) PURPOSE.—Awards made under this subsection shall support—

“(A) research and development needed to bring computer science and computational thinking courses and degrees to Tribal Colleges or Universities;

“(B) research and development of instructional materials needed to integrate computer science and computational thinking into programs that are culturally relevant to students attending Tribal Colleges or Universities;

“(C) research, development and evaluation of distance education for computer science

and computational thinking courses and degree programs for students attending Tribal Colleges and Universities; and

“(D) other activities consistent with the activities described in paragraphs (1) through (4) of subsection (b), as determined by the Director.

“(3) PARTNERSHIPS.—A Tribal College or University seeking an award under this subsection, or consortia thereof, may partner with an institution of higher education or nonprofit organization with demonstrated expertise in academic program development.

“(4) COORDINATION.—In carrying out this subsection, the Director shall consult and cooperate with the programs and policies of other relevant Federal agencies to avoid duplication with and enhance the effectiveness of the program under this subsection.

“(5) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Director \$2,000,000 in each of fiscal years 2023 through 2027 to carry out this subsection.”

(b) EVALUATION.—

(1) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Director shall evaluate the award program authorized under section 525 of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 1862p-13), as amended by subsection (a).

(2) REQUIREMENTS.—In conducting the evaluation under paragraph (1), the Director shall, as practicable—

(A) use a common set of benchmarks and assessment tools to identify best practices and materials developed or demonstrated by the research conducted pursuant to award programs under section 525 of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 1862p-13), as amended by subsection (a);

(B) include an assessment of the effectiveness of such award programs in expanding access to high quality STEM education, research, and outreach at Tribal Colleges or Universities, as applicable;

(C) assess the number of students who participated in such award programs; and

(D) assess the percentage of students participating in such award programs who successfully complete their education programs.

(3) REPORT.—Not later than 180 days after the date on which the evaluation under paragraph (1) is completed, the Director shall submit to Congress and make available to the public, a report on the results of the evaluation, including any recommendations for legislative action that could optimize the effectiveness of the award program authorized under section 525 of the America COMPETES Reauthorization Act of 2010, as amended by subsection (a).

SEC. 10526. DEFINITIONS.

In this subtitle:

(1) DIRECTOR.—The term “Director” means the Director of the National Science Foundation.

(2) HBCU.—The term “HBCU” has the meaning given the term “part B institution” in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(3) MINORITY SERVING INSTITUTION.—The term “minority serving institution” or “MSI” means Hispanic-Serving Institutions as defined in section 502 of the Higher Education Act of 1965 (20 U.S.C. 1101a); Alaska Native Serving Institutions and Native Hawaiian-Serving Institutions as defined in section 317 of the Higher Education Act of 1965 (20 U.S.C. 1059d); and Predominantly Black Institutions, Asian American and Native American Pacific Islander-Serving Institutions, and Native American-Serving Nontribal Institutions as defined in section 371 of the Higher Education Act of 1965 (20 U.S.C. 1067q(c)).

(4) TCU.—The term “TCU” has the meaning given the term “Tribal College or University” in section 316 of the Higher Education Act of 1965 (20 U.S.C. 1059c).

Subtitle D—Combating Sexual Harassment in Science

SEC. 10531. FINDINGS.

Congress makes the following findings:

(1) According to the report issued by the National Academies of Sciences, Engineering, and Medicine in 2018 entitled “Sexual Harassment of Women: Climate, Culture, and Consequences in Academic Sciences, Engineering, and Medicine”—

(A) sexual harassment is pervasive in institutions of higher education;

(B) the most common type of sexual harassment is gender harassment;

(C) 58 percent of individuals in the academic workplace experience sexual harassment, the second highest rate when compared to the military, the private sector, and Federal, State, and local government;

(D) women who are members of racial or ethnic minority groups are more likely to experience sexual harassment and to feel unsafe at work than White women, White men, or men who are members of such groups;

(E) the training for each individual who has a Doctor of Philosophy in the science, technology, engineering, and mathematics fields is estimated to cost approximately \$500,000; and

(F) attrition of an individual so trained results in a loss of talent and money.

(2) According to a 2017 University of Illinois study, among astronomers and planetary scientists, 18 percent of women who are members of racial or ethnic minority groups and 12 percent of White women skipped professional events because they did not feel safe attending.

(3) Reporting procedures with respect to sexual harassment are inconsistent among Federal research agencies and have varying degrees of accessibility.

(4) There is not adequate communication among Federal research agencies and between such agencies and recipients regarding reports of sexual harassment, which has resulted in harassers receiving Federal funding after moving to a different institution.

SEC. 10532. PURPOSE.

The purpose of this subtitle is to increase understanding of the causes and consequences of sex-based and sexual harassment, as discussed in the report issued by the National Academies in 2018 entitled “Sexual Harassment of Women: Climate, Culture, and Consequences in Academic Sciences, Engineering, and Medicine”, and to advance evidence-based approaches to reduce the prevalence and negative impact of such harassment.

SEC. 10533. DEFINITION.

In this subtitle, the term “Director” means the Director of the National Science Foundation.

SEC. 10534. RESEARCH AWARDS.

(a) IN GENERAL.—The Director shall make awards, on a competitive basis, to institutions of higher education or nonprofit organizations (or consortia of such institutions or organizations)—

(1) to expand research efforts to better understand the factors contributing to, and consequences of, sex-based and sexual harassment affecting individuals in the STEM workforce, including students and trainees; and

(2) to examine approaches to reduce the incidence and negative consequences of such harassment.

(b) USE OF FUNDS.—Activities funded by an award under this section may include—

(1) research on the sex-based and sexual harassment experiences of individuals, in-

cluding in racial and ethnic minority groups, disabled individuals, foreign nationals, sexual-minority individuals, and others;

(2) development and assessment of policies, procedures, trainings, and interventions, with respect to sex-based and sexual harassment, conflict management, and ways to foster respectful and inclusive climates;

(3) research on approaches for remediating the negative impacts and outcomes of such harassment on individuals experiencing such harassment;

(4) support for institutions of higher education or nonprofit organizations to develop, adapt, implement, and assess the impact of innovative, evidence-based strategies, policies, and approaches to policy implementation to prevent and address sex-based and sexual harassment;

(5) research on alternatives to the power dynamics, hierarchical, and dependent relationships, including but not limited to the mentor-mentee relationship, in academia that have been shown to create higher levels of risk for and lower levels of reporting of sex-based and sexual harassment; and

(6) establishing a center for the ongoing compilation, management, and analysis of organizational climate survey data.

SEC. 10535. RESPONSIBLE CONDUCT GUIDE.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Director shall enter into an agreement with the National Academies to update the report entitled “On Being a Scientist: A Guide to Responsible Conduct in Research” issued by the National Academies. The report, as so updated, shall include—

(1) updated professional standards of conduct in research;

(2) promising practices for preventing, addressing, and mitigating the negative impact of sex-based and sexual harassment, to include—

(A) standards of treatment individuals can expect to receive under updated standards of conduct;

(B) evidence-based practices for fostering a climate intolerant of sex-based, sexual, and other forms of harassment;

(C) methods, including bystander intervention, for identifying and addressing incidents of such harassment; and

(D) professional standards for mentorship and teaching with an emphasis on power diffusion mechanisms and preventing such harassment; and

(3) promising practices for mitigating potential security risks that threaten research security.

(b) REPORT.—Not later than 18 months after the effective date of the agreement under subsection (a), the National Academies, as part of such agreement, shall submit to the Director and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the report referred to in such subparagraph, as updated pursuant to such subparagraph.

SEC. 10536. INTERAGENCY WORKING GROUP.

(a) IN GENERAL.—The Director of the Office of Science and Technology Policy, acting through the National Science and Technology Council, shall establish or designate an interagency working group for the purpose of coordinating Federal research agency efforts to reduce the prevalence of sex-based and sexual harassment involving award personnel. In coordination with the working group on inclusion in STEM fields established under section 308 of the American Innovation and Competitiveness Act (42 U.S.C. 6626) and the Safe Inclusive Research Environments Subcommittee of the National Science and Technology Council, and in con-

sultation with representatives from each Federal research agency, the Office for Civil Rights at the Department of Health and Human Services, the Office for Civil Rights at the Department of Education, and the Equal Employment Opportunity Commission, the working group shall—

(1) not later than 90 days after the date of the enactment of this Act, submit to the Committee on Science, Space, and Technology, the Committee on Education and Labor, and the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Health, Education, Labor, and Pensions of the Senate an inventory of Federal research agency policies, procedures, and resources dedicated to preventing and responding to reports of sex-based and sexual harassment;

(2) not later than 6 months after the date on which the inventory is submitted under paragraph (1)—

(A) in consultation with outside stakeholders, develop a consistent set of policy guidelines for Federal research agencies; and

(B) submit a report to the committees referred to in paragraph (1) containing such guidelines;

(3) encourage and monitor efforts of Federal research agencies to develop or maintain and implement policies based on the guidelines developed under paragraph (2);

(4) not later than 1 year after the date on which the inventory under paragraph (1) is submitted, and every 5 years thereafter, the Director of the Office of Science and Technology Policy shall report to Congress on the implementation by Federal research agencies of the policy guidelines developed under paragraph (2); and

(5) update such policy guidelines as needed.

(b) REQUIREMENTS.—In developing policy guidelines under subsection (a)(2), the Director of the Office of Science and Technology Policy shall include guidelines that require, to the extent practicable—

(1) recipients to submit to the Federal research agency or agencies from which the recipients receive funding reports relating to—

(A) any decision made to launch a formal investigation of sex-based or sexual harassment, including bullying, retaliation, or hostile working conditions by, or of, award personnel;

(B) administrative action, related to an allegation against award personnel of any such harassment, as set forth in organizational policies or codes of conduct, statutes, regulations, or executive orders, that affects the ability of award personnel or their trainees to carry out the activities of the award;

(C) the total number of investigations with no findings or determinations of misconduct including such harassment;

(D) findings or determinations of such harassment, as set forth in organizational policies or codes of conduct, statutes, regulations, or Executive orders by, or of, award personnel, including the final disposition of a matter involving a violation of organizational policies and processes, to include the exhaustion of permissible appeals, or a determination of a sexual offense in a court of law, or any other disciplinary action taken;

(2) the sharing, updating, and archiving of reports of sex-based and sexual harassment from recipients submitted under paragraph (1) with relevant Federal research agencies, on a yearly basis and by agency request; and

(3) consistency among Federal research agencies with regard to the policies and procedures for receiving reports submitted pursuant to paragraph (1).

(4) FERPA.—The Director of the Office of Science and Technology Policy shall ensure that such guidelines and requirements are consistent with the requirements of section

444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly referred to as the “Family Educational Rights and Privacy Act of 1974”).

(5) **PRIVACY PROTECTIONS.**—The Director of the Office of Science and Technology Policy shall ensure that such guidelines and requirements—

(A) do not infringe upon the privacy rights of individuals associated with reports submitted to Federal research agencies; and

(B) do not require recipients to provide interim reports to Federal research agencies.

(c) **CONSIDERATIONS.**—In carrying out subsection (a)(2), the Director of the Office of Science and Technology Policy shall consider issuing guidelines that require or incentivize—

(1) recipients to periodically assess their organizational climate, which may include the use of climate surveys, focus groups, or exit interviews;

(2) recipients to publish on a publicly available internet website the results of assessments conducted pursuant to paragraph (1), disaggregated by sex and, if practicable, race, ethnicity, disability status, and sexual orientation, and in a manner that does not include personally identifiable information;

(3) recipients to make public on an annual basis the number of reports of sex-based and sexual harassment at that institution or organization;

(4) recipients to regularly assess and improve policies, procedures, and interventions to reduce the prevalence of and improve the reporting of sex-based and sexual harassment;

(5) each entity applying for a research and development award certify that a code of conduct is in place for maintaining a healthy and welcoming workplace for award personnel and posted on their public website;

(6) each recipient and Federal research agency to have in place mechanisms for addressing the needs of individuals who have experienced sex-based and sexual harassment, including those individuals seeking to reintegrate at the recipient entity; and

(7) recipients to work to create a climate intolerant of sex-based and sexual harassment and that values and promotes diversity and inclusion.

(d) **FEDERAL RESEARCH AGENCY IMPLEMENTATION.**—Not later than 270 days after receiving the guidelines under paragraph (a)(2), each Federal research agency shall—

(1) develop or maintain and implement policies with respect to sex-based and sexual harassment that are consistent with policy guidelines under subsection (a)(2) and that protect the privacy of all parties involved in any report and investigation of sex-based or sexual harassment, to the maximum extent practicable; and

(2) broadly disseminate such policies to current and potential recipients of research and development awards made by such agency.

SEC. 10537. NATIONAL ACADEMIES ASSESSMENT.

Not later than 3 years after the date of enactment of this Act, the Director shall enter into an agreement with the National Academies to undertake a study and issue a report on the influence of sex-based and sexual harassment in institutions of higher education on the career advancement of individuals in the STEM workforce. The study shall assess—

(1) the state of research on sex-based and sexual harassment in such workforce;

(2) whether research demonstrates a decrease in the prevalence of sex-based and sexual harassment in such workforce;

(3) the progress made with respect to implementing recommendations promulgated in the National Academies consensus study

report entitled “Sexual Harassment of Women: Climate, Culture, and Consequences in Academic Sciences, Engineering, and Medicine”;

(4) where to focus future efforts with respect to decreasing the prevalence of sex-based and sexual harassment in such institutions, including specific recommendations; and

(5) other recommendations and issues, as the National Academies determines appropriate.

SEC. 10538. GAO STUDY.

Not later than 3 years after the date of enactment of this division, the Comptroller General of the United States shall—

(1) complete a study that assesses the degree to which Federal research agencies have implemented the policy guidelines developed under section 10536(a)(2) and the effectiveness of that implementation; and

(2) submit a report to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the results of such study, including recommendations on potential changes to practices and policies to improve those guidelines and that implementation.

SEC. 10539. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Director to carry out this subtitle, \$32,500,000.

TITLE VI—MISCELLANEOUS SCIENCE AND TECHNOLOGY PROVISIONS

Subtitle A—Supporting Early-career Researchers

SEC. 10601. EARLY-CAREER RESEARCH FELLOWSHIP PROGRAM.

(a) **IN GENERAL.**—The Director of the National Science Foundation may establish a 2-year pilot program to make awards to highly qualified early-career investigators to carry out an independent research program at the institution of higher education or participating Federal research facility chosen by such investigator, to last for a period not greater than two years.

(b) **SELECTION PROCESS.**—The Director of the National Science Foundation shall select recipients under subsection (a) from among citizens, nationals, and lawfully admitted permanent resident aliens of the United States.

(c) **OUTREACH.**—The Director of the National Science Foundation shall conduct program outreach to recruit fellowship applicants—

(1) from all regions of the country;

(2) from historically underrepresented populations in the fields of science, technology, engineering, and mathematics; and

(3) who graduate from or intend to carry out research at a variety of types of institutions of higher education, including—

(A) historically Black colleges and universities;

(B) Tribal Colleges and Universities;

(C) minority-serving institutions;

(D) institutions of higher education that are not among the top 50 institutions in annual Federal funding for research; and

(E) EPSCoR institutions.

(d) **SPECIAL CONSIDERATION.**—The Director of the National Science Foundation shall give special consideration and priority to an application from an individual who graduated from or is intending to carry out research at an institution of the type specified in subsection (c)(3).

(e) **REPORTS FROM FELLOWS.**—Not later than 180 days after the end of the pilot program under this section, each early-career investigator who receives an award under the pilot program shall submit to the Director of the National Science Foundation a re-

port that describes how the early-career investigator used the award funds.

(f) **REPORT FROM THE DIRECTOR.**—Not later than 90 days after the conclusion of the second year of the pilot program, the Director of the National Science Foundation shall submit to Congress a report that includes the following:

(1) A summary of the uses of award funds under this section and the impact of the pilot program under this section.

(2) Statistical summary data on fellowship awardees disaggregated by race, ethnicity, sex, geography, age, years since completion of doctoral degree, and institution type.

(3) If determined effective, a plan for permanent implementation of the pilot program.

SEC. 10602. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Director of the National Science Foundation \$250,000,000 for each of fiscal years 2023 through 2024 to carry out the activities in this subtitle.

Subtitle B—National Science and Technology Strategy

SEC. 10611. NATIONAL SCIENCE AND TECHNOLOGY STRATEGY.

Section 206 of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6615) is amended to read as follows:

“SEC. 206. NATIONAL SCIENCE AND TECHNOLOGY STRATEGY.

“(a) **IN GENERAL.**—Not later than December 31 of the year immediately after the calendar year in which a review under section 206B is completed, the Director of the Office of Science and Technology Policy shall, in coordination with the National Science and Technology Council, develop and submit to Congress a comprehensive national science and technology strategy of the United States to meet national research and development objectives for the following 4-year period (in this section referred to as ‘the national science and technology strategy’).”

“(b) **REQUIREMENTS.**—In developing each national science and technology strategy described in subsection (a), the Director of the Office of Science and Technology Policy shall—

“(1) consider—

“(A) the recommendations and priorities developed by the review under section 206B;

“(B) the most recently published interim or final national security strategy report submitted pursuant to section 108 of the National Security Act of 1947 (50 U.S.C. 3043);

“(C) other relevant national plans, reports, and strategies; and

“(D) the strategic plans of relevant Federal departments and agencies; and

“(2) include a description of—

“(A) strategic objectives and research priorities necessary to maintain and advance—

“(i) the leadership of the United States in science and technology, including in the key technology focus areas, including near-term, medium-term, and long-term economic competitiveness; and

“(ii) the leadership of the United States in technologies required to address societal and national challenges, including a transition to a circular economy;

“(B) programs, policies, and activities that the President recommends across all Federal departments and agencies to achieve the strategic objectives and research priorities described in subparagraph (A);

“(C) plans to promote sustainability practices and strategies for increasing jobs in the United States;

“(D) global trends in science and technology, including potential threats to the leadership of the United States in science

and technology and opportunities for international collaboration in science and technology; and

“(E) plans to foster the development of international partnerships to reinforce domestic policy actions, build new markets, engage in collaborative research, and create an international environment that reflects United States values and protects United States interests.

“(c) CONSULTATION.—The Director of the Office of Science and Technology Policy shall consult as necessary with the Office of Management and Budget and other appropriate elements of the Executive Office of the President to ensure that the recommendations and priorities delineated in the science and technology strategy are incorporated in the development of annual budget requests.

“(d) BI-ANNUAL BRIEFING TO CONGRESS.—The Director of the Office of Science and Technology Policy shall provide on a bi-annual basis, after each release of the national science and technology strategy, a briefing to the relevant congressional committees, which may include updates on the following:

“(1) The status and development of the national science and technology strategy, including any significant changes.

“(2) The implementation of the national science and technology strategy.

“(3) Any other information about the national science and technology strategy, as determined by the Director of the Office of Science and Technology Policy.

“(e) PUBLICATION.—The Director of the Office of Science and Technology Policy shall, consistent with the protection of national security and other sensitive matters to the maximum extent practicable, make each national science and technology strategy publicly available on an internet website of the Office. Each report may include a classified annex if the Director of the Office of Science and Technology Policy determines such is appropriate.

“(f) TERMINATION.—This section terminates on the date that is ten years after the date of the enactment of this section.”.

SEC. 10612. STRATEGY AND REPORT ON THE NATION'S ECONOMIC SECURITY, SCIENCE, RESEARCH, AND INNOVATION TO SUPPORT THE NATIONAL SECURITY STRATEGY.

(a) DEFINITIONS.—In this section:

(1) FOREIGN COUNTRY OF CONCERN.—The term “foreign country of concern” means the People's Republic of China, the Democratic People's Republic of Korea, the Russian Federation, the Islamic Republic of Iran, or any other country determined to be a country of concern by the Department of State.

(2) FOREIGN ENTITY OF CONCERN.—The term “foreign entity of concern” means a foreign entity that is—

(A) designated as a foreign terrorist organization by the Secretary of State under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a));

(B) included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury (commonly known as the SDN list);

(C) owned by, controlled by, or subject to the jurisdiction or direction of a government of a foreign country that is a covered nation (as such term is defined in section 4872 of title 10, United States Code);

(D) alleged by the Attorney General to have been involved in activities for which a conviction was obtained under—

(i) chapter 37 of title 18, United States Code (commonly known as the Espionage Act);

(ii) section 951 or 1030 of title 18, United States Code;

(iii) chapter 90 of title 18, United States Code (commonly known as the Economic Espionage Act of 1996);

(iv) the Arms Export Control Act (22 U.S.C. 2751 et seq.);

(v) section 224, 225, 226, 227, or 236 of the Atomic Energy Act of 1954 (42 U.S.C. 2274, 2275, 2276, 2277, and 2284);

(vi) the Export Control Reform Act of 2018 (50 U.S.C. 4801 et seq.); or

(vii) the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.); or

(E) determined by the Secretary of Commerce, in consultation with the Secretary of Defense and the Director of National Intelligence, to be engaged in unauthorized conduct that is detrimental to the national security or foreign policy of the United States.

(3) NATIONAL SECURITY STRATEGY.—The term “national security strategy” means the national security strategy required under section 108 of the National Security Act of 1947 (50 U.S.C. 3043).

(b) STRATEGY AND REPORT.—

(1) IN GENERAL.—Not later than 90 days after the transmission of each national security strategy under section 108(a) of the National Security Act of 1947 (50 U.S.C. 3043(a)), the President, acting through the Director of the Office of Science and Technology Policy, shall, in coordination with the National Science and Technology Council, the National Security Council, the Director of the National Economic Council, and the heads of such other relevant Federal agencies as the Director of the Office of Science and Technology Policy considers appropriate and in consultation with such nongovernmental partners as the Director of the Office of Science and Technology Policy considers appropriate—

(A) review such strategy, including the national defense strategy under subsection (g) of section 113 of title 10, United States Code, and the national science and technology strategy under section 206 of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6615), programs, and resources as the Director of the Office of Science and Technology Policy determines pertain to United States' national competitiveness in science, technology, research, innovation, and technology transfer activities, including patenting and licensing, that support the national security strategy;

(B) develop or revise a national strategy to improve the national competitiveness of United States science, technology, research, and innovation to support the national security strategy; and

(C) submit to Congress—

(i) a report on the findings of the Director of the Office of Science and Technology Policy with respect to the review conducted pursuant to subparagraph (A); and

(ii) the strategy developed or revised pursuant to subparagraph (B).

(2) TERMINATION.—This subsection terminates on the date that is 5 years after the date of the enactment of this Act.

(c) ELEMENTS.—

(1) REPORT.—Each report submitted under subsection (b)(1)(C)(i) shall include the following:

(A) An assessment of the efforts of the United States Government to preserve United States leadership in key emerging technologies and prevent United States strategic competitors from leveraging advanced technologies to gain strategic military or economic advantages over the United States.

(B) An assessment of public and private investment in science and technology relevant to national security purposes, and the implications of such for the geostrategic position of the United States.

(C) A description of the prioritized economic security interests and objectives.

(D) An assessment of global trends in science and technology, including potential threats to the national security of the United States in science and technology.

(E) An assessment of the national debt and its implications for the economic and national security of the United States.

(F) An assessment of how regional innovation capacity efforts in STEM fields are contributing and could contribute to the national security the United States, including programs run by State and local governments.

(G) An assessment of the following:

(i) Workforce needs for competitiveness in technology areas identified in the national security strategy.

(ii) Any efforts needed to expand pathways into technology fields to achieve the goals of the national security strategy.

(H) An assessment of barriers to the development, evolution, or competitiveness of start-ups, small and mid-sized business entities, and industries that are critical to national security.

(I) An assessment of the effectiveness of the Federal Government, federally funded research and development centers, and national laboratories in supporting and promoting the technology commercialization and technology transfer of technologies critical to national security.

(J) An assessment of manufacturing capacity, logistics, and supply chain dynamics of major export sectors that are critical to national security, including access to a skilled workforce, physical infrastructure, and broadband network infrastructure.

(K) An assessment of how the Federal Government is increasing the participation of underrepresented populations in science, research, innovation, and manufacturing.

(L) An assessment of public-private partnerships in technology commercialization in support of national security, including—

(i) the structure of current defense technology research and commercialization arrangements with regard to public-private partnerships; and

(ii) the extent to which intellectual property developed with Federal defense funding—

(I) is being used to manufacture in the United States rather than in other countries; and

(II) is being used by foreign business entities that are majority owned or controlled (as such term is defined in section 800.208 of title 31, Code of Federal Regulations, or a successor regulation), or minority owned greater than 25 percent by—

(aa) any governmental organization of a foreign country of concern; or

(bb) any other entity that is—

(AA) known to be owned or controlled by any governmental organization of a foreign country of concern; or

(BB) organized under, or otherwise subject to, the laws of a foreign country of concern.

(M) Recommendations to enhance the ability of the Federal Government to recruit into Federal service and retain in such service individuals with critical skills relevant to national security.

(N) Recommendations for policies to protect United States leadership and the allies of the United States in critical areas relevant to national security through targeted export controls, investment screening, and counterintelligence activities.

(O) Informed by the interagency process established under section 1758 of the Export Control Reform Act of 2018, a technology annex, which may be classified, describing an integrated and enduring approach to the identification, prioritization, development,

and fielding of emerging technologies relevant to national security.

(2) **STRATEGY.**—Each strategy submitted under subsection (b)(1)(C)(ii) shall, to the extent practicable, include the following:

(A) A plan to utilize available tools to address or minimize the leading threats and challenges and to take advantage of the leading opportunities, particularly in regards to technologies central to international competition in science and technology relevant to national security purposes, including the following:

(i) Specific objectives, tasks, metrics, and milestones for each relevant Federal agency.

(ii) Strategic objectives and priorities necessary to maintain the leadership of the United States in science and technology relevant to national security purposes, including near-term, medium-term, and long-term research priorities.

(iii) Specific plans to safeguard research and technology funded, as appropriate, in whole or in part, by the Federal Government, including in technologies critical to national security, from theft or exfiltration by foreign entities of concern.

(iv) Specific plans to support public and private sector investment in research, technology development, education and workforce development, and domestic manufacturing supportive of the national security of the United States and to foster the use of public-private partnerships.

(v) A description of the following:

(I) How the strategy submitted under subsection (b)(1)(C)(ii) supports the national security strategy.

(II) How the strategy submitted under such subsection is integrated and coordinated with the most recent—

(aa) national defense strategy under subsection (g) of section 113 of title 10, United States Code; and

(bb) national science and technology strategy under section 206 of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6615).

(vi) A plan to encourage the governments of countries that are allies or partners of the United States to cooperate with the execution of such strategy, where appropriate.

(vii) A plan for strengthening the industrial base of the United States.

(viii) A plan to remove or update overly burdensome or outdated Federal regulations, as appropriate.

(ix) A plan—

(I) to further incentivize industry participation in public-private partnerships for the purposes of accelerating technology research and commercialization in support of national security, including alternate ways of accounting for in-kind contributions and valuing partially manufactured products;

(II) to ensure that intellectual property developed with Federal funding is commercialized in the United States; and

(III) to ensure, to the maximum appropriate extent, that intellectual property developed with Federal funding is not being used by foreign business entities that are majority owned or controlled (as such term is defined in section 800.208 of title 31, Code of Federal Regulations, or a successor regulation), or minority owned greater than 25 percent by—

(aa) any governmental organization of a foreign country of concern; or

(bb) any other entity that is—

(AA) known to be owned or controlled by any governmental organization of a foreign country of concern; or

(BB) organized under, or otherwise subject to, the laws of a foreign country of concern.

(x) An identification of additional resources, administrative action, or legislative

action recommended to assist with the implementation of such strategy.

(d) **RESEARCH AND DEVELOPMENT FUNDING.**—The Director of the Office of Science and Technology Policy shall, as the Director of the Office of Science and Technology Policy considers necessary, consult with the Director of the Office of Management and Budget and with the heads of such other elements of the Executive Office of the President as the Director of the Office of Science and Technology Policy considers appropriate to ensure the recommendations and priorities with respect to research and development funding relevant to national security, as expressed in the most recent report and strategy submitted under subsection (b)(1)(C) are incorporated into the development of annual budget requests for Federal research agencies.

(e) **PUBLICATION.**—The Director of the Office of Science and Technology Policy shall, consistent with the protection of national security and other sensitive matters and to the maximum extent practicable, make each report submitted under subsection (b)(1)(C)(i) publicly available on an internet website of the Office of Science and Technology Policy. Each such report may include a classified annex if the Director of the Office of Science and Technology Policy determines such is appropriate.

SEC. 10613. QUADRENNIAL SCIENCE AND TECHNOLOGY REVIEW.

The National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 et seq.) is amended by inserting after section 206 the following new section:

“SEC. 206B. QUADRENNIAL SCIENCE AND TECHNOLOGY REVIEW.

“(a) **REQUIREMENTS.**—

“(1) **QUADRENNIAL REVIEWS REQUIRED.**—Not later than December 31, 2023, and every four years thereafter, the Director of the Office of Science and Technology Policy shall complete a review of the science and technology enterprise of the United States (in this section referred to as the ‘quadrennial science and technology review’).

“(2) **SCOPE.**—The quadrennial science and technology review shall be a comprehensive examination of the science and technology strategy of the United States, including recommendations for maintaining global leadership in science and technology and advancing science and technology to address the societal and national challenges and guidance regarding the coordination of programs, assets, capabilities, budget, policies, and authorities across all Federal research and development programs.

“(3) **CONSULTATION.**—The Director of the Office of Science and Technology Policy shall conduct each quadrennial science and technology review in consultation with the following:

“(A) The National Science and Technology Council.

“(B) The President’s Council of Advisors on Science and Technology.

“(C) The National Science Board.

“(D) The National Security Council.

“(E) The heads of other relevant Federal agencies.

“(F) Other relevant governmental and non-governmental entities, including representatives from industry, institutions of higher education, nonprofit organizations, Members of Congress, and other policy experts.

“(4) **COORDINATION.**—The Director of the Office of Science and Technology Policy shall ensure that each quadrennial science and technology review is coordinated with other relevant statutorily required reviews, and to the maximum extent practicable incorporates information and recommendations from existing reviews to avoid duplication.

“(b) **CONTENTS.**—In each quadrennial science and technology review, the Director of the Office of Science and Technology Policy shall—

“(1) provide an integrated view of, and recommendations for, science and technology policy across the Federal Government, while considering economic and national security and other societal and national challenges;

“(2) assess and recommend priorities for research, development, and demonstration programs to maintain United States leadership in science and technology, including in manufacturing and industrial innovation;

“(3) assess and recommend priorities for research, development, and demonstration programs to address societal and national challenges;

“(4) assess the global competition in science and technology and identify potential threats to the leadership of the United States in science and technology and opportunities for international collaboration;

“(5) assess and make recommendations on the science, technology, engineering, mathematics, and computer science workforce of the United States;

“(6) assess and make recommendations to improve regional innovation across the United States;

“(7) identify and assess sectors critical for the long-term resilience of United States innovation leadership across design, manufacturing, supply chains, and markets;

“(8) assess and make recommendations to improve translation of basic and applied research and the enhancement of technology transfer of federally funded research;

“(9) identify, assess, and make recommendations to address science and technology gaps that would not be met without Federal investment;

“(10) review administrative and legislative policies and funding opportunities that affect private sector science and technology activities, and identify and make recommendations regarding policies that maintain and grow the participation and competitiveness of small- and medium-sized businesses;

“(11) assess and identify the infrastructure and tools needed to maintain the leadership of the United States in science and technology and address other societal and national challenges; and

“(12) review administrative or legislative policies that affect the science and technology enterprise and identify and make recommendations regarding policies that hinder research and development in the United States.

“(c) **REPORTING.**—

“(1) **IN GENERAL.**—Not later than December 31 of the year in which a quadrennial science and technology review is conducted, the Director of the Office of Science and Technology Policy shall submit to Congress a report relating to such review.

“(2) **PUBLICATION.**—The Director of the Office of Science and Technology Policy shall, consistent with the protection of national security and other sensitive matters to the maximum extent practicable, make each report submitted under paragraph (1) publicly available on an internet website of the Office of Science and Technology Policy. Each report may include a classified annex if the Director of the Office of Science and Technology Policy determines such appropriate.

“(d) **TERMINATION.**—This section shall terminate on the date that is ten years after the date of the enactment of this section.”.

Subtitle C—Regional Innovation

SEC. 10621. REGIONAL INNOVATION CAPACITY.

(a) **IN GENERAL.**—The Stevenson-Wydler Technology Innovation Act of 1980 (Public Law 96-480; 15 U.S.C. 3701 et seq.) is amended—

(1) by redesignating section 28 as section 30; and

(2) by inserting after section 27 the following:

“SEC. 28. REGIONAL TECHNOLOGY AND INNOVATION HUB PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ‘appropriate committees of Congress’ means—

“(A) the Committee on Commerce, Science, and Transportation, the Committee on Environment and Public Works, and the Committee on Appropriations of the Senate; and

“(B) the Committee on Science, Space, and Technology and the Committee on Appropriations of the House of Representatives.

“(2) COOPERATIVE EXTENSION SERVICES.—The term ‘cooperative extension services’ has the meaning given the term in section 1404 of the Food and Agriculture Act of 1977 (7 U.S.C. 3103).

“(3) SITE CONNECTIVITY INFRASTRUCTURE.—The term ‘site connectivity infrastructure’ means localized driveways and access roads to a facility as well as hookups to the new facility for drinking water, waste water, broadband, and other basic infrastructure services already present in the area.

“(4) VENTURE DEVELOPMENT ORGANIZATION.—The term ‘venture development organization’ has the meaning given such term in section 27(a) of the Stevenson-Wydler Act of 1980 (15 U.S.C. 3722(a)).

“(5) COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION.—The term ‘community development financial institution’ has the meaning given in section 103 of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4702).

“(6) MINORITY DEPOSITORY INSTITUTION.—The term ‘minority depository institution’ means an entity that is—

“(A) a minority depository institution, as defined in section 308 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1463 note); or

“(B) considered to be a minority depository institution by—

“(i) the appropriate Federal banking agency; or

“(ii) the National Credit Union Administration, in the case of an insured credit union.

“(7) LOW POPULATION STATE.—The term ‘low population State’ means a State without an urbanized area with a population greater than 250,000 as reported in the decennial census.

“(8) SMALL AND RURAL COMMUNITIES.—The term ‘small and rural community’ means a noncore area, a micropolitan area, or a small metropolitan statistical area with a population of not more than 250,000.

“(b) REGIONAL TECHNOLOGY AND INNOVATION HUB PROGRAM.—

“(1) IN GENERAL.—Subject to the availability of appropriations, the Secretary shall carry out a program—

“(A) to encourage new and constructive collaborations among local, State, Tribal, and Federal government entities, institutions of higher education, the private sector, economic development organizations, labor organizations, nonprofit organizations, and community organizations that promote broad-based regional innovation initiatives;

“(B) to support eligible consortia in the development and implementation of regional innovation strategies;

“(C) to designate eligible consortia as regional technology and innovation hubs and facilitate activities by consortia designated as regional technology and innovation hubs in implementing their regional innovation strategies—

“(i) to enable United States leadership in technology and innovation sectors critical to national and economic security;

“(ii) to support regional economic development and resilience, including in small cities and rural areas, and promote increased geographic diversity of innovation across the United States;

“(iii) to promote the benefits of technology development and innovation for all Americans, including underserved communities and vulnerable communities;

“(iv) to support the modernization and expansion of United States manufacturing based on advances in technology and innovation;

“(v) to support domestic job creation and broad-based economic growth; and

“(vi) to improve the pace of market readiness, industry maturation, and overall commercialization and domestic production of innovative research;

“(D) to ensure that the regional technology and innovation hubs address the intersection of emerging technologies and either regional challenges or national challenges; and

“(E) to conduct ongoing research, evaluation, analysis, and dissemination of best practices for regional development and competitiveness in technology and innovation.

“(2) AWARDS.—The Secretary shall carry out the program required by paragraph (1) through the award of the following:

“(A) Strategy development grants or cooperative agreements to eligible consortia under subsection (e).

“(B) Strategy implementation grants or cooperative agreements to regional technology and innovation hubs under subsection (f).

“(3) ADMINISTRATION.—The Secretary shall carry out this section through the Assistant Secretary of Commerce for Economic Development in coordination with the Under Secretary of Commerce for Standards and Technology.

“(c) ELIGIBLE CONSORTIA.—For purposes of this section, an eligible consortium is a consortium that—

“(1) includes 1 or more of each of the following—

“(A) institutions of higher education, which may include Historically Black Colleges and Universities, Tribal Colleges or Universities, and minority-serving institutions;

“(B) State, territorial, local, or Tribal governments or other political subdivisions of a State, including State and local agencies, or a consortium thereof;

“(C) industry or firms in relevant technology, innovation, or manufacturing sectors;

“(D) economic development organizations or similar entities that are focused primarily on improving science, technology, innovation, entrepreneurship, or access to capital; and

“(E) labor organizations or workforce training organizations, which may include State and local workforce development boards as established under sections 101 and 107 of the Workforce Investment and Opportunity Act (29 U.S.C. 3111; 3122); and

“(2) may include 1 or more—

“(A) economic development entities with relevant expertise, including a district organization (as defined in section 300.3 of title 13, Code of Federal Regulations, or successor regulation);

“(B) organizations that contribute to increasing the participation of underserved populations in science, technology, innovation, and entrepreneurship;

“(C) venture development organizations;

“(D) organizations that promote local economic stability, high-wage domestic jobs,

and broad-based economic opportunities, such as employee ownership membership associations and State or local employee ownerships and cooperative development centers, financial institutions and investment funds, including community development financial institutions and minority depository institutions;

“(E) elementary schools and secondary schools, including area career and technical education schools (as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (29 U.S.C. 2302);

“(F) National Laboratories (as defined in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801));

“(G) Federal laboratories;

“(H) Manufacturing extension centers;

“(I) Manufacturing USA institutes;

“(J) transportation planning organizations;

“(K) a cooperative extension services;

“(L) organizations that represent the perspectives of underserved communities in economic development initiatives; and

“(M) institutions receiving an award under section 10388 of the Research and Development, Competition, and Innovation Act.

“(d) DESIGNATION OF REGIONAL TECHNOLOGY AND INNOVATION HUBS.—

“(1) IN GENERAL.—In carrying out subsection (b)(1)(C), the Secretary shall use a competitive, merit-review process to designate eligible consortia as regional technology and innovation hubs.

“(2) DISTRIBUTION.—In conducting the competitive process under paragraph (1), the Secretary shall ensure geographic and demographic diversity in the designation of regional technology hubs by, subject to available appropriations, designating at least 20 technology hubs, and—

“(A) seeking to designate at least three technology hubs in each region covered by a regional office of the Economic Development Administration, while—

“(i) ensuring that not fewer than one-third of eligible consortia so designated as regional technology hubs significantly benefit a small and rural community, which may include a State or territory described in clauses (ii) and (iii);

“(ii) ensuring that not fewer than one-third of eligible consortia so designated as regional technology hubs include as a member of the eligible consortia at least 1 member that is a State or territory that is eligible to receive funding from the Established Program to Stimulate Competitive Research of the National Science Foundation; and

“(iii) ensuring that at least one eligible consortium so designated as a regional technology hub is headquartered in a low population State that is eligible to receive funding from the Established Program to Stimulate Competitive Research of the National Science Foundation;

“(B) seeking to designate an additional two regional technology hubs based on selection factors which shall include likelihood of success and may include regional factors such as the extent to which the regional technology and innovation hub significantly engages and benefits underserved communities in and near metropolitan areas;

“(C) encouraging eligible consortia to leverage institutions of higher education serving populations historically underrepresented in STEM, including historically Black Colleges and Universities, Tribal Colleges or Universities, and minority-serving institutions to significantly benefit an area or region; and

“(D) encouraging proposals from eligible consortia that would significantly benefit an area or region whose economy significantly relies on or has recently relied on coal, oil, or natural gas production or development.

“(3) RELATION TO CERTAIN GRANT AWARDS.—The Secretary shall not require an eligible consortium to receive a grant or cooperative agreement under subsection (e) in order to be designated as a regional technology and innovation hub under paragraph (1) of this subsection.

“(e) STRATEGY DEVELOPMENT GRANTS AND COOPERATIVE AGREEMENTS.—

“(1) IN GENERAL.—The Secretary shall use a competitive, merit-review process to award grants or cooperative agreements to eligible consortia for the development of regional innovation strategies.

“(2) NUMBER OF RECIPIENTS.—Subject to availability of appropriations, the Secretary shall seek to award a grant or cooperative agreement under paragraph (1) to not fewer than 60 eligible consortia.

“(3) GEOGRAPHIC DIVERSITY AND REPRESENTATION.—

“(A) IN GENERAL.—The Secretary shall carry out paragraph (1) in a manner that ensures geographic diversity and representation from communities of differing populations.

“(B) AWARDS TO SMALL AND RURAL COMMUNITIES.—In carrying out paragraph (1), the Secretary shall—

“(i) award not fewer than one-third of the grants and cooperative agreements under such paragraph to eligible consortia that significantly benefit a small and rural community, which may include a State described in clause (ii); and

“(ii) award not fewer than one-third of the grants and cooperative agreements under such paragraph to eligible consortia that include as a member of the eligible consortia at least 1 member that is a State or territory that is eligible to receive funding from the Established Program to Stimulate Competitive Research of the National Science Foundation.

“(4) USE OF FUNDS.—

“(A) Use of funds under this grant shall include—

“(i) coordination of a locally defined planning processes, across jurisdictions and agencies, relating to developing a comprehensive regional technology strategy;

“(ii) identification of regional partnerships for developing and implementing a comprehensive regional technology strategy;

“(iii) implementation or updating of assessments to determine regional needs and capabilities;

“(iv) development or updating of goals and strategies to implement an existing comprehensive regional plan;

“(v) identification or implementation of planning and local zoning and other code changes necessary to implement a comprehensive regional technology strategy; and

“(vi) development of plans for promoting broad-based economic growth in a region.

“(B) Use of funds under this grant may include the formation of a workforce development strategy, according to the needs for a skilled and technical workforce at all skill and degree levels in the region proposed to be served by the eligible consortia. Any workforce development strategy submitted pursuant to paragraph (1) should include—

“(i) how the eligible consortia will develop, offer, or improve educational or career training programs and curriculum for a skilled and technical workforce;

“(ii) the extent to which such programs developed and offered by the eligible consortia will meet the educational or career training needs of a skilled and technical workforce in the region to be served;

“(iii) how the eligible consortia will provide facilities for students to receive training under such programs developed and offered by the eligible consortia; and

“(iv) how the eligible consortia will enhance outreach and recruitment for such programs developed and offered by the eligible consortia to populations underrepresented in STEM.

“(5) FEDERAL SHARE.—The Federal share of the cost of an effort carried out using a grant or cooperative agreement awarded under this subsection may not exceed 80 percent—

“(A) where in-kind contributions may be used for all or part of the non-Federal share, but Federal funding from other government sources may not count towards the non-Federal share;

“(B) except in the case of an eligible consortium that represents all or part of a small and rural or other underserved community, the Federal share may be up to 90 percent of the total cost, subject to subparagraph (A); and

“(C) except in the case of an eligible consortium that is led by a Tribal government, the Federal share may be up to 100 percent of the total cost of the project.

“(f) STRATEGY IMPLEMENTATION GRANTS AND COOPERATIVE AGREEMENTS.—

“(1) IN GENERAL.—The Secretary shall use a competitive, merit-review process to award grants or cooperative agreements to regional technology and innovation hubs for the implementation of regional innovation strategies, including regional strategies for infrastructure and site development, in support of the regional innovation and technology and innovation hub's plans and programs. The Secretary should determine the size and number of awards based on appropriations available to ensure the success of regional technology and innovation hubs as outlined in subsection (h).

“(2) USE OF FUNDS.—Grants or cooperative agreements awarded under paragraph (1) to a regional technology and innovation hub may be used by the regional technology and innovation hub to support any of the following activities, consistent with the most current regional innovation strategy of the regional technology and innovation hub, which may have been developed with or without financial assistance received under subsection (e) of this section:

“(A) WORKFORCE DEVELOPMENT ACTIVITIES.—Workforce development activities including activities relating to the following:

“(i) The creation of partnerships between industry, workforce, nonprofit, and educational institutions, which may include community colleges, to create and align technical training and educational programs, including for a skilled technical workforce.

“(ii) The design, development, and updating of educational and training curriculum and programs, including training of trainers, teachers, or instructors tied to demonstrated regional skilled and technical workforce needs.

“(iii) The procurement of facilities and equipment, as required to train a skilled and technical workforce.

“(iv) The development and execution of programs, including traineeships and apprenticeships, to rapidly provide training and award certificates or credentials recognized by regional industries or other organizations.

“(v) The matching of regional employers with a potential new entrant, underemployed, underrepresented, reentering, or incumbent workforce, as well as the securing of commitments from employers to hire workers who successfully complete training programs, or who are awarded certificates or credentials.

“(vi) The expansion of successful training programs at a scale required by the region served by the regional technology and inno-

vation hub, including through the use of on-line education and mentoring.

“(vii) The development and expansion of programs with the goal of increasing the participation of persons historically underrepresented in STEM and manufacturing in the workforce development plans of the regional technology and innovation hub.

“(viii) The provision of support services for attendees of training programs developed, updated, or expanded pursuant to this subsection, including career counseling.

“(ix) The implementation of outreach and recruitment for training programs developed, updated, or expanded pursuant to this subsection, particularly at local educational institutions, including high schools and community colleges.

“(B) BUSINESS AND ENTREPRENEUR DEVELOPMENT ACTIVITIES.—Business and entrepreneur development activities, including activities relating to the following:

“(i) The development and growth of local and regional businesses and the training of entrepreneurs, which may include support for the expansion of employee owned businesses and cooperatives.

“(ii) The support of technology commercialization, including funding for activities relevant to the protection of intellectual property and for advancing potential ventures such as acceleration, incubation, early-stage production and other relevant programming.

“(iii) The development of local and regional capital networks and consortia to attract necessary private funding to businesses and entrepreneurs in the region.

“(iv) The development of local and regional networks for business and entrepreneur mentorship.

“(C) TECHNOLOGY DEVELOPMENT AND MATURATION ACTIVITIES.—Technology maturation activities, including activities relating to the following:

“(i) The development and deployment of technologies in sectors critical to the region served by the regional technology and innovation hub or to national and economic security, including industry-university research cooperation, proof of concept, prototype development, testing, and scale-up for manufacturing.

“(ii) The development of programming to support the creation and transfer of intellectual property into private use, such as through startup creation.

“(iii) The provision of facilities for technology maturation, including incubators and production testbeds for collaborative development of technologies by private sector, academic, nonprofit, and other entities.

“(iv) Activities to provide or ensure access to capital for new business and business expansion, including by attracting new private, public, and philanthropic investment and by establishing local and regional venture and loan funds, community development financial institutions, and minority depository institutions.

“(D) INFRASTRUCTURE-RELATED ACTIVITIES.—The building of facilities and site connectivity infrastructure necessary to carry out activities described in subparagraphs (A), (B), and (C), including activities relating to the following:

“(i) Establishing a center with required tools and instrumentation for workforce development.

“(ii) Establishing a facility for technology development, demonstration, and testing.

“(iii) Establishing collaborative incubators to support technology commercialization and entrepreneur training.

“(3) TERM.—

“(A) INITIAL PERFORMANCE PERIOD.—The term of an initial grant or cooperative agreement awarded under this subsection shall be

for a period that the Secretary deems appropriate for the proposed activities but not less than 2 years.

“(B) SUBSEQUENT PERFORMANCE PERIOD.—The Secretary may renew a grant or cooperative agreement awarded to a regional technology and innovation hub under paragraph (1) for such period as the Secretary considers appropriate, if the Secretary determines that the regional technology and innovation hub has made satisfactory progress towards the metrics agreed to under subsection (j).

“(C) FLEXIBLE APPROACH.—In renewing a grant or cooperative agreement under subparagraph (B), the Secretary and the eligible consortium may agree to new or additional uses of funds in order to meet changes in the needs of the region.

“(4) LIMITATION ON AMOUNT OF AWARDS.—

“(A) INITIAL PERFORMANCE PERIOD.—The amount of an initial grant or cooperative agreements awarded to a regional technology and innovation hub under paragraph (3)(A) shall be no more than \$150,000,000.

“(B) SUBSEQUENT PERFORMANCE PERIOD.—Upon renewal of a grant or cooperative agreement under paragraph (3)(B), the Secretary may award funding in the amount that the Secretary considers appropriate, ensuring that no single regional technology and innovation hub receives more than 10 percent of the aggregate amount of the grants and cooperative agreements awarded under this subsection.

“(5) MATCHING REQUIRED.—

“(A) INITIAL PERFORMANCE PERIOD.—Except in the case of a regional technology and innovation hub described in subparagraph (C), the total amount of all grants awarded to a regional technology and innovation hub under this subsection in phase one shall not exceed 90 percent of the total operating costs of the regional technology and innovation hub during the initial performance period.

“(B) SUBSEQUENT PERFORMANCE PERIOD.—Except in the case of a regional technology and innovation hub described in subparagraph (C), the total amount of all grants awarded to a regional technology and innovation hub in subsequent performance periods shall not exceed 75 percent of the total operating costs of the regional technology and innovation hub in each year of the grant or cooperative agreement.

“(C) SMALL AND RURAL COMMUNITIES, UNDERSERVED COMMUNITIES, AND INDIAN TRIBES.—

“(i) IN GENERAL.—The total Federal financial assistance awarded in a given year to a regional technology and innovation hub under this subsection shall not exceed amounts as follows:

“(I) In the case of a regional technology and innovation hub that primarily serves a small and rural community or other underserved community, in a fiscal year, 90 percent of the total funding of the regional technology and innovation hub in that fiscal year.

“(II) In the case of a regional technology and innovation hub that is led by a Tribal government, in a fiscal year, 100 percent of the total funding of the regional technology and innovation hub in that fiscal year.

“(ii) MINIMUM THRESHOLD OF RURAL REPRESENTATION.—For purposes of clause (i)(I), the Secretary shall establish a minimum threshold of rural representation in the regional technology and innovation hub.

“(D) IN-KIND CONTRIBUTIONS.—For purposes of this paragraph, in-kind contributions may be used for part of the non-Federal share of the total funding of a regional technology and innovation hub in a fiscal year.

“(6) GRANTS FOR INFRASTRUCTURE.—Any grant or cooperative agreement awarded under this subsection to support the construction of facilities and site connectivity

infrastructure shall be awarded pursuant to section 201 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3141) and subject to the provisions of such Act, except that subsection (b) of such section and sections 204 and 301 of such Act (42 U.S.C. 3144; 3161) shall not apply.

“(7) RELATION TO CERTAIN GRANT AWARDS.—The Secretary shall not require a regional technology and innovation hub to receive a grant or cooperative agreement under subsection (e) in order to receive a grant or cooperative agreement under this subsection.

“(g) APPLICATIONS.—An eligible consortium seeking designation as a regional technology and innovation hub under subsection (d) or a grant or cooperative agreement under subsection (e) or (f) shall submit to the Secretary an application therefore at such time, in such manner, and containing such information as the Secretary may specify.

“(h) CONSIDERATIONS FOR DESIGNATION AND AWARD OF STRATEGY IMPLEMENTATION GRANTS AND COOPERATIVE AGREEMENTS.—In selecting an eligible consortium that submitted an application under subsection (g) for designation under subsection (d) or for a grant or cooperative agreement under subsection (f), the Secretary shall consider the following:

“(1) The potential of the eligible consortium to advance the research, development, deployment, and domestic manufacturing of technologies in a key technology focus area, as described in section 10387 of the Research and Development, Competition, and Innovation Act or other technology or innovation sector critical to national security and economic competitiveness.

“(2) The likelihood of positive regional economic effect, including increasing the number of high wage domestic jobs, creating new economic opportunities for economically disadvantaged and underrepresented populations, and building and retaining wealth in the region.

“(3) How the eligible consortium plans to integrate with and leverage the resources of 1 or more federally funded research and development centers, National Laboratories, Federal laboratories, Manufacturing USA institutes, Hollings Manufacturing Extension Partnership centers, regional innovation engines or translation accelerators established under sections 10388 and 10389 of the Research and Development, Competition, and Innovation Act, test beds established and operated under section 10390 of such Act, or other Federal entities.

“(4) How the eligible consortium will engage with the private sector, including small- and medium-sized businesses and cooperatives, and employee-owned businesses and cooperatives, to commercialize new technologies and improve the resiliency and sustainability of domestic supply chains in a key technology focus area, or other technology or innovation sector critical to national security and economic competitiveness.

“(5) How the eligible consortium will carry out workforce development and skills acquisition programming, including through partnerships with entities that include State and local workforce development boards, institutions of higher education, including community colleges, historically Black colleges and universities, Tribal Colleges or Universities, and minority-serving institutions, labor organizations, nonprofit organizations, workforce development programs, and other related activities authorized by the Secretary, to support the development of a skilled technical workforce for the regional technology and innovation hub, including key technology focus area or other technology or innovation sector critical to national security and economic competitiveness.

“(6) How the eligible consortium will improve or expand science, technology, engineering, and mathematics education programs and opportunities in the identified region in elementary and secondary school and higher education institutions located in the identified region to support the development of a key technology focus area or other technology or innovation sector critical to national security and economic competitiveness.

“(7) How the eligible consortium plans to develop partnerships with venture development organizations, community development financial institutions and minority depository institutions, and sources of private investment in support of private sector activity, including launching new or expanding existing companies in a key technology focus area or other technology or innovation sector critical to national security and economic competitiveness.

“(8) How the eligible consortium plans to organize the activities of regional partners across sectors in support of a regional technology and innovation hub.

“(9) How the eligible consortium considers opportunities to support local and regional businesses through procurement, including from minority-owned and women-owned businesses.

“(10) How the eligible consortium will ensure that growth in technology, innovation, and advanced manufacturing sectors produces opportunity across the identified region and for economically disadvantaged, minority, underrepresented and rural populations, including, as appropriate, consideration of how the eligible consortium takes into account the relevant impact of existing regional status and plans or may affect regional goals for affordable housing availability, local and regional transportation, high-speed internet access, and primary and secondary education.

“(11) How well the region's education institutions align their activities, including research, educational programs, training, with the proposed areas of focus.

“(12) The likelihood efforts served by the consortium will be sustained once Federal support ends.

“(13) How the eligible consortium will, as appropriate—

“(A) enhance the economic, environmental, and energy security of the United States by promoting domestic development, manufacture, and deployment of innovative clean technologies and advanced manufacturing practices; and

“(B) support translational research, technology development, manufacturing innovation, and commercialization activities relating to clean technology.

“(i) COORDINATION AND COLLABORATION.—

“(1) COORDINATION WITH REGIONAL INNOVATION PROGRAM.—The Secretary shall ensure the activities under this section do not duplicate activities or efforts under section 27.

“(2) COORDINATION AMONG HUBS.—The Secretary shall ensure eligible consortia that receive a grant or cooperative agreement under this section coordinate and share best practices for regional economic development.

“(3) COORDINATION WITH PROGRAMS OF THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—The Secretary shall coordinate the activities of regional technology and innovation hubs designated under this section, the Hollings Manufacturing Extension Partnership, and the Manufacturing USA Program, as the Secretary considers appropriate, to maintain the effectiveness of a manufacturing extension center or a Manufacturing USA institute.

“(4) COORDINATION WITH DEPARTMENT OF ENERGY PROGRAMS.—The Secretary shall, in

collaboration with the Secretary of Energy, coordinate the activities and selection of regional technology and innovation hubs designated under this section, as the Secretaries consider appropriate, to maintain the effectiveness of activities at the Department of Energy and the National Laboratories.

“(5) INTERAGENCY COLLABORATION.—In designating regional technology and innovation hubs under subsection (d) and awarding grants or cooperative agreements under subsection (f), the Secretary—

“(A) shall collaborate with Federal departments and agencies whose missions contribute to the goals of the regional technology and innovation hub;

“(B) shall consult with the Director of the National Science Foundation for the purpose of ensuring that the regional technology and innovation hubs are aligned with relevant science, technology, and engineering expertise; and

“(C) may accept funds from other Federal agencies to support grants, cooperative agreements, and activities under this section.

“(j) PERFORMANCE MEASUREMENT, TRANSPARENCY, AND ACCOUNTABILITY.—

“(1) METRICS, STANDARDS, AND ASSESSMENT.—For each grant and cooperative agreement awarded under subsection (f) for a regional technology and innovation hub, the Secretary shall—

“(A) in consultation with the regional technology and innovation hub, develop metrics, which may include metrics relating to domestic job creation, patent awards, increases in research funding, business formation and expansion, and participation of individuals or communities historically underrepresented in STEM, to assess the effectiveness of the activities funded in making progress toward the purposes set forth under subsection (b)(1);

“(B) establish standards for the performance of the regional technology and innovation hub that are based on the metrics developed under subparagraph (A); and

“(C) prior to any award made under a subsequent performance period in subsection (f) and every 2 years thereafter until Federal financial assistance under this section for the regional technology and innovation hub is discontinued, conduct an assessment of the regional technology and innovation hub to confirm whether the performance of the regional technology and innovation hub is meeting the standards for performance established under subparagraph (B) of this paragraph.

“(2) FINAL REPORTS BY RECIPIENTS OF STRATEGY IMPLEMENTATION GRANTS AND COOPERATIVE AGREEMENTS.—

“(A) IN GENERAL.—The Secretary shall require each eligible consortium that receives a grant or cooperative agreement under subsection (f) for activities of a regional technology and innovation hub, as a condition of receipt of such grant or cooperative agreement, to submit to the Secretary, not later than 120 days after the last day of the term of the grant or cooperative agreement, a report on the activities of the regional technology and innovation hub supported by the grant or cooperative agreement.

“(B) CONTENTS OF REPORT.—Each report submitted by an eligible consortium under subparagraph (A) shall include the following:

“(i) A detailed description of the activities carried out by the regional technology and innovation hub using the grant or cooperative agreement described in subparagraph (A), including the following:

“(I) A description of each project the regional technology and innovation hub completed using such grant or cooperative agreement.

“(II) An explanation of how each project described in subclause (I) achieves a specific goal under this section in the region of the regional technology and innovation hub with respect to—

“(aa) the resiliency and sustainability of a supply chain;

“(bb) research, development, and deployment of a critical technology;

“(cc) workforce training and development;

“(dd) domestic job creation;

“(ee) entrepreneurship and company formation;

“(ff) commercialization;

“(gg) access to private capital; or

“(hh) participation of individuals or communities historically underrepresented in STEM.

“(ii) A discussion of any obstacles encountered by the regional technology and innovation hub in the implementation of the regional technology and innovation hub and how the regional technology and innovation hub overcame those obstacles.

“(iii) An evaluation of the success of the projects of the regional technology and innovation hub using the performance standards and measures established under paragraph (1), including an evaluation of the planning process and how the project contributes to carrying out the regional innovation strategy of the regional technology and innovation hub.

“(iv) The effectiveness of the regional technology and innovation hub in ensuring that, in the region of the regional technology and innovation hub, growth in technology and innovation sectors produces broadly shared opportunity across the region, including for economic disadvantaged and underrepresented populations and rural areas.

“(v) Information regarding such other matters as the Secretary may require.

“(3) INTERIM REPORTS BY RECIPIENTS OF GRANTS AND COOPERATIVE AGREEMENTS.—In addition to requiring submittal of final reports under paragraph (2)(A), the Secretary may require a regional technology and innovation hub described in such paragraph to submit to the Secretary such interim reports as the Secretary considers appropriate.

“(4) ANNUAL REPORTS TO CONGRESS.—Not less frequently than once each year, the Secretary shall submit to the appropriate committees of Congress an annual report on the results of the assessments conducted by the Secretary under paragraph (1)(C) during the period covered by the report.

“(K) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary—

“(1) \$50,000,000 to award grants and cooperative agreements under subsection (e) for the period of fiscal years 2023 through 2027;

“(2) \$2,950,000,000 to award grants and cooperative agreements under subsection (f) for the period of fiscal years 2023 and 2024; and

“(3) \$7,000,000,000 to award grants and cooperative agreements under subsection (f) for the period of fiscal years 2025 through 2027.

“(1) ADMINISTRATION.—The Secretary may use funds made available to carry out this section for administrative costs under this section.

“SEC. 29. DISTRESSED AREA RECOMPETE PILOT PROGRAM.

“(a) IN GENERAL.—Within the program authorized under section 28, the Secretary is authorized to establish a pilot program, to be known as the ‘Recompete Pilot Program’, to provide grants to eligible recipients representing eligible areas or Tribal lands to alleviate persistent economic distress and support long-term comprehensive economic development and job creation in eligible areas.

“(b) STRATEGY DEVELOPMENT GRANTS AND COOPERATIVE AGREEMENTS.—Subject to

available appropriations, the Secretary is authorized, on the application of an eligible recipient, to award up to one half of the number of grants under subsection (e) of section 28 to eligible recipients to develop a recompete plan and carry out related predevelopment activities.

“(c) STRATEGY IMPLEMENTATION GRANTS AND COOPERATIVE AGREEMENTS.—Subject to available appropriations and subsection (f), the Secretary shall award, on the application of an eligible recipient, at least ten strategy implementation grants, in accordance with a recompete plan review and approved by the Secretary, to carry out coordinated and comprehensive economic development programs and activities in an eligible area, consistent with a recompete plan approved by the Secretary. Such activities may include—

“(1) workforce development activities of the kind described in section 28(f) or other job training and workforce outreach programs oriented to local employer needs, such as—

“(A) customized job training programs carried out by local community colleges and other training or educational organizations in partnership with local businesses;

“(B) workforce outreach programs located in, and targeted to, lower-income and underemployed neighborhoods; and

“(C) programs to embed job placement and training services in neighborhood institutions such as churches, housing projects, and community advocacy programs; and

“(D) job retention programs and activities, such as the provision of career coaches;

“(2) business and entrepreneur development activities of the kind described in section 28(f), technology development and maturation activities of the kind described in such section, or the provision of business advice and assistance to small and medium-sized local businesses and entrepreneurs. Such advice and assistance may include—

“(A) manufacturing extension services;

“(B) small business development centers;

“(C) centers to help businesses bid for Federal procurement contracts;

“(D) entrepreneurial assistance programs that link entrepreneurs with available public and private resources;

“(E) legal advice and resources; and

“(F) assistance in accessing capital;

“(3) infrastructure related activities of the kind described in section 28(f) or other land and site development programs, such as brownfield redevelopment, research and technology parks, business incubators, business corridor development, and other infrastructure activities related to supporting job creation and employment for residents, subject to the requirements of section 28(f)(6); and

“(4) additional planning, predevelopment, technical assistance, and other administrative activities as may be necessary for the ongoing implementation, administration, and operation of the programs and activities carried out with a grant or cooperative agreement under this section, including but not limited to economic development planning and evaluation.

“(d) TERM.—

“(1) INITIAL PERFORMANCE PERIOD.—The term of an initial grant or cooperative agreement awarded under subsection (c) shall be for a period that the Secretary deems appropriate for the proposed activities but not less than 2 years.

“(2) SUBSEQUENT PERFORMANCE PERIOD.—The Secretary may renew a grant or cooperative agreement awarded under subsection (c) for such period, such amount, and such terms as the Secretary considers appropriate, if the Secretary determines that the recipient of an award under subsection (c) has made satisfactory progress towards

metrics or benchmarking requirements established by the Secretary at time of award.

“(3) FLEXIBLE APPROACH.—In renewing a grant or cooperative agreement under subsection (c), the Secretary may approve new or additional uses of funds, consistent with the uses described in subsection (c), to meet changes in the needs of the region.

“(e) LIMITATIONS.—

“(1) LIMITATION ON ELIGIBLE AREAS.—An eligible area may not benefit from more than 1 grant or cooperative agreement described in subsection (b) and 1 grant or cooperative agreement described in subsection (c), provided that a renewal described in subsection (d)(2) shall not constitute an additional grant.

“(2) LIMITATION ON RECIPIENTS.—For purposes of the program under this section, an eligible recipient may not receive multiple grants described in subsection (c) on behalf of more than 1 eligible area.

“(f) AWARD AMOUNT.—

“(1) IN GENERAL.—In determining the amount of a grant that an eligible recipient may be awarded under subsection (c), the Secretary shall—

“(A) take into consideration the proposed activities and projected expenditures outlined in an approved recompute plan; and

“(B) award not more than the product obtained by multiplying—

“(i) the prime-age employment gap of the eligible area;

“(ii) the prime-age population of the eligible area; and

“(iii) either—

“(I) \$70,585 for local labor markets; or

“(II) \$53,600 for local communities.

“(2) MINIMUM AMOUNT.—The Secretary may not make an award that is less than \$20,000,000 to an eligible recipient.

“(g) APPLICATIONS.—To be considered for a grant or cooperative agreement under—

“(1) subsection (b) of this section, an eligible recipient shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary determines to be appropriate; and

“(2) subsection (c) of this section, an eligible recipient shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary determines to be appropriate, including a recompute plan approved by the Secretary.

“(h) RELATION TO CERTAIN GRANT AWARDS.—The Secretary shall not require an eligible recipient to receive a grant or cooperative agreement under subsection (b) in order to receive a grant or cooperative agreement under subsection (c).

“(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary \$1,000,000,000 to award grants and cooperative agreements under subsection (c) of this section, for the period of fiscal years 2022 through 2026.

“(j) DEFINITIONS.—In this section:

“(1) ELIGIBLE AREA.—The term ‘eligible area’ means either of the following:

“(A) A local labor market that—

“(i) has a prime-age employment gap equal to not less than 2.5 percent; and

“(ii) meets additional criteria as the Secretary may establish.

“(B) A local community that—

“(i) has a prime-age employment gap equal to not less than 5 percent;

“(ii) is not located within an eligible local labor market that meets the criteria described in subparagraph (A);

“(iii) has a median annual household income of not more than \$75,000; and

“(iv) meets additional criteria as the Secretary may establish.

“(2) ELIGIBLE RECIPIENT.—The term ‘eligible recipient’ means a specified entity that

has been authorized in a manner as determined by the Secretary to represent and act on behalf of an eligible area for the purposes of this section.

“(3) LOCAL LABOR MARKET.—The term ‘local labor market’ means any of the following areas that contains 1 or more specified entities described in subparagraphs (A) through (D) of paragraph (6):

“(A) A metropolitan statistical area or micropolitan statistical area, excluding any area described in subparagraph (C).

“(B) A commuting zone, excluding any areas described in subparagraphs (A) and (C).

“(C) The Tribal land with a Tribal prime-age population represented by a Tribal government.

“(4) LOCAL COMMUNITY.—The term ‘local community’ means the area served by a general-purpose unit of local government that is located within, but does not cover the entire area of, a local labor market that does not meet the criteria described in paragraph (1)(A).

“(5) PRIME-AGE EMPLOYMENT GAP.—

“(A) IN GENERAL.—The term ‘prime-age employment gap’ means the difference (expressed as a percentage) between—

“(i) the national 5-year average prime-age employment rate; and

“(ii) the 5-year average prime-age employment rate of the eligible area.

“(B) CALCULATION.—For the purposes of subparagraph (A), an individual is prime-age if such individual between the ages of 25 years and 54 years.

“(6) RECOMPETE PLAN.—The term ‘recompute plan’ means a comprehensive multiyear economic development plan that—

“(A) includes—

“(i) proposed programs and activities to be carried out with a grant awarded under subsection (c) to address the economic challenges of the eligible area in a comprehensive manner that promotes long-term, sustained economic growth, lasting job creation, per capita wage increases, and reduction in the prime-age employment gap of the eligible area;

“(ii) projected costs and annual expenditures and proposed disbursement schedule;

“(iii) the roles and responsibilities of specified entities that may receive grant funds awarded under subsection (c); and

“(iv) other information as the Secretary determines appropriate;

“(B) is submitted to the Secretary for approval for an eligible recipient to be considered for a grant described in subsection (c); and

“(C) may be modified over the term of the grant by the eligible recipient, subject to the approval of the Secretary or at the direction of the Secretary, if the Secretary determines benchmarking requirements are repeatedly not met or if other circumstances necessitate a modification.

“(7) SPECIFIED ENTITY.—The term ‘specified entity’ means—

“(A) a unit of local government;

“(B) the District of Columbia;

“(C) a territory of the United States;

“(D) a Tribal government;

“(E) political subdivision of a State or other entity, including a special-purpose entity engaged in economic development activities;

“(F) a public entity or nonprofit organization, acting in cooperation with the officials of a political subdivision of a State or other entity described in subparagraph (E);

“(G) an economic development district (as defined in section 3 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3122); and

“(H) a consortium of any of the specified entities described in this paragraph which

serve or are contained within the same eligible area.

“(8) TRIBAL LAND.—The term ‘Tribal land’ means any land—

“(A) located within the boundaries of an Indian reservation, pueblo, or rancheria; or

“(B) not located within the boundaries of an Indian reservation, pueblo, or rancheria, the title to which is held—

“(i) in trust by the United States for the benefit of an Indian Tribe or an individual Indian;

“(ii) by an Indian Tribe or an individual Indian, subject to restriction against alienation under laws of the United States; or

“(iii) by a dependent Indian community.

“(9) TRIBAL PRIME-AGE POPULATION.—

“(A) IN GENERAL.—The term ‘Tribal prime-age population’ shall be equal to the sum obtained by adding—

“(i) the product obtained by multiplying—

“(I) the total number of individuals ages 25 through 54 residing on the Tribal land of the Tribal government; and

“(II) 0.65; and

“(ii) the product obtained by multiplying—

“(I) the total number of individuals ages 25 through 54 included on the membership roll of the Tribal government; and

“(II) 0.35

“(B) USE OF DATA.—A calculation under subparagraph (A) shall be determined based on data provided by the applicable Tribal government to the Department of the Treasury under the Coronavirus State and Local Fiscal Recovery Fund programs under title VI of the Social Security Act (42 U.S.C. 801 et seq.).”

(b) INITIAL DESIGNATIONS AND AWARDS.—

(1) COMPETITION REQUIRED.—Not later than 1 year after the date of the enactment of this Act, subject to the availability of appropriations, the Secretary of Commerce shall commence a competition under subsection (d)(1) of section 28 of the Stevenson-Wylder Technology Innovation Act of 1980 (as added by this section).

(2) DESIGNATION AND AWARD.—Not later than 18 months after the date of the enactment of this Act, if the Secretary has received at least 1 application under subsection (g) of section 28 of the Stevenson-Wylder Technology Innovation Act of 1980 (as added by this section) from an eligible consortium which the Secretary considers suitable for designation under subsection (d)(1) of such section 28, the Secretary shall—

(A) designate at least 1 regional technology and innovation hub under subsection (d)(1) of such section 28; and

(B) award a grant or cooperative agreement under subsection (f)(1) of such section 28 to each regional technology and innovation hub designated pursuant to subparagraph (A) of this paragraph.

(c) DISTRESSED AREA DESIGNATION AND AWARD.—Not later than 18 months after the date of the enactment of this section, subject to the availability of appropriations, if the Secretary has received applications under section 29 of the Stevenson-Wylder Technology Innovation Act of 1980 (as added by this section) from an eligible recipient which the Secretary considers suitable for award under such section 29, the Secretary shall award grants or cooperative agreement under subsections (b) and (c) of such section 29 to one or more eligible recipients.

SEC. 10622. REGIONAL CLEAN ENERGY INNOVATION PROGRAM.

Subtitle C of title IX of the Energy Independence and Security Act of 2007 is amended by adding at the end the following:

“SEC. 936. REGIONAL CLEAN ENERGY INNOVATION PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) REGIONAL CLEAN ENERGY INNOVATION PARTNERSHIP.—The term ‘regional clean energy innovation partnership’ means a group of one or more persons, including a covered consortium, who perform a collection of activities that are coordinated by such covered consortium to carry out the purposes of the program under subsection (c) in a region of the United States.

“(2) COVERED CONSORTIUM.—The term ‘covered consortium’ means an individual or group of individuals in partnership with a government entity, including a State, territorial, local, or tribal government or unit of such government, and at least 2 or more of the following additional entities—

“(A) an institution of higher education or a consortium of institutions of higher education, including community colleges;

“(B) a workforce development program;

“(C) a private sector entity or group of entities, including a trade or industry association;

“(D) a nonprofit organization;

“(E) a community group or community-based organization;

“(F) a labor organization or joint labor-management organization;

“(G) a National Laboratory;

“(H) a venture development organization;

“(I) a community development financial institution or minority depository institution;

“(J) a worker cooperative membership association or state or local employee ownership or cooperative development center;

“(K) an organization focused on clean energy technology innovation or entrepreneurship;

“(L) a business or clean energy accelerator or incubator;

“(M) an economic development organization;

“(N) a manufacturing facility or organization;

“(O) a multi-institutional collaboration; or

“(P) any other entity that the Secretary determines to be relevant.

“(3) PROGRAM.—The term ‘program’ means the Regional Clean Energy Innovation Program authorized in subsection (b).

“(4) INSTITUTION OF HIGHER EDUCATION.—The term ‘institution of higher education’ has the meaning given such term in section 101 or 102(a)(1)(B) of the Higher Education Act of 1965, as amended (20 U.S.C. 1001, 1002(a)(1)(B)).

“(5) NATIONAL LABORATORY.—The term ‘National Laboratory’ has the meaning given that term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

“(6) CLEAN ENERGY TECHNOLOGY.—The term ‘clean energy technology’ means a technology that significantly reduces energy use, increases energy efficiency, reduces greenhouse gas emissions, reduces emissions of other pollutants, or mitigates other negative environmental consequences of energy production, transmission or use.

“(7) COMMUNITY-BASED ORGANIZATION.—The term ‘community-based organization’ has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

“(8) COMMUNITY COLLEGE.—The term ‘community college’ means—

“(A) a public institution of higher education, including additional locations, at which the highest degree, or the predominantly awarded degree, is an associate degree; or

“(B) any Tribal college or university (as defined in section 316 of the Higher Education Act of 1965 (20 U.S.C. 1059c)).

“(9) WORKFORCE DEVELOPMENT PROGRAM.—The term ‘workforce development program’ has the meaning given the term in section 3

of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

“(b) IN GENERAL.—The Secretary shall establish a Regional Clean Energy Innovation Program, a research, development, demonstration, and commercial application program designed to enhance the economic, environmental, and energy security of the United States and accelerate the pace of innovation of diverse clean energy technologies through the formation or support of regional clean energy innovation partnerships.

“(c) PURPOSES OF THE PROGRAM.—The purposes of the Program established under subsection (b) are to—

“(1) improve the competitiveness of United States’ clean energy technology research, development, demonstration, and commercial application; and

“(2) support the development of tools and technologies best suited for use in diverse regions of the United States, including in rural, tribal, and low-income communities.

“(d) REGIONAL CLEAN ENERGY INNOVATION PARTNERSHIPS.—

“(1) IN GENERAL.—The Secretary shall competitively award grants to covered consortia to establish or support regional clean energy innovation partnerships that achieve the purposes of the Program in subsection (c).

“(2) PERMISSIBLE ACTIVITIES.—Grants awarded under this subsection shall be used for activities determined appropriate by the Secretary to achieve the purposes of the Program in subsection (c), including—

“(A) facilitating the commercial application of clean energy products, processes, and services, including through research, development, demonstration, or technology transfer;

“(B) planning among participants of a regional clean energy innovation partnership to improve the strategic and cost-effective coordination of the partnership;

“(C) improving stakeholder involvement in the development of goals and activities of a regional clean energy innovation partnership;

“(D) assessing different incentive mechanisms for clean energy development and commercial application in the region;

“(E) hosting events and conferences; and

“(F) establishing and updating roadmaps to measure progress on relevant goals, such as those relevant to metrics developed under subsection (g).

“(3) APPLICATIONS.—Each application submitted to the Secretary under paragraph (1) may include—

“(A) a list of members and roles of members of the covered consortia, as well as any other stakeholders supporting the activities of the regional clean energy innovation partnership;

“(B) an assessment of the relevant clean energy innovation assets needed in a region to achieve proposed outcomes, such as education and workforce development programs, research facilities, infrastructure or site development, access to capital, manufacturing capabilities, or other assets;

“(C) a description of proposed activities that the regional clean energy innovation partnership plans to undertake and how the proposed activities will achieve the purposes described in subsection (c);

“(D) a plan for attracting additional funds and identification of funding sources from non-Federal sources to deliver the proposed outcomes of the regional clean energy innovation partnership;

“(E) a plan for partnering and collaborating with community development financial institutions and minority depository institutions, labor organizations and community groups, worker cooperative membership associations, local and state employee own-

ership and cooperative development centers, and other local institutions in order to promote employee, community, and public ownership in the clean energy sector, and advance models of local economic development that build and retain wealth in the region;

“(F) a plan for sustaining activities of the regional clean energy innovation partnership after funds received under this program have been expended; and

“(G) a proposed budget, including financial contributions from non-Federal sources.

“(4) CONSIDERATIONS.—In selecting covered consortia for funding under the Program, the Secretary shall, to the maximum extent practicable—

“(A) give special consideration to applications from rural, tribal, and low-income communities; and

“(B) ensure that there is geographic diversity among the covered consortia selected to receive funding.

“(5) AWARD AMOUNT.—Grants given out under this Program shall be in an amount not greater than \$10,000,000, with the total grant award in any year less than that in the previous year.

“(6) COST SHARE.—For grants that are disbursed over the course of three or more years, the Secretary shall require, as a condition of receipt of funds under this section, that a covered consortium provide not less than 50 percent of the funding for the activities of the regional clean energy partnership under this section for years 3, 4, and 5.

“(7) DURATION.—Each grant under paragraph shall be for a period of not longer than 5 years.

“(8) RENEWAL.—A grant awarded under this section may be renewed for a period of not more than 5 years, subject to a rigorous merit review based on the progress of a regional clean energy innovation partnership towards achieving the purposes of the program in subsection (c) and the metrics developed under subsection (g).

“(9) TERMINATION.—Consistent with the existing authorities of the Department, the Secretary may terminate grant funding under this subsection to covered consortia during the performance period if the Secretary determines that the regional clean energy innovation partnership is underperforming.

“(10) ADMINISTRATIVE COSTS.—The Secretary may allow a covered consortium that receives funds under this section to allocate a portion of the funding received to be used for administrative or indirect costs.

“(11) FUNDING.—The Secretary may accept funds from other Federal agencies to support funding and activities under this section.

“(e) PLANNING FUNDS.—The Secretary may competitively award grants in an amount no greater than \$2,000,000 for a period not longer than 2 years to an entity consisting of a government entity, including a State, territorial, local, or tribal government or unit of such government or any entity listed under subsection (a)(2) to plan a regional clean energy innovation partnership or establish a covered consortium for the purpose of applying for funds under subsection (b).

“(f) INFORMATION SHARING.—As part of the program, the Secretary shall support the gathering, analysis, and dissemination of information on best practices for developing and operating successful regional clean energy innovation partnerships.

“(g) METRICS.—In evaluating a grant renewal under subsection (d)(8), the Secretary shall work with program evaluation experts to develop and make publicly available metrics to assess the progress of a regional clean energy innovation partnership towards achieving the purposes of the program in subsection (c).

“(h) COORDINATION.—In carrying out the program, the Secretary shall coordinate with, and avoid unnecessary duplication of, the activities carried out under this section with the activities of other research entities of the Department or relevant programs at other Federal agencies.

“(i) CONFLICTS OF INTEREST.—In carrying out the program, the Secretary shall maintain conflict of interest procedures, consistent with the conflict of interest procedures of the Department.

“(j) EVALUATION BY COMPTROLLER GENERAL.—Not later than 3 years after the date of the enactment of the Research and Development, Competition, and Innovation Act, and again 3 years later, the Comptroller General shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an evaluation on the operation of the program during the most recent 3-year period, including—

“(1) an assessment of the progress made towards achieving the purposes specified in subsection (c) based on the metrics developed under subsection (g);

“(2) the short-term and long-term metrics used to determine the success of the program under subsection (g), and any changes recommended to the metrics used;

“(3) the regional clean energy innovation partnerships established or supported by covered consortia that have received grants under subsection (d); and

“(4) any recommendations on how the program may be improved.

“(k) NATIONAL LABORATORIES.—In supporting technology transfer activities at the National Laboratories, the Secretary shall encourage partnerships with entities that are located in the same region or State as the National Laboratory.

“(l) SECURITY.—In carrying out the activities under this section, the Secretary shall ensure proper security controls are in place to protect sensitive information, as appropriate.

“(m) NO FUNDS FOR CONSTRUCTION.—No funds provided to the Department of Energy under this section shall be used for construction.

“(n) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section \$50,000,000 for each of fiscal years 2023 through 2027.”.

Subtitle D—Research Security

SEC. 10631. REQUIREMENTS FOR FOREIGN TALENT RECRUITMENT PROGRAMS.

(a) PURPOSE.—The purpose of this subtitle is to direct actions to prohibit participation in any foreign talent recruitment program by personnel of Federal research agencies and to prohibit participation in a malign foreign talent recruitment program by covered individuals involved with research and development awards from those agencies.

(b) GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Science and Technology Policy, in coordination with the interagency working group established under section 1746 of the National Defense Authorization Act for Fiscal Year 2020 (42 U.S.C. 6601 note; Public Law 116-92), shall publish and widely distribute a uniform set of guidelines for Federal research agencies regarding foreign talent recruitment programs. Such policy guidelines shall—

(1) prohibit all personnel of each Federal research agency, including Federal employees, contract employees, independent contractors, individuals serving under the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4701 et seq.), Visiting Scientist, Engi-

neering, and Educator appointments, and special government employees other than peer reviewers, from participating in a foreign talent recruitment program;

(2) as part of the requirements under section 223 of the William (Mac) Thornberry NDAA of Fiscal Year 2021 (10 U.S.C. 6605; Public Law 116-283), require covered individuals to disclose if such individuals are a party to a foreign talent recruitment program contract, agreement, or other arrangement;

(3) prohibit research and development awards from being made for any proposal in which a covered individual is participating in a malign foreign talent recruitment program; and

(4) to the extent practicable, require recipient institutions to prohibit covered individuals participating in malign foreign talent recruitment programs from working on projects supported by research and development awards.

(c) DEFINITION OF FOREIGN TALENT RECRUITMENT PROGRAMS.—As part of the guidance under subsection (b), the Director of the Office of Science and Technology Policy shall define and describe the characteristics of a foreign talent recruitment program.

(d) IMPLEMENTATION.—Not later than one year after the date of the enactment of this Act, each Federal research agency shall issue a policy utilizing the guidelines under subsection (b).

(e) CONSISTENCY.—The Director of the Office of Science and Technology Policy shall ensure that the policies issued by the Federal research agencies under subsection (d) are consistent to the greatest extent practicable.

SEC. 10632. MALIGN FOREIGN TALENT RECRUITMENT PROGRAM PROHIBITION.

(a) IN GENERAL.—Not later than 24 months after the date of enactment of this Act, each Federal research agency shall establish a policy that, as part of a proposal for a research and development award from the agency—

(1) each covered individual listed in such proposal certify that each such individual is not a party to a malign foreign talent recruitment program in the proposal submission of each such individual and annually thereafter for the duration of the award; and

(2) each institution of higher education or other organization applying for such an award certify that each covered individual who is employed by such institution of higher education or other organization has been made aware of the requirements under this section and complied with the requirement under paragraph (1).

(b) STAKEHOLDER INPUT.—In establishing a policy under subsection (a), Federal research agencies shall publish a description of the proposed policy in the Federal Register and provide an opportunity for submission of public comment for a period of not more than 60 days.

(c) COMPLIANCE WITH EXISTING LAW.—Each Federal research agency and recipient shall comply with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) in the establishment of policies pursuant to under subsection (a).

(d) INTERNATIONAL COLLABORATION.—Each policy developed under subsection (a) shall not prohibit, unless such activities are funded, organized, or managed by an academic institution or a foreign talent recruitment program on the lists developed under paragraphs (8) and (9) of section 1286(c) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 4001 note; Public Law 115-232)—

(1) making scholarly presentations and publishing written materials regarding scientific information not otherwise controlled under current law;

(2) participation in international conferences or other international exchanges, research projects or programs that involve open and reciprocal exchange of scientific information, and which are aimed at advancing international scientific understanding and not otherwise controlled under current law;

(3) advising a foreign student enrolled at an institution of higher education or writing a recommendation for such a student, at such student's request; and

(4) other international activities determined appropriate by the Federal research agency head or designee.

(e) LIMITATION.—The certifications required under subsection (a) shall not apply retroactively to research and development awards made or applied for prior to the establishment of the policy by the Federal research agency.

(f) TRAINING.—Each Federal research agency shall ensure that, as a requirement of an award from each such agency, recipient institutions provide training on the risks of malign foreign talent recruitment programs to covered individuals employed at such institutions, including those individuals who are participating in activities described in subsection (d).

SEC. 10633. REVIEW OF CONTRACTS AND AGREEMENTS.

(a) IN GENERAL.—In addition to existing authorities for preventing waste, fraud, abuse, and mismanagement of Federal funds, each Federal research agency shall have the authority to—

(1) require, upon request, the submission to such agency, by an institution of higher education or other organization applying for a research and development award, of supporting documentation, including copies of contracts, grants, or any other agreement specific to foreign appointments, employment with a foreign institution, participation in a foreign talent recruitment program and other information reported as current and pending support for all covered individuals in a research and development award application;

(2) require such institution of higher education or other organization to review any documents requested under paragraph (1) for compliance with the Federal research agency's award terms and conditions, including guidance on conflicts of interest and conflicts of commitment; and

(3) upon receipt and review of the information provided under paragraph (1) and in consultation with the institution of higher education or other organization submitting such information, initiate the substitution or removal of a covered individual from a research and development award, reduce the award funding amount, or suspend or terminate the award if the agency head determines such contracts, grants, or agreements include obligations that—

(A) interfere with the capacity for agency-supported activities to be carried out; or

(B) create duplication with agency-supported activities.

(b) LIMITATIONS.—In exercising the authorities under subsection (a), each Federal research agency shall—

(1) take necessary steps, as practicable, to protect the privacy of all covered individuals and other parties specified in the documentation submitted under paragraph (1) of such subsection;

(2) endeavor to provide justification for requests for supporting documentation made under such paragraph;

(3) require that allegations be proven by a preponderance of evidence; and

(4) as practicable, afford subjects an opportunity to provide comments and rebuttal and an opportunity to appeal before final administrative action is taken.

SEC. 10634. RESEARCH SECURITY TRAINING REQUIREMENT FOR FEDERAL RESEARCH AWARD PERSONNEL.

(a) **ANNUAL TRAINING REQUIREMENT.**—

(1) **IN GENERAL.**—Not later than 12 months after the date of the enactment of this Act, each Federal research agency shall establish a requirement that, as part of an application for a research and development award from the agency—

(A) each covered individual listed on the application for a research and development award certify that each such individual has completed within one year of such application research security training that meets the guidelines developed under subsection (b); and

(B) each institution of higher education or other organization applying for such an award certify that each covered individual who is employed by such institution or organization and listed on the application has completed such training.

(2) **CONSISTENCY.**—The Director of the Office of Science and Technology Policy shall ensure that the training requirements established by Federal research agencies pursuant to paragraph (1) are consistent.

(b) **TRAINING GUIDELINES.**—The Director of the Office of Science and Technology Policy, acting through the National Science and Technology Council and in accordance with the authority provided under section 1746(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 42 U.S.C. 6601 note), shall, taking into consideration stakeholder input, develop guidelines for institutions of higher education and other organizations receiving Federal research and development funds to use in developing their own training programs to address the unique needs, challenges, and risk profiles of such institutions and other organizations, including adoption of security training modules developed under subsection (c), to ensure compliance with National Security Presidential Memorandum-33 (relating to strengthening protections of the United States Government-supported research and development against foreign government interference and exploitation) or any successor documents.

(c) **SECURITY TRAINING MODULES.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Director of the Office of Science and Technology Policy, in coordination with the Director of the National Science Foundation, the Director of the National Institutes of Health, the Secretary of Energy, and the Secretary of Defense, and in consultation with the heads of relevant Federal research agencies, shall enter into an agreement or contract with a qualified entity for the development of online research security training modules for the research community and participants in the United States research and development enterprise to ensure compliance with National Security Presidential Memorandum-33 or successor documents, including modules—

(A) focused on cybersecurity, international collaboration and international travel, foreign interference, and rules for proper use of funds, disclosure, conflict of commitment, and conflict of interest; and

(B) tailored to the unique needs of—

(i) covered individuals;

(ii) undergraduate students, graduate students, and postdoctoral researchers; and

(iii) applicants for awards under the SBIR and STTR programs (as such terms are defined in section 9(e) of the Small Business Act (15 U.S.C. 638(e)).

(2) **STAKEHOLDER INPUT.**—Prior to entering into the agreement under paragraph (1), the Director of the Office of Science and Technology Policy shall seek input from aca-

demic, private sector, intelligence, and law enforcement stakeholders regarding the scope and content of security training modules, including the diversity of needs across institutions of higher education and other recipients of different sizes and types, and recommendations for minimizing administrative burden on recipients and researchers.

(3) **DEVELOPMENT.**—The Director of the Office of Science and Technology Policy shall ensure that the entity referred to in paragraph (1)—

(A) develops security training modules that can be adapted and utilized across Federal research agencies; and

(B) develops and implements a plan for regularly updating such modules as needed.

SEC. 10635. RESEARCH FUNDS ACCOUNTING.

(a) **STUDY PERIOD DEFINED.**—In this section the term “study period” means the 5-year period ending on the date of the enactment of this Act.

(b) **STUDY.**—The Comptroller General of the United States shall conduct a study on Federal funding made available to foreign entities of concern for research, during the study period.

(c) **MATTERS TO BE INCLUDED.**—The study conducted under subsection (b) shall include, to the extent practicable with respect to the study period, an assessment of—

(1) the total amount of Federal funding made available to foreign entities of concern for research;

(2) the total number and types of foreign entities of concern to which such funding was made available;

(3) the requirements relating to the awarding, tracking, and monitoring of such funding;

(4) any other data available with respect to Federal funding made available to foreign entities of concern for research; and

(5) such other matters as the Comptroller General of the United States determines appropriate.

(d) **BRIEFING ON AVAILABLE DATA.**—Not later than 120 days after the date of the enactment of this Act, the Comptroller General of the United States shall brief the Committee on Commerce, Science, and Transportation, the Committee on Health, Education, Labor, and Pensions, and the Committee on Foreign Relations of the Senate and the Committee on Science, Space, and Technology, the Committee on Energy and Commerce, and the Committee on Foreign Affairs of the House of Representatives on the study conducted under subsection (b) and the data that is available with respect to Federal funding made available to foreign entities of concern for research.

(e) **REPORT.**—The Comptroller General of the United States shall submit to the congressional committees specified in subsection (d), by a date agreed upon by the Comptroller General and the committees on the date of the briefing under such subsection, a report on the findings of the study conducted under subsection (b).

SEC. 10636. PERSON OR ENTITY OF CONCERN PROHIBITION.

No person published on the list under section 1237(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261; 50 U.S.C. 1701 note) or entity identified under section 1260h of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (10 U.S.C. 113 note; Public Law 116-283) may receive or participate in any grant, award, program, support, or other activity under—

(1) the Directorate established in subtitle G of title III of this division;

(2) section 28(b)(1) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3701 et seq.), as added by section 10621; or

(3) the Manufacturing USA Program, as improved and expanded under subtitle E of title II of this division.

SEC. 10637. NONDISCRIMINATION.

In carrying out requirements under this subtitle, each Federal research agency shall ensure that policies and activities developed and implemented pursuant to this subtitle are carried out in a manner that does not target, stigmatize, or discriminate against individuals on the basis of race, ethnicity, or national origin, consistent with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.).

SEC. 10638. DEFINITIONS.

In this subtitle:

(1) **COVERED INDIVIDUAL.**—The term “covered individual” means an individual who—

(A) contributes in a substantive, meaningful way to the scientific development or execution of a research and development project proposed to be carried out with a research and development award from a Federal research agency; and

(B) is designated as a covered individual by the Federal research agency concerned.

(2) **FOREIGN COUNTRY OF CONCERN.**—The term “foreign country of concern” means the People’s Republic of China, the Democratic People’s Republic of Korea, the Russian Federation, the Islamic Republic of Iran, or any other country determined to be a country of concern by the Secretary of State.

(3) **FOREIGN ENTITY OF CONCERN.**—The term “foreign entity of concern” means a foreign entity that is—

(A) designated as a foreign terrorist organization by the Secretary of State under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a));

(B) included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury (commonly known as the SDN list);

(C) owned by, controlled by, or subject to the jurisdiction or direction of a government of a foreign country that is a covered nation (as such term is defined in section 4872 of title 10, United States Code);

(D) alleged by the Attorney General to have been involved in activities for which a conviction was obtained under—

(i) chapter 37 of title 18, United States Code (commonly known as the Espionage Act);

(ii) section 951 or 1030 of title 18, United States Code;

(iii) chapter 90 of title 18, United States Code (commonly known as the Economic Espionage Act of 1996);

(iv) the Arms Export Control Act (22 U.S.C. 2751 et seq.);

(v) section 224, 225, 226, 227, or 236 of the Atomic Energy Act of 1954 (42 U.S.C. 2274, 2275, 2276, 2277, and 2284);

(vi) the Export Control Reform Act of 2018 (50 U.S.C. 4801 et seq.); or

(vii) the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.); or

(E) determined by the Secretary of Commerce, in consultation with the Secretary of Defense and the Director of National Intelligence, to be engaged in unauthorized conduct that is detrimental to the national security or foreign policy of the United States.

(4) **MALIGN FOREIGN TALENT RECRUITMENT PROGRAM.**—The term “malign foreign talent recruitment program” means—

(A) any program, position, or activity that includes compensation in the form of cash, in-kind compensation, including research funding, promised future compensation, complimentary foreign travel, things of non de minimis value, honorific titles, career advancement opportunities, or other types of

remuneration or consideration directly provided by a foreign country at any level (national, provincial, or local) or their designee, or an entity based in, funded by, or affiliated with a foreign country, whether or not directly sponsored by the foreign country, to the targeted individual, whether directly or indirectly stated in the arrangement, contract, or other documentation at issue, in exchange for the individual—

(i) engaging in the unauthorized transfer of intellectual property, materials, data products, or other nonpublic information owned by a United States entity or developed with a Federal research and development award to the government of a foreign country or an entity based in, funded by, or affiliated with a foreign country regardless of whether that government or entity provided support for the development of the intellectual property, materials, or data products;

(ii) being required to recruit trainees or researchers to enroll in such program, position, or activity;

(iii) establishing a laboratory or company, accepting a faculty position, or undertaking any other employment or appointment in a foreign country or with an entity based in, funded by, or affiliated with a foreign country if such activities are in violation of the standard terms and conditions of a Federal research and development award;

(iv) being unable to terminate the foreign talent recruitment program contract or agreement except in extraordinary circumstances;

(v) through funding or effort related to the foreign talent recruitment program, being limited in the capacity to carry out a research and development award or required to engage in work that would result in substantial overlap or duplication with a Federal research and development award;

(vi) being required to apply for and successfully receive funding from the sponsoring foreign government's funding agencies with the sponsoring foreign organization as the recipient;

(vii) being required to omit acknowledgment of the recipient institution with which the individual is affiliated, or the Federal research agency sponsoring the research and development award, contrary to the institutional policies or standard terms and conditions of the Federal research and development award;

(viii) being required to not disclose to the Federal research agency or employing institution the participation of such individual in such program, position, or activity; or

(ix) having a conflict of interest or conflict of commitment contrary to the standard terms and conditions of the Federal research and development award; and

(B) a program that is sponsored by—

(i) a foreign country of concern or an entity based in a foreign country of concern, whether or not directly sponsored by the foreign country of concern;

(ii) an academic institution on the list developed under section 1286(c)(8) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 2358 note; Public Law 115-232); or

(iii) a foreign talent recruitment program on the list developed under section 1286(c)(9) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 2358 note; Public Law 115-232).

Subtitle E—Coastal and Ocean Acidification Research and Innovation

SEC. 10641. SHORT TITLE.

This subtitle may be cited as the “Coastal and Ocean Acidification Research and Innovation Act of 2021”.

SEC. 10642. PURPOSES.

(a) IN GENERAL.—Section 12402(a) of the Federal Ocean Acidification Research and Monitoring Act of 2009 (33 U.S.C. 3701(a)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “development and coordination” and inserting “development coordination and implementation”;

(B) in subparagraph (A), by striking “acidification on marine organisms” and inserting “acidification and coastal acidification on marine organisms”;

(C) in subparagraph (B), by striking “establish” and all that follows through the semicolon and inserting “maintain and advise an interagency research, monitoring, and public outreach program on ocean acidification and coastal acidification”;

(2) in paragraph (2), by striking “establishment” and inserting “maintenance”;

(3) in paragraph (3), by inserting “and coastal acidification” after “ocean acidification”; and

(4) in paragraph (4), by striking “techniques for” and all that follows through the period and inserting “mitigating the impacts of ocean and coastal acidification and related co-stressors on marine ecosystems.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 12402 of the Federal Ocean Acidification Research and Monitoring Act of 2009 (33 U.S.C. 3701(a)) is amended by striking “(a) PURPOSES.—”.

SEC. 10643. DEFINITIONS.

Section 12403 of the Federal Ocean Acidification Research and Monitoring Act of 2009 (33 U.S.C. 3702) is amended—

(1) in paragraph (1), by striking “of the Earth’s oceans” and all that follows before the period at the end and inserting “and changes in the water chemistry of the Earth’s oceans, coastal estuaries, marine waterways, and Great Lakes caused by carbon dioxide from the atmosphere and the breakdown of organic matter”;

(2) in paragraph (3), by striking “Joint Subcommittee on Ocean Science and Technology of the National Science and Technology Council” and inserting “National Science and Technology Council Subcommittee on Ocean Science and Technology”;

(3) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4), respectively;

(4) by inserting before paragraph (2), as so redesignated, the following:

“(1) COASTAL ACIDIFICATION.—The term ‘coastal acidification’ means the decrease in pH and changes in the water chemistry of coastal oceans, estuaries, and Great Lakes from atmospheric pollution, freshwater inputs, and excess nutrient run-off from land.”; and

(5) by adding at the end the following:

“(5) STATE.—The term ‘State’ means each State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, the Virgin Islands of the United States, and any other territory or possession of the United States.”.

SEC. 10644. INTERAGENCY WORKING GROUP.

Section 12404 of the Federal Ocean Acidification Research and Monitoring Act of 2009 (33 U.S.C. 3703) is amended—

(1) in the heading, by striking “SUBCOMMITTEE” and inserting “WORKING GROUP”;

(2) in subsection (a)—

(A) in paragraph (1), by striking “Joint Subcommittee on Ocean Science and Technology of the National Science and Technology Council shall coordinate Federal activities on ocean acidification and establish”

and insert “Subcommittee shall coordinate Federal activities on ocean and coastal acidification and establish and maintain”;

(B) in paragraph (2), by striking “Wildlife Service,” and inserting “Wildlife Service, the Bureau of Ocean Energy Management, the Environmental Protection Agency, the Department of Agriculture, the Department of State, the Department of Energy, the Department of the Navy, the National Park Service, the Bureau of Indian Affairs, the National Institute of Standards and Technology, the Smithsonian Institution.”; and

(C) in paragraph (3), in the heading, by striking “CHAIRMAN” and inserting “CHAIR”;

(3) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (A), by inserting “and coastal acidification” after “ocean acidification”; and

(ii) in subparagraph (B), by inserting “and coastal acidification” after “ocean acidification”;

(B) in paragraph (4), by striking “; and” and inserting a semicolon; and

(C) in paragraph (5)—

(i) by inserting “, and contribute to as appropriate,” after “designate”;

(ii) by striking “developed” and inserting “and coastal acidification developed”; and

(iii) by striking the period at the end and inserting “and coastal acidification; and”.

(4) in subsection (c)—

(A) in paragraph (2)—

(i) by inserting “until 2032” after “every 2 years thereafter”;

(ii) by inserting “, and to the Office of Management and Budget,” after “House of Representatives”; and

(iii) in subparagraph (B), by striking “the interagency research” and inserting “interagency strategic research”;

(B) in paragraph (3), by inserting “until 2031” after “at least once every 5 years”; and

(C) in paragraph (4), by inserting “until 2032” after “and every 6 years thereafter”;

(5) by redesignating subsection (c) as subsection (e); and

(6) by inserting after subsection (b) the following:

“(c) ADVISORY BOARD.—

“(1) ESTABLISHMENT.—The Chair of the Subcommittee shall establish an Ocean Acidification Advisory Board.

“(2) DUTIES.—The Advisory Board shall—

“(A) maintain a process for reviewing and making recommendations to the Subcommittee on—

“(i) the biennial report specified in subsection (d)(2); and

“(ii) the strategic research plan in subsection (d)(3);

“(B) provide ongoing advice to the Subcommittee and the interagency working group on matters related to Federal activities on ocean and coastal acidification, including impacts and mitigation of ocean and coastal acidification; and

“(C) advise the Subcommittee and the interagency working group on—

“(i) efforts to coordinate research and monitoring activities related to ocean acidification and coastal acidification; and

“(ii) the best practices for the standards developed for data archiving under section 12406(d).

“(3) MEMBERSHIP.—The Advisory Board shall consist of 25 members as follows:

“(A) Two representatives of the shellfish, lobster, or crab industry.

“(B) One representative of the finfish industry.

“(C) One representative of seafood processors.

“(D) Three representatives from academia, including both natural and social sciences.

“(E) One representative of recreational fishing.

“(F) One representative of a relevant non-governmental organization.

“(G) Six representatives from relevant State and local governments with policy or regulatory authorities related to ocean acidification and coastal acidification.

“(H) One representative from the Alaska Ocean Acidification Network or a subsequent entity that represents the same geographical region and has a similar purpose.

“(I) One representative from the California Current Acidification Network or a subsequent entity that represents the same geographical region and has a similar purpose.

“(J) One representative from the Northeast Coastal Acidification Network or a subsequent entity that represents the same geographical region and has a similar purpose.

“(K) One representative from the Southeast Coastal Acidification Network or a subsequent entity that represents the same geographical region and has a similar purpose.

“(L) One representative from the Gulf of Mexico Coastal Acidification Network or a subsequent entity that represents the same geographical region and has a similar purpose.

“(M) One representative from the Mid-Atlantic Coastal Acidification Network or a subsequent entity that represents the same geographical region and has a similar purpose.

“(N) One representative from the Pacific Islands Ocean Observing System or a subsequent entity that represents the island territories and possessions of the United States in the Pacific Ocean, and the State of Hawaii and has a similar purpose.

“(O) One representative from the Caribbean Regional Association for Coastal Ocean Observing or a subsequent entity that represents Puerto Rico and the United States Virgin Islands and has a similar purpose.

“(P) One representative from the National Oceanic and Atmospheric Administration Olympic Coast Ocean Acidification Sentinel Site or a subsequent entity that represents the same geographical representation.

“(Q) One representative from the National Oceanic and Atmospheric Administration shall serve as an ex-officio member of the Advisory Board without a vote.

“(4) APPOINTMENT OF MEMBERS.—The Chair of the Subcommittee shall—

“(A) appoint members to the Advisory Board (taking into account the geographical interests of each individual to be appointed as a member of the Advisory Board to ensure that an appropriate balance of geographical interests are represented by the members of the Advisory Board) who—

“(i) represent the interest group for which each seat is designated;

“(ii) demonstrate expertise on ocean acidification or coastal acidification and its scientific, economic, industry, cultural, and community impacts; and

“(iii) have a record of distinguished service with respect to ocean acidification or coastal acidification, and such impacts;

“(B) give consideration to nominations and recommendations from the members of the interagency working group and the public for such appointments; and

“(C) ensure that an appropriate balance of scientific, industry, State and local resource managers, and geographical interests are represented by the members of the Advisory Board.

“(5) TERM OF MEMBERSHIP.—Each member of the Advisory Board—

“(A) shall be appointed for a 5-year term; and

“(B) may be appointed to no more than two terms.

“(6) CHAIR.—The Chair of the Subcommittee shall appoint one member of the

Advisory Board to serve as the Chair of the Advisory Board.

“(7) MEETINGS.—Not less than once each calendar year, the Advisory Board shall meet at such times and places as may be designated by the Chair of the Advisory Board, in consultation with the Chair of the Subcommittee and the Chair of the interagency working group.

“(8) BRIEFING.—The Chair of the Advisory Board shall brief the Subcommittee and the interagency working group on the progress of the Advisory Board as necessary or at the request of the Subcommittee.

“(9) TRIBAL GOVERNMENT ENGAGEMENT AND COORDINATION.—

“(A) IN GENERAL.—The Advisory Board shall maintain mechanisms for coordination, and engagement with Tribal governments.

“(i) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) may be construed as affecting any requirement to consult with Indian Tribes under Executive Order 13175 (25 U.S.C. 5301 note; relating to consultation and coordination with Tribal governments) or any other applicable law or policy.

“(10) FEDERAL ADVISORY COMMITTEE ACT.—Section 14 of the Federal Advisory Committee Act shall not apply to the Advisory Board for 10 years from the date of enactment of this Act.

“(d) PRIZE COMPETITIONS.—

“(1) IN GENERAL.—Any Federal agency with a representative serving on the interagency working group established under this section may, either individually or in cooperation with one or more agencies, carry out a program to award prizes competitively under section 24 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3719). An agency seeking to carry out such a program shall carry out such program in coordination with the chair of such interagency working group.

“(2) PURPOSES.—Any prize competition carried out under this subsection shall be for the purpose of stimulating innovation to advance our Nation's ability to understand, research, or monitor ocean acidification or its impacts, or to develop management or adaptation options for responding to ocean and coastal acidification.

“(3) PRIORITY PROGRAMS.—Priority shall be given to establishing programs under this section that address communities, environments, or industries that are in distress due to the impacts of ocean and coastal acidification.”

SEC. 10645. STRATEGIC RESEARCH PLAN.

Section 12405 of the Federal Ocean Acidification Research and Monitoring Act of 2009 (33 U.S.C. 3704) is amended—

(1) in subsection (a)—

(A) by striking “acidification” each place it appears and inserting “acidification and coastal acidification”;

(B) in the first sentence—

(i) by inserting “, and not later than every 5 years following the publication of each subsequent strategic research plan until 2035” after “the date of enactment of this Act”;

(ii) by inserting “address the socioeconomic impacts of ocean acidification and coastal acidification and to” after “mitigation strategies to”;

(iii) by striking “marine ecosystems” each place it appears and inserting “ecosystems”;

(C) in the second sentence, by striking “National Academy of Sciences in the review of the plan required under subsection (d)”, and inserting “Advisory Board established in section 12404(c)”;

(2) in subsection (b)—

(A) in paragraph (1), by inserting “and social sciences” after “among the ocean sciences”;

(B) in paragraph (2)—

(i) in subparagraph (B)—

(I) by striking “improve the ability to assess the” and inserting “assess the short-term and long-term”; and

(II) by striking “; and” at the end and inserting a semicolon;

(ii) by amending subparagraph (C) to read as follows:

“(C) provide information for the development of adaptation and mitigation strategies to address—

“(i) socioeconomic impacts of ocean acidification and coastal acidification;

“(ii) conservation of marine organisms and ecosystems;

“(iii) assessment of the effectiveness of such adaptation and mitigation strategies; and”;

(iii) by adding at the end the following new subparagraph:

“(D) improve research on—

“(i) ocean acidification and coastal acidification;

“(ii) the interactions between and effects of ocean and coastal acidification and multiple combined stressors including changes in water chemistry, changes in sediment delivery, hypoxia, and harmful algal blooms, on ocean acidification and coastal acidification; and

“(iii) the effect or effects of clauses (i) and (ii) on marine resources and ecosystems;”;

(C) in paragraph (3)—

(i) in subparagraph (F), by striking “database development” and inserting “data management”;

(ii) in subparagraph (H) by striking “and” at the end; and

(iii) by adding at the end the following new subparagraphs:

“(J) assessment of adaptation and mitigation strategies; and

“(K) education and outreach activities;”;

(D) in paragraph (4), by striking “set forth” and inserting “ensure an appropriate balance of contribution in establishing”;

(E) in paragraph (5), by striking “reports” and inserting “the best available peer-reviewed scientific reports”;

(F) in paragraph (6)—

(i) by inserting “and coastal acidification” after “ocean acidification”; and

(ii) by striking “of the United States” and inserting “within the United States”;

(G) in paragraph (8)—

(i) by inserting “and coastal acidification” after “ocean acidification” each place it appears;

(ii) by striking “its” and inserting “their”;

and

(iii) by striking “; and” at the end and inserting a semicolon;

(H) in paragraph (9), by striking “and” at the end

(I) in paragraph (10), by striking the period at the end and inserting a semicolon; and

(J) by adding at the end the following:

“(11) describe monitoring needs necessary to support potentially affected industry members, coastal stakeholders, fishery management councils and commissions, Tribal governments, non-Federal resource managers, and scientific experts on decision-making and adaptation related to ocean acidification and coastal acidification; and

“(12) describe the extent to which the Subcommittee incorporated feedback from the Advisory Board established in section 12404(c).”;

(3) in subsection (c)—

(A) in paragraph (1)(C), by striking “surface”;

(B) in paragraph (2), by inserting “and coastal acidification” after “ocean acidification” each place it appears;

(C) in paragraph (3)—

(i) by striking “input, and” and inserting “inputs.”;

(ii) by inserting “, marine food webs,” after “marine ecosystems”;

(iii) by inserting “, and modeling that supports fisheries management” after “marine organisms”;

(D) in paragraph (5), by inserting “and coastal acidification” after “ocean acidification”;

(E) by adding at the end the following new paragraph:

“(8) Research to understand related and cumulative stressors and other biogeochemical processes occurring in conjunction with ocean acidification and coastal acidification.”;

(4) by striking subsections (d) and (e) and inserting the following:

“(d) PUBLICATION.—Concurrent with the submission of the plan to Congress, the Subcommittee shall publish the plan on a public website.”.

SEC. 10646. NOAA OCEAN ACIDIFICATION ACTIVITIES.

Section 12406 of the Federal Ocean Acidification Research and Monitoring Act of 2009 (33 U.S.C. 3705) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting “coordination,” after “research, monitoring.”;

(B) in paragraph (1)—

(i) in subparagraph (B), by inserting “including leveraging, as appropriate, the Integrated Ocean Observing System and the ocean observing assets of other Federal, State, and Tribal agencies,” after “ocean observing assets.”;

(ii) by redesignating subparagraphs (C), (D), (E), and (F) as subparagraphs (E), (G), (H), and (I), respectively;

(iii) by inserting after subparagraph (B) the following new subparagraphs:

“(C) prioritization of the location of monitoring instruments, assets, and projects to maximize the efficiency of resources and agency and department missions;

“(D) an optimization of understanding of socioeconomic impacts and ecosystem health”.

(iv) in subparagraph (E), as so redesignated, by striking “adaptation” and inserting “adaptation and mitigation”;

(v) by inserting after subparagraph (E), as so redesignated, the following new subparagraph:

“(F) technical assistance to socioeconomically vulnerable States, local governments, Tribal governments, communities, and industries impacted by ocean and coastal acidification to support their development of ocean and coastal acidification mitigation strategies.”.

(vi) in subparagraph (H), as so redesignated—

(I) by striking “its impacts” and inserting “their respective impacts”;

(II) by striking “and” at the end;

(vii) in subparagraph (I), as so redesignated—

(I) by striking “monitoring and impacts research” and inserting “research, monitoring, and adaptation and mitigation strategies”;

and

(II) by striking the period at the end and inserting a semicolon;

(viii) by adding at the end the following new subparagraphs:

“(J) research to improve understanding of—

“(i) the impact of ocean acidification and coastal acidification; and

“(ii) how multiple environmental stressors may contribute to and exacerbate ocean and coastal acidification on living marine resources and coastal ecosystems; and

“(K) research to support the development of adaptation and mitigation strategies to address the socioeconomic impacts of ocean and coastal acidification on coastal communities.”;

(C) in paragraph (2), by striking “critical research projects that explore” and inserting “critical research, education, and outreach projects that explore and communicate”;

(D) in paragraphs (1) and (2), by striking “acidification” each place it appears and inserting “acidification and coastal acidification”;

(2) by adding at the end the following new subsections:

“(c) RELATIONSHIP TO INTERAGENCY WORKING GROUP.—The National Oceanic and Atmospheric Administration shall serve as the lead Federal agency responsible for coordinating the Federal response to ocean and coastal acidification. The Administration may enter into Memoranda of Understanding to—

“(1) coordinate monitoring and research efforts among Federal agencies in cooperation with State, local, and Tribal governments and international partners; this may include analysis and synthesis of the results of monitoring and research;

“(2) maintain an Ocean Acidification Information Exchange described under section 12404(b)(5) to allow for information to be electronically accessible, including information—

“(A) on ocean acidification developed through or used by the ocean acidification program described under subsection (a); or

“(B) that would be useful to State governments, local governments, Tribal governments, resource managers, policymakers, researchers, and other stakeholders in mitigating or adapting to the impacts of ocean acidification and coastal acidification; and

“(3) establishing and maintaining the data archive system under subsection (d).

“(d) DATA ARCHIVE SYSTEM.—

“(1) IN GENERAL.—The Secretary, in coordination with the members of the interagency working group, shall support the long-term stewardship of, and access to, data relating to ocean and coastal acidification through providing the data on a publicly accessible data archive system. To the extent possible, this data archive system shall collect and provide access to ocean and coastal acidification data—

“(A) from relevant federally funded research;

“(B) provided by a Federal, State, or local government, academic scientist, citizen scientist, or industry organization;

“(C) voluntarily submitted by Tribes or Tribal governments; and

“(D) from existing global or national data assets that are currently maintained within Federal agencies.

“(2) DATA STANDARDS.—The Secretary to, the extent possible, shall ensure all such data adheres to data and metadata standards to support the public findability, accessibility, interoperability, and reusability of such data.”.

SEC. 10647. NSF OCEAN ACIDIFICATION ACTIVITIES.

Section 12407 of the Federal Ocean Acidification Research and Monitoring Act of 2009 (33 U.S.C. 3706) is amended—

(1) by striking “ocean acidification” each place it appears and inserting “ocean acidification and coastal acidification”;

(2) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “its impacts” and inserting “their respective impacts”;

(B) in paragraph (3), by striking “and its impacts” and inserting “and their respective impacts”;

(C) in paragraph (4), by striking the period at the end and inserting “; and”;

(D) by adding at the end the following new paragraph:

“(5) adaptation and mitigation strategies to address socioeconomic effects of ocean acidification and coastal acidification.”;

and

(3) by adding at the end the following:

“(d) REQUIREMENT.—Recipients of grants from the National Science Foundation under this subtitle that collect data described under section 12406(d) shall—

“(1) collect data in accordance with the standards, protocols, or procedures established pursuant to section 12406(d); and

“(2) submit such data to the Director and the Secretary after publication, in accordance with any rules promulgated by the Director or the Secretary.”.

SEC. 10648. NASA OCEAN ACIDIFICATION ACTIVITIES.

Section 12408 of the Federal Ocean Acidification Research and Monitoring Act of 2009 (33 U.S.C. 3707) is amended—

(1) by striking “ocean acidification” each place it appears and inserting “ocean acidification and coastal acidification”;

(2) in subsection (a), by striking “its impacts” and inserting “their respective impacts”;

(3) by adding at the end the following new subsection:

“(d) REQUIREMENT.—Researchers from the National Aeronautics and Space Administration under this subtitle that collect data described under section 12406(d) shall—

“(1) collect such data in accordance with the standards, protocols, or procedures established pursuant to section 12406(d); and

“(2) submit such data to the Administrator and the Secretary, in accordance with any rules promulgated by the Administrator or the Secretary.”.

SEC. 10649. AUTHORIZATION OF APPROPRIATIONS.

Section 12409 of the Federal Ocean Acidification Research and Monitoring Act of 2009 (33 U.S.C. 3708) is amended—

(1) in subsection (a), by striking “subtitle—” and all that follows through paragraph (4) and inserting the following: “subtitle—

“(1) \$20,500,000 for fiscal year 2023;

“(2) \$22,000,000 for fiscal year 2024;

“(3) \$24,000,000 for fiscal year 2025;

“(4) \$26,000,000 for fiscal year 2026; and

“(5) \$28,000,000 for fiscal year 2027.”;

(2) in subsection (b), by striking “subtitle—” and all that follows through paragraph (4) and inserting the following: “subtitle, \$20,000,000 for each of the fiscal years 2023 through 2027.”.

Subtitle F—Interagency Working Group

SEC. 10651. INTERAGENCY WORKING GROUP.

(a) ESTABLISHMENT.—The Director of the Office of Science and Technology Policy, acting through the National Science and Technology Council, shall establish or designate an interagency working group to coordinate the activities specified in subsection (c).

(b) COMPOSITION.—The interagency working group shall be composed of the following members (or their designees), who may be organized into subcommittees, as appropriate:

(1) The Secretary of Commerce.

(2) The Director of the National Science Foundation.

(3) The Secretary of Energy.

(4) The Secretary of Defense.

(5) The Director of the National Economic Council.

(6) The Director of the Office of Management and Budget.

(7) The Secretary of Health and Human Services.

(8) The Administrator of the National Aeronautics and Space Administration.

(9) The Secretary of Agriculture.

(10) The Director of National Intelligence.

(11) The Director of the Federal Bureau of Investigation.

(12) Such other Federal officials as the Director of the Office of Science and Technology Policy considers appropriate, including members of the National Science and Technology Council Committee on Technology.

(c) COORDINATION.—The interagency working group shall seek to ensure that the activities of different Federal agencies enhance and complement, but, as appropriate, do not duplicate, efforts being carried out by another Federal agency, with a focus on the following:

(1) The activities of the National Science Foundation Technology, Innovation, and Partnerships Directorate in the key technology focus areas, such as within the Regional Innovation Engines under section 10388 and test beds under section 10390.

(2) The activities of the Department of Commerce under this division, including regional technology hubs under section 28 of the Stevenson-Wydler Act of 1980 (15 U.S.C. 13701 et seq.), as added by section 10621, the Manufacturing USA Program established under section 34(b)(1) of the National Institute of Standards and Technology Act (15 U.S.C. 278s(b)(1)), and the Hollings Manufacturing Extension Partnership (15 U.S.C. 278k).

(3) The activities of the Department of Energy in the key technology focus areas, including at the national laboratories, and at Federal laboratories, as defined in section 4 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3703), and facilities and user facilities operated in partnership with such national laboratories or the Department of Energy.

(4) Any other program that the Director of the Office of Science and Technology Policy determines involves research and development with respect to the key technology focus areas.

(d) REPORT.—The interagency working group shall—

(1) by not later than 180 days after the date of enactment of this division—

(A) conduct an initial review of Federal programs and resources with respect to the key technology focus areas identified pursuant to section 10387(a)(2), in order to—

(i) assess current level of efforts and characterize existing research infrastructure, as of the date of the review;

(ii) identify potential areas of overlap or duplication with respect to the key technology focus areas; and

(iii) identify potential cross-agency collaborations and joint funding opportunities; and

(B) submit a report regarding the review described in subparagraph (A) to Congress; and

(C) seek stakeholder input and recommendations in the course of such review; and

(2) shall carry out the annual reviews and updates required under section 10387(e).

(e) CONFLICTS.—If any conflicts between Federal agencies arise while carrying out the activities under this section, the President shall make the final decision regarding resolution of the conflict.

Subtitle G—Quantum Networking and Communications

SEC. 10661. QUANTUM NETWORKING AND COMMUNICATIONS.

(a) DEFINITIONS.—In this section:

(1) DIRECTOR.—The term “Director” means the Director of the National Science Foundation.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees

of Congress” has the meaning given such term in section 2 of the National Quantum Initiative Act (15 U.S.C. 8801).

(3) Q2WORK PROGRAM.—The term “Q2Work Program” means the Q2Work Program supported by the Foundation.

(b) QUANTUM NETWORKING WORKING GROUP REPORT ON QUANTUM NETWORKING AND COMMUNICATIONS.—

(1) REPORT.—Section 103 of the National Quantum Initiative Act (15 U.S.C. 8813) is amended by adding the following at the end the following new subsection:

“(h) REPORT ON QUANTUM NETWORKING AND COMMUNICATIONS.—

“(1) IN GENERAL.—Not later than January 1, 2026, the Quantum Networking Working Group within the Subcommittee on Quantum Information Science of the National Science and Technology Council, in coordination with the Subcommittee on the Economic and Security Implications of Quantum Information Science, shall submit to the appropriate committees of Congress a report detailing a plan for the advancement of quantum networking and communications technology in the United States, building on the report entitled *A Strategic Vision for America's Quantum Networks and A Coordinated Approach for Quantum Networking Research*.

“(2) REQUIREMENTS.—The report under paragraph (1) shall include the following:

“(A) An update to the report entitled *Coordinated Approach to Quantum Networking Research Report* focusing on a framework for interagency collaboration regarding the advancement of quantum networking and communications research.

“(B) A plan for Federal Government partnership with the private sector and interagency collaboration regarding engagement in international standards for quantum networking and communications technology, including a list of Federal priorities for standards relating to such networking and technology.

“(C) A proposal for the protection of national security interests relating to the advancement of quantum networking and communications technology.

“(D) An assessment of the relative position of the United States with respect to other countries in the global race to develop, demonstrate, and utilize quantum networking and communications technology.

“(E) Recommendations to Congress for legislative action relating to the matters considered under subparagraphs (A), (B), (C), and (D).

“(F) Such other matters as the Quantum Network Working Group considers necessary to advance the security of communications and network infrastructure, remain at the forefront of scientific discovery in the quantum information science domain, and transition quantum information science research into the emerging quantum technology economy.”

(c) QUANTUM NETWORKING AND COMMUNICATIONS RESEARCH AND STANDARDIZATION.—

(1) RESEARCH.—Subsection (a) of section 201 of the National Quantum Initiative Act (15 U.S.C. 8831) is amended by—

(A) redesignating paragraphs (3) and (4) as paragraphs (6) and (7), respectively; and

(B) inserting after paragraph (2) the following new paragraphs:

“(3) shall carry out research to facilitate the development and standardization of quantum cryptography and post-quantum classical cryptography;

“(4) shall carry out research to facilitate the development and standardization of quantum networking, communications, and sensing technologies and applications;

“(5) for quantum technologies determined by the Director of the National Institute of Standards and Technology to be at a readi-

ness level sufficient for standardization, shall provide technical review and assistance to such other Federal agencies as the Director considers appropriate for the development of quantum networking infrastructure standards;”.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Scientific and Technical Research and Services account of the National Institute of Standards and Technology to carry out paragraphs (3) through (5) of subsection (a) of section 201 of the National Quantum Initiative Act (as inserted pursuant to the amendments made by paragraph (1) of this subsection) \$15,000,000 for each of fiscal years 2023 through 2027.

(d) QUANTUM INFORMATION SCIENCE WORKFORCE EVALUATION AND ACCELERATION.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director shall enter into an agreement with the National Academies of Sciences, Engineering, and Medicine to conduct a study to evaluate and make recommendations for the quantum information science workforce. The study shall—

(A) characterize the quantum information science workforce, including by—

(i) describing what constitutes a quantum information science qualified worker across sectors, including academia, the Federal Government, and industry; and

(ii) describing the size and makeup of the quantum information science workforce, including an assessment of current and future trends;

(B) identify near- and long-term quantum information science workforce needs across government, academia, and industry sectors, including identifying the cross-disciplinary academic degrees or academic courses necessary to—

(i) prepare students for multiple career pathways in quantum information sciences and related fields;

(ii) ensure the United States is competitive in the field of quantum information science while preserving national security; and

(iii) support the development of quantum applications;

(C) assess the state of quantum information science education and skills training at all education levels and identify gaps in meeting current and future workforce needs, including with respect to—

(i) elementary, middle, and high-school student access to foundational courses, age-appropriate quantum concepts, and hands-on learning opportunities;

(ii) elementary, middle, and high-school teacher professional development and access to resources, materials, lesson plans, modules, and curricula;

(iii) career pivot and skills training opportunities, including professional certificates and internships; and

(iv) higher education curricula, laboratory experiences in academia, the Federal Government, and industry settings, and cross-discipline degree programs aligned with workforce needs; and

(D) make recommendations for developing a diverse, flexible, and sustainable quantum information science workforce that meets the evolving needs of academia, the Federal Government, and industry.

(2) REPORT.—Not later than two years after the date of the enactment of this Act, the National Academies of Science, Engineering, and Medicine shall submit to Congress and the Director a report containing the results of the study conducted pursuant to paragraph (1).

(e) INCORPORATING QISE INTO STEM CURRICULUM.—

(1) IN GENERAL.—Section 301 of the National Quantum Initiative Act (15 U.S.C.

8841) is amended by adding the following at the end:

“(d) INCORPORATING QISE INTO STEM CURRICULUM.—

“(1) IN GENERAL.—The Director of the National Science Foundation shall, through programs carried out or supported by the National Science Foundation, seek to increase the integration of quantum information science and engineering (referred to in this subsection as ‘QISE’) into the STEM curriculum at all education levels, including community colleges, as considered appropriate by the Director.

“(2) CURRICULUM INTEGRATION.—The curriculum integration under paragraph (1) may include the following:

“(A) Methods to conceptualize QISE for elementary, middle, and high school curricula.

“(B) Methods for strengthening foundational mathematics and science curricula.

“(C) Methods for integrating students who are underserved or historically underrepresented groups in STEM.

“(D) Age-appropriate materials that apply the principles of quantum information science in STEM fields.

“(E) Recommendations for the standardization of key concepts, definitions, and curriculum criteria across government, academia, and industry.

“(F) Materials that specifically address the findings and outcomes of the study to evaluate and make recommendations for the quantum information science workforce pursuant to subsection (d) of section 10661 of the Research and Development, Competition, and Innovation Act and strategies to account for the skills and workforce needs identified through such study.

“(3) COORDINATION.—In carrying out this subsection, the Director shall coordinate with relevant Federal agencies, and consult with nongovernmental entities with expertise in QISE, as appropriate, which may include institutions eligible to participate in the Established Program to Stimulate Competitive Research (EPSCoR).

“(4) DEFINITION.—In this subsection, the term ‘STEM’ means the academic and professional disciplines of science, technology, engineering, and mathematics, including computer science.”

(f) QUANTUM EDUCATION PILOT PROGRAM.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Director, building on the National Science Foundation’s role in the National Q-12 Education Partnership and programs such as Q2Work Program, shall make awards to institutions of higher education, non-profit organizations, or consortia thereof to carry out a pilot program, to be known as the “Next Generation Quantum Leaders Pilot Program” (in this subsection referred to as the “Program”), for the education and training of the next generation of students and teachers in the fundamental principles of quantum mechanics.

(2) REQUIREMENTS.—

(A) IN GENERAL.—In carrying out the Program, the Director shall—

(i) encourage awardees to coordinate with educational service agencies (as such term “educational service agency” is defined in section 602(5) of the Individuals with Disabilities Education Improvement Act of 2004 (20 U.S.C. 1401(5))), associations that support STEM educators or local educational agencies, and partnerships through the Q-12 Education Partnership, to encourage elementary schools, middle schools, and secondary schools, and State educational agencies to participate in the Program;

(ii) require that awardees partner with elementary schools, middle schools, or secondary schools, or consortia thereof, and

State educational agencies, to carry out activities under the Program;

(B) USE OF FUNDS.—In carrying out the Program, the Director shall make competitive, merit-reviewed awards to—

(i) support testing, evaluation, dissemination, and implementation of age-appropriate quantum information sciences curricula and resources, including the integration of quantum information science and engineering into the STEM curriculum pursuant to subsection (d) of section 301 of the National Quantum Initiative Act (15 U.S.C. 8841), as added by subsection (e);

(ii) support opportunities for informal education on quantum concepts, including informal hands-on learning opportunities;

(iii) support opportunities for students to further explore quantum information science education and related careers;

(iv) develop and implement training, research, and professional development programs for teachers, including innovative pre-service and in-service programs, in quantum information science and related fields; and

(v) carry out such other activities as the Director determines appropriate.

(C) DISTRIBUTION.—In carrying out the Program and to the extent practicable, the Director shall ensure there is a wide, equitable distribution of Program participants across diverse geographic areas and that the Program includes a diverse representation of students, including students from groups historically underrepresented in STEM.

(3) CONSULTATION.—The Director shall carry out the Program in consultation with the QIS Workforce Working Group of the Subcommittee on Quantum Information Science of the National Science and Technology Council and the Advancing Informal STEM Learning Program.

(4) REPORTING.—Not later than four years after the date of the enactment of this section, the Director shall submit to Congress a report that includes the following:

(A) An assessment, that includes feedback from a wide range of stakeholders in academia, K-12 education, and the private sector, of the effectiveness of the Program in scaling up implementation of effective quantum education and training innovations.

(B) If determined to be effective, a plan for integrating the Program into existing programs, including the feasibility and advisability of expanding the scope of the Program to include additional technology areas, grade levels, and educational institutions beyond those originally selected to participate in the Program.

(5) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Director \$8,000,000 for each of fiscal years 2023 through 2026 to carry out this section.

(6) TERMINATION.—This subsection shall terminate on the date that is four years after the date of the enactment of this Act.

Subtitle H—Blockchain Specialist

SEC. 10671. ESTABLISHMENT OF BLOCKCHAIN AND CRYPTOCURRENCY SPECIALIST POSITION WITHIN OSTP.

The Director of the Office of Science and Technology Policy shall establish or designate a blockchain and cryptocurrencies advisory specialist position within the Office to coordinate Federal activities and advise the President on matters of research and development relating to blockchain, cryptocurrencies, and distributed ledger technologies.

Subtitle I—Partnerships for Energy Security and Innovation

SEC. 10691. FOUNDATION FOR ENERGY SECURITY AND INNOVATION.

(a) DEFINITIONS.—In this section:

(1) BOARD.—The term “Board” means the Board of Directors described in subsection (b)(2)(A).

(2) DEPARTMENT.—The term “Department” means the Department of Energy.

(3) EXECUTIVE DIRECTOR.—The term “Executive Director” means the Executive Director described in subsection (b)(5)(A).

(4) FOUNDATION.—The term “Foundation” means the Foundation for Energy Security and Innovation established under subsection (b)(1).

(5) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term “historically Black college or university” has the meaning given the term “part B institution” in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(6) INDIVIDUAL LABORATORY-ASSOCIATED FOUNDATION.—The term “Individual Laboratory-Associated Foundation” means a Laboratory Foundation established by an operating contractor of a National Laboratory.

(7) MINORITY-SERVING INSTITUTION.—The term “minority serving institution” means a Hispanic-serving institution as defined in section 502 of the Higher Education Act of 1965 (20 U.S.C. 1101a), an Alaska Native-serving institution and a Native Hawaiian-serving institution as defined in section 317 of the Higher Education Act of 1965 (20 U.S.C. 1059d), or a Predominantly Black Institution, Asian American and Native American Pacific Islander-serving institution, or a Native American-serving nontribal institution as defined in section 371 of the Higher Education Act of 1965 (20 U.S.C. 1067q).

(8) NATIONAL LABORATORY.—The term “National Laboratory” has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(9) SECRETARY.—The term “Secretary” means the Secretary of Energy.

(10) TRIBAL COLLEGE OR UNIVERSITY.—The term “Tribal College or University” has the meaning given in section 316 of the Higher Education Act of 1965 (20 U.S.C. 1059c).

(b) FOUNDATION FOR ENERGY SECURITY AND INNOVATION.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a nonprofit corporation to be known as the “Foundation for Energy Security and Innovation”.

(B) MISSION.—The mission of the Foundation shall be—

(i) to support the mission of the Department; and

(ii) to advance collaboration with energy researchers, institutions of higher education, industry, and nonprofit and philanthropic organizations to accelerate the commercialization of energy technologies.

(C) LIMITATION.—The Foundation shall not be an agency or instrumentality of the Federal Government.

(D) TAX-EXEMPT STATUS.—The Board shall take all necessary and appropriate steps to ensure that the Foundation is an organization that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of that Code.

(E) COLLABORATION WITH EXISTING ORGANIZATIONS.—The Secretary may collaborate with 1 or more organizations to establish the Foundation and carry out the activities of the Foundation.

(2) BOARD OF DIRECTORS.—

(A) ESTABLISHMENT.—The Foundation shall be governed by a Board of Directors.

(B) COMPOSITION.—

(i) IN GENERAL.—The Board shall be composed of the ex officio nonvoting members described in clause (ii) and the appointed voting members described in clause (iii).

(ii) EX OFFICIO MEMBERS.—The ex officio members of the Board shall be the following individuals or designees of those individuals:

(I) The Secretary.

(II) The Under Secretary for Science.
(III) The Under Secretary for Nuclear Security.

(IV) The Chief Commercialization Officer.

(iii) APPOINTED MEMBERS.—

(I) INITIAL MEMBERS.—The Secretary and the other ex officio members of the Board shall—

(aa) seek to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine to develop a list of individuals to serve as members of the Board who are well-qualified and will meet the requirements of subclauses (II) and (III); and

(bb) appoint the initial members of the Board from that list, if applicable, in consultation with the National Academies of Sciences, Engineering, and Medicine.

(II) REPRESENTATION.—The appointed members of the Board shall reflect a broad cross-section of stakeholders from academia, National Laboratories, industry, nonprofit organizations, State or local governments, the investment community, and the philanthropic community.

(III) EXPERIENCE.—The Secretary shall ensure that a majority of the appointed members of the Board—

(aa)(AA) has experience in the energy sector;

(BB) has research experience in the energy field; or

(CC) has experience in technology commercialization or foundation operations; and

(bb) to the extent practicable, represents diverse regions, sectors, and communities.

(C) CHAIR AND VICE CHAIR.—

(i) IN GENERAL.—The Board shall designate from among the members of the Board—

(I) an individual to serve as Chair of the Board; and

(II) an individual to serve as Vice Chair of the Board.

(ii) TERMS.—The term of service of the Chair and Vice Chair of the Board shall end on the earlier of—

(I) the date that is 3 years after the date on which the Chair or Vice Chair of the Board, as applicable, is designated for the position; and

(II) the last day of the term of service of the member, as determined under subparagraph (D)(i), who is designated to be Chair or Vice Chair of the Board, as applicable.

(iii) REPRESENTATION.—The Chair and Vice Chair of the Board—

(I) shall not be representatives of the same area of subject matter expertise, or entity, as applicable, under subparagraph (B)(iii)(II); and

(II) shall not be representatives of any area of subject matter expertise, or entity, as applicable, represented by the immediately preceding Chair and Vice Chair of the Board.

(D) TERMS AND VACANCIES.—

(i) TERMS.—

(I) IN GENERAL.—The term of service of each appointed member of the Board shall be not more than 5 years.

(II) INITIAL APPOINTED MEMBERS.—Of the initial members of the Board appointed under subparagraph (B)(iii)(I), half of the members shall serve for 4 years and half of the members shall serve for 5 years, as determined by the Chair of the Board.

(ii) VACANCIES.—Any vacancy in the membership of the appointed members of the Board—

(I) shall be filled in accordance with the bylaws of the Foundation by an individual capable of representing the same area or entity, as applicable, as represented by the vacating board member under subparagraph (B)(iii)(II);

(II) shall not affect the power of the remaining appointed members to execute the duties of the Board; and

(III) shall be filled by an individual selected by the Board.

(E) MEETINGS; QUORUM.—

(i) INITIAL MEETING.—Not later than 60 days after the Board is established, the Secretary shall convene a meeting of the ex officio and appointed members of the Board to incorporate the Foundation.

(ii) QUORUM.—A majority of the appointed members of the Board shall constitute a quorum for purposes of conducting the business of the Board.

(F) DUTIES.—The Board shall—

(i) establish bylaws for the Foundation in accordance with subparagraph (G);

(ii) provide overall direction for the activities of the Foundation and establish priority activities;

(iii) carry out any other necessary activities of the Foundation;

(iv) evaluate the performance of the Executive Director; and

(v) actively solicit and accept funds, gifts, grants, devises, or bequests of real or personal property to the Foundation, including from private entities.

(G) BYLAWS.—

(i) IN GENERAL.—The bylaws established under subparagraph (F)(i) may include—

(I) policies for the selection of Board members, officers, employees, agents, and contractors of the Foundation;

(II) policies, including ethical standards, for—

(aa) the acceptance, solicitation, and disposition of donations and grants to the Foundation, including appropriate limits on the ability of donors to designate, by stipulation or restriction, the use or recipient of donated funds; and

(bb) the disposition of assets of the Foundation;

(III) policies that subject all employees, fellows, trainees, and other agents of the Foundation (including ex officio and appointed members of the Board) to conflict of interest standards; and

(IV) the specific duties of the Executive Director.

(ii) REQUIREMENTS.—The Board shall ensure that the bylaws of the Foundation and the activities carried out under those bylaws shall not—

(I) reflect unfavorably on the ability of the Foundation to carry out activities in a fair and objective manner; or

(II) compromise, or appear to compromise, the integrity of any governmental agency or program, or any officer or employee employed by, or involved in, a governmental agency or program.

(H) COMPENSATION.—

(i) IN GENERAL.—No member of the Board shall receive compensation for serving on the Board.

(ii) CERTAIN EXPENSES.—In accordance with the bylaws of the Foundation, members of the Board may be reimbursed for travel expenses, including per diem in lieu of subsistence, and other necessary expenses incurred in carrying out the duties of the Board.

(I) RESTRICTION ON MEMBERSHIP.—No employee of the Department shall be appointed as a member of the Board of Directors.

(3) PURPOSES.—The purposes of the Foundation are—

(A) to support the Department in carrying out the mission of the Department to ensure the security and prosperity of the United States by addressing energy and environmental challenges through transformative science and technology solutions; and

(B) to increase private and philanthropic sector investments that support efforts to create, characterize, develop, test, validate, and deploy or commercialize innovative technologies that address crosscutting national energy challenges, including those af-

fecting minority, rural, and other underserved communities, by methods that include—

(i) fostering collaboration and partnerships with researchers from the Federal Government, State governments, institutions of higher education, including historically Black colleges or universities, Tribal Colleges or Universities, and minority-serving institutions, federally funded research and development centers, industry, and nonprofit organizations for the research, development, or commercialization of transformative energy and associated technologies;

(ii) strengthening and sharing best practices relating to regional economic development through scientific and energy innovation, including in partnership with an Individual Laboratory-Associated Foundation;

(iii) promoting new product development that supports job creation;

(iv) administering prize competitions—

(I) to accelerate private sector competition and investment; and

(II) that complement the use of prize authority by the Department;

(v) supporting programs that advance technology maturation, especially where there may be gaps in Federal or private funding in advancing a technology to deployment or commercialization from the prototype stage to a commercial stage;

(vi) supporting efforts to broaden participation in energy technology development among individuals from historically underrepresented groups or regions; and

(vii) facilitating access to Department facilities, equipment, and expertise to assist in tackling national challenges.

(4) ACTIVITIES.—

(A) STUDIES, COMPETITIONS, AND PROJECTS.—The Foundation may conduct and support studies, competitions, projects, and other activities that further the purposes of the Foundation described in paragraph (3).

(B) FELLOWSHIPS AND GRANTS.—

(i) IN GENERAL.—The Foundation may award fellowships and grants for activities relating to research, development, demonstration, maturation, or commercialization of energy and other Department-supported technologies.

(ii) FORM OF AWARD.—A fellowship or grant under clause (i) may consist of a stipend, health insurance benefits, funds for travel, and funds for other appropriate expenses.

(iii) SELECTION.—In selecting a recipient for a fellowship or grant under clause (i), the Foundation—

(I) shall make the selection based on the technical and commercialization merits of the proposed project of the potential recipient; and

(II) may consult with a potential recipient regarding the ability of the potential recipient to carry out various projects that would further the purposes of the Foundation described in paragraph (3).

(iv) NATIONAL LABORATORIES.—A National Laboratory that applies for or accepts an award under clause (i) shall not be considered to be engaging in a competitive process.

(C) ACCESSING FACILITIES AND EXPERTISE.—The Foundation may work with the Department—

(i) to leverage the capabilities and facilities of National Laboratories to commercialize technology; and

(ii) to assist with resources, including by providing information on the assets of each National Laboratory that may enable the deployment and commercialization of technology.

(D) TRAINING AND EDUCATION.—The Foundation may support programs that provide training to researchers, scientists, other relevant personnel at National Laboratories

and institutions of higher education, and previous or current recipients of or applicants for Department funding to help research, develop, demonstrate, deploy, and commercialize federally funded technology.

(E) **MATURATION FUNDING.**—The Foundation shall support programs that provide maturation funding to researchers to advance the technology of those researchers for the purpose of moving products from a prototype stage to a commercial stage.

(F) **STAKEHOLDER ENGAGEMENT.**—The Foundation shall convene, and may consult with, representatives from the Department, institutions of higher education, National Laboratories, the private sector, and commercialization organizations to develop programs for the purposes of the Foundation described in paragraph (3) and to advance the activities of the Foundation.

(G) **INDIVIDUAL AND FEDERAL LABORATORY-ASSOCIATED FOUNDATIONS.**—

(i) **DEFINITION OF COVERED FOUNDATION.**—In this subparagraph, the term “covered foundation” means each of the following:

(I) An Individual Laboratory- Associated Foundation.

(II) A Federal Laboratory- Associated Foundation established pursuant to subsection (c)(1).

(ii) **SUPPORT.**—The Foundation shall provide support to and collaborate with covered foundations.

(iii) **GUIDELINES AND TEMPLATES.**—For the purpose of providing support under clause (ii), the Secretary shall establish suggested guidelines and templates for covered foundations, including—

(I) a standard adaptable organizational design for responsible management;

(II) standard and legally tenable bylaws and money-handling procedures; and

(III) a standard training curriculum to orient and expand the operating expertise of personnel employed by covered foundations.

(iv) **AFFILIATIONS.**—Nothing in this subparagraph requires—

(I) an existing Individual Laboratory-Associated Foundation to modify current practices or affiliate with the Foundation; or

(II) a covered foundation to be bound by charter or corporate bylaws as permanently affiliated with the Foundation.

(H) **SUPPLEMENTAL PROGRAMS.**—The Foundation may carry out supplemental programs—

(i) to conduct and support forums, meetings, conferences, courses, and training workshops consistent with the purposes of the Foundation described in paragraph (3);

(ii) to support and encourage the understanding and development of data that promotes the translation of technologies from the research stage, through the development and maturation stage, and ending in the market stage;

(iii) for writing, editing, printing, publishing, and vending books and other materials relating to research carried out under the Foundation and the Department; and

(iv) to conduct other activities to carry out and support the purposes of the Foundation described in paragraph (3).

(I) **EVALUATIONS.**—The Foundation shall support the development of an evaluation methodology, to be used as part of any program supported by the Foundation, that shall—

(i) consist of qualitative and quantitative metrics; and

(ii) include periodic third party evaluation of those programs and other activities of the Foundation.

(J) **COMMUNICATIONS.**—The Foundation shall develop an expertise in communications to promote the work of grant and fellowship recipients under subparagraph (B), the commercialization successes of the

Foundation, opportunities for partnership with the Foundation, and other activities.

(K) **SOLICITATION AND USE OF FUNDS.**—The Foundation may solicit and accept gifts, grants, and other donations, establish accounts, and invest and expend funds in support of the activities and programs of the Foundation.

(L) **AUTHORITY OF THE FOUNDATION.**—The Foundation shall be the sole entity responsible for carrying out the activities described in this paragraph.

(5) **ADMINISTRATION.**—

(A) **EXECUTIVE DIRECTOR.**—The Board shall hire an Executive Director of the Foundation, who shall serve at the pleasure of the Board. Subject to the compliance with the policies and bylaws established pursuant to paragraph (2)(G), the Executive Director shall be responsible for the daily operations of the Foundation in carrying the activities described in paragraph (4).

(B) **COMPENSATION.**—The rate of compensation of the Executive Director shall be fixed by the Board.

(C) **ADMINISTRATIVE CONTROL.**—No member of the Board, officer or employee of the Foundation or of any program established by the Foundation, or participant in a program established by the Foundation, shall exercise administrative control over any Federal employee.

(D) **STRATEGIC PLAN.**—Not later than 1 year after the date of enactment of this Act, the Foundation shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a strategic plan that contains—

(i) a plan for the Foundation to become financially self-sustaining in fiscal year 2023 and thereafter (except for the amounts provided each fiscal year under paragraph (1)(A)(iii));

(ii) a forecast of major crosscutting energy challenge opportunities, including short- and long-term objectives, identified by the Board, with input from communities representing the entities and areas of subject matter expertise, as applicable, described in paragraph (2)(B)(iii)(II);

(iii) a description of the efforts that the Foundation will take to be transparent in the processes of the Foundation, including processes relating to—

(I) grant awards, including selection, review, and notification;

(II) communication of past, current, and future research priorities; and

(III) solicitation of and response to public input on the opportunities identified under clause (ii);

(iv) a description of the financial goals and benchmarks of the Foundation for the following 10 years;

(v) a description of the efforts undertaken by the Foundation to engage historically underrepresented groups or regions, including through collaborations with historically Black colleges and universities, Tribal Colleges or Universities, minority-serving institutions, and minority-owned and women-owned business; and

(vi) a description of the efforts undertaken by the Foundation to ensure maximum complementarity and minimum redundancy with investments made by the Department.

(E) **ANNUAL REPORT.**—Not later than 1 year after the date on which the Foundation is established, and every years thereafter, the Foundation shall submit to the Committee on Energy and Natural Resources of the Senate, the Committee on Science, Space, and Technology of the House of Representatives, and the Secretary a report that, for the year covered by the report—

(i) describes the activities of the Foundation and the progress of the Foundation in

furthering the purposes of the Foundation described in paragraph (3);

(ii) provides a specific accounting of the source and use of all funds made available to the Foundation to carry out those activities to ensure transparency in the alignment of Department missions and policies with national security;

(iii) describes how the results of the activities of the Foundation could be incorporated into the procurement processes of the General Services Administration; and

(iv) includes a summary of each evaluation conducted using the evaluation methodology described in paragraph (4)(I).

(F) **EVALUATION BY COMPTROLLER GENERAL.**—Not later than 5 years after the date on which the Foundation is established, the Comptroller General of the United States shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Science, Space, and Technology of the House of Representatives—

(i) an evaluation of—

(I) the extent to which the Foundation is achieving the mission of the Foundation; and

(II) the operation of the Foundation; and

(ii) any recommendations on how the Foundation may be improved.

(G) **AUDITS.**—The Foundation shall—

(i) provide for annual audits of the financial condition of the Foundation; and

(ii) make the audits, and all other records, documents, and papers of the Foundation, available to the Secretary and the Comptroller General of the United States for examination or audit.

(H) **SEPARATE FUND ACCOUNTS.**—The Board shall ensure that any funds received under paragraph (1)(A) are held in a separate account from any other funds received by the Foundation.

(I) **INTEGRITY.**—

(i) **IN GENERAL.**—To ensure integrity in the operations of the Foundation, the Board shall develop and enforce procedures relating to standards of conduct, financial disclosure statements, conflicts of interest (including recusal and waiver rules), audits, and any other matters determined appropriate by the Board.

(ii) **FINANCIAL CONFLICTS OF INTEREST.**—To mitigate conflicts of interest and risks from malign foreign influence, any individual who is an officer, employee, or member of the Board is prohibited from any participation in deliberations by the Foundation of a matter that would directly or predictably affect any financial interest of—

(I) the individual;

(II) a relative (as defined in section 109 of the Ethics in Government Act of 1978 (5 U.S.C. App.)) of that individual; or

(III) a business organization or other entity in which the individual has an interest, including an organization or other entity with which the individual is negotiating employment.

(J) **INTELLECTUAL PROPERTY.**—The Board shall adopt written standards to govern the ownership and licensing of any intellectual property rights developed by the Foundation or derived from the collaborative efforts of the Foundation.

(K) **LIABILITY.**—

(i) **IN GENERAL.**—The United States shall not be liable for any debts, defaults, acts, or omissions of—

(I) the Foundation;

(II) a Federal entity with respect to an agreement of that Federal entity with the Foundation; or

(III) an Individual Laboratory- Associated Foundation with respect to an agreement of that Federal entity with the Foundation.

(ii) **FULL FAITH AND CREDIT.**—The full faith and credit of the United States shall not extend to any obligations of the Foundation.

(L) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Foundation or an Individual Laboratory-Associated Foundation.

(6) DEPARTMENT COLLABORATION.—

(A) NATIONAL LABORATORIES.—The Secretary shall collaborate with the Foundation to develop a process to ensure collaboration and coordination between the Department, the Foundation, and National Laboratories—

(i) to streamline contracting processes between National Laboratories and the Foundation, including by—

(I) streamlining the ability of the Foundation to transfer equipment and funds to National Laboratories;

(II) standardizing contract mechanisms to be used by the Foundation in engaging with National Laboratories; and

(III) streamlining the ability of the Foundation to fund endowed positions at National Laboratories;

(ii) to allow a National Laboratory or site of a National Laboratory—

(I) to accept and perform work for the Foundation, consistent with provided resources, notwithstanding any other provision of law governing the administration, mission, use, or operations of the National Laboratory or site, as applicable; and

(II) to perform that work on a basis equal to other missions at the National Laboratory; and

(iii) to permit the director of any National Laboratory or site of a National Laboratory to enter into a cooperative research and development agreement or negotiate a licensing agreement with the Foundation pursuant to section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a).

(B) DEPARTMENT LIAISONS.—The Secretary shall appoint liaisons from across the Department to collaborate and coordinate with the Foundation, including not less than 1 liaison from the Office of Technology Transitions, who shall ensure that the Foundation works in conjunction with and does not duplicate existing activities and programs carried out by the Department, including the Technology Commercialization Fund of the Department.

(C) ADMINISTRATION.—The Secretary shall leverage appropriate arrangements, contracts, and directives to carry out the process developed under subparagraph (A).

(7) NATIONAL SECURITY.—Nothing in this subsection exempts the Foundation from any national security policy of the Department.

(8) SUPPORT SERVICES.—The Secretary may provide facilities, utilities, and support services to the Foundation if it is determined by the Secretary to be advantageous to the research programs of the Department.

(9) PREEMPTION OF AUTHORITY.—This subsection shall not preempt any authority or responsibility of the Secretary under any other provision of law.

(10) TRANSFER FUNDS.—The Foundation may transfer funds to the Department, which shall be subject to all applicable Federal limitations relating to federally funded research.

(11) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—There is authorized to be appropriated—

(i) not less than \$1,500,000 shall be for the Secretary for fiscal year 2023 to establish the Foundation;

(ii) not less than \$30,000,000 shall be for the Foundation for fiscal year 2024 to carry out the activities of the Foundation; and

(iii) not less than \$3,000,000 shall be for the Foundation for each of the fiscal years 2025 through 2027 for administrative and operational costs.

(B) LIMITATION.—None of the funds authorized to be appropriated to the Secretary by

subparagraph (A)(i) of this paragraph shall be used for construction.

(C) COST SHARE.—Funds made available under subparagraph (A)(ii) shall be required to be cost-shared by a partner of the Foundation other than the Department or a National Laboratory.

(c) NATIONAL ENERGY TECHNOLOGY LABORATORY-ASSOCIATED FOUNDATION.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—The National Energy Technology Laboratory may establish, or enter into an agreement with a nonprofit organization to establish, a Federal Laboratory-Associated Foundation (referred to in this subsection as a “Laboratory Foundation”) to support the mission of the National Energy Technology Laboratory.

(B) NOT AGENCY OR INSTRUMENTALITY.—A Laboratory Foundation shall not be an agency or instrumentality of the Federal Government.

(C) GOVERNANCE STRUCTURE.—A Laboratory Foundation established under subparagraph (A) shall have a separate governance structure from, and shall be managed independently of, the National Energy Technology Laboratory.

(2) ACTIVITIES.—Activities of a Laboratory Foundation may include—

(A) conducting support studies, competitions, projects, research, and other activities that further the purpose of the Laboratory Foundation;

(B) carrying out programs to foster collaboration and partnership among researchers from the Federal Government, State governments, institutions of higher education, federally funded research and development centers, and industry and nonprofit organizations relating to the research, development, and commercialization of federally supported technologies;

(C) carrying out programs to leverage technologies to support new product development that supports regional economic development;

(D) administering prize competitions—

(i) to accelerate private sector competition and investment; and

(ii) that complement the use of prize authority by the Department;

(E) providing fellowships and grants to research and development personnel at, or affiliated with, federally funded centers, in accordance with paragraph (3);

(F) carrying out programs—

(i) that allow scientists from foreign countries to serve in research capacities in the United States or other countries in association with the National Energy Technology Laboratory;

(ii) that provide opportunities for employees of the National Energy Technology Laboratory to serve in research capacities in foreign countries;

(iii) to conduct studies, projects, or research in collaboration with national and international nonprofit and for-profit organizations, which may include the provision of stipends, travel, and other support for personnel;

(iv)(I) to hold forums, meetings, conferences, courses, and training workshops that may include undergraduate, graduate, post-graduate, and post-doctoral accredited courses; and

(II) for the accreditation of those courses by the Laboratory Foundation at the State and national level for college degrees or continuing education credits;

(v) to support and encourage teachers and students of science at all levels of education;

(vi) to promote an understanding of science amongst the general public;

(vii) for writing, editing, printing, publishing, and vending of relevant books and other materials; and

(viii) for the conduct of other activities to carry out and support the purpose of the Laboratory Foundation; and

(G) receiving, administering, soliciting, accepting, and using funds, gifts, devises, or bequests, either absolutely or in trust of real or personal property or any income therefrom, or other interest or equity therein for the benefit of, or in connection with, the mission of the applicable Federal laboratory, in accordance with paragraph (4).

(3) FELLOWSHIPS AND GRANTS.—

(A) SELECTION.—Recipients of fellowships and grants described in paragraph (2)(E) shall be selected—

(i) by a Laboratory Foundation and the donors to a Laboratory Foundation;

(ii) subject to the agreement of the head of the agency the mission of which is supported by a Laboratory Foundation; and

(iii) in the case of a fellowship, based on the recommendation of the employees of the National Energy Technology Laboratory at which the fellow would serve.

(B) EXPENSES.—Fellowships and grants described in paragraph (2)(E) may include stipends, travel, health insurance, benefits, and other appropriate expenses.

(4) GIFTS.—An amount of funds, a gift, a devise, or a bequest described in paragraph (2)(G) may be accepted by a Laboratory Foundation regardless of whether it is encumbered, restricted, or subject to a beneficial interest of a private person if any current or future interest of the funds, gift, devise, or bequest is for the benefit of the research and development activities of the National Energy Technology Laboratory.

(5) OWNERSHIP BY FEDERAL GOVERNMENT.—A contribution, gift, or any other transfer made to or for the use of a Laboratory Foundation shall be regarded as a contribution, gift, or transfer to or for the use of the Federal Government.

(6) LIABILITY.—The United States shall not be liable for any debts, defaults, acts, or omissions of a Laboratory Foundation.

(7) TRANSFER OF FUNDS.—Notwithstanding any other provision of law, a Laboratory Foundation may transfer funds to the National Energy Technology Laboratory and the National Energy Technology Laboratory may accept that transfer of funds.

(8) OTHER LAWS.—This subsection shall not alter or supersede any other provision of law governing the authority, scope, establishment, or use of nonprofit organizations by a Federal agency.

Subtitle J—Energizing Technology Transfer

SEC. 10701. DEFINITIONS.

In this subtitle:

(1) CLEAN ENERGY TECHNOLOGY.—The term “clean energy technology” means a technology that significantly reduces energy use, increases energy efficiency, reduces greenhouse gas emissions, reduces emissions of other pollutants, or mitigates other negative environmental consequences of energy production, transmission or use.

(2) DEPARTMENT.—The term “Department” means the Department of Energy.

(3) DIRECTOR.—The term “Director” means the Director of each National Laboratory and the Director of each Department of Energy single-purpose research facility.

(4) ECONOMICALLY DISTRESSED AREA.—The term “economically distressed area” has the meaning described in section 301(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3161(a)).

(5) GRANT.—The term “grant” means a grant award, cooperative agreement award, or any other financial assistance arrangement that the Secretary of Energy determines to be appropriate.

(6) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has

the meaning given such term in section 101 of the Higher Education Act of 1965, as amended (20 U.S.C. 1001).

(7) NATIONAL LABORATORY.—The term “National Laboratory” has the meaning given that term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(8) SECRETARY.—The term “Secretary” means the Secretary of Energy.

PART 1—NATIONAL CLEAN ENERGY TECHNOLOGY TRANSFER PROGRAMS

SEC. 10713. NATIONAL CLEAN ENERGY INCUBATOR PROGRAM.

(a) CLEAN ENERGY INCUBATOR DEFINED.—In this section, the term “clean energy incubator” —

(1) means any entity that is designed to accelerate the commercial application of clean energy technologies by providing—

(A) physical workspace, labs, and prototyping facilities to support clean energy startups or established clean energy companies; or

(B) companies developing such technologies with support, resources, and services, including—

(i) access to business education and counseling;

(ii) mentorship opportunities; and

(iii) other services rendered for the purpose of aiding the development and commercial application of a clean energy technology; and

(2) may include a program within or established by a National Laboratory, an institution of higher education or a State, territorial, local, or tribal government.

(b) PROGRAM ESTABLISHMENT.—Not later than 180 days after the enactment of this Act, the Secretary, acting through the Chief Commercialization Officer established in section 1001(a) of the Energy Policy Act of 2005 (42 U.S.C. 16391(a)), shall establish a Clean Energy Incubator Program (herein referred to as the “program”) to competitively award grants to clean energy incubators.

(c) CLEAN ENERGY INCUBATOR SELECTION.—In awarding grants to clean energy incubators under subsection (b), the Secretary shall, to the maximum extent practicable, prioritize funding clean energy incubators that—

(1) partner with entities that carry out activities relevant to the activities of such incubator and that operate at the local, State, and regional levels;

(2) support the commercial application activities of startup companies focused on physical hardware, computational, or integrated hardware and software technologies;

(3) are located in geographically diverse regions of the United States, such as the Great Lakes region;

(4) are located in, or partner with entities located in, economically-distressed areas;

(5) support the development of entities focused on expanding clean energy tools and technologies to rural, Tribal, and low-income communities;

(6) support the commercial application of technologies being developed by clean energy entrepreneurs from underrepresented backgrounds; and

(7) have a plan for sustaining activities of the incubator after grant funds received under this program have been expended.

(d) AWARD LIMITS.—The Secretary shall not award more than \$4,000,000 to one or more incubators in one given State, per fiscal year.

(e) DURATION.—Each grant under subsection (b) shall be for a period of no longer than 5 years, subject to the availability of appropriations.

(f) USE OF FUNDS.—An entity receiving a grant under this section may use grant amounts for operating expenses.

(g) RENEWAL.—An award made to a clean energy incubator under this section may be renewed for a period of not more than 3 years, subject to merit review.

(h) EVALUATION.—In accordance with section 9007 of division Z of the Consolidated Appropriations Act, 2021 (Public Law 116-260), the Secretary shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an evaluation of the program established under this section that includes analyses of the performance of the clean energy incubators.

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section \$15,000,000 for each of fiscal years 2023 through 2027.

SEC. 10714. CLEAN ENERGY TECHNOLOGY UNIVERSITY PRIZE COMPETITION.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term “eligible entity” means a nonprofit entity, an institution of higher education, or an entity working with one or more institutions of higher education.

(2) MINORITY-SERVING INSTITUTION.—The term “minority-serving institution” means an institution described in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

(b) IN GENERAL.—The Secretary shall establish a program, known as the “Clean Energy Technology University Prize”, to award funding for eligible entities to carry out regional and one national clean energy technology prize competitions, under section 24 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3719). In carrying out such prize competitions, students shall compete to develop a business model for furthering the commercial application of an innovative clean energy technology.

(c) TRAINING FUNDING.—In carrying out this program, the Secretary may provide funding to train participating students in skills needed for the successful commercial application of clean energy technologies, including through virtual training sessions.

(d) PRIORITIZATION.—In awarding grants under this section, the Secretary shall prioritize awarding grants to eligible entities that work with students at minority-serving institutions.

(e) COORDINATION.—In carrying out this program, the Secretary shall coordinate and partner with other clean energy technology prize competitions. In doing so, the Secretary may develop and disseminate best practices for administering prize competitions under this section.

(f) REPORT.—In accordance with section 9007 of division Z of the Consolidated Appropriations Act, 2021 (Public Law 116-260), the Secretary shall report annually on the progress and implementation of the program established under section (b).

(g) EVALUATION.—In accordance with section 9007 of division Z of the Consolidated Appropriations Act, 2021 (Public Law 116-260), the Secretary shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an evaluation on the long-term outcomes of the program established under this section and the progress towards achieving the purposes of the program in subsection (b).

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out the activities authorized in this section \$1,000,000 for each of fiscal years 2023 through 2027.

SEC. 10715. CLEAN ENERGY TECHNOLOGY TRANSFER COORDINATION.

(a) IN GENERAL.—The Secretary, acting through the Chief Commercialization Officer

established in section 1001 (a) of the Energy Policy Act of 2005 (42 U.S.C. 16391 (a)), shall support the coordination of relevant technology transfer programs that advance the commercial application of clean energy technologies nationally and across all energy sectors. In particular, the Secretary may support activities to—

(1) facilitate the sharing of information on best practices for successful operation of clean energy technology transfer programs;

(2) coordinate resources and improve cooperation among clean energy technology transfer programs;

(3) facilitate connections between entrepreneurs and start-up companies and the variety of programs related to clean energy technology transfer under the Department; and

(4) facilitate the development of metrics to measure the impact of clean energy technology transfer programs on—

(A) advancing the development, demonstration, and commercial application of clean energy technologies;

(B) increasing the competitiveness of United States in the clean energy sector, including in manufacturing; and

(C) commercial application of clean energy technologies being developed by entrepreneurs from under-represented backgrounds.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out the activities in this section \$3,000,000 for each of fiscal years 2023 through 2027.

PART 2—SUPPORTING TECHNOLOGY DEVELOPMENT AT THE NATIONAL LABORATORIES

SEC. 10716. LAB PARTNERING SERVICE PILOT PROGRAM.

Section 9002 of division Z of the Consolidated Appropriations Act, 2021 (Public Law 116-260) is amended by adding at the end the following:

“(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary \$2,000,000 for each of fiscal years 2023 through 2025 to carry out subsections (a), (b), and (c), and \$1,700,000 for each of fiscal years 2023 through 2025 for National Laboratory employees to provide services under subsection (d).”.

SEC. 10717. LAB-EMBEDDED ENTREPRENEURSHIP PROGRAM.

(a) IN GENERAL.—The Secretary shall competitively award grants to National Laboratories for the purpose of establishing or supporting Lab-Embedded Entrepreneurship Programs.

(b) PURPOSES.—The purposes of such programs are to provide entrepreneurial fellows with access to National Laboratory research facilities, National Laboratory expertise, and mentorship to perform research and development and gain expertise that may be required or beneficial for the commercial application of research ideas.

(c) ENTREPRENEURIAL FELLOWS.—An entrepreneurial fellow participating in a program described in subsection (a) shall be provided with—

(1) opportunities for entrepreneurial training, professional development, and exposure to leaders from academia, industry, government, and finance who may serve as advisors to or partners of the fellow;

(2) financial and technical support for research, development, and commercial application activities;

(3) fellowship awards to cover costs of living, health insurance, and travel stipends for the duration of the fellowship; and

(4) any other resources determined appropriate by the Secretary.

(d) PROGRAM ACTIVITIES.—Each National Laboratory that receives funding under this

section shall support entrepreneurial fellows by providing—

- (1) access to facilities and expertise within the National Laboratory;
- (2) engagement with external stakeholders; and
- (3) market and customer development opportunities.

(e) **ADMINISTRATION.**—National Laboratories that receive grants under this section shall prioritize the support and success of the entrepreneurial fellow with regards to professional development and development of a relevant technology.

(f) **PARTNERSHIPS.**—In carrying out a Lab-Embedded Entrepreneurship Program, a National Laboratory may partner with an external entity, including—

- (1) a nonprofit organization;
- (2) an institution of higher education;
- (3) a federally-owned corporation; or
- (4) a consortium of 2 or more entities described in paragraphs (1) through (3).

(g) **METRICS.**—The Secretary shall support the development of short-term and long-term metrics to assess the effectiveness of programs receiving a grant under subsection (a) in achieving the purposes of the program in subsection (a).

(h) **EVALUATION.**—In accordance with section 9007 of division Z of the Consolidated Appropriations Act, 2021 (Public Law 116-260), the Secretary shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an evaluation of the effectiveness of the programs under subsection (a) based on the metrics developed pursuant to subsection (g).

(i) **COORDINATION.**—The Secretary shall oversee the planning and coordination of grants under subsection (a) and shall identify and disseminate best practices for achieving the purposes of subsection (a) to National Laboratories that receive grants under this section.

(j) **INTERAGENCY COLLABORATION.**—The Secretary shall collaborate with other executive branch agencies, including the Department of Defense and other agencies with Federal laboratories, regarding opportunities to partner with National Laboratories receiving a grant under subsection (a).

(k) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Secretary to carry out the activities authorized in this section \$25,000,000 for each of fiscal years 2023 through 2027.

SEC. 10718. SMALL BUSINESS VOUCHER PROGRAM.

Section 1003 of the Energy Policy Act of 2005 (42 U.S.C. 16393) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “, and may require the Director of a single-purpose research facility,” and inserting “(as defined in section 2) and the Director of each single-purpose research facility”;

(B) in paragraph (1)—

(i) by striking “increase” and inserting “encourage”; and

(ii) by striking “collaborative research,” and inserting “research, development, demonstration, and commercial application activities, including product development.”;

(C) in paragraph (2), by striking “procurement and collaborative research” and inserting “the activities described in paragraph (1)”;

(D) in paragraph (3)—

(i) by inserting “facilities,” before “training”; and

(ii) by striking “procurement and collaborative research activities” and inserting “the activities described in paragraph (1)”;

(E) in paragraph (5), by striking “for the program under subsection (b)” and inserting “and metrics for the programs under subsections (b) and (c)”;

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

(3) by inserting after subsection (b) the following:

“(c) **SMALL BUSINESS VOUCHER PROGRAM.**—

“(1) **DEFINITIONS.**—In this subsection:

“(A) **DIRECTOR.**—The term ‘Director’ means—

“(i) the Director of each National Laboratory; and

“(ii) the Director of each single-purpose research facility.

“(B) **NATIONAL LABORATORY.**—The term ‘National Laboratory’ has the meaning given the term in section 2.

“(C) **PROGRAM.**—The term ‘program’ means the program established under paragraph (2).

“(D) **SMALL BUSINESS CONCERN.**—The term ‘small business concern’ has the meaning given such term in section 3 of the Small Business Act (15 U.S.C. 632).

“(2) **ESTABLISHMENT.**—The Secretary, acting through the Chief Commercialization Officer appointed under section 1001(a), and in consultation with the Directors, shall establish a program to provide small business concerns with vouchers under paragraph (3)—

“(A) to achieve the goal described in subsection (a)(1); and

“(B) to improve the products, services, and capabilities of small business concerns in the mission space of the Department.

“(3) **VOUCHERS.**—Under the program, the Directors are authorized to provide to small business concerns vouchers to be used at National Laboratories and single-purpose research facilities for—

“(A) research, development, demonstration, technology transfer, skills training and workforce development, or commercial application activities; or

“(B) any other activities that the applicable Director determines appropriate.

“(4) **EXPEDITED APPROVAL.**—The Secretary, working with the Directors, shall establish a streamlined approval process for financial assistance agreements signed between—

“(A) small business concerns selected to receive a voucher under the program; and

“(B) the National Laboratories and single-purpose research facilities.

“(5) **COST-SHARING REQUIREMENT.**—In carrying out the program, the Secretary shall require cost-sharing in accordance with section 988.

“(6) **REPORT.**—In accordance with section 9007 of division Z of the Consolidated Appropriations Act, 2021 (Public Law 116-260), the Secretary shall report annually on the progress and implementation of the small business voucher program established under this section, including the number and locations of small businesses that received grants under this program.”;

(4) in subsection (e) (as so redesignated), by striking “for activities under this section” and inserting “for activities under subsection (b)” and inserting before the period at the end “and for activities under subsection (c) \$25,000,000 for each of fiscal years 2023 through 2027”.

SEC. 10719. ENTREPRENEURIAL LEAVE PROGRAM.

(a) **IN GENERAL.**—The Secretary shall delegate to Directors the authority to carry out an entrepreneurial leave program (referred to in this section as the “program”) to allow National Laboratory employees to take a full leave of absence from their position, with the option to return to that or a comparable position up to 3 years later, or a partial leave of absence, to advance the commercial application of energy and related

technologies relevant to the mission of the Department.

(b) **TERMINATION AUTHORITY.**—Directors shall retain the authority to terminate National Laboratory employees that participate in the program if such employees are found to violate terms prescribed by the National Laboratory at which such employee is employed.

(c) **LICENSING.**—To reduce barriers to participation in the program, the Secretary shall delegate to the Directors the requirement to establish streamlined mechanisms for facilitating the licensing of technology that is the focus of National Laboratory employees who participate in the program.

(d) **REPORT.**—In accordance with section 9007 of division Z of the Consolidated Appropriations Act, 2021 (Public Law 116-260), the Secretary shall report annually on the utilization of this authority at National Laboratories, including the number of employees who participate in this program at each National Laboratory and the number of employees who take a permanent leave from their positions at National Laboratories as a result of participating in this program.

(e) **FEDERAL ETHICS.**—Nothing in this section shall affect existing Federal ethics rules applicable to Federal personnel.

SEC. 10720. NATIONAL LABORATORY NON-FEDERAL EMPLOYEE OUTSIDE EMPLOYMENT AUTHORITY.

(a) **IN GENERAL.**—The Secretary shall delegate to Directors of National Laboratories the authority to allow their non-Federal employees—

(1) to engage in outside employment, including start-up companies based on licensing technologies developed at National Laboratories and consulting in their areas of expertise, and receive compensation from such entities; and

(2) to engage in outside activities related to their areas of expertise at the National Laboratory and may allow employees, in their employment capacity at such outside employment, to access the National Laboratories under the same contracting mechanisms as non-Laboratory employees and entities, in accordance with appropriate conflict of interest protocols.

(b) **REQUIREMENTS.**—If a Director elects to use the authority granted by subsection (a) of this section, the Director, or their designee, shall—

(1) require employees to disclose to and obtain approval from the Director or their designee prior to engaging in any outside employment;

(2) develop and require appropriate conflict of interest protocols for employees that engage in outside employment;

(3) maintain the authority to terminate employees engaging in outside employment if they are found to violate terms, including conflict of interest protocols, mandated by the Director; and

(4) ensure that any such programs or activities are in conformance with the Department's research security policies, including DOE Order 486.1.

(c) **ADDITIONAL RESTRICTIONS.**—Employees engaging in outside employment may not—

(1) allow such activities to interfere with or impede their duties at the National Laboratory;

(2) engage in activities related to outside employment using National Laboratory government equipment, property, or resources, unless such activities are performed under National Laboratory contracting mechanisms, such as Cooperative Research and Development Agreements or Strategic Partnership Projects, whereby all conflicts of interest requirements apply; or

(3) use their position at a National Laboratory to provide an unfair competitive advantage to an outside employer or start-up activity.

(d) **FEDERAL ETHICS.**—Nothing in this section shall affect existing Federal ethics rules applicable to Federal personnel.

PART 3—DEPARTMENT OF ENERGY MODERNIZATION

SEC. 10722. OFFICE OF TECHNOLOGY TRANSITIONS.

Section 1001(a) of the Energy Policy Act of 2005 (42 U.S.C. 16391) is amended by adding at the end the following:

“(6) **HIRING AND MANAGEMENT.**—To carry out the program authorized in this section, the Under Secretary for Science may appoint personnel using the authorities in section 10726 of the Research and Development, Competition, and Innovation Act.

“(7) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Secretary to carry out the activities authorized in this section \$20,000,000 for each of fiscal years 2023 through 2027.”.

SEC. 10723. MANAGEMENT OF DEPARTMENT OF ENERGY DEMONSTRATION PROJECTS.

Section 41201 of the Infrastructure Investment and Jobs Act (42 U.S.C. 18861) is amended—

(1) in subsection (b), by inserting “including the Office of Technology Transitions, the Loan Program Office, and all applied program offices,” after “Department,”;

(2) in subsection (d), by inserting “, including by using the authorities in section 10726 of the Research and Development, Competition, and Innovation Act,” after “personnel”;

(3) by redesignating subsections (e), (f), and (g) as subsections (g), (h), and (i), respectively;

(4) by adding after subsection (d) the following:

“(e) **ADDITIONAL AUTHORITY.**—The Secretary may solicit, select, and manage covered projects directly through the program.

“(f) **PROJECT TERMINATION.**—Should an ongoing covered project receive an unfavorable review under subsection (c)(5), the Secretary or their designee may cease funding the covered project and reallocate the remaining funds to new or existing covered projects carried out by that program office.”; and

(5) in subsection (h)(1) (as so redesignated), by striking “The Secretary” and inserting “In accordance with section 9007 of division Z of the Consolidated Appropriations Act, 2021 (Public Law 116-260), the Secretary”.

SEC. 10724. STREAMLINING PRIZE COMPETITIONS.

(a) **REPORTING.**—Section 1008 of the Energy Policy Act of 2005 (42 U.S.C. 16396) is amended by adding at the end the following:

“(h) **REPORT.**—In accordance with section 9007 of division Z of the Consolidated Appropriations Act, 2021 (Public Law 116-260), the Secretary shall report annually on a description of any prize competitions carried out using the authority under this section, the total amount of prizes awarded along with any private sector contributions, the methods used for solicitation and evaluation, and a description of how each prize competition advanced the mission of the Department.”.

(b) **TECHNICAL AMENDMENT.**—Section 1008 of the Energy Policy Act of 2005 (42 U.S.C. 16396) is amended by redesignating the second subsection (e) (relating to authorization of appropriations) as subsection (f).

SEC. 10725. COST-SHARE WAIVER EXTENSION.

(a) **IN GENERAL.**—Section 988 of the Energy Policy Act of 2005 (42 U.S.C. 16352) is amended in subsection (b)(4)(B) by striking “this paragraph” and inserting “the Research and Development, Competition, and Innovation Act”.

(b) **REPORT.**—Section 108(b) of the Department of Energy Research and Innovation Act is amended in subsection (b) by striking “this Act” each place it appears and inserting “the Research and Development, Competition, and Innovation Act”.

SEC. 10726. SPECIAL HIRING AUTHORITY FOR SCIENTIFIC, ENGINEERING, AND PROJECT MANAGEMENT PERSONNEL.

(a) **IN GENERAL.**—The Under Secretary for Science shall have the authority to—

(1) make appointments of not more than 60 scientific, engineering, and professional personnel, without regard to civil service laws, to assist the Department in meeting specific project or research needs;

(2) fix the basic pay of any employee appointed under this section at a rate to be determined by the Under Secretary at rates not in excess of Level II of the Executive Schedule (EX-II) under section 5311 of title 5, United States Code without regard to the civil service laws; and

(3) pay any employee appointed under this section payments in addition to basic pay, except that the total amount of additional payments paid to an employee under this subsection for any 12-month period shall not exceed the lesser of the following amounts:

(A) \$25,000.

(B) The amount equal to 25 percent of the annual rate of basic pay of that employee.

(C) The amount of the limitation that is applicable for a calendar year under section 5307(a)(1) of title 5, United States Code.

(b) **TERM.**—

(1) **IN GENERAL.**—The term of any employee appointed under this section shall not exceed 3 years unless otherwise authorized in law.

(2) **TERMINATION.**—The Under Secretary for Science shall have the authority to terminate any employee appointed under this section at any time based on performance or changing project or research needs of the Department.

SEC. 10727. TECHNOLOGY TRANSFER REPORTS AND EVALUATION.

Section 9007 of division Z of the Consolidated Appropriations Act, 2021 (Public Law 116-260) is amended as follows:

“(a) **ANNUAL REPORT.**—As part of the updated technology transfer execution plan required each year under section 1001(h)(2) of the Energy Policy Act of 2005 (42 U.S.C. 16391(h)(2)), the Secretary of Energy (in this section referred to as the ‘Secretary’) shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the progress and implementation of programs established under sections 9001, 9002, 9003, 9004, and 9005 of this Act and under sections 10714, 10718, 10719, 10720, and 10723 of the Research and Development, Competition, and Innovation Act.

“(b) **EVALUATION.**—Not later than 3 years after the enactment of this Act and every 3 years thereafter the Secretary shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an evaluation on the extent to which programs established under sections 9001, 9002, 9003, 9004, and 9005 of this Act and sections 10713, 10714, 10715, and 10717 of the Research and Development, Competition, and Innovation Act are achieving success based on relevant short-term and long-term metrics.”.

Subtitle K—Micro Act

SEC. 10731. MICROELECTRONICS RESEARCH FOR ENERGY INNOVATION.

(a) **DEFINITIONS.**—In this section:

(1) **CENTER.**—The term “Center” means a Microelectronics Science Research Center established pursuant to subsection (d).

(2) **DEPARTMENT.**—The term “Department” means the Department of Energy.

(3) **DIRECTOR.**—The term “Director” means the Director of the Office of Science.

(4) **HISTORICALLY BLACK COLLEGE OR UNIVERSITY.**—The term “historically Black college or university” has the meaning given the term “part B institution” in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(5) **INSTITUTION OF HIGHER EDUCATION.**—The term “institution of higher education” has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(6) **MICROELECTRONICS.**—The term “microelectronics” means—

- (A) a semiconductor and related materials;
- (B) processing chemistries;
- (C) design technologies;
- (D) fabrication technologies;
- (E) lithography technologies;
- (F) packaging technologies;
- (G) a sensor;
- (H) a device;
- (I) an integrated circuit;
- (J) a processor;
- (K) computing architecture;
- (L) modeling and simulation;
- (M) a software tool; and
- (N) any other related technology.

(7) **MINORITY-SERVING INSTITUTION.**—The term “minority-serving institution” means—

(A) a Hispanic-serving institution (as defined in section 502(a) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)));

(B) an Alaska Native-serving institution (as defined in section 317(b) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b)));

(C) a Native Hawaiian-serving institution (as defined in that section);

(D) a Predominantly Black Institution (as defined in section 371(c) of the Higher Education Act of 1965 (20 U.S.C. 1067q(c)));

(E) an Asian American and Native American Pacific Islander-serving institution (as defined in that section); and

(F) a Native American-serving nontribal institution (as defined in that section).

(8) **NATIONAL LABORATORY.**—The term “National Laboratory” has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(9) **PROGRAM.**—The term “program” means the program established under subsection (c)(1).

(10) **SECRETARY.**—The term “Secretary” means the Secretary of Energy.

(11) **SKILLED TECHNICAL WORKFORCE.**—The term “skilled technical workforce” has the meaning given the term in section 4(b)(3) of the Innovations in Mentoring, Training, and Apprenticeships Act (42 U.S.C. 1862p note; Public Law 115-402).

(12) **TRIBAL COLLEGE OR UNIVERSITY.**—The term “Tribal College or University” has the meaning given the term in section 316 of the Higher Education Act of 1965 (20 U.S.C. 1059c).

(13) **WORK-BASED LEARNING.**—The term “work-based learning” has the meaning given the term in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302).

(b) **FINDINGS.**—Congress finds that—

(1) the coming end of Moore’s Law presents major technological challenges and opportunities for the United States and has important implications for national security, economic competitiveness, and scientific discovery;

(2) future progress and innovation in microelectronics, and the maintenance of a robust domestic microelectronics supply chain, will require an approach that advances relevant materials science, electronic and photonic device technologies, processing

and packaging technologies, manufacturing technologies, circuit, chip, and system architecture, and software system and algorithm development in a codesign fashion;

(3) the National Laboratories possess unique technical expertise and user facilities that are essential to—

(A) overcoming foundational research challenges relevant to the topics described in paragraph (2); and

(B) translating and transferring research outcomes to industry; and

(4) the expertise and user facilities of the National Laboratories described in paragraph (3) will enable the Department to drive advances in microelectronics that are essential to meeting future needs in areas critical to the missions of the Department and the future competitiveness of the domestic microelectronics industry, including high-performance computing, emerging data-centric computing approaches and energy-efficient computing, optical sensors, sources, and wireless networks, and power electronics and electricity delivery systems.

(C) MICROELECTRONICS RESEARCH PROGRAM.—

(1) IN GENERAL.—The Secretary shall carry out a crosscutting program of research, development, and demonstration of microelectronics relevant to the missions of the Department to enable advances and breakthroughs that will—

(A) accelerate underlying research and development for design, development, and manufacturability of next-generation microelectronics; and

(B) ensure the global competitiveness of the United States in the field of microelectronics.

(2) RESEARCH PROJECTS.—

(A) IN GENERAL.—In carrying out the program, the Secretary shall provide financial assistance to eligible entities described in subparagraph (B) to carry out research projects in—

(i) foundational science areas, including—

(I) materials sciences, chemical sciences, and plasma science synthesis and fabrication;

(II) novel microelectronics devices, including emerging memory and storage technologies;

(III) diverse computing architectures and paradigms, including analog computing and edge computing;

(IV) data-driven modeling and simulation;

(V) integrated sensing, power harvesting, and communications;

(VI) component integration and subsystems;

(VII) photonic integration and packaging; and

(VIII) development of codesign frameworks for all stages of microelectronics design, development, fabrication, and application;

(ii) cybersecurity by design to result in trusted and resilient microelectronics;

(iii) methods for leveraging advanced simulation and artificial intelligence to enhance codesign and discovery in microelectronics;

(iv) in consultation with the National Institute of Standards and Technology, fabrication and processing science and metrology associated with microelectronics manufacturing, including lithography, patterning, surface deposition, etching, and cleaning;

(v) approaches for optimizing system-level energy efficiency of advanced computing systems, the electrical grid, power electronics, and other energy infrastructure;

(vi) approaches for enhancing the durability and lifetime of radiation-hardened electronics;

(vii) enhancement of microelectronics security, including the development of integrated devices, packages, and thermal man-

agement for severe environments and national security;

(viii) in coordination with other relevant initiatives of the Department, methods to improve the lifetime, maintenance, recycling, reuse, and sustainability of microelectronics components and systems, including technologies and strategies that reduce the use of energy, water, critical materials, and other commodities that the Secretary determines are vulnerable to disruption; and

(ix) methods and techniques for domestic processing of materials for microelectronics and components of microelectronics.

(B) ELIGIBLE ENTITIES.—An eligible entity referred to in subparagraph (A) is—

(i) an institution of higher education, including a historically Black college or university, a Tribal College or University, and a minority-serving institution;

(ii) a nonprofit research organization;

(iii) a State research agency;

(iv) a National Laboratory;

(v) a private commercial entity;

(vi) a partnership or consortium of 2 or more entities described in clauses (i) through (v); and

(vii) any other entity that the Secretary determines appropriate.

(C) NOTIFICATION.—Not later than 30 days after the Secretary provides financial assistance to an eligible entity under subparagraph (A), the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a notification of the financial assistance provided, including—

(i) the criteria used by the Secretary to select the eligible entity receiving the financial assistance;

(ii) the manner in which the criteria described in clause (i) comport with the purposes of the program described in paragraph (1); and

(iii) a description of the research project that the eligible entity will carry out using the financial assistance.

(3) TECHNOLOGY TRANSFER.—In carrying out the program, the Secretary, in coordination with the Director of the Office of Technology Transitions and in consultation with the private sector, shall—

(A) support translational research and transfer of microelectronics technologies; and

(B) identify emerging research and development needs of industry and government for the benefit of United States economic competitiveness.

(4) WORKFORCE DEVELOPMENT.—In carrying out the program, the Secretary shall support—

(A) workforce development through existing authorities and mechanisms available to the Department, including internships, fellowships, individual investigator grants, and other activities the Secretary determines appropriate; and

(B) in consultation with the National Science Foundation, as appropriate, education and outreach activities—

(i) to disseminate information and promote understanding of microelectronics and related fields among students at elementary school, secondary school, high school, undergraduate, and graduate levels; and

(ii) that may include educational programming with an emphasis on experiential and project-based learning.

(5) OUTREACH.—The Secretary shall conduct outreach to recruit applicants to the program and engage participants from all regions of the United States, especially individuals from underserved communities and groups historically underrepresented in science, technology, engineering, and mathematics.

(6) COORDINATION.—In carrying out the program, the Secretary shall—

(A) coordinate across all relevant programs and offices of the Department; and

(B) coordinate the research carried out under the program relating to microelectronics with activities carried out by other Federal agencies and programs relating to microelectronics research, development, manufacturing, and supply chain security, including the programs authorized under subsections (c) through (f) of section 9906 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4656).

(7) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report describing the goals, priorities, and anticipated outcomes of the program.

(8) FUNDING.—There are authorized to be appropriated to the Secretary to carry out this subsection—

(A) \$75,000,000 for fiscal year 2023;

(B) \$100,000,000 for fiscal year 2024;

(C) \$100,000,000 for fiscal year 2025;

(D) \$100,000,000 for fiscal year 2026; and

(E) \$100,000,000 for fiscal year 2027.

(D) MICROELECTRONICS SCIENCE RESEARCH CENTERS.—

(1) IN GENERAL.—In carrying out the program, subject to the availability of appropriations, the Director shall establish not more than 4 Microelectronics Science Research Centers, each comprising 1 or more eligible entities—

(A) to conduct mission-driven research to address foundational challenges in the design, development, characterization, prototyping, demonstration, and fabrication of microelectronics; and

(B) to facilitate the translation of research results to industry.

(2) ELIGIBLE ENTITIES.—An eligible entity referred to in paragraph (1) is—

(A) a National Laboratory;

(B) an institution of higher education, including a historically Black college or university, a Tribal College or University, and a minority-serving institution;

(C) a private commercial entity;

(D) a research center;

(E) a partnership or consortium of 2 or more entities described in subparagraphs (A) through (D); and

(F) any other entity that the Secretary determines appropriate.

(3) ACTIVITIES.—The activities of a Center shall include research, development, and demonstration activities for—

(A) accelerating the development of new microelectronics science and technology, including materials, devices, circuits, systems, architectures, fabrication tools, processes, diagnostics, modeling, synthesis, and, in consultation with the National Institute of Standards and Technology, metrology;

(B) advancing the sustainability and energy efficiency of new microelectronics devices, packages, and systems;

(C) application-driven codesign and prototyping of novel devices to facilitate laboratory-to-fabrication transition;

(D) advancing knowledge and experimental capabilities in surface and materials science, plasma science, and computational and theoretical methods, including artificial intelligence, multiscale codesign, and advanced supercomputing capabilities to invent and manufacture revolutionary microelectronic devices;

(E) creating technology testbeds for prototyping platforms for validation and verification of new capabilities and sharing

of ideas, intellectual property, and the unique facilities of the Department;

(F) supporting development of cybersecurity capabilities for computing architectures that measurably improve safety and security and are adaptable for existing and future applications; and

(G) supporting long-term and short-term workforce development in microelectronics.

(4) REQUEST FOR PROPOSALS; MERIT REVIEW.—

(A) IN GENERAL.—The Director shall, at such time, in such manner, and containing such information as the Director determines to be appropriate, issue a request for proposals from eligible entities described in paragraph (2) seeking to be designated as a Center.

(B) COMPETITIVE MERIT REVIEW.—The Director shall select eligible entities under subparagraph (A) through a competitive, merit-based process.

(5) OPERATION.—

(A) DURATION.—

(i) IN GENERAL.—Each Center shall operate for a period of not more than 5 years, unless renewed for an additional 5-year period in accordance with clause (ii).

(ii) RENEWAL.—

(I) INITIAL RENEWAL.—In the case of a Center that has operated for not more than 5 years, the Director may renew support for the Center on a merit-reviewed basis for a period of not more than 5 years.

(II) 10-YEAR OPERATION.—In the case of a Center that has operated for not less than 5 years but not more than 10 years, the Director may renew support for the Center on a competitive, merit-reviewed basis for a period of not more than 5 years.

(III) 15-YEAR OPERATION.—In the case of a Center that has operated for not less than 10 years but not more than 15 years, the Director may renew support for the Center on a merit-reviewed basis for a period of not more than 5 years.

(B) TERMINATION.—Consistent with the existing authorities of the Department, the Director may terminate an underperforming Center during the performance period.

(6) TECHNOLOGY TRANSFER.—The Director, in coordination with the Director of the Office of Technology Transitions, shall seek to enter into partnerships with industry groups to facilitate the translation and transfer of research results produced by the Centers.

(7) COORDINATION.—The Secretary shall—

(A) establish a coordinating network to coordinate cross-cutting research and foster communication and collaboration among the Centers; and

(B) ensure coordination, and avoid unnecessary duplication, of the activities of each Center with the activities of—

(i) other research entities of the Department, including—

(I) the Nanoscale Science Research Centers;

(II) the National Quantum Information Science Research Centers;

(III) the Energy Frontier Research Centers;

(IV) the Energy Innovation Hubs;

(V) the National Laboratories; and

(VI) other offices of the Department;

(ii) the National Semiconductor Technology Center established under section 9906(c)(1) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4656(c)(1));

(iii) institutions of higher education;

(iv) industry; and

(v) relevant research activities carried out by other Federal agencies.

(8) WORKFORCE DEVELOPMENT.—Each Center shall support workforce development through—

(A) incorporation of undergraduate students, postdoctoral fellows, graduate stu-

dents, and early career researchers, as well as elementary school, secondary school, and high school students, through opportunities such as dual-enrollment programs and work-based learning programs, as applicable;

(B) hands-on research and equipment training programs;

(C) technical training and certificate programs for the skilled technical workforce;

(D) facilitation of engagement among academic, industry, and laboratory researchers; and

(E) public outreach activities, including to students at elementary school, secondary school, high school, undergraduate, and graduate levels, which may include educational programming with an emphasis on experiential and project-based learning.

(9) OUTREACH.—The Director shall support the workforce development of Centers under paragraph (8) by conducting outreach to recruit applicants and engage participants from all regions of the United States, especially individuals from underserved communities and groups historically underrepresented in science, technology, engineering, and mathematics.

(10) INTELLECTUAL PROPERTY.—The Secretary shall ensure that the intellectual property and value proposition created by the Centers are retained within the United States.

(11) NOTIFICATION.—

(A) DEFINITION OF COVERED DETERMINATION.—In this paragraph, the term “covered determination” means a determination of the Secretary—

(i) to establish a Center under paragraph (1);

(ii) to renew support for a Center under paragraph (5)(A)(ii); or

(iii) to terminate a Center under paragraph (5)(B).

(B) NOTIFICATION.—Not later than 30 days after the Secretary makes a covered determination, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a notification of the covered determination, including—

(i) the criteria used by the Secretary to make the covered determination; and

(ii) the manner in which the criteria described in clause (i) comport with the purposes of the program described in paragraph (1).

(12) FUNDING.—Subject to the availability of appropriations, the Secretary shall use not more than \$25,000,000 to fund each Center for each of fiscal years 2023 through 2027.

Subtitle L—National Nuclear University Research Infrastructure Reinvestment

SEC. 10741. SHORT TITLE.

This subtitle may be cited as the “National Nuclear University Research Infrastructure Reinvestment Act of 2021”.

SEC. 10742. PURPOSES.

The purposes of this subtitle are—

(1) to upgrade the nuclear research capabilities of universities in the United States to meet the research requirements of advanced nuclear energy systems;

(2) to ensure the continued operation of university research reactors;

(3) to coordinate available resources to enable the establishment, including the start and efficient completion of construction, of new nuclear science and engineering facilities; and

(4) to support—

(A) workforce development critical to maintaining United States leadership in nuclear science and engineering and related disciplines; and

(B) the establishment or enhancement of nuclear science and engineering capabilities

and other, related capabilities at historically Black colleges and universities, Tribal colleges or universities, minority-serving institutions, EPSCoR universities, junior or community colleges, and associate-degree-granting colleges.

SEC. 10743. UNIVERSITY INFRASTRUCTURE COLLABORATION.

Section 954(a) of the Energy Policy Act of 2005 (42 U.S.C. 16274(a)) is amended—

(1) in paragraph (2) by amending subparagraph (D) to read as follows:

“(D) promote collaborations, partnerships, and knowledge sharing between institutions of higher education, National Laboratories, other Federal agencies, industry, and associated labor unions; and”.

(2) by amending paragraph (4) to read as follows:

“(4) STRENGTHENING UNIVERSITY RESEARCH AND TRAINING REACTORS AND ASSOCIATED INFRASTRUCTURE.—

“(A) IN GENERAL.—In carrying out the program under this subsection, the Secretary may support—

“(i) converting research reactors from high-enrichment fuels to low-enrichment fuels and upgrading operational instrumentation;

“(ii) revitalizing and upgrading existing nuclear science and engineering infrastructure that support the development of advanced nuclear technologies and applications;

“(iii) regional or subregional university-led consortia to—

“(I) broaden access to university research reactors;

“(II) enhance existing university-based nuclear science and engineering infrastructure; and

“(III) provide project management, technical support, quality engineering and inspections, manufacturing, and nuclear material support;

“(iv) student training programs, in collaboration with the United States nuclear industry, in relicensing and upgrading reactors, including through the provision of technical assistance; and

“(v) reactor improvements that emphasize research, training, and education, including through the Innovations in Nuclear Infrastructure and Education Program or any similar program.

“(B) Of any amounts appropriated to carry out the program under this subsection, there is authorized to be appropriated to the Secretary to carry out clauses (ii) and (iii) of subparagraph (A) \$55,000,000 for each of fiscal years 2023 through 2027.”.

SEC. 10744. ADVANCED NUCLEAR RESEARCH INFRASTRUCTURE ENHANCEMENT SUBPROGRAM.

Section 954(a) of the Energy Policy Act of 2005 (42 U.S.C. 16274(a)), as amended by section 3, is further amended—

(1) by redesignating paragraphs (5) through (8) as paragraphs (6) through (9), respectively;

(2) by inserting after paragraph (4) the following:

“(5) ADVANCED NUCLEAR RESEARCH INFRASTRUCTURE ENHANCEMENT.—

“(A) IN GENERAL.—The Secretary shall carry out a subprogram to be known as the Advanced Nuclear Research Infrastructure Enhancement Subprogram in order to—

“(i) demonstrate various advanced nuclear reactor and nuclear microreactor concepts;

“(ii) establish medical isotope production reactors or other specialized applications; and

“(iii) advance other research infrastructure that, in the determination of the Secretary, is consistent with the mission of the Department.

“(B) NEW NUCLEAR SCIENCE AND ENGINEERING FACILITIES.—In carrying out the subprogram, the Secretary shall establish—

“(i) not more than 4 new research reactors; and

“(ii) new nuclear science and engineering facilities, as required to address research demand and identified infrastructure gaps.

“(C) LOCATIONS.—New research reactors and facilities established under subparagraph (B) shall be established in a manner that—

“(i) supports the regional or subregional consortia described in paragraph (4)(C); and

“(ii) encourages the participation of—

“(I) historically Black colleges and universities;

“(II) Tribal colleges or universities;

“(III) minority-serving institutions;

“(IV) EPSCoR universities; and

“(V) junior or community colleges.

“(D) FUEL REQUIREMENTS.—New research reactors established under subparagraph (B) shall not use high-enriched uranium, as defined in section 2001 of division Z of the Consolidated Appropriations Act of 2021.

“(E) AUTHORIZATION OF APPROPRIATIONS.—Of any amounts appropriated to carry out the program under this section, there are authorized to be appropriated to the Secretary to carry out the subprogram under this paragraph—

“(i) \$45,000,000 for fiscal year 2023;

“(ii) \$60,000,000 for fiscal year 2024;

“(iii) \$65,000,000 for fiscal year 2025;

“(iv) \$80,000,000 for fiscal year 2026; and

“(v) \$140,000,000 for fiscal year 2027.”; and

(3) by amending paragraph (9), as redesignated by paragraph (1) of this section, to read as follows:

“(9) DEFINITIONS.—In this subsection:

“(A) JUNIOR FACULTY.—The term ‘junior faculty’ means a faculty member who was awarded a doctorate less than 10 years before receipt of an award from the grant program described in paragraph (2)(B).

“(B) JUNIOR OR COMMUNITY COLLEGE.—The term ‘junior or community college’ means—

“(i) a public institution of high education, including additional locations, at which the highest awarded degree, or the predominantly awarded degree, is an associate degree; or

“(ii) any Tribal college or university (as defined in section 316 of the Higher Education Act of 1965 (20 U.S.C. 1059c)).

“(C) EPSCoR UNIVERSITY.—The term ‘EPSCoR university’ means an institution of higher education located in a State eligible to participate in the program defined in section 502 of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 1862p note).

“(D) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term ‘historically Black college or university’ has the meaning given the term ‘part B institution’ in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

“(E) MINORITY-SERVING INSTITUTION.—The term ‘minority-serving institution’ means a Hispanic-serving institution, an Alaska Native-serving institution, a Native Hawaiian-serving institution, a Predominantly Black Institution, an Asian American and Native American Pacific Islander-serving institution, or a Native American-serving nontribal institution as described in section 371 of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

“(F) TRIBAL COLLEGE OR UNIVERSITY.—The term ‘Tribal College or University’ has the meaning given such term in section 316 of the Higher Education Act of 1965 (20 U.S.C. 1059c).”.

SEC. 10745. SCIENCE EDUCATION AND HUMAN RESOURCES SCHOLARSHIPS, FELLOWSHIPS, AND RESEARCH AND DEVELOPMENT PROJECTS.

(a) IN GENERAL.—The purpose of this section is to support a diverse workforce for the complex landscape associated with effective and equitable development of advanced nuclear energy technologies, including interdisciplinary research to enable positive impacts and avoid potential negative impacts across the lifespan of nuclear energy technologies.

(b) NONTECHNICAL NUCLEAR RESEARCH.—Section 313 of the Omnibus Appropriations Act, 2009 (Public Law 111-8; 42 U.S.C. 16274a) is amended—

(1) in subsection (b)(2), after “engineering”, by inserting “, which may include nontechnical nuclear research.”;

(2) in subsection (c), by inserting after paragraph (2) the following:

“(3) NONTECHNICAL NUCLEAR RESEARCH.—The term ‘nontechnical nuclear research’ means research with specializations such as social sciences or law that can support an increase in community engagement, participation, and confidence in nuclear energy systems, including the navigation of the licensing required for advanced reactor deployment, aligned with the objectives in section 951(a)(2) of the Energy Policy Act of 2005 (42 U.S.C. 16271(a)(2)).”; and

(3) in subsection (d)(1), by striking “\$3,000,000” and inserting “\$45,000,000”.

Subtitle M—Steel Upgrading Partnerships and Emissions Reduction

SEC. 10751. LOW-EMISSIONS STEEL MANUFACTURING RESEARCH PROGRAM.

(a) PROGRAM.—Subtitle D of title IV of the Energy Independence and Security Act of 2007 (42 U.S.C. 17111 et seq.) is amended by inserting after section 454 the following:

“SEC. 454A. LOW-EMISSIONS STEEL MANUFACTURING RESEARCH PROGRAM.

“(a) PURPOSE.—The purpose of this section is to encourage the research and development of innovative technologies aimed at—

“(1) increasing the technological and economic competitiveness of industry and manufacturing in the United States; and

“(2) achieving significant net nonwater greenhouse emissions reductions in the production processes for iron, steel, and steel mill products.

“(b) DEFINITIONS.—In this section:

“(1) COMMERCIALLY AVAILABLE STEELMAKING.—The term ‘commercially available steelmaking’ means the current production method of iron, steel, and steel mill products.

“(2) CRITICAL MATERIAL.—The term ‘critical material’ has the meaning given such term in section 7002 of division Z of the Consolidated Appropriations Act, 2021 (Public Law 116-260).

“(3) CRITICAL MINERAL.—The term ‘critical mineral’ has the meaning given such term in section 7002 of division Z of the Consolidated Appropriations Act, 2021 (Public Law 116-260).

“(4) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(A) an institution of higher education;

“(B) an appropriate State or Federal entity, including a federally funded research and development center of the Department;

“(C) a nonprofit research institution;

“(D) a private entity;

“(E) any other relevant entity the Secretary determines appropriate; and

“(F) a partnership or consortium of two or more entities described in subparagraphs (A) through (E).

“(5) INSTITUTION OF HIGHER EDUCATION.—The term ‘institution of higher education’ has the meaning given the term in section

101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

“(6) LOW-EMISSIONS STEEL MANUFACTURING.—The term ‘low-emissions steel manufacturing’ means advanced or commercially available steelmaking with the reduction, to the maximum extent practicable, of net nonwater greenhouse gas emissions to the atmosphere from the production of iron, steel, and steel mill products.

“(c) IN GENERAL.—Not later than 180 days after the date of enactment of the Research and Development, Competition, and Innovation Act, the Secretary shall establish a program of research, development, demonstration, and commercial application of advanced tools, technologies, and methods for low-emissions steel manufacturing.

“(d) REQUIREMENTS.—In carrying out the program under subsection (c), the Secretary shall—

“(1) coordinate this program with the programs and activities authorized in title VI of division Z of the Consolidated Appropriations Act, 2021;

“(2) coordinate across all relevant program offices of the Department, including the Office of Science, Office of Energy Efficiency and Renewable Energy, the Office of Fossil Energy, and the Office of Nuclear Energy;

“(3) leverage, to the extent practicable, the research infrastructure of the Department, including scientific computing user facilities, x-ray light sources, neutron scattering facilities, and nanoscale science research centers; and

“(4) conduct research, development, and demonstration of low-emissions steel manufacturing technologies that have the potential to increase domestic production and employment in advanced and commercially available steelmaking.

“(e) STRATEGIC PLAN.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Research and Development, Competition, and Innovation Act, the Secretary shall develop a 5-year strategic plan identifying research, development, demonstration, and commercial application goals for the program established in subsection (c). The Secretary shall submit this plan to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

“(2) CONTENTS.—The strategic plan submitted under paragraph (1) shall—

“(A) identify programs at the Department related to low-emissions steel manufacturing that support the research, development, demonstration, and commercial application activities described in this section, and the demonstration projects under subsection (h);

“(B) establish technological and programmatic goals to achieve the requirements of subsection (d); and

“(C) include timelines for the accomplishment of goals developed under the plan.

“(3) UPDATES TO PLAN.—Not less than once every two years, the Secretary shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an updated version of the plan under paragraph (1).

“(f) FOCUS AREAS.—In carrying out the program established in subsection (c), the Secretary shall focus on—

“(1) medium- and high-temperature heat generation technologies used for low-emissions steel manufacturing, which may include—

“(A) alternative fuels, including hydrogen and biomass;

“(B) alternative reducing agents, including hydrogen;

“(C) renewable heat generation technology, including solar and geothermal;

“(D) electrification of heating processes, including through electrolysis; and

“(E) other heat generation technologies;

“(2) carbon capture technologies for advanced and commercially available steelmaking processes, which may include—

“(A) combustion and chemical looping technologies;

“(B) use of slag to reduce carbon dioxide emissions;

“(C) pre-combustion technologies; and

“(D) post-combustion technologies;

“(3) smart manufacturing technologies and principles, digital manufacturing technologies, and advanced data analytics to develop advanced technologies and practices in information, automation, monitoring, computation, sensing, modeling, and networking to—

“(A) model and simulate manufacturing production lines;

“(B) monitor and communicate production line status; and

“(C) model, simulate, and optimize the energy efficiency of manufacturing processes;

“(4) technologies and practices that minimize energy and natural resource consumption, which may include—

“(A) designing products that enable reuse, refurbishment, remanufacturing, and recycling;

“(B) minimizing waste from advanced and commercially available steelmaking processes, including through the reuse of waste as resources in other industrial processes for mutual benefit;

“(C) increasing resource efficiency; and

“(D) increasing the energy efficiency of advanced and commercially available steelmaking processes;

“(5) alternative materials and technologies that produce fewer emissions during production and result in fewer emissions during use, which may include—

“(A) innovative raw materials;

“(B) high-performance lightweight materials;

“(C) substitutions for critical materials and critical minerals; and

“(D) other technologies that achieve significant carbon emission reductions in low-emissions steel manufacturing, as determined by the Secretary; and

“(6) high-performance computing to develop advanced materials and manufacturing processes contributing to the focus areas described in paragraphs (1) through (5), including—

“(A) modeling, simulation, and optimization of the design of energy efficient and sustainable products; and

“(B) the use of digital prototyping and additive manufacturing to enhance product design.

“(g) TESTING AND VALIDATION.—The Secretary, in consultation with the Director of the National Institute of Standards and Technology, shall support the development of standardized testing and technical validation of advanced and commercially available steelmaking and low-emissions steel manufacturing through collaboration with one or more National Laboratories, and one or more eligible entities.

“(h) DEMONSTRATION.—

“(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of the Research and Development, Competition, and Innovation Act, the Secretary, in carrying out the program established in subsection (c), and in collaboration with industry partners, institutions of higher education, and the National Laboratories, shall support an initiative for the demonstration of low-emissions steel manufacturing, as identified by the Secretary, that uses either—

“(A) a single technology; or

“(B) a combination of multiple technologies.

“(2) SELECTION REQUIREMENTS.—Under the initiative established under paragraph (1), the Secretary shall select eligible entities to carry out demonstration projects and to the maximum extent practicable—

“(A) encourage regional diversity among eligible entities, including participation by rural States;

“(B) encourage technological diversity among eligible entities; and

“(C) ensure that specific projects selected—

“(i) expand on the existing technology demonstration programs of the Department; and

“(ii) prioritize projects that leverage matching funds from non-Federal sources.

“(3) REPORTS.—The Secretary shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate—

“(A) not less frequently than once every two years for the duration of the demonstration initiative under this subsection, a report describing the performance of the initiative; and

“(B) if the initiative established under this subsection is terminated, an assessment of the success of, and education provided by, the measures carried out by recipients of financial assistance under the initiative.

“(i) ADDITIONAL COORDINATION.—

“(1) MANUFACTURING U.S.A.—In carrying out this section the Secretary shall consider—

“(A) leveraging the resources of relevant existing Manufacturing USA Institutes described in section 34(d) of the National Institute of Standards and Technology Act (15 U.S.C. 278s(d));

“(B) integrating program activities into a relevant existing Manufacturing USA Institute; or

“(C) establishing a new institute focused on low-emissions steel manufacturing.

“(2) OTHER FEDERAL AGENCIES.—In carrying out this section, the Secretary shall coordinate with other Federal agencies that are carrying out research and development initiatives to increase industrial competitiveness and achieve significant net nonwater greenhouse emissions reductions through low-emissions steel manufacturing, including the Department of Defense, Department of Transportation, and the National Institute of Standards and Technology.”

(b) CLERICAL AMENDMENT.—Section 1(b) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17001 note) is amended in the table of contents by inserting after the item relating to section 454 the following:

“Sec. 454A. Low-Emissions Steel Manufacturing Research Program.”

Subtitle N—Applied Laboratories Infrastructure Restoration and Modernization

SEC. 10761. APPLIED LABORATORIES INFRASTRUCTURE RESTORATION AND MODERNIZATION.

(a) DEFINITION OF NATIONAL LABORATORY.—In this section, the term “National Laboratory” means—

(1) the National Renewable Energy Laboratory;

(2) the National Energy Technology Laboratory;

(3) the Idaho National Laboratory;

(4) the Savannah River National Laboratory;

(5) the Sandia National Laboratories;

(6) the Los Alamos National Laboratory; and

(7) the Lawrence Livermore National Laboratory.

(b) RESTORATION AND MODERNIZATION PROJECTS.—

(1) IN GENERAL.—The Secretary shall fund projects described in paragraph (2) as needed to address the deferred maintenance, critical infrastructure needs, and modernization of National Laboratories.

(2) PROJECTS DESCRIBED.—The projects referred to in paragraph (1) are, as determined by the Secretary—

(A) priority deferred maintenance projects at National Laboratories, including facilities sustainment for, upgrade of, and construction of research laboratories, administrative and support buildings, utilities, roads, power plants, and any other critical infrastructure; and

(B) lab modernization projects at National Laboratories, including projects relating to core infrastructure needed—

(i) to support existing and emerging science missions with new and specialized requirements for world-leading scientific user facilities and computing capabilities; and

(ii) to maintain safe, efficient, reliable, and environmentally responsible operations, including pilot projects to demonstrate net-zero emissions with resilient operations.

(3) APPROACH.—In carrying out paragraph (1), the Secretary shall use all available approaches and mechanisms, as the Secretary determines to be appropriate, including—

(A) capital line items;

(B) minor construction projects;

(C) energy savings performance contracts;

(D) utility energy service contracts;

(E) alternative financing; and

(F) expense funding.

(c) SUBMISSION TO CONGRESS.—For each fiscal year through fiscal year 2027, at the same time as the annual budget submission of the President, the Secretary shall submit to the Committee on Appropriations and the Committee on Energy and Natural Resources of the Senate and the Committee on Appropriations and the Committee on Science, Space, and Technology of the House of Representatives a list of projects for which the Secretary will provide funding under this section, including a description of each project and the funding profile for the project.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out the activities described in this section \$800,000,000 for each of fiscal years 2023 through 2027, of which, in each fiscal year—

(1) \$640,000,000 is authorized to be appropriated for projects at National Laboratories described in paragraphs (1) through (4) of subsection (a); and

(2) \$160,000,000 is authorized to be appropriated for projects at National Laboratories described in paragraphs (5) through (7) of that subsection.

Subtitle O—Department of Energy Research, Development, and Demonstration Activities

SEC. 10771. DEPARTMENT OF ENERGY RESEARCH, DEVELOPMENT, AND DEMONSTRATION ACTIVITIES.

For the purpose of carrying out research, development, and demonstration activities and addressing energy-related supply chain activities in the key technology focus areas (as described in section 10387), there are authorized to be appropriated the following amounts:

(1) OFFICE OF ENERGY EFFICIENCY AND RENEWABLE ENERGY.—In addition to amounts otherwise authorized to be appropriated or made available, there are authorized to be appropriated to the Secretary of Energy (referred to in this section as the “Secretary”), acting through the Office of Energy Efficiency and Renewable Energy, for the period of fiscal years 2023 through 2026—

(A) \$1,200,000,000 to carry out building technologies research, development, and demonstration activities;

(B) \$1,200,000,000 to carry out sustainable transportation research, development, and demonstration activities;

(C) \$1,000,000,000 to carry out advanced manufacturing research, development, and demonstration activities, excluding activities carried out pursuant to subparagraph (D);

(D) \$1,000,000,000 to carry out section 454 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17113);

(E) \$600,000,000 to carry out advanced materials research, development, and demonstration activities, including relating to upcycling, recycling, and biobased materials; and

(F) \$800,000,000 to carry out renewable power research, development, and demonstration activities.

(2) OFFICE OF ELECTRICITY.—In addition to amounts otherwise authorized to be appropriated or made available, there is authorized to be appropriated to the Secretary, acting through the Office of Electricity, for the period of fiscal years 2023 through 2026, \$1,000,000,000 to carry out electric grid modernization and security research, development, and demonstration activities.

(3) OFFICE OF CYBERSECURITY, ENERGY SECURITY, AND EMERGENCY RESPONSE.—In addition to amounts otherwise authorized to be appropriated or made available, there is authorized to be appropriated to the Secretary, acting through the Office of Cybersecurity, Energy Security, and Emergency Response, for the period of fiscal years 2023 through 2026, \$800,000,000 to carry out cybersecurity and energy system physical security research, development, and demonstration activities.

(4) OFFICE OF NUCLEAR ENERGY.—In addition to amounts otherwise authorized to be appropriated or made available, there is authorized to be appropriated to the Secretary, acting through the Office of Nuclear Energy, for the period of fiscal years 2023 through 2026, \$400,000,000 to carry out advanced materials research, development, and demonstration activities.

(5) OFFICE OF ENVIRONMENTAL MANAGEMENT.—In addition to amounts otherwise authorized to be appropriated or made available, there is authorized to be appropriated to the Secretary, acting through the Office of Environmental Management, for the period of fiscal years 2023 through 2026, \$200,000,000 to carry out research, development, and demonstration activities, including relating to artificial intelligence and information technology.

(6) OFFICE OF FOSSIL ENERGY AND CARBON MANAGEMENT.—In addition to amounts otherwise authorized to be appropriated or made available, there are authorized to be appropriated to the Secretary, acting through the Office of Fossil Energy and Carbon Management, for the period of fiscal years 2023 through 2026—

(A) \$600,000,000 to carry out clean industrial technologies research, development, and demonstration activities pursuant to section 454 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17113);

(B) \$200,000,000 to carry out alternative fuels research, development, and demonstration activities; and

(C) \$1,000,000,000 to carry out carbon removal research, development, and demonstration activities.

(7) ADVANCED RESEARCH PROJECTS AGENCY—ENERGY.—In addition to amounts otherwise authorized to be appropriated or made available, there is authorized to be appropriated to the Secretary, acting through the Director of the Advanced Research Projects Agency—Energy established under section 5012 of the America COMPETES Act (42 U.S.C. 16538), for the period of fiscal years 2023

through 2026, \$1,200,852,898 to carry out activities of the Advanced Research Projects Agency—Energy.

Subtitle P—Fission for the Future

SEC. 10781. ADVANCED NUCLEAR TECHNOLOGIES FEDERAL RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ADVANCED NUCLEAR REACTOR.—The term “advanced nuclear reactor” has the meaning given the term in section 951(b) of the Energy Policy Act of 2005 (42 U.S.C. 16271(b)).

(2) ELIGIBLE ENTITY.—The term “eligible entity” means each of—

(A) a State;

(B) an Indian Tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304));

(C) a Tribal organization (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304));

(D) a unit of local government;

(E) an electric utility (as defined in section 3 of the Federal Power Act (16 U.S.C. 796));

(F) a National Laboratory (as defined in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801));

(G) an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))); and

(H) a private entity specializing in—

(i) advanced nuclear technology development;

(ii) nuclear supply chains; or

(iii) with respect to nuclear technologies and nonelectric applications of nuclear technologies, construction, project financing, contract structuring and risk allocation, or regulatory and licensing processes.

(3) PROGRAM.—The term “program” means the program established under subsection (b)(1).

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

(b) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—The Secretary shall establish a program to provide Federal financial assistance to eligible entities to support the research, development, and demonstration of advanced nuclear reactors.

(2) COMPETITIVE PROCEDURES.—To the maximum extent practicable, the Secretary shall carry out the program using a competitive, merit-based review process that is consistent with section 989 of the Energy Policy Act of 2005 (42 U.S.C. 16353).

(c) APPLICATIONS.—An eligible entity desiring Federal financial assistance under the program shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(d) PRIORITY.—In selecting eligible entities to receive Federal financial assistance under the program, the Secretary shall give priority to eligible entities that—

(1) plan to carry out projects at or near the site of 1 or more fossil fuel electric generation facilities that are retired or scheduled to retire, including multi-unit facilities that are partially shut down—

(A) to support the productive reuse of fossil fuel electric generation facilities that are retired or scheduled to retire; and

(B) to sustain and revitalize communities impacted by the closure of fossil fuel electric generation facilities;

(2) plan to support nonelectric applications, including supplying heat for—

(A) energy storage;

(B) hydrogen or other liquid and gaseous fuel or chemical production;

(C) industrial processes;

(D) desalination technologies and processes;

(E) isotope production;

(F) district heating; and

(G) other applications, as the Secretary determines to be appropriate; and

(3) have implemented or demonstrated the ability to successfully implement workforce training or retraining programs to train workers to perform activities relating to the research, development, and demonstration of advanced nuclear reactors.

(e) COST SHARE.—Section 988 of the Energy Policy Act of 2005 (42 U.S.C. 16352) shall apply to Federal financial assistance provided under the program.

(f) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise available, there are authorized to be appropriated to the Secretary to carry out the program—

(1) \$75,000,000 for fiscal year 2023;

(2) \$100,000,000 for fiscal year 2024;

(3) \$150,000,000 for fiscal year 2025;

(4) \$225,000,000 for fiscal year 2026; and

(5) \$250,000,000 for fiscal year 2027.

TITLE VII—NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT

SEC. 10801. SHORT TITLE.

This title may be cited as the “National Aeronautics and Space Administration Authorization Act of 2022”.

SEC. 10802. DEFINITIONS.

In this title:

(1) ADMINISTRATION.—The term “Administration” means the National Aeronautics and Space Administration.

(2) ADMINISTRATOR.—The term “Administrator” means the Administrator of the National Aeronautics and Space Administration.

(3) APPROPRIATE COMMITTEES OF CONGRESS.—Except as otherwise expressly provided, the term “appropriate committees of Congress” means—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Science, Space, and Technology of the House of Representatives.

(4) CISLUNAR SPACE.—The term “cislunar space” means the region of space beyond low-Earth orbit out to and including the region around the surface of the Moon.

(5) DEEP SPACE.—The term “deep space” means the region of space beyond low-Earth orbit, including cislunar space.

(6) DEVELOPMENT COST.—The term “development cost” has the meaning given the term in section 30104 of title 51, United States Code.

(7) GOVERNMENT ASTRONAUT.—The term “government astronaut” has the meaning given the term in section 50902 of title 51, United States Code.

(8) ISS.—The term “ISS” means the International Space Station.

(9) LOW-ENRICHED URANIUM.—The term “low-enriched uranium” means uranium having an assay greater than the assay for natural uranium but less than 20 percent of the uranium-235 isotope.

(10) NASA.—The term “NASA” means the National Aeronautics and Space Administration.

(11) ORION.—The term “Orion” means the multipurpose crew vehicle described in section 303 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18323).

(12) OSTP.—The term “OSTP” means the Office of Science and Technology Policy.

(13) SPACE FLIGHT PARTICIPANT.—The term “space flight participant” has the meaning given the term in section 50902 of title 51, United States Code.

(14) SPACE LAUNCH SYSTEM.—The term “Space Launch System” means the Space Launch System authorized under section 302 of the National Aeronautics and Space Administration Act of 2010 (42 U.S.C. 18322).

(15) UNMANNED AIRCRAFT; UNMANNED AIRCRAFT SYSTEM.—The terms “unmanned aircraft” and “unmanned aircraft system” have the meanings given those terms in section 44801 of title 49, United States Code.

Subtitle A—Exploration

SEC. 10811. MOON TO MARS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) advances in space technology and space exploration capabilities—

(A) ensure the long-term technological preeminence, economic competitiveness, STEM workforce development, and national security of the United States; and

(B) offer profound inspirational value for future generations;

(2) the Artemis missions—

(A) will make further progress on advancing the human exploration roadmap to achieve human presence beyond low-Earth orbit to the surface of Mars, as required under section 432 of the National Aeronautics and Space Administration Transition Authorization Act of 2017 (Public Law 115-10; 51 U.S.C. 20302 note);

(B) should fulfill the goal of landing United States astronauts, including the first woman and the next man, on the Moon; and

(C) should seek collaboration with commercial and international partners to establish sustainable lunar exploration, and should fund any sustainable lunar activities not directly required for the advancement of a human mission to Mars separately;

(3) in carrying out the Artemis missions, the Administrator should ensure that the entire Artemis program is inclusive and representative of all people of the United States, including women and minorities;

(4) safe and successful execution of the roadmap to achieve human presence on Mars, including the Artemis missions, requires—

(A) a clear strategic vision for achieving lunar and Mars exploration that is shared by NASA, international partners, nongovernmental partners, Congress, and the people of the United States;

(B) a well-developed and executable timeline, budget, and mission architecture, to inform decisions, including decisions relating to workforce and infrastructure needs and the development of technical and non-technical skills;

(C) consistent NASA oversight of all relevant exploration activities, enabled by NASA leadership with authority, responsibility, and accountability for decisions and well-developed capabilities for systems engineering and integration;

(D) clearly defined roles for NASA, international partners, and nongovernmental partners, including criteria for determining whether NASA should make, manage, or buy key capabilities; and

(E) mechanisms to ensure NASA insight into the activities of its international and nongovernmental partners, as required to identify and mitigate risks to mission safety and success.

(b) MOON TO MARS OFFICE AND PROGRAM.—

(1) MOON TO MARS OFFICE.—Not later than 120 days after the date of the enactment of this Act, the Administrator shall establish within the Exploration Systems Development Mission Directorate a Moon to Mars Program Office (referred to in this section as the “Office”) to lead and manage the Moon to Mars program established under paragraph (2), including Artemis missions and activities.

(2) MOON TO MARS PROGRAM.—

(A) ESTABLISHMENT.—Not later than 120 days after the date of the enactment of this Act, the Administrator shall establish a Moon to Mars Program (referred to in this

section as the “Program”) in accordance with sections 20302(b) and 70504 of title 51, United States Code, which shall include Artemis missions and activities, to achieve the goal of human exploration of Mars.

(B) ELEMENTS.—The Program shall include the following elements:

(i) The Space Launch System under section 20302 of title 51, United States Code.

(ii) The Orion crew vehicle under such section.

(iii) Exploration Ground Systems.

(iv) An outpost in orbit around the Moon under section 70504 of such title.

(v) Human-rated landing systems.

(vi) Spacesuits.

(vii) Any other element needed to meet the requirements for the Program.

(C) DIRECTION.—The Administrator shall ensure that—

(i) each Artemis mission demonstrates or advances a technology or operational concept that will enable human missions to Mars;

(ii) the Program incorporates each such mission into the human exploration roadmap under section 432 of the National Aeronautics and Space Administration Transition Authorization Act of 2017 (Public Law 115-10; 51 U.S.C. 20302 note); and

(iii) the Program includes cislunar space exploration activities that—

(I) use a combination of launches of the Space Launch System and space transportation services from United States commercial providers, as appropriate, for each such mission;

(II) plan for not fewer than 1 Space Launch System launch annually beginning after the first successful crewed launch of Orion on the Space Launch System, with a goal of 2 Space Launch System launches annually as soon as practicable; and

(III) establish an outpost in orbit around the Moon that—

(aa) demonstrates technologies, systems, and operational concepts directly applicable to the space vehicle that will be used to transport humans to Mars;

(bb) has the capability for periodic human habitation; and

(cc) functions as a point of departure, return, or staging for missions to multiple locations on the lunar surface or other destinations.

(3) DIRECTOR.—

(A) IN GENERAL.—The Administrator shall appoint a Director for the Program, who shall lead the Office and report to the Associate Administrator of the Exploration Systems Development Mission Directorate.

(B) ACCOUNTABILITY.—The Director shall have accountability for risk management and shall have authority, as consistent with NASA Space Flight Program and Project Management requirements—

(i) to implement—

(I) Program-level requirements; and

(II) an architecture and program plan developed to meet such requirements;

(ii) to manage resources, personnel, and contracts necessary to implement the Program, as appropriate;

(iii) to manage cost, risk, schedule, and performance factors;

(iv) to direct and oversee a Program-wide systems engineering and integration and integrated risk management function; and

(v) to carry out other authorities, in accordance with Administration policies and procedures.

(C) RESPONSIBILITIES.—The Director shall be responsible for—

(i) developing and managing—

(I) an integrated master plan, integrated master schedule, and integrated risk management procedures for the Program;

(II) a Program-wide systems engineering and integration function as described in subsection (c);

(III) plans for technology and capabilities development;

(IV) logistics support, science data management, communications, and other plans that are relevant to the functions of the Office; and

(V) performance measures to assess the progress of the Program;

(ii) advising the Associate Administrator of the Exploration Systems Development Mission Directorate on the development of—

(I) Program-level requirements, including for a human Mars orbital mission and a human mission to the surface of Mars; and

(II) an architecture based on the requirements described in subclause (I); and

(iii) informing the Associate Administrator of the Administration on coordination among NASA centers, as required to most efficiently achieve the goals of the Program.

(c) SYSTEMS ENGINEERING AND INTEGRATION.—The Director of the Office shall—

(1) establish within the Office a Program-wide systems engineering and integration function; and

(2) appoint a manager for such function to manage systems engineering and integration activities across the Program, including with respect to the Program elements described in subsection (b)(2).

(d) IMPLEMENTATION.—In the implementation of the Program, the Administrator shall ensure that—

(1) for the purposes of reducing risk and complexity and making the maximum use of taxpayer investments to date, in conducting Artemis activities, the Administration does not take any action in regard to the design of the Exploration Upper Stage-enhanced Space Launch System that would preclude it from carrying an integrated human-rated lunar landing system for crewed lunar landing missions;

(2) the Program maintains a robust series of ground-based and in-flight testing activities, including, with respect to each crewed system design, not less than 1 uncrewed flight test, followed by a crewed flight test, as appropriate, prior to use of the design on a human-rated lunar landing system or Mars mission; and

(3) human lunar landing missions under the Program, including surface and in-space activities, are carried out solely by government astronauts.

(e) STUDY.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report detailing—

(1) progress towards the establishment of—

(A) the Office, the Program, and the Program architecture; and

(B) the integrated master plan, integrated master schedule, and integrated risk management procedures for the Program;

(2) performance measures and milestones for the Program and any interim assessment with respect to such performance measures, as practicable;

(3) initial criteria for determining whether NASA should make, manage, or buy key capabilities within the Program or engage with international partners to access such capabilities;

(4) strategies to ensure consistent insight into the activities of NASA partners, including nongovernmental partners, as required to identify and mitigate mission risks;

(5) progress towards the establishment of a systems engineering and integration function; and

(6) an annual budget profile for resources required to implement the Program during

the 5-year period beginning on the date of the enactment of this Act.

SEC. 10812. SPACE LAUNCH SYSTEM CONFIGURATIONS.

(a) **EXPLORATION GROUND SYSTEMS INFRASTRUCTURE.**—The Administrator shall ensure that—

(1) the necessary elements of a ground system infrastructure are in place to enable the preparation and use of the Space Launch System, specifically the Block 1 (at least 70 mt), Block 1B (at least 105 mt), and Block 2 (at least 130 mt) variants of the Space Launch System; and

(2) not fewer than 2 bays of the vehicle assembly building of such ground system infrastructure are outfitted and dedicated to support Space Launch System stacking and preparations.

(b) **FLIGHT RATE AND SAFETY.**—After the first crewed lunar landing of the Administration's Moon to Mars activities, the Administrator shall, to the extent practicable, seek to carry out a flight rate of 2 integrated Space Launch System and Orion crew vehicle missions annually until the lunar activities needed to enable a human mission to Mars are completed so as to maintain the critical human spaceflight production and operations skills necessary for the safety of human spaceflight activities in deep space.

(c) **MOBILE LAUNCH PLATFORM.**—

(1) **IN GENERAL.**—The Administrator is authorized to maintain 2 operational mobile launch platforms to enable the launch of multiple configurations of the Space Launch System.

(2) **SECOND MOBILE LAUNCH PLATFORM.**—

(A) **IN GENERAL.**—In implementing paragraph (1), the Administrator shall take all necessary steps to develop and complete a second mobile launch platform, to be in place by 2026, to support the first launch of the Block 1B variant of the Space Launch System.

(B) **REQUIREMENT.**—Such second mobile launch platform shall be sized and constructed to accommodate the Block 2 variant of the Space Launch System.

(d) **REPORTS.**—The Administrator shall submit to Congress—

(1) not later than 45 days after the date of the enactment of this Act, a report on the steps the Administrator and industry partners are taking—

(A) to address the cost, schedule, and performance challenges in the development of the Mobile Launch-2 platform; and

(B) to ensure that such platform is ready for operational use on a schedule that aligns with the current plans for an Artemis IV launch, which is currently anticipated in 2027; and

(2) not later than 90 days after such date of enactment, a report that contains a list of the key milestones required for completing each of the Space Launch System variants, and an estimated date on which such milestones will be completed.

(e) **EXPLORATION UPPER STAGE.**—

(1) **IN GENERAL.**—To meet the capability requirements under section 302(c)(2) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18322(c)(2)), the Administrator shall continue development of the Exploration Upper Stage for the Space Launch System on a schedule consistent with the Artemis IV lunar mission.

(2) **BRIEFING.**—Not later than 90 days after the date of the enactment of this Act, the Administrator shall brief the appropriate committees of Congress on the development and scheduled availability of the Exploration Upper Stage for the Artemis IV lunar mission.

(f) **MAIN PROPULSION TEST ARTICLE.**—To meet the requirements under section

302(c)(3) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18322(c)(3)), the Administrator may initiate development of a main propulsion test article for the integrated Exploration Upper Stage element of the Space Launch System, consistent with cost and schedule constraints, particularly for long-lead propulsion hardware needed for flight.

SEC. 10813. ROCKET ENGINE TEST INFRASTRUCTURE.

(a) **IN GENERAL.**—The Administrator shall, to the extent practicable, continue to carry out a program to modernize rocket propulsion test infrastructure at NASA facilities—

(1) to increase capabilities;

(2) to enhance safety;

(3) to support propulsion development and testing; and

(4) to foster the improvement of Government and commercial space transportation and exploration.

(b) **PROJECTS.**—Projects funded under the program described in subsection (a) may include—

(1) infrastructure and other facilities and systems relating to rocket propulsion test stands and rocket propulsion testing;

(2) enhancements to test facility capacity and flexibility; and

(3) such other projects as the Administrator considers appropriate to meet the goals described in that subsection.

(c) **REQUIREMENTS.**—In carrying out the program under subsection (a), the Administrator shall—

(1) to the extent practicable and appropriate, prioritize investments in projects that enhance test and flight certification capabilities, including for large thrust-level atmospheric and altitude engines and engine systems, and multi-engine integrated test capabilities;

(2) continue to make underutilized test facilities available for commercial use on a reimbursable basis; and

(3) ensure that no project carried out under this program adversely impacts, delays, or defers testing or other activities associated with facilities used for Government programs, including—

(A) the Space Launch System and the Exploration Upper Stage of the Space Launch System;

(B) in-space propulsion to support exploration missions; or

(C) nuclear propulsion testing.

(d) **RULE OF CONSTRUCTION.**—Nothing in this section shall preclude a NASA program, including the Space Launch System and the Exploration Upper Stage of the Space Launch System, from using the modernized test infrastructure developed under this section.

(e) **WORKING CAPITAL FUND STUDY.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of the enactment of this division, the Administrator shall submit to the appropriate committees of Congress a report on the use of the authority under section 30102 of title 51, United States Code, to promote increased use of NASA rocket propulsion test infrastructure for research, development, testing, and evaluation activities by other Federal agencies, firms, associations, corporations, and educational institutions.

(2) **MATTERS TO BE INCLUDED.**—The report required by paragraph (1) shall include the following:

(A) An assessment of prior use, if any, of the authority under section 30102 of title 51, United States Code, to improve testing infrastructure.

(B) An analysis of any barrier to implementation of such authority for the purpose of promoting increased use of NASA rocket propulsion test infrastructure.

SEC. 10814. PEARL RIVER MAINTENANCE.

(a) **IN GENERAL.**—The Administrator shall coordinate with the Chief of the Army Corps of Engineers on a comprehensive plan to ensure the continued navigability of the Pearl River and Little Lake channels sufficient to support NASA barge operations surrounding Stennis Space Center and the Michoud Assembly Facility.

(b) **REPORT TO CONGRESS.**—Not later than 180 days after the date of the enactment of this division, the Administrator shall submit to the appropriate committees of Congress a report on efforts under subsection (a).

(c) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Commerce, Science, and Transportation, the Committee on Environment and Public Works, and the Committee on Appropriations of the Senate; and

(2) the Committee on Science, Space, and Technology, the Committee on Transportation and Infrastructure, and the Committee on Appropriations of the House of Representatives.

SEC. 10815. EXTENSION AND MODIFICATION RELATING TO INTERNATIONAL SPACE STATION.

(a) **POLICY.**—Section 501(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18351(a)) is amended by striking “2024” and inserting “September 30, 2030”.

(b) **MAINTENANCE OF UNITED STATES SEGMENT AND ASSURANCE OF CONTINUED OPERATIONS.**—Section 503(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18353(a)) is amended by striking “September 30, 2024” and inserting “September 30, 2030”.

(c) **RESEARCH CAPACITY ALLOCATION AND INTEGRATION OF RESEARCH PAYLOADS.**—Section 504(d) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18354(d)) is amended—

(1) in paragraph (1), in the first sentence—

(A) by striking “As soon as practicable” and all that follows through “2011,” and inserting “The”; and

(B) by striking “September 30, 2024” and inserting “September 30, 2030”; and

(2) in paragraph (2), in the third sentence, by striking “September 30, 2024” and inserting “September 30, 2030”.

(d) **MAINTENANCE OF USE.**—

(1) **IN GENERAL.**—Section 70907 of title 51, United States Code, is amended—

(A) in the section heading, by striking “2024” and inserting “2030”; and

(B) in subsection (a), by striking “September 30, 2024” and inserting “September 30, 2030”; and

(C) in subsection (b)(3), by striking “September 30, 2024” and inserting “September 30, 2030”.

(2) **CONFORMING AMENDMENT.**—The table of sections for chapter 709 of title 51, United States Code, is amended by striking the item relating to section 70907 and inserting the following:

“70907. Maintaining use through at least 2030.”

(e) **TRANSITION PLAN REPORTS.**—Section 50111(c)(2) of title 51, United States Code is amended—

(1) in the matter preceding subparagraph (A), by striking “2023” and inserting “2028”; and

(2) in subparagraph (J), by striking “2028” and inserting “2030”.

(f) **ASSESSMENTS AND REPORT.**—The Administrator shall—

(1) conduct a comprehensive assessment of the viability of the ISS to operate safely and support full and productive use through 2030, including all necessary analyses to certify ISS operations through 2030;

(2) not later than 180 days after the date of the enactment of this Act, submit to the Aerospace Safety Advisory Panel an assessment of—

(A) the root cause of cracks and air leaks in the Russian Service Module Transfer Tunnel;

(B) the certification of all United States systems and modules to operate through 2030;

(C)(i) an inventory of spares or replacements for elements, systems, and equipment, including systems certified under subparagraph (B), that are currently produced, in inventory, or on order;

(ii) a description of the state of the readiness of such spares and replacements; and

(iii) a schedule for delivery of such spares and replacements to the ISS, including the planned transportation means for such delivery and the estimated cost and schedule for procurement of such spares and replacements and their delivery to the ISS; and

(D) any other relevant data, information, or analysis relevant to the safe and productive use of the ISS through 2030; and

(3) not later than 240 days after the date of the enactment of this Act, submit to the appropriate committees of Congress—

(A) a report on the results of the assessment conducted under paragraph (1); and

(B) a plan to address any recommendations of the Aerospace Safety Advisory Panel, consistent with section 31101(c)(2) of title 51, United States Code, with respect to such assessment.

SEC. 10816. PRIORITIES FOR INTERNATIONAL SPACE STATION.

(a) IN GENERAL.—The Administrator shall assess International Space Station research activities and shall ensure that crew time and resources allocated to the Administration for use on the International Space Station prioritize—

(1) the research of the Human Research Program, including research on and development of countermeasures relevant to reducing human health and performance risks, behavioral and psychological risks, and other astronaut safety risks related to long-duration human spaceflight;

(2) risk reduction activities relevant to exploration technologies, including for the Environmental Control and Life Support System, extravehicular activity and space suits, environmental monitoring, safety, emergency response, and deep space communications;

(3) the advancement of United States leadership in basic and applied space life and physical science research, consistent with the priorities of the most recent space life and physical sciences decadal survey of the National Academies of Sciences, Engineering, and Medicine; and

(4) other research and development activities identified by the Administrator as essential to Moon to Mars activities.

(b) REPORTS.—

(1) ASSESSMENT AND PRIORITIZATION.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on—

(A) the assessment; and

(B) the steps taken to achieve the prioritization required by subsection (a).

(2) SPACE FLIGHT PARTICIPANTS.—Not later than 120 days after the date of the enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on measures taken, with respect to space flight participants aboard the ISS, to ensure government astronaut safety, to avoid interference in ISS operations and research priorities, and to prevent undue demands on crew time and resources.

(3) ANNUAL PROGRESS REPORTS.—Concurrent with the annual budget submission of the President to Congress under section 1105(a) of title 31, United States Code, the Administrator shall provide to the appropriate committees of Congress an annual accounting of the use of Administration crew time and ISS resources, including the allocation of such resources toward the priorities described in subsection (a).

SEC. 10817. TECHNICAL AMENDMENTS RELATING TO ARTEMIS MISSIONS.

(a) Section 421 of the National Aeronautics and Space Administration Authorization Act of 2017 (Public Law 115-10; 51 U.S.C. 20301 note) is amended—

(1) in subsection (c)(3)—

(A) by striking “EM-1” and inserting “Artemis I”;

(B) by striking “EM-2” and inserting “Artemis II”; and

(C) by striking “EM-3” and inserting “Artemis III”; and

(2) in subsection (f)(3), by striking “EM-3” and inserting “Artemis III”.

(b) Section 432(b) of the National Aeronautics and Space Administration Authorization Act of 2017 (Public Law 115-10; 51 U.S.C. 20302 note) is amended—

(1) in paragraph (3)(D)—

(A) by striking “EM-1” and inserting “Artemis I”; and

(B) by striking “EM-2” and inserting “Artemis II”; and

(2) in paragraph (4)(C), by striking “EM-3” and inserting “Artemis III”.

Subtitle B—Science

SEC. 10821. SCIENCE PRIORITIES.

(a) SENSE OF CONGRESS ON SCIENCE PORTFOLIO.—It is the sense of Congress that—

(1) a balanced and adequately funded set of activities, consisting of research and analysis grant programs, technology development, suborbital research activities, and small, medium, and large space missions, contributes to a robust and productive science program and serves as a catalyst for innovation and discovery; and

(2) the Research and Analysis programs funded by the Science Mission Directorate are critically important for—

(A) preparing the next generation of space and Earth scientists;

(B) pursuing peer-reviewed cutting-edge research;

(C) maximizing scientific return from the Administration's space and Earth science missions; and

(D) developing innovative techniques and future mission concepts.

(b) GOAL.—The Administrator shall pursue the goal of establishing annual funding for Research and Analysis in the Science Mission Directorate that reaches a level of not less than 10 percent of the total annual funding of relevant divisions of the Science Mission Directorate by fiscal year 2025.

SEC. 10822. SEARCH FOR LIFE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the report entitled “An Astrobiology Strategy for the Search for Life in the Universe” published by the National Academies of Sciences, Engineering, and Medicine outlines key scientific questions and methods on the search for the origin, evolution, distribution, and future of life in the universe; and

(2) the interaction of lifeforms with their environment, a central focus of astrobiology research, is a topic of broad significance to life sciences research in space and on Earth.

(b) PROGRAM CONTINUATION.—

(1) IN GENERAL.—The Administrator shall continue to implement a collaborative, multidisciplinary science and technology development program to search for evidence of

the existence or historical existence of life beyond Earth in support of—

(A) the scientific priorities of the most recent decadal surveys on planetary science and astrobiology and astronomy and astrophysics of the National Academies of Sciences, Engineering, and Medicine; and

(B) the objective described in section 20102(d)(10) of title 51, United States Code.

(2) ELEMENT.—The program under paragraph (1) shall include activities relating to astronomy, biology, geology, and planetary science.

(3) COORDINATION WITH LIFE SCIENCES PROGRAM.—In carrying out the program under paragraph (1), the Administrator shall coordinate efforts with the life sciences program of the Administration.

(4) INSTRUMENTATION AND SENSOR TECHNOLOGY.—In carrying out the program under paragraph (1), the Administrator may invest in the development of new instrumentation and sensor technology.

(5) TECHNOSIGNATURES.—In carrying out the program under paragraph (1), the Administrator may support, as appropriate, merit-reviewed, competitively selected research on technosignatures.

SEC. 10823. NEXT GENERATION OF ASTROPHYSICS GREAT OBSERVATORIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) NASA's Great Observatories, a suite of space-based telescopes launched over the course of 2 decades and comprised of the Hubble Space Telescope, Compton Gamma-Ray Observatory, Chandra X-Ray Observatory, and Spitzer Space Telescope, have enabled major scientific advances across a broad range of astrophysics disciplines, including with respect to the origins of planets, the formation and evolution of stars and galaxies, fundamental physics, and the structure of the universe;

(2) the decadal survey of the National Academies of Science, Engineering, and Medicine entitled “Pathways to Discovery in Astronomy and Astrophysics for the 2020s” recommends a vision to understand the relationships between stars and the bodies that orbit them by “looking” at the universe through a range of observations, including radio, optical, gamma rays, neutrinos, and gravitational waves, in order to understand the origin and evolution of galaxies;

(3) the United States and NASA are uniquely poised—

(A) to lead the world in the implementation of the next generation of Great Observatories, as recommended in such decadal survey, including implementation of an observatory to search for biosignatures of exoplanets in the habitable zone;

(B) to address the most compelling scientific questions of the next decade; and

(C) to transform not only our understanding of the universe and the processes and physical paradigms that govern the universe, but also the place of humanity in the universe;

(4) the Administrator should pursue an ambitious astrophysics program that meets the scientific vision of the astronomical community and the transformative capacity of technological innovation; and

(5) in implementing astrophysics research, in order to avoid the major growth in the cost of astrophysics flagship-class missions that has the potential to impact the overall portfolio balance of the Science Mission Directorate, the Administrator should seek to implement lessons learned from previous astrophysics missions, including by—

(A) establishing sufficient cost and schedule reserves;

(B) demonstrating in advance of preliminary design review, as practicable and appropriate, the maturity of necessary technologies through prototype demonstrations in a relevant environment;

(C) providing for regular updates to the cost, schedule, and risk of a project; and

(D) considering, as feasible, the impacts of cost and schedule changes across the Science Mission Directorate.

(b) NANCY GRACE ROMAN TELESCOPE.—

(1) IN GENERAL.—The Administrator shall continue development of the Nancy Grace Roman Space Telescope (commonly known as the “Roman telescope” and formerly known as the “Wide Field Infrared Survey Telescope”) in the configuration established through critical design review, to meet the objectives prioritized in the 2010 decadal survey of astronomy and astrophysics of the National Academies of Sciences, Engineering, and Medicine.

(2) COST AND SCHEDULE.—Section 30104 of title 51, United States Code shall apply to the development of the Roman telescope under paragraph (1).

(3) QUARTERLY REPORTS.—Not less frequently than quarterly, the Administrator shall submit to the appropriate committees of Congress a report on the progress of the development of the Roman telescope and the budget profile and schedule relative to the baseline plan for such development.

SEC. 10824. EARTH SCIENCE MISSIONS AND PROGRAMS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Earth science and applications program of the Administration provides increasingly valuable data for natural resource management, agriculture, forestry, food security, air quality monitoring, and many other application areas; and

(2) a robust and balanced Earth science and applications program contributes significantly to—

(A) the scientific discovery and economic growth of the United States; and

(B) supporting the health and safety of the people of the United States and the citizens of the world.

(b) REAFFIRMATION.—Congress reaffirms the goal for the Administration’s Earth science and applications program set forth in section 60501 of title 51, United States Code, which states: “The goal for the Administration’s Earth Science program shall be to pursue a program of Earth observations, research, and applications activities to better understand the Earth, how it supports life, and how human activities affect its ability to do so in the future. In pursuit of this goal, the Administration’s Earth Science program shall ensure that securing practical benefits for society will be an important measure of its success in addition to securing new knowledge about the Earth system and climate change. In further pursuit of this goal, the Administration shall, together with the National Oceanic and Atmospheric Administration and other relevant agencies, provide United States leadership in developing and carrying out a cooperative international Earth observations-based research program.”

(c) EARTH SCIENCE MISSIONS AND PROGRAMS.—With respect to the missions and programs of the Earth Science Division, the Administrator shall, to the maximum extent practicable, follow the recommendations and guidance provided by the scientific community through the decadal survey for Earth science and applications from space of the National Academies of Sciences, Engineering, and Medicine, including—

(1) the science priorities described in such survey;

(2) the execution of the series of existing or previously planned observations (commonly known as the “program of record”); and

(3) the development of a range of missions of all classes, including opportunities for principal investigator-led, competitively selected missions.

(d) EARTH SYSTEM OBSERVATORY.—The Administrator shall pursue an Earth System Observatory, which shall consist of an array of new and complementary Earth-observing scientific satellites, instruments, and missions—

(1) to address the recommendations of the 2018 Earth science and applications decadal survey of the National Academies of Sciences, Engineering, and Medicine entitled “Thriving on our Changing Planet”, including by conducting priority observations in—

(A) aerosols;

(B) cloud convection and precipitation;

(C) mass change;

(D) surface biology and geology;

(E) surface deformation and change; and

(F) other observation areas designated as high-priority by such decadal survey; and

(2) to achieve the goal of the Earth Science Program set forth in section 60501 of title 51, United States Code.

(e) SURVEY OF USE OF EARTH OBSERVATION DATA BY STATES, TRIBES, AND TERRITORIES.—

(1) SURVEY.—The Administrator shall arrange for the conduct of a survey of the use of NASA Earth observation data by States, Tribal organizations, and territories.

(2) SUBMISSION.—Not later than 18 months after the date of the enactment of this Act, the Administrator shall submit to the appropriate committees of Congress the results of the survey conducted under paragraph (1).

(f) CLIMATE ARCHITECTURE PLAN.—The Administrator shall—

(1) maintain a comprehensive, strategic Climate Architecture Plan for Earth Observations and Applications from Space that describes an integrated and balanced program of Earth science and applications observations to advance science, policy, and applications and societal benefits; and

(2) update such plan every 5 years so as to align with the release of the decadal surveys in Earth science and applications from space and the mid-decade assessments of the National Academies of Sciences, Engineering, and Medicine.

SEC. 10825. PLANETARY DEFENSE COORDINATION OFFICE.

(a) FINDINGS.—Congress makes the following findings:

(1) Near-Earth objects remain a threat to the United States.

(2) Section 321(d)(1) of the National Aeronautics and Space Administration Authorization Act of 2005 (Public Law 109-155; 119 Stat. 2922; 51 U.S.C. 71101 note prec.), established a requirement that the Administrator plan, develop, and implement a Near-Earth Object Survey program to detect, track, catalogue, and characterize the physical characteristics of near-Earth objects equal to, or greater than, 140 meters in diameter in order to assess the threat of such near-Earth objects to the Earth, with the goal of 90 percent completion of the catalogue of such near-Earth objects by December 30, 2020.

(3) The goal described in paragraph (2) has not been met.

(4) The report of the National Academies of Sciences, Engineering, and Medicine entitled “Finding Hazardous Asteroids Using Infrared and Visible Wavelength Telescopes”, issued in 2019, states that—

(A) NASA should develop and launch a dedicated space-based infrared survey telescope to meet the requirements of section 321(d)(1) of the National Aeronautics and Space Administration Authorization Act of

2005 (Public Law 109-155; 119 Stat. 2922; 51 U.S.C. 71101 note prec.); and

(B) the early detection of potentially hazardous near-Earth objects enabled by a space-based infrared survey telescope is important to enable deflection of a dangerous asteroid.

(b) MAINTENANCE OF PLANETARY DEFENSE COORDINATION OFFICE.—The Administrator shall maintain an office within the Planetary Science Division of the Science Mission Directorate, to be known as the “Planetary Defense Coordination Office”—

(1) to plan, develop, and implement a program to survey threats posed by near-Earth objects equal to or greater than 140 meters in diameter, as required by section 321(d)(1) of the National Aeronautics and Space Administration Authorization Act of 2005 (Public Law 109-155; 119 Stat. 2922; 51 U.S.C. 71101 note prec.);

(2) identify, track, and characterize potentially hazardous near-Earth objects, issue warnings of the effects of potential impacts of such objects, and investigate strategies and technologies for mitigating the potential impacts of such objects; and

(3) assist in coordinating government planning for response to a potential impact of a near-Earth object.

(c) DEDICATED SURVEY MISSION.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) the Near-Earth Object Surveyor mission, as designed, is anticipated to make significant progress toward carrying out congressional policy and direction, as set forth in section 321(d)(1) of the National Aeronautics and Space Administration Authorization Act of 2005 (Public Law 109-155; 119 Stat. 2922; 51 U.S.C. 71101 note prec.), to detect 90 percent of near-Earth objects equal to, or greater than, 140 meters in diameter; and

(B) the Administrator should prioritize the public safety role of the Near-Earth Object Surveyor mission and should not delay the development and launch of the mission due to cost growth on other planetary science missions.

(2) CONTINUATION OF MISSION.—

(A) IN GENERAL.—The Administrator shall continue the development of a dedicated space-based infrared survey telescope mission, known as the “Near-Earth Object Surveyor”, on a schedule to achieve a launch-readiness date not later than March 30, 2026, or the earliest practicable date, for the purpose of accomplishing the objectives set forth in section 321(d)(1) of the National Aeronautics and Space Administration Authorization Act of 2005 (Public Law 109-155; 119 Stat. 2922; 51 U.S.C. 71101 note prec.).

(B) CONSIDERATION OF RECOMMENDATIONS.—The design of the mission described in subparagraph (A) shall take into account the recommendations of the 2019 report of the National Academies of Sciences, Engineering, and Medicine entitled “Finding Hazardous Asteroids Using Infrared and Visible Wavelength Telescopes”, the planetary science decadal survey, and the 2018 United States National Near-Earth Object Preparedness Strategy and Action Plan.

(d) ANNUAL REPORT.—Section 321(f) of the National Aeronautics and Space Administration Authorization Act of 2005 (Public Law 109-155; 119 Stat. 2922; 51 U.S.C. 71101 note prec.) is amended to read as follows:

“(f) ANNUAL REPORT.—Not later than 180 days after the date of the enactment of the National Aeronautics and Space Administration Authorization Act of 2022 and annually thereafter through 90-percent completion of the catalogue required by subsection (d)(1), the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on

Science, Space, and Technology of the House of Representatives a report that includes the following:

“(1) A summary of all activities carried out by the Planetary Defense Coordination Office established under section 10825 of the National Aeronautics and Space Administration Authorization Act of 2022 since the date of enactment of that Act.

“(2) A description of the progress with respect to the design, development, and launch of the space-based infrared survey telescope required by section 10825(c) of the National Aeronautics and Space Administration Authorization Act of 2022.

“(3) An assessment of the progress toward meeting the requirements under subsection (d)(1).

“(4) A description of the status of efforts to coordinate and cooperate with other countries to detect hazardous asteroids and comets, plan a mitigation strategy, and implement that strategy in the event of the discovery of an object on a likely collision course with Earth.

“(5) A summary of expenditures for all activities carried out by the Planetary Defense Coordination Office since the date of enactment of the National Aeronautics and Space Administration Authorization Act of 2022”.

(e) NEAR-EARTH OBJECT DEFINED.—In this section, the term “near-Earth object” has the meaning given the term in section 321(c) of the National Aeronautics and Space Administration Authorization Act of 2005 (Public Law 109-155; 119 Stat. 2922; 51 U.S.C. 71101 note prec.).

Subtitle C—Aeronautics

SEC. 10831. EXPERIMENTAL AIRCRAFT PROJECTS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) developing high-risk, precompetitive aerospace technologies for which there is not yet a profit rationale is a fundamental role of the Administration;

(2) large-scale flight test experimentation and validation are necessary for—

(A) transitioning new technologies and materials, including associated manufacturing processes, for aviation and aeronautics use; and

(B) capturing the full extent of benefits from investments made by the Aeronautics Research Mission Directorate; and

(3) a level of funding that adequately supports large-scale flight test experimentation and validation, including related infrastructure, should be ensured over a sustained period of time to restore the capacity of the Administration—

(A) to see legacy priority programs through to completion; and

(B) to achieve national economic and security objectives.

(b) STATEMENT OF POLICY.—It is the policy of the United States—

(1) to maintain world leadership in—

(A) civilian aeronautical science and technology; and

(B) aerospace industrialization; and

(2) to maintain as a fundamental objective of the aeronautics research of the Administration the steady progression and expansion of flight research and capabilities, including the science and technology of critical underlying disciplines and competencies, such as—

(A) computational-based analytical and predictive tools and methodologies;

(B) aerothermodynamics;

(C) propulsion;

(D) advanced materials and manufacturing processes;

(E) high-temperature structures and materials; and

(F) guidance, navigation, and flight controls.

(c) EXPERIMENTAL AIRCRAFT FLIGHT DEMONSTRATIONS.—

(1) IN GENERAL.—In meeting the objectives described in subsection (b), the Administrator shall carry out experimental aircraft demonstrations, including—

(A) a subsonic demonstrator to demonstrate the performance and feasibility of advanced, ultra-efficient, and low emissions subsonic flight demonstrator configurations;

(B) a low boom flight demonstrator to validate design tools and technologies that can be applied to low sonic boom commercial supersonic aircraft and support the development of a noise-based standard for supersonic overland flight; and

(C) a flight research demonstrator to test the performance and feasibility of advanced, ultra-efficient and net-zero emissions aircraft concepts and configurations.

(2) ELEMENTS.—For each demonstration under paragraph (1), the Administrator shall—

(A) include the development of experimental aircraft and all necessary supporting flight test assets;

(B) pursue a robust technology maturation and flight test validation effort;

(C) improve necessary facilities, flight testing capabilities, and computational tools to support the demonstration;

(D) award any primary contracts for design, procurement, and manufacturing to United States persons, consistent with international obligations and commitments; and

(E) coordinate research and flight test demonstration activities with other Federal agencies and the United States aviation community, as the Administrator considers appropriate.

(3) UNITED STATES PERSON DEFINED.—In this subsection, the term “United States person” means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

(d) COLLABORATION WITH INDUSTRY AND ACADEMIA.—The Administration shall seek means to expand collaboration with industry and academia on basic research and technology development related to experimental aircraft, and on the experimental aircraft demonstrations required by subsection (c).

(e) ADVANCED MATERIALS AND MANUFACTURING TECHNOLOGY PROGRAM.—

(1) IN GENERAL.—The Administrator may establish an advanced materials and manufacturing technology program—

(A) to develop—

(i) new materials, including composite and high-temperature materials, from base material formulation through full-scale structural validation and manufacture;

(ii) advanced materials and manufacturing processes, including additive manufacturing, to reduce the cost of manufacturing scale-up and certification for use in aeronautics; and

(iii) noninvasive or nondestructive techniques for testing or evaluating aviation and aeronautics structures, including for materials and manufacturing processes;

(B) to reduce the time it takes to design, industrialize, and certify advanced materials and manufacturing processes;

(C) to provide education and training opportunities for the aerospace workforce; and

(D) to address global cost and human capital competitiveness for United States aeronautical industries and technological leadership in advanced materials and manufacturing technology.

(2) ELEMENTS.—In carrying out a program under paragraph (1), the Administrator may—

(A) build on work that was carried out by the Advanced Composites Project of the Administration;

(B) partner with the private and academic sectors, such as members of the Advanced Composites Consortium of the Administration, the Joint Advanced Materials and Structures Center of Excellence of the Federal Aviation Administration, the Manufacturing USA institutes of the Department of Commerce, and national laboratories, as the Administrator considers appropriate;

(C) provide a structure for managing intellectual property generated by the program based on or consistent with the structure established for the Advanced Composites Consortium of the Administration;

(D) ensure adequate Federal cost share for applicable research; and

(E) coordinate with advanced manufacturing and composites initiatives in other mission directorates of the Administration, as the Administrator considers appropriate.

(f) RESEARCH PARTNERSHIPS.—In carrying out the demonstrations under subsection (c) and a program under subsection (e), the Administrator may engage in cooperative research programs with—

(1) academia; and

(2) commercial aviation and aerospace manufacturers.

SEC. 10832. UNMANNED AIRCRAFT SYSTEMS.

(a) UNMANNED AIRCRAFT SYSTEMS OPERATION PROGRAM.—The Administrator shall—

(1) research and test capabilities and concepts, including unmanned aircraft systems communications, for integrating unmanned aircraft systems into the national airspace system;

(2) leverage the partnership NASA has with industry focused on the advancement of technologies for future air traffic management systems for unmanned aircraft systems; and

(3) continue to leverage the research and testing portfolio of NASA to inform the integration of unmanned aircraft systems into the national airspace system, consistent with public safety and national security objectives.

(b) SENSE OF CONGRESS ON COORDINATION WITH FEDERAL AVIATION ADMINISTRATION.—It is the sense of Congress that—

(1) NASA should continue—

(A) to coordinate with the Federal Aviation Administration on research on air traffic management systems for unmanned aircraft systems; and

(B) to assist the Federal Aviation Administration in the integration of air traffic management systems for unmanned aircraft systems into the national airspace system; and

(2) the test ranges (as defined in section 44801 of title 49, United States Code) should continue to be leveraged for research on—

(A) air traffic management systems for unmanned aircraft systems; and

(B) the integration of such systems into the national airspace system.

SEC. 10833. CLEANER, QUIETER AIRPLANES.

(a) INITIATIVE REQUIRED.—Section 40112 of title 51, United States Code, is amended—

(1) by redesignating subsections (b) through (f) as subsections (c) through (g), respectively; and

(2) by inserting after subsection (a) the following:

“(b) RESEARCH AND DEVELOPMENT INITIATIVE ON REDUCTION OF GREENHOUSE GAS AND NOISE EMISSIONS FROM AIRCRAFT.—

“(1) IN GENERAL.—The Administrator shall establish an initiative to research, develop, and demonstrate new technologies and concepts—

“(A) to reduce greenhouse gas emissions from aviation, including carbon dioxide, nitrogen oxides, other greenhouse gases, water

vapor, black carbon and sulfate aerosols, and increased cloudiness due to contrail formation;

“(B) to reduce aviation noise emissions; and

“(C) to enable associated aircraft performance characteristics.

“(2) GOALS.—The goals of the initiative required by paragraph (1) shall be—

“(A) to ensure United States leadership in research and technology innovation leading to substantial reductions in aviation noise and greenhouse gas emissions;

“(B) to enhance and expand basic research, and the translation of basic research into applications, that may lead to transformational advances in reducing aviation noise and greenhouse gas emissions;

“(C) to accelerate research and development that contributes to maturing new technologies for reducing aircraft noise and greenhouse gas emissions; and

“(D) to obtain and disseminate associated testing and performance data that facilitates the incorporation of new technologies into commercial aircraft development as soon as practicable.

“(3) OBJECTIVES.—The objectives of the initiative established under paragraph (1) and the goals described in paragraph (2) shall include—

“(A) as soon as practicable, a reduction of greenhouse gas emissions from new aircraft by at least 50 percent, as compared to the highest-performing aircraft technologies in service as of December 31, 2021;

“(B) noise levels from aircraft throughout all phases of flight that do not exceed ambient noise levels in the absence of flight operations in the vicinity of the flight route;

“(C) net-zero greenhouse gas emissions from aircraft by 2050; and

“(D) demonstration of new technologies developed pursuant to such initiative on—

“(i) regional aircraft intended to enter into service by 2030; and

“(ii) single-aisle aircraft designed to accommodate more than 125 passengers intended to enter into service by 2040.”.

(b) TECHNOLOGY FOCUS AREAS.—In carrying out the research and development initiative established under section 40112(b) of title 51, United States Code, the Administrator shall advance research, development, and demonstration projects on promising technologies such as—

(1) advanced subsonic propulsion technology, design, and integration;

(2) electric and hybrid-electric propulsion, including battery electric and hydrogen fuel cell electric systems;

(3) airframe concepts and configurations;

(4) analysis of technology options, including cost-benefit analysis of greenhouse gas and noise emissions reduction technologies;

(5) analytical tools for system-level and system-of-systems-level modeling and integration;

(6) airspace operations improvements;

(7) noise emissions reduction; and

(8) any other effort, as determined by the Administration, that contributes to a sustainable future for aviation.

(c) IMPLEMENTATION.—In implementing the initiative established under section 40112(b) of title 51, United States Code, the Administrator shall, to the extent practicable—

(1) ensure that testing and performance data integrates the results of community acceptance surveys conducted by the Federal Aviation Administration and other relevant studies, including studies on the impacts of new noise effects from novel propulsion systems and from airspace operations changes;

(2) provide testing and performance data on the technologies described in subsection (b) of this section to the Administrator of the Federal Aviation Administration to fa-

cilitate the work of the Federal Aviation Administration in identifying new requirements for policy, infrastructure, and administrative capacity necessary to enable the safe integration of such technologies on aircraft;

(3) pursue partnerships with organizations, current commercial production aircraft providers, academic institutions, small businesses, and new entrants, including partnerships to advance research and development activities related to both regional aircraft and aircraft designed to accommodate more than 125 passengers;

(4) include universities, academic institutions, and other research organizations in the partnerships described in paragraph (3);

(5) expand basic research;

(6) ensure equity in research sponsorship of, and partnership opportunities with, underrepresented students, faculty, and minority-serving institutions;

(7) continue to coordinate with the Secretary of Energy on battery technology research;

(8) make available the research and development carried out under the initiative established under subsection (b) of section 40112 of title 51, United States Code, to help enable an industry-wide shift toward aircraft concepts that reduce greenhouse gas emissions and aircraft noise to achieve the goals and objectives under paragraphs (2) and (3) of that subsection; and

(9) continue to support research, development, and demonstration of aircraft concepts, including systems architecture, materials and components, integration of systems and airframe structures, human factors, air-space planning and operations, and the integration of related advanced technologies and concepts, with the goal of carrying out test flights with integrated subsystems by 2025.

(d) ANNUAL REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Administrator shall submit to the appropriate committees of Congress a report on the progress of the efforts carried out under the initiative established under subsection (b) of section 40112 of title 51, United States Code, including—

(1) the status of progress on such initiative;

(2) an updated, anticipated timeframe for readiness of technologies and aircraft to be adopted by industry with the emissions reduction levels directed under that subsection; and

(3) an identification of fundamental aeronautics research activities contributing to achieving the goals and objectives of such initiative, as described in paragraphs (2) and (3) of that subsection, and a description of any obstacles to achieving such goals and objectives.

Subtitle D—Space Technology

SEC. 10841. SPACE NUCLEAR CAPABILITIES.

(a) NUCLEAR PROPULSION.—

(1) USE IN ROBOTIC AND HUMAN EXPLORATION ACTIVITIES.—The Administrator, in collaboration with other relevant Federal agencies and with industry, shall take all necessary steps to carry out research and development, ground-based testing and in-space testing, and other associated activities to enable the use of space nuclear propulsion in Administration robotic and human exploration activities, including in cargo missions to Mars in the late 2020's and crewed missions to Mars in the 2030's.

(2) SPACE NUCLEAR PROPULSION PROGRAM.—

(A) IN GENERAL.—The Administrator shall establish a space nuclear propulsion program to carry out the activities described in paragraph (1).

(B) ELEMENTS.—The program established under subparagraph (A) shall include the following:

(i) Research and development in both nuclear electric and nuclear thermal propulsion technology maturation efforts, to the extent practicable, and the development of consistent figures of merit across both nuclear electric and nuclear thermal systems, as recommended by the National Academies of Sciences, Engineering, and Medicine in the report entitled “Space Nuclear Propulsion for Human Mars Exploration”, so as to inform a down-selection of a nuclear electric or nuclear thermal propulsion system by 2026, or as early as practicable.

(ii) Ground-based testing, to the extent practicable, including not less than 1 ground-based test of a full-scale, integrated nuclear propulsion system before any in-space test or demonstration of such system.

(iii) In-space demonstration of a nuclear propulsion system in the late 2020's, which may be carried out as a cargo mission to Mars.

(3) PLAN.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a plan to achieve an in-space flight test of a nuclear propulsion system that could support the first crewed mission to Mars in the 2030's.

(B) ELEMENTS.—The plan required by subparagraph (A) shall include the following:

(i) A timeline to mature enabling technologies and an outline of major milestones for integration of such technologies into the larger nuclear propulsion system.

(ii) A cost estimate for maturing such technologies.

(iii) A description of facility requirements for the program under paragraph (2) associated with such technologies.

(iv) A description of the manner in which the Administrator will use the efforts described in paragraph (2)(B) to determine whether the in-space flight test should demonstrate a nuclear electric propulsion system or a nuclear thermal propulsion system.

(C) An identification of any policy or regulatory challenges or barriers to conducting such in-space test or any precursor ground-based testing, and a description of options for addressing such challenges or barriers.

(b) NUCLEAR SURFACE POWER PROGRAM.—

(1) ESTABLISHMENT.—The Administrator shall establish a program for research, testing, and development of a space nuclear surface power reactor design.

(2) PLAN.—

(A) IN GENERAL.—The Administrator shall—

(i) develop a plan and timeline for the program established under paragraph (1), taking into consideration mission needs; and

(ii) include in such plan opportunities for participation by United States commercial entities.

(B) SUBMISSION.—Not later than 1 year after the date of the enactment of this Act, the Administrator shall submit to the appropriate committees of Congress the plan developed under subparagraph (A).

(c) ASSESSMENT OF IN-SPACE PROPULSION TESTING FACILITIES.—

(1) IN GENERAL.—The Administrator shall carry out a needs assessment for facilities and technical capabilities required to support ground-based testing of a full-scale, full-power integrated nuclear propulsion system.

(2) ELEMENT.—The assessment required by paragraph (1) shall consider the potential development of facilities that will support long-term research and development of space nuclear propulsion systems.

(3) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on

the results of the assessment carried out under paragraph (1).

SEC. 10842. PRIORITIZATION OF LOW-ENRICHED URANIUM TECHNOLOGY.

(a) IN GENERAL.—The Administrator shall prioritize the use of low-enriched uranium, including high-assay low-enriched uranium, for space nuclear research and development, including ground and in-space testing and other related demonstration activities carried out under this title.

(b) INTERAGENCY COLLABORATION.—The Administrator shall, to the extent practicable, collaborate and coordinate with the Secretary of Defense, the Secretary of Energy, and the heads of other relevant Federal agencies on technology development, knowledge exchange, lessons learned regarding nuclear power and propulsion technologies, common fuels, flight demonstrations, and operational systems production for space applications.

(c) REPORT ON NUCLEAR TECHNOLOGY PRIORITIZATION.—Not later than 120 days after the date of the enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report that details the actions taken and planned, including a timeline for such actions, to implement subsection (a).

Subtitle E—STEM Engagement

SEC. 10851. OFFICE OF STEM ENGAGEMENT.

(a) SENSE OF CONGRESS.—It is the sense of Congress that NASA's inspiring mission, special facilities, skilled engineering and scientific workforce, and research activities present unique opportunities for inspiring public engagement in STEM and increasing the number of students pursuing STEM degrees and careers.

(b) ESTABLISHMENT.—The Administrator shall establish an Office of STEM Engagement (referred to in this section as the "Office") for the purpose of advancing progress toward the STEM education goals of the United States by enhancing STEM literacy, increasing diversity, equity, and inclusion in STEM, and preparing the STEM workforce for the future.

(c) RESPONSIBILITIES.—The Office established shall be responsible for coordinating efforts and activities among organizations across the Administration, including NASA headquarters, mission directorates, and NASA centers, designed—

(1) to create unique opportunities for students and the public to learn from and contribute to the work of NASA in exploration and discovery;

(2) to contribute to the growth of a diverse STEM workforce; and

(3) to strengthen public understanding of science by enabling connections to the mission and work of NASA.

(d) PORTFOLIO.—The Office shall coordinate and administer—

(1) the National Space Grant College and Fellowship Program under chapter 403 of title 51 United States Code;

(2) the Established Program to Stimulate Competitive Research under section 40903 of title 51 United States Code;

(3) the Minority University Research and Education Project;

(4) the NextGen STEM Project; and

(5) any other program or activity the Administrator considers appropriate.

(e) TECHNICAL AMENDMENTS.—Section 40903 of title 51, United States Code, is amended—

(1) in the section heading, by striking "**Experimental**" and inserting "**Established**"; and

(2) in subsection (a), by striking "**Experimental**" and inserting "**Established**".

Subtitle F—Miscellaneous

SEC. 10861. PROGRAM, WORKFORCE, AND INDUSTRIAL BASE REVIEWS.

(a) REPORT ON INDUSTRIAL BASE FOR CIVIL SPACE MISSIONS AND OPERATIONS.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and from time to time thereafter, the Administrator shall submit to the appropriate committees of Congress a report on the United States industrial base for NASA civil space missions and operations.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A comprehensive description of the current status of the United States industrial base for NASA civil space missions and operations.

(B) A description and assessment of the weaknesses in the supply chain, skills, manufacturing capacity, raw materials, key components, and other areas of the United States industrial base for NASA civil space missions and operations that could adversely impact such missions and operations if unavailable.

(C) A description and assessment of various mechanisms to address and mitigate the weaknesses described pursuant to subparagraph (B).

(D) A comprehensive list of the collaborative efforts, including future and proposed collaborative efforts, between NASA and the Manufacturing USA institutes of the Department of Commerce.

(E) An assessment of—

(i) the defense and aerospace manufacturing supply chains relevant to NASA in each region of the United States; and

(ii) the feasibility and benefits of establishing a supply chain center of excellence in a State in which NASA does not, as of the date of the enactment of this Act, have a research center or test facility.

(F) Such other matters relating to the United States industrial base for NASA civil space missions and operations as the Administrator considers appropriate.

(b) WORKFORCE AND MODELING AND TEST FACILITIES.—

(1) REVIEW.—

(A) IN GENERAL.—The Administrator shall enter into an arrangement with the National Academies of Sciences, Engineering, and Medicine to carry out a comprehensive review of the workforce, skills-base, and modeling and test facilities of the Administration.

(B) ELEMENTS.—The review conducted under subparagraph (A) shall include the following:

(i) A consideration of the use of emerging technologies in relevant engineering and science disciplines and the skills needed to apply such capabilities to Administration missions across all mission directorates.

(ii) Prioritized recommendations on actions needed to align the Administration's workforce with research objectives and strategic goals and on the improvements and additions to modeling capabilities and test facilities needed to meet the Administration's strategic goals and objectives.

(C) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Administrator shall submit to the appropriate committees of Congress report on the results of the review conducted under subparagraph (A).

(2) IMPLEMENTATION PLAN.—Not later than 120 days after the date on which the review under paragraph (1) is completed, the Administrator shall submit to the appropriate committees of Congress a plan for implementing the recommendations contained the review.

(3) REPORT ON NASA INFRASTRUCTURE, WORKFORCE SKILLS AND CAPABILITIES.—

(A) POLICY AND PROCEDURE.—

(i) IN GENERAL.—The Administrator shall develop an Administration policy and procedure for assessment, not less frequently than every 5 years, of the strategic capabilities of the Administration, including infrastructure and facilities, and workforce skills and capabilities.

(ii) ELEMENTS.—The policy and procedure developed under clause (i) shall include acquiring data and support for Administration decisions and recommendations on strategic capabilities, including on infrastructure and facilities, and workforce skills and capabilities needed to support the goals and objectives of the Administration through 2040.

(B) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Administrator shall submit the policy and procedure developed under subparagraph (A) to the appropriate committees of Congress.

(4) INDEPENDENT PROGRAM ANALYSIS AND EVALUATION OFFICE.—

(A) ESTABLISHMENT.—The Administrator shall establish within NASA an Independent Program Analysis and Evaluation Office (referred to in this paragraph as the "Office") for purposes of independently assessing program performance, making programmatic, technical risk mitigation and institutional recommendations, performing cost estimates and analyses, and conducting strategic planning activities, among other functions.

(B) INDEPENDENCE.—The Office shall remain independent of any program, and shall have no programmatic responsibilities, so as to maintain its independent assessment integrity.

(C) ACTIVITIES AUTHORIZED.—In conducting the functions of the Office, the Administrator may carry out—

(i) research on program assessment;

(ii) cost, schedule, and technical estimation; and

(iii) other relevant activities for the purposes of obtaining the highest level of expertise and the most effective decision-making tools with which to inform the Administrator.

(D) MOON TO MARS ACTIVITIES.—The Office shall maintain an ongoing, focused effort to assess the goals, objectives, requirements, architectural approach, cost and schedule, and progress of the Administration's Moon to Mars activities.

(5) INTERNATIONAL SPACE STATION.—Not later than 1 year after the date of the enactment of this Act, the Administrator shall submit to the appropriate committees of Congress the results of an independent estimate by the Office of the cost of continuing International Space Station operations through September 30, 2030, including—

(A) crew and cargo transportation, research to be undertaken reflecting the priorities described in section 10816, and maintenance costs; and

(B) opportunities for operational efficiencies that could result in cost savings and increased research productivity and the amount of those potential savings and productivity increases.

SEC. 10862. MODIFICATION OF LEASE OF NON-EXCESS PROPERTY.

(a) IN GENERAL.—Section 20145 of title 51, United States Code, is amended in subsection (g), in the first sentence, by striking "December 31, 2022" and inserting "December 31, 2032".

(b) REPORTING REQUIREMENTS.—Subsection (f) of such section is amended by adding at the end the following:

"(3) ANNUAL AND CUMULATIVE NUMBER OF LEASES.—The annual and cumulative number of leases entered into under this section, by National Aeronautics and Space Administration center and facility.

“(4) ESTIMATED COST SAVINGS.—For each active lease agreement under this section, the estimated cost savings to the Administration resulting from reduced maintenance, operating, and associated costs in the previous fiscal year.

“(5) OTHER QUANTIFIABLE BENEFITS.—Other quantifiable benefits, including additional cost savings not included under paragraph (4), to the Administration resulting from the use of leases under this section.”.

(c) REPORT ON REQUIREMENTS.—Such section is further amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by adding after subsection (f) the following:

“(g) REPORT ON ENHANCED-USE LEASING REQUIREMENTS.—Not later than 270 days after the date of the enactment of the National Aeronautics and Space Administration Authorization Act of 2022, the Administrator shall prepare and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on existing requirements for applicants seeking a lease under this section, including—

“(1) any requirement related to the involvement of foreign entities, foreign entity ownership, and foreign entity investment; and

“(2) at the discretion of the Administrator, any other requirement related to the protection and security of Administration missions and facilities.”.

DIVISION C—SUPPLEMENTAL APPROPRIATIONS TO ADDRESS THREATS TO THE SUPREME COURT OF THE UNITED STATES

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2022, and for other purposes, namely:

TITLE I

DEPARTMENT OF JUSTICE

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$10,300,000, to remain available until September 30, 2023, for expenses necessary to address threats to the Supreme Court of the United States.

TITLE II

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$9,100,000, to remain available until September 30, 2023, for expenses necessary to address threats to the Supreme Court of the United States.

TITLE III

GENERAL PROVISIONS—THIS ACT

SEC. 301. Each amount appropriated or made available by this Act is in addition to amounts otherwise appropriated for the fiscal year involved.

SEC. 302. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 303. Unless otherwise provided for by this Act, the additional amounts appropriated by this Act to appropriations accounts shall be available under the authorities and conditions applicable to such appropriations accounts for fiscal year 2022.

SEC. 304. Each amount provided by this Act is designated by Congress as being for an emergency requirement pursuant to section 4001(a)(1) and section 4001(b) of S. Con. Res.

14 (117th Congress), the concurrent resolution on the budget for fiscal year 2022.

This division may be cited as the “Supreme Court Security Funding Act of 2022”.

SA 5136. Mr. SCHUMER proposed an amendment to amendment SA 5135 proposed by Mr. SCHUMER to the bill H.R. 4346, making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes; as follows:

At the end add the following:

SEC. EFFECTIVE DATE.

This Act shall take effect on the date that is 1 day after the date of enactment of this Act.

SA 5137. Mr. SCHUMER proposed an amendment to the bill H.R. 4346, making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes; as follows:

At the end add the following:

SEC. EFFECTIVE DATE.

This Act shall take effect on the date that is 2 days after the date of enactment of this Act.

SA 5138. Mr. SCHUMER proposed an amendment to amendment SA 5137 proposed by Mr. SCHUMER to the bill H.R. 4346, making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes; as follows:

On page 1, line 3, strike “2” and insert “3”.

AUTHORITY FOR COMMITTEES TO MEET

Mr. SCHUMER. Mr. President, I have eight requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, July 19, 2022, at 9:30 a.m., to conduct a closed briefing.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, July 19, 2022, at 10 a.m., to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, July 19, 2022, at 2:30 p.m., to conduct a business meeting.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, July 19, 2022, at 10 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, July 19, 2022, at 10 a.m., to conduct a hearing.

COMMITTEE ON RULES AND ADMINISTRATION

The Committee on Rules and Administration is authorized to meet during the session of the Senate on Tuesday, July 19, 2022, at 3 p.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, July 19, 2022, at 2:30 p.m., to conduct a closed briefing.

SUBCOMMITTEE ON HOUSING, TRANSPORTATION, AND COMMUNITY DEVELOPMENT

The Subcommittee on Housing, Transportation, and Community Development of the Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, July 19, 2022, at 2:30 p.m., to conduct a hearing.

PRIVILEGES OF THE FLOOR

Mr. REED. Mr. President, I ask unanimous consent that Kiana Kekoa, a Coast Guard fellow in my office, be granted privileges of the floor for the remainder of the 117th Congress.

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

ORDERS FOR WEDNESDAY, JULY 20, 2022

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Wednesday, July 20; that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Williams nomination; further, that the cloture motions filed during yesterday’s session ripen at 11:30 a.m., and that if cloture is invoked on the Williams nomination, all postcloture time be expired at 2:30 p.m.; finally, that if any nominations are confirmed during Wednesday’s session, the motions to reconsider be considered made and laid upon the table, and the President be immediately notified of the Senate’s action.

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

Mr. SCHUMER. For the information of the Senate, there will be one rollcall vote at 11:30 a.m., two rollcall votes at 2:30 p.m., and additional rollcall votes later in the day.

ORDER FOR ADJOURNMENT

Mr. SCHUMER. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order, following the remarks of Senator KLOBUCHAR.

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

The PRESIDING OFFICER. The Senator from Minnesota.

AMERICAN INNOVATION AND CHOICE ONLINE ACT

Ms. KLOBUCHAR. Mr. President, I rise today, as I will many times, to address my colleagues on the topic of competition policy, especially in our digital markets where we have a situation where a few Big Tech titans have grown into the largest corporations our country has ever seen.

Just today, there is new reporting that shows that Google and Amazon have used their gatekeeper power to eliminate their competition for years. I don't think we are surprised by this, but this is new information that I think is important, as we learn new things all the time, that my colleagues know.

According to a 2014 memo first obtained by the House Judiciary Committee, a Google executive described—this is what the memo says—“grave concerns” about a new service from a rival “competing with their core search experience.” The documents also included an email from 2009 in which Amazon executives discussed ways to stop a company—that would be Diapers.com, a company it later bought—from advertising on their own platform.

This gets to the core of what we are talking about here and why we must take action. This email that was made public today reads:

We are under no obligation to allow them to advertise on our site. . . . I'd argue we should block them from buying product ads immediately, or at minimum price those ads so they truly reflect the opportunity costs.

What does that mean? Well, Amazon could charge their rival whatever they wanted for advertisements and try and keep consumers in the dark about lower prices. That is only two from the dozens of documents newly released today by the House Judiciary Committee.

I come to the floor today because the evidence is clear and continues to mount. These dominant tech platforms have abused their power for years, and now we are at a crossroads. Will America continue to be a place where entrepreneurs lead our economy forward or will we become a country where a handful of monopolists get to dictate who gets a chance to succeed?

Remember when they all started—whether they were in garages or whatever—they started with this idea that they were platforms for sharing this information. I don't think anyone ever conceived they would also own things

on the platform and then preference those things over other competitors. That is what is going on now. This is where consumers go to make their decisions about what they are going to buy.

When you have situations where Google has 90 percent of the search market, that is a monopoly, clear as can be. The decisions we make and the actions we take today will set the trajectory for American innovation, for ingenuity, and prosperity for the next generation. I say we must meet the moment.

As a member of the Senate Judiciary Committee, I have had the opportunity to serve as chair of the committee's Subcommittee on Competition Policy, Antitrust, and Consumer Rights. From my vantage point, I can tell you it has become painfully obvious, as many of my colleagues—Democrats and Republicans—have seen, that we have a serious competition problem throughout our economy, especially in Big Tech but not only in Big Tech. This issue impacts all Americans every single day.

Why are there only two dominant smartphone operating systems? Why do social media companies face so few consequences for playing fast and loose with our personal data? Why does Amazon keep raising prices that consumers and small businesses pay? The answer is simple: They are monopolies. That is what monopolies do. They are the big guys on the block, and there is a lack of competition.

Despite the volume of evidence that supports taking action, Congress has yet to pass a single bill on online platform competition since the dawn of the internet. That is right. At the beginning, we were told we don't want to squelch these new products and competition. That made sense back then, but it doesn't make sense now.

This evening, I am going to talk about the problems consumers and small businesses are experiencing in the online marketplace and the cost of inaction. It is really easy around this place not to act, to say things are too hard to deal with, whether it is climate change, whether it is immigration reform, whether it is tech policy from competition to privacy. But at some point, you have to stop blaming other people and do something about it.

I am going to review how other countries are attacking this problem and actually taking it on. I will discuss the many examples throughout history when Congress and enforcers have stepped up to confront monopoly power. This has long been a problem in our country.

You go way back to the Founding Fathers. So many people actually came to America because they wanted to be entrepreneurs. They don't want to have to buy all their tea from the East India tea company. You think about the Senators from the past taking on monopolies. Whether it is the railroad trust, whether it is the sugar trust, they took on monopolies.

There are old cartoons in this very Chamber, our Old Senate Chamber, showing these big, bloated monopoly trusts looking down on the Senators because they controlled them. We don't want that to happen in our modern day because we know many times from the past, the Senate did stand up and do something. That is the case I am going to make today for why my bipartisan bill with Senator GRASSLEY, the American Innovation and Choice Online Act, is necessary to level the playing field in our digital economy.

First, let me say a word about what we are up against. That is what everyone sees. I am trying to measure my audience today on C-SPAN versus what we believe is well around \$100 million that the Big Tech companies have purchased for ads, especially in States where Senators are up for reelection where they have purchased ads all over the country. But people do listen. There are a few people here right now, and if I give this speech in different ways a number of times, I can win.

Let's talk about what we are up against. When I talk about the dominant digital platforms, I am talking about some of the most powerful companies in the world with armies of lobbyists and lawyers—thousands and thousands of lawyers and lobbyists. I have two. They are sitting right here in the Chamber.

We do have kind of a David and Goliath situation, but the lawyers for Big Tech are everywhere, in every corner in this town, at every cocktail party, and all over this building. I tell my colleagues they don't even know sometimes when someone is trying to influence them because they may think they are just talking to a friend or someone who worked on their campaign a while ago. But once they talk about antitrust and Big Tech, they should ask the person if they are being paid by a tech company or if they are on the board of a tech company or if they have some affiliation with one of the Big Tech companies because, time and time again, they have been surprised to find the answer is yes.

But these Big Tech companies aren't just lobbying my colleagues; they are also lobbying the American people with astroturf campaigning and other dishonest PR tactics.

At the same time that I have been working with my colleagues in good faith on commonsense solutions to online competition problems, these companies have been telling anyone who will listen that acting to protect competition in our digital markets will sometimes or somehow cede our national security or it will outlaw Amazon Prime—claims that were disputed by the Department of Justice and Amazon's own lobbyists in the press. That is just two examples. We deal with this all the time. They will say anything and everything. Senator GRASSLEY and I came down here together to the Senate floor to refute this a few months ago.

Then, of course, there is the money. I think this is actually the best evidence of just how big and dominant and bullying these companies are, running ads in States where people are in tough races. I think they get the message. They are showing they are out there. They are showing they are going to be able to put whatever money it takes into ads to stop this bill. How obvious can it be? Message received: We are out here, and we can hurt you.

And, by the way, they wouldn't be spending millions and millions of dollars to stop us if we didn't have momentum. Let me give you some numbers. In 2021, Big Tech companies spent more than \$70 million combined lobbying Congress. That does not include these ads I am talking about. In the first quarter of this year, Facebook, Meta; Amazon; Alphabet, which is Google; and Apple spent more than \$16 million lobbying Congress. That is in one quarter. And you see my two lawyers on the other side.

In just one recent week in May, one industry group, the Computer and Communications Industry Association, spent \$22 million on TV ads against this bill. That is \$22 million against one bill in 1 week. So when you see those TV ads, which they love running in Washington so that Members will see them, remember that number, \$22 million, and think "two lawyers." That is what we are up against.

But it doesn't surprise me. I am not trying to win a popularity contest with the tech companies. That ship has sailed. I am simply trying to do the right thing.

Since I am a Senator and not a tech-backed industry group, I don't get to spread my message with a multi-million-dollar ad campaign. I don't have paid actors, but Big Tech lobbyists can't stop me from standing here today on the floor of the Senate and tell you the truth. The truth is these companies will stop at nothing to protect their profits, even if it means stifling the innovation and ingenuity that has made our Nation's economy second to none. American prosperity was, of course, built on a foundation of open markets and fair competition. It is competition between companies that give consumers lower prices, drives manufacturers to constantly innovate and improve their products, and forces companies to pay fair wages to compete for workers.

Competition provides opportunities for entrepreneurs to start and grow new businesses, fueling future economic growth. But if you look at our markets today, we see big cracks in that free market foundation. We see bigger businesses and fewer competitors and more dominant companies using their market power to suppress their rivals and line their own pockets.

As an example, more than two-thirds of U.S. industries have become more concentrated between—and these are the last figures we had, 1997 and 2012, because our government doesn't really

collect these figures because someone stopped them from doing it. The White House highlighted this problem a year ago in its Executive order on competition, pointing out that in over 75 percent of our industries ranging from agriculture to banking to healthcare, a smaller number of large companies now control more of the business than they did 20 years ago.

This is raising prices overall for Americans. The lack of competition is estimated to cost the median American household \$5,000 per year. The problem, of course, is most obvious in the tech industry because that is a relatively new area compared to some of our more embedded industries. And while, over time, we did things with pharma, we have done things in other areas, there is, as I noted, no law passed since the advent of the internet involving tech competition.

Tech has given us some great products. I am wearing one, a Fitbit. I use Google Maps, order from Amazon and other places, carry an iPhone. Over the last several decades, companies like Google, Amazon, Apple, Facebook, Microsoft have created many great innovations. We went from the Wall Street Gordon Gekko days with his cell phone affectionately known as the Brick, that weighed 2 pounds and was 13 inches long, to cell phones the size of a watch.

But while these tech companies were once scrappy startups innovating to survive, they are now some of the largest companies the world has ever known. And when you get that big—guess what—you have responsibilities, you have to be accountable. You aren't just out there as a brandnew startup doing whatever you want. But that is the mentality.

They are still introducing new products; that is great. But they are also gatekeepers, and they use their power as gatekeepers to stifle competition and innovation by their competitors and the businesses that have no choice but to use their services. So that is a problem.

So if you want to sell something big time, you better get on the App Store. But when you get on the App Store, depending on the size of your company, as you get bigger—let's say you are Spotify—you have to pay 30 percent of the revenue you make on that App Store to Apple for the pleasure of competing with their own product, Apple Music.

So to my colleagues I say this: Yes, you can love the products; you can love the CEOs themselves; you can love the companies—but you also have to love competition and love and take seriously the unique role that we are supposed to play as Senators and as Members of Congress to ensure there is an even playing field.

You go back, way back, to the godfather of capitalism, Adam Smith, who said to always watch out for the standing army of monopolies. We knew from the beginnings of this country that we

would have to step in time and time again to make sure that we rejuvenate capitalism. That is what this is about.

Throughout history, whether in telecom in the 1990s with the breakup of AT&T—which, by the way, made the company, according to one of their former presidents, stronger—or by passing the Hart-Scott-Rodino Act in the 1970s, to stopping sweetheart merger settlements, Congress has brought down prices over time by ensuring that there is competition. It is actually a uniquely American way to do things.

I am grateful for our friends in the House, Chairman CICILLINE and Ranking Member KEN BUCK, who led bipartisan hearings on Big Tech and its anticompetitive conduct. They gave us a whole treasure trove of information. They conducted an 18-month investigation in the House Judiciary Committee—18 months—focused on how the largest and most dominant digital platforms harm small businesses, quash innovation, raise prices, and reduce quality.

This is, by the way, what bothers me when some of our colleagues say, Well, we don't know enough.

Seriously? Eighteen months of an investigation. And anyone in this room—it is public—can go look at it: 1,287,997 documents and communications—this is on the record—testimony from 38 witnesses, a hearing record that spans more than 1,800 pages, 38 submissions from 60 antitrust experts from across the political spectrum, and interviews with more than 240 market participants, former employees of the investigative platforms, and other individuals totaling thousands of hours.

That doesn't even include what we have done in the U.S. Senate Judiciary Committee. So, please, spare me hearing that we have not learned enough about this.

The report is 450 pages, but let me read some excerpts that capture the harms to consumers and small businesses that we have seen as a result of our failure to update our competition policy.

Here we go. This is from the record:

To put it simply, companies that once were scrappy underdog startups that challenge the status quo have become the kinds of monopolies we last saw in the era of oil barons and railroad tycoons. Although these firms have delivered clear benefits to society, the dominance of Amazon, Apple, Facebook, [and] Google has come at a price.

These firms typically run the marketplace in each of their areas. You all know that. Everyone in this room knows that because 90 percent of the people, when they are doing a search engine, they go to one that is Google. You know the dominance of Amazon. You all know the dominance of these companies.

These firms are in a position that enable them to write one set of rules for others while they play by another or to engage in a form of their own private quasi-regulation that is unaccountable to anyone but themselves.

[T]he totality of the evidence produced during this investigation—

This is from the House—

demonstrates the pressing need for legislative action and reform. These firms have too much power, and that power must be reined in and subject to appropriate oversight and enforcement. Our economy and [our] democracy are at stake.

The subcommittee identified numerous instances in which dominant platforms engaged in preferential or discriminatory treatment. In some cases, the dominant platform privileged its own products or services. In [another], a dominant platform gave preferential treatment to one business partner over [the other]. Because the dominant platform was, in most instances—

And this is what is key—

the only viable path to market, its discriminatory treatment had the effect of picking winners and losers in the marketplace.

That is us. We are supposed to pick the winners and the losers in the marketplace and decide what is the best product based on what is supposed to be the least priced or what is supposed to be the highest quality. But now they have inserted themselves while at the same time, in many instances, placing their own product above others, not because they are less money, not because they are better, but because they are theirs.

Google, for example, engaged in self-preferencing—

I am back to the report—

by systematically ranking its own content above third-party content, even when its content was inferior or less relevant for users. Web publishers of content that Google demoted suffered economic losses and had no way of competing on the merits. Over the course of the investigation, numerous third parties also told the House subcommittee that self-preferencing and discriminatory treatment by the dominant platforms forced businesses to lay off employees and divert resources away from developing new products and towards paying a dominant platform for advertisements or other ancillary services. They added that some of the harmful business practices of the platforms discouraged investors from supporting their business and made it challenging to grow and sustain a business, even with highly popular products. Without the opportunity to compete fairly, businesses and entrepreneurs are dissuaded from investing; and, over the long term, innovation suffers.

By virtue of functioning as the only viable path to the market—and that is what they are in so many instances—dominant platforms enjoy superior bargaining power over the third parties that depend on their platform to access users and the market.

Their bargaining leverage is a form of market power [in] which the dominant platforms routinely use to protect and expand their dominance.

Since 1998, Amazon, Apple, Facebook, and Google collectively have purchased more than 500 companies. The antitrust agencies did not block a single acquisition.

They did not block a single acquisition. And as I look back, I remember, just—in bright lights—that e-mail that was discovered during the House hearing in which Mark Zuckerberg wrote, “I would rather buy than compete.”

“I would rather buy than compete.” To me, that pretty much is exhibit A. The House report has far more information than I could ever share in a single speech, but I will be sharing it over the next few months.

But overall, the House report found that if there was true competition, we would have a more dynamic and innovative tech center with more small and medium-sized businesses. Maybe if Facebook hadn’t bought them—remember, “I would rather buy than compete”—an independent Instagram, an independent WhatsApp—because Meta now owns them—could have developed the bells and whistles and privacy controls and other things. We will never know.

Why will we never know? Because they bought them. But if you have big monopolies that buy up all of that potential innovation, that buy up smaller companies, you lose the ability to get at some of the major challenges that we see in our country.

I believe in the market. I was in the private sector for over a decade. I believe in capitalism, but if you don’t have an even playing field for competition, you have got a problem.

Over time, if left unchecked, big companies dominate markets, exclude their rivals, and buy out their competitors.

As one of the witnesses at a hearing that I chaired with Ranking Member LEE said before our Subcommittee on Competition Policy, Alex Harman of Public Citizen put it:

When companies face less competition, either because of consolidation, or from forces that make competitive threats less likely, they invest less in research and development. They in turn are less likely to produce new innovations [that benefit consumers and the economy]. And, all too often, companies across the economic spectrum that depend on these gatekeeping firms to reach the marketplace slash jobs and cut back on developing new products.

As one founder put it: “It feels like we are treading water with cement blocks around our feet.”

This is what has been going on in our country. It describes the problems we are facing from these digital gatekeepers. We have also heard from many other companies, nonprofits, trade associations, about what has been happening to them as a consequence of the monopoly power wielded by the largest digital platforms.

Consumer Reports says this:

Multiple investigations and studies have found that the largest online platforms have too much market power, and that this is resulting in harm to consumers, businesses, and the economy.

A group of 60 small and medium-sized businesses wrote a letter saying:

Gaining access to the dominant platforms and integrating with their services has increasingly become a take-it-or-leave-it process replete with anticompetitive demands. It doesn’t serve American consumers or small and medium sized businesses when the tech behemoths use their platform dominance to tilt the competitive scales.

In January, the National Association of Wholesaler-Distributors wrote:

Unchecked, Amazon’s dominance threatens to cripple the highly competitive B2B system in the United States.

The American Hotels and Lodging Association, not exactly a radical group, wrote:

Dominant technology companies give their own paid advertising products and services preferential treatment and placement within their platforms to ensure that, despite the specifics of what a consumer may be searching for, they will likely be steered down a booking path that benefits the search provider.

Not that benefits you, but benefits one of the biggest companies the world has ever known.

From a group of 40 small and medium-sized businesses back in January:

Due to their gatekeeper status, dominant technology companies can: use manipulative design tactics to steer individuals away from rival services; restrict the ability of competitors to interoperate on the platform; use non-public data to benefit the companies’ own services or products.

And I could go on.

So what do we have here? Google has 90 percent market share in search engines. Apple controls 100 percent of app distribution for iPhones, and Google controls the other app distribution, so they are what we call a duopoly. Three out of every four social media users—and there are 4 billion of them—are active Facebook users.

Amazon is expected to seize half of the entire e-commerce retail market this year. That is what is happening.

What are we doing? Let me repeat: We have done nothing. We have done nothing. We have had hearings; we have thrown popcorn at CEOs. But we haven’t passed one bill out of the U.S. Congress to do anything about this competitive situation.

What do other countries do? Well, other countries are now leaving us in the dust. They look to our leadership because America has always been known as a country of entrepreneurs and a country that encourages competition, but now look what is happening. Canada introduced legislation in April to make the dominant digital platforms fairly compensate news publishers for their content, following Australia’s lead, which took similar action about a year earlier. And Europe is moving forward with its Digital Markets Act, DMA, a broad and sweeping piece of legislation that will place many new obligations on digital gatekeepers. The legislation puts rules of the road in place for how the digital gatekeepers determine search rankings, set defaults, process and use personal data, negotiate with business users on their platforms, interoperate, and demonstrate the efficiency of their digital advertising programs and the effectiveness of them. It also required gatekeepers to notify the European Commission about intended mergers and other deals that include the collection of data.

If that sounds more intense than the bill Senator GRASSLEY and I have put together, it is more intense. But the

point is that it has gone through the European Parliament.

In the European Union, we are seeing the effects of efforts to rein in Big Tech. Just last week, Amazon made a settlement offer to the European Commission in an attempt to resolve an antitrust case. The European Commission investigations into Amazon's conduct were launched in 2019 and 2020 and involved three key issues that implicate self-preferencing conduct in the United States too. First, the Europeans investigated whether Amazon used nonpublic data from sellers. Remember, the sellers have no choice if they really want to sell their stuff. They have to go on Amazon, right? So they have to give data to get on that platform. What they found out was that Amazon was using the nonpublic data from sellers to inform its own targets for new product development.

That is what monopolies do.

The little sellers have no choice but to sell on the Amazon platform. Then Amazon says: Oh, now we are going to see what products are good and how they are doing because we uniquely have all the information, and then we are going to copy that product, either directly, as they did with a four-person luggage carrier firm where they literally ripped off every detail of the product—based on reporting from the Wall Street Journal we now know that—or they just know this product is doing well so they do one just like it, and then they put it at the top of the search engine. Amazon has sworn under oath in the U.S. Congress that it does not do that.

Well, now let's look at what is happening in Europe. Amazon also tightly controls who wins the coveted Buy Box, often awarding that preferred placement to itself. Third, Amazon requires sellers who want to be Prime to use Amazon's logistics services even if there could be a better alternative.

We are not getting rid of Prime. We are just saying you have got to open the door so there could be alternatives.

Amazon's settlement offer is filled with elements from my bill. That is what is so interesting because around this place or if you watch the TV ads, you would think the world was going to end. If we did a modicum of things while investigations are going on—of course, we know that there are various investigations in the Justice Department and around the country at the FTC. We are just going to sit there and let this continue until every appeal is made?

Here is what is so interesting. In Europe, under the offer that Amazon just made in Europe, Amazon will stop using seller data to decide what private label products to launch, make it easier for third parties to win the Buy Box, and allow sellers to participate in the Prime program without using “fulfillment by Amazon” services to manage logistics like warehousing and shipping.

My bill with Senator GRASSLEY and what was called the “Ocean's 11 of co-

sponsors” because everyone has such different political beliefs, but we come together in support of capitalism for this bill—this bill that we have here, that is what it would do. It would require Amazon to do the same things that I just mentioned that they put forward in their settlement offer in Europe. Yet Amazon has claimed, in its multimillion dollar ad campaign, that this will break Prime in the United States. The hypocrisy is simply stunning.

Why should consumers in Europe and small businesses in Europe have the benefit of the offer they are giving them, and we in the United States—we, who host their company—try to simply put the same requirements into law, and we are told: Oh, this is outrageous, when they are offering the exact same thing in other countries.

The British have been working on these issues, too, particularly when it comes to app stores. And I want to thank Senators BLUMENTHAL and BLACKBURN for their leadership in this area. The Competition and Markets Authority in the United Kingdom just last month issued a final report on the app store ecosystem, reaching the following conclusions. This is in the United Kingdom, which is, of course, a government that is different than the one we have here.

This is from the Brits:

Apple and Google have each captured such a large proportion and volume of consumers in the UK that their ecosystems are, for practical purposes, indispensable to online businesses.

I think that is pretty fair to say that is what is going on around here.

Let me continue with the Brits.

Apple and Google act as gatekeepers to most UK consumers with mobile devices, and as a result can set the rules of the game for providers of online content and services.

The evidence demonstrates that in the areas where Apple and Google generate the vast majority of their revenues from their mobile ecosystems, there is room for greater and more effective price competition. In the case of Apple's mobile devices, both firms' app stores, and Google's search and advertising services, the evidence strongly suggests the prices charged are above a competitive rate. . . . Consumers would get a better deal if Apple and Google faced more robust competition, either from each other or from third parties.

The report continues:

Weak competition within and between Apple's and Google's mobile ecosystems is harming consumers, and will do so to a greater degree . . . absent [any] intervention. Most importantly, we are concerned that consumers will miss out on innovative new features or transformative new products and services that are held back or discouraged by the power that Apple and Google wield.

That is one report.

If we continue to fail to take action in this country, we will lose our leadership position when it comes to antitrust on the global stage. That actually is not that great of a thing because then we are letting other countries determine what is going to hap-

pen to the future of competition. That is a huge risk for our country. It is time to take action just as Congress has done before when facing significant evidence of market failures and massive consolidation.

So when Big Tech companies talk about this bill or really any serious antitrust effort, they try to make it sound like we are pushing for some kind of unprecedented action. And, as I just discussed, that is not true because we know they are getting all kinds of pushback in other countries and actually are making settlement offers that are exactly akin to some of the things we have in the bill.

But it also isn't true in the history of our own country.

I think everyone—while people don't think they have something in their background to do with monopolies or their dads or their moms or their grandparents had nothing to do, everyone has got something about competitive policy that affected their lives in the past or affected their relatives. For me, I think of the James J. HILL House in St. Paul. No, we never lived there. I will get to that in a minute.

Calling it a house is actually an understatement. The 36,000-square-foot mansion has 22 fireplaces, 13 bathrooms, and a 100-foot-long reception hall. It was constructed in 1890, which is the same year that Congress actually finally did something about competition by passing the Sherman Act.

The man who built this house, James J. Hill, was a railroad magnate whose railroad ran from St. Paul to Seattle. He consolidated multiple railroads across the country using a legal concept called a trust—that is why we have antitrust—in which the stockholders of multiple competitors transferred their shares to a single set of trustees. There were all kinds of trusts, as I mentioned—rail trusts, oil trusts. Standard Oil Trust controlled more than 90 percent of the country's refining capacity. The Sugar Trust controlled 98 percent of refined sugar. And we had trusts in everything from sewer pipes to thread.

When I was growing up, my mom would like to take me to see the Christmas lights by that house and other estate houses, and I remember at some of the houses, unlike this one, there were actually people in it and kind of ducking down. She loved to show me those things on my way from piano lessons in her red car. And she would remind me that in order to build that house, Hill needed workers. Hill needed the monopoly railroads that gave him the money to build this humongous mansion, and he needed cheap labor to do the work.

That is where my family comes in. That is where the Klobuchars fit in. My great-grandpa and my grandpa were both miners in the iron ore mines in Northern Minnesota, and they did the work that supported the monopolies. Over time, unions came in; wages got better; the mines got safer. But in the end, that is how he built his house.

Our Nation, as I noted, has a very, very rich and difficult history of dealing with monopolies. But every single time, whether it was the East India tea company and throwing that tea into the harbor—yes, it was about taxation without representation, but it was also about a monopoly company. Every single time we have found a way to push back, whether it was farmers in the Granger movement with their pitchforks taking on the cost of rail, whether it was in Chicago, the Pullman strikes, strikes by workers against monopolies in the beef industry.

Finally, in 1901, Republican President Teddy Roosevelt rode his antimonopoly horse right into the White House. He finally did something about it. He used the first passed antitrust law, the Sherman Act, and was able to actually take on the trusts. And since then you have seen this rejuvenation over time. Sometimes, there is a lull, and then things get so bad—like what happened with AT&T—that between Democratic and Republican administrations, people come in and do something about it.

I know a little bit about this because my first job out of law school was representing MCI at a law firm, and that is when they were fighting to get into the monopoly market. Finally, when AT&T was broken up, what happened? Long distance rates went way down, and we finally got a cell phone industry because one company wasn't controlling everything because they did not have at that time—after a while—they were cool at first, and then they didn't have any kind of incentive to innovate. Then they finally did.

That gets us to the present where we have been hanging out and waiting and doing nothing for now decades and decades since the advent of the internet. And it is time to act—hence, our legislation.

January 1, 1983, is considered the official birthday of the internet. So it has been 40 years since then, and we still have not passed, as I noted, competition legislation. That is why our group of Senators have come together. And that includes DICK DURBIN, LINDSEY GRAHAM, RICHARD BLUMENTHAL, JOHN KENNEDY, CORY BOOKER, CYNTHIA LUMMIS, MAZIE HIRONO, MARK WARNER, JOSH HAWLEY, STEVE DAINES, SHELDON WHITEHOUSE, and several more who are supporting the bill and said enough is enough.

Our bill creates rules of the road for these platforms. That means, first of all, that they can't abuse their gatekeeper power by favoring their own products or services and disadvantaging rivals in ways that harm competition. In other words, in the examples I have used, Amazon will not be able to use small business's data in order to copy their products and then compete against them. Apple won't be able to stifle competition by blocking other companies' services from interoperating with their platforms. And Google won't be able to bias their platform's search results in favor

of their own products and services without merit. That is what our bill does.

Amazon should rank products based on price and quality, not based on their own profit margins. The world's largest and most powerful platforms shouldn't be allowed to copy a small business's private data. I used the example of luggage carriers. There are many, many more.

Another challenge to cracking down on antitrust violations is how difficult and time consuming it can be to try these cases in court. Currently, the government has to spend millions on economic experts and years in the courts, and even after all that, the likelihood of victory because of very conservative Supreme Court cases in the last few decades is small.

This bill streamlines things in this area. It doesn't break up the companies. Some people would like to do that. That is not what this bill does. It doesn't stop mergers. I think we should put in stronger merger guidelines, but that is not what this bill does.

This bill simply gives us rules of the road for these companies to be fair going forward, while we figure out the other things that need to be figured out.

So support for this bill:

The Boston Globe, October 2021, said on their editorial page that “[i]f the largest platforms can't be trusted to enforce even their own anticompetitive policies, then Washington has little choice but to act.” They noted that the bill I have with Senator GRASSLEY represents “a chance for Congress to turn concern over Big Tech's sway into action.”

The Seattle Times, March 2022, wrote that “[a]s antitrust efforts ramp up in Congress, Big Tech is fighting back, unleashing an army of lobbyists, enlisting business groups to apply pressure and engaging in fearmongering to avoid critical legislation.”

Let me tell you, a lot of our Senators have proved that fearmongering.

Lawmakers must forge ahead and support legislation that reins in the tech giants' worst impulses, ensures fair competition and protects consumers and small businesses. But no matter what the tech companies say, antitrust legislation will not slay these giants or kill innovation . . . that is not its goal. What it will do is limit Big Tech's ability to run roughshod over competitors and consumers. Enough Democrats and Republicans agree, but time is running out. Congress needs to act.

The Washington Post editorial, in April of 2022, called our bill a “sound” bill and pressed for movement on the legislation, including by writing as follows:

Antitrust . . . needs revisions that prevent dominant companies from building barriers to a marketplace where those consumers will have both choice and protection. Legislators should view the bills before Congress as an opportunity to achieve this aim at last.

The bill also has support from Agency experts who have enforced antitrust laws and worked to protect competition in the U.S. markets.

The Department of Justice has endorsed the bill. I know this is after the Department of Justice under the previous administration—under the Trump administration, with Bill Barr as the Attorney General and Makan Delrahim as the head of Antitrust—actually started the initial lawsuit—the major, major lawsuit—against Google and after the FTC, under the Trump administration, started the lawsuit against Facebook. They filed major lawsuits that are being continued by this administration.

The Department of Justice wrote this:

The Department views the rise of dominant platforms as presenting a threat to open markets and competition, with risks for consumers, businesses, innovation, resiliency, global competitiveness, and our democracy. By controlling key arteries of the nation's commerce and communications, such platforms can exercise outsized market power in our modern economy. Vesting the power to pick winners and losers across markets in a small number of corporations contravenes the foundations of our capitalist system, and given the increasing importance of these markets, the power of such platforms is likely to continue to grow unless checked. This puts at risk the nation's economic progress and prosperity, ultimately threatening the economic liberty that undergirds our democracy.

The Department of Justice continued:

If enacted, we believe that this legislation has the potential to have a positive effect on dynamism in digital markets going forward. Our future global competitiveness depends on innovators and entrepreneurs having the ability to access markets free from dominant incumbents that impede innovation, competition, resiliency, and widespread prosperity.

And Commerce Secretary Raimondo testified before our Senate Commerce Committee—I was there—saying:

I applaud your efforts and . . . clearly agree that we need to improve competition, which increases innovation.

She said:

Last month, the DOJ released a views letter—

That is what I just read—

on behalf of the administration in support of the American Innovation and Choice Online Act and the [Commerce] Department and I . . . support . . . and concur with the aim of [that] legislation.

It is not just officials currently in these roles who support this bill. Roger Alford, who served as a Deputy Assistant Attorney General in the Antitrust Division from 2017 to 2019, wrote to us, saying:

Bills such as S. 2992 provide hope that Congress will restore competition to digital marketplaces.

And while people may have seen the disingenuous ads on TV against the bill, I think it is worth reading portions of the letters that we have received.

The Consumer Federation of America wrote:

To maintain a healthy economy, it turns out we need both sensible regulation and antitrust enforcement. . . .

The American Innovation and Choice Online Act addresses the key issues in a sector of the digital economy that has not been addressed by competition policy and antitrust law. It targets big data platforms, which can abuse their market power as gatekeepers and vertically integrated firms, using self-preferencing and data to block competition.

Antitrust legal scholars wrote—and I will put all of this in the RECORD. More than 60 small- and medium-sized businesses wrote, and YELP, DuckDuckGo, Y Combinator, and other businesses wrote that S. 2992 will “help restore competition in the digital marketplace.”

Small Business Rising wrote that the legislation “is a critical part of the solution to the harms caused by the outsized power of the tech giants.”

As the president of Hobby Works, a Maryland hobby shop, said recently, “All that any small business asks for is a somewhat level playing field and a somewhat fair environment in which to compete.”

I will end with this: Monopoly power, consumer choice, and reduced innovation aren’t topics that came up for the first time when we marked up and

passed this bill. I just read to you the thousands and thousands of pieces of documents and testimony from the House for 18 months that our colleagues Representative CICILLINE and Representative BUCK put together. So don’t tell me this is the first time, when that went on for 18 months and when we have had hearing after hearing in the U.S. Senate.

It is time to stop throwing the popcorn at the CEOs and actually do something. We got this bill through the Judiciary Committee with a 16-to-6 vote just 6 months ago. Now it is time to bring this bill to a vote on the floor.

We have monopoly problems. You can still like the products. You can like the companies if you want—OK—but at some point they have gotten so big that you have to put some rules of the road in place to ensure that we can have the next Google or that we can have another competitor to Google or that we can have a true competitor to Amazon or that we can find, finally, social media platforms that protect our privacy and our data and our democracy. This isn’t going to happen if you just let four big platforms control the

day. As long as they do, which looks like it will be for the well foreseeable future, at least let’s protect capitalism by putting some rules of the road in place.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 9:50 p.m., adjourned until Wednesday, July 20, 2022, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 19, 2022:

THE JUDICIARY

JULIANNA MICHELLE CHILDS, OF SOUTH CAROLINA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT.

NANCY L. MALDONADO, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS.

NINA NIN-YUEN WANG, OF COLORADO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLORADO.

EXTENSIONS OF REMARKS

ACTIVE SHOOTER ALERT ACT OF 2022

SPEECH OF

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2022

Ms. PELOSI. Madam Speaker, I rise today in support of the Active Shooter Alert Act: another strong step to help save lives from the scourge of gun violence.

As we all know, our Nation witnessed a horrific mass shooting at a holiday parade in Highland Park, Illinois—stealing at least seven beautiful souls, shattering innocent families and forever scarring the community.

Over the Fourth of July weekend alone, more than 220 Americans were tragically shot and killed—the latest surge of shootings in a year that has already seen more than 20,000 heartbreaking gun deaths.

Sadly, this epidemic has reached a fever pitch, with:

Countless mass shootings, from Uvalde to Buffalo and many more; and

The daily massacre of gun crime, which rarely makes the evening news.

These shootings often unfold in the heart of our communities: in our schools and on our streets; at our malls and in our movie theaters.

But in active shooter situations, there's currently no efficient, effective way for law enforcement to warn the public—putting more lives at risk.

That is why, today, the House will pass strong, bipartisan legislation to quickly warn communities when a gunman opens fire.

Our Active Shooter Alert Act will help set up a system similar to AMBER Alerts—helping state and local law enforcement agencies to notify those in the area of an active shooter threat.

Let us salute an unyielding champion in the fight against gun violence, Congressman DAVID CICILLINE, for crafting this commonsense and lifesaving measure.

Importantly, this bill has the support of many major law enforcement organizations. They know firsthand the challenges of keeping families safe in an active shooter scenario—and they are calling for this legislation.

When we brought this legislation to the Floor three weeks ago, it was overwhelmingly opposed by House Republicans.

Their opposition to this legislation is unconscionable and inexplicable.

Why would anyone vote against keeping communities better informed of potential danger?

Why would anyone vote against ensuring innocent children do not accidentally walk into the line of fire?

Why would anyone vote against the responding to the needs of our law enforcement heroes?

Nevertheless, today—with or without Republican support—our House Democratic Majority will proudly pass this life-saving legislation.

This legislation builds on Democrats' determined leadership to end the gun violence crisis.

On Monday, many of us gathered at the White House to celebrate the enactment of the Bipartisan Safer Communities Act: the most significant gun violence prevention legislation in three decades.

While more is needed, this bill will take steps to save lives:

Encouraging states to establish Extreme Risk Protection Order laws;

Combating illegal straw purchases;

Moving to close the boyfriend loophole; and

Expanding background checks for buyers under 21; and more.

Meanwhile, our Majority has twice passed the Bipartisan Background Checks Act and the Enhanced Background Checks Act, to secure universal background checks on all gun purchases.

And last month, we passed our Protecting Our Kids Act to:

Raise the age to 21 years old to buy weapons of war;

Ban high-capacity magazines designed for mass murder; and

Ensure safe storage to protect our children from tragic accidents and take additional steps to save lives.

Madam Speaker, our fight to prevent gun violence is of, by and for the children.

Of the children, because they are suffering. It is heartbreaking that, in America, more children die from guns than any other cause.

By the children, because they are leading. We see them marching in the streets, testifying before the Congress, demanding action.

And always For The Children: building a future where every child can reach his or her fulfillment, free from the fear of gun violence.

Protecting our children must be a unifying mission in the Congress—as it is a unifying issue for the American people.

Nowhere will we find more agreement than this commonsense measure to help keep innocent families out of the line of fire.

And we strengthened in this fight by the courage and commitment of President Biden: author of the Brady law in 1994, champion of the assault weapons ban and a long-time leader on this important issue.

With that, I urge a strong, bipartisan “aye” vote for this life-saving legislation.

RECOGNIZING SERVICIOS DE LA RAZA

HON. JASON CROW

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2022

Mr. CROW. Madam Speaker, it is my honor today to recognize “Servicios de la Raza” for receiving the Ohtli Award granted by the Government of Mexico for dedicating their work to making our community a better place, while promoting the beauties of Mexican American culture.

Servicios de la Raza has served our community for over five decades—making it their mission to dismantle the cycle of poverty by placing an emphasis on empowering low- and moderate-income people and communities of color. Their work includes counseling, job-training, and other culturally responsive, essential human services meant to foster success in our community.

As we have seen time and time again, the Latinx community is an incredibly important part of the fabric of both our district and our Nation. It is because of them that our community has found incredible strength in diversity, and I congratulate Servicios de la Raza on receiving this much deserved award.

REMEMBERING REVEREND HUEY PRICE LAWSON

HON. TROY A. CARTER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2022

Mr. CARTER of Louisiana. Madam Speaker, I rise today to recognize the passing of Rev. Huey Price Lawson after 87 years of serving his country and community.

Reverend Huey Price Lawson was born February 26, 1935, in Loyd Bridge, Louisiana to Reverend Joseph Solomon Lawson, Sr. and Eula Henton Lawson. The family relocated to Alexandria, Louisiana in 1941 where he resided until entering eternal rest on Friday, July 8, 2022, at his home surrounded by his loving family.

Reverend Lawson attended Rapides Parish public schools and is a 1953 graduate of Peabody High School. After graduating high school, he enrolled at Grambling College (now Grambling State University) in the Fall of that year. While in school, he served as a cook for Jeansonne Grocery and Catering in Alexandria, Louisiana. In 1957, he earned a Bachelor of Science Degree in Elementary Education. Upon graduation, he gained employment as a teacher in the Rapides Parish School District. For 21 years, he provided positive classroom instruction at J.B. LaFargue, Lincoln Williams, Silver City, and Aiken Elementary Schools, including stints as Title I Coordinator, Boy Scout Troop Leader, 4-H Leader, and Basketball Coach. In 1958, he was drafted by the U.S. Army. Upon returning from service, he went back to the classroom and served as a Teacher where he was promoted to Center Director for PACE's (Central Louisiana Headstart Summer Program).

He was an entrepreneur at heart. Throughout his career as an educator, he also explored several part-time marketing and sales opportunities to provide many extras for his family, friends, and students. This included selling everything from wigs, stainless steel pots and pans (Franchise Holder, Manager, and Salesperson for Flavorite Stainless Steel, Inc. (1963–1967), World Book Encyclopedias (Area Manager and Teacher, 1967–1970),

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

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Kirby Vacuum Cleaners, and Sayman's Salve. Rev. Lawson retired from the Rapides Parish School District in 1978. Following retirement, he worked for the Rapides Parish Police Jury as a Monitor with the CETA Program for three years. Reverend Lawson was a very active member of his community until he began to experience serious health issues during the last 5 years of his life.

I extend my condolences to the Lawson family and friends as Reverend Lawson was laid to rest on July 15, 2022.

PERSONAL EXPLANATION

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2022

Mr. BRADY. Madam Speaker, I was unavoidably detained. Had I been present, I would have voted yea on Roll Call No. 364.

HONORING NORMAN MINETA

HON. JUDY CHU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2022

Ms. CHU. Madam Speaker, I rise today to honor the life of Secretary Norman Mineta, who passed away on May 3, 2022, at the age of 90. Norm was a pioneer of Asian American representation in politics and was an exemplary patriot.

Norm was born in San Jose, California on November 12, 1931, to Japanese immigrant parents. In 1942, when he was just ten years old, Norm and his family were forcibly relocated from California to Heart Mountain War Relocation Center in Wyoming, where they were imprisoned at a Japanese internment camp during World War II. After 18 months of incarceration, Norm and his family moved to the Chicago area, where his father, an insurance agent, volunteered to teach Japanese language courses to soldiers in the U.S. Army. Only when Norm was a teenager were he and his family finally able to return to San Jose.

After graduating from the University of California at Berkeley in 1953 with a degree in business administration, Norm served as an intelligence officer for the Army for three years and later took over his father's Mineta Insurance Agency. After serving on the San Jose Human Relations Commission, Norm was asked by San Jose's then-mayor to fill a city council vacancy in 1967. Following four successful years as a city councilmember, Norm was elected to be San Jose's mayor, making him the first Asian American to serve as mayor of a major American city.

With a staunch belief that local officials should have more authority over how federal funding is used to improve roads and railways, Norm decided to run for Congress, promising to address these very issues. And he did just that. Elected to the U.S. House of Representatives in 1974, Norm went on to serve for ten terms from 1975 to 1995.

In Congress, Norm successfully fought to strengthen civil rights for the Asian American and Pacific Islander (AAPI) community. He spearheaded efforts to pass the Civil Liberties

Act of 1988, which granted reparations to Japanese Americans incarcerated during WWII or their surviving family members. In 1994, he co-founded the Congressional Asian Pacific American Caucus to ensure that AAPIs have a voice in Congress and served as the Caucus' first chair. Seeing the need to increase the AAPI public service pipeline in Washington, D.C., Norm also founded the Asian Pacific American Institute for Congressional Studies (APAICS) in 1994. Since then, APAICS has played a critical role in cultivating future AAPI leaders through internships and fellowships, and many alumni have gone on to such remarkable positions, including within the White House and Capitol Hill.

Following his Congressional tenure, Norm was appointed to serve as Secretary of Commerce for the last six months of President Bill Clinton's term, making him the first Asian American member of a Presidential Cabinet. Then, under President George W. Bush, Norm became the first Cabinet Secretary to switch directly from a Democratic to Republican administration, where he served as Secretary of Transportation. Notably, he was also the only Democrat to serve in President Bush's cabinet, displaying his talents in bipartisan efforts. As Secretary of Transportation, Norm fought for investments in roads and bridges nationwide, and secured billions of dollars in federal funding for highways.

Norm's time as Secretary of Transportation was defined by the terrorist attack on September 11, 2001. When the second plane struck the World Trade Center, Norm was moved to a secret bunker under the White House alongside Vice President Dick Cheney. It was here that Norm made the historic call to ground nearly 5,000 planes in U.S. airspace, an unprecedented decision for which protocols had never been established. Following the attacks, Norm regularly worked 100-hour weeks to bolster security at seaports, airports, railways and facilities with oil and gas lines. Furthermore, he spearheaded the effort to establish a new federal agency, the Transportation Security Administration (TSA), to successfully increase security at airports and avoid future attacks. In a time when Islamophobia was sharply exacerbated, Norm routinely drew parallels between his experience with Japanese American incarceration and scapegoating of Muslim Americans.

For his extraordinary accomplishments, the San Jose airport was renamed in 2001 to the Norman Y. Mineta San Jose International Airport. Additionally, Norm was awarded the Presidential Medal of Freedom, the country's highest civilian honor, by President George W. Bush in 2006. Norm is survived by his wife, Deni, his sons David, Stuart, Robert and Mark, and 11 grandchildren. He was truly a trailblazer and defined what it means to be a public servant, paving the way for generations of Asian American elected officials, like myself, to come. I ask my colleagues to join me in commemorating this extraordinary individual.

PERSONAL EXPLANATION

HON. NEAL P. DUNN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2022

Mr. DUNN. Madam Speaker, on Roll Call No. 307, I mistakenly voted Yea when I intended to vote Nay.

RECOGNIZING JUNE AS NATIONAL FAMILY REUNIFICATION MONTH

HON. RAUL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2022

Mr. GRIJALVA. Madam Speaker, I rise today to recognize June as National Reunification Month, and to honor the tremendous reunifications efforts of individuals across the country who work tirelessly to ensure that safe, timely, and healthy reunification continues to be prioritized for the 400,000 youth in the U.S. foster care system. Each June, states and jurisdictions celebrate these efforts and extend their commitments to working to strengthen pathways to ensuring thriving, supportive families, and communities.

Federal initiatives including Preventing Sex Trafficking and Strengthening Families Act, the Family First Prevention Services Act, Victims of Child Abuse Act Reauthorization of 2018 and the Supporting Foster Youth and Families through the Pandemic Act, have improved services and reunification for children and families in the foster care system, but there is more to be done.

Since 2020, four National partners of the U.S. Children's Bureau, Annie E. Casey Foundation, Prevent Child Abuse America, Casey Family Programs and now recently the Centers for Disease Control and Prevention have joined the Thriving Families, Safer Children Movement within the child welfare community to bring a first-of-its-kind national, multiyear effort that spans the public, private and philanthropic sectors. It will create and enhance networks of community-based programming while also aligning government resources to offer a full continuum of prevention supports and services. Beyond building stronger families and communities, the movement seeks to end the harmful practice of family separation in child welfare systems. This work involves closely collaborating with children and families within the child welfare system and leveraging resources to create a more just, equitable, and humane well-being system. Twenty-two states and jurisdictions have committed to moving this work forward, including Arizona.

With that in mind, I want to thank all those involved for making this much-needed investment into our youth and families' futures including: biological and kinship parents, family members, social workers, foster parents, service providers, attorneys, courts, court appointed special advocates (CASAs), advocates, public child welfare professionals and the greater child welfare community at large.

And when honoring National Reunification Month, we must push to further assist migrant families that were separated at our southern border due to cruel and inhumane border policies denying them their right to seek asylum. I commend the Biden-Harris administration for fully repealing the Trump-era "zero tolerance" policy and establishing the President's Inter-agency Task Force on the Reunification of Families aimed at bringing families back together. Thousands of children were cruelly separated from their families, and I applaud the work of the President's Taskforce who is working to reunite hundreds of children that remain separated from their families to this day. More must be done to ensure all migrant families are reunited and no more families are

separated at the southern border. Their safety, well-being and reunification must be an uttermost urgency for the Biden-Harris administration and its officials.

It is time as a Nation to commit to providing the resources and programs necessary for the reunification of families, both for children in our domestic foster care system and for those who entered our country for refuge.

VICKY LEA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2022

Mr. PERLMUTTER. Madam Speaker, I rise today along with Representative JASON CROW to recognize Vicky Lea for her contributions to the Denver Metro region and State of Colorado as Director of Aerospace and Aviation for the Metro Denver Economic Development Corporation.

For more than a decade, Vicky has worked to bolster Colorado's aerospace and aviation industries by building partnerships among industry professionals, organizing education efforts, and implementing strategic recruitment initiatives. Vicky's relentless advocacy on behalf of Colorado's aerospace community has been instrumental in establishing Colorado as the number one state in the nation for aerospace jobs per capita.

In this role, Vicky's passion and hard work have also been essential to Colorado's overall economic growth. Vicky's tenure with the Metro Denver Economic Development Corporation has directly correlated with increasing opportunities for innovation and growth for small and large aerospace businesses across the state that provide tens of thousands of high-paying jobs for Coloradans.

Congratulations again to Vicky Lea on her noteworthy career and contributions during her time at the Metro Denver Economic Development Corporation. We are thankful for her service and commitment to the great State of Colorado and wish her all the best as she moves to the next stage of her career.

INTRODUCTION OF THE BICYCLES FOR RURAL AFRICAN TRANSPORT ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2022

Mr. BLUMENAUER. Madam Speaker, today I introduced the Bicycles for Rural African Transport Act. Transportation access in the developing world is limited. In sub-Saharan Africa, more than seventy percent of people rely on walking as their primary mode of transportation. For these individuals access to a bicycle is revolutionary.

Bicycles can be impactful tools for effective foreign aid and international economic development.

Low-cost, high-impact investments in bicycles will allow us to use existing foreign aid more effectively. Many developing-world rural populations suffer from time poverty, which limits opportunities to access education,

healthcare, employment and job training opportunities, and markets. By reducing time poverty, bicycle access significantly improves school attendance for rural girls. In one trial, girls with bicycles were 19 percent less likely to drop out of school.

In recent years, USAID has conducted a small rural mobility program to study the bicycle's development impacts. In Tanzania in 2019, USAID donated 2,160 bicycles to health care workers as part of AIDS treatment efforts, allowing the workers to reach more patients and reducing AIDS transmission in the area. In Malawi in 2020, USAID established a revolving loan fund to finance bicycles for workers on a sugar cane cooperative, reducing their commute times and increasing productivity.

USAID's work on this program has clearly demonstrated the value of bicycles for rural transportation in developing nations. This legislation authorizes a permanent rural mobility program at USAID which will promote rural, sub-Saharan communities' access to services and opportunities through affordable, fit-for-purpose bicycles. This more systematic approach will allow USAID to maximize the potential impact of bicycle projects and ensure the United States continues utilizing this simple, revolutionary development tool.

SUPPORT FOR FINLAND AND SWEDEN TO JOIN NATO

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2022

Ms. KAPTUR. Madam Speaker, I rise today in solidarity with the democratic nations of Finland and Sweden in their bid to join the North Atlantic Treaty Organization.

For more than seven decades, NATO has served as an Allied bulwark of free nations in defense of Liberty against those seeking to reignite the brutal horrors of the 20th century's world wars. Powerful nations cannot willfully invade sovereign territories of other nations at will.

With Putin now choosing murder and violence in an attempt to resurrect the fallen pride of the former Soviet Union, it is essential for free nations to band together for the preservation and fortification of Liberty on the continent of Europe.

Russia has unambiguously demonstrated its outlaw status on the world stage. The only defense to further escalation is strong Alliance between nations devoted to upholding the rule of law. Finland and Sweden did not choose this path—Putin and his warmongers forced their hands.

The survival of global freedom is very much on the line. The time to admit Sweden and Finland into this sacred Alliance has arrived, NATO's member nations must do so without delay.

HONORING MR. RUSTON HENRY AND MR. TROY HENRY ON THE UNVEILING OF THE HENRY TRIBUTE MURAL CELEBRATING BLACK EXCELLENCE

HON. TROY A. CARTER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2022

Mr. CARTER of Louisiana. Madam Speaker, I rise today to celebrate two of my dear friends and constituents, Mr. Ruston Henry, Sr., RPH and Mr. Troy Henry, on the occasion of a Mural Unveiling Celebrating Black Excellence. This mural recognizes the accomplishments of two of New Orleans' native sons located at 1667 Tchoupitoulas Street near New Orleans' port access road along the Mississippi River, "Clarence Henry Truckway", coincidentally named after their grandfather, the late Clarence "Chink" Henry, Sr., a legendary labor leader and civil rights activist, also known as a Louisiana AFL-CIO Labor Hall of Fame Honoree.

They are the proud sons of Mrs. Elvira Day Henry and the late Mr. Sterling Henry, Sr., a pioneer black pharmacist, responsible for integrating the workforce of the historic Tremé's Circle Food Store, a key local business located in New Orleans' Seventh Ward, mentoring, and providing internships to many Xavier University of Louisiana pharmacy students beginning in the early 1960's. Their parents instilled in their children the importance of supporting underprivileged families, and helping ensure no one in need was left behind.

Mr. Ruston Henry, Sr., RPh, a 1985 graduate of Xavier University's College of Pharmacy, following his parents through their alma mater, is a highly qualified pharmacist with more than 32 years of pharmacy experience in the management, administration, construction and operation of retail pharmacies. Mr. Henry is a Licensed Pharmacist in Louisiana and Mississippi who excels at teamwork, conflict resolution and sound decision-making under pressure. A second-generation pharmacist, he is the current owner and operator of H & W Drug Store, Inc. This store was co-founded by his late father in three retail locations, New Orleans East, the Westbank of Jefferson Parish, and inside the historic Tremé' Circle Food Store. In 1999, Mr. Sterling J. Henry, Sr. retired and his son, Mr. Ruston Henry, Sr. took over the business, and now serves as the current owner and Chief Pharmacist.

In 2017, Mr. Ruston Henry began pursuing alternative treatments involving medical cannabis. In 2018, the Louisiana Board of Pharmacy (LBP) selected the H & W Drug Store, Inc. to operate the first Medical Marijuana Pharmacy in the Metropolitan Region of Louisiana. H & W's services Orleans, Jefferson, St. Bernard and Plaquemines parishes. H & W Drug Store Dispensary opened in August of 2019 and is currently located at 1667 Tchoupitoulas Street. H & W's primary focus was and always is to provide our patients with the best pharmaceutical healthcare available.

Mr. Troy Henry, graduate of Stanford University, then Carnegie Mellon University, is the Managing Partner and principal fiduciary of Henry Consulting (HC). He is responsible for all 3 lines of business of HC: management consulting services, business services and equity ventures. Troy has over 30 years of management experience, with concentrations in

business development, strategic planning, contract management, technology, and government. He has expertise in managing multi-million-dollar projects and leading teams that develop business strategies, implement solutions, and solve problems.

Mr. Troy Henry's responsibilities with HC include providing general management and oversight on numerous HC projects and ventures throughout the country. In addition to applying his business acumen to these client specific engagements, Henry is Managing Member for several HC owned equity ventures: Infinity Fuels—a wholesale and commercial fuel supply company, Infinity Petroleum—a retail fuel and store management company, Pneuma Aviation—a private member-driven aviation company, Equity Media—a New Orleans-based media services company, and Bayou Phoenix—a commercial real estate development partnership. Through Henry's leadership, HC continues to be one of the fastest growing enterprises in the southern region.

Previously, as President of the United Water Corporation, Mr. Troy Henry had responsibility for overseeing operations and management of United Water's regulated and unregulated water and wastewater businesses, customer satisfaction, client relations and marketing activities in nineteen states. Henry has also served in executive positions with IBM, Enron, Hewlett Packard, Aluminum Company of America (ALCOA) and LORAL Federal Systems. He has bachelor's degrees in Electrical & Computer Engineering from Stanford University, and master's degrees in Electrical Engineering and Biomedical Engineering from Carnegie-Mellon University.

Mr. Troy Henry been involved in numerous civic activities including member of the Board of Directors for the Louisiana Children's Museum, the New Orleans Public Belt Railroad, the New Orleans Regional Black Chamber of Commerce, the Eastover Property Owners Association (EPOA), the East New Orleans Neighborhood Advisory Commission, the District 100 Community Development Corporation, and the Shell Regional Wholesale Council. Henry served as Chairman of Mayor LaToya Cantrell's Infrastructure Transition Team, and as Chairman of the Board of St. Augustine High School for over 12 years, which included oversight of the high school reconstruction effort following Hurricane Katrina. Henry is the founder of the leading business organization for East New Orleans, known as the East New Orleans Business Development District (ENOBDD) which produces "The East Magazine."

Congratulations to both Ruston and Troy Henry on continuing the legacy of their grandparents and parents, who are all so proud of them. New Orleans is blessed to have these native home-grown sons in our lives. May this mural remain forever as a mark to continue the Henry Family Legacy.

TRIBUTE TO DAVID BROWN

HON. DON BACON

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2022

Mr. BACON. Madam Speaker, I rise today to recognize David G. Brown, who is retiring from

the Greater Omaha Chamber after 19 years of public service. David came to Omaha in 2003 after an already accomplished career, leading economic development organizations in the Midwest and South Carolina. Since coming to Omaha, he has overseen a period of extraordinary growth and prosperity within the business community that is nothing short of remarkable.

Over the course of his career, as CEO of the Greater Omaha Chamber, the metro region has seen an 88 percent increase in average Gross Domestic Product. Since launching the Greater Omaha Economic Development Partnership, the Chamber has brokered 920 projects, which encompasses 47,000 jobs and \$12 Billion in capital investments. For his efforts, the Omaha Chamber was deemed the Chamber of the Year in 2015 by the Association of Chamber of Commerce Executives.

David began his career at Dartmouth, where he majored in geography and minored in environmental studies. While there, he won the 1978 Ivy League football championship, and was awarded the Earl Hamilton Award for friendliness and humor. While he recognizes Chambers as mechanisms for economic growth, he sees his role as that of a catalyst for growth within the community. David has continuously given back by volunteering at local service organizations such as the Aksarben Future Trust, the Boy Scouts of America, the Greater Omaha Alliance for Business Ethics, and Opera Omaha.

David's tenure truly has embodied the motto of the Omaha Chamber: "We Don't Coast"—David never let down his steam as he strived to bring the business community and the community at large to a place where people can prosper, and we can be very proud.

After retiring, he plans to spend more time with his family, including his wife Maggie, of 39 years, and their two sons Gregory and Elijah, but there is no doubt that he will continue to contribute his time and services to Greater Omaha and all of Nebraska.

I thank David for his service and contributions. It certainly does not go unnoticed, and the entire Greater Omaha Community is deep in his debt.

CELEBRATING 100 YEARS OF SYLVAN GLEN

HON. HALEY M. STEVENS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2022

Ms. STEVENS. Madam Speaker, I rise today to recognize the 100th anniversary of Sylvan Glen Golf Course, a popular attraction for both locals and tourists in Troy, Michigan. Over the past century, Sylvan Glen solidified itself as a popular destination to make memories and connect with others over a game of golf or by participating in one its many events and activities. People of all generations come together to enjoy the beautiful greenery of Sylvan Glen, and I am proud to represent the district that encompasses this local landmark as the member of Congress for Michigan's 11th District.

Opened in 1922, Sylvan Glen predates the designation of the City of Troy, offering unique insight into the earlier, natural state of the region. Just minutes from Detroit, Sylvan Glen

serves as a reprieve for those looking to escape the city and spend time among the trees and wildlife over a game of golf. In addition, the course offers excellent cross-country skiing and sledding opportunities, bringing together members of the community from all backgrounds and interests to take advantage of Michigan outdoors.

Madam Speaker, over the past 100 years, Sylvan Glen Golf Course has established itself as an essential fixture of the community. Many have come together to enjoy this local wonder, undoubtedly securing a special place in the hearts of thousands of residents in Michigan's 11th District and greater Southeast Michigan. Please join me in honoring Sylvan Glen Golf Course upon its 100th year and in wishing Sylvan Glen continued success for many more years to come.

RECOGNIZING ISABELLA MARGOLIN

HON. JASON CROW

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2022

Mr. CROW. Madam Speaker, I am honored today to recognize Isabella Margolin, who earned the Congressional Award—the highest honor a youth civilian can receive from their Member of Congress.

In 2020, Isabella completed over 100 hours of community service and set personal goals to hone her interests in photography and physical fitness. Isabella's leadership and initiative is exemplified in her hard work to not only better herself and those around her, but to make a sizable and lasting impact in her community.

It's young folks like her that remind me of the unlimited promise of future generations and give me hope that inspiring young leaders like Isabella will one-day take the torch and solve many of our nation's most pressing challenges.

I am more than proud to congratulate Isabella on earning the bronze Congressional Award and look forward to seeing what incredible things she does next.

HONORING PRISCILLA PRESLEY

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2022

Mr. COHEN. Madam Speaker, I rise today to pay tribute to my friend Priscilla Presley who will be honored Friday night in Memphis with a musical extravaganza at Theatre Memphis.

It's an honor to take a moment to discuss the work I have done with Priscilla, particularly in the area of the humane treatment of Tennessee Walking Horses. Like me, she has long advocated the end of the practice of "soring" horses to give them the exaggerated walking gait known as "the Big Lick."

My Prevent All Soring Tactics (PAST) Act made it through the markup in the Energy and Commerce Subcommittee on Consumer Protection and Commerce last month, and is now pending before the full committee.

In my press release on that development, I noted that Priscilla has been a consistent and dedicated advocate of this reform and that she and Elvis both loved walking horses. Priscilla has made tremendous contributions to Memphis, not the least of which was opening Graceland to the public 40 years ago, now one of the five most visited homes in the country.

A former Memphian, and a frequent visitor for events related to music, Priscilla deserves to be considered an honorary citizen of Tennessee's 9th Congressional District. Priscilla's friend Dabney Coors, who had the splendid idea is co-chairing Friday night's event, is doing a beautiful thing in honoring this kind and generous woman, and I look forward to a wonderful evening.

HONORING THE LIFE AND SERVICE OF JONATHON CODY

HON. MARILYN STRICKLAND

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2022

Ms. STRICKLAND. Madam Speaker, I rise today to honor the life and service of Major Jonathon Cody, an extraordinary public servant in Washington State who recently retired from the United States Army.

Jonathon Cody, the son of a veteran and police officer, grew up with a strong sense of patriotism. Jonathon demonstrated his dedication to his country when he entered the Army ROTC program and began active-duty service in 2002.

When he was Second Lieutenant in the Ordnance Corps, Jonathon was assigned to a combat unit near the DMZ in South Korea. On active duty, his commitment to excellence was recognized when he was selected to attend the U.S. Navy School of Explosive Ordnance Disposal, where he earned the coveted Explosive Ordnance Disposal badge. After his promotion to Captain, Jonathon assumed command of the 731st EOD company, where he demonstrated remarkable leadership in command. He also deployed to Iraq from 2007 to 2008 and was awarded the Bronze Star Medal for heroic actions which saved many lives.

Following his deployment, Jonathon's achievements were recognized by his chain of command when he was selected for the Judge Advocate General's Funded Legal Education Program. It comes as no surprise that Jonathon continued to excel as a JAG. He served as a military prosecutor and command legal advisor in Washington state, served an additional tour in Afghanistan, and served as the legal advisor for the George C. Marshall European Center for Security Studies, where he met his wife, Anna Ilchenko.

Wanting to return home to Washington state as he neared retirement, Jonathon was reassigned to Joint Base Lewis-McChord, where he completed his service as the Chief of Federal Litigation Division and Special Assistant United States Attorney. On June 30, 2022, Major Jonathon Cody retired after 20 years of active-duty service in the Army. Remaining committed to public service, Jonathon has taken on a new role as a Prosecuting Attorney in Thurston County, Washington.

Madam Speaker, Major Jonathon Cody has demonstrated remarkable courage, honor, and

duty in service of his country. His devotion to our community and his country is inspirational. I am proud to recognize his achievements, celebrate his retirement, and offer these remarks in his honor.

ALTERNATIVE TO PUTIN

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2022

Mr. WILSON of South Carolina. Madam Speaker, in response to war criminal Putin's war in Ukraine, another viable alternative has been reported by Reuters to eliminate dependency in Europe for Putin's gas.

Algeria, Niger, Nigeria revive talks on Saharan gas pipeline.

Algeria, Niger, and Nigeria held talks this week on the revival of a decades-old project to pipe gas across the Sahara, a potential opportunity for Europe to diversify its gas sources.

The Trans-Saharan gas pipeline is an estimated \$13 billion project that could send up to 30 billion cubic metres a year of supplies to Europe.

The revival comes at a strategic time, as the European Union seeks to wean itself off Russian gas following Russia's invasion of Ukraine, and is seeking alternative sources.

"(The pipeline) should allow Europe to diversify its sources of natural gas supply but also allow several African states to access this high value energy source," said a joint statement.

With a length of 4,128 kilometres (2,565 miles), the pipeline would start in Warri, Nigeria, and end in Hassi R'Mel, Algeria, where it would connect to existing pipelines that run to Europe.

Nigeria also took steps this month to move forward on another long-awaited pipeline, which would go through West Africa and Morocco to Europe.

Along with increased American production reversing Biden's failed energy policies, the world can come together in the conflict of authoritarians (rule of gun) against democracy (rule of law).

PERSONAL EXPLANATION

HON. JOSEPH D. MORELLE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2022

Mr. MORELLE. Madam Speaker, I regretfully missed Roll Call vote 201 on May 17, 2022. Had I been present, I would have voted AYE.

I regrettably also missed Roll Call vote 300 on July 12, 2022. Had I been present, I would have voted AYE.

PERSONAL EXPLANATION

HON. ANGIE CRAIG

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2022

Ms. CRAIG. Madam Speaker, I intended to vote Yea on Roll Call No. 320, Mr. Foster's amendment (No. 18) to H.R. 7900, the Na-

tional Defense Authorization Act, which repeals the restriction on funding for the Preparatory Commission for the Comprehensive Nuclear—Test-Ban Treaty Organization. I inadvertently voted Nay when it was my sincere intention to vote Yea. Mr. Foster's amendment is a welcome addition to this bill and it has my support.

JEFF SHOEMAKER

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2022

Mr. PERLMUTTER. Madam Speaker, I rise today along with Representative DIANA DEGETTE, Representative KEN BUCK and Representative JASON CROW to recognize Jeff Shoemaker of The Greenway Foundation on his retirement.

For more than forty years, Jeff has served as the Executive Director of The Greenway Foundation (TGF). Under his leadership, TGF has partnered with countless public and private organizations to help raise \$500 million for environmental and recreational improvements along the South Platte River and its numerous tributaries throughout the Denver metro region and beyond. These priceless amenities include the watersheds of the City and County of Denver, along with Adams, Arapahoe, Boulder, Clear Creek, Douglas, and Jefferson Counties, as well as a number of nearby municipalities. This collective investment over the last four decades to the reclamation and preservation of one of the region's greatest natural resources is also a result of the more than \$20 billion in economic development of the surrounding areas. Today the region is home to over 100 miles of multi-use recreational trails, more than 100 acres of parks and natural areas, and over 100,000 acre feet of rivers and creeks. Jeff's outstanding work has helped improve both the water quality and access for our region.

Throughout his career, Jeff has made countless other contributions to the community through service on various boards and committees. In November 2018, Jeff served on the Executive Committee in support of the 2A ballot measure in the City of Denver which secured over \$35 million per year for Denver's parks and waterways. And as the Chair of Metro Denver's Chamber's successful 7G ballot measure, he was able to help secure more than \$20 million per year for the Urban Drainage and Flood Control District. Jeff also served as the Executive Director of the Colorado Parks Foundation (CPF) which, working with Colorado Parks & Wildlife (CPW) as well as numerous county, municipal and non-profit organizations, provides funding, advocacy and community outreach for the benefit of Colorado's 42 State Parks. To date, the CPF has provided over \$1,000,000 of project and program-based grants since its inception in 1985. In 2010, the CPF coordinated the procedural and legislative processes resulting in the creation of a Colorado State Parks License Plate, allowing supporters of State Parks across Colorado and beyond to promote and advocate that support through the purchase of a State Parks Plate. Over 3,500 Colorado residents are now proud owners of the Colorado State Parks Plate with related proceeds providing

additional financial support to Colorado State Parks which, to date, has provided over \$20,000 in grants to state parks across Colorado.

In addition to Jeff's work professionally, he has served his community in other capacities. He taught as a public school teacher from 1977 to 1982, served as a member of the Colorado Legislature from 1987 to 1992 and was appointed to two terms on the CSU Board of Trustees from 1999 to 2008. Jeff was appointed to the MSU Denver Board of Trustees in 2016 and serves as the President of a local non-profit organization called Up Close and Musical, which provides professional performances of classical music to elementary schools by Colorado Symphony Orchestra musicians. Jeff is a devoted husband to his wife Nancy, and a proud dad of four adult daughters and he has two granddaughters.

We have had the privilege of working with Jeff on many different occasions and continue to appreciate his service on behalf of our community, particularly his hard work and dedication to environmental causes. We wish Jeff all the best in retirement and send gratitude for his service to our community, the State of Colorado, and the United States of America.

KARAKALPAKSTAN EVENTS

HON. DON BACON

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2022

Mr. BACON. Madam Speaker, I rise today to highlight the enduring friendship between the United States and Uzbekistan and to express my concern over the recent events that occurred in Karakalpakstan due to proposed constitutional amendments that revise Karakalpakstan's political position within Uzbekistan.

Since Uzbekistan's independence from the Soviet Union in 1991, the world has witnessed its transformation from a once isolated and repressive nation into one that strives to modernize, address human rights concerns, ease political tension, and engage with the international community.

I support Uzbekistan's sovereignty, independence, and efforts to implement democratic reforms. I am confident in Uzbekistan's ability to uphold the standards it has worked hard to attain in the face of this current challenge by protecting fundamental rights, including peaceful assembly and expression.

I express my deepest condolences to the families of those who lost their lives and my sympathies to those injured. I applaud the great strides Uzbekistan has made to democratize and I urge all parties to seek peaceful resolution to these tensions.

I look forward to a long and mutually beneficial relationship between our nations.

RECOGNIZING GOLD MEDALIST JORDYN POULTER

HON. JASON CROW

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2022

Mr. CROW. Madam Speaker, I am honored today to recognize Jordyn Poulter for winning a gold medal as a member of the U.S. Women's Volleyball team.

Jordyn began her volleyball career at Eaglecrest High School in Centennial, Colorado. Equipped with an endless passion and incredible work-ethic, Jordyn led the Raptors to four consecutive top-eight state finishes, including a third place finish in 2013.

After a successful career at the University of Illinois and as a member of the gold-medal U20 Women's Junior National Team—Jordyn was chosen to represent the United States at the 2021 Summer Olympics in Tokyo where she once again brought home the gold.

Jordyn's hard work and dedication undoubtedly led to her success on the court and will serve as an inspiration to young folks across the district. I want to congratulate Jordyn on her much-deserved success and thank her for being Colorado 6th's very own Olympian.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S3343–S3502

Measures Introduced: Thirteen bills and one resolution were introduced, as follows: S. 4547–4559, and S. Con. Res. 43. **Pages S3377–78**

House Messages:

Legislative Branch Appropriations Act: Senate began consideration of the amendment of the House of Representatives to the amendment of the Senate to H.R. 4346, making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, taking action on the following amendments and motions proposed thereto: **Page S3362**

Pending:

Schumer motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Schumer Amendment No. 5135 (to the House amendment to the Senate amendment), relating to the CHIPS Act of 2022. **Page S3362**

Schumer Amendment No. 5136 (to Amendment No. 5135), to add an effective date. **Page S3362**

Schumer motion to refer the bill to the Committee on Commerce, Science, and Transportation, with instructions, Schumer Amendment No. 5137, to add an effective date. **Page S3362**

Schumer Amendment No. 5138 (to (the instructions) Amendment No. 5137), to modify the effective date. **Page S3362**

During consideration of this measure today, Senate also took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Page S3362**

By 64 yeas to 34 nays (Vote No. 261), Senate agreed to the motion to proceed to consideration of the House message to accompany the bill. **Page S3362**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report relative to the issuance of an Executive Order declaring a national emergency with respect to hostage-taking and the wrongful detention of United States nationals;

which was referred to the Committee on Foreign Relations. (PM–35) **Page S3371**

Treaty Approved: The following treaty having passed through its various parliamentary stages, up to and including the presentation of the resolution of ratification, upon division, two-thirds of the Senators present having voted in the affirmative, the resolution of ratification was agreed to:

Amendments to the Treaty on Fisheries between the Governments of Certain Pacific Island States and the Government of the United States of America (Treaty Doc. 115–3) as amended. **Page S3365**

Milstein and Brigety II Nominations—Agreement: A unanimous-consent-time agreement was reached providing that at a time to be determined by the Majority Leader, in consultation with the Republican Leader, Senate begin consideration of the nominations of Constance J. Milstein, of New York, to be Ambassador to the Republic of Malta, and Reuben E. Brigety II, of Florida, to be Ambassador to the Republic of South Africa; that there be 10 minutes for debate equally divided in the usual form; that upon the use or yielding back of time, Senate vote, without intervening action or debate, on confirmation of the nominations; and that no further motions be in order. **Page S3365**

Williams Nomination—Agreement: A unanimous-consent agreement was reached providing that at approximately 10 a.m., on Wednesday, July 20, 2022, Senate resume consideration of the nomination of Gregory Brian Williams, of Delaware, to be United States District Judge for the District of Delaware; that the motions to invoke cloture filed during the session of Monday, July 18, 2022, ripen at 11:30 a.m., and that if cloture is invoked on the nomination, all post-cloture time be expired at 2:30 p.m. **Page S3496**

Nominations Confirmed: Senate confirmed the following nominations:

By 58 yeas to 36 nays (Vote No. EX. 257), Nina Nin-Yuen Wang, of Colorado, to be United States District Judge for the District of Colorado.

Pages S3343–49

By 53 yeas to 45 nays (Vote No. EX. 259), Nancy L. Maldonado, of Illinois, to be United States District Judge for the Northern District of Illinois.

Page S3349

During consideration of this nomination today, Senate also took the following action:

By 53 yeas to 41 nays (Vote No. EX. 258), Senate agreed to the motion to close further debate on the nomination.

Page S3349

By 64 yeas to 34 nays (Vote No. EX. 260), Julianna Michelle Childs, of South Carolina, to be United States Circuit Judge for the District of Columbia Circuit.

Page S3361

Messages from the House: Page S3371

Executive Communications: Pages S3371–74

Petitions and Memorials: Pages S3374–77

Executive Reports of Committees: Page S3377

Notice of a Tie Vote Under S. Res. 27: Page S3365

Additional Cosponsors: Pages S3378–80

Statements on Introduced Bills/Resolutions: Pages S3380–87

Additional Statements: Pages S3369–71

Amendments Submitted: Pages S3387–S3496

Authorities for Committees to Meet: Page S3496

Privileges of the Floor: Page S3496

Record Votes: Five record votes were taken today. (Total—261) Pages S3349, S3361–62

Adjournment: Senate convened at 10:01 a.m. and adjourned at 9:50 p.m., until 10 a.m. on Wednesday, July 20, 2022. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S3496.)

Committee Meetings

(Committees not listed did not meet)

UKRAINE

Committee on Armed Services: Committee received a closed briefing on Ukraine from William A. LaPlante, Under Secretary for Acquisition and Sustainment, Celeste A. Wallander, Assistant Secretary for International Security Affairs, David Dorroh, Senior Intelligence Officer for the Europe Eurasia Regional Center, and Brigadier General Frank J. Stanco, USA, Deputy Director for Political-Military Affairs (Europe, NATO, Russia), Joint Staff J–5, all of the Department of Defense.

HOMELESSNESS

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Housing, Transportation, and

Community Development concluded a hearing to examine opportunities and challenges in addressing homelessness, including S. 2182, to require the Secretary of Housing and Urban Development to establish a national evictions database, after receiving testimony from Ann Oliva, National Alliance to End Homelessness, St. Leonard, Maryland; Kathryn Monet, National Coalition for Homeless Veterans, Washington, D.C.; Cathy ten Broeke, Minnesota Interagency Council on Homelessness, Minneapolis; Isabel McDevitt, Work Works America, Philadelphia, Pennsylvania; and Jamie Kirsch, Journey On, Rapid City, South Dakota.

FEDERAL HYDROGEN PIPELINE REGULATORY AUTHORITIES

Committee on Energy and Natural Resources: Committee concluded a hearing to examine federal regulatory authorities governing the development of interstate hydrogen pipelines, storage, import, and export facilities, after receiving testimony from Holly Krutka, University of Wyoming School of Energy Resources, Laramie; Andy Marsh, Plug Power Inc., Latham, New York; Richard E. Powers, Jr., Venable LLP, Washington, D.C.; and Chad Zamarin, The Williams Companies, Tulsa, Oklahoma.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

S. 4466, to amend the Peace Corps Act by reauthorizing the Peace Corps, providing better support for current, returning, and former volunteers, with an amendment in the nature of a substitute;

S. 3052, to promote free and fair elections, democracy, political freedoms, and human rights in Cambodia, with an amendment in the nature of a substitute;

S. 3317, to strengthen United States national security through the defense of democracy abroad and to address contemporary threats to democracy around the world, with an amendment in the nature of a substitute;

S. 552, to direct the Administrator of the United States Agency for International Development to submit to Congress a report on the impact of the COVID–19 pandemic on global basic education programs, with an amendment in the nature of a substitute;

S. 4320, to enhance security at United States diplomatic facilities, with an amendment in the nature of a substitute;

S. 4216, to reauthorize the North Korean Human Rights Act of 2004, with an amendment in the nature of a substitute;

S. 3589, to require a United States security strategy for the Western Hemisphere, with an amendment in the nature of a substitute;

H.R. 4693, to advance targeted and evidence-based interventions for the prevention and treatment of global malnutrition and to improve the coordination of such programs;

H.R. 1036, to amend the State Department Basic Authorities Act of 1956 to authorize rewards under the Department of State's rewards program relating to information regarding individuals or entities engaged in activities in contravention of United States or United Nations sanctions, with an amendment in the nature of a substitute;

H.R. 6899, to prohibit the Secretary of the Treasury from engaging in transactions involving the exchange of Special Drawing Rights issued by the International Monetary Fund that are held by the Russian Federation or Belarus;

Protocols to the North Atlantic Treaty of 1949 on the Accession of the Republic of Finland and the Kingdom of Sweden (Treaty Doc.117-03); and

The nominations of David Pressman, of New York, to be Ambassador to Hungary, Geoffrey R. Pyatt, of California, to be an Assistant Secretary (Energy Resources), Robert A. Wood, of New York, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during his tenure of service as Alternate Representative of the United States of America for Special Political Affairs in the United Nations, Dean R. Thompson, of Maryland, to be Ambassador to Nepal, Richard Lee Buangan, of California, to be Ambassador to Mongolia, and Marie C. Damour, of Virginia, to be Ambassador to the Republic of Fiji, and to serve concurrently and without additional compensation as Ambassador to the Republic of Kiribati, the Republic of Nauru, the Kingdom of Tonga, and Tuvalu, all of the Department of State, Elizabeth Shortino, of the District of Columbia, to be United States Executive Director of the International Monetary Fund, and routine lists in the Foreign Service.

THREATS TO THE HOMELAND

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine addressing weapons of mass destruction and health security threats to the homeland, including S. 4465, to establish a Countering Weapons of Mass Destruction Office and an Office of Health Security in the Department of Homeland Security, after receiving testimony from Gary C. Rasicot, Acting Assistant Secretary for Countering Weapons of Mass Destruction, and Pritesh H. Gandhi, Chief Medical Officer, both of the Department of Homeland Security; and Tina Won Sherman, Director, Homeland Security and Justice, Government Accountability Office.

KLEPTOCAPTURE

Committee on the Judiciary: Committee concluded a hearing to examine KleptoCapture, focusing on aiding Ukraine through forfeiture of Russian oligarchs' illicit assets, after receiving testimony from Andrew Adams, Director, Task Force KleptoCapture, Department of Justice; Adam M. Smith, Gibson, Dunn and Crutcher, LLP, Washington, D.C.; Casey Michel, Hudson Institute, New York, New York; and Paul B. Stephan, University of Virginia School of Law, Charlottesville.

DISCLOSE ACT

Committee on Rules and Administration: Committee concluded a hearing to examine S. 443, to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, Super PACs and other entities, after receiving testimony from Senator Whitehouse; Jeff Mangan, Montana Commissioner of Political Practices, Helena; and Virginia Kase Solomon, League of Women Voters of the United States, Daniel I. Weiner, Brennan Center for Justice at NYU School of Law, and David Keating, Institute for Free Speech, all of Washington, D.C.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 17 public bills, H.R. 8415–8431; and 4 resolutions, H.J. Res. 91; H. Con. Res. 101; and H. Res. 1233–1234 were introduced.

Pages H6881–82

Additional Cosponsors:

Page H6883

Report Filed: A report was filed today as follows:

H. Res. 1232, providing for consideration of the bill (H.R. 8294) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2023, and for other purposes; providing for consideration of the bill (H.R. 8373) to protect a person's ability to access contraceptives and to engage in contraception, and to protect a health care provider's ability to provide contraceptives, contraception, and information related to contraception; providing for consideration of the bill (H.R. 8404) to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, and for other purposes; and for other purposes (H. Rept. 117–420).

Page H6881

Speaker: Read a letter from the Speaker wherein she appointed Representative Jackson Lee to act as Speaker pro tempore for today.

Page H6709

Respect for Marriage Act: The House passed H.R. 8404, to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, by a ye-a-and-nay vote of 267 yeas to 157 nays, Roll No. 373.

Pages H6719–28, H6859

H. Res. 1232, the rule providing for consideration of the bills (H.R. 8294), (H.R. 8373), and (H.R. 8404) was agreed to by a ye-a-and-nay vote of 219 yeas to 200 nays, Roll No. 366, after the previous question was ordered by a ye-a-and-nay vote of 219 yeas to 199 nays, Roll No. 365. Pursuant to section 10 of H. Res. 1232, House Resolution 1230 was hereby adopted.

Pages H6711–19

Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2023: The House considered H.R. 8294, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2023. Consideration is expected to resume tomorrow, July 20th.

Pages H6733–H6859

Pursuant to the Rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 117–55 shall be considered as

adopted in the House and in the Committee of the Whole.

Pages H6741–H6836

Agreed to:

DeLauro amendment en bloc No. 2 consisting of the following amendments printed in part A of H. Rept. 117–420: Allred (No. 2) that increases and decreases funds by \$1,000,000 to express the intent that the Secretary of Transportation shall waive repayment of any Federal-aid highway funds expended on the construction of high occupancy vehicle lanes constructed on US 75 in Dallas County and Collin County, if the State of Texas presents the Secretary with its determination that such high occupancy vehicle lanes are not in the public interest; Carter (LA) (No. 4) that increases and decreases funding by \$3 billion with the intent to provide Community Development Block Grant Disaster Recovery (CDBG–DR) disaster assistance to cover unmet needs for the State of Louisiana due to Hurricane Ida in 2021; Castor (FL) (No. 5) that increases and decreases funding for FAA Facilities and Equipment by \$115,000,000 to highlight the need for funding to replace outdated Air Traffic Control Towers (ATCTs) across the country and to encourage the FAA to provide a report to Congress detailing the process by which ATCTs are chosen for replacement, including a list of criteria and relative importance of each criteria that FAA uses for these choices; DeSaulnier (No. 8) that increases funding for the Section 4 Capacity Building for Community Development and Affordable Housing program by \$2 million; offset by reducing the HUD Information Technology Fund account; Kahele (No. 26) that prohibits funding for the new foreign air carrier permits that are not in compliance with public interest standards; Panetta (No. 33) that provides \$2 million for grants to eligible entities to carry out activities to benefit pollinators on roadsides and highway right-of-ways under section 11528 of the Infrastructure Investment and Jobs Act (23 U.S.C. 332.); offset from the Highway Infrastructure Programs account; Pfluger (No. 34) that increases and decreases the Federal Aviation Administration account by \$1,000,000 with the intent of requiring a report within one year on the infrastructure needs at spaceports located in rural communities; Sherrill (No. 36) that increases and decreases funding for the Federal Motor Carrier Safety Administration's Safe Driver Apprenticeship Pilot Program by \$10 million to highlight the need for apprenticeship and workforce training funding for critical supply chain sectors currently facing workforce shortages, such as the trucking industry; Sherrill (No. 37) that increases and decreases by

\$5,000,000 to the U.S. Interagency Council for Homelessness with the intent to support increased outreach for vouchers/housing assistance provided through the McKinney-VASH program to maximize utilization; Baird (No. 40) that transfers \$8 million to FDA's Center for Veterinary Medicine from the Office of the Commissioner of Food and Drugs, the Office of Food Policy Response, the Office of Operations, and the Office of the Chief Scientist with the intent of improving the review and approval of animal food ingredients, and to develop solutions on how ingredient claims benefiting animal production, animal wellbeing, food safety, and the environment can be regulated as animal food; Bergman (No. 42) that increases and decreases funding for the Foreign Agriculture Service by \$1 million with the intent of fully implementing "Buy American" programs that develop markets for U.S. producers overseas, including through the Market Access Program and the Emerging Markets Program; Jackson Lee (No. 46) that transfers \$2 million to the National Institute of Food and Agriculture from the Office of the Chief Information Officer for the purpose of promoting innovation through payments to agricultural experiment stations, cooperative forestry and other research, facilities, and related expenses; Jackson Lee (No. 47) that provides that none of the funds made available for the Supplemental Nutrition Assistance Program may be used to violate section 107(b) of division A of the Victims of Trafficking and Violence Protection Act; Jacobs (CA) (No. 48) that Transfers \$3 million to the Richard B. Russell National School Lunch Program from the Office of the Chief Administrative Officer for the purpose of supporting equipment grants to help schools serve healthier meals; Kuster (No. 49) that transfers \$700,000 to Rural Cooperative Development Grants from the Agriculture Buildings and Facilities Account to increase funding for cooperative agreements for the appropriate technology transfer for rural areas program; Larsen (WA) (No. 50) that increases and decreases funding for the Research and Education Activities by \$10 million to highlight the importance of the Specialty Crop Research Initiative in addressing the needs of the specialty crop industry through research and extension activities; Neguse (No. 52) that transfers \$1 million to the Conservation Operations account from the Office of Hearing and Appeals to provide additional funding for soil, water, and conservation programs; Panetta (No. 56) that increases and decreases funds by \$3 million to emphasize the importance of FDA hiring additional staff to support the issuance of guidance for industry on foods derived from plants produced using genome editing and to modernize and improve the timelines and predictability of the Plant Biotechnology Consulta-

tion Program under FDA's 1992 Statement of Policy—Foods Derived from New Plant Varieties; Pfluger (No. 57) that increases and decreases funding for the Office of the Secretary by \$1,000,000 to highlight the need for a required report to review any companies owned, directed, controlled, financed, or influenced directly or indirectly by the Government of the People's Republic of China, the CCP, or the Chinese military that have received funding, grants, or participated in any federal program related to agriculture production, harvesting, or agriculture related research and development; Schrier (No. 59) that transfers \$2 million from Rural Development Salaries and Expenses to Agricultural Programs—Research, Education, and Economics—National Institute of Food and Agriculture for agricultural research infrastructure as authorized through the Research Facilities Act (RFA) to support land-grant universities and non-land-grant colleges of agriculture for facility construction, alteration, acquisition, modernization, renovation, or remodeling; Spanberger (No. 60) that transfers \$2 million from the Office of Hearings and Appeals to the Natural Resources Conservation Service for conservation operations and conservation technical assistance for farmers at the NRCS; Spanberger (No. 61) that transfers \$3 million from the Office of Hearings and Appeals fund to the Food and Nutrition Services Child Nutrition Programs account to fund the Farm to School Program; Stauber (No. 64) that transfers funds from the Building and Facilities account to Rural Utilities Service Circuit Rider Program to allow traveling technical assistance for rural wastewater treatment professionals; Steil (No. 65) that transfers \$5 million to the Center for Drug Evaluation and Research from the Office of the Commissioner of Food and Drugs, the Office of Food Policy and Response, the Office of Operations, the Office of the Chief Scientist to combat the illicit importation of opioids, including fentanyl, through international mail facilities and land ports-of entry; Beyer (No. 69) that increases and decreases by \$234,678,000 funding for the Office of Science to express support for the authorized level of the Fusion Energy Sciences program; DeSaulnier (No. 74) that increases the operation and maintenance account by \$3 million to fund the Harmful Algal Bloom Demonstration Program and reduces funding from the expenses account by the same amount; Escobar (No. 75) that increases and decreases funds in the Tribal Energy Loan Guarantee Program by \$8 million to emphasize the importance of supporting economic opportunities for Tribal communities through energy development projects; Graves (LA) (No. 76) that increases and decreases by \$1 million the Army Corps of Engineers' Construction account, with the intent

of requiring the Corps to complete the Comite Diversion Canal within one year of enactment; Graves (LA) (No. 77) that increases and decreases by \$1 million the Army Corps of Engineers' Construction account, with the intent of requiring the Corps to complete the Five Bayous Project (also known as the East Baton Rouge Flood Risk Reduction Project) within two years of enactment; Moore (UT) (No. 81) that increases and decreases funding by \$4 million for the Office of the Assistant Secretary of the Army for Civil Works to support calling up funding for implementation of the MAPLand Act as enacted on April 29, 2022; and Trahan (No. 96) that increases and decreases funding for the Office of Science by \$20,000,000 to draw attention to the need to accelerate the implementation of the milestone-based fusion development program (by a yea-and-nay vote of 336 yeas to 90 nays, Roll No. 368);

Pages H6840–42, H6855

DeLauro amendment en bloc No. 3 consisting of the following amendments printed in part A of H. Rept. 117–420: Auchincloss (No. 3) that increases and decreases funding by \$15 million for DOT's Office of the Assistant Secretary for Research and Technology to emphasize the importance of establishing the Advanced Research Projects Agency—Infrastructure, as authorized in the Infrastructure Investment and Jobs Act; Cohen (No. 6) that increases and decreases funding by \$1 million in the staff offices line within the FAA Operations account to express the intent that there be a moratorium on the further shrinkage of seat sizes and passenger space until the FAA publishes a final rule for minimum seat size standards as mandated by the 2018 FAA Reauthorization Act; Danny K. Davis (IL) (No. 7) that increases and decreases funding the Research, Engineering, and Development program by \$10 million to highlight the need to increase funding for the Aviation Workforce Development Grants to improve diversity of aircraft pilots and aviation maintenance workers, including by working with HBCUs, TCUs and Minority Serving Institutions; Escobar (No. 9) that increases and decreases the Office of the Secretary by \$1,000,000 to encourage the Department of Transportation to conduct a study on the potential benefits of public transit between binational communities; Escobar (No. 10) that increases and decreases funding for the Community Development Fund by \$1,000,000 to encourage the Department to establish a Colonia Ombudsman Office; Escobar (No. 11) that increases funding for the National Infrastructure Investments account by \$2,000,000 and decreases the Office of the Secretary by \$2,000,000 to ensure RAISE Grant funding is available for projects at or immediately surrounding land ports of entry; Escobar (No. 12) that increases and decreases

by \$105,800,000 for the Office of Fair Housing and Equal Opportunity to emphasize the important role it has in eliminating housing discrimination and promoting economic opportunity in economically disadvantaged communities; Jackson Lee (No. 19) that increases and decreases HUD's Office of Inspector General account by \$1,000,000 with the intent to support the OIG's oversight of the Texas General Land Office to track the accounting of Emergency Supplemental Disaster Appropriations for Hurricane Harvey Mitigation and Recovery that Congress approved for the 2017 disaster; Jackson Lee (No. 20) that provides an increase of \$1,000,000 in assistance to historically disadvantaged communities or areas impacted by persistent poverty; Jackson Lee (No. 22) that increases and decreases by \$1 million the Federal Rail Administration Safety and Operation's account to emphasize the need to provide dedicated funding to address community engagement on safety issues related railroad crossings in urban areas; Jackson Lee (No. 23) that prohibits the Department of Transportation from using funds for Section 106 Transportation construction projects in urban areas that have not been determined to meet the statutory and fiduciary obligations of the National Historic Preservation Act; Jayapal (No. 24) that increases and decreases Homeless Assistance Grants by \$3,604,000,000 to prioritize use of funds that follow "Housing First" principles to promote housing stability; Jones (NY) (No. 25) that increases and decreases funding for administrative expenses under the section 8 tenant-based rental assistance program by \$1,000,000 with the intent to allow for the use of Housing Choice Voucher Housing Assistance Payments for security deposits and holding fees; Larsen (WA) (No. 27) that increases and reduces funding for the Research, Engineering and Development account at FAA by \$1 million to make clear the need for investment in the Continuous Lower Energy, Emissions and Noise (CLEEN) program and other programs to reduce the carbon emissions from aviation; Levin (MI) (No. 28) that increases and decreases by \$12.5 million the \$5 billion Public Housing Operating Fund for Tenant Participation Activities to emphasize the need to increase funding for tenant organizing, the funding for which has not kept pace with inflation or been updated since 2001; Levin (MI) (No. 29) that increases and decreases funding by \$1,000,000 for RAISE (formerly BUILD) grants to emphasize the prioritization of grant funding towards green infrastructure projects that will decarbonize and electrify the U.S. ground transportation sector while improving local roads, bridges and rail; Manning (No. 30) that increases and decreases funding for HUD's Office of Policy Development and Research by \$1,000,000 with the intent

to conduct a nationwide study of the impact of large companies and Government-sponsored Enterprises on the supply of single-family affordable housing units; Omar (No. 32) that Increases and decreases by \$1,000,000 funds at HUD's Office of Policy Development and Research with the intent for them to work with the IRS to assess the reporting mechanisms of the Low Income Housing Tax Credit program in order to evaluate the long-term economic outcomes of tenants and communities affected by LIHTC developments; Pressley (No. 35) that increases and decreases funding for FTA's Transit Formula Grants by \$1,000,000 with the intent to conduct a study on fare free transit's impact on people with disabilities; Waters (No. 39) that increases and decreases funding for several HUD programs, including public housing, Housing Choice Vouchers, the Section 202 program, the Section 811 program, the HOME Investment Partnerships program, and the Community Development Block Grant program; Bera (No. 41) that increases and decreases Agriculture Research Service by \$1.5 million with the intent of increasing funding for alternative protein research; Escobar (No. 43) that increases and decreases funding by \$10,045,000 from the Rural Energy for America Program to emphasize the need for guaranteed loans and grant funding for renewable energy systems to make energy-efficient improvements; Houlahan (No. 45) that transfers \$15 million to the Cooperative Service Rural Business Program Account from the Office of the Chief Economist and the Building and Facilities account to support the domestic infant formula manufacturing base; Moore (WI) (No. 51) that transfers funds from the Office of Hearings and Appeals to the Office of the Under Secretary for Food, Nutrition, and Consumer Services to increase funding for the school breakfast program by \$2 million; Omar (No. 54) that increases and decreases the Food and Nutrition Services Child Nutrition Programs by \$1 million to emphasize the importance of year-round access to school meals and prohibits the stigmatization of children who are unable to pay for school meals; Omar (No. 55) that increases and decreases the Supplemental Nutrition Assistance Program by \$5 million to emphasize the importance of providing educational information in various languages regarding the use of SNAP benefits online; Plaskett (No. 58) that provides \$10 million for the micro-grants for food security program; Spanberger (No. 62) that increases and decreases Food and Drug Administration Salaries and Expenses fund to emphasize the importance of finalizing the 2010 Proposed Rulemaking "Direct-to Consumer Prescription Drug Advertisements; Presentation of the Major Statement in Television and Radio Advertising in a Clear, Conspicuous, and Neutral Manner"

as required by the Food and Drug Administration Amendments Act of 2007, which would improve regulation of pharmaceutical direct-to-consumer television ads; Spanberger (No. 63) that transfers \$1 million from the Buildings and Facilities account to Marketing and Services for the Packers and Stockyards Division to hire attorneys and staff with a background in legal investigations in order to enforce the Packers and Stockyards Act; Velazquez (No. 66) that increases funding for the Nutrition Assistance Program in Puerto Rico by \$1 billion; Auchincloss (No. 67) that increases and decreases funding by \$2 million Energy Efficiency and Renewable Energy to emphasize the importance of workforce training for the offshore wind industry; Auchincloss (No. 68) that increases funding for Energy Efficiency and Renewable Energy by \$5 million to highlight the need to establish a Milestone-Based Development Program, which would create public private partnerships where federal funds will be available to private geothermal energy companies through milestone-based funding, similar to the Milestone-Based Development Program for fusion energy; decreases funding for departmental administration by \$5 million; Bush (No. 70) that increases the Defense Production Act Domestic Clean Energy Accelerator by \$5 million and reduces Departmental Administration by \$5 million; Bush (No. 71) that increases the Office of Science by \$500,000 to support a study of the impacts of low-level radiation on human health and the environment and reduces Departmental Administration by \$500,000; Bush (No. 72) that transfers \$5 million from the Fossil Energy and Carbon Management to Energy Efficiency and Renewable Energy; Castor (FL) (No. 73) that adds and subtracts \$30 million from the DOE Office of Electricity in support of more robust funding for DOE to provide technical assistance to states for transmission planning to help create jobs, increase grid resilience, and expand access to affordable and abundant wind, solar, and other clean energy; Matsui (No. 80) that increases funding of Energy Efficiency and Renewable Energy (EERE) programs by \$3,000,000 for programs that reduce pollution and greenhouse gas emissions from our nation's transportation sector; specifically, to support the Vehicle Technologies Office the Super Truck III initiative and the Clean Cities Program; Neguse (No. 82) that increases the Water and Related Resources account by \$2 million and decreases the Policy and Administration Account by the same amount, with the intent of the increase being allocated to the WaterSMART program to support communities experiencing ongoing drought conditions; Omar (No. 84) that increases and decreases the Fossil Energy and Carbon Management account by \$1 million to

emphasize the importance of conducting a comprehensive study and consideration of the climate change and environmental justice impacts of proposed fossil fuel energy and pipeline projects; Omar (No. 85) that clarifies that the Department of Energy's Section 1703 Loan Program is providing loans only to clean energy projects that avoid, reduce, or sequester air pollutants or human-caused emissions of greenhouse gases; Peters (No. 86) that adds and subtracts \$30.5 million from the DOE Office of Electricity in support of more robust funding for the Grid Deployment Office which is integral to modernizing the nation's high voltage electric transmission lines, improving grid resiliency, creating good-paying energy jobs, and deploying cheaper, cleaner electricity across the country; Phillips (No. 89) that revised increases and decreases the Federal Energy Regulatory Commission account by \$1,000,000 with the intent to reflect that the Federal Energy Regulatory Commission's authority already includes combating climate change and lowering carbon emissions; Scanlon (No. 93) that increases and decreases by \$1 the Energy Efficiency and Renewable Energy account to urge the Department of Energy to dedicate no fewer than \$5 million for research, development, and demonstration of appropriate measurement, reporting and, verification (MRV) systems for hydrogen leakage, as well as hydrogen leak detection and repair (LDAR) programs; Sherrill (No. 94) that increases and decreases funding by \$5,000,000 for the Department of Energy's Office of Energy Efficiency and Renewable Energy to emphasize the importance of the Secretary of Energy studying the impacts of inflation, including regional differences in the cost of living, on the implementation and awarding of weatherization grants and identifying opportunities to mitigate such regional inflationary impacts; and Speier (No. 95) that increases funding for Energy Efficiency and Renewable Energy by \$3 million to support research and development on battery and electrification technologies, including means to reduce electric battery cell cost, eliminate dependence on rare earths, and mitigate battery supply chain risks; decreases funding for departmental administration by \$3 million (by a yea-and-nay vote of 225 yeas to 201 nays, Roll No. 369); and

Pages H6842–45, H6856

DeLauro amendment en bloc No. 6 consisting of the following amendments printed in part A of H. Rept. 117–420: Auchincloss (No. 98) that increases and decreases the Community Development Financial Institutions Fund by \$1 million to emphasize the importance of new CDFIs to assist underserved communities; Beatty (No. 99) that increases and decreases \$20 from the Department of Treasury with the intent to instruct the public release of a design

for \$20 Federal Notes that prominently feature the abolitionist, Harriet Tubman; Carson (IN) (No. 101) that increases and decreases the Treasury Salaries and Expenses account by \$500,000 to encourage Treasury to work with the Consumer Financial Protection Bureau to study the best models for financial literacy programming and assist schools, nonprofits, and localities in developing their own financial literacy programs for young people and families; Castor (FL) (No. 102) that increases the amount for Special Emphasis Programs by \$20 million in support of more robust funding for GSA to reduce energy and water consumption and to enhance the resilience of Federal facilities; decreases the amount for rental of space by \$20 million; Escobar (No. 108) that increases the Economic Mobility Corps Program by \$2 million to continue to provide financial literacy programs to individuals with disabilities and populations in high-poverty areas; decreases the GSA Federal Building fund rental account by \$2 million; Gottheimer (No. 114) that increases funding by \$1 million for the Department of the Treasury to support efforts to study the potential interaction between central bank digital currencies and privately issued stablecoins and ways to ensure the US dollar remains the reserve currency as the use of digital currencies increases around the globe; Houlahan (No. 119) that increases and decreases funding for the Growth Accelerators Program under SBA's Entrepreneurial Development Programs by \$5 million with the intent of meeting the President's Budget Request; Jayapal (No. 121) that increases and decreases the salaries and expenses account for the Public Buildings Reform Board by \$4,000,000 to encourage maximize readiness to implement the Federal Assets Sale and Transfer Act of 2016 and convene regular meetings; Levin (MI) (No. 124) that increases and decreases funding for the Election Assistance Commission to emphasize the need that allocated funds go to help states pay for election worker wages in order to increase the number of poll workers and improve the administration of elections; Morelle (No. 126) that increases and decreases funding for the Federal Trade Commission (FTC) account by \$5 million to encourage the FTC to continue using its existing authority to protect the consumer's right to repair and ensure that companies who engage in the anti-competitive conduct of limiting repairs by consumers are held accountable; Morelle (No. 127) that increases and decreases funding for the General Services Administration (GSA) Federal Building Fund by \$1 million to encourage the GSA to integrate the procurement of remanufactured products into its sustainability initiatives and develop enforceable measures to prioritize the procurement of remanufactured products; Omar (No. 129) that increases and decreases the Treasury

Salaries and Expenses account by \$1,000,000 to encourage Treasury to work with the Consumer Financial Protection Bureau to study the rise of charge-off rates and help consumers resolve mistaken or longstanding negative information on credit reports; Omar (No. 130) that increases and decreases the Financial Crimes Enforcement Network salaries and expenses account by \$1,000,000 to encourage addressing de-risking and banking access issues faced by Muslim Americans and immigrant communities; Quigley (No. 132) that provides that none of the funds appropriated by this Act may be used in contravention of Executive Order 14076; Waters (No. 138) that increases and decrease funding for the Community Development Financial Institutions (CDFI) Fund by \$336,420,000; Auchincloss (No. 140) that increases and decreases funding for the Environmental Protection Agency by \$2,000,000 to emphasize the importance of conducting Per- and Polyfluoroalkyl Substances-related research in accordance with the EPA's new acceptable exposure limits; Castor (FL) (No. 144) that adds and subtracts \$80 million from the EPA Environmental Programs and Management, in support of more robust funding for the voluntary EPA ENERGY STAR program, which helps consumers and businesses identify energy-efficient products; Escobar (No. 146) that increases and decreases funds by \$74,362,000 for the State and Tribal Wildlife Grant Programs to highlight the importance of research, surveys, and species and habitat management; Jackson Lee (No. 154) that increases and decreases funding for EPA Environmental Programs and Management by \$5 million to highlight the need to support culturally competent federal, state, and local public health and environmental protection efforts to address cancer clusters impacting overburdened communities in the gulf coast region; Omar (No. 162) that increases and decreases funds for the Bureau of Land Management by \$1 million to emphasize the importance of honoring treaties and conducting true and meaningful government-to-government consultation with Native Nations, Tribes, and Indigenous communities; Rice (NY) (No. 165) that transfers \$1 million from the DOI Office of the Secretary's Departmental Operations budget to the Bureau of Ocean Energy Management intended for the Office of Renewable Energy Programs for the purpose of supporting wind energy development; Ross (No. 166) that prohibits the use of funds to enforce the withdrawal of certain areas of the outer continental shelf from offshore wind leasing activities off the coasts of North Carolina, South Carolina, Georgia, and Florida; Scott (GA) (No. 169) that increases and decreases funding for the State and Tribal Assistance Grants Account by \$1 million to highlight the need for increased air quality monitoring

in urban communities; Sherrill (No. 170) that increases and decreases funding by \$15,000,000 for the Environmental Protection Agency's Environmental Programs and Management account to emphasize the authority of the Administrator of the Environmental Protection Agency to, with the consent of parties to an environmental enforcement action, reduce or compromise penalties assessed in exchange for the defendant or respondent party or parties funding environmentally beneficial projects that address environmental or public health hazards of a similar nature to those underlying the violations for which penalties were assessed; Tlaib (No. 171) that increases and decreases DWSRF funding by \$1,000,000 related to grants made available by Clean Water State Revolving Fund and Drinking Water State Revolving Fund; Auchincloss (No. 173) that increases and decreases funding for the Veterans Electronic Health Record system by \$5 million to emphasize the importance of updating and maintaining the system; Escobar (No. 176) that increases and decrease by \$997,425,000 the Military Construction, Army account with the intent to express the need for more investments in large Mobilization Force Generation Installations, such as Fort Bliss in El Paso, Texas, to maintain and improve the Department's capability to rapidly and efficiently mobilize forces and resources, conduct training operations, and meet other readiness needs; Escobar (No. 177) that increases and decreases funding for the Veterans Affairs Construction, Major Projects account to highlight the need for the VA to include a new Sterile Processing Service unit in their budget for the new El Paso VA health center; Escobar (No. 178) that increases and decreases funding for the Veterans Benefits Administration, General Operating Expenses account to emphasize the need for the Department to include food security screening questions in the Solid Start program to ensure new veterans are being connected to appropriate nutrition resources; and Norton (No. 185) that increases and decreases funding by \$1 million for the Veterans Benefits Administration to provide support to law school clinical programs that assist veterans with legal matters (by a yea-and-nay vote of 224 yeas to 204 nays, Roll No. 372).

Pages H6849–54, H6858

Rejected:

DeLauro amendment en bloc No. 1 consisting of the following amendments printed in part A of H. Rept. 117–420: Allen (No. 1) that sought to reduce amounts made available by this Act by 5 percent;

Hern (No. 18) that sought to reduce the Transportation, Housing and Urban Development, and Related Agencies appropriations budget by 26%; Norman (No. 31) that sought to cut Division A spending by 5 percent; Hern (No. 44) that sought to reduce funding for Division B by 22%; Norman (No. 53) that sought to reduce funding for Division B by 5%; Hern (No. 79) that sought to reduce all funding provided in Division C by 24 percent, other than those defined as “security category”; Norman (No. 83) that sought to cut Division C funding by 5 percent; Allen (No. 97) that sought to reduce the Financial Services and General Government appropriations budget by 5%; Hern (No. 118) that sought to reduce all funding provided in Division D by 22 percent, other than those defined as “security category”; Norman (No. 128) that sought to reduce Division D funding by 5 percent; Allen (No. 139) that sought to reduce funding provided in Division E by 5 percent; Hern (No. 151) that sought to reduce funding provided in Division E by 22 percent; and Norman (No. 160) that sought to cut Division E funding by 5 percent (by a yea-and-nay vote of 199 yeas to 229 nays, Roll No. 367);

Pages H6837–40, H6854–55

DeLauro amendment en bloc No. 4 consisting of the following amendments printed in part A of H. Rept. 117–420: Good (No. 13) that sought to ensure that no funds are used to implement, administer, or enforce the Davis-Bacon Act; and Good (No. 179) that sought to ensure that no funds are used to implement, administer, or enforce the Davis-Bacon Act (by a yea-and-nay vote of 165 yeas to 264 nays, Roll No. 370); and

Pages H6845–47, H6856–57

DeLauro amendment en bloc No. 5 consisting of the following amendments printed in part A of H. Rept. 117–420: Good (No. 14) that sought to strike \$11,000,000 to purchase electric vehicles; Good (No. 15) that sought to strike \$75,000,000 to the “climate resilience” of public housing; Grothman (No. 16) that sought to prohibit funding for the DOT’s Equity Action Plan; Grothman (No. 17) that sought to decrease funding for the Community Development Block Grant by \$300,000,000; Taylor (No. 38) that sought to increase and decrease the Federal-Aid Highways account funding by \$1 million with intent to direct the Department of Transportation to conduct a study on the effectiveness of transportation projects; Grothman (No. 78) that sought to prohibit funds from being used to fund the Office of Economic Impact and Diversity of the Department of Energy; Pfluger (No. 87) that sought to prohibit funds from being used to implement or enforce Executive Order 14008, entitled “Tackling the Climate Crisis at Home and Abroad”; Pfluger (No. 88) that sought to strike all funding for the Defense Produc-

tion Act Domestic Clean Energy Accelerator; Roy (No. 90) that sought to defund the Department of Energy’s Office of Economic Impact and Diversity; Roy (No. 91) that sought to strike funding for the Advanced Research Projects Agency-Energy; Roy (No. 92) that sought to strike all funding for the Defense Production Act Domestic Clean Energy Accelerator; Budd (No. 100) that sought to prohibit funding to implement Executive Order 14019; Clyde (No. 103) that sought to prohibit funds made available by this Act may be used to promulgate, implement, administer, or enforce Executive Order 14076, titled “Protecting Access to Reproductive Healthcare Services,” signed by President Biden on July 8, 2022; Davidson (No. 105) that sought to prohibit funds from being used to amend Investment Advisor and Investment Company disclosure forms so that no environmental, social, and governance disclosures would be required from such entities; Fallon (No. 109) that sought to prevent the establishment of Treasury-back Green Bonds; Fallon (No. 110) that sought to strike funding for the Electric Vehicle Fund account; Fitzgerald (No. 111) that sought to prohibit funds being made available to the FTC from being used to promulgate any rule defining or describing unfair methods of competition for purposes of the Federal Trade Commission Act; Gooden (No. 112) that sought to strike the section creating a Commission on Federal Naming and Displays; Grothman (No. 117) that sought to strike the provision related to the Commission on Federal Naming and Displays; Huizenga (No. 120) that sought to increase and decrease funding for the Securities and Exchange Commission by \$83 million to highlight the importance of economic and cost-benefit analysis by the Division of Economic and Risk Analysis for proposed rulemaking; Joyce (No. 122) that sought to prohibit the use of funds for finalizing, implementing, or enforcing the SEC rule titled, “The Enhancement and Standardization of Climate-Related Disclosures for Investors.”; Pfluger (No. 131) that sought to strike funding for electric vehicle purchases by the United States Postal Service; Rose (No. 133) that sought to prohibit the Securities and Exchange Commission (SEC) from implementing provisions of its rulemaking on “the Enhancement and Standardization of Climate-related Disclosures for Investors” that would require the disclosure of Scope 3 emissions; Roy (No. 134) that sought to prevent funding for the implementation of President Biden’s Executive Order 13985, relating to Advancing Racial Equity and Support for Underserved Communities Through the Federal Government; Roy (No. 135) that sought to eliminate funding for the Federal Labor Relations Authority (FLRA); Burgess (No. 143) that sought to place a funding limitation on

the Environmental Protection Agency from using the special pay authority in subsection (f) or (g) of section 207 of the Public Health Service Act to hire new employees or transition existing employees; Duncan (No. 145) that sought to strike the prohibition on the use of funds to issue a permit for the import of a sport-hunted elephant or lion trophy taken from Zimbabwe, Zambia, and Tanzania; Gooden (No. 147) that sought to prohibit funds from being used for environmental justice activities; Grothman (No. 148) that sought to reduce the National Foundation on the Arts and Humanities (National Endowment for the Arts and National Endowment for the Humanities) total from \$414,000,000 to \$299,697,000; Grothman (No. 149) that sought to reduce funding for Smithsonian Institution Salaries and Expenses by \$311,153,000; Grothman (No. 150) that sought to reduce EPA Environmental Programs and Management, under which funds are available for environmental justice implementation and training grants, by \$294,938,000; Miller (No. 157) that sought to strike the proviso allowing EPA Environmental Programs and Management funds to be used for environmental justice implementation and training grants; Pfluger (No. 163) that sought to prohibit funds from being used to implement Executive Order 14008, entitled “Tackling the Climate Crisis at Home and Abroad.”; Roy (No. 167) that sought to prohibit Bureau of Ocean Energy Management funds from being used for renewable energy programs and reduces BOEM—Ocean Energy Management funds by \$51,675,000; Roy (No. 168) that sought to prohibit Bureau of Indian Affairs (BIA) funds from being used for Tribal climate resilience programs and reduce BIA—Operation of Indian Programs funds by \$59,859,000; and Budd (No. 175) that sought to prohibit funding to implement Executive Order 14019 entitled “Promoting Access to Voting.” (by a yeas-and-nays vote of 197 yeas to 230 yeas, Roll No. 371).

Pages H6847–49, H6857–58

H. Res. 1232, the rule providing for consideration of the bills (H.R. 8294), (H.R. 8373), and (H.R. 8404) was agreed to by a yeas-and-nays vote of 219 yeas to 200 yeas, Roll No. 366, after the previous question was ordered by a yeas-and-nays vote of 219 yeas to 199 yeas, Roll No. 365. Pursuant to section 10 of H. Res. 1232, House Resolution 1230 was hereby adopted.

Pages H6711–19

Suspending the Rules and passing bills en bloc: Pursuant to section 9 of H. Res. 1232, Representative DeLauro made a motion to suspend the rules and pass the following bills en bloc, and therefore the ordering of the yeas and nays on postponed motions would be vacated to the end that all such motions would be considered as withdrawn: H.R. 1286, as amended; H.R. 2024, as amended; H.R. 3222, as

amended; H.R. 6337, as amended; and H.R. 7002, which was agreed to by a yeas-and-nays vote of 365 yeas to 57 yeas, Roll No. 374.

Pages H6728–33, H6860–65

Agreed to amend the title of H.R. 1286 as follows: “To establish the Southern Campaign of the Revolution National Heritage Corridor, and for other purposes.”.

Page H6865

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and pass the following measures. Consideration began Monday, July 18th.

Desert Sage Youth Wellness Center Access Improvement Act: S. 144, to authorize the Secretary of Health and Human Services, acting through the Director of the Indian Health Service, to acquire private land to facilitate access to the Desert Sage Youth Wellness Center in Hemet, California, by a $\frac{2}{3}$ yeas-and-nays vote of 379 yeas to 41 yeas, Roll No. 375;

Pages H6865–66

Kissimmee River Wild and Scenic River Act: H.R. 4404, amended, to amend the Wild and Scenic Rivers Act to designate segments of the Kissimmee River in the State of Florida as a component of the Wild and Scenic Rivers System, by a $\frac{2}{3}$ yeas-and-nays vote of 377 yeas to 45 yeas, Roll No. 376;

Page H6866

Advancing Human Rights-Centered International Conservation Act of 2022: H.R. 7025, amended, to prohibit the Director of the United States Fish and Wildlife Service from funding entities that commit, fund, or support gross violations of internationally recognized human rights, by a $\frac{2}{3}$ yeas-and-nays vote of 379 yeas to 43 yeas, Roll No. 377; and

Pages H6866–67

National Park Foundation Reauthorization Act of 2022: H.R. 7693, to amend title 54, United States Code, to reauthorize the National Park Foundation, by a $\frac{2}{3}$ yeas-and-nays vote of 397 yeas to 22 yeas, Roll No. 378.

Pages H6867–68

Presidential Message: Read a message from the President wherein he notified the Congress of declaring a national emergency with respect to hostage-taking and the wrongful detention of United States nationals—Referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 117–132).

Page H6869

Quorum Calls—Votes: Fourteen yeas-and-nays votes developed during the proceedings of today and appear on pages H6717–18, H6718, H6854–55, H6855, H6856, H6856–57, H6857–58, H6858, H6859, H6864–65, H6865, H6866, H6866–67, and H6867–68.

Adjournment: The House met at 10 a.m. and adjourned at 8:36 p.m.

Committee Meetings

FISCAL YEAR 2023 READINESS PROGRAM UPDATE

Committee on Armed Services: Subcommittee on Readiness held a hearing entitled “Fiscal Year 2023 Readiness Program Update”. Testimony was heard from General Joseph M. Martin, Vice Chief of Staff, U.S. Army; Vice Admiral Randy Crites, Deputy Chief of Naval Operations, Capabilities and Resources, U.S. Navy; General Eric M. Smith, Assistant Commandant of the Marine Corps, U.S. Marine Corps; General David W. Allvin, Vice Chief of Staff, U.S. Air Force; and General David D. Thompson, Vice Chief of Space Operations, U.S. Space Force.

THE HISTORY AND CONTINUED CONTRIBUTIONS OF TRIBAL COLLEGES AND UNIVERSITIES

Committee on Education and Labor: Subcommittee on Higher Education and Workforce Investment held a hearing entitled “The History and Continued Contributions of Tribal Colleges and Universities”. Testimony was heard from public witnesses.

ROE REVERSAL: THE IMPACTS OF TAKING AWAY THE CONSTITUTIONAL RIGHT TO AN ABORTION

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled “Roe Reversal: The Impacts of Taking Away the Constitutional Right to an Abortion”. Testimony was heard from public witnesses.

OVERSIGHT OF THE SEC'S DIVISION OF ENFORCEMENT

Committee on Financial Services: Subcommittee on Investor Protection, Entrepreneurship and Capital Markets held a hearing entitled “Oversight of the SEC's Division of Enforcement”. Testimony was heard from Gurbir S. Grewal, Director, Division of Enforcement, Securities and Exchange Commission.

THOUGHTS AND PRAYERS ARE NOT ENOUGH: HOW MASS SHOOTINGS HARM COMMUNITIES, LOCAL ECONOMIES AND ECONOMIC GROWTH

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing entitled “Thoughts and Prayers are Not Enough: How Mass Shootings Harm Communities, Local Economies and Economic Growth”. Testimony was heard from Byron Brown, Mayor, Buffalo, New York; and public witnesses.

ASSESSING THE U.S. ECONOMIC POLICY RESPONSE TO RUSSIA'S INVASION OF UKRAINE

Committee on Foreign Affairs: Full Committee held a hearing entitled “Assessing the U.S. Economic Policy Response to Russia's Invasion of Ukraine”. Testimony was heard from Alan F. Estevez, Under Secretary of Commerce for Industry and Security, Bureau of Industry and Security, Department of Commerce.

SUPPORTING UNDERSERVED COMMUNITIES IN EMERGENCY MANAGEMENT

Committee on Homeland Security: Subcommittee on Emergency Preparedness, Response, and Recovery held a hearing entitled “Supporting Underserved Communities in Emergency Management”. Testimony was heard from Preston Bowlin, Director, Emergency Management Division, Marion County, Florida; and public witnesses.

DIGITAL DRAGNETS: EXAMINING THE GOVERNMENT'S ACCESS TO YOUR PERSONAL DATA

Committee on the Judiciary: Full Committee held a hearing entitled “Digital Dragnets: Examining the Government's Access to Your Personal Data”. Testimony was heard from former Member Bob Goodlatte; and public witnesses.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on Energy and Mineral Resources held a hearing on H.R. 3681, the “Sinkhole Mapping Act of 2021”; H.R. 5522, the “Federal Land Asset Inventory Reform Act”; H.R. 5805, the “Buffalo Tract Protection Act”; and H.R. 5350, the “Enhancing Geothermal Production on Federal Lands Act”. Testimony was heard from Michael D. Nedd, Deputy Director for Operations, Bureau of Land Management, Department of the Interior; and public witnesses.

UNDERSTANDING AND ADDRESSING LONG COVID AND ITS HEALTH AND ECONOMIC CONSEQUENCES

Committee on Oversight and Reform: Select Subcommittee on the Coronavirus Crisis held a hearing entitled “Understanding and Addressing Long COVID and Its Health and Economic Consequences”. Testimony was heard from public witnesses.

REGENERATIVE AGRICULTURE: HOW FARMERS AND RANCHERS ARE ESSENTIAL TO SOLVING CLIMATE CHANGE AND INCREASING FOOD PRODUCTION

Committee on Oversight and Reform: Subcommittee on Environment held a hearing entitled “Regenerative Agriculture: How Farmers and Ranchers are Essential to Solving Climate Change and Increasing Food Production”. Testimony was heard from Brian Lacefield, Director, Office of Agricultural Policy, Kentucky; and public witnesses.

THE SBA OFFICE OF INTERNATIONAL TRADE AND THE STEP PROGRAM AS KEY TOOLS FOR RECOVERY AND EXPANSION

Committee on Small Business: Subcommittee on Economic Growth, Tax, and Capital Access held a hearing entitled “The SBA Office of International Trade and the STEP Program as Key Tools for Recovery and Expansion”. Testimony was heard from Mary Waters, Deputy Commissioner, International Trade, Georgia Department of Economic Development; William E. Spear, Manager, Office of Export Promotion, Business Action Center, New Jersey Department of State; and public witnesses.

IMPLEMENTING THE INFRASTRUCTURE INVESTMENT AND JOBS ACT

Committee on Transportation and Infrastructure: Full Committee held a hearing entitled “Implementing the Infrastructure Investment and Jobs Act”. Testimony was heard from Pete Buttigieg, Secretary, Department of Transportation.

MISCELLANEOUS MEASURES

Committee on Veterans' Affairs: Full Committee held a markup on a Resolution to Reauthorize the Women Veterans Task Force; a Resolution on Subcommittee Assignments; H.R. 8260, the “Fast Payments to Veteran Survivors Act of 2022”; H.R. 7846, the “Veterans’ Compensation Cost of Living Adjustment Act of 2022”; H.R. 7299, the “Strengthening VA Cybersecurity Act of 2022”; H.R. 8003, the “Restore Veterans Dignity Act of 2022”; H.R. 8215, the “VOICE Act of 2022”; H.R. 6647, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; H.R. 5606, the “Return Home to Housing Act”; H.R. 5776, the “Serving Our LGBTQ Veterans Act”; H.R. 6823, the “Elizabeth Dole Home and Community Based Services for Veterans and Caregivers Act of 2022”; H.R. 3693, the “VA CPE Modernization Act”; H.R. 291, the “VA COST SAVINGS Enhancements Act”; H.R. 5752, the “Emergency Relief for

Servicemembers Act”; H.R. 7939, the “Student Veteran Emergency Relief Act of 2022”; H.R. 7188, the “Modernizing Department of Veterans Affairs Disability Benefit Questionnaires Act”; H.R. 7735, the “Improving Access to the VA Home Loan Benefit Act of 2022”; H.R. 8313, the “House Every Veteran Act”; H.R. 5916, the “Wounded Warrior Access Act”; and H.R. 6671, to amend title 38, United States Code, to ensure that a member of the Armed Services, granted a general discharge under honorable conditions on the sole basis that such member failed to obey a lawful order to receive a vaccine for COVID-19, is eligible for certain educational assistance administered by the Secretary of Veterans Affairs.

BUSINESS MEETING

Select Committee on the Modernization of Congress: Full Committee held a business meeting on 29 Committee Recommendations to Strengthen Congressional Oversight Capacity, Modernize House Office Buildings, Modernize the Legislative Process, and Ensure the First Branch is Prepared in Times of Crisis. The 29 Committee Recommendations were approved.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, JULY 20, 2022

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, to hold hearings to examine food safety and the Food and Drug Administration, 10 a.m., SD-124.

Committee on Commerce, Science, and Transportation: to hold hearings to examine the nomination of Arati Prabhakar, of California, to be Director of the Office of Science and Technology Policy, 10 a.m., SR-253.

Committee on Finance: to hold hearings to examine the role of tax incentives in affordable housing, 10 a.m., SD-215.

Committee on Foreign Relations: to hold hearings to examine the global food security crisis and the U.S. response, 10 a.m., SD-419.

Committee on Indian Affairs: to hold hearings to examine S. 4104, to approve the settlement of water rights claims of the Hualapai Tribe and certain allottees in the State of Arizona, to authorize construction of a water project relating to those water rights claims, S. 4439, to take certain Federal land located in Siskiyou County, California, and Humboldt County, California, into trust for the benefit of the Karuk Tribe, and H.R. 5221, to amend

the Indian Health Care Improvement Act to establish an urban Indian organization confer policy for the Department of Health and Human Services, 2:30 p.m., SD-628.

Committee on the Judiciary: to hold hearings to examine the Highland Park attack, focusing on protecting our communities from mass shootings, 10 a.m., SH-216.

Committee on Veterans' Affairs: to hold hearings to examine the status of VA's electronic health record modernization program, 3 p.m., SR-418.

Select Committee on Intelligence: closed business meeting to consider pending calendar business; to be immediately followed by a closed briefing on certain intelligence matters, 2:30 p.m., SVC-217.

House

Committee on Agriculture, Subcommittee on General Farm Commodities and Risk Management, hearing entitled "A 2022 Review of the Farm Bill: Stakeholder Perspectives on Title XI Crop Insurance", 10 a.m., 1300 Longworth and Zoom.

Committee on the Budget, Full Committee, hearing entitled "Examining the Powerful Impact of Investments in Early Childhood for Children, Families, and Our Nation's Economy", 10:30 a.m., 210 Cannon and Zoom.

Committee on Education and Labor, Subcommittee on Workforce Protections, hearing entitled "Second Class Workers: Assessing H2 Visa Programs Impact on Workers", 10:15 a.m., 2175 Rayburn and Zoom.

Committee on Energy and Commerce, Full Committee, markup on H.R. 3962, the "Securing and Enabling Commerce Using Remote and Electronic Notarization Act of 2021"; H.R. 4081, the "Informing Consumers About Smart Devices Act"; H.R. 4551, the "RANSOMWARE Act"; H.R. 5313, "Reese's Law"; H.R. 6290, the "Manufacturing.gov Act"; H.R. 8152, the "American Data Privacy and Protection Act", 9:45 a.m., 2123 Rayburn and Webex.

Committee on Financial Services, Full Committee, hearing entitled "Housing in America: Oversight of the Federal Housing Finance Agency", 10 a.m., 2128 Rayburn and Webex.

Committee on Foreign Affairs, Subcommittee on the Western Hemisphere, Civilian Security, Migration and International Economic Policy, hearing entitled "Russia in the Western Hemisphere: Assessing Putin's Malign Influence in Latin America and the Caribbean", 2 p.m., Webex.

Committee on Homeland Security, Full Committee, hearing entitled "The Changing Election Security Landscape: Threats to Election Officials and Infrastructure", 9:30 a.m., 310 Cannon and Webex.

Committee on the Judiciary, Full Committee, markup on H.R. 2814, the "Equal Access to Justice for Victims of Gun Violence Act"; and H.R. 1808, the "Assault Weapons Ban of 2021", 10 a.m., 2141 Rayburn and Zoom.

Committee on Natural Resources, Full Committee, markup on H.R. 6353, the "National Service Animals Memorial Act"; H.R. 6438, the "Dearfield Study Act"; H.R. 6799, the "John P. Parker House Study Act"; H.R. 7618, to designate the Kol Israel Foundation Holocaust Memorial in Bedford Heights, Ohio, as a national memorial; and

H.R. 8393, to enable the people of Puerto Rico to choose a permanent, nonterritorial, fully self-governing political status for Puerto Rico and to provide for a transition to and the implementation of that permanent, nonterritorial, fully self-governing political status, and for other purposes, 10 a.m., 1324 Longworth and Webex.

Committee on Oversight and Reform, Full Committee, continue markup on H.R. 4258, to establish a government-wide approach to improving digital identity, and for other purposes; H.R. 6548, to establish new Federal renewable energy use requirements, support the equitable transition to clean energy power generation, and require cumulative impact assessments for fossil fuel-fired power plant permitting, and for other purposes; H.R. 7602, to prevent organizational conflicts of interest in Federal acquisition, and for other purposes; H.R. 8322, to amend title 31, United States Code, to establish the Federal Real Antifraud Unified Directorate, to require agencies implement anti-fraud controls for programs susceptible to significant improper payments and high-priority programs, and for other purposes; H.R. 8325, to amend title 41, United States Code, to prevent personal conflicts of interest in Federal acquisition, and for other purposes; H.R. 8326, to amend title 13, United States Code, to improve the operations of the Bureau of the Census, and for other purposes; H.R. 7873, to designate the facility of the United States Postal Service located at 400 Southern Avenue Southeast in Washington, District of Columbia, as the "District of Columbia Servicemembers and Veterans Post Office"; H.R. 8025, to designate the facility of the United States Postal Service located at 100 South 1st Street in Minneapolis, Minnesota, as the "Martin Olav Sabo Post Office"; H.R. 8026, to designate the facility of the United States Postal Service located at 825 West 65th Street in Minneapolis, Minnesota, as the "Charles W. Lindberg Post Office"; H.R. 8217, to designate the facility of the United States Postal Service located at 430 South Knowles Avenue in New Richmond, Wisconsin, as the "Captain Robert C. Harmon and Private John R. Peirson Post Office Building"; H.R. 8218, to designate the facility of the United States Postal Service located at 619 Hewett Street in Neillsville, Wisconsin, as the "Corporal Mitchell Red Cloud, Jr. Post Office"; and H.R. 8248, to designate the facility of the United States Postal Service located at 609 Portsmouth Avenue in Greenland, New Hampshire, as the "Chief Michael Maloney Post Office Building", 10 a.m., 2154 Rayburn and Zoom.

Committee on Science, Space, and Technology, Subcommittee on Investigations and Oversight, hearing entitled "Paper Mills and Research Misconduct: Facing the Challenges of Scientific Publishing", 10 a.m., 2318 Rayburn and Zoom.

Committee on Small Business, Subcommittee on Underserved, Agricultural, and Rural Business Development, hearing entitled "SBA District Office Collaboration with Resource Partners", 10 a.m., 2360 Rayburn and Zoom.

Committee on Transportation and Infrastructure, Full Committee, markup on H.R. 884, the "National Aviation Preparedness Plan Act"; H.R. 2187, the "Truck Parking Safety Improvement Act"; legislation on the Disaster Survivors Fairness Act of 2022; H.R. 7636, the "BRIGHT

Act”; and General Services Administration’s Capital Investment and Leasing Program Resolutions, 10 a.m., 2167 Rayburn and Zoom.

Committee on Veterans’ Affairs, Subcommittee on Economic Opportunity; and Subcommittee on Technology Modernization, joint hearing entitled “Modernizing Veteran Education in the Shadow of COVID-19”, 1 p.m., HVC-210 and Zoom.

Permanent Select Committee on Intelligence, Full Committee, markup on H.R. 8367, to authorize appropriations for fiscal year 2023 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and

for other purposes; and to Authorize all Members of the House of Representatives to review, at a time to be determined by the Committee, the Classified Annex to the Intelligence Authorization Act for Fiscal Year 2023, 9:30 a.m., HVC-304. This markup is closed.

Joint Meetings

Commission on Security and Cooperation in Europe: to hold hearings to examine life in Ukraine’s newly occupied territories, 2:30 p.m., SD-562.

Joint Economic Committee: to hold hearings to examine the economic toll of gun violence, focusing on how our nation bears the costs, 2:30 p.m., 1300, Longworth Building.

Next Meeting of the SENATE

10 a.m., Wednesday, July 20

Senate Chamber

Program for Wednesday: Senate will resume consideration of the nomination of Gregory Brian Williams, of Delaware, to be United States District Judge for the District of Delaware, and vote on the motion to invoke cloture thereon at 11:30 a.m. If cloture is invoked on the nomination, Senate will vote on confirmation thereon at 2:30 p.m.

Following disposition of the nomination of Gregory Brian Williams, Senate will vote on the motion to invoke cloture on the nomination of Natasha C. Merle, of New York, to be United States District Judge for the Eastern District of New York.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, July 20

House Chamber

Program for Wednesday: Complete consideration of H.R. 8294—Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2023.

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