

117TH CONGRESS
2^D SESSION

H. R. 8294

AN ACT

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6 TITLE I

7 DEPARTMENT OF TRANSPORTATION

8 OFFICE OF THE SECRETARY

9 SALARIES AND EXPENSES

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9 RESEARCH AND TECHNOLOGY

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

1 NATIONAL INFRASTRUCTURE INVESTMENTS

2 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

9 THRIVING COMMUNITIES INITIATIVE

10 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

3 NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE
4 FINANCE BUREAU

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

21 RAILROAD REHABILITATION AND IMPROVEMENT
22 FINANCING PROGRAM

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

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

3 FINANCIAL MANAGEMENT CAPITAL

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

8 CYBER SECURITY INITIATIVES

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

17 OFFICE OF CIVIL RIGHTS

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

20 TRANSPORTATION PLANNING, RESEARCH, AND

21 DEVELOPMENT

22 (INCLUDING TRANSFER OF FUNDS)

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

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

15 WORKING CAPITAL FUND

16 (INCLUDING TRANSFER OF FUNDS)

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

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

12 SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND
13 OUTREACH

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

1 PAYMENTS TO AIR CARRIERS

2 (AIRPORT AND AIRWAY TRUST FUND)

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

1 ELECTRIC VEHICLE FLEET

2 (INCLUDING TRANSFER OF FUNDS)

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

17 ADMINISTRATIVE PROVISIONS—OFFICE OF THE

18 SECRETARY OF TRANSPORTATION

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

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

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

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

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

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

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

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

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

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

15 FEDERAL AVIATION ADMINISTRATION

16 OPERATIONS

17 (AIRPORT AND AIRWAY TRUST FUND)

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

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

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

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

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

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

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

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

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

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

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

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

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

13 FACILITIES AND EQUIPMENT

14 (AIRPORT AND AIRWAY TRUST FUND)

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

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

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

1 RESEARCH, ENGINEERING, AND DEVELOPMENT

2 (AIRPORT AND AIRWAY TRUST FUND)

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

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

5 GRANTS-IN-AID FOR AIRPORTS
6 (LIQUIDATION OF CONTRACT AUTHORIZATION)
7 (LIMITATION ON OBLIGATIONS)
8 (AIRPORT AND AIRWAY TRUST FUND)
9 (INCLUDING TRANSFER OF FUNDS)

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

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

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

8 GRANTS-IN-AID FOR AIRPORTS

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

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

13 ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION
14 ADMINISTRATION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 FEDERAL HIGHWAY ADMINISTRATION

4 LIMITATION ON ADMINISTRATIVE EXPENSES

5 (HIGHWAY TRUST FUND)

6 (INCLUDING TRANSFER OF FUNDS)

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

14 FEDERAL-AID HIGHWAYS

15 (LIMITATION ON OBLIGATIONS)

16 (HIGHWAY TRUST FUND)

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

1 (LIQUIDATION OF CONTRACT AUTHORIZATION)

2 (HIGHWAY TRUST FUND)

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

8 HIGHWAY INFRASTRUCTURE PROGRAMS

9 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 (8) \$2,000,000 shall be for grants to eligible
4 entities to carry out activities to benefit pollinators
5 on roadsides and highway rights-of-way under sec-
6 tion 11528 of the Infrastructure Investment and
7 Jobs Act (23 U.S.C. 332);

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

16 (10) \$5,000,000 shall be for a cooperative se-
17 ries of agreements to examine the impacts of cul-
18 verts, roads, and bridges on threatened or endan-
19 gered salmon populations.

20 ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY

21 ADMINISTRATION

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

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

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

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

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

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

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

19 (3) determine the proportion that—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

14 MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

15 (LIQUIDATION OF CONTRACT AUTHORIZATION)

16 (LIMITATION ON OBLIGATIONS)

17 (HIGHWAY TRUST FUND)

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

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

15 MOTOR CARRIER SAFETY GRANTS

16 (LIQUIDATION OF CONTRACT AUTHORIZATION)

17 (LIMITATION ON OBLIGATIONS)

18 (HIGHWAY TRUST FUND)

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

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

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

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

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

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

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

21 ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR

22 CARRIER SAFETY ADMINISTRATION

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

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

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

15 NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
16 OPERATIONS AND RESEARCH

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

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

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

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

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

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

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

14 HIGHWAY TRAFFIC SAFETY GRANTS

15 (LIQUIDATION OF CONTRACT AUTHORIZATION)

16 (LIMITATION ON OBLIGATIONS)

17 (HIGHWAY TRUST FUND)

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

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

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

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

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

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

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

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

13 ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY

14 TRAFFIC SAFETY ADMINISTRATION

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

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

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

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

6 FEDERAL RAILROAD ADMINISTRATION

7 SAFETY AND OPERATIONS

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

12 RAILROAD RESEARCH AND DEVELOPMENT

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

21 FEDERAL-STATE PARTNERSHIP FOR INTERCITY

22 PASSENGER RAIL

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

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

19 CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY
20 IMPROVEMENTS

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

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

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

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

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

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

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

19 NORTHEAST CORRIDOR GRANTS TO THE NATIONAL
20 RAILROAD PASSENGER CORPORATION

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

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

22 NATIONAL NETWORK GRANTS TO THE NATIONAL
23 RAILROAD PASSENGER CORPORATION

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

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

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

8 ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD

9 ADMINISTRATION

10 (INCLUDING RESCISSION)

11 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 TRANSIT INFRASTRUCTURE GRANTS

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

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

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

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

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

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

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

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

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

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

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

1 project cost: *Provided further*, That the Secretary
2 shall not waive requirements in section 5333 of title
3 49, United States Code, for projects funded with
4 amounts made available in this paragraph: *Provided*
5 *further*, That unless otherwise specified, applicable
6 requirements under chapter 53 of title 49, United
7 States Code, shall apply to amounts made available
8 in this paragraph:

9 *Provided further*, That amounts made available under this
10 heading in this Act shall be derived from the general fund:

11 *Provided further*, That amounts made available under this
12 heading in this Act shall not be subject to any limitation
13 on obligations for transit programs set forth in this or any
14 other Act.

15 TECHNICAL ASSISTANCE AND TRAINING

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

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

3 CAPITAL INVESTMENT GRANTS

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

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

15 GRANTS TO THE WASHINGTON METROPOLITAN AREA

16 TRANSIT AUTHORITY

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

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

6 ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT

7 ADMINISTRATION

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

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

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

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

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

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

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

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

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

5 SEC. 166. The remaining unobligated balances, as of
6 September 30, 2023, from amounts made available to the
7 Department of Transportation under the heading “Fed-
8 eral Transit Administration—Capital Investment Grants”
9 in division H of the Further Consolidated Appropriations
10 Act, 2020 (Public Law 116–94) are hereby rescinded, and
11 an amount of additional new budget authority equivalent
12 to the amount rescinded is hereby appropriated on Sep-
13 tember 30, 2023, for an additional amount for fiscal year
14 2023, to remain available until September 30, 2024, and
15 shall be available for the same purposes and under the
16 same authorities for which such amounts were originally
17 provided in Public Law 116–94.

18 SEC. 167. Notwithstanding section 5302(4)(L) of
19 title 49, United States Code, fuel for vehicle operations,
20 including the cost of utilities used for the propulsion of
21 electrically driven vehicles, may be treated, at the option
22 of the recipient, as an associated capital maintenance item
23 for purposes of grants made under sections 5307 and
24 5311 of such title in fiscal year 2023: *Provided*, That an
25 amount equal to not more than 5 percent of the total fund-

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

5 GREAT LAKES ST. LAWRENCE SEAWAY DEVELOPMENT
6 CORPORATION

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

16 OPERATIONS AND MAINTENANCE
17 (HARBOR MAINTENANCE TRUST FUND)

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

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

10 MARITIME ADMINISTRATION

11 MARITIME SECURITY PROGRAM

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

17 CABLE SECURITY FLEET

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

21 TANKER SECURITY PROGRAM

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

1 OPERATIONS AND TRAINING

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

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

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

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

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

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

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

10 STATE MARITIME ACADEMY OPERATIONS

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

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

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

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

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

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

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

21 ASSISTANCE TO SMALL SHIPYARDS

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

1 SHIP DISPOSAL

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

6 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

7 ACCOUNT

8 (INCLUDING TRANSFER OF FUNDS)

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

13 PORT INFRASTRUCTURE DEVELOPMENT PROGRAM

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

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

15 ADMINISTRATIVE PROVISION—MARITIME

16 ADMINISTRATION

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

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

5 PIPELINE AND HAZARDOUS MATERIALS SAFETY

6 ADMINISTRATION

7 OPERATIONAL EXPENSES

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

12 HAZARDOUS MATERIALS SAFETY

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

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

4 PIPELINE SAFETY

5 (PIPELINE SAFETY FUND)

6 (OIL SPILL LIABILITY TRUST FUND)

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

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

1 EMERGENCY PREPAREDNESS GRANTS

2 (LIMITATION ON OBLIGATIONS)

3 (EMERGENCY PREPAREDNESS FUND)

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

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

4 OFFICE OF INSPECTOR GENERAL

5 SALARIES AND EXPENSES

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

16 GENERAL PROVISIONS—DEPARTMENT OF

17 TRANSPORTATION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 ADMINISTRATIVE SUPPORT OFFICES

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

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

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

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

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

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

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

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

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

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

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

12 PROGRAM OFFICES

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

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

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

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

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

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

6 WORKING CAPITAL FUND

7 (INCLUDING TRANSFER OF FUNDS)

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

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

10 PUBLIC AND INDIAN HOUSING

11 TENANT-BASED RENTAL ASSISTANCE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 HOUSING CERTIFICATE FUND

23 (INCLUDING RESCISSIONS)

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

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

19 PUBLIC HOUSING FUND

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 CHOICE NEIGHBORHOODS INITIATIVE

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

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

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

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

18 SELF-SUFFICIENCY PROGRAMS

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

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

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

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

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

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

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

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

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

22 NATIVE AMERICAN PROGRAMS

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

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

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

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

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

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

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

6 (4) \$70,000,000 shall be for grants to Indian
7 tribes for carrying out the Indian Community Devel-
8 opment Block Grant program under title I of the
9 Housing and Community Development Act of 1974,
10 notwithstanding section 106(a)(1) of such Act, of
11 which, notwithstanding any other provision of law
12 (including section 203 of this Act), not more than
13 \$5,000,000 may be used for emergencies that con-
14 stitute imminent threats to health and safety: *Pro-*
15 *vided*, That not to exceed 20 percent of any grant
16 made with amounts made available in this para-
17 graph shall be expended for planning and manage-
18 ment development and administration; and

19 (5) \$7,000,000, in addition to amounts other-
20 wise available for such purposes, shall be for pro-
21 viding training and technical assistance to Indian
22 tribes, Indian housing authorities, and tribally des-
23 ignated housing entities, to support the inspection of
24 Indian housing units, for contract expertise, and for
25 training and technical assistance related to amounts

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

1 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM
2 ACCOUNT

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

18 NATIVE HAWAIIAN HOUSING BLOCK GRANT

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

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

7 NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND
8 PROGRAM ACCOUNT

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

16 COMMUNITY PLANNING AND DEVELOPMENT

17 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

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

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

3 COMMUNITY DEVELOPMENT FUND

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

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

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

20 COMMUNITY DEVELOPMENT LOAN GUARANTEES

21 PROGRAM ACCOUNT

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

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

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

14 HOME INVESTMENT PARTNERSHIPS PROGRAM

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

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

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

13 PRESERVATION AND REINVESTMENT INITIATIVE FOR
14 COMMUNITY ENHANCEMENT

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

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

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

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

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

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

16 SELF-HELP AND ASSISTED HOMEOWNERSHIP

17 OPPORTUNITY PROGRAM

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

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

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

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

21 HOMELESS ASSISTANCE GRANTS

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

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

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

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

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

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

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

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

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

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

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

8 HOUSING PROGRAMS

9 PROJECT-BASED RENTAL ASSISTANCE

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

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

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

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

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

9 HOUSING FOR THE ELDERLY

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

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

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

23 HOUSING FOR PERSONS WITH DISABILITIES

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

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

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

15 HOUSING COUNSELING ASSISTANCE

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

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

9 PAYMENT TO MANUFACTURED HOUSING FEES TRUST

10 FUND

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

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

17 FEDERAL HOUSING ADMINISTRATION

18 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

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

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

16 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

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

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

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

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

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

3 POLICY DEVELOPMENT AND RESEARCH

4 RESEARCH AND TECHNOLOGY

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

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

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

13 FAIR HOUSING AND EQUAL OPPORTUNITY

14 FAIR HOUSING ACTIVITIES

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

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

10 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

11 HOMES

12 LEAD HAZARD REDUCTION

13 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12 INFORMATION TECHNOLOGY FUND

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

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

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

6 (B) the estimated total project cost; and

7 (C) key milestones to be met; and

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

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

13 (B) the estimated life-cycle cost;

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

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

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

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

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

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

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

17 OFFICE OF INSPECTOR GENERAL

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

1 GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND
2 URBAN DEVELOPMENT

3 (INCLUDING TRANSFER OF FUNDS)

4 (INCLUDING RESCISSION)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 (d) For purposes of this section—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11 (2) is under 24 years of age;

12 (3) is not a veteran;

13 (4) is unmarried;

14 (5) does not have a dependent child;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 “(1) demonstrates that—

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

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

16 “(2) agrees to—

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

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

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

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

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

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

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

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

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

17 SEC. 235.

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

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

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

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

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

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

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

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

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

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

16 TITLE III

17 RELATED AGENCIES

18 ACCESS BOARD

19 SALARIES AND EXPENSES

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

1 FEDERAL MARITIME COMMISSION
2 SALARIES AND EXPENSES

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

15 NATIONAL RAILROAD PASSENGER CORPORATION
16 OFFICE OF INSPECTOR GENERAL
17 SALARIES AND EXPENSES

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

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

22 NATIONAL TRANSPORTATION SAFETY BOARD

23 SALARIES AND EXPENSES

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

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

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

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

19 SURFACE TRANSPORTATION BOARD
20 SALARIES AND EXPENSES

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

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

16 UNITED STATES INTERAGENCY COUNCIL ON
17 HOMELESSNESS
18 OPERATING EXPENSES

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

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

3 TITLE IV

4 GENERAL PROVISIONS—THIS ACT

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

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

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

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

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

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

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

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

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

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

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

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

5 (1) creates a new program;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10 TITLE I

11 AGRICULTURAL PROGRAMS

12 PROCESSING, RESEARCH, AND MARKETING

13 OFFICE OF THE SECRETARY

14 (INCLUDING TRANSFERS OF FUNDS)

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

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

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

1 EXECUTIVE OPERATIONS

2 OFFICE OF THE CHIEF ECONOMIST

3 For necessary expenses of the Office of the Chief
4 Economist, \$30,181,000 (reduced by \$10,000,000), of
5 which \$8,000,000 shall be for grants or cooperative agree-
6 ments for policy research under 7 U.S.C. 3155: *Provided*,
7 That of the amounts made available under this heading,
8 \$500,000 shall be available to carry out section 224 of
9 subtitle A of the Department of Agriculture Reorganiza-
10 tion Act of 1994 (7 U.S.C. 6924), as amended by section
11 12504 of Public Law 115–334.

12 OFFICE OF HEARINGS AND APPEALS

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

17 OFFICE OF BUDGET AND PROGRAM ANALYSIS

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

20 OFFICE OF THE CHIEF INFORMATION OFFICER

21 For necessary expenses of the Office of the Chief In-
22 formation Officer, \$93,284,000 (reduced by \$3,000,000),
23 of which not less than \$77,428,000 is for cybersecurity
24 requirements of the department.

1 OFFICE OF THE CHIEF FINANCIAL OFFICER

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

4 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL
5 RIGHTS

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

12 OFFICE OF CIVIL RIGHTS

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

15 AGRICULTURE BUILDINGS AND FACILITIES

16 (INCLUDING TRANSFERS OF FUNDS)

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

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

7 HAZARDOUS MATERIALS MANAGEMENT

8 (INCLUDING TRANSFERS OF FUNDS)

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

19 OFFICE OF SAFETY, SECURITY, AND PROTECTION

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

22 OFFICE OF INSPECTOR GENERAL

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

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

12 OFFICE OF THE GENERAL COUNSEL

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

15 OFFICE OF ETHICS

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

18 OFFICE OF THE UNDER SECRETARY FOR RESEARCH,

19 EDUCATION, AND ECONOMICS

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

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

4 ECONOMIC RESEARCH SERVICE

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

7 NATIONAL AGRICULTURAL STATISTICS SERVICE

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

15 AGRICULTURAL RESEARCH SERVICE

16 SALARIES AND EXPENSES

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

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

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

22 BUILDINGS AND FACILITIES

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

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

7 NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

8 RESEARCH AND EDUCATION ACTIVITIES

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

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

21 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

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

EXTENSION ACTIVITIES

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

INTEGRATED ACTIVITIES

19
20 For the integrated research, education, and extension
21 grants programs, including necessary administrative ex-
22 penses, \$39,500,000, which shall be for the purposes, and
23 in the amounts, specified in the table titled “National In-
24 stitute of Food and Agriculture, Integrated Activities” in
25 the report accompanying this Act: *Provided*, That funds

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

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

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

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

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

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

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

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

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

1 BUILDINGS AND FACILITIES

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

8 AGRICULTURAL MARKETING SERVICE

9 MARKETING SERVICES

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

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

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

4 LIMITATION ON ADMINISTRATIVE EXPENSES

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

12 FUNDS FOR STRENGTHENING MARKETS, INCOME, AND

13 SUPPLY (SECTION 32)

14 (INCLUDING TRANSFERS OF FUNDS)

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

1 PAYMENTS TO STATES AND POSSESSIONS

2 For payments to departments of agriculture, bureaus
3 and departments of markets, and similar agencies for
4 marketing activities under section 204(b) of the Agricul-
5 tural Marketing Act of 1946 (7 U.S.C. 1623(b)),
6 \$1,235,000.

7 LIMITATION ON INSPECTION AND WEIGHING SERVICES

8 EXPENSES

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

16 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

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

23 FOOD SAFETY AND INSPECTION SERVICE

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

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

1 TITLE II
2 FARM PRODUCTION AND CONSERVATION
3 PROGRAMS

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

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

13 FARM PRODUCTION AND CONSERVATION BUSINESS
14 CENTER

15 SALARIES AND EXPENSES
16 (INCLUDING TRANSFERS OF FUNDS)

17 For necessary expenses of the Farm Production and
18 Conservation Business Center, \$257,684,000: *Provided*,
19 That \$60,228,000 of amounts appropriated for the cur-
20 rent fiscal year pursuant to section 1241(a) of the Farm
21 Security and Rural Investment Act of 1985 (16 U.S.C.
22 3841(a)) shall be transferred to and merged with this ac-
23 count.

1 FARM SERVICE AGENCY

2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses of the Farm Service Agency,
5 \$1,229,396,000: *Provided*, That not more than 50 percent
6 of the funding made available under this heading for infor-
7 mation technology related to farm program delivery may
8 be obligated until the Secretary submits to the Committees
9 on Appropriations of both Houses of Congress, and re-
10 ceives written or electronic notification of receipt from
11 such Committees of, a plan for expenditure that (1) identi-
12 fies for each project/investment over \$25,000 (a) the func-
13 tional and performance capabilities to be delivered and the
14 mission benefits to be realized, (b) the estimated lifecycle
15 cost for the entirety of the project/investment, including
16 estimates for development as well as maintenance and op-
17 erations, and (c) key milestones to be met; (2) dem-
18 onstrates that each project/investment is, (a) consistent
19 with the Farm Service Agency Information Technology
20 Roadmap, (b) being managed in accordance with applica-
21 ble lifecycle management policies and guidance, and (c)
22 subject to the applicable Department's capital planning
23 and investment control requirements; and (3) has been re-
24 viewed by the Government Accountability Office and ap-
25 proved by the Committees on Appropriations of both

1 Houses of Congress: *Provided further*, That the agency
2 shall submit a report by the end of the fourth quarter of
3 fiscal year 2023 to the Committees on Appropriations of
4 both Houses of Congress and the Government Account-
5 ability Office, that identifies for each project/investment
6 that is operational (a) current performance against key
7 indicators of customer satisfaction, (b) current perform-
8 ance of service level agreements or other technical metrics,
9 (c) current performance against a pre-established cost
10 baseline, (d) a detailed breakdown of current and planned
11 spending on operational enhancements or upgrades, and
12 (e) an assessment of whether the investment continues to
13 meet business needs as intended as well as alternatives
14 to the investment: *Provided further*, That the Secretary
15 is authorized to use the services, facilities, and authorities
16 (but not the funds) of the Commodity Credit Corporation
17 to make program payments for all programs administered
18 by the Agency: *Provided further*, That other funds made
19 available to the Agency for authorized activities may be
20 advanced to and merged with this account: *Provided fur-*
21 *ther*, That of the amount appropriated under this heading,
22 \$696,594,000 shall be made available to county commit-
23 tees, to remain available until expended: *Provided further*,
24 That, notwithstanding the preceding proviso, any funds
25 made available to county committees in the current fiscal

1 year that the Administrator of the Farm Service Agency
2 deems to exceed or not meet the amount needed for the
3 county committees may be transferred to or from the
4 Farm Service Agency for necessary expenses: *Provided*
5 *further*, That none of the funds available to the Farm
6 Service Agency shall be used to close Farm Service Agency
7 county offices: *Provided further*, That none of the funds
8 available to the Farm Service Agency shall be used to per-
9 manently relocate county based employees that would re-
10 sult in an office with two or fewer employees without prior
11 notification and approval of the Committees on Appropria-
12 tions of both Houses of Congress.

13 STATE MEDIATION GRANTS

14 For grants pursuant to section 502(b) of the Agricul-
15 tural Credit Act of 1987, as amended (7 U.S.C. 5101–
16 5106), \$7,000,000.

17 GRASSROOTS SOURCE WATER PROTECTION PROGRAM

18 For necessary expenses to carry out wellhead or
19 groundwater protection activities under section 12400 of
20 the Food Security Act of 1985 (16 U.S.C. 3839bb–2),
21 \$6,500,000, to remain available until expended.

22 DAIRY INDEMNITY PROGRAM

23 (INCLUDING TRANSFER OF FUNDS)

24 For necessary expenses involved in making indemnity
25 payments to dairy farmers and manufacturers of dairy

1 products under a dairy indemnity program, such sums as
2 may be necessary, to remain available until expended: *Pro-*
3 *vided*, That such program is carried out by the Secretary
4 in the same manner as the dairy indemnity program de-
5 scribed in the Agriculture, Rural Development, Food and
6 Drug Administration, and Related Agencies Appropria-
7 tions Act, 2001 (Public Law 106–387, 114 Stat. 1549A–
8 12).

9 GEOGRAPHICALLY DISADVANTAGED FARMERS AND
10 RANCHERS

11 For necessary expenses to carry out direct reimburse-
12 ment payments to geographically disadvantaged farmers
13 and ranchers under section 1621 of the Food Conserva-
14 tion, and Energy Act of 2008 (7 U.S.C. 8792),
15 \$3,000,000, to remain available until expended.

16 AGRICULTURAL CREDIT INSURANCE FUND PROGRAM
17 ACCOUNT
18 (INCLUDING TRANSFERS OF FUNDS)

19 For gross obligations for the principal amount of di-
20 rect and guaranteed farm ownership (7 U.S.C. 1922 et
21 seq.) and operating (7 U.S.C. 1941 et seq.) loans, emer-
22 gency loans (7 U.S.C. 1961 et seq.), Indian tribe land ac-
23 quisition loans (25 U.S.C. 5136), boll weevil loans (7
24 U.S.C. 1989), guaranteed conservation loans (7 U.S.C.
25 1924 et seq.), relending program (7 U.S.C. 1936c), and

1 Indian highly fractionated land loans (25 U.S.C. 5136)
2 to be available from funds in the Agricultural Credit In-
3 surance Fund, as follows: \$3,500,000,000 for guaranteed
4 farm ownership loans and \$3,100,000,000 for farm owner-
5 ship direct loans; \$2,118,491,000 for unsubsidized guar-
6 anteed operating loans and \$1,633,333,000 for direct op-
7 erating loans; emergency loans, \$4,062,000; Indian tribe
8 land acquisition loans, \$20,000,000; guaranteed conserva-
9 tion loans, \$150,000,000; relending program,
10 \$61,426,000; Indian highly fractionated land loans,
11 \$5,000,000; and for boll weevil eradication program loans,
12 \$60,000,000: *Provided*, That the Secretary shall deem the
13 pink bollworm to be a boll weevil for the purpose of boll
14 weevil eradication program loans.

15 For the cost of direct and guaranteed loans and
16 grants, including the cost of modifying loans as defined
17 in section 502 of the Congressional Budget Act of 1974,
18 as follows: \$249,000 for emergency loans, to remain avail-
19 able until expended; and \$23,520,000 for direct farm op-
20 erating loans, \$11,228,000 for unsubsidized guaranteed
21 farm operating loans, \$10,983,000 for the relending pro-
22 gram, and \$894,000 for Indian highly fractionated land
23 loans.

24 In addition, for administrative expenses necessary to
25 carry out the direct and guaranteed loan programs,

1 \$326,461,000: *Provided*, That of this amount,
2 \$305,803,000 shall be transferred to and merged with the
3 appropriation for “Farm Service Agency, Salaries and Ex-
4 penses”.

5 Funds appropriated by this Act to the Agricultural
6 Credit Insurance Program Account for farm ownership,
7 operating and conservation direct loans and guaranteed
8 loans may be transferred among these programs: *Pro-*
9 *vided*, That the Committees on Appropriations of both
10 Houses of Congress are notified at least 15 days in ad-
11 vance of any transfer.

12 RISK MANAGEMENT AGENCY

13 SALARIES AND EXPENSES

14 For necessary expenses of the Risk Management
15 Agency, \$75,443,000; of which \$4,500,000 shall be avail-
16 able to conduct research and development and carry out
17 contracting and partnerships as described under sub-
18 sections 522(c) and (d) of the Federal Crop Insurance
19 Act, as amended (7 U.S.C. 1522(c) and (d)), in addition
20 to amounts otherwise provided for such purposes: *Pro-*
21 *vided*, That \$1,000,000 of the amount appropriated under
22 this heading in this Act shall be available for compliance
23 and integrity activities required under section
24 516(b)(2)(C) of the Federal Crop Insurance Act of 1938
25 (7 U.S.C. 1516(b)(2)(C)), and shall be in addition to

1 amounts otherwise provided for such purpose: *Provided*
2 *further*, That not to exceed \$1,000 shall be available for
3 official reception and representation expenses, as author-
4 ized by 7 U.S.C. 1506(i).

5 NATURAL RESOURCES CONSERVATION SERVICE
6 CONSERVATION OPERATIONS

7 For necessary expenses for carrying out the provi-
8 sions of the Act of April 27, 1935 (16 U.S.C. 590a–f),
9 including preparation of conservation plans and establish-
10 ment of measures to conserve soil and water (including
11 farm irrigation and land drainage and such special meas-
12 ures for soil and water management as may be necessary
13 to prevent floods and the siltation of reservoirs and to con-
14 trol agricultural related pollutants); operation of conserva-
15 tion plant materials centers; classification and mapping of
16 soil; dissemination of information; acquisition of lands,
17 water, and interests therein for use in the plant materials
18 program by donation, exchange, or purchase at a nominal
19 cost not to exceed \$100 pursuant to the Act of August
20 3, 1956 (7 U.S.C. 2268a); purchase and erection or alter-
21 ation or improvement of permanent and temporary build-
22 ings; and operation and maintenance of aircraft,
23 \$1,023,777,000 (increased by \$1,000,000) (increased by
24 \$2,000,000), to remain available until September 30,
25 2024, of which up to \$22,973,000 shall be for the pur-

1 poses, and in the amounts, specified for this account in
2 the table titled “Community Project Funding” in the re-
3 port accompanying this Act: *Provided further*, That appro-
4 priations hereunder shall be available pursuant to 7
5 U.S.C. 2250 for construction and improvement of build-
6 ings and public improvements at plant materials centers,
7 except that the cost of alterations and improvements to
8 other buildings and other public improvements shall not
9 exceed \$250,000: *Provided further*, That when buildings
10 or other structures are erected on non-Federal land, that
11 the right to use such land is obtained as provided in 7
12 U.S.C. 2250a.

13 WATERSHED AND FLOOD PREVENTION OPERATIONS

14 For necessary expenses to carry out preventive meas-
15 ures, including but not limited to surveys and investiga-
16 tions, engineering operations, works of improvement, and
17 changes in use of land, in accordance with the Watershed
18 Protection and Flood Prevention Act (16 U.S.C. 1001–
19 1005 and 1007–1009) and in accordance with the provi-
20 sions of laws relating to the activities of the Department,
21 \$95,000,000, to remain available until expended: *Pro-*
22 *vided*, That for funds provided by this Act or any other
23 prior Act, the limitation regarding the size of the water-
24 shed or subwatershed exceeding two hundred and fifty
25 thousand acres in which such activities can be undertaken

1 shall only apply for activities undertaken for the primary
2 purpose of flood prevention (including structural and land
3 treatment measures): *Provided further*, That of the
4 amounts made available under this heading, \$10,000,000
5 shall be allocated to projects and activities that can com-
6 mence promptly following enactment; that address re-
7 gional priorities for flood prevention, agricultural water
8 management, inefficient irrigation systems, fish and wild-
9 life habitat, or watershed protection; or that address au-
10 thorized ongoing projects under the authorities of section
11 13 of the Flood Control Act of December 22, 1944 (Public
12 Law 78–534) with a primary purpose of watershed protec-
13 tion by preventing floodwater damage and stabilizing
14 stream channels, tributaries, and banks to reduce erosion
15 and sediment transport.

16 WATERSHED REHABILITATION PROGRAM

17 Under the authorities of section 14 of the Watershed
18 Protection and Flood Prevention Act, \$5,000,000 is pro-
19 vided.

20 HEALTHY FORESTS RESERVE PROGRAM

21 For necessary expenses to carry out the Healthy For-
22 ests Reserve Program under the Healthy Forests Restora-
23 tion Act of 2003 (16 U.S.C. 6571–6578), \$10,000,000,
24 to remain available until expended.

1 URBAN AGRICULTURE AND INNOVATIVE PRODUCTION

2 For necessary expenses to carry out the Urban Agri-
3 culture and Innovative Production Program under section
4 222 of subtitle A of the Department of Agriculture Reor-
5 ganization Act of 1994 (7 U.S.C. 6923), as added by sec-
6 tion 12302 of Public Law 115–334, \$13,500,000.

7 CORPORATIONS

8 The following corporations and agencies are hereby
9 authorized to make expenditures, within the limits of
10 funds and borrowing authority available to each such cor-
11 poration or agency and in accord with law, and to make
12 contracts and commitments without regard to fiscal year
13 limitations as provided by section 104 of the Government
14 Corporation Control Act as may be necessary in carrying
15 out the programs set forth in the budget for the current
16 fiscal year for such corporation or agency, except as here-
17 inafter provided.

18 FEDERAL CROP INSURANCE CORPORATION FUND

19 For payments as authorized by section 516 of the
20 Federal Crop Insurance Act (7 U.S.C. 1516), such sums
21 as may be necessary, to remain available until expended.

1 COMMODITY CREDIT CORPORATION FUND
2 REIMBURSEMENT FOR NET REALIZED LOSSES
3 (INCLUDING TRANSFERS OF FUNDS)

4 For the current fiscal year, such sums as may be nec-
5 essary to reimburse the Commodity Credit Corporation for
6 net realized losses sustained, but not previously reim-
7 bursed, pursuant to section 2 of the Act of August 17,
8 1961 (15 U.S.C. 713a–11): *Provided*, That of the funds
9 available to the Commodity Credit Corporation under sec-
10 tion 11 of the Commodity Credit Corporation Charter Act
11 (15 U.S.C. 714i) for the conduct of its business with the
12 Foreign Agricultural Service, up to \$5,000,000 may be
13 transferred to and used by the Foreign Agricultural Serv-
14 ice for information resource management activities of the
15 Foreign Agricultural Service that are not related to Com-
16 modity Credit Corporation business.

17 HAZARDOUS WASTE MANAGEMENT
18 (LIMITATION ON EXPENSES)

19 For the current fiscal year, the Commodity Credit
20 Corporation shall not expend more than \$15,000,000 for
21 site investigation and cleanup expenses, and operations
22 and maintenance expenses to comply with the requirement
23 of section 107(g) of the Comprehensive Environmental
24 Response, Compensation, and Liability Act (42 U.S.C.

1 9607(g)), and section 6001 of the Solid Waste Disposal
2 Act (42 U.S.C. 6961).

3 TITLE III

4 RURAL DEVELOPMENT PROGRAMS

5 OFFICE OF THE UNDER SECRETARY FOR RURAL
6 DEVELOPMENT

7 For necessary expenses of the Office of the Under
8 Secretary for Rural Development, \$1,620,000: *Provided*,
9 That funds made available by this Act to an agency in
10 the Rural Development mission area for salaries and ex-
11 penses are available to fund up to one administrative sup-
12 port staff for the Office.

13 RURAL DEVELOPMENT

14 SALARIES AND EXPENSES

15 (INCLUDING TRANSFERS OF FUNDS)

16 For necessary expenses for carrying out the adminis-
17 tration and implementation of Rural Development pro-
18 grams, including activities with institutions concerning the
19 development and operation of agricultural cooperatives;
20 and for cooperative agreements; \$401,976,000: *Provided*,
21 That of the amount made available under this heading,
22 up to \$5,000,000, to remain available until September 30,
23 2024, shall be for the Rural Partners Network activities
24 of the Department of Agriculture, and may be transferred
25 to other agencies of the Department for such purpose, con-

1 sistent with the missions and authorities of such agencies:
2 *Provided further*, That notwithstanding any other provi-
3 sion of law, funds appropriated under this heading may
4 be used for advertising and promotional activities that
5 support Rural Development programs: *Provided further*,
6 That in addition to any other funds appropriated for pur-
7 poses authorized by section 502(i) of the Housing Act of
8 1949 (42 U.S.C. 1472(i)), any amounts collected under
9 such section, as amended by this Act, will immediately be
10 credited to this account and will remain available until ex-
11 pended for such purposes.

12 RURAL HOUSING SERVICE

13 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

14 (INCLUDING TRANSFERS OF FUNDS)

15 For gross obligations for the principal amount of di-
16 rect and guaranteed loans as authorized by title V of the
17 Housing Act of 1949, to be available from funds in the
18 rural housing insurance fund, as follows: \$1,500,000,000
19 shall be for direct loans, \$12,000,000 shall be for a single
20 family housing relending demonstration program for Na-
21 tive American Tribes, and \$30,000,000,000 shall be for
22 unsubsidized guaranteed loans; \$28,000,000 for section
23 504 housing repair loans; \$150,000,000 for section 515
24 rental housing; \$300,000,000 for section 538 guaranteed
25 multi-family housing loans; \$10,000,000 for credit sales

1 of single family housing acquired property; \$5,000,000 for
2 section 523 self-help housing land development loans; and
3 \$5,000,000 for section 524 site development loans.

4 For the cost of direct and guaranteed loans, including
5 the cost of modifying loans, as defined in section 502 of
6 the Congressional Budget Act of 1974, as follows: section
7 502 loans, \$55,650,000 shall be for direct loans;
8 \$3,948,000 shall be for a single family housing relending
9 demonstration program for Native American Tribes; sec-
10 tion 504 housing repair loans, \$2,324,000; section 523
11 self-help housing land development loans, \$267,000; sec-
12 tion 524 site development loans, \$208,000; and repair, re-
13 habilitation, and new construction of section 515 rental
14 housing, \$28,665,000: *Provided*, That to support the loan
15 program level for section 538 guaranteed loans made
16 available under this heading the Secretary may charge or
17 adjust any fees to cover the projected cost of such loan
18 guarantees pursuant to the provisions of the Credit Re-
19 form Act of 1990 (2 U.S.C. 661 et seq.), and the interest
20 on such loans may not be subsidized: *Provided further*,
21 That applicants in communities that have a current rural
22 area waiver under section 541 of the Housing Act of 1949
23 (42 U.S.C. 1490q) shall be treated as living in a rural
24 area for purposes of section 502 guaranteed loans pro-
25 vided under this heading: *Provided further*, That of the

1 amounts available under this paragraph for section 502
2 direct loans, no less than \$5,000,000 shall be available for
3 direct loans for individuals whose homes will be built pur-
4 suant to a program funded with a mutual and self-help
5 housing grant authorized by section 523 of the Housing
6 Act of 1949 until June 1, 2023: *Provided further*, That
7 the Secretary shall implement provisions to provide incen-
8 tives to nonprofit organizations and public housing au-
9 thorities to facilitate the acquisition of Rural Housing
10 Service (RHS) multifamily housing properties by such
11 nonprofit organizations and public housing authorities
12 that commit to keep such properties in the RHS multi-
13 family housing program for a period of time as determined
14 by the Secretary, with such incentives to include, but not
15 be limited to, the following: allow such nonprofit entities
16 and public housing authorities to earn a Return on Invest-
17 ment on their own resources to include proceeds from low
18 income housing tax credit syndication, own contributions,
19 grants, and developer loans at favorable rates and terms,
20 invested in a deal; and allow reimbursement of organiza-
21 tional costs associated with owner’s oversight of asset re-
22 ferred to as “Asset Management Fee” of up to \$7,500
23 per property.

24 In addition, for the cost of direct loans and grants,
25 including the cost of modifying loans, as defined in section

1 502 of the Congressional Budget Act of 1974,
2 \$40,000,000, to remain available until expended, for a
3 demonstration program for the preservation and revital-
4 ization of the sections 514, 515, and 516 multi-family
5 rental housing properties to restructure existing USDA
6 multi-family housing loans, as the Secretary deems appro-
7 priate, expressly for the purposes of ensuring the project
8 has sufficient resources to preserve the project for the pur-
9 pose of providing safe and affordable housing for low-in-
10 come residents and farm laborers including reducing or
11 eliminating interest; deferring loan payments, subordi-
12 nating, reducing or re-amortizing loan debt; and other fi-
13 nancial assistance including advances, payments and in-
14 centives (including the ability of owners to obtain reason-
15 able returns on investment) required by the Secretary:
16 *Provided*, That the Secretary shall, as part of the preser-
17 vation and revitalization agreement, obtain a restrictive
18 use agreement consistent with the terms of the restruc-
19 turing: *Provided further*, That any balances, including ob-
20 ligated balances, available for all demonstration programs
21 for the preservation and revitalization of sections 514,
22 515, and 516 multi-family rental housing properties in the
23 “Multi-Family Housing Revitalization Program Account”
24 shall be transferred to and merged with this account, and
25 shall also be available for the preservation and revitaliza-

1 tion of sections 514, 515, and 516 multi-family rental
2 housing properties, including the restructuring of existing
3 USDA multi-family housing loans: *Provided further*, That
4 following the transfer of balances described in the pre-
5 ceding proviso, any adjustments to obligations for dem-
6 onstration programs for the preservation and revitaliza-
7 tion of sections 514, 515, and 516 multi-family rental
8 housing properties that would otherwise be incurred in the
9 “Multi-Family Housing Revitalization Program Account”
10 shall be made in this account from amounts transferred
11 to this account under the preceding proviso.

12 In addition, for the cost of direct loans, grants, and
13 contracts, as authorized by sections 514 and 516 of the
14 Housing Act of 1949 (42 U.S.C. 1484, 1486),
15 \$18,126,000, to remain available until expended, for direct
16 farm labor housing loans and domestic farm labor housing
17 grants and contracts: *Provided*, That any balances avail-
18 able for the Farm Labor Program Account shall be trans-
19 ferred to and merged with this account.

20 In addition, for administrative expenses necessary to
21 carry out the direct and guaranteed loan programs,
22 \$412,254,000 shall be transferred to and merged with the
23 appropriation for “Rural Development, Salaries and Ex-
24 penses”.

1 RENTAL ASSISTANCE PROGRAM

2 For rental assistance agreements entered into or re-
3 newed pursuant to the authority under section 521(a)(2)
4 of the Housing Act of 1949 or agreements entered into
5 in lieu of debt forgiveness or payments for eligible house-
6 holds as authorized by section 502(c)(5)(D) of the Hous-
7 ing Act of 1949, \$1,493,926,000, of which \$40,000,000
8 shall be available until September 30, 2024; and in addi-
9 tion such sums as may be necessary, as authorized by sec-
10 tion 521(c) of the Act, to liquidate debt incurred prior to
11 fiscal year 1992 to carry out the rental assistance program
12 under section 521(a)(2) of the Act: *Provided*, That rental
13 assistance agreements entered into or renewed during the
14 current fiscal year shall be funded for a one-year period:
15 *Provided further*, That of the amounts made available
16 under this heading, not less than \$8,000,000 shall be
17 available for newly constructed units financed under sec-
18 tion 514 and 516 of the Housing Act of 1949: *Provided*
19 *further*, That upon request by an owner of a project fi-
20 nanced by an existing loan under section 514 or 515 of
21 the Act, the Secretary may renew the rental assistance
22 agreement for a period of 20 years or until the term of
23 such loan has expired, subject to annual appropriations:
24 *Provided further*, That any unexpended balances remain-
25 ing at the end of such one-year agreements may be trans-

1 ferred and used for purposes of any debt reduction, main-
2 tenance, repair, or rehabilitation of any existing projects;
3 preservation; and rental assistance activities authorized
4 under title V of the Act: *Provided further*, That rental as-
5 sistance provided under agreements entered into prior to
6 fiscal year 2023 for a farm labor multi-family housing
7 project financed under section 514 or 516 of the Act may
8 not be recaptured for use in another project until such
9 assistance has remained unused for a period of 12 con-
10 secutive months, if such project has a waiting list of ten-
11 ants seeking such assistance or the project has rental as-
12 sistance eligible tenants who are not receiving such assist-
13 ance: *Provided further*, That such recaptured rental assist-
14 ance shall, to the extent practicable, be applied to another
15 farm labor multi-family housing project financed under
16 section 514 or 516 of the Act: *Provided further*, That ex-
17 cept as provided in the fifth proviso under this heading
18 and notwithstanding any other provision of the Act, the
19 Secretary may recapture rental assistance provided under
20 agreements entered into prior to fiscal year 2023 for a
21 project that the Secretary determines no longer needs
22 rental assistance and use such recaptured funds for cur-
23 rent needs.

1 RURAL HOUSING VOUCHER ACCOUNT

2 For the rural housing voucher program as authorized
3 under section 542 of the Housing Act of 1949, but not-
4 withstanding subsection (b) of such section, \$38,000,000,
5 to remain available until expended: *Provided*, That the
6 funds made available under this heading shall be available
7 for rural housing vouchers to any low-income household
8 (including those not receiving rental assistance) residing
9 in a property financed with a section 515 loan which has
10 been prepaid or otherwise paid off after September 30,
11 2005: *Provided further*, That the amount of such voucher
12 shall be the difference between comparable market rent
13 for the section 515 unit and the tenant paid rent for such
14 unit: *Provided further*, That funds made available for such
15 vouchers shall be subject to the availability of annual ap-
16 propriations: *Provided further*, That the Secretary shall,
17 to the maximum extent practicable, administer such
18 vouchers with current regulations and administrative guid-
19 ance applicable to section 8 housing vouchers administered
20 by the Secretary of the Department of Housing and Urban
21 Development: *Provided further*, That in addition to any
22 other available funds, the Secretary may expend not more
23 than \$1,000,000 total, from the program funds made
24 available under this heading, for administrative expenses
25 for activities funded under this heading.

1 MUTUAL AND SELF-HELP HOUSING GRANTS

2 For grants and contracts pursuant to section
3 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.
4 1490c), \$33,000,000, to remain available until expended.

5 RURAL HOUSING ASSISTANCE GRANTS

6 For grants for very low-income housing repair and
7 rural housing preservation made by the Rural Housing
8 Service, as authorized by 42 U.S.C. 1474, and 1490m,
9 \$48,000,000, to remain available until expended.

10 RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

11 (INCLUDING TRANSFERS OF FUNDS)

12 For gross obligations for the principal amount of di-
13 rect and guaranteed loans as authorized by section 306
14 and described in section 381E(d)(1) of the Consolidated
15 Farm and Rural Development Act, \$2,800,000,000 for di-
16 rect loans and \$650,000,000 for guaranteed loans.

17 For the cost of direct loans, loan guarantees and
18 grants, including the cost of modifying loans, as defined
19 in section 502 of the Congressional Budget Act of 1974,
20 for rural community facilities programs as authorized by
21 section 306 and described in section 381E(d)(1) of the
22 Consolidated Farm and Rural Development Act,
23 \$194,865,000, to remain available until expended, of
24 which up to \$126,865,000 shall be for the purposes, and
25 in the amounts, specified for this account in the table ti-

1 tled “Community Project Funding” in the report accom-
2 panying this Act: *Provided*, That \$8,000,000 of the
3 amount appropriated under this heading shall be available
4 for a Rural Community Development Initiative: *Provided*
5 *further*, That such funds shall be used solely to develop
6 the capacity and ability of private, nonprofit community-
7 based housing and community development organizations,
8 low-income rural communities, and Federally Recognized
9 Native American Tribes to undertake projects to improve
10 housing, community facilities, community and economic
11 development projects in rural areas: *Provided further*,
12 That such funds shall be made available to qualified pri-
13 vate, nonprofit and public intermediary organizations pro-
14 posing to carry out a program of financial and technical
15 assistance: *Provided further*, That such intermediary orga-
16 nizations shall provide matching funds from other sources,
17 including Federal funds for related activities, in an
18 amount not less than funds provided: *Provided further*,
19 That any unobligated balances from prior year appropria-
20 tions under this heading for the cost of direct loans, loan
21 guarantees and grants, including amounts deobligated or
22 cancelled, may be made available to cover the subsidy costs
23 for direct loans and or loan guarantees under this heading
24 in this fiscal year: *Provided further*, That no amounts may
25 be made available pursuant to the preceding proviso from

1 amounts that were designated by the Congress as an
 2 emergency requirement pursuant to a Concurrent Resolu-
 3 tion on the Budget or the Balanced Budget and Emer-
 4 gency Deficit Control Act of 1985, or that were specified
 5 in the table titled “Community Project Funding/Congres-
 6 sionally Directed Spending” in the explanatory statement
 7 for Division A of Public Law 117–103 described in section
 8 4 in the matter preceding such division A: *Provided fur-*
 9 *ther*, That \$10,000,000 of the amount appropriated under
 10 this heading shall be available for community facilities
 11 grants to tribal colleges, as authorized by section
 12 306(a)(19) of such Act: *Provided further*, That sections
 13 381E–H and 381N of the Consolidated Farm and Rural
 14 Development Act are not applicable to the funds made
 15 available under this heading.

16 RURAL BUSINESS—COOPERATIVE SERVICE

17 RURAL BUSINESS PROGRAM ACCOUNT

18 (INCLUDING TRANSFERS OF FUNDS)

19 For the cost of loan guarantees and grants, for the
 20 rural business development programs authorized by sec-
 21 tion 310B and described in subsections (a), (c), (f) and
 22 (g) of section 310B of the Consolidated Farm and Rural
 23 Development Act, \$88,800,000 (increased by
 24 \$15,000,000), to remain available until expended: *Pro-*
 25 *vided*, That of the amount appropriated under this head-

1 ing, not to exceed \$500,000 shall be made available for
2 one grant to a qualified national organization to provide
3 technical assistance for rural transportation in order to
4 promote economic development and \$9,000,000 shall be
5 for grants to the Delta Regional Authority (7 U.S.C.
6 2009aa et seq.), the Northern Border Regional Commis-
7 sion (40 U.S.C. 15101 et seq.), and the Appalachian Re-
8 gional Commission (40 U.S.C. 14101 et seq.) for any
9 Rural Community Advancement Program purpose as de-
10 scribed in section 381E(d) of the Consolidated Farm and
11 Rural Development Act, of which not more than 5 percent
12 may be used for administrative expenses: *Provided further*,
13 That \$4,000,000 of the amount appropriated under this
14 heading shall be for business grants to benefit Federally
15 Recognized Native American Tribes, including \$250,000
16 for a grant to a qualified national organization to provide
17 technical assistance for rural transportation in order to
18 promote economic development: *Provided further*, That
19 sections 381E–H and 381N of the Consolidated Farm and
20 Rural Development Act are not applicable to funds made
21 available under this heading.

1 INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT
2 (INCLUDING TRANSFER OF FUNDS)

3 For the principal amount of direct loans, as author-
4 ized by the Intermediary Relending Program Fund Ac-
5 ount (7 U.S.C. 1936b), \$18,889,000.

6 For the cost of direct loans, \$3,313,000, as author-
7 ized by the Intermediary Relending Program Fund Ac-
8 ount (7 U.S.C. 1936b), of which \$331,000 shall be avail-
9 able through June 30, 2023, for Federally Recognized Na-
10 tive American Tribes; and of which \$663,000 shall be
11 available through June 30, 2023, for Mississippi Delta Re-
12 gion counties (as determined in accordance with Public
13 Law 100–460): *Provided*, That such costs, including the
14 cost of modifying such loans, shall be as defined in section
15 502 of the Congressional Budget Act of 1974.

16 In addition, for administrative expenses to carry out
17 the direct loan programs, \$4,468,000 shall be transferred
18 to and merged with the appropriation for “Rural Develop-
19 ment, Salaries and Expenses”.

20 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM
21 ACCOUNT

22 For the principal amount of direct loans, as author-
23 ized under section 313B(a) of the Rural Electrification
24 Act, for the purpose of promoting rural economic develop-
25 ment and job creation projects, \$50,000,000.

1 The cost of grants authorized under section 313B(a)
2 of the Rural Electrification Act, for the purpose of pro-
3 moting rural economic development and job creation
4 projects shall not exceed \$10,000,000.

5 RURAL COOPERATIVE DEVELOPMENT GRANTS

6 For rural cooperative development grants authorized
7 under section 310B(e) of the Consolidated Farm and
8 Rural Development Act (7 U.S.C. 1932), \$27,600,000 (in-
9 creased by \$700,000), of which \$2,800,000 (increased by
10 \$700,000) shall be for cooperative agreements for the ap-
11 propriate technology transfer for rural areas program:
12 *Provided*, That not to exceed \$3,000,000 shall be for
13 grants for cooperative development centers, individual co-
14 operatives, or groups of cooperatives that serve socially
15 disadvantaged groups and a majority of the boards of di-
16 rectors or governing boards of which are comprised of in-
17 dividuals who are members of socially disadvantaged
18 groups; and of which \$16,000,000, to remain available
19 until expended, shall be for value-added agricultural prod-
20 uct market development grants, as authorized by section
21 210A of the Agricultural Marketing Act of 1946, of which
22 \$3,000,000, to remain available until expended, shall be
23 for Agriculture Innovation Centers authorized pursuant to
24 section 6402 of Public Law 107–171.

1 RURAL MICROENTREPRENEUR ASSISTANCE PROGRAM

2 For the principal amount of direct loans authorized
3 by section 379E of the Consolidated Farm and Rural De-
4 velopment Act (U.S.C. 2008s), \$25,000,000.

5 For the cost of loans and grants, \$6,000,000 under
6 the same terms and conditions as authorized by section
7 379E of the Consolidated Farm and Rural Development
8 Act (7 U.S.C. 2008s).

9 RURAL ENERGY FOR AMERICA PROGRAM

10 For the cost of a program of loan guarantees and
11 grants, under the same terms and conditions as authorized
12 by section 9007 of the Farm Security and Rural Invest-
13 ment Act of 2002 (7 U.S.C. 8107), \$10,045,000 (in-
14 creased by \$10,045,000) (reduced by \$10,045,000): *Pro-*
15 *vided*, That the cost of loan guarantees, including the cost
16 of modifying such loans, shall be as defined in section 502
17 of the Congressional Budget Act of 1974.

18 HEALTHY FOOD FINANCING INITIATIVE

19 For the cost of loans and grants that is consistent
20 with section 243 of subtitle D of title II of the Department
21 of Agriculture Reorganization Act of 1994 (7 U.S.C.
22 6953), as added by section 4206 of the Agricultural Act
23 of 2014, for necessary expenses of the Secretary to sup-
24 port projects that provide access to healthy food in under-
25 served areas, to create and preserve quality jobs, and to

1 revitalize low-income communities, \$5,000,000, to remain
2 available until expended: *Provided*, That such costs of
3 loans, including the cost of modifying such loans, shall be
4 as defined in section 502 of the Congressional Budget Act
5 of 1974.

6 RURAL UTILITIES SERVICE

7 RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

8 (INCLUDING TRANSFERS OF FUNDS)

9 For gross obligations for the principal amount of di-
10 rect and guaranteed loans as authorized by section 306
11 and described in section 381E(d)(2) of the Consolidated
12 Farm and Rural Development Act, as follows:
13 \$1,450,000,000 for direct loans; and \$50,000,000 for
14 guaranteed loans.

15 For the cost of loan guarantees and grants, including
16 the cost of modifying loans, as defined in section 502 of
17 the Congressional Budget Act of 1974, for rural water,
18 waste water, waste disposal, and solid waste management
19 programs authorized by sections 306, 306A, 306C, 306D,
20 306E, and 310B and described in sections 306C(a)(2),
21 306D, 306E, and 381E(d)(2) of the Consolidated Farm
22 and Rural Development Act, \$685,072,000 (increased by
23 \$418,000), to remain available until expended, of which
24 not to exceed \$1,000,000 shall be available for the rural
25 utilities program described in section 306(a)(2)(B) of such

1 Act, and of which not to exceed \$5,000,000 shall be avail-
2 able for the rural utilities program described in section
3 306E of such Act: *Provided*, That not to exceed
4 \$15,000,000 of the amount appropriated under this head-
5 ing shall be for grants authorized by section 306A(i)(2)
6 of the Consolidated Farm and Rural Development Act in
7 addition to funding authorized by section 306A(i)(1) of
8 such Act: *Provided further*, That \$70,000,000 of the
9 amount appropriated under this heading shall be for loans
10 and grants including water and waste disposal systems
11 grants authorized by section 306C(a)(2)(B) and section
12 306D of the Consolidated Farm and Rural Development
13 Act, and Federally Recognized Native American Tribes
14 authorized by 306C(a)(1) of such Act: *Provided further*,
15 That funding provided for section 306D of the Consoli-
16 dated Farm and Rural Development Act may be provided
17 to a consortium formed pursuant to section 325 of Public
18 Law 105–83: *Provided further*, That not more than 2 per-
19 cent of the funding provided for section 306D of the Con-
20 solidated Farm and Rural Development Act may be used
21 by the State of Alaska for training and technical assist-
22 ance programs and not more than 2 percent of the funding
23 provided for section 306D of the Consolidated Farm and
24 Rural Development Act may be used by a consortium
25 formed pursuant to section 325 of Public Law 105–83 for

1 training and technical assistance programs: *Provided fur-*
2 *ther*, That not to exceed \$37,500,000 of the amount ap-
3 propriated under this heading shall be for technical assist-
4 ance grants for rural water and waste systems pursuant
5 to section 306(a)(14) of such Act, unless the Secretary
6 makes a determination of extreme need, of which
7 \$8,500,000 shall be made available for a grant to a quali-
8 fied nonprofit multi-State regional technical assistance or-
9 ganization, with experience in working with small commu-
10 nities on water and waste water problems, the principal
11 purpose of such grant shall be to assist rural communities
12 with populations of 3,300 or less, in improving the plan-
13 ning, financing, development, operation, and management
14 of water and waste water systems, and of which not less
15 than \$800,000 shall be for a qualified national Native
16 American organization to provide technical assistance for
17 rural water systems for tribal communities: *Provided fur-*
18 *ther*, That not to exceed \$20,762,000 (increased by
19 \$418,000) of the amount appropriated under this heading
20 shall be for contracting with qualified national organiza-
21 tions for a circuit rider program to provide technical as-
22 sistance for rural water systems: *Provided further*, That
23 not to exceed \$4,000,000 of the amounts made available
24 under this heading shall be for solid waste management
25 grants: *Provided further*, That \$10,000,000 of the amount

1 appropriated under this heading shall be transferred to,
2 and merged with, the Rural Utilities Service, High Energy
3 Cost Grants Account to provide grants authorized under
4 section 19 of the Rural Electrification Act of 1936 (7
5 U.S.C. 918a): *Provided further*, That any prior year bal-
6 ances for high-energy cost grants authorized by section 19
7 of the Rural Electrification Act of 1936 (7 U.S.C. 918a)
8 shall be transferred to and merged with the Rural Utilities
9 Service, High Energy Cost Grants Account: *Provided fur-*
10 *ther*, That not to exceed \$6,810,000 of the amounts appro-
11 priated under this heading shall be available as the Sec-
12 retary deems appropriate for water and waste direct one
13 percent loans for distressed communities: *Provided further*,
14 That if the Secretary determines that any portion of the
15 amount made available for one percent loans is not needed
16 for such loans, the Secretary may use such amounts, for
17 grants authorized by section 306(a)(2) of the Consolidated
18 Farm and Rural Development Act: *Provided further*, That
19 if any funds made available for the direct loan subsidy
20 costs remain unobligated after July 31, 2024, such unobli-
21 gated balances may be used for grant programs funded
22 under this heading: *Provided further*, That sections 381E–
23 H and 381N of the Consolidated Farm and Rural Devel-
24 opment Act are not applicable to the funds made available
25 under this heading.

1 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS
2 LOANS PROGRAM ACCOUNT
3 (INCLUDING TRANSFER OF FUNDS)

4 The principal amount of direct and guaranteed loans
5 as authorized by sections 4, 305, 306, and 317 of the
6 Rural Electrification Act of 1936 (7 U.S.C. 904, 935, 936,
7 and 940g) shall be made as follows: loans made pursuant
8 to section 306, guaranteed electric loans, \$2,167,000,000;
9 loans made pursuant to sections 4, notwithstanding
10 4(c)(2), of that Act, and 317, notwithstanding 317(c), of
11 that Act, cost-of-money direct loans, \$4,333,000,000;
12 loans made pursuant to section 313A of that Act, guaran-
13 teed underwriting loans, \$800,000,000; and for loans
14 made pursuant to section 305(d)(2) of that Act, cost of
15 money telecommunications loans, \$690,000,000.

16 For the cost of direct loans as authorized by section
17 305(d)(2) of the Rural Electrification Act of 1936 (7
18 U.S.C. 935(d)(2)), including the cost of modifying loans,
19 as defined in section 502 of the Congressional Budget Act
20 of 1974, cost of money rural telecommunications loans,
21 \$3,726,000.

22 In addition, \$11,500,000 to remain available until ex-
23 pended, to carry out section 6407 of the Farm Security
24 and Rural Investment Act of 2002 (7 U.S.C. 8107a): *Pro-*
25 *vided*, That the energy efficiency measures supported by

1 the funding in this paragraph shall contribute in a demon-
2 strable way to the reduction of greenhouse gases.

3 In addition, for administrative expenses necessary to
4 carry out the direct and guaranteed loan programs,
5 \$33,270,000, which shall be transferred to and merged
6 with the appropriation for “Rural Development, Salaries
7 and Expenses”.

8 DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND
9 PROGRAM

10 For grants for telemedicine and distance learning
11 services in rural areas, as authorized by 7 U.S.C. 950aaa
12 et seq., \$60,000,000, to remain available until expended:
13 *Provided*, That \$3,000,000 shall be made available for
14 grants authorized by section 379G of the Consolidated
15 Farm and Rural Development Act: *Provided further*, That
16 funding provided under this heading for grants under sec-
17 tion 379G of the Consolidated Farm and Rural Develop-
18 ment Act may only be provided to entities that meet all
19 of the eligibility criteria for a consortium as established
20 by this section.

21 For the cost of broadband loans, as authorized by
22 sections 601 and 602 of the Rural Electrification Act,
23 \$2,000,000, to remain available until expended: *Provided*,
24 That the cost of direct loans shall be as defined in section
25 502 of the Congressional Budget Act of 1974.

1 For the broadband loan and grant pilot program es-
2 tablished by section 779 of division A of the Consolidated
3 Appropriations Act, 2018 (Public Law 115–141) under
4 the Rural Electrification Act of 1936, as amended (7
5 U.S.C. 901 et seq.), \$465,513,000, to remain available
6 until expended, of which up to \$15,513,000 shall be for
7 the purposes, and in the amounts, specified for this ac-
8 count in the table titled “Community Project Funding”
9 in the report accompanying this Act: *Provided*, That the
10 Secretary may award grants described in section 601(a)
11 of the Rural Electrification Act of 1936, as amended (7
12 U.S.C. 950bb(a)) for the purposes of carrying out such
13 pilot program: *Provided further*, That the cost of direct
14 loans shall be defined in section 502 of the Congressional
15 Budget Act of 1974: *Provided further*, That at least 90
16 percent of the households to be served by a project receiv-
17 ing a loan or grant under the pilot program shall be in
18 a rural area without sufficient access to broadband: *Pro-*
19 *vided further*, That for purposes of such pilot program,
20 a rural area without sufficient access to broadband shall
21 be defined as twenty-five megabytes per second down-
22 stream and three megabytes per second upstream: *Pro-*
23 *vided further*, That to the extent possible, projects receiv-
24 ing funds provided under the pilot program must build
25 out service to at least one hundred megabytes per second

1 downstream, and twenty megabytes per second upstream:
2 *Provided further*, That an entity to which a loan or grant
3 is made under the pilot program shall not use the loan
4 or grant to overbuild or duplicate broadband service in a
5 service area by any entity that has received a broadband
6 loan from the Rural Utilities Service unless such service
7 is not provided sufficient access to broadband at the min-
8 imum service threshold: *Provided further*, That not more
9 than four percent of the funds made available in this para-
10 graph can be used for administrative costs to carry out
11 the pilot program and up to three percent of funds made
12 available in this paragraph may be available for technical
13 assistance and pre-development planning activities to sup-
14 port the most rural communities: *Provided further*, That
15 the Rural Utilities Service is directed to expedite program
16 delivery methods that would implement this paragraph:
17 *Provided further*, That for purposes of this paragraph, the
18 Secretary shall adhere to the notice, reporting and service
19 area assessment requirements set forth in section 701 of
20 the Rural Electrification Act (7 U.S.C. 950cc).

21 In addition, \$35,000,000, to remain available until
22 expended, for the Community Connect Grant Program au-
23 thorized by 7 U.S.C. 950bb-3.

1 TITLE IV
2 DOMESTIC FOOD PROGRAMS
3 OFFICE OF THE UNDER SECRETARY FOR FOOD,
4 NUTRITION, AND CONSUMER SERVICES

5 For necessary expenses of the Office of the Under
6 Secretary for Food, Nutrition, and Consumer Services,
7 \$1,376,000: *Provided*, That funds made available by this
8 Act to an agency in the Food, Nutrition and Consumer
9 Services mission area for salaries and expenses are avail-
10 able to fund up to one administrative support staff for
11 the Office.

12 FOOD AND NUTRITION SERVICE
13 CHILD NUTRITION PROGRAMS
14 (INCLUDING TRANSFERS OF FUNDS)

15 For necessary expenses to carry out the Richard B.
16 Russell National School Lunch Act (42 U.S.C. 1751 et
17 seq.), except section 21, and the Child Nutrition Act of
18 1966 (42 U.S.C. 1771 et seq.), except sections 17 and
19 21; \$28,619,957,000 (increased by \$3,000,000) (increased
20 by \$3,000,000) (increased by \$2,000,000) (reduced by
21 \$1,000,000) (increased by \$1,000,000) to remain avail-
22 able through September 30, 2024, of which such sums as
23 are made available under section 14222(b)(1) of the Food,
24 Conservation, and Energy Act of 2008 (Public Law 110–
25 246), as amended by this Act, shall be merged with and

1 available for the same time period and purposes as pro-
2 vided herein: *Provided*, That of the total amount available,
3 \$20,162,000 shall be available to carry out section 19 of
4 the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.):
5 *Provided further*, That of the total amount available,
6 \$21,005,000 shall be available to carry out studies and
7 evaluations and shall remain available until expended: *Pro-*
8 *vided further*, That of the total amount available,
9 \$12,000,000 (increased by \$3,000,000) shall remain avail-
10 able until expended to carry out section 18(g) of the Rich-
11 ard B. Russell National School Lunch Act (42 U.S.C.
12 1769(g)): *Provided further*, That notwithstanding section
13 18(g)(3)(C) of the Richard B. Russell National School
14 Lunch Act (42 U.S.C. 1769(g)(3)(c)), the total grant
15 amount provided to a farm to school grant recipient in
16 fiscal year 2023 shall not exceed \$500,000: *Provided fur-*
17 *ther*, That of the total amount available, \$40,000,000 (in-
18 creased by \$3,000,000) shall be available to provide com-
19 petitive grants to State agencies for subgrants to local
20 educational agencies and schools to purchase the equip-
21 ment, with a value of greater than \$1,000, needed to serve
22 healthier meals, improve food safety, and to help support
23 the establishment, maintenance, or expansion of the school
24 breakfast program: *Provided further*, That of the total
25 amount available, \$50,000,000 shall remain available until

1 expended to carry out section 749(g) of the Agriculture
2 Appropriations Act of 2010 (Public Law 111–80): *Pro-*
3 *vided further*, That of the total amount available,
4 \$10,000,000 (increased by \$2,000,000) shall be available
5 until September 30, 2024 to carry out section 23 of the
6 Child Nutrition Act of 1966 (42 U.S.C. 1793), of which
7 \$2,000,000 shall be for grants under such section to the
8 Commonwealth of Puerto Rico, the Commonwealth of the
9 Northern Mariana Islands, the United States Virgin Is-
10 lands, Guam, and American Samoa: *Provided further*,
11 That section 26(d) of the Richard B. Russell National
12 School Lunch Act (42 U.S.C. 1769g(d)) is amended in
13 the first sentence by striking “2010 through 2023” and
14 inserting “2010 through 2024”: *Provided further*, That
15 section 9(h)(3) of the Richard B. Russell National School
16 Lunch Act (42 U.S.C. 1758(h)(3)) is amended in the first
17 sentence by striking “For fiscal year 2022” and inserting
18 “For fiscal year 2023”: *Provided further*, That section
19 9(h)(4) of the Richard B. Russell National School Lunch
20 Act (42 U.S.C. 1758(h)(4)) is amended in the first sen-
21 tence by striking “For fiscal year 2022” and inserting
22 “For fiscal year 2023”.

1 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR
2 WOMEN, INFANTS, AND CHILDREN (WIC)

3 For necessary expenses to carry out the special sup-
4 plemental nutrition program as authorized by section 17
5 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),
6 \$6,000,000,000, to remain available through September
7 30, 2024: *Provided*, That notwithstanding section
8 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C.
9 1786(h)(10)), not less than \$90,000,000 shall be used for
10 breastfeeding peer counselors and other related activities,
11 and \$14,000,000 shall be used for infrastructure: *Pro-*
12 *vided further*, That the Secretary shall use funds made
13 available under this heading to increase the amount of a
14 cash-value voucher for women and children participants
15 to an amount recommended by the National Academies
16 of Science, Engineering and Medicine and adjusted for in-
17 flation: *Provided further*, That none of the funds provided
18 in this account shall be available for the purchase of infant
19 formula except in accordance with the cost containment
20 and competitive bidding requirements specified in section
21 17 of such Act: *Provided further*, That none of the funds
22 provided shall be available for activities that are not fully
23 reimbursed by other Federal Government departments or
24 agencies unless authorized by section 17 of such Act: *Pro-*
25 *vided further*, That upon termination of a federally man-

1 dated vendor moratorium and subject to terms and condi-
2 tions established by the Secretary, the Secretary may
3 waive the requirement at 7 CFR 246.12(g)(6) at the re-
4 quest of a State agency.

5 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

6 For necessary expenses to carry out the Food and
7 Nutrition Act of 2008 (7 U.S.C. 2011 et seq.),
8 \$111,180,895,000 (reduced by \$5,000,000) (increased by
9 \$5,000,000) (increased by \$1,000,000,000), of which
10 \$3,000,000,000, to remain available through September
11 30, 2025, shall be placed in reserve for use only in such
12 amounts and at such times as may become necessary to
13 carry out program operations: *Provided*, That funds pro-
14 vided herein shall be expended in accordance with section
15 16 of the Food and Nutrition Act of 2008: *Provided fur-*
16 *ther*, That of the funds made available under this heading,
17 \$998,000 may be used to provide nutrition education serv-
18 ices to State agencies and Federally Recognized Tribes
19 participating in the Food Distribution Program on Indian
20 Reservations: *Provided further*, That of the funds made
21 available under this heading, \$3,000,000, to remain avail-
22 able until September 30, 2024, shall be used to carry out
23 section 4003(b) of Public Law 115–334 relating to dem-
24 onstration projects for tribal organizations: *Provided fur-*
25 *ther*, That this appropriation shall be subject to any work

1 registration or workfare requirements as may be required
2 by law: *Provided further*, That funds made available for
3 Employment and Training under this heading shall re-
4 main available through September 30, 2024: *Provided fur-*
5 *ther*, That funds made available under this heading for
6 section 28(d)(1), section 4(b), and section 27(a) of the
7 Food and Nutrition Act of 2008 shall remain available
8 through September 30, 2024: *Provided further*, That none
9 of the funds made available under this heading may be
10 obligated or expended in contravention of section 213A of
11 the Immigration and Nationality Act (8 U.S.C. 1183A):
12 *Provided further*, That funds made available under this
13 heading may be used to enter into contracts and employ
14 staff to conduct studies, evaluations, or to conduct activi-
15 ties related to program integrity provided that such activi-
16 ties are authorized by the Food and Nutrition Act of 2008.

17 For making, after June 30 of the current fiscal year,
18 benefit payments to individuals, and payments to States
19 or other non-Federal entities, pursuant to the Food and
20 Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), for unan-
21 ticipated costs incurred for the last three months of the
22 fiscal year, such sums as may be necessary.

23 COMMODITY ASSISTANCE PROGRAM

24 For necessary expenses to carry out disaster assist-
25 ance and the Commodity Supplemental Food Program as

1 authorized by section 4(a) of the Agriculture and Con-
2 sumer Protection Act of 1973 (7 U.S.C. 612c note); the
3 Emergency Food Assistance Act of 1983; special assist-
4 ance for the nuclear affected islands, as authorized by sec-
5 tion 103(f)(2) of the Compact of Free Association Amend-
6 ments Act of 2003 (Public Law 108–188); and the Farm-
7 ers’ Market Nutrition Program, as authorized by section
8 17(m) of the Child Nutrition Act of 1966, \$469,710,000,
9 to remain available through September 30, 2024: *Pro-*
10 *vided*, That none of these funds shall be available to reim-
11 burse the Commodity Credit Corporation for commodities
12 donated to the program: *Provided further*, That notwith-
13 standing any other provision of law, effective with funds
14 made available in fiscal year 2023 to support the Seniors
15 Farmers’ Market Nutrition Program, as authorized by
16 section 4402 of the Farm Security and Rural Investment
17 Act of 2002, such funds shall remain available through
18 September 30, 2024: *Provided further*, That of the funds
19 made available under section 27(a) of the Food and Nutri-
20 tion Act of 2008 (7 U.S.C. 2036(a)), the Secretary may
21 use up to 20 percent for costs associated with the distribu-
22 tion of commodities.

23 NUTRITION PROGRAMS ADMINISTRATION

24 For necessary administrative expenses of the Food
25 and Nutrition Service for carrying out any domestic nutri-

1 tion assistance program, \$231,378,000: *Provided*, That of
2 the funds provided herein, \$2,000,000 shall be used for
3 the purposes of section 4404 of Public Law 107–171, as
4 amended by section 4401 of Public Law 110–246.

5 TITLE V

6 FOREIGN ASSISTANCE AND RELATED

7 PROGRAMS

8 OFFICE OF THE UNDER SECRETARY FOR TRADE AND
9 FOREIGN AGRICULTURAL AFFAIRS

10 For necessary expenses of the Office of the Under
11 Secretary for Trade and Foreign Agricultural Affairs,
12 \$932,000: *Provided*, That funds made available by this
13 Act to any agency in the Trade and Foreign Agricultural
14 Affairs mission area for salaries and expenses are avail-
15 able to fund up to one administrative support staff for
16 the Office.

17 OFFICE OF CODEX ALIMENTARIUS

18 For necessary expenses of the Office of Codex
19 Alimentarius, \$4,922,000, including not to exceed
20 \$40,000 for official reception and representation expenses.

21 FOREIGN AGRICULTURAL SERVICE

22 SALARIES AND EXPENSES

23 (INCLUDING TRANSFERS OF FUNDS)

24 For necessary expenses of the Foreign Agricultural
25 Service, including not to exceed \$250,000 for representa-

1 tion allowances and for expenses pursuant to section 8 of
2 the Act approved August 3, 1956 (7 U.S.C. 1766),
3 \$234,913,000 (increased by \$1,000,000) (reduced by
4 \$1,000,000), of which no more than 6 percent shall re-
5 main available until September 30, 2024, for overseas op-
6 erations to include the payment of locally employed staff:
7 *Provided*, That the Service may utilize advances of funds,
8 or reimburse this appropriation for expenditures made on
9 behalf of Federal agencies, public and private organiza-
10 tions and institutions under agreements executed pursu-
11 ant to the agricultural food production assistance pro-
12 grams (7 U.S.C. 1737) and the foreign assistance pro-
13 grams of the United States Agency for International De-
14 velopment: *Provided further*, That funds made available
15 for middle-income country training programs, funds made
16 available for the Borlaug International Agricultural
17 Science and Technology Fellowship program, and up to
18 \$2,000,000 of the Foreign Agricultural Service appropria-
19 tion solely for the purpose of offsetting fluctuations in
20 international currency exchange rates, subject to docu-
21 mentation by the Foreign Agricultural Service, shall re-
22 main available until expended.

23 FOOD FOR PEACE TITLE II GRANTS

24 For expenses during the current fiscal year, not oth-
25 erwise recoverable, and unrecovered prior years' costs, in-

1 cluding interest thereon, under the Food for Peace Act
2 (Public Law 83–480), for commodities supplied in connec-
3 tion with dispositions abroad under title II of said Act,
4 \$1,800,000,000, to remain available until expended.

5 MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION
6 AND CHILD NUTRITION PROGRAM GRANTS

7 For necessary expenses to carry out the provisions
8 of section 3107 of the Farm Security and Rural Invest-
9 ment Act of 2002 (7 U.S.C. 1736o–1), \$265,000,000, to
10 remain available until expended: *Provided*, That the Com-
11 modity Credit Corporation is authorized to provide the
12 services, facilities, and authorities for the purpose of im-
13 plementing such section, subject to reimbursement from
14 amounts provided herein: *Provided further*, That of the
15 amount made available under this heading, not more than
16 10 percent, but not less than \$26,500,000, shall remain
17 available until expended to purchase agricultural commod-
18 ities as described in subsection 3107(a)(2) of the Farm
19 Security and Rural Investment Act of 2002 (7 U.S.C.
20 1736o–1(a)(2)).

21 COMMODITY CREDIT CORPORATION EXPORT (LOANS)
22 CREDIT GUARANTEE PROGRAM ACCOUNT
23 (INCLUDING TRANSFERS OF FUNDS)

24 For administrative expenses to carry out the Com-
25 modity Credit Corporation’s Export Guarantee Program,

1 GSM 102 and GSM 103, \$6,063,000, to cover common
2 overhead expenses as permitted by section 11 of the Com-
3 modity Credit Corporation Charter Act and in conformity
4 with the Federal Credit Reform Act of 1990, which shall
5 be transferred to and merged with the appropriation for
6 “Foreign Agricultural Service, Salaries and Expenses”.

7 TITLE VI

8 RELATED AGENCIES AND FOOD AND DRUG
9 ADMINISTRATION

10 DEPARTMENT OF HEALTH AND HUMAN SERVICES

11 FOOD AND DRUG ADMINISTRATION

12 SALARIES AND EXPENSES

13 (INCLUDING TRANSFERS OF FUNDS)

14 For necessary expenses of the Food and Drug Ad-
15 ministration, including hire and purchase of passenger
16 motor vehicles; for payment of space rental and related
17 costs pursuant to Public Law 92–313 for programs and
18 activities of the Food and Drug Administration which are
19 included in this Act; for rental of special purpose space
20 in the District of Columbia or elsewhere; in addition to
21 amounts appropriated to the FDA Innovation Account, for
22 carrying out the activities described in section 1002(b)(4)
23 of the 21st Century Cures Act (Public Law 114–255); for
24 miscellaneous and emergency expenses of enforcement ac-
25 tivities, authorized and approved by the Secretary and to

1 be accounted for solely on the Secretary's certificate, not
2 to exceed \$25,000; and notwithstanding section 521 of
3 Public Law 107-188; \$6,484,171,000 (increased by
4 \$3,000,000) (reduced by \$3,000,000) (reduced by
5 \$500,000) (increased by \$500,000): *Provided*, That of the
6 amount provided under this heading, \$1,224,132,000 shall
7 be derived from prescription drug user fees authorized by
8 21 U.S.C. 379h, and shall be credited to this account and
9 remain available until expended; \$248,342,000 shall be de-
10 rived from medical device user fees authorized by 21
11 U.S.C. 379j, and shall be credited to this account and re-
12 main available until expended; \$550,449,000 shall be de-
13 rived from human generic drug user fees authorized by
14 21 U.S.C. 379j-42, and shall be credited to this account
15 and remain available until expended; \$40,841,000 shall be
16 derived from biosimilar biological product user fees au-
17 thorized by 21 U.S.C. 379j-52, and shall be credited to
18 this account and remain available until expended;
19 \$32,238,000 shall be derived from animal drug user fees
20 authorized by 21 U.S.C. 379j-12, and shall be credited
21 to this account and remain available until expended;
22 \$29,459,000 shall be derived from generic new animal
23 drug user fees authorized by 21 U.S.C. 379j-21, and shall
24 be credited to this account and remain available until ex-
25 pended; \$712,000,000 shall be derived from tobacco prod-

1 uct user fees authorized by 21 U.S.C. 387s, and shall be
2 credited to this account and remain available until ex-
3 pended: *Provided further*, That in addition to and notwith-
4 standing any other provision under this heading, amounts
5 collected for prescription drug user fees, medical device
6 user fees, human generic drug user fees, biosimilar biologi-
7 cal product user fees, animal drug user fees, and generic
8 new animal drug user fees that exceed the respective fiscal
9 year 2023 limitations are appropriated and shall be cred-
10 ited to this account and remain available until expended:
11 *Provided further*, That fees derived from prescription drug,
12 medical device, human generic drug, biosimilar biological
13 product, animal drug, and generic new animal drug as-
14 sessments for fiscal year 2023, including any such fees
15 collected prior to fiscal year 2023 but credited for fiscal
16 year 2023, shall be subject to the fiscal year 2023 limita-
17 tions: *Provided further*, That the Secretary may accept
18 payment during fiscal year 2023 of user fees specified
19 under this heading and authorized for fiscal year 2024,
20 prior to the due date for such fees, and that amounts of
21 such fees assessed for fiscal year 2024 for which the Sec-
22 retary accepts payment in fiscal year 2023 shall not be
23 included in amounts under this heading: *Provided further*,
24 That none of these funds shall be used to develop, estab-
25 lish, or operate any program of user fees authorized by

1 31 U.S.C. 9701: *Provided further*, That of the total
2 amount appropriated: (1) \$1,244,007,000 shall be for the
3 Center for Food Safety and Applied Nutrition and related
4 field activities in the Office of Regulatory Affairs, of which
5 no less than \$15,000,000 shall be used for inspections of
6 foreign seafood manufacturers and field examinations of
7 imported seafood; (2) \$2,225,209,000 (increased by
8 \$5,000,000) shall be for the Center for Drug Evaluation
9 and Research and related field activities in the Office of
10 Regulatory Affairs, of which no less than \$10,000,000
11 shall be for pilots to increase unannounced foreign inspec-
12 tions and shall remain available until expended, and
13 \$15,000,000 (increased by \$5,000,000) shall be for co-
14 ordinating programs and activities of the Food and Drug
15 Administration with those of the Drug Enforcement Ad-
16 ministration and U.S. Customs and Border Protection to
17 combat the illicit importation of opioids, including
18 fentanyl, through international mail facilities and land
19 ports-of entry; (3) \$477,782,000 shall be for the Center
20 for Biologics Evaluation and Research and for related field
21 activities in the Office of Regulatory Affairs; (4)
22 \$295,999,000 (increased by \$8,000,000) shall be for the
23 Center for Veterinary Medicine and for related field activi-
24 ties in the Office of Regulatory Affairs; (5) \$682,221,000
25 shall be for the Center for Devices and Radiological

1 Health and for related field activities in the Office of Reg-
2 ulatory Affairs; (6) \$77,893,000 shall be for the National
3 Center for Toxicological Research; (7) \$677,165,000 shall
4 be for the Center for Tobacco Products and for related
5 field activities in the Office of Regulatory Affairs; (8)
6 \$216,603,000 shall be for Rent and Related activities, of
7 which \$56,011,000 is for White Oak Consolidation, other
8 than the amounts paid to the General Services Adminis-
9 tration for rent; (9) \$237,917,000 shall be for payments
10 to the General Services Administration for rent; and (10)
11 \$349,375,000 (reduced by \$8,000,000) (reduced by
12 \$5,000,000) shall be for other activities, including the Of-
13 fice of the Commissioner of Food and Drugs, the Office
14 of Food Policy and Response, the Office of Operations,
15 the Office of the Chief Scientist, and central services for
16 these offices: *Provided further*, That not to exceed \$25,000
17 of this amount shall be for official reception and represen-
18 tation expenses, not otherwise provided for, as determined
19 by the Commissioner: *Provided further*, That any transfer
20 of funds pursuant to, and for the administration of, sec-
21 tion 770(n) of the Federal Food, Drug, and Cosmetic Act
22 (21 U.S.C. 379dd(n)) shall only be from amounts made
23 available under this heading for other activities and shall
24 not exceed \$2,000,000: *Provided further*, That of the
25 amounts that are made available under this heading for

1 “other activities”, and that are not derived from user fees,
2 \$1,500,000 shall be transferred to and merged with the
3 appropriation for “Department of Health and Human
4 Services—Office of Inspector General” for oversight of the
5 programs and operations of the Food and Drug Adminis-
6 tration and shall be in addition to funds otherwise made
7 available for oversight of the Food and Drug Administra-
8 tion: *Provided further*, That funds may be transferred
9 from one specified activity to another with the prior ap-
10 proval of the Committees on Appropriations of both
11 Houses of Congress.

12 In addition, mammography user fees authorized by
13 42 U.S.C. 263b, export certification user fees authorized
14 by 21 U.S.C. 381, priority review user fees authorized by
15 21 U.S.C. 360n and 360ff, food and feed recall fees, food
16 reinspection fees, and voluntary qualified importer pro-
17 gram fees authorized by 21 U.S.C. 379j–31, outsourcing
18 facility fees authorized by 21 U.S.C. 379j–62, prescription
19 drug wholesale distributor licensing and inspection fees
20 authorized by 21 U.S.C. 353(e)(3), third-party logistics
21 provider licensing and inspection fees authorized by 21
22 U.S.C. 360eee–3(c)(1), third-party auditor fees authorized
23 by 21 U.S.C. 384d(c)(8), medical countermeasure priority
24 review voucher user fees authorized by 21 U.S.C. 360bbb–
25 4a, and fees relating to over-the-counter monograph drugs

1 authorized by 21 U.S.C. 379j–72 shall be credited to this
2 account, to remain available until expended.

3 BUILDINGS AND FACILITIES

4 For plans, construction, repair, improvement, exten-
5 sion, alteration, demolition, and purchase of fixed equip-
6 ment or facilities of or used by the Food and Drug Admin-
7 istration, where not otherwise provided, \$16,000,000, to
8 remain available until expended.

9 FDA INNOVATION ACCOUNT, CURES ACT

10 (INCLUDING TRANSFER OF FUNDS)

11 For necessary expenses to carry out the purposes de-
12 scribed under section 1002(b)(4) of the 21st Century
13 Cures Act, in addition to amounts available for such pur-
14 poses under the heading “Salaries and Expenses”,
15 \$50,000,000, to remain available until expended: *Pro-*
16 *vided*, That amounts appropriated in this paragraph are
17 appropriated pursuant to section 1002(b)(3) of the 21st
18 Century Cures Act, are to be derived from amounts trans-
19 ferred under section 1002(b)(2)(A) of such Act, and may
20 be transferred by the Commissioner of Food and Drugs
21 to the appropriation for “Department of Health and
22 Human Services Food and Drug Administration Salaries
23 and Expenses” solely for the purposes provided in such
24 Act: *Provided further*, That upon a determination by the
25 Commissioner that funds transferred pursuant to the pre-

1 vious proviso are not necessary for the purposes provided,
2 such amounts may be transferred back to the account:
3 *Provided further*, That such transfer authority is in addi-
4 tion to any other transfer authority provided by law.

5 INDEPENDENT AGENCIES

6 COMMODITY FUTURES TRADING COMMISSION

7 (INCLUDING TRANSFER OF FUNDS)

8 For necessary expenses to carry out the provisions
9 of the Commodity Exchange Act (7 U.S.C. 1 et seq.), in-
10 cluding the purchase and hire of passenger motor vehicles,
11 and the rental of space (to include multiple year leases),
12 in the District of Columbia and elsewhere, \$365,000,000,
13 including not to exceed \$3,000 for official reception and
14 representation expenses, and not to exceed \$25,000 for the
15 expenses for consultations and meetings hosted by the
16 Commission with foreign governmental and other regu-
17 latory officials, of which not less than \$20,000,000 shall
18 remain available until September 30, 2024, and of which
19 not less than \$4,567,000 shall be for expenses of the Of-
20 fice of the Inspector General: *Provided*, That notwith-
21 standing the limitations in 31 U.S.C. 1553, amounts pro-
22 vided under this heading are available for the liquidation
23 of obligations equal to current year payments on leases
24 entered into prior to the date of enactment of this Act:
25 *Provided further*, That for the purpose of recording and

1 liquidating any lease obligations that should have been re-
2 corded and liquidated against accounts closed pursuant to
3 31 U.S.C. 1552, and consistent with the preceding pro-
4 viso, such amounts shall be transferred to and recorded
5 in a no-year account in the Treasury, which has been es-
6 tablished for the sole purpose of recording adjustments for
7 and liquidating such unpaid obligations.

8 FARM CREDIT ADMINISTRATION

9 LIMITATION ON ADMINISTRATIVE EXPENSES

10 Not to exceed \$88,500,000 (from assessments col-
11 lected from farm credit institutions, including the Federal
12 Agricultural Mortgage Corporation) shall be obligated
13 during the current fiscal year for administrative expenses
14 as authorized under 12 U.S.C. 2249: *Provided*, That this
15 limitation shall not apply to expenses associated with re-
16 ceiverships: *Provided further*, That the agency may exceed
17 this limitation by up to 10 percent with notification to the
18 Committees on Appropriations of both Houses of Con-
19 gress: *Provided further*, That the purposes of section
20 3.7(b)(2)(A)(i) of the Farm Credit Act of 1971 (12 U.S.C.
21 2128(b)(2)(A)(i)), the Farm Credit Administration may
22 exempt, an amount in its sole discretion, from the applica-
23 tion of the limitation provided in that clause of export
24 loans described in the clause guaranteed or insured in a

1 manner other than described in subclause (II) of the
2 clause.

3 TITLE VII

4 GENERAL PROVISIONS

5 (INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

6 SEC. 701. The Secretary may use any appropriations
7 made available to the Department of Agriculture in this
8 Act to purchase new passenger motor vehicles, in addition
9 to specific appropriations for this purpose, so long as the
10 total number of vehicles purchased in fiscal year 2023
11 does not exceed the number of vehicles owned or leased
12 in fiscal year 2018: *Provided*, That, prior to purchasing
13 additional motor vehicles, the Secretary must determine
14 that such vehicles are necessary for transportation safety,
15 to reduce operational costs, and for the protection of life,
16 property, and public safety: *Provided further*, That the
17 Secretary may not increase the Department of Agri-
18 culture's fleet above the 2018 level unless the Secretary
19 notifies in writing, and receives approval from, the Com-
20 mittees on Appropriations of both Houses of Congress
21 within 30 days of the notification.

22 SEC. 702. Notwithstanding any other provision of
23 this Act, the Secretary of Agriculture may transfer unobli-
24 gated balances of discretionary funds appropriated by this
25 Act or any other available unobligated discretionary bal-

1 ances that are remaining available of the Department of
2 Agriculture to the Working Capital Fund for the acquisi-
3 tion of property, plant and equipment and for the improve-
4 ment, delivery, and implementation of Department finan-
5 cial, and administrative information technology services,
6 and other support systems necessary for the delivery of
7 financial, administrative, and information technology serv-
8 ices, including cloud adoption and migration, of primary
9 benefit to the agencies of the Department of Agriculture,
10 such transferred funds to remain available until expended:
11 *Provided*, That none of the funds made available by this
12 Act or any other Act shall be transferred to the Working
13 Capital Fund without the prior approval of the agency ad-
14 ministrator: *Provided further*, That none of the funds
15 transferred to the Working Capital Fund pursuant to this
16 section shall be available for obligation without written no-
17 tification to and the prior approval of the Committees on
18 Appropriations of both Houses of Congress: *Provided fur-*
19 *ther*, That none of the funds appropriated by this Act or
20 made available to the Department's Working Capital
21 Fund shall be available for obligation or expenditure to
22 make any changes to the Department's National Finance
23 Center without written notification to and prior approval
24 of the Committees on Appropriations of both Houses of
25 Congress as required by section 716 of this Act: *Provided*

1 *further*, That none of the funds appropriated by this Act
2 or made available to the Department's Working Capital
3 Fund shall be available for obligation or expenditure to
4 initiate, plan, develop, implement, or make any changes
5 to remove or relocate any systems, missions, personnel, or
6 functions of the offices of the Chief Financial Officer and
7 the Chief Information Officer, co-located with or from the
8 National Finance Center prior to written notification to
9 and prior approval of the Committee on Appropriations
10 of both Houses of Congress and in accordance with the
11 requirements of section 716 of this Act: *Provided further*,
12 That the National Finance Center Information Tech-
13 nology Services Division personnel and data center man-
14 agement responsibilities, and control of any functions,
15 missions, and systems for current and future human re-
16 sources management and integrated personnel and payroll
17 systems (PPS) and functions provided by the Chief Finan-
18 cial Officer and the Chief Information Officer shall remain
19 in the National Finance Center and under the manage-
20 ment responsibility and administrative control of the Na-
21 tional Finance Center: *Provided further*, That the Sec-
22 retary of Agriculture and the offices of the Chief Financial
23 Officer shall actively market to existing and new Depart-
24 ments and other government agencies National Finance
25 Center shared services including, but not limited to, pay-

1 roll, financial management, and human capital shared
2 services and allow the National Finance Center to perform
3 technology upgrades: *Provided further*, That of annual in-
4 come amounts in the Working Capital Fund of the De-
5 partment of Agriculture attributable to the amounts in ex-
6 cess of the true costs of the shared services provided by
7 the National Finance Center and budgeted for the Na-
8 tional Finance Center, the Secretary shall reserve not
9 more than 4 percent for the replacement or acquisition
10 of capital equipment, including equipment for the improve-
11 ment, delivery, and implementation of financial, adminis-
12 trative, and information technology services, and other
13 systems of the National Finance Center or to pay any un-
14 foreseen, extraordinary cost of the National Finance Cen-
15 ter: *Provided further*, That none of the amounts reserved
16 shall be available for obligation unless the Secretary sub-
17 mits written notification of the obligation to the Commit-
18 tees on Appropriations of both Houses of Congress: *Pro-*
19 *vided further*, That the limitations on the obligation of
20 funds pending notification to Congressional Committees
21 shall not apply to any obligation that, as determined by
22 the Secretary, is necessary to respond to a declared state
23 of emergency that significantly impacts the operations of
24 the National Finance Center; or to evacuate employees of

1 the National Finance Center to a safe haven to continue
2 operations of the National Finance Center.

3 SEC. 703. No part of any appropriation contained in
4 this Act shall remain available for obligation beyond the
5 current fiscal year unless expressly so provided herein.

6 SEC. 704. No funds appropriated by this Act may be
7 used to pay negotiated indirect cost rates on cooperative
8 agreements or similar arrangements between the United
9 States Department of Agriculture and nonprofit institu-
10 tions in excess of 10 percent of the total direct cost of
11 the agreement when the purpose of such cooperative ar-
12 rangements is to carry out programs of mutual interest
13 between the two parties. This does not preclude appro-
14 priate payment of indirect costs on grants and contracts
15 with such institutions when such indirect costs are com-
16 puted on a similar basis for all agencies for which appro-
17 priations are provided in this Act.

18 SEC. 705. Appropriations to the Department of Agri-
19 culture for the cost of direct and guaranteed loans made
20 available in the current fiscal year shall remain available
21 until expended to disburse obligations made in the current
22 fiscal year for the following accounts: the Rural Develop-
23 ment Loan Fund program account, the Rural Electrifica-
24 tion and Telecommunication Loans program account, and
25 the Rural Housing Insurance Fund program account.

1 SEC. 706. None of the funds made available to the
2 Department of Agriculture by this Act may be used to ac-
3 quire new information technology systems or significant
4 upgrades, as determined by the Office of the Chief Infor-
5 mation Officer, without the approval of the Chief Informa-
6 tion Officer and the concurrence of the Executive Informa-
7 tion Technology Investment Review Board: *Provided*, That
8 notwithstanding any other provision of law, none of the
9 funds appropriated or otherwise made available by this
10 Act may be transferred to the Office of the Chief Informa-
11 tion Officer without written notification to and the prior
12 approval of the Committees on Appropriations of both
13 Houses of Congress: *Provided further*, That notwith-
14 standing section 11319 of title 40, United States Code,
15 none of the funds available to the Department of Agri-
16 culture for information technology shall be obligated for
17 projects, contracts, or other agreements over \$25,000
18 prior to receipt of written approval by the Chief Informa-
19 tion Officer: *Provided further*, That the Chief Information
20 Officer may authorize an agency to obligate funds without
21 written approval from the Chief Information Officer for
22 projects, contracts, or other agreements up to \$250,000
23 based upon the performance of an agency measured
24 against the performance plan requirements described in

1 the explanatory statement accompanying Public Law 113–
2 235.

3 SEC. 707. Funds made available under section 524(b)
4 of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in
5 the current fiscal year shall remain available until ex-
6 pended to disburse obligations made in the current fiscal
7 year.

8 SEC. 708. Notwithstanding any other provision of
9 law, any former Rural Utilities Service borrower that has
10 repaid or prepaid an insured, direct or guaranteed loan
11 under the Rural Electrification Act of 1936, or any not-
12 for-profit utility that is eligible to receive an insured or
13 direct loan under such Act, shall be eligible for assistance
14 under section 313B(a) of such Act in the same manner
15 as a borrower under such Act.

16 SEC. 709. (a) Except as otherwise specifically pro-
17 vided by law, not more than \$20,000,000 in unobligated
18 balances from appropriations made available for salaries
19 and expenses in this Act for the Farm Service Agency
20 shall remain available through September 30, 2024, for
21 information technology expenses.

22 (b) Except as otherwise specifically provided by law,
23 not more than \$20,000,000 in unobligated balances from
24 appropriations made available for salaries and expenses in
25 this Act for the Rural Development mission area shall re-

1 main available through September 30, 2024, for informa-
2 tion technology expenses.

3 SEC. 710. None of the funds appropriated or other-
4 wise made available by this Act may be used for first-class
5 travel by the employees of agencies funded by this Act in
6 contravention of sections 301–10.122 through 301–10.124
7 of title 41, Code of Federal Regulations.

8 SEC. 711. In the case of each program established
9 or amended by the Agricultural Act of 2014 (Public Law
10 113–79) or by a successor to that Act, other than by title
11 I or subtitle A of title III of such Act, or programs for
12 which indefinite amounts were provided in that Act, that
13 is authorized or required to be carried out using funds
14 of the Commodity Credit Corporation—

15 (1) such funds shall be available for salaries
16 and related administrative expenses, including tech-
17 nical assistance, associated with the implementation
18 of the program, without regard to the limitation on
19 the total amount of allotments and fund transfers
20 contained in section 11 of the Commodity Credit
21 Corporation Charter Act (15 U.S.C. 714i); and

22 (2) the use of such funds for such purpose shall
23 not be considered to be a fund transfer or allotment
24 for purposes of applying the limitation on the total

1 amount of allotments and fund transfers contained
2 in such section.

3 SEC. 712. Of the funds made available by this Act,
4 not more than \$2,900,000 shall be used to cover necessary
5 expenses of activities related to all advisory committees,
6 panels, commissions, and task forces of the Department
7 of Agriculture, except for panels used to comply with nego-
8 tiated rule makings and panels used to evaluate competi-
9 tively awarded grants.

10 SEC. 713. (a) None of the funds made available in
11 this Act may be used to maintain or establish a computer
12 network unless such network blocks the viewing,
13 downloading, and exchanging of pornography.

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

18 SEC. 714. Notwithstanding subsection (b) of section
19 14222 of Public Law 110–246 (7 U.S.C. 612c–6; in this
20 section referred to as “section 14222”), none of the funds
21 appropriated or otherwise made available by this or any
22 other Act shall be used to pay the salaries and expenses
23 of personnel to carry out a program under section 32 of
24 the Act of August 24, 1935 (7 U.S.C. 612c; in this section
25 referred to as “section 32”) in excess of \$1,483,309,000

1 (exclusive of carryover appropriations from prior fiscal
2 years), as follows: Child Nutrition Programs Entitlement
3 Commodities—\$485,000,000; State Option Contracts—
4 \$5,000,000; Removal of Defective Commodities—
5 \$2,500,000; Administration of section 32 Commodity Pur-
6 chases—\$37,178,000: *Provided*, That, of the total funds
7 made available in the matter preceding this proviso that
8 remain unobligated on October 1, 2023, such unobligated
9 balances shall carryover into fiscal year 2024 and shall
10 remain available until expended for any of the purposes
11 of section 32, except that any such carryover funds used
12 in accordance with clause (3) of section 32 may not exceed
13 \$350,000,000 and may not be obligated until the Sec-
14 retary of Agriculture provides written notification of the
15 expenditures to the Committees on Appropriations of both
16 Houses of Congress at least two weeks in advance: *Pro-*
17 *vided further*, That, with the exception of any available
18 carryover funds authorized in any prior appropriations Act
19 to be used for the purposes of clause (3) of section 32,
20 none of the funds appropriated or otherwise made avail-
21 able by this or any other Act shall be used to pay the
22 salaries or expenses of any employee of the Department
23 of Agriculture to carry out clause (3) of section 32.

24 SEC. 715. None of the funds appropriated by this or
25 any other Act shall be used to pay the salaries and ex-

1 penses of personnel who prepare or submit appropriations
2 language as part of the President's budget submission to
3 the Congress for programs under the jurisdiction of the
4 Appropriations Subcommittees on Agriculture, Rural De-
5 velopment, Food and Drug Administration, and Related
6 Agencies that assumes revenues or reflects a reduction
7 from the previous year due to user fees proposals that
8 have not been enacted into law prior to the submission
9 of the budget unless such budget submission identifies
10 which additional spending reductions should occur in the
11 event the user fees proposals are not enacted prior to the
12 date of the convening of a committee of conference for
13 the fiscal year 2024 appropriations Act.

14 SEC. 716. (a) None of the funds provided by this Act,
15 or provided by previous appropriations Acts to the agen-
16 cies funded by this Act that remain available for obligation
17 or expenditure in the current fiscal year, or provided from
18 any accounts in the Treasury derived by the collection of
19 fees available to the agencies funded by this Act, shall be
20 available for obligation or expenditure through a re-
21 programming, transfer of funds, or reimbursements as au-
22 thorized by the Economy Act, or in the case of the Depart-
23 ment of Agriculture, through use of the authority provided
24 by section 702(b) of the Department of Agriculture Or-

1 ganic Act of 1944 (7 U.S.C. 2257) or section 8 of Public
2 Law 89–106 (7 U.S.C. 2263), that—

3 (1) creates new programs;

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

5 (3) increases funds or personnel by any means
6 for any project or activity for which funds have been
7 denied or restricted;

8 (4) relocates an office or employees;

9 (5) reorganizes offices, programs, or activities;

10 or

11 (6) contracts out or privatizes any functions or
12 activities presently performed by Federal employees;

13 unless the Secretary of Agriculture, the Secretary of
14 Health and Human Services, or the Chairman of the Com-
15 modity Futures Trading Commission (as the case may be)
16 notifies in writing and receives approval from the Commit-
17 tees on Appropriations of both Houses of Congress at least
18 30 days in advance of the reprogramming of such funds
19 or the use of such authority.

20 (b) None of the funds provided by this Act, or pro-
21 vided by previous Appropriations Acts to the agencies
22 funded by this Act that remain available for obligation or
23 expenditure in the current fiscal year, or provided from
24 any accounts in the Treasury derived by the collection of
25 fees available to the agencies funded by this Act, shall be

1 available for obligation or expenditure for activities, pro-
2 grams, or projects through a reprogramming or use of the
3 authorities referred to in subsection (a) involving funds
4 in excess of \$500,000 or 10 percent, whichever is less,
5 that—

6 (1) augments existing programs, projects, or ac-
7 tivities;

8 (2) reduces by 10 percent funding for any exist-
9 ing program, project, or activity, or numbers of per-
10 sonnel by 10 percent as approved by Congress; or

11 (3) results from any general savings from a re-
12 duction in personnel which would result in a change
13 in existing programs, activities, or projects as ap-
14 proved by Congress;

15 unless the Secretary of Agriculture, the Secretary of
16 Health and Human Services, or the Chairman of the Com-
17 modity Futures Trading Commission (as the case may be)
18 notifies in writing and receives approval from the Commit-
19 tees on Appropriations of both Houses of Congress at least
20 30 days in advance of the reprogramming or transfer of
21 such funds or the use of such authority.

22 (c) The Secretary of Agriculture, the Secretary of
23 Health and Human Services, or the Chairman of the Com-
24 modity Futures Trading Commission shall notify in writ-
25 ing and receive approval from the Committees on Appro-

1 priations of both Houses of Congress before implementing
2 any program or activity not carried out during the pre-
3 vious fiscal year unless the program or activity is funded
4 by this Act or specifically funded by any other Act.

5 (d) None of the funds provided by this Act, or pro-
6 vided by previous Appropriations Acts to the agencies
7 funded by this Act that remain available for obligation or
8 expenditure in the current fiscal year, or provided from
9 any accounts in the Treasury derived by the collection of
10 fees available to the agencies funded by this Act, shall be
11 available for—

12 (1) modifying major capital investments fund-
13 ing levels, including information technology systems,
14 that involves increasing or decreasing funds in the
15 current fiscal year for the individual investment in
16 excess of \$500,000 or 10 percent of the total cost,
17 whichever is less;

18 (2) realigning or reorganizing new, current, or
19 vacant positions or agency activities or functions to
20 establish a center, office, branch, or similar entity
21 with five or more personnel; or

22 (3) carrying out activities or functions that
23 were not described in the budget request;

24 unless the agencies funded by this Act notify, in writing,
25 the Committees on Appropriations of both Houses of Con-

1 gress at least 30 days in advance of using the funds for
2 these purposes.

3 (e) As described in this section, no funds may be used
4 for any activities unless the Secretary of Agriculture, the
5 Secretary of Health and Human Services, or the Chair-
6 man of the Commodity Futures Trading Commission re-
7 ceives from the Committee on Appropriations of both
8 Houses of Congress written or electronic mail confirma-
9 tion of receipt of the notification as required in this sec-
10 tion.

11 SEC. 717. Notwithstanding section 310B(g)(5) of the
12 Consolidated Farm and Rural Development Act (7 U.S.C.
13 1932(g)(5)), the Secretary may assess a one-time fee for
14 any guaranteed business and industry loan in an amount
15 that does not exceed 3 percent of the guaranteed principal
16 portion of the loan.

17 SEC. 718. None of the funds appropriated or other-
18 wise made available to the Department of Agriculture, the
19 Food and Drug Administration, the Commodity Futures
20 Trading Commission, or the Farm Credit Administration
21 shall be used to transmit or otherwise make available re-
22 ports, questions, or responses to questions that are a re-
23 sult of information requested for the appropriations hear-
24 ing process to any non-Department of Agriculture, non-
25 Department of Health and Human Services, non-Com-

1 modify Futures Trading Commission, or non-Farm Credit
2 Administration employee.

3 SEC. 719. Unless otherwise authorized by existing
4 law, none of the funds provided in this Act, may be used
5 by an executive branch agency to produce any pre-
6 packaged news story intended for broadcast or distribution
7 in the United States unless the story includes a clear noti-
8 fication within the text or audio of the prepackaged news
9 story that the prepackaged news story was prepared or
10 funded by that executive branch agency.

11 SEC. 720. No employee of the Department of Agri-
12 culture may be detailed or assigned from an agency or
13 office funded by this Act or any other Act to any other
14 agency or office of the Department for more than 60 days
15 in a fiscal year unless the individual's employing agency
16 or office is fully reimbursed by the receiving agency or
17 office for the salary and expenses of the employee for the
18 period of assignment.

19 SEC. 721. Not later than 30 days after the date of
20 enactment of this Act, the Secretary of Agriculture, the
21 Commissioner of the Food and Drug Administration, the
22 Chairman of the Commodity Futures Trading Commis-
23 sion, and the Chairman of the Farm Credit Administra-
24 tion shall submit to the Committees on Appropriations of
25 both Houses of Congress a detailed spending plan by pro-

1 gram, project, and activity for all the funds made available
2 under this Act including appropriated user fees, as defined
3 in the report accompanying this Act.

4 SEC. 722. None of the funds made available by this
5 Act may be used to propose, promulgate, or implement
6 any rule, or take any other action with respect to, allowing
7 or requiring information intended for a prescribing health
8 care professional, in the case of a drug or biological prod-
9 uct subject to section 503(b)(1) of the Federal Food,
10 Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)), to be dis-
11 tributed to such professional electronically (in lieu of in
12 paper form) unless and until a Federal law is enacted to
13 allow or require such distribution.

14 SEC. 723. For the purposes of determining eligibility
15 or level of program assistance for Rural Development pro-
16 grams the Secretary shall not include incarcerated prison
17 populations.

18 SEC. 724. For loans and loan guarantees that do not
19 require budget authority and the program level has been
20 established in this Act, the Secretary of Agriculture may
21 increase the program level for such loans and loan guaran-
22 tees by not more than 25 percent: *Provided*, That prior
23 to the Secretary implementing such an increase, the Sec-
24 retary notifies, in writing, the Committees on Appropria-

1 tions of both Houses of Congress at least 15 days in ad-
2 vance.

3 SEC. 725. None of the credit card refunds or rebates
4 transferred to the Working Capital Fund pursuant to sec-
5 tion 729 of the Agriculture, Rural Development, Food and
6 Drug Administration, and Related Agencies Appropria-
7 tions Act, 2002 (7 U.S.C. 2235a; Public Law 107–76)
8 shall be available for obligation without written notifica-
9 tion to, and the prior approval of, the Committees on Ap-
10 propriations of both Houses of Congress: *Provided*, That
11 the refunds or rebates so transferred shall be available for
12 obligation only for the acquisition of property, plant and
13 equipment, including equipment for the improvement, de-
14 livery, and implementation of Departmental financial
15 management, information technology, and other support
16 systems necessary for the delivery of financial, administra-
17 tive, and information technology services, including cloud
18 adoption and migration, of primary benefit to the agencies
19 of the Department of Agriculture.

20 SEC. 726. None of the funds made available by this
21 Act may be used to implement, administer, or enforce the
22 “variety” requirements of the final rule entitled “Enhanc-
23 ing Retailer Standards in the Supplemental Nutrition As-
24 sistance Program (SNAP)” published by the Department
25 of Agriculture in the Federal Register on December 15,

1 2016 (81 Fed. Reg. 90675) until the Secretary of Agri-
2 culture amends the definition of the term “variety” as de-
3 fined in section 278.1(b)(1)(ii)(C) of title 7, Code of Fed-
4 eral Regulations, and “variety” as applied in the definition
5 of the term “staple food” as defined in section 271.2 of
6 title 7, Code of Federal Regulations, to increase the num-
7 ber of items that qualify as acceptable varieties in each
8 staple food category so that the total number of such items
9 in each staple food category exceeds the number of such
10 items in each staple food category included in the final
11 rule as published on December 15, 2016: *Provided*, That
12 until the Secretary promulgates such regulatory amend-
13 ments, the Secretary shall apply the requirements regard-
14 ing acceptable varieties and breadth of stock to Supple-
15 mental Nutrition Assistance Program retailers that were
16 in effect on the day before the date of the enactment of
17 the Agricultural Act of 2014 (Public Law 113–79).

18 SEC. 727. In carrying out subsection (h) of section
19 502 of the Housing Act of 1949 (42 U.S.C. 1472), the
20 Secretary of Agriculture shall have the same authority
21 with respect to loans guaranteed under such section and
22 eligible lenders for such loans as the Secretary has under
23 subsections (h) and (j) of section 538 of such Act (42
24 U.S.C. 1490p–2) with respect to loans guaranteed under
25 such section 538 and eligible lenders for such loans.

1 SEC. 728. None of the funds appropriated or other-
2 wise made available by this Act shall be available for the
3 United States Department of Agriculture to propose, fi-
4 nalize or implement any regulation that would promulgate
5 new user fees pursuant to 31 U.S.C. 9701 after the date
6 of the enactment of this Act.

7 SEC. 729. For fiscal year 2023, the Secretary shall
8 establish a process under which an establishment in the
9 Chesapeake Bay area that is subject to examination and
10 inspection under section 6 of the Federal Meat Inspection
11 Act solely due to the establishment's processing of domes-
12 tic, wild caught, invasive blue catfish (*Ictalurus furcatus*),
13 may apply for a waiver of such examination and inspection
14 requirements if the establishment is subject to inspection
15 under the Seafood Hazard Analysis Critical Control
16 Points Program of the Food and Drug Administration and
17 the establishment attests that it applies existing Seafood
18 Hazard Critical Control Points Program for all species
19 processed at the establishment.

20 SEC. 730. Notwithstanding any provision of law that
21 regulates the calculation and payment of overtime and hol-
22 iday pay for FSIS inspectors, the Secretary may charge
23 establishments subject to the inspection requirements of
24 the Poultry Products Inspection Act, 21 U.S.C. 451 et
25 seq., the Federal Meat Inspection Act, 21 U.S.C. 601 et

1 seq, and the Egg Products Inspection Act, 21 U.S.C. 1031
2 et seq., for the cost of inspection services provided outside
3 of an establishment's approved inspection shifts, and for
4 inspection services provided on Federal holidays: *Provided*,
5 That any sums charged pursuant to this paragraph shall
6 be deemed as overtime pay or holiday pay under section
7 1001(d) of the American Rescue Plan Act of 2021 (Public
8 Law 117–2, 135 Stat. 242): *Provided further*, That sums
9 received by the Secretary under this paragraph shall, in
10 addition to other available funds, remain available until
11 expended to the Secretary without further appropriation
12 for the purpose of funding all costs associated with FSIS
13 inspections.

14 SEC. 731. (a) The Secretary of Agriculture shall—

15 (1) conduct audits in a manner that evaluates
16 the following factors in the country or region being
17 audited, as applicable—

18 (A) veterinary control and oversight;

19 (B) disease history and vaccination prac-
20 tices;

21 (C) livestock demographics and
22 traceability;

23 (D) epidemiological separation from poten-
24 tial sources of infection;

25 (E) surveillance practices;

1 (F) diagnostic laboratory capabilities; and

2 (G) emergency preparedness and response;

3 and

4 (2) promptly make publicly available the final
5 reports of any audits or reviews conducted pursuant
6 to subsection (1).

7 (b) This section shall be applied in a manner con-
8 sistent with United States obligations under its inter-
9 national trade agreements.

10 SEC. 732. None of the funds made available by this
11 Act may be used to implement section 3.7(f) of the Farm
12 Credit Act of 1971 in a manner inconsistent with section
13 343(a)(13) of the Consolidated Farm and Rural Develop-
14 ment Act.

15 SEC. 733. In this fiscal year and thereafter, and not-
16 withstanding any other provision of law, none of the funds
17 made available by this Act may be used to carry out any
18 activities or incur any expense related to the issuance of
19 licenses under section 3 of the Animal Welfare Act (7
20 U.S.C. 2133), or the renewal of such licenses, to class B
21 dealers who sell Random Source dogs and cats for use in
22 research, experiments, teaching, or testing.

23 SEC. 734. (a)(1) No Federal funds made available for
24 this fiscal year for the rural water, waste water, waste dis-
25 posal, and solid waste management programs authorized

1 by sections 306, 306A, 306C, 306D, 306E, and 310B of
2 the Consolidated Farm and Rural Development Act (7
3 U.S.C. 1926 et seq.) shall be used for a project for the
4 construction, alteration, maintenance, or repair of a public
5 water or wastewater system unless all of the iron and steel
6 products used in the project are produced in the United
7 States.

8 (2) In this section, the term “iron and steel products”
9 means the following products made primarily of iron or
10 steel: lined or unlined pipes and fittings, manhole covers
11 and other municipal castings, hydrants, tanks, flanges,
12 pipe clamps and restraints, valves, structural steel, rein-
13 forced precast concrete, and construction materials.

14 (b) Subsection (a) shall not apply in any case or cat-
15 egory of cases in which the Secretary of Agriculture (in
16 this section referred to as the “Secretary”) or the designee
17 of the Secretary finds that—

18 (1) applying subsection (a) would be incon-
19 sistent with the public interest;

20 (2) iron and steel products are not produced in
21 the United States in sufficient and reasonably avail-
22 able quantities or of a satisfactory quality; or

23 (3) inclusion of iron and steel products pro-
24 duced in the United States will increase the cost of
25 the overall project by more than 25 percent.

1 (c) If the Secretary or the designee receives a request
2 for a waiver under this section, the Secretary or the des-
3 ignee shall make available to the public on an informal
4 basis a copy of the request and information available to
5 the Secretary or the designee concerning the request, and
6 shall allow for informal public input on the request for
7 at least 15 days prior to making a finding based on the
8 request. The Secretary or the designee shall make the re-
9 quest and accompanying information available by elec-
10 tronic means, including on the official public Internet Web
11 site of the Department.

12 (d) This section shall be applied in a manner con-
13 sistent with United States obligations under international
14 agreements.

15 (e) The Secretary may retain up to 0.25 percent of
16 the funds appropriated in this Act for “Rural Utilities
17 Service—Rural Water and Waste Disposal Program Ac-
18 count” for carrying out the provisions described in sub-
19 section (a)(1) for management and oversight of the re-
20 quirements of this section.

21 (f) Subsection (a) shall not apply with respect to a
22 project for which the engineering plans and specifications
23 include use of iron and steel products otherwise prohibited
24 by such subsection if the plans and specifications have re-

1 ceived required approvals from State agencies prior to the
2 date of enactment of this Act.

3 (g) For purposes of this section, the terms “United
4 States” and “State” shall include each of the several
5 States, the District of Columbia, and each Federally rec-
6 ognized Indian Tribe.

7 SEC. 735. None of the funds appropriated by this Act
8 may be used in any way, directly or indirectly, to influence
9 congressional action on any legislation or appropriation
10 matters pending before Congress, other than to commu-
11 nicate to Members of Congress as described in 18 U.S.C.
12 1913.

13 SEC. 736. Of the total amounts made available by
14 this Act for direct loans and grants under the following
15 headings: “Rural Housing Service—Rural Housing Insur-
16 ance Fund Program Account”; “Rural Housing Service—
17 Mutual and Self-Help Housing Grants”; “Rural Housing
18 Service—Rural Housing Assistance Grants”; “Rural
19 Housing Service—Rural Community Facilities Program
20 Account”; “Rural Business-Cooperative Service—Rural
21 Business Program Account”; “Rural Business-Coopera-
22 tive Service—Rural Economic Development Loans Pro-
23 gram Account”; “Rural Business-Cooperative Service—
24 Rural Cooperative Development Grants”; “Rural Busi-
25 ness-Cooperative Service—Rural Microentrepreneur As-

1 sistance Program”; “Rural Utilities Service—Rural Water
2 and Waste Disposal Program Account”; “Rural Utilities
3 Service—Rural Electrification and Telecommunications
4 Loans Program Account”; and “Rural Utilities Service—
5 Distance Learning, Telemedicine, and Broadband Pro-
6 gram”, to the maximum extent feasible, at least 10 per-
7 cent of the funds shall be allocated for assistance in per-
8 sistent poverty counties under this section, including, not-
9 withstanding any other provision regarding population
10 limits, any county seat of such a persistent poverty county
11 that has a population that does not exceed the authorized
12 population limit by more than 10 percent: *Provided*, That
13 for purposes of this section, the term “persistent poverty
14 counties” means any county that has had 20 percent or
15 more of its population living in poverty over the past 30
16 years, as measured by the 1990 and 2000 decennial cen-
17 suses, and 2007–2011 American Community Survey 5-
18 year average, or any territory or possession of the United
19 States: *Provided further*, That with respect to specific ac-
20 tivities for which program levels have been made available
21 by this Act that are not supported by budget authority,
22 the requirements of this section shall be applied to such
23 program level.

24 SEC. 737. None of the funds made available by this
25 Act may be used to notify a sponsor or otherwise acknowl-

1 edge receipt of a submission for an exemption for inves-
2 tigational use of a drug or biological product under section
3 505(i) of the Federal Food, Drug, and Cosmetic Act (21
4 U.S.C. 355(i)) or section 351(a)(3) of the Public Health
5 Service Act (42 U.S.C. 262(a)(3)) in research in which
6 a human embryo is intentionally created or modified to
7 include a heritable genetic modification. Any such submis-
8 sion shall be deemed to have not been received by the Sec-
9 retary, and the exemption may not go into effect.

10 SEC. 738. None of the funds made available by this
11 or any other Act may be used to enforce the final rule
12 promulgated by the Food and Drug Administration enti-
13 tled “Standards for the Growing, Harvesting, Packing,
14 and Holding of Produce for Human Consumption,” and
15 published on November 27, 2015, with respect to the regu-
16 lation of entities that grow, harvest, pack, or hold wine
17 grapes, hops, pulse crops, or almonds.

18 SEC. 739. There is hereby appropriated \$5,000,000,
19 to remain available until September 30, 2024, for a pilot
20 program for the National Institute of Food and Agri-
21 culture to provide grants to nonprofit organizations for
22 programs and services to establish and enhance farming
23 and ranching opportunities for military veterans.

24 SEC. 740. For school years 2022–2023 and 2023–
25 2024, none of the funds made available by this Act may

1 be used to implement or enforce the matter following the
2 first comma in the second sentence of footnote (c) of sec-
3 tion 220.8(c) of title 7, Code of Federal Regulations, with
4 respect to the substitution of vegetables for fruits under
5 the school breakfast program established under section 4
6 of the Child Nutrition Act of 1966 (42 U.S.C. 1773).

7 SEC. 741. None of the funds made available by this
8 Act or any other Act may be used—

9 (1) in contravention of section 7606 of the Ag-
10 ricultural Act of 2014 (7 U.S.C. 5940), subtitle G
11 of the Agricultural Marketing Act of 1946, or sec-
12 tion 10114 of the Agriculture Improvement Act of
13 2018; or

14 (2) to prohibit the transportation, processing,
15 sale, or use of hemp, or seeds of such plant, that is
16 grown or cultivated in accordance with section 7606
17 of the Agricultural Act of 2014 or Subtitle G of the
18 Agricultural Marketing Act of 1946, within or out-
19 side the State in which the hemp is grown or cul-
20 tivated.

21 SEC. 742. There is hereby appropriated \$3,000,000,
22 to remain available until expended, for grants under sec-
23 tion 12502 of Public Law 115–334.

24 SEC. 743. There is hereby appropriated \$1,000,000
25 to carry out section 3307 of Public Law 115–334.

1 SEC. 744. The Secretary of Agriculture may waive
2 the matching funds requirement under section 412(g) of
3 the Agricultural Research, Extension, and Education Re-
4 form Act of 1998 (7 U.S.C. 7632(g)).

5 SEC. 745. There is hereby appropriated \$2,000,000,
6 to remain available until expended, for a pilot program
7 for the Secretary to provide grants to qualified non-profit
8 organizations and public housing authorities to provide
9 technical assistance, including financial and legal services,
10 to RHS multi-family housing borrowers to facilitate the
11 acquisition of RHS multi-family housing properties in
12 areas where the Secretary determines a risk of loss of af-
13 fordable housing, by non-profit housing organizations and
14 public housing authorities as authorized by law that com-
15 mit to keep such properties in the RHS multi-family hous-
16 ing program for a period of time as determined by the
17 Secretary.

18 SEC. 746. There is hereby appropriated \$3,000,000,
19 to carry out section 4208 of Public Law 115–334, includ-
20 ing for project locations in additional regions and timely
21 completion of required reporting to Congress.

22 SEC. 747. There is hereby appropriated \$5,000,000
23 to carry out section 12301 of Public Law 115–334, Farm-
24 ing Opportunities Training and Outreach.

1 SEC. 748. In response to an eligible community where
2 the drinking water supplies are inadequate due to a nat-
3 ural disaster, as determined by the Secretary, including
4 drought or severe weather, the Secretary may provide po-
5 table water through the Emergency Community Water As-
6 sistance Grant Program for an additional period of time
7 not to exceed 120 days beyond the established period pro-
8 vided under the Program in order to protect public health.

9 SEC. 749. Funds made available under title II of the
10 Food for Peace Act (7 U.S.C. 1721 et seq.) may only be
11 used to provide assistance to recipient nations if adequate
12 monitoring and controls, as determined by the Adminis-
13 trator, are in place to ensure that emergency food aid is
14 received by the intended beneficiaries in areas affected by
15 food shortages and not diverted for unauthorized or inap-
16 propriate purposes.

17 SEC. 750. In this fiscal year and thereafter, and not-
18 withstanding any other provision of law, ARS facilities as
19 described in the “Memorandum of Understanding Be-
20 tween the U.S. Department of Agriculture Animal and
21 Plant Health Inspection Service (APHIS) and the U.S.
22 Department of Agriculture Agricultural Research Service
23 (ARS) Concerning Laboratory Animal Welfare” (16-
24 6100-0103-MU Revision 16-1) shall be inspected by

1 APHIS for compliance with the Animal Welfare Act and
2 its regulations and standards.

3 SEC. 751. None of the funds made available by this
4 Act may be used to procure raw or processed poultry prod-
5 ucts imported into the United States from the People's
6 Republic of China for use in the school lunch program
7 under the Richard B. Russell National School Lunch Act
8 (42 U.S.C. 1751 et seq.), the Child and Adult Care Food
9 Program under section 17 of such Act (42 U.S.C. 1766),
10 the Summer Food Service Program for Children under
11 section 13 of such Act (42 U.S.C. 1761), or the school
12 breakfast program under the Child Nutrition Act of 1966
13 (42 U.S.C. 1771 et seq.).

14 SEC. 752. For school year 2023–2024, only a school
15 food authority that had a negative balance in the nonprofit
16 school food service account as of June 30, 2022, shall be
17 required to establish a price for paid lunches in accordance
18 with section 12(p) of the Richard B. Russell National
19 School Lunch Act (42 U.S.C. 1760(p)).

20 SEC. 753. There is hereby appropriated \$2,000,000,
21 to remain available until expended, for the Secretary of
22 Agriculture to carry out a pilot program that assists rural
23 hospitals to improve long-term operations and financial
24 health by providing technical assistance through analysis
25 of current hospital management practices.

1 SEC. 754. Any funds made available by this or any
2 other Act that the Secretary withholds pursuant to section
3 1668(g)(2) of the Food, Agriculture, Conservation, and
4 Trade Act of 1990 (7 U.S.C. 5921(g)(2)), as amended,
5 shall be available for grants for biotechnology risk assess-
6 ment research: *Provided*, That the Secretary may transfer
7 such funds among appropriations of the Department of
8 Agriculture for purposes of making such grants.

9 SEC. 755. Hereafter, none of the funds made avail-
10 able by this Act or any other Act, may be used to pay
11 the salaries or expenses of personnel to implement any ac-
12 tivities related to:

13 (a) the permitting of non-recording of observed viola-
14 tions of the Animal Welfare Act or its regulations on offi-
15 cial inspection reports; or

16 (b) the prioritizing of education or collaborative ap-
17 proaches to violations or noncompliance ahead of enforce-
18 ment under the Animal Welfare Act.

19 SEC. 756. There is hereby appropriated \$400,000 to
20 carry out section 1672(g)(4)(B) of the Food, Agriculture,
21 Conservation, and Trade Act of 1990 (7 U.S.C.
22 5925(g)(4(B)) as amended by section 7209 of Public Law
23 115–334.

24 SEC. 757. For necessary expenses associated with
25 cotton classing activities pursuant to 7 U.S.C. 55, to in-

1 clude equipment and facility upgrades, and in addition to
2 any other funds made available for this purpose, there is
3 appropriated \$4,000,000, to remain available until Sep-
4 tember 30, 2024: *Provided*, That amounts made available
5 in this section shall be treated as funds collected by fees
6 authorized under Mar. 4, 1923, ch. 288, §5, 42 Stat.
7 1518, as amended (7 U.S.C. 55).

8 SEC. 758. Notwithstanding any other provision of
9 law, no funds available to the Department of Agriculture
10 may be used to move any staff office or any agency from
11 the mission area in which it was located on August 1,
12 2018, to any other mission area or office within the De-
13 partment in the absence of the enactment of specific legis-
14 lation affirming such move.

15 SEC. 759. The Secretary, acting through the Chief
16 of the Natural Resources Conservation Service, may use
17 funds appropriated under this Act or any other Act for
18 the Watershed and Flood Prevention Operations Program
19 and the Watershed Rehabilitation Program carried out
20 pursuant to the Watershed Protection and Flood Preven-
21 tion Act (16 U.S.C. 1001 et seq.), and for the Emergency
22 Watershed Protection Program carried out pursuant to
23 section 403 of the Agricultural Credit Act of 1978 (16
24 U.S.C. 2203) to provide technical services for such pro-
25 grams pursuant to section 1252(a)(1) of the Food Secu-

1 rity Act of 1985 (16 U.S.C. 3851(a)(1)), notwithstanding
2 subsection (c) of such section.

3 SEC. 760. In administering the pilot program estab-
4 lished by section 779 of division A of the Consolidated Ap-
5 propriations Act, 2018 (Public Law 115–141), the Sec-
6 retary of Agriculture may, for purposes of determining en-
7 tities eligible to receive assistance, consider those commu-
8 nities which are “Areas Rural in Character”: *Provided*,
9 That not more than 10 percent of the funds made avail-
10 able under the heading “Distance Learning, Telemedicine,
11 and Broadband Program” for the purposes of the pilot
12 program established by section 779 of Public Law 115–
13 141 may be used for this purpose.

14 SEC. 761. There is hereby appropriated \$29,700,000
15 for the Goodfellow Federal facility, to remain available
16 until expended, which shall be transferred to and merged
17 with the appropriation for “Food Safety and Inspection
18 Service”.

19 SEC. 762. Hereafter, none of the funds made avail-
20 able by this Act or any other Act may be used to pay
21 the salaries or expenses of personnel—

22 (1) to inspect horses under section 3 of the
23 Federal Meat Inspection Act (21 U.S.C. 603);

1 (2) to inspect horses under section 903 of the
2 Federal Agriculture Improvement and Reform Act of
3 1996 (7 U.S.C. 1901 note; Public Law 104–127); or
4 (3) to implement or enforce section 352.19 of
5 title 9, Code of Federal Regulations (or a successor
6 regulation).

7 SEC. 763. There is appropriated to the Department
8 of Agriculture, for an additional amount for “Agricultural
9 Programs—Processing, Research, and Marketing—Office
10 of the Secretary”, \$5,000,000, which shall remain avail-
11 able until expended, for necessary expenses, under such
12 terms and conditions determined by the Secretary, related
13 to testing soil, water, or agricultural products for per- and
14 polyfluoroalkyl substances (PFAS) at the request of an
15 agricultural producer, assisting agricultural producers af-
16 fected by PFAS contamination with costs related to miti-
17 gate the impacts to their operation that have resulted from
18 such contamination and indemnifying agricultural pro-
19 ducers for the value of unmarketable crops, livestock, and
20 other agricultural products related to PFAS contamina-
21 tion: *Provided*, That the Secretary shall prioritize such as-
22 sistance to agricultural producers in states and territories
23 that have established a tolerance threshold for PFAS in
24 a food or agricultural product: *Provided further*, That, not
25 later than 90 days after the end of fiscal year 2023, the

1 Secretary shall submit a report to the Congress specifying
2 the type, amount, and method of such assistance by state
3 and territory and the status of the amounts obligated and
4 plans for further expenditure, and include improvements
5 that can be made to U.S. Department of Agriculture pro-
6 grams, either administratively or legislatively, to increase
7 support for agricultural producers impacted by PFAS con-
8 tamination and to enhance scientific knowledge on PFAS
9 uptake in crops and livestock and PFAS mitigation and
10 remediation methods and disseminate such knowledge to
11 agricultural producers.

12 SEC. 764. Any future compliance date for any provi-
13 sion of the Food and Drug Administration’s final rule en-
14 titled “Milk and Cream Products and Yogurt Products;
15 Final Rule To Revoke the Standards for Lowfat Yogurt
16 and Nonfat Yogurt and To Amend the Standard for Yo-
17 gurt” (86 Fed. Reg. 31117, June 11, 2021) for which the
18 agency is exercising enforcement discretion or that is
19 stayed as a result of objections timely filed under 21
20 U.S.C. 371(e)(2), shall be established no earlier than Jan-
21 uary 1 of the year that is three years after either:

22 (a) Final action upon such objection(s) is taken by
23 the Secretary of Health and Human Services; or

24 (b) The party withdraws such objection(s).

1 SEC. 765. In addition to the amount of reimburse-
2 ment for administrative and operating expenses available
3 for crop insurance contracts described in subsection
4 (a)(2)(F) of section III of the 2023 Standard Reinsurance
5 Agreement (SRA) that cover agricultural commodities de-
6 scribed in section 101 of title I of the Specialty Crops
7 Competitiveness Act of 2004 (7 U.S.C. 1621 note), there
8 is hereby appropriated \$50,000,000, to remain available
9 until expended, to pay, with respect to such contracts for
10 the 2021 reinsurance year, an amount that is equal to the
11 difference between the amount to be paid pursuant to the
12 SRA for the applicable reinsurance year and the amount
13 that would be paid if such contracts were not subject to
14 a reduction described in subsection (a)(2)(G) of section
15 III of the SRA but subject to a reimbursement rate equal
16 to 17.5 percent of the net book premium.

17 SEC. 766. There is appropriated to the Department
18 of Agriculture, for an additional amount for “Agricultural
19 Programs—Processing, Research, and Marketing—Office
20 of the Secretary”, \$10,000,000, which shall remain avail-
21 able until expended, for necessary expenses to address as-
22 sistance for disasters occurring in calendar year 2022.

23 SEC. 767. In addition to amounts otherwise available,
24 there is appropriated to the Secretary of Agriculture
25 \$50,000,000, to remain available until September 30,

1 2023, to provide relief payments for frontline grocery
2 workers through the Farmworker and Food Worker Relief
3 Grant Program of the Agricultural Marketing Service.

4 SEC. 768. None of the funds made available by this
5 Act may be used to review or approve an application under
6 section 505(i) of the Federal Food, Drug, and Cosmetic
7 Act (21 U.S.C. 355(i)) or section 351(a)(3) of the Public
8 Health Service Act (42 U.S.C. 262(a)(3)) that is sub-
9 mitted by a sponsor located in Russia, unless such applica-
10 tion is for a drug that is intended to treat a serious or
11 life-threatening condition and for which there is an unmet
12 medical treatment need.

13 SEC. 769. The Secretary of Agriculture shall take
14 such actions as may be necessary to prohibit the purchase
15 of agricultural land located in the United States by compa-
16 nies owned, in full or in part, by the People’s Republic
17 of China, Russia, North Korea, or Iran.

18 SEC. 770. None of the funds made available by this
19 Act under the heading “DOMESTIC FOOD PRO-
20 GRAMS—Food and Nutrition Service—Supplemental
21 Nutrition Assistance Program” may be used in contraven-
22 tion of section 107(b) of division A of the Victims of Traf-
23 ficking and Violence Protection Act of 2000 (114 Stat.
24 1475; 22 U.S.C. 7105(b)).

1 SEC. 771. For “Agricultural Programs—Research,
2 Education, and Economics—National Institute of Food and
3 Agriculture—Research and Education Activities” for the
4 establishment of a program to make competitive grants
5 to assist in the facility construction, alteration, acquisi-
6 tion, modernization, renovation, or remodeling of agricul-
7 tural research facilities, as authorized by the Research Fa-
8 cilities Act (7 U.S.C. 390 et seq.), there is hereby appro-
9 priated, and the amount otherwise provided by this Act
10 for “Agricultural Programs—Rural Development—Salaries
11 and Expenses” is hereby reduced by, \$2,000,000.

12 SEC. 772. There is hereby appropriated, and the
13 amount otherwise made available by this Act for “Agricul-
14 tural Programs—Agricultural Marketing Service—Mar-
15 keting Services” is reduced by, \$10,000,000, to carry out
16 section 4206 of Public Law 115–334.

17 This division may be cited as the “Agriculture, Rural
18 Development, Food and Drug Administration, and Re-
19 lated Agencies Appropriations Act, 2023”.

1 **DIVISION C—ENERGY AND WATER DEVEL-**
2 **OPMENT AND RELATED AGENCIES AP-**
3 **PROPRIATIONS ACT, 2023**

4 TITLE I

5 CORPS OF ENGINEERS—CIVIL

6 DEPARTMENT OF THE ARMY

7 CORPS OF ENGINEERS—CIVIL

8 The following appropriations shall be expended under
9 the direction of the Secretary of the Army and the super-
10 vision of the Chief of Engineers for authorized civil func-
11 tions of the Department of the Army pertaining to river
12 and harbor, flood and storm damage reduction, shore pro-
13 tection, aquatic ecosystem restoration, and related efforts.

14 INVESTIGATIONS

15 For expenses necessary where authorized by law for
16 the collection and study of basic information pertaining
17 to river and harbor, flood and storm damage reduction,
18 shore protection, aquatic ecosystem restoration, and re-
19 lated needs; for surveys and detailed studies, and plans
20 and specifications of proposed river and harbor, flood and
21 storm damage reduction, shore protection, and aquatic
22 ecosystem restoration projects, and related efforts prior to
23 construction; for restudy of authorized projects; and for
24 miscellaneous investigations, and, when authorized by law,
25 surveys and detailed studies, and plans and specifications

1 of projects prior to construction, \$160,000,000, to remain
2 available until expended: *Provided*, That the Secretary
3 shall not deviate from the work plan, once the plan has
4 been submitted to the Committees on Appropriations of
5 both Houses of Congress.

6 CONSTRUCTION

7 For expenses necessary for the construction of river
8 and harbor, flood and storm damage reduction, shore pro-
9 tection, aquatic ecosystem restoration, and related
10 projects authorized by law; for conducting detailed studies,
11 and plans and specifications, of such projects (including
12 those involving participation by States, local governments,
13 or private groups) authorized or made eligible for selection
14 by law (but such detailed studies, and plans and specifica-
15 tions, shall not constitute a commitment of the Govern-
16 ment to construction); \$2,475,152,000 (reduced by
17 \$1,000,000) (increased by \$1,000,000) (reduced by
18 \$1,000,000) (increased by \$1,000,000), to remain avail-
19 able until expended; of which \$43,011,000 shall be derived
20 from the Harbor Maintenance Trust Fund to cover the
21 Federal share of construction costs for facilities under the
22 Dredged Material Disposal Facilities program; and of
23 which such sums as are necessary to cover 35 percent of
24 the costs of construction, replacement, rehabilitation, and
25 expansion of inland waterways projects shall be derived

1 from the Inland Waterways Trust Fund, except as other-
2 wise specifically provided for in law: *Provided*, That the
3 Secretary shall not deviate from the work plan, once the
4 plan has been submitted to the Committees on Appropria-
5 tions of both Houses of Congress.

6 MISSISSIPPI RIVER AND TRIBUTARIES

7 For expenses necessary for flood damage reduction
8 projects and related efforts in the Mississippi River allu-
9 vial valley below Cape Girardeau, Missouri, as authorized
10 by law, \$350,000,000, to remain available until expended,
11 of which \$10,315,000 shall be derived from the Harbor
12 Maintenance Trust Fund to cover the Federal share of
13 eligible operation and maintenance costs for inland har-
14 bors: *Provided*, That the Secretary shall not deviate from
15 the work plan, once the plan has been submitted to the
16 Committees on Appropriations of both Houses of Con-
17 gress.

18 OPERATION AND MAINTENANCE

19 For expenses necessary for the operation, mainte-
20 nance, and care of existing river and harbor, flood and
21 storm damage reduction, aquatic ecosystem restoration,
22 and related projects authorized by law; providing security
23 for infrastructure owned or operated by the Corps, includ-
24 ing administrative buildings and laboratories; maintaining
25 harbor channels provided by a State, municipality, or

1 other public agency that serve essential navigation needs
2 of general commerce, where authorized by law; surveying
3 and charting northern and northwestern lakes and con-
4 necting waters; clearing and straightening channels; and
5 removing obstructions to navigation, \$5,150,000,000 (in-
6 creased by \$3,000,000), to remain available until ex-
7 pended, of which \$2,264,674,000 shall be derived from the
8 Harbor Maintenance Trust Fund to cover the Federal
9 share of eligible operation and maintenance costs for
10 coastal harbors and channels, and for inland harbors; of
11 which \$56,000,000, to be derived from the general fund
12 of the Treasury, shall be to carry out section 2106(c) of
13 Public Law 113–121 (33 U.S.C. 2238c(c)) and is des-
14 ignated as being for such purpose pursuant to section
15 14003(2)(B) of the CARES Act (Public Law 116–136);
16 of which such sums as become available from the special
17 account for the Corps of Engineers established by the
18 Land and Water Conservation Fund Act of 1965 shall be
19 derived from that account for resource protection, re-
20 search, interpretation, and maintenance activities related
21 to resource protection in the areas at which outdoor recre-
22 ation is available; and of which such sums as become avail-
23 able from fees collected under section 217 of Public Law
24 104–303 shall be used to cover the cost of operation and
25 maintenance of the dredged material disposal facilities for

1 which such fees have been collected: *Provided*, That 1 per-
2 cent of the total amount of funds provided for each of the
3 programs, projects, or activities funded under this heading
4 shall not be allocated to a field operating activity prior
5 to the beginning of the fourth quarter of the fiscal year
6 and shall be available for use by the Chief of Engineers
7 to fund such emergency activities as the Chief of Engi-
8 neers determines to be necessary and appropriate, and
9 that the Chief of Engineers shall allocate during the
10 fourth quarter any remaining funds which have not been
11 used for emergency activities proportionally in accordance
12 with the amounts provided for the programs, projects, or
13 activities: *Provided*, That the Secretary shall not deviate
14 from the work plan, once the plan has been submitted to
15 the Committees on Appropriations of both Houses of Con-
16 gress.

17 REGULATORY PROGRAM

18 For expenses necessary for administration of laws
19 pertaining to regulation of navigable waters and wetlands,
20 \$213,000,000, to remain available until September 30,
21 2024.

22 FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

23 For expenses necessary to clean up contamination
24 from sites in the United States resulting from work per-

1 formed as part of the Nation's early atomic energy pro-
2 gram, \$278,338,000, to remain available until expended.

3 FLOOD CONTROL AND COASTAL EMERGENCIES

4 For expenses necessary to prepare for flood, hurri-
5 cane, and other natural disasters and support emergency
6 operations, repairs, and other activities in response to
7 such disasters as authorized by law, \$35,000,000, to re-
8 main available until expended.

9 EXPENSES

10 For expenses necessary for the supervision and gen-
11 eral administration of the civil works program in the head-
12 quarters of the Corps of Engineers and the offices of the
13 Division Engineers; and for costs of management and op-
14 eration of the Humphreys Engineer Center Support Activ-
15 ity, the Institute for Water Resources, the United States
16 Army Engineer Research and Development Center, and
17 the United States Army Corps of Engineers Finance Cen-
18 ter allocable to the civil works program, \$215,000,000 (re-
19 duced by \$3,000,000), to remain available until September
20 30, 2024, of which not to exceed \$5,000 may be used for
21 official reception and representation purposes and only
22 during the current fiscal year: *Provided*, That no part of
23 any other appropriation provided in this title shall be
24 available to fund the civil works activities of the Office
25 of the Chief of Engineers or the civil works executive di-

1 rection and management activities of the division offices:
2 *Provided further*, That any Flood Control and Coastal
3 Emergencies appropriation may be used to fund the super-
4 vision and general administration of emergency oper-
5 ations, repairs, and other activities in response to any
6 flood, hurricane, or other natural disaster.

7 OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY
8 FOR CIVIL WORKS

9 For the Office of the Assistant Secretary of the Army
10 for Civil Works as authorized by 10 U.S.C. 3016(b)(3),
11 \$5,000,000 (reduced by \$4,000,000) (increased by
12 \$4,000,000), to remain available until September 30,
13 2024: *Provided*, That not more than 75 percent of such
14 amount may be obligated or expended until the Assistant
15 Secretary submits to the Committees on Appropriations
16 of both Houses of Congress the report required under sec-
17 tion 101(d) of this Act and a work plan that allocates at
18 least 95 percent of the additional funding provided under
19 each heading in this title, as designated under such head-
20 ing in the report accompanying this Act, to specific pro-
21 grams, projects, or activities.

22 WATER INFRASTRUCTURE FINANCE AND INNOVATION
23 PROGRAM ACCOUNT

24 For administrative expenses to carry out the direct
25 and guaranteed loan programs authorized by the Water

1 Infrastructure Finance and Innovation Act of 2014, not-
2 withstanding subsections (b)(2) and (c) of section 5033
3 of such Act, \$7,200,000, to remain available until Sep-
4 tember 30, 2024.

5 GENERAL PROVISIONS—CORPS OF
6 ENGINEERS—CIVIL
7 (INCLUDING TRANSFER OF FUNDS)

8 SEC. 101. (a) None of the funds provided in title I
9 of this Act, or provided by previous appropriations Acts
10 to the agencies or entities funded in title I of this Act
11 that remain available for obligation or expenditure in fiscal
12 year 2023, shall be available for obligation or expenditure
13 through a reprogramming of funds that:

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

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

17 (3) increases funds or personnel for any pro-
18 gram, project, or activity for which funds have been
19 denied or restricted by this Act, unless prior ap-
20 proval is received from the Committees on Appro-
21 priations of both Houses of Congress;

22 (4) proposes to use funds directed for a specific
23 activity for a different purpose, unless prior approval
24 is received from the Committees on Appropriations
25 of both Houses of Congress;

1 (5) augments or reduces existing programs,
2 projects, or activities in excess of the amounts con-
3 tained in paragraphs (6) through (10), unless prior
4 approval is received from the Committees on Appro-
5 priations of both Houses of Congress;

6 (6) INVESTIGATIONS.—For a base level over
7 \$100,000, reprogramming of 25 percent of the base
8 amount up to a limit of \$150,000 per project, study
9 or activity is allowed: Provided, That for a base level
10 less than \$100,000, the reprogramming limit is
11 \$25,000: Provided further, That up to \$25,000 may
12 be reprogrammed into any continuing study or activ-
13 ity that did not receive an appropriation for existing
14 obligations and concomitant administrative expenses;

15 (7) CONSTRUCTION.—For a base level over
16 \$2,000,000, reprogramming of 15 percent of the
17 base amount up to a limit of \$3,000,000 per project,
18 study or activity is allowed: Provided, That for a
19 base level less than \$2,000,000, the reprogramming
20 limit is \$300,000: Provided further, That up to
21 \$3,000,000 may be reprogrammed for settled con-
22 tractor claims, changed conditions, or real estate de-
23 ficiency judgments: Provided further, That up to
24 \$300,000 may be reprogrammed into any continuing
25 study or activity that did not receive an appropria-

1 tion for existing obligations and concomitant admin-
2 istrative expenses;

3 (8) OPERATION AND MAINTENANCE.—

4 Unlimited reprogramming authority is granted for
5 the Corps to be able to respond to emergencies: Pro-
6 vided, That the Chief of Engineers shall notify the
7 Committees on Appropriations of both Houses of
8 Congress of these emergency actions as soon there-
9 after as practicable: Provided further, That for a
10 base level over \$1,000,000, reprogramming of 15
11 percent of the base amount up to a limit of
12 \$5,000,000 per project, study, or activity is allowed:
13 Provided further, That for a base level less than
14 \$1,000,000, the reprogramming limit is \$150,000:
15 Provided further, That \$150,000 may be repro-
16 grammed into any continuing study or activity that
17 did not receive an appropriation;

18 (9) MISSISSIPPI RIVER AND TRIBU-
19 TARIES.—The reprogramming guidelines in para-
20 graphs (6), (7), and (8) shall apply to the Investiga-
21 tions, Construction, and Operation and Maintenance
22 portions of the Mississippi River and Tributaries Ac-
23 count, respectively; and

24 (10) FORMERLY UTILIZED SITES REME-
25 DIAL ACTION PROGRAM.— Reprogramming of

1 up to 15 percent of the base of the receiving project
2 is permitted.

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

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

10 (d) Not later than 60 days after the date of enact-
11 ment of this Act, the Secretary shall submit a report to
12 the Committees on Appropriations of both Houses of Con-
13 gress to establish the baseline for application of re-
14 programming and transfer authorities for the current fis-
15 cal year which shall include:

16 (1) A table for each appropriation with a sepa-
17 rate column to display the President's budget re-
18 quest, adjustments made by Congress, adjustments
19 due to enacted rescissions, if applicable, and the fis-
20 cal year enacted level;

21 (2) A delineation in the table for each appro-
22 priation both by object class and program, project
23 and activity as detailed in the budget appendix for
24 the respective appropriations; and

1 (3) An identification of items of special congres-
2 sional interest.

3 SEC. 102. The Secretary shall allocate funds made
4 available in this title solely in accordance with the provi-
5 sions of this Act and the report accompanying this Act.

6 SEC. 103. None of the funds made available in this
7 title may be used to award or modify any contract that
8 commits funds beyond the amounts appropriated for that
9 program, project, or activity that remain unobligated, ex-
10 cept that such amounts may include any funds that have
11 been made available through reprogramming pursuant to
12 section 101.

13 SEC. 104. The Secretary of the Army may transfer
14 to the Fish and Wildlife Service, and the Fish and Wildlife
15 Service may accept and expend, up to \$5,400,000 of funds
16 provided in this title under the heading “Operation and
17 Maintenance” to mitigate for fisheries lost due to Corps
18 of Engineers projects.

19 SEC. 105. None of the funds in this Act shall be used
20 for an open lake placement alternative for dredged mate-
21 rial, after evaluating the least costly, environmentally ac-
22 ceptable manner for the disposal or management of
23 dredged material originating from Lake Erie or tributaries
24 thereto, unless it is approved under a State water quality
25 certification pursuant to section 401 of the Federal Water

1 Pollution Control Act (33 U.S.C. 1341): *Provided*, That
2 until an open lake placement alternative for dredged mate-
3 rial is approved under a State water quality certification,
4 the Corps of Engineers shall continue upland placement
5 of such dredged material consistent with the requirements
6 of section 101 of the Water Resources Development Act
7 of 1986 (33 U.S.C. 2211).

8 SEC. 106. None of the funds made available by this
9 Act may be used to carry out any water supply reallocation
10 study under the Wolf Creek Dam, Lake Cumberland, Ken-
11 tucky, project authorized under the Act of July 24, 1946
12 (60 Stat. 636, ch. 595).

13 SEC. 107. None of the funds made available by this
14 Act or any other Act may be used to reorganize or to
15 transfer the Civil Works functions or authority of the
16 Corps of Engineers or the Secretary of the Army to an-
17 other department or agency.

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

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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:

1 WATER AND RELATED RESOURCES
2 (INCLUDING TRANSFERS OF FUNDS)

3 For management, development, and restoration of
4 water and related natural resources and for related activi-
5 ties, including the operation, maintenance, and rehabilita-
6 tion of reclamation and other facilities, participation in
7 fulfilling related Federal responsibilities to Native Ameri-
8 cans, and related grants to, and cooperative and other
9 agreements with, State and local governments, federally
10 recognized Indian tribes, and others, \$1,747,101,000 (in-
11 creased by \$2,000,000), to remain available until ex-
12 pended, of which \$22,165,000 shall be available for trans-
13 fer to the Upper Colorado River Basin Fund and
14 \$7,584,000 shall be available for transfer to the Lower
15 Colorado River Basin Development Fund; of which such
16 amounts as may be necessary may be advanced to the Col-
17 orado River Dam Fund: *Provided*, That \$500,000 shall
18 be available for transfer into the Aging Infrastructure Ac-
19 count established by section 9603(d)(1) of the Omnibus
20 Public Land Management Act of 2009, as amended (43
21 U.S.C. 510b(d)(1)): *Provided further*, That such transfers,
22 except for the transfer authorized by the preceding pro-
23 viso, may be increased or decreased within the overall ap-
24 propriation under this heading: *Provided further*, That of
25 the total appropriated, the amount for program activities

1 that can be financed by the Reclamation Fund, the Water
2 Storage Enhancement Receipts account established by
3 section 4011(e) of Public Law 114–322, or the Bureau
4 of Reclamation special fee account established by 16
5 U.S.C. 6806 shall be derived from that Fund or account:
6 *Provided further*, That funds contributed under 43 U.S.C.
7 395 are available until expended for the purposes for
8 which the funds were contributed: *Provided further*, That
9 funds advanced under 43 U.S.C. 397a shall be credited
10 to this account and are available until expended for the
11 same purposes as the sums appropriated under this head-
12 ing: *Provided further*, That of the amounts made available
13 under this heading, \$10,000,000 shall be deposited in the
14 San Gabriel Basin Restoration Fund established by sec-
15 tion 110 of title I of division B of appendix D of Public
16 Law 106–554: *Provided further*, That of the amounts pro-
17 vided herein, funds may be used for high-priority projects
18 which shall be carried out by the Youth Conservation
19 Corps, as authorized by 16 U.S.C. 1706.

20 CENTRAL VALLEY PROJECT RESTORATION FUND

21 For carrying out the programs, projects, plans, habi-
22 tat restoration, improvement, and acquisition provisions of
23 the Central Valley Project Improvement Act, such sums
24 as may be collected in fiscal year 2023 in the Central Val-
25 ley Project Restoration Fund pursuant to sections

1 3407(d), 3404(c)(3), and 3405(f) of Public Law 102–575,
2 to remain available until expended: *Provided*, That the Bu-
3 reau of Reclamation is directed to assess and collect the
4 full amount of the additional mitigation and restoration
5 payments authorized by section 3407(d) of Public Law
6 102–575: *Provided further*, That none of the funds made
7 available under this heading may be used for the acquisi-
8 tion or leasing of water for in-stream purposes if the water
9 is already committed to in-stream purposes by a court
10 adopted decree or order.

11 CALIFORNIA BAY-DELTA RESTORATION
12 (INCLUDING TRANSFERS OF FUNDS)

13 For carrying out activities authorized by the Water
14 Supply, Reliability, and Environmental Improvement Act,
15 consistent with plans to be approved by the Secretary of
16 the Interior, \$33,000,000, to remain available until ex-
17 pended, of which such amounts as may be necessary to
18 carry out such activities may be transferred to appropriate
19 accounts of other participating Federal agencies to carry
20 out authorized purposes: *Provided*, That funds appro-
21 priated herein may be used for the Federal share of the
22 costs of CALFED Program management: *Provided fur-*
23 *ther*, That CALFED implementation shall be carried out
24 in a balanced manner with clear performance measures

1 demonstrating concurrent progress in achieving the goals
2 and objectives of the Program.

3 POLICY AND ADMINISTRATION

4 For expenses necessary for policy, administration,
5 and related functions in the Office of the Commissioner,
6 the Denver office, and offices in the six regions of the Bu-
7 reau of Reclamation, to remain available until September
8 30, 2024, \$65,079,000 (reduced by \$2,000,000), to be de-
9 rived from the Reclamation Fund and be nonreimbursable
10 as provided in section 4(o) of the Act of December 5, 1924
11 (43 U.S.C. 377): *Provided*, That no part of any other ap-
12 propriation in this Act shall be available for activities or
13 functions budgeted as policy and administration expenses.

14 ADMINISTRATIVE PROVISION

15 Appropriations for the Bureau of Reclamation shall
16 be available for purchase and replacement of not to exceed
17 30 motor vehicles, which are for replacement only.

18 GENERAL PROVISIONS—DEPARTMENT OF THE

19 INTERIOR

20 SEC. 201. (a) None of the funds provided in title II
21 of this Act for Water and Related Resources, or provided
22 by previous or subsequent appropriations Acts to the agen-
23 cies or entities funded in title II of this Act for Water
24 and Related Resources that remain available for obligation
25 or expenditure in fiscal year 2023, shall be available for

1 obligation or expenditure through a reprogramming of
2 funds that—

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

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

6 (3) increases funds for any program, project, or
7 activity for which funds have been denied or re-
8 stricted by this Act, unless prior approval is received
9 from the Committees on Appropriations of both
10 Houses of Congress;

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

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

19 (A) 15 percent for any program, project or
20 activity for which \$2,000,000 or more is avail-
21 able at the beginning of the fiscal year; or

22 (B) \$400,000 for any program, project or
23 activity for which less than \$2,000,000 is avail-
24 able at the beginning of the fiscal year;

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

8 (7) transfers, where necessary to discharge legal
9 obligations of the Bureau of Reclamation, more than
10 \$5,000,000 to provide adequate funds for settled
11 contractor claims, increased contractor earnings due
12 to accelerated rates of operations, and real estate de-
13 ficiency judgments, unless prior approval is received
14 from the Committees on Appropriations of both
15 Houses of Congress.

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

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

22 (d) Except as provided in subsections (a) and (b), the
23 amounts made available in this title under the heading
24 “Bureau of Reclamation—Water and Related Resources”
25 shall be expended for the programs, projects, and activities

1 specified in the “House Recommended” columns in the
2 “Water and Related Resources” table included under the
3 heading “Title II—Department of the Interior” in the re-
4 port accompanying this Act.

5 (e) The Bureau of Reclamation shall submit reports
6 on a quarterly basis to the Committees on Appropriations
7 of both Houses of Congress detailing all the funds repro-
8 grammed between programs, projects, activities, or cat-
9 egories of funding. The first quarterly report shall be sub-
10 mitted not later than 60 days after the date of enactment
11 of this Act.

12 SEC. 202. (a) None of the funds appropriated or oth-
13 erwise made available by this Act may be used to deter-
14 mine the final point of discharge for the interceptor drain
15 for the San Luis Unit until development by the Secretary
16 of the Interior and the State of California of a plan, which
17 shall conform to the water quality standards of the State
18 of California as approved by the Administrator of the En-
19 vironmental Protection Agency, to minimize any detri-
20 mental effect of the San Luis drainage waters.

21 (b) The costs of the Kesterson Reservoir Cleanup
22 Program and the costs of the San Joaquin Valley Drain-
23 age Program shall be classified by the Secretary of the
24 Interior as reimbursable or nonreimbursable and collected
25 until fully repaid pursuant to the “Cleanup Program—

1 Alternative Repayment Plan” and the “SJVDP—Alter-
2 native Repayment Plan” described in the report entitled
3 “Repayment Report, Kesterson Reservoir Cleanup Pro-
4 gram and San Joaquin Valley Drainage Program, Feb-
5 ruary 1995”, prepared by the Department of the Interior,
6 Bureau of Reclamation. Any future obligations of funds
7 by the United States relating to, or providing for, drainage
8 service or drainage studies for the San Luis Unit shall
9 be fully reimbursable by San Luis Unit beneficiaries of
10 such service or studies pursuant to Federal reclamation
11 law.

12 SEC. 203. Section 9504(e) of the Omnibus Public
13 Land Management Act of 2009 (Public Law 111–11; 42
14 U.S.C. 10364(e)) is amended by striking “\$750,000,000”
15 and inserting “\$820,000,000”.

16 SEC. 204. (a) Title I of Public Law 108–361 (the
17 Calfed Bay-Delta Authorization Act) is amended by strik-
18 ing “2022” each place it appears and inserting “2023”.

19 (b) Section 103(f)(4)(A) of Public Law 108–361 (the
20 Calfed Bay-Delta Authorization Act) is amended by strik-
21 ing “\$25,000,000” and inserting “\$30,000,000”.

22 SEC. 205. Section 9106(g)(2) of Public Law 111–11
23 (Omnibus Public Land Management Act of 2009) is
24 amended by striking “2022” and inserting “2023”.

1 Act (42 U.S.C. 7101 et seq.), including the acquisition or
2 condemnation of any real property or any facility or for
3 plant or facility acquisition, construction, or expansion,
4 \$4,000,000,000 (reduced by \$2,000,000) (increased by
5 \$2,000,000) (increased by \$5,000,000) (increased by
6 \$5,000,000) (increased by \$3,000,000) (reduced by \$1.00)
7 (increased by \$1.00) (reduced by \$5,000,000) (increased
8 by \$5,000,000) (increased by \$3,000,000), to remain
9 available until expended: *Provided*, That of such amount,
10 \$245,000,000 shall be available until September 30, 2024,
11 for program direction.

12 CYBERSECURITY, ENERGY SECURITY, AND EMERGENCY
13 RESPONSE

14 For Department of Energy expenses including the
15 purchase, construction, and acquisition of plant and cap-
16 ital equipment, and other expenses necessary for energy
17 sector cybersecurity, energy security, and emergency re-
18 sponse activities in carrying out the purposes of the De-
19 partment of Energy Organization Act (42 U.S.C. 7101 et
20 seq.), including the acquisition or condemnation of any
21 real property or any facility or for plant or facility acqui-
22 sition, construction, or expansion, \$205,000,000, to remain
23 available until expended: *Provided*, That of such amount,
24 \$24,000,000 shall be available until September 30, 2024,
25 for program direction.

ELECTRICITY

1
2 For Department of Energy expenses including the
3 purchase, construction, and acquisition of plant and cap-
4 ital equipment, and other expenses necessary for elec-
5 tricity activities in carrying out the purposes of the De-
6 partment of Energy Organization Act (42 U.S.C. 7101 et
7 seq.), including the acquisition or condemnation of any
8 real property or any facility or for plant or facility acquisi-
9 tion, construction, or expansion, \$350,000,000 (reduced
10 by \$30,000,000) (increased by \$30,000,000) (reduced by
11 \$30,500,000) (increased by \$30,500,000), to remain avail-
12 able until expended: *Provided*, That of such amount,
13 \$23,000,000 shall be available until September 30, 2024,
14 for program direction.

NUCLEAR ENERGY

15
16 For Department of Energy expenses including the
17 purchase, construction, and acquisition of plant and cap-
18 ital equipment, and other expenses necessary for nuclear
19 energy activities in carrying out the purposes of the De-
20 partment of Energy Organization Act (42 U.S.C. 7101 et
21 seq.), including the acquisition or condemnation of any
22 real property or any facility or for plant or facility acquisi-
23 tion, construction, or expansion, \$1,779,800,000, to re-
24 main available until expended: *Provided*, That of such
25 amount, \$85,000,000 shall be available until September

1 30, 2024, for program direction: *Provided further*, That
2 for the purpose of section 954(a)(6) of the Energy Policy
3 Act of 2005, as amended, the only amount available shall
4 be from the amount specified as including that purpose
5 in the “Bill” column in the “Department of Energy” table
6 included under the heading “Title III—Department of
7 Energy” in the report accompanying this Act.

8 FOSSIL ENERGY AND CARBON MANAGEMENT

9 For Department of Energy expenses necessary in car-
10 rying out fossil energy and carbon management research
11 and development activities, under the authority of the De-
12 partment of Energy Organization Act (42 U.S.C. 7101 et
13 seq.), including the acquisition of interest, including defea-
14 sible and equitable interests in any real property or any
15 facility or for plant or facility acquisition or expansion,
16 and for conducting inquiries, technological investigations
17 and research concerning the extraction, processing, use,
18 and disposal of mineral substances without objectionable
19 social and environmental costs (30 U.S.C. 3, 1602, and
20 1603), \$880,000,000 (reduced by \$5,000,000) (reduced
21 by \$1,000,000) (increased by \$1,000,000), to remain
22 available until expended: *Provided*, That of such amount
23 \$70,000,000 shall be available until September 30, 2024,
24 for program direction.

1 ENERGY PROJECTS

2 For Department of Energy expenses necessary in car-
3 rying out the Department of Energy Organization Act (42
4 U.S.C. 7101 et seq.), \$117,326,652, to remain available
5 until expended, for the projects, and in the amounts, speci-
6 fied in the table titled “Community Project Funding De-
7 partment of Energy Projects” in the report accompanying
8 this Act.

9 NAVAL PETROLEUM AND OIL SHALE RESERVES

10 For Department of Energy expenses necessary to
11 carry out naval petroleum and oil shale reserve activities,
12 \$13,004,000, to remain available until expended: *Pro-*
13 *vided*, That notwithstanding any other provision of law,
14 unobligated funds remaining from prior years shall be
15 available for all naval petroleum and oil shale reserve ac-
16 tivities.

17 STRATEGIC PETROLEUM RESERVE

18 For Department of Energy expenses necessary for
19 Strategic Petroleum Reserve facility development and op-
20 erations and program management activities pursuant to
21 the Energy Policy and Conservation Act (42 U.S.C. 6201
22 et seq.), \$214,175,000, to remain available until expended.

23 SPR PETROLEUM ACCOUNT

24 For the acquisition, transportation, and injection of
25 petroleum products, and for other necessary expenses pur-

1 suant to the Energy Policy and Conservation Act of 1975,
2 as amended (42 U.S.C. 6201 et seq.), sections 403 and
3 404 of the Bipartisan Budget Act of 2015 (42 U.S.C.
4 6241, 6239 note), section 32204 of the Fixing America's
5 Surface Transportation Act (42 U.S.C. 6241 note), and
6 section 30204 of the Bipartisan Budget Act of 2018 (42
7 U.S.C. 6241 note), \$8,000,000, to remain available until
8 expended.

9 NORTHEAST HOME HEATING OIL RESERVE

10 For Department of Energy expenses necessary for
11 Northeast Home Heating Oil Reserve storage, operation,
12 and management activities pursuant to the Energy Policy
13 and Conservation Act (42 U.S.C. 6201 et seq.),
14 \$7,000,000, to remain available until expended.

15 ENERGY INFORMATION ADMINISTRATION

16 For Department of Energy expenses necessary in car-
17 rying out the activities of the Energy Information Admin-
18 istration, \$144,480,000, to remain available until ex-
19 pended.

20 NON-DEFENSE ENVIRONMENTAL CLEANUP

21 For Department of Energy expenses, including the
22 purchase, construction, and acquisition of plant and cap-
23 ital equipment and other expenses necessary for non-de-
24 fense environmental cleanup activities in carrying out the
25 purposes of the Department of Energy Organization Act

1 (42 U.S.C. 7101 et seq.), including the acquisition or con-
2 demnation of any real property or any facility or for plant
3 or facility acquisition, construction, or expansion, and the
4 purchase of one passenger motor vehicle, \$333,863,000,
5 to remain available until expended: *Provided*, That in ad-
6 dition, fees collected pursuant to subsection (b)(1) of sec-
7 tion 6939f of title 42, United States Code, and deposited
8 under this heading in fiscal year 2023 pursuant to section
9 309 of title III of division C of Public Law 116–94 are
10 appropriated, to remain available until expended, for mer-
11 cury storage costs.

12 URANIUM ENRICHMENT DECONTAMINATION AND
13 DECOMMISSIONING FUND

14 For Department of Energy expenses necessary in car-
15 rying out uranium enrichment facility decontamination
16 and decommissioning, remedial actions, and other activi-
17 ties of title II of the Atomic Energy Act of 1954, and
18 title X, subtitle A, of the Energy Policy Act of 1992,
19 \$823,321,000, to be derived from the Uranium Enrich-
20 ment Decontamination and Decommissioning Fund, to re-
21 main available until expended, of which \$14,800,000 shall
22 be available in accordance with title X, subtitle A, of the
23 Energy Policy Act of 1992.

1 SCIENCE

2 For Department of Energy expenses including the
3 purchase, construction, and acquisition of plant and cap-
4 ital equipment, and other expenses necessary for science
5 activities in carrying out the purposes of the Department
6 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
7 cluding the acquisition or condemnation of any real prop-
8 erty or any facility or for plant or facility acquisition, con-
9 struction, or expansion, and purchase of not more than
10 35 passenger motor vehicles, including one ambulance, for
11 replacement only, \$8,000,000,000 (increased by
12 \$234,678,000) (reduced by \$234,678,000) (reduced by
13 \$20,000,000) (increased by \$20,000,000) (increased by
14 \$500,000), to remain available until expended: *Provided*,
15 That of such amount, \$211,211,000 shall be available
16 until September 30, 2024, for program direction.

17 NUCLEAR WASTE DISPOSAL

18 For Department of Energy expenses necessary for
19 nuclear waste disposal activities to carry out the purposes
20 of the Nuclear Waste Policy Act of 1982, Public Law 97-
21 425, as amended, \$10,205,000, to remain available until
22 expended, which shall be derived from the Nuclear Waste
23 Fund.

1 TECHNOLOGY TRANSITIONS

2 For Department of Energy expenses necessary for
3 carrying out the activities of technology transitions,
4 \$23,058,000, to remain available until expended: *Pro-*
5 *vided*, That of such amount, \$13,183,000 shall be avail-
6 able until September 30, 2024, for program direction.

7 CLEAN ENERGY DEMONSTRATIONS

8 For Department of Energy expenses, including the
9 purchase, construction, and acquisition of plant and cap-
10 ital equipment and other expenses necessary for clean en-
11 ergy demonstrations in carrying out the purposes of the
12 Department of Energy Organization Act (42 U.S.C. 7101
13 et seq.), including the acquisition or condemnation of any
14 real property or any facility or for plant or facility acquisi-
15 tion, construction, or expansion, \$189,000,000, to remain
16 available until expended: *Provided*, That of such amount,
17 \$25,000,000 shall be available until September 30, 2024,
18 for program direction.

19 DEFENSE PRODUCTION ACT DOMESTIC CLEAN ENERGY
20 ACCELERATOR

21 For activities by the Department of Energy pursuant
22 to titles I, III, and VII of the Defense Production Act of
23 1950 (50 U.S.C. subchapters I, II, and III), notwith-
24 standing the requirements of section 303(a)(1) through
25 (a)(6) of such Act, \$100,000,000 (increased by

1 \$5,000,000), to remain available until expended, which
2 shall be obligated and expended by the Secretary of En-
3 ergy as if delegated the necessary authorities conferred by
4 the Defense Production Act of 1950, and which shall be
5 for expanding the domestic production capability for solar,
6 transformers, electric grid components, fuel cells,
7 electrolyzers, heat pumps, and insulation, of which up to
8 \$5,000,000 shall be available until September 30, 2024,
9 for administrative expenses.

10 ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

11 For Department of Energy expenses necessary in car-
12 rying out the activities authorized by section 5012 of the
13 America COMPETES Act (Public Law 110–69),
14 \$550,000,000, to remain available until expended: *Pro-*
15 *vided*, That of such amount, \$45,000,000 shall be avail-
16 able until September 30, 2024, for program direction.

17 TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE
18 PROGRAM

19 Such sums as are derived from amounts received
20 from borrowers pursuant to section 1702(b) of the Energy
21 Policy Act of 2005 under this heading in prior Acts, shall
22 be collected in accordance with section 502(7) of the Con-
23 gressional Budget Act of 1974: *Provided*, That for nec-
24 essary administrative expenses of the Title 17 Innovative
25 Technology Loan Guarantee Program, as authorized,

1 \$66,206,000 is appropriated, to remain available until
2 September 30, 2024: *Provided further*, That up to
3 \$66,206,000 of fees collected in fiscal year 2023 pursuant
4 to section 1702(h) of the Energy Policy Act of 2005 shall
5 be credited as offsetting collections under this heading and
6 used for necessary administrative expenses in this appro-
7 priation and shall remain available until September 30,
8 2024: *Provided further*, That to the extent that fees col-
9 lected in fiscal year 2023 exceed \$66,206,000, those ex-
10 cess amounts shall be credited as offsetting collections
11 under this heading and available in future fiscal years only
12 to the extent provided in advance in appropriations Acts:
13 *Provided further*, That the sum herein appropriated from
14 the general fund shall be reduced (1) as such fees are re-
15 ceived during fiscal year 2023 (estimated at \$35,000,000)
16 and (2) to the extent that any remaining general fund ap-
17 propriations can be derived from fees collected in previous
18 fiscal years that are not otherwise appropriated, so as to
19 result in a final fiscal year 2023 appropriation from the
20 general fund estimated at \$0: *Provided further*, That the
21 Department of Energy shall not subordinate any loan obli-
22 gation to other financing in violation of section 1702 of
23 the Energy Policy Act of 2005 or subordinate any Guarant-
24 eed Obligation to any loan or other debt obligations in

1 violation of section 609.10 of title 10, Code of Federal
2 Regulations.

3 ADVANCED TECHNOLOGY VEHICLES MANUFACTURING
4 LOAN PROGRAM

5 For Department of Energy administrative expenses
6 necessary in carrying out the Advanced Technology Vehi-
7 cles Manufacturing Loan Program, \$9,800,000, to remain
8 available until September 30, 2024.

9 TRIBAL ENERGY LOAN GUARANTEE PROGRAM

10 For the cost of direct and guaranteed loans for the
11 Tribal Energy Loan Guarantee Program under section
12 2602(c) of the Energy Policy Act of 1992 (25 U.S.C.
13 3502(c)), \$8,000,000 (increased by \$8,000,000) (reduced
14 by \$8,000,000), to remain available until expended: *Pro-*
15 *vided*, That such costs, including the cost of modifying
16 such loans, shall be as defined in section 502 of the Con-
17 gressional Budget Act of 1974 (2 U.S.C. 661a): *Provided*
18 *further*, That in this fiscal year and subsequent fiscal
19 years, under section 2602(c) of the Energy Policy Act of
20 1992 (25 U.S.C. 3502(c)), the Secretary of Energy may
21 also provide direct loans, as defined in section 502 of the
22 Congressional Budget Act of 1974 (2 U.S.C. 661a): *Pro-*
23 *vided further*, That such direct loans shall be made
24 through the Federal Financing Bank, with the full faith
25 and credit of the United States Government on the prin-

1 cipal and interest: *Provided further*, That any funds pre-
2 viously appropriated for the cost of loan guarantees under
3 section 2602(c) of the Energy Policy Act of 1992 (25
4 U.S.C. 3502(c)) may also be used, in this fiscal year and
5 subsequent fiscal years, for the cost of direct loans pro-
6 vided under such section of such Act.

7 In addition, for Department of Energy administrative
8 expenses necessary in carrying out the Tribal Energy
9 Loan Guarantee Program, \$2,000,000, to remain avail-
10 able until September 30, 2024.

11 INDIAN ENERGY POLICY AND PROGRAMS

12 For necessary expenses for Indian Energy activities
13 in carrying out the purposes of the Department of Energy
14 Organization Act (42 U.S.C. 7101 et seq.), \$75,000,000,
15 to remain available until expended: *Provided*, That of the
16 amount appropriated under this heading, \$15,000,000
17 shall be available until September 30, 2024, for program
18 direction.

19 DEPARTMENTAL ADMINISTRATION

20 For salaries and expenses of the Department of En-
21 ergy necessary for departmental administration in car-
22 rying out the purposes of the Department of Energy Orga-
23 nization Act (42 U.S.C. 7101 et seq.), \$407,715,000 (re-
24 duced by \$5,000,000) (reduced by \$5,000,000) (reduced
25 by \$500,000) (reduced by \$3,000,000) (reduced by

1 \$3,000,000), to remain available until September 30,
2 2024, including the hire of passenger motor vehicles and
3 official reception and representation expenses not to ex-
4 ceed \$30,000, plus such additional amounts as necessary
5 to cover increases in the estimated amount of cost of work
6 for others notwithstanding the provisions of the Anti-Defi-
7 ciency Act (31 U.S.C. 1511 et seq.): *Provided*, That such
8 increases in cost of work are offset by revenue increases
9 of the same or greater amount: *Provided further*, That
10 moneys received by the Department for miscellaneous rev-
11 enues estimated to total \$100,578,000 in fiscal year 2023
12 may be retained and used for operating expenses within
13 this account, as authorized by section 201 of Public Law
14 95–238, notwithstanding the provisions of 31 U.S.C.
15 3302: *Provided further*, That the sum herein appropriated
16 shall be reduced as collections are received during the fis-
17 cal year so as to result in a final fiscal year 2023 appro-
18 priation from the general fund estimated at not more than
19 \$307,137,000.

20 OFFICE OF THE INSPECTOR GENERAL

21 For expenses necessary for the Office of the Inspector
22 General in carrying out the provisions of the Inspector
23 General Act of 1978, \$92,000,000, to remain available
24 until September 30, 2024.

1 ATOMIC ENERGY DEFENSE ACTIVITIES
2 NATIONAL NUCLEAR SECURITY
3 ADMINISTRATION
4 WEAPONS ACTIVITIES

5 For Department of Energy expenses, including the
6 purchase, construction, and acquisition of plant and cap-
7 ital equipment and other incidental expenses necessary for
8 atomic energy defense weapons activities in carrying out
9 the purposes of the Department of Energy Organization
10 Act (42 U.S.C. 7101 et seq.), including the acquisition or
11 condemnation of any real property or any facility or for
12 plant or facility acquisition, construction, or expansion,
13 \$16,333,065,000, to remain available until expended: *Pro-*
14 *vided*, That of such amount, \$130,070,000 shall be avail-
15 able until September 30, 2024, for program direction.

16 DEFENSE NUCLEAR NONPROLIFERATION

17 For Department of Energy expenses, including the
18 purchase, construction, and acquisition of plant and cap-
19 ital equipment and other incidental expenses necessary for
20 defense nuclear nonproliferation activities in carrying out
21 the purposes of the Department of Energy Organization
22 Act (42 U.S.C. 7101 et seq.), including the acquisition or
23 condemnation of any real property or any facility or for
24 plant or facility acquisition, construction, or expansion,
25 \$2,424,000,000, to remain available until expended.

1 ital equipment and other expenses necessary for atomic
2 energy defense environmental cleanup activities in car-
3 rying out the purposes of the Department of Energy Orga-
4 nization Act (42 U.S.C. 7101 et seq.), including the acqui-
5 sition or condemnation of any real property or any facility
6 or for plant or facility acquisition, construction, or expan-
7 sion, \$6,722,521,000, to remain available until expended:
8 *Provided*, That of such amount, \$317,002,000 shall be
9 available until September 30, 2024, for program direction.

10 DEFENSE URANIUM ENRICHMENT DECONTAMINATION
11 AND DECOMMISSIONING
12 (INCLUDING TRANSFER OF FUNDS)

13 For an additional amount for atomic energy defense
14 environmental cleanup activities for Department of En-
15 ergy contributions for uranium enrichment decontamina-
16 tion and decommissioning activities, \$823,321,000, to be
17 deposited into the Defense Environmental Cleanup ac-
18 count, which shall be transferred to the Uranium Enrich-
19 ment Decontamination and Decommissioning Fund.

20 OTHER DEFENSE ACTIVITIES

21 For Department of Energy expenses, including the
22 purchase, construction, and acquisition of plant and cap-
23 ital equipment and other expenses necessary for atomic
24 energy defense, other defense activities, and classified ac-
25 tivities, in carrying out the purposes of the Department

1 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
2 cluding the acquisition or condemnation of any real prop-
3 erty or any facility or for plant or facility acquisition, con-
4 struction, or expansion, \$1,027,554,000, to remain avail-
5 able until expended: *Provided*, That of such amount,
6 \$359,734,000 shall be available until September 30, 2024,
7 for program direction.

8 POWER MARKETING ADMINISTRATIONS

9 BONNEVILLE POWER ADMINISTRATION FUND

10 Expenditures from the Bonneville Power Administra-
11 tion Fund, established pursuant to Public Law 93-454,
12 are approved for the Colville Tribes Residents Fish Hatch-
13 ery Expansion, Chief Joseph Hatchery Water Quality
14 Project, and Umatilla Hatchery Facility Project and, in
15 addition, for official reception and representation expenses
16 in an amount not to exceed \$5,000: *Provided*, That during
17 fiscal year 2023, no new direct loan obligations may be
18 made.

19 OPERATION AND MAINTENANCE, SOUTHEASTERN POWER
20 ADMINISTRATION

21 For expenses necessary for operation and mainte-
22 nance of power transmission facilities and for marketing
23 electric power and energy, including transmission wheeling
24 and ancillary services, pursuant to section 5 of the Flood
25 Control Act of 1944 (16 U.S.C. 825s), as applied to the

1 southeastern power area, \$8,173,000, including official re-
2 ception and representation expenses in an amount not to
3 exceed \$1,500, to remain available until expended: *Pro-*
4 *vided*, That notwithstanding 31 U.S.C. 3302 and section
5 5 of the Flood Control Act of 1944, up to \$8,173,000 col-
6 lected by the Southeastern Power Administration from the
7 sale of power and related services shall be credited to this
8 account as discretionary offsetting collections, to remain
9 available until expended for the sole purpose of funding
10 the annual expenses of the Southeastern Power Adminis-
11 tration: *Provided further*, That the sum herein appro-
12 priated for annual expenses shall be reduced as collections
13 are received during the fiscal year so as to result in a final
14 fiscal year 2023 appropriation estimated at not more than
15 \$0: *Provided further*, That notwithstanding 31 U.S.C.
16 3302, up to \$78,696,000 collected by the Southeastern
17 Power Administration pursuant to the Flood Control Act
18 of 1944 to recover purchase power and wheeling expenses
19 shall be credited to this account as offsetting collections,
20 to remain available until expended for the sole purpose
21 of making purchase power and wheeling expenditures:
22 *Provided further*, That for purposes of this appropriation,
23 annual expenses means expenditures that are generally re-
24 covered in the same year that they are incurred (excluding
25 purchase power and wheeling expenses).

1 OPERATION AND MAINTENANCE, SOUTHWESTERN
2 POWER ADMINISTRATION

3 For expenses necessary for operation and mainte-
4 nance of power transmission facilities and for marketing
5 electric power and energy, for construction and acquisition
6 of transmission lines, substations and appurtenant facili-
7 ties, and for administrative expenses, including official re-
8 ception and representation expenses in an amount not to
9 exceed \$1,500 in carrying out section 5 of the Flood Con-
10 trol Act of 1944 (16 U.S.C. 825s), as applied to the
11 Southwestern Power Administration, \$53,488,000, to re-
12 main available until expended: *Provided*, That notwith-
13 standing 31 U.S.C. 3302 and section 5 of the Flood Con-
14 trol Act of 1944 (16 U.S.C. 825s), up to \$42,880,000 col-
15 lected by the Southwestern Power Administration from
16 the sale of power and related services shall be credited to
17 this account as discretionary offsetting collections, to re-
18 main available until expended, for the sole purpose of
19 funding the annual expenses of the Southwestern Power
20 Administration: *Provided further*, That the sum herein ap-
21 propriated for annual expenses shall be reduced as collec-
22 tions are received during the fiscal year so as to result
23 in a final fiscal year 2023 appropriation estimated at not
24 more than \$10,608,000: *Provided further*, That notwith-
25 standing 31 U.S.C. 3302, up to \$70,000,000 collected by

1 the Southwestern Power Administration pursuant to the
2 Flood Control Act of 1944 to recover purchase power and
3 wheeling expenses shall be credited to this account as off-
4 setting collections, to remain available until expended for
5 the sole purpose of making purchase power and wheeling
6 expenditures: *Provided further*, That for purposes of this
7 appropriation, annual expenses means expenditures that
8 are generally recovered in the same year that they are in-
9 curred (excluding purchase power and wheeling expenses).

10 CONSTRUCTION, REHABILITATION, OPERATION AND
11 MAINTENANCE, WESTERN AREA POWER ADMINIS-
12 TRATION

13 For carrying out the functions authorized by title III,
14 section 302(a)(1)(E) of the Act of August 4, 1977 (42
15 U.S.C. 7152), and other related activities including con-
16 servation and renewable resources programs as author-
17 ized, \$299,573,000, including official reception and rep-
18 resentation expenses in an amount not to exceed \$1,500,
19 to remain available until expended, of which \$299,573,000
20 shall be derived from the Department of the Interior Rec-
21 lamation Fund: *Provided*, That notwithstanding 31 U.S.C.
22 3302, section 5 of the Flood Control Act of 1944 (16
23 U.S.C. 825s), and section 1 of the Interior Department
24 Appropriation Act, 1939 (43 U.S.C. 392a), up to
25 \$200,841,000 collected by the Western Area Power Ad-

1 ministration from the sale of power and related services
2 shall be credited to this account as discretionary offsetting
3 collections, to remain available until expended, for the sole
4 purpose of funding the annual expenses of the Western
5 Area Power Administration: *Provided further*, That the
6 sum herein appropriated for annual expenses shall be re-
7 duced as collections are received during the fiscal year so
8 as to result in a final fiscal year 2023 appropriation esti-
9 mated at not more than \$98,732,000, of which
10 \$98,732,000 is derived from the Reclamation Fund: *Pro-*
11 *vided further*, That notwithstanding 31 U.S.C. 3302, up
12 to \$350,083,000 collected by the Western Area Power Ad-
13 ministration pursuant to the Flood Control Act of 1944
14 and the Reclamation Project Act of 1939 to recover pur-
15 chase power and wheeling expenses shall be credited to
16 this account as offsetting collections, to remain available
17 until expended for the sole purpose of making purchase
18 power and wheeling expenditures: *Provided further*, That
19 for purposes of this appropriation, annual expenses means
20 expenditures that are generally recovered in the same year
21 that they are incurred (excluding purchase power and
22 wheeling expenses).

1 FALCON AND AMISTAD OPERATING AND MAINTENANCE
2 FUND

3 For operation, maintenance, and emergency costs for
4 the hydroelectric facilities at the Falcon and Amistad
5 Dams, \$6,330,000, to remain available until expended,
6 and to be derived from the Falcon and Amistad Operating
7 and Maintenance Fund of the Western Area Power Ad-
8 ministration, as provided in section 2 of the Act of June
9 18, 1954 (68 Stat. 255): *Provided*, That notwithstanding
10 the provisions of that Act and of 31 U.S.C. 3302, up to
11 \$6,102,000 collected by the Western Area Power Adminis-
12 tration from the sale of power and related services from
13 the Falcon and Amistad Dams shall be credited to this
14 account as discretionary offsetting collections, to remain
15 available until expended for the sole purpose of funding
16 the annual expenses of the hydroelectric facilities of these
17 Dams and associated Western Area Power Administration
18 activities: *Provided further*, That the sum herein appro-
19 priated for annual expenses shall be reduced as collections
20 are received during the fiscal year so as to result in a final
21 fiscal year 2023 appropriation estimated at not more than
22 \$228,000: *Provided further*, That for purposes of this ap-
23 propriation, annual expenses means expenditures that are
24 generally recovered in the same year that they are in-
25 curred: *Provided further*, That for fiscal year 2023, the

1 Administrator of the Western Area Power Administration
2 may accept up to \$1,598,000 in funds contributed by
3 United States power customers of the Falcon and Amistad
4 Dams for deposit into the Falcon and Amistad Operating
5 and Maintenance Fund, and such funds shall be available
6 for the purpose for which contributed in like manner as
7 if said sums had been specifically appropriated for such
8 purpose: *Provided further*, That any such funds shall be
9 available without further appropriation and without fiscal
10 year limitation for use by the Commissioner of the United
11 States Section of the International Boundary and Water
12 Commission for the sole purpose of operating, maintain-
13 ing, repairing, rehabilitating, replacing, or upgrading the
14 hydroelectric facilities at these Dams in accordance with
15 agreements reached between the Administrator, Commis-
16 sioner, and the power customers.

17 FEDERAL ENERGY REGULATORY COMMISSION

18 SALARIES AND EXPENSES

19 For expenses necessary for the Federal Energy Regu-
20 latory Commission to carry out the provisions of the De-
21 partment of Energy Organization Act (42 U.S.C. 7101 et
22 seq.), including services as authorized by 5 U.S.C. 3109,
23 official reception and representation expenses not to ex-
24 ceed \$3,000, and the hire of passenger motor vehicles,
25 \$508,400,000 (reduced by \$1,000,000) (increased by

1 \$1,000,000), to remain available until expended: *Provided*,
2 That notwithstanding any other provision of law, not to
3 exceed \$508,400,000 of revenues from fees and annual
4 charges, and other services and collections in fiscal year
5 2023 shall be retained and used for expenses necessary
6 in this account, and shall remain available until expended:
7 *Provided further*, That the sum herein appropriated from
8 the general fund shall be reduced as revenues are received
9 during fiscal year 2023 so as to result in a final fiscal
10 year 2023 appropriation from the general fund estimated
11 at not more than \$0.

12 GENERAL PROVISIONS—DEPARTMENT OF
13 ENERGY

14 (INCLUDING TRANSFERS AND RESCISSIONS OF FUNDS)

15 SEC. 301. (a) No appropriation, funds, or authority
16 made available by this title for the Department of Energy
17 shall be used to initiate or resume any program, project,
18 or activity or to prepare or initiate Requests For Proposals
19 or similar arrangements (including Requests for
20 Quotations, Requests for Information, and Funding Op-
21 portunity Announcements) for a program, project, or ac-
22 tivity if the program, project, or activity has not been
23 funded by Congress.

24 (b)(1) Unless the Secretary of Energy notifies the
25 Committees on Appropriations of both Houses of Congress

1 at least 3 full business days in advance, none of the funds
2 made available in this title may be used to—

3 (A) make or modify a grant allocation or discre-
4 tionary grant award totaling \$1,000,000 or more;

5 (B) make or modify a discretionary contract
6 award or Other Transaction Agreement totaling
7 \$1,000,000 or more, including a contract covered by
8 the Federal Acquisition Regulation;

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

12 (D) announce publicly the intention to make or
13 modify an allocation, award, or Agreement in excess
14 of the limits in subparagraph (A) or (B).

15 (2) The Secretary of Energy shall submit to the Com-
16 mittees on Appropriations of both Houses of Congress
17 within 15 days of the conclusion of each quarter a report
18 detailing each grant allocation or discretionary grant
19 award totaling less than \$1,000,000 provided or modified
20 during the previous quarter.

21 (3) The notification required by paragraph (1) and
22 the report required by paragraph (2) shall include the re-
23 cipient of the award, the amount of the award, the fiscal
24 year for which the funds for the award were appropriated,
25 the account and program, project, or activity from which

1 the funds are being drawn, the title of the award, and
2 a brief description of the activity for which the award is
3 made.

4 (c) The Department of Energy may not, with respect
5 to any program, project, or activity that uses budget au-
6 thority made available in this title under the heading “De-
7 partment of Energy—Energy Programs”, enter into a
8 multiyear contract, award a multiyear grant, or enter into
9 a multiyear cooperative agreement unless—

10 (1) the contract, grant, or cooperative agree-
11 ment is funded for the full period of performance as
12 anticipated at the time of award; or

13 (2) the contract, grant, or cooperative agree-
14 ment includes a clause conditioning the Federal Gov-
15 ernment’s obligation on the availability of future
16 year budget authority and the Secretary notifies the
17 Committees on Appropriations of both Houses of
18 Congress at least 3 days in advance.

19 (d) Except as provided in subsections (e), (f), and (g),
20 the amounts made available by this title shall be expended
21 as authorized by law for the programs, projects, and ac-
22 tivities specified in the “Bill” column in the “Department
23 of Energy” table included under the heading “Title III—
24 Department of Energy” in the report accompanying this
25 Act.

1 (e) The amounts made available by this title may be
2 reprogrammed for any program, project, or activity, and
3 the Department shall notify, and obtain the prior approval
4 of, the Committees on Appropriations of both Houses of
5 Congress at least 30 days prior to the use of any proposed
6 reprogramming that would cause any program, project, or
7 activity funding level to increase or decrease by more than
8 \$5,000,000 or 10 percent, whichever is less, during the
9 time period covered by this Act.

10 (f) None of the funds provided in this title shall be
11 available for obligation or expenditure through a re-
12 programming of funds that—

13 (1) creates, initiates, or eliminates a program,
14 project, or activity;

15 (2) increases funds or personnel for any pro-
16 gram, project, or activity for which funds are denied
17 or restricted by this Act; or

18 (3) reduces funds that are directed to be used
19 for a specific program, project, or activity by this
20 Act.

21 (g)(1) The Secretary of Energy may waive any re-
22 quirement or restriction in this section that applies to the
23 use of funds made available for the Department of Energy
24 if compliance with such requirement or restriction would

1 pose a substantial risk to human health, the environment,
2 welfare, or national security.

3 (2) The Secretary of Energy shall notify the Commit-
4 tees on Appropriations of both Houses of Congress of any
5 waiver under paragraph (1) as soon as practicable, but
6 not later than 3 days after the date of the activity to which
7 a requirement or restriction would otherwise have applied.
8 Such notice shall include an explanation of the substantial
9 risk under paragraph (1) that permitted such waiver.

10 (h) The unexpended balances of prior appropriations
11 provided for activities in this Act may be available to the
12 same appropriation accounts for such activities established
13 pursuant to this title. Available balances may be merged
14 with funds in the applicable established accounts and
15 thereafter may be accounted for as one fund for the same
16 time period as originally enacted.

17 SEC. 302. Funds appropriated by this or any other
18 Act, or made available by the transfer of funds in this
19 Act, for intelligence activities are deemed to be specifically
20 authorized by the Congress for purposes of section 504
21 of the National Security Act of 1947 (50 U.S.C. 3094)
22 during fiscal year 2023 until the enactment of the Intel-
23 ligence Authorization Act for fiscal year 2023.

24 SEC. 303. None of the funds made available in this
25 title shall be used for the construction of facilities classi-

1 fied as high-hazard nuclear facilities under 10 CFR Part
2 830 unless independent oversight is conducted by the Of-
3 fice of Enterprise Assessments to ensure the project is in
4 compliance with nuclear safety requirements.

5 SEC. 304. None of the funds made available in this
6 title may be used to approve critical decision-2 or critical
7 decision-3 under Department of Energy Order 413.3B, or
8 any successive departmental guidance, for construction
9 projects where the total project cost exceeds
10 \$100,000,000, until a separate independent cost estimate
11 has been developed for the project for that critical deci-
12 sion.

13 SEC. 305. Notwithstanding section 161 of the Energy
14 Policy and Conservation Act (42 U.S.C. 6241), upon a
15 determination by the President in this fiscal year that a
16 regional supply shortage of refined petroleum product of
17 significant scope and duration exists, that a severe in-
18 crease in the price of refined petroleum product will likely
19 result from such shortage, and that a draw down and sale
20 of refined petroleum product would assist directly and sig-
21 nificantly in reducing the adverse impact of such shortage,
22 the Secretary of Energy may draw down and sell refined
23 petroleum product from the Strategic Petroleum Reserve.
24 Proceeds from a sale under this section shall be deposited
25 into the SPR Petroleum Account established in section

1 167 of the Energy Policy and Conservation Act (42 U.S.C.
2 6247), and such amounts shall be available for obligation,
3 without fiscal year limitation, consistent with that section.

4 SEC. 306. No funds shall be transferred directly from
5 “Department of Energy—Power Marketing Administra-
6 tion—Colorado River Basins Power Marketing Fund,
7 Western Area Power Administration” to the general fund
8 of the Treasury in the current fiscal year.

9 SEC. 307. All unavailable collections currently in the
10 United States Enrichment Corporation Fund shall be
11 transferred to and merged with the Uranium Enrichment
12 Decontamination and Decommissioning Fund and shall be
13 available only to the extent provided in advance in appro-
14 priations Acts.

15 SEC. 308. Subparagraphs (B) and (C) of section
16 40401(a)(2) of Public Law 117–58, paragraph (3) of sec-
17 tion 1702(r) of the Energy Policy Act of 2005 (42 U.S.C.
18 16512(r)(3)) as added by section 40401(c)(2)(C) of Public
19 Law 117–58, and subsection (l) of section 136 of the En-
20 ergy Independence and Security Act of 2007 (42 U.S.C.
21 17013(l)), are hereby repealed.

22 SEC. 309. Of the unobligated balances from amounts
23 made available in the first proviso of section 1425 of the
24 Department of Defense and Full-Year Continuing Appro-
25 priations Act, 2011 (Public Law 112–10) for the cost of

1 loan guarantees under section 1703 of the Energy Policy
2 Act of 2005, \$150,000,000 are hereby rescinded: *Pro-*
3 *vided*, That, subject to section 502 of the Congressional
4 Budget Act of 1974, commitments to guarantee loans for
5 eligible projects under title XVII of the Energy Policy Act
6 of 2005, shall not exceed a total principal amount of
7 \$15,000,000,000, to remain available until committed:
8 *Provided further*, That the amounts provided in this sec-
9 tion are in addition to those provided in any other Act:
10 *Provided further*, That for amounts collected pursuant to
11 section 1702(b)(2) of the Energy Policy Act of 2005, the
12 source of such payment received from borrowers may not
13 be a loan or other debt obligation that is guaranteed by
14 the Federal Government: *Provided further*, That none of
15 such loan guarantee authority made available by this sec-
16 tion shall be available for commitments to guarantee loans
17 for any projects where funds, personnel, or property (tan-
18 gible or intangible) of any Federal agency, instrumen-
19 tality, personnel, or affiliated entity are expected be used
20 (directly or indirectly) through acquisitions, contracts,
21 demonstrations, exchanges, grants, incentives, leases, pro-
22 curements, sales, other transaction authority, or other ar-
23 rangements, to support the project or to obtain goods or
24 services from the project: *Provided further*, That the pre-
25 ceding proviso shall not be interpreted as precluding the

1 use of the loan guarantee authority provided by this sec-
2 tion for commitments to guarantee loans for: (1) projects
3 as a result of such projects benefitting from otherwise al-
4 lowable Federal income tax benefits; (2) projects as a re-
5 sult of such projects benefitting from being located on
6 Federal land pursuant to a lease or right-of-way agree-
7 ment for which all consideration for all uses is: (A) paid
8 exclusively in cash; (B) deposited in the Treasury as off-
9 setting receipts; and (C) equal to the fair market value
10 as determined by the head of the relevant Federal agency;
11 (3) projects as a result of such projects benefitting from
12 Federal insurance programs, including under section 170
13 of the Atomic Energy Act of 1954 (42 U.S.C. 2210; com-
14 monly known as the “Price-Anderson Act”); or (4) electric
15 generation projects using transmission facilities owned or
16 operated by a Federal Power Marketing Administration
17 or the Tennessee Valley Authority that have been author-
18 ized, approved, and financed independent of the project
19 receiving the guarantee: *Provided further*, That none of the
20 loan guarantee authority made available by this section
21 shall be available for any project unless the Director of
22 the Office of Management and Budget has certified in ad-
23 vance in writing that the loan guarantee and the project
24 comply with the provisions under this section.

1 SEC. 310. (a) Hereafter, for energy development,
2 demonstration, and deployment programs funded under
3 Department of Energy appropriations (other than those
4 for the National Nuclear Security Administration and Of-
5 fice of Environmental Management) provided for fiscal
6 year 2022, the current fiscal year, or any fiscal year there-
7 after (including by Acts other than appropriations Acts),
8 the Secretary may vest unconditional title or other prop-
9 erty interests acquired under projects in an award recipi-
10 ent, subrecipient, or successor in interest, including the
11 United States, at the conclusion of the award period for
12 projects receiving an initial award in fiscal year 2022 or
13 later.

14 (b) Upon vesting unconditional title pursuant to sub-
15 section (a) in an award recipient, subrecipient, or suc-
16 cessor in interest other than the United States, the United
17 States shall have no liabilities or obligations to the prop-
18 erty.

19 (c) For purposes of this section, the term “property
20 interest” does not include any interest in intellectual prop-
21 erty developed using funding provided under a project.

22 SEC. 311. None of the funds made available in this
23 title may be used to support a grant allocation award, dis-
24 cretionary grant award, or cooperative agreement that ex-
25 ceeds \$100,000,000 in Federal funding unless the project

1 is carried out through internal independent project man-
2 agement procedures.

3 TITLE IV

4 INDEPENDENT AGENCIES

5 APPALACHIAN REGIONAL COMMISSION

6 For expenses necessary to carry out the programs au-
7 thorized by the Appalachian Regional Development Act of
8 1965, as amended, and for expenses necessary for the
9 Federal Co-Chairman and the Alternate on the Appa-
10 lachian Regional Commission, for payment of the Federal
11 share of the administrative expenses of the Commission,
12 including services as authorized by 5 U.S.C. 3109, and
13 hire of passenger motor vehicles, \$220,000,000, to remain
14 available until expended.

15 DEFENSE NUCLEAR FACILITIES SAFETY BOARD

16 SALARIES AND EXPENSES

17 For expenses necessary for the Defense Nuclear Fa-
18 cilities Safety Board in carrying out activities authorized
19 by the Atomic Energy Act of 1954, as amended by Public
20 Law 100–456, section 1441, \$41,401,000, to remain
21 available until September 30, 2024, of which not to exceed
22 \$1,000 shall be available for official reception and rep-
23 resentation expenses.

1 DELTA REGIONAL AUTHORITY

2 SALARIES AND EXPENSES

3 For expenses necessary for the Delta Regional Au-
4 thority and to carry out its activities, as authorized by
5 the Delta Regional Authority Act of 2000, notwith-
6 standing sections 382F(d), 382M, and 382N of said Act,
7 \$30,100,000, to remain available until expended.

8 DENALI COMMISSION

9 For expenses necessary for the Denali Commission
10 including the purchase, construction, and acquisition of
11 plant and capital equipment as necessary and other ex-
12 penses, \$15,100,000, to remain available until expended,
13 notwithstanding the limitations contained in section
14 306(g) of the Denali Commission Act of 1998: *Provided*,
15 That funds shall be available for construction projects for
16 which the Denali Commission is the sole or primary fund-
17 ing source in an amount not to exceed 80 percent of total
18 project cost for distressed communities, as defined by sec-
19 tion 307 of the Denali Commission Act of 1998 (division
20 C, title III, Public Law 105–277), as amended by section
21 701 of appendix D, title VII, Public Law 106–113 (113
22 Stat. 1501A–280), and an amount not to exceed 50 per-
23 cent for non-distressed communities: *Provided further*,
24 That notwithstanding any other provision of law regarding
25 payment of a non-Federal share in connection with a

1 grant-in-aid program, amounts under this heading shall
2 be available for the payment of such a non-Federal share
3 for any project for which the Denali Commission is not
4 the sole or primary funding source, provided that such
5 project is consistent with the purposes of the Commission.

6 NORTHERN BORDER REGIONAL COMMISSION

7 For expenses necessary for the Northern Border Re-
8 gional Commission in carrying out activities authorized by
9 subtitle V of title 40, United States Code, \$38,000,000,
10 to remain available until expended: *Provided*, That such
11 amounts shall be available for administrative expenses,
12 notwithstanding section 15751(b) of title 40, United
13 States Code.

14 SOUTHEAST CRESCENT REGIONAL COMMISSION

15 For expenses necessary for the Southeast Crescent
16 Regional Commission in carrying out activities authorized
17 by subtitle V of title 40, United States Code, \$33,000,000,
18 to remain available until expended.

19 SOUTHWEST BORDER REGIONAL COMMISSION

20 For expenses necessary for the Southwest Border Re-
21 gional Commission in carrying out activities authorized by
22 subtitle V of title 40, United States Code, \$2,500,000, to
23 remain available until expended.

1 NUCLEAR REGULATORY COMMISSION

2 SALARIES AND EXPENSES

3 For expenses necessary for the Commission in car-
4 rying out the purposes of the Energy Reorganization Act
5 of 1974 and the Atomic Energy Act of 1954,
6 \$911,384,000, including official representation expenses
7 not to exceed \$25,000, to remain available until expended:
8 *Provided*, That of the amount appropriated herein, not
9 more than \$9,500,000 may be made available for salaries,
10 travel, and other support costs for the Office of the Com-
11 mission, to remain available until September 30, 2024:
12 *Provided further*, That revenues from licensing fees, in-
13 spection services, and other services and collections esti-
14 mated at \$777,498,000 in fiscal year 2023 shall be re-
15 tained and used for necessary salaries and expenses in this
16 account, notwithstanding 31 U.S.C. 3302, and shall re-
17 main available until expended: *Provided further*, That the
18 sum herein appropriated shall be reduced by the amount
19 of revenues received during fiscal year 2023 so as to result
20 in a final fiscal year 2023 appropriation estimated at not
21 more than \$133,886,000.

22 OFFICE OF INSPECTOR GENERAL

23 For expenses necessary for the Office of Inspector
24 General in carrying out the provisions of the Inspector
25 General Act of 1978, \$17,769,000, to remain available

1 until September 30, 2024: *Provided*, That revenues from
2 licensing fees, inspection services, and other services and
3 collections estimated at \$14,655,000 in fiscal year 2023
4 shall be retained and be available until September 30,
5 2024, for necessary salaries and expenses in this account,
6 notwithstanding section 3302 of title 31, United States
7 Code: *Provided further*, That the sum herein appropriated
8 shall be reduced by the amount of revenues received dur-
9 ing fiscal year 2023 so as to result in a final fiscal year
10 2023 appropriation estimated at not more than
11 \$3,114,000: *Provided further*, That of the amounts appro-
12 priated under this heading, \$1,520,000 shall be for In-
13 spector General services for the Defense Nuclear Facilities
14 Safety Board.

15 NUCLEAR WASTE TECHNICAL REVIEW BOARD

16 SALARIES AND EXPENSES

17 For expenses necessary for the Nuclear Waste Tech-
18 nical Review Board, as authorized by Public Law 100-
19 203, section 5051, \$3,945,000, to be derived from the Nu-
20 clear Waste Fund, to remain available until September 30,
21 2024.

22 GENERAL PROVISIONS—INDEPENDENT

23 AGENCIES

24 SEC. 401. (a) The amounts made available by this
25 title for the Nuclear Regulatory Commission may be re-

1 programmed for any program, project, or activity, and the
2 Commission shall notify the Committees on Appropria-
3 tions of both Houses of Congress at least 30 days prior
4 to the use of any proposed reprogramming that would
5 cause any program funding level to increase or decrease
6 by more than \$500,000 or 10 percent, whichever is less,
7 during the time period covered by this Act.

8 (b)(1) The Nuclear Regulatory Commission may
9 waive the notification requirement in subsection (a) if
10 compliance with such requirement would pose a substan-
11 tial risk to human health, the environment, welfare, or na-
12 tional security.

13 (2) The Nuclear Regulatory Commission shall notify
14 the Committees on Appropriations of both Houses of Con-
15 gress of any waiver under paragraph (1) as soon as prac-
16 ticable, but not later than 3 days after the date of the
17 activity to which a requirement or restriction would other-
18 wise have applied. Such notice shall include an explanation
19 of the substantial risk under paragraph (1) that permitted
20 such waiver and shall provide a detailed report to the
21 Committees of such waiver and changes to funding levels
22 to programs, projects, or activities.

23 (c) Except as provided in subsections (a), (b), and
24 (d), the amounts made available by this title for “Nuclear

1 Regulatory Commission—Salaries and Expenses” shall be
2 expended as directed in the report accompanying this Act.

3 (d) None of the funds provided for the Nuclear Regu-
4 latory Commission shall be available for obligation or ex-
5 penditure through a reprogramming of funds that in-
6 creases funds or personnel for any program, project, or
7 activity for which funds are denied or restricted by this
8 Act.

9 (e) The Commission shall provide a monthly report
10 to the Committees on Appropriations of both Houses of
11 Congress, which includes the following for each program,
12 project, or activity, including any prior year appropria-
13 tions—

- 14 (1) total budget authority;
15 (2) total unobligated balances; and
16 (3) total unliquidated obligations.

17 TITLE V

18 GENERAL PROVISIONS

19 (INCLUDING TRANSFER OF FUNDS)

20 SEC. 501. None of the funds appropriated by this Act
21 may be used in any way, directly or indirectly, to influence
22 congressional action on any legislation or appropriation
23 matters pending before Congress, other than to commu-
24 nicate to Members of Congress as described in 18 U.S.C.
25 1913.

1 SEC. 502. (a) None of the funds made available in
2 title III of this Act may be transferred to any department,
3 agency, or instrumentality of the United States Govern-
4 ment, except pursuant to a transfer made by or transfer
5 authority provided in this Act or any other appropriations
6 Act for any fiscal year, transfer authority referenced in
7 the report accompanying this Act, or any authority where-
8 by a department, agency, or instrumentality of the United
9 States Government may provide goods or services to an-
10 other department, agency, or instrumentality.

11 (b) None of the funds made available for any depart-
12 ment, agency, or instrumentality of the United States
13 Government may be transferred to accounts funded in title
14 III of this Act, except pursuant to a transfer made by or
15 transfer authority provided in this Act or any other appro-
16 priations Act for any fiscal year, transfer authority ref-
17 erenced in the report accompanying this Act, or any au-
18 thority whereby a department, agency, or instrumentality
19 of the United States Government may provide goods or
20 services to another department, agency, or instrumen-
21 tality.

22 (c) The head of any relevant department or agency
23 funded in this Act utilizing any transfer authority shall
24 submit to the Committees on Appropriations of both
25 Houses of Congress a semiannual report detailing the

1 transfer authorities, except for any authority whereby a
2 department, agency, or instrumentality of the United
3 States Government may provide goods or services to an-
4 other department, agency, or instrumentality, used in the
5 previous 6 months and in the year-to-date. This report
6 shall include the amounts transferred and the purposes
7 for which they were transferred, and shall not replace or
8 modify existing notification requirements for each author-
9 ity.

10 SEC. 503. None of the funds made available by this
11 Act may be used in contravention of Executive Order No.
12 12898 of February 11, 1994 (Federal Actions to Address
13 Environmental Justice in Minority Populations and Low-
14 Income Populations).

15 SEC. 504. (a) None of the funds made available in
16 this Act may be used to maintain or establish a computer
17 network unless such network blocks the viewing,
18 downloading, and exchanging of pornography.

19 (b) Nothing in subsection (a) shall limit the use of
20 funds necessary for any Federal, State, Tribal, or local
21 law enforcement agency or any other entity carrying out
22 criminal investigations, prosecution, or adjudication activi-
23 ties.

24 SEC. 505. None of the funds made available by this
25 Act may be used by the Secretary of Energy to make a

1 guarantee under section 1703 of the Energy Policy Act
2 of 2005 (42 U.S.C. 16513) for a project that does not
3 avoid, reduce, or sequester air pollutants or anthropogenic
4 emissions of greenhouse gases.

5 This division may be cited as the “Energy and Water
6 Development and Related Agencies Appropriations Act,
7 2023”.

8 **DIVISION D—FINANCIAL SERVICES AND**
9 **GENERAL GOVERNMENT APPROPRIA-**
10 **TIONS ACT, 2023**

11 TITLE I

12 DEPARTMENT OF THE TREASURY

13 DEPARTMENTAL OFFICES

14 SALARIES AND EXPENSES

15 For necessary expenses of the Departmental Offices
16 including operation and maintenance of the Treasury
17 Building and Freedman’s Bank Building; hire of pas-
18 senger motor vehicles; maintenance, repairs, and improve-
19 ments of, and purchase of commercial insurance policies
20 for, real properties leased or owned overseas, when nec-
21 essary for the performance of official business; executive
22 direction program activities; international affairs and eco-
23 nomic policy activities; domestic finance and tax policy ac-
24 tivities, including technical assistance to State, local, and
25 territorial entities; and Treasury-wide management poli-

1 cies and programs activities, \$278,382,000 (reduced by
2 \$20) (increased by \$20) (reduced by \$500,000) (increased
3 by \$500,000) (increased by \$1,000,000) (reduced by
4 \$1,000,000) (increased by \$1,000,000) (reduced by
5 \$500,000) (reduced by \$5,000,000): *Provided*, That of the
6 amount appropriated under this heading—

7 (1) not to exceed \$350,000 is for official recep-
8 tion and representation expenses;

9 (2) not to exceed \$258,000 is for unforeseen
10 emergencies of a confidential nature to be allocated
11 and expended under the direction of the Secretary of
12 the Treasury and to be accounted for solely on the
13 Secretary's certificate; and

14 (3) not to exceed \$34,000,000 shall remain
15 available until September 30, 2024, for—

16 (A) the Treasury-wide Financial Statement
17 Audit and Internal Control Program;

18 (B) information technology modernization
19 requirements;

20 (C) the audit, oversight, and administra-
21 tion of the Gulf Coast Restoration Trust Fund;

22 (D) the development and implementation
23 of programs within the Office of Cybersecurity
24 and Critical Infrastructure Protection, including
25 entering into cooperative agreements;

1 (E) operations and maintenance of facili-
2 ties; and

3 (F) international operations.

4 COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED
5 STATES FUND
6 (INCLUDING TRANSFER OF FUNDS)

7 For necessary expenses of the Committee on Foreign
8 Investment in the United States, \$20,000,000, to remain
9 available until expended: *Provided*, That the chairperson
10 of the Committee may transfer such amounts to any de-
11 partment or agency represented on the Committee (includ-
12 ing the Department of the Treasury) subject to advance
13 notification to the Committees on Appropriations of the
14 House of Representatives and the Senate: *Provided fur-*
15 *ther*, That amounts so transferred shall remain available
16 until expended for expenses of implementing section 721
17 of the Defense Production Act of 1950, as amended (50
18 U.S.C. 4565), and shall be available in addition to any
19 other funds available to any department or agency: *Pro-*
20 *vided further*, That fees authorized by section 721(p) of
21 such Act shall be credited to this appropriation as offset-
22 ting collections: *Provided further*, That the total amount
23 appropriated under this heading from the general fund
24 shall be reduced as such offsetting collections are received
25 during fiscal year 2023, so as to result in a total appro-

1 priation from the general fund estimated at not more than
2 \$0.

3 OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE

4 SALARIES AND EXPENSES

5 For the necessary expenses of the Office of Terrorism
6 and Financial Intelligence to safeguard the financial sys-
7 tem against illicit use and to combat rogue nations, ter-
8 rorist facilitators, weapons of mass destruction
9 proliferators, human rights abusers, money launderers,
10 drug kingpins, and other national security threats,
11 \$217,059,000 (increased by \$3,000,000), of which not less
12 than \$4,000,000 shall be available for addressing human
13 rights violations and corruption, including activities au-
14 thorized by the Global Magnitsky Human Rights Account-
15 ability Act (22 U.S.C. 2656 note): *Provided*, That of the
16 amounts appropriated under this heading, up to
17 \$12,000,000 shall remain available until September 30,
18 2024.

19 CYBERSECURITY ENHANCEMENT ACCOUNT

20 For salaries and expenses for enhanced cybersecurity
21 for systems operated by the Department of the Treasury,
22 \$135,000,000, to remain available until September 30,
23 2025: *Provided*, That such funds shall supplement and not
24 supplant any other amounts made available to the Treas-
25 ury offices and bureaus for cybersecurity: *Provided fur-*

1 *ther*, That of the total amount made available under this
2 heading \$6,000,000 shall be available for administrative
3 expenses for the Treasury Chief Information Officer to
4 provide oversight of the investments made under this
5 heading: *Provided further*, That such funds shall supple-
6 ment and not supplant any other amounts made available
7 to the Treasury Chief Information Officer.

8 DEPARTMENT-WIDE SYSTEMS AND CAPITAL
9 INVESTMENTS PROGRAMS
10 (INCLUDING TRANSFER OF FUNDS)

11 For development and acquisition of automatic data
12 processing equipment, software, and services; for the hire
13 of zero emission passenger motor vehicles and for sup-
14 porting charging or fueling infrastructure; and for repairs
15 and renovations to buildings owned by the Department of
16 the Treasury, \$11,118,000, to remain available until Sep-
17 tember 30, 2025: *Provided*, That these funds shall be
18 transferred to accounts and in amounts as necessary to
19 satisfy the requirements of the Department’s offices, bu-
20 reaus, and other organizations: *Provided further*, That this
21 transfer authority shall be in addition to any other trans-
22 fer authority provided in this Act: *Provided further*, That
23 none of the funds appropriated under this heading shall
24 be used to support or supplement “Internal Revenue Serv-

1 ice, Operations Support” or “Internal Revenue Service,
2 Business Systems Modernization”.

3 OFFICE OF INSPECTOR GENERAL

4 SALARIES AND EXPENSES

5 For necessary expenses of the Office of Inspector
6 General in carrying out the provisions of the Inspector
7 General Act of 1978, \$48,878,000, including hire of pas-
8 senger motor vehicles; of which not to exceed \$100,000
9 shall be available for unforeseen emergencies of a con-
10 fidential nature, to be allocated and expended under the
11 direction of the Inspector General of the Treasury; of
12 which up to \$2,800,000 to remain available until Sep-
13 tember 30, 2024, shall be for audits and investigations
14 conducted pursuant to section 1608 of the Resources and
15 Ecosystems Sustainability, Tourist Opportunities, and Re-
16 vived Economies of the Gulf Coast States Act of 2012 (33
17 U.S.C. 1321 note); and of which not to exceed \$1,000
18 shall be available for official reception and representation
19 expenses.

20 TREASURY INSPECTOR GENERAL FOR TAX

21 ADMINISTRATION

22 SALARIES AND EXPENSES

23 For necessary expenses of the Treasury Inspector
24 General for Tax Administration in carrying out the In-
25 spector General Act of 1978, as amended, including pur-

1 chase and hire of passenger motor vehicles (31 U.S.C.
2 1343(b)); and services authorized by 5 U.S.C. 3109, at
3 such rates as may be determined by the Inspector General
4 for Tax Administration; \$179,409,000, of which
5 \$5,000,000 shall remain available until September 30,
6 2024; of which not to exceed \$6,000,000 shall be available
7 for official travel expenses; of which not to exceed
8 \$500,000 shall be available for unforeseen emergencies of
9 a confidential nature, to be allocated and expended under
10 the direction of the Inspector General for Tax Administra-
11 tion; and of which not to exceed \$1,500 shall be available
12 for official reception and representation expenses.

13 SPECIAL INSPECTOR GENERAL FOR THE TROUBLED

14 ASSET RELIEF PROGRAM

15 SALARIES AND EXPENSES

16 For necessary expenses of the Office of the Special
17 Inspector General in carrying out the provisions of the
18 Emergency Economic Stabilization Act of 2008 (Public
19 Law 110–343), \$9,000,000.

20 FINANCIAL CRIMES ENFORCEMENT NETWORK

21 SALARIES AND EXPENSES

22 For necessary expenses of the Financial Crimes En-
23 forcement Network, including hire of passenger motor ve-
24 hicles; travel and training expenses of non-Federal and
25 foreign government personnel to attend meetings and

1 training concerned with domestic and foreign financial in-
2 telligence activities, law enforcement, and financial regula-
3 tion; services authorized by 5 U.S.C. 3109; not to exceed
4 \$25,000 for official reception and representation expenses;
5 and for assistance to Federal law enforcement agencies,
6 with or without reimbursement, \$210,330,000 (reduced by
7 \$1,000,000) (increased by \$1,000,000), of which not to
8 exceed \$55,000,000 shall remain available until Sep-
9 tember 30, 2025.

10 BUREAU OF THE FISCAL SERVICE

11 SALARIES AND EXPENSES

12 For necessary expenses of operations of the Bureau
13 of the Fiscal Service, \$372,485,000; of which not to ex-
14 ceed \$8,000,000, to remain available until September 30,
15 2025, is for information systems modernization initiatives;
16 and of which \$5,000 shall be available for official reception
17 and representation expenses.

18 In addition, \$165,000, to be derived from the Oil
19 Spill Liability Trust Fund to reimburse administrative
20 and personnel expenses for financial management of the
21 Fund, as authorized by section 1012 of Public Law 101-
22 380.

1 ALCOHOL AND TOBACCO TAX AND TRADE BUREAU
2 SALARIES AND EXPENSES

3 For necessary expenses of carrying out section 1111
4 of the Homeland Security Act of 2002, including hire of
5 passenger motor vehicles, \$150,863,000; of which not to
6 exceed \$6,000 shall be available for official reception and
7 representation expenses; and of which not to exceed
8 \$50,000 shall be available for cooperative research and de-
9 velopment programs for laboratory services; and provision
10 of laboratory assistance to State and local agencies with
11 or without reimbursement: *Provided*, That of the amount
12 appropriated under this heading, \$5,000,000 shall be for
13 the costs of accelerating the processing of formula and
14 label applications: *Provided further*, That of the amount
15 appropriated under this heading, \$5,000,000, to remain
16 available until September 30, 2024, shall be for the costs
17 associated with enforcement of and education regarding
18 the trade practice provisions of the Federal Alcohol Ad-
19 ministration Act (27 U.S.C. 201 et seq.).

20 UNITED STATES MINT

21 UNITED STATES MINT PUBLIC ENTERPRISE FUND

22 Pursuant to section 5136 of title 31, United States
23 Code, the United States Mint is provided funding through
24 the United States Mint Public Enterprise Fund for costs
25 associated with the production of circulating coins, numis-

1 matic coins, and protective services, including both oper-
2 ating expenses and capital investments: *Provided*, That
3 the aggregate amount of new liabilities and obligations in-
4 curred during fiscal year 2023 under such section 5136
5 for circulating coinage and protective service capital in-
6 vestments of the United States Mint shall not exceed
7 \$50,000,000.

8 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS
9 FUND PROGRAM ACCOUNT

10 To carry out the Riegle Community Development and
11 Regulatory Improvement Act of 1994 (subtitle A of title
12 I of Public Law 103–325), including services authorized
13 by section 3109 of title 5, United States Code, but at rates
14 for individuals not to exceed the per diem rate equivalent
15 to the rate for EX–III, \$336,420,000 (increased by
16 \$1,000,000) (reduced by \$1,000,000) (increased by
17 \$2,000,000) (reduced by \$336,420,000) (increased by
18 \$336,420,000). Of the amount appropriated under this
19 heading—

20 (1) not less than \$216,883,000 (increased by
21 \$2,000,000), notwithstanding section 108(e) of Pub-
22 lic Law 103–325 (12 U.S.C. 4707(e)) with regard to
23 Small and/or Emerging Community Development Fi-
24 nancial Institutions Assistance awards, is available
25 until September 30, 2024, for financial assistance

1 and technical assistance under subparagraphs (A)
2 and (B) of section 108(a)(1), respectively, of Public
3 Law 103–325 (12 U.S.C. 4707(a)(1)(A) and (B)),
4 of which up to \$1,600,000 may be available for
5 training and outreach under section 109 of Public
6 Law 103–325 (12 U.S.C. 4708), of which up to
7 \$3,153,750 may be used for the cost of direct loans,
8 of which up to \$10,000,000, notwithstanding sub-
9 section (d) of section 108 of Public Law 103–325
10 (12 U.S.C. 4707 (d)), may be available to provide fi-
11 nancial assistance, technical assistance, training, and
12 outreach to community development financial insti-
13 tutions to expand investments that benefit individ-
14 uals with disabilities, and of which not less than
15 \$2,000,000 (increased by \$2,000,000) shall be for
16 the Economic Mobility Corps to be operated in con-
17 junction with the Corporation for National and
18 Community Service, pursuant to 42 U.S.C. 12571:
19 *Provided*, That the cost of direct and guaranteed
20 loans, including the cost of modifying such loans,
21 shall be as defined in section 502 of the Congres-
22 sional Budget Act of 1974: *Provided further*, That
23 these funds are available to subsidize gross obliga-
24 tions for the principal amount of direct loans not to
25 exceed \$25,000,000: *Provided further*, That of the

1 funds provided under this paragraph, excluding
2 those made to community development financial in-
3 stitutions to expand investments that benefit individ-
4 uals with disabilities and those made to community
5 development financial institutions that serve popu-
6 lations living in persistent poverty counties, the
7 CDFI Fund shall prioritize Financial Assistance
8 awards to organizations that invest and lend in high-
9 poverty areas: *Provided further*, That for purposes of
10 this section, the term “high-poverty area” means
11 any census tract with a poverty rate of at least 20
12 percent as measured by the 2016–2020 5-year data
13 series available from the American Community Sur-
14 vey of the Bureau of the Census for all States and
15 Puerto Rico or with a poverty rate of at least 20
16 percent as measured by the 2010 Island areas De-
17 cennial Census data for any territory or possession
18 of the United States;

19 (2) not less than \$22,500,000, notwithstanding
20 section 108(e) of Public Law 103–325 (12 U.S.C.
21 4707(e)), is available until September 30, 2024, for
22 financial assistance, technical assistance, training,
23 and outreach programs designed to benefit Native
24 American, Native Hawaiian, and Alaska Native com-
25 munities and provided primarily through qualified

1 community development lender organizations with
2 experience and expertise in community development
3 banking and lending in Indian country, Native
4 American organizations, Tribes and Tribal organiza-
5 tions, and other suitable providers;

6 (3) not less than \$28,000,000 is available until
7 September 30, 2024, for the Bank Enterprise Award
8 program;

9 (4) not less than \$24,000,000, notwithstanding
10 subsections (d) and (e) of section 108 of Public Law
11 103–325 (12 U.S.C. 4707(d) and (e)), is available
12 until September 30, 2024, for a Healthy Food Fi-
13 nancing Initiative to provide financial assistance,
14 technical assistance, training, and outreach to com-
15 munity development financial institutions for the
16 purpose of offering affordable financing and tech-
17 nical assistance to expand the availability of healthy
18 food options in distressed communities;

19 (5) not less than \$10,000,000 is available until
20 September 30, 2024, to provide grants for loan loss
21 reserve funds and to provide technical assistance for
22 small dollar loan programs under section 122 of
23 Public Law 103–325 (12 U.S.C. 4719): *Provided*,
24 That sections 108(d) and 122(b)(2) of such Public

1 Law shall not apply to the provision of such grants
2 and technical assistance;

3 (6) up to \$35,037,000 is for administrative ex-
4 penses, including administration of CDFI Fund pro-
5 grams and the New Markets Tax Credit Program, of
6 which not less than \$1,000,000 is for the develop-
7 ment of tools to better assess and inform CDFI in-
8 vestment performance and CDFI Fund program im-
9 pacts, and up to \$300,000 is for administrative ex-
10 penses to carry out the direct loan program; and

11 (7) during fiscal year 2023, none of the funds
12 available under this heading are available for the
13 cost, as defined in section 502 of the Congressional
14 Budget Act of 1974, of commitments to guarantee
15 bonds and notes under section 114A of the Riegle
16 Community Development and Regulatory Improve-
17 ment Act of 1994 (12 U.S.C. 4713a): *Provided*,
18 That commitments to guarantee bonds and notes
19 under such section 114A shall not exceed
20 \$500,000,000: *Provided further*, That such section
21 114A shall remain in effect until December 31,
22 2023: *Provided further*, That of the funds awarded
23 under this heading, except those provided for the
24 Economic Mobility Corps, not less than 10 percent
25 shall be used for awards that support investments

1 that serve populations living in persistent poverty
2 counties: *Provided further*, That for the purposes of
3 this paragraph and paragraph (1), the term “per-
4 sistent poverty counties” means any county, includ-
5 ing county equivalent areas in Puerto Rico, that has
6 had 20 percent or more of its population living in
7 poverty over the past 30 years, as measured by the
8 1990 and 2000 decennial censuses and the 2016–
9 2020 5-year data series available from the American
10 Community Survey of the Bureau of the Census or
11 any other territory or possession of the United
12 States that has had 20 percent or more of its popu-
13 lation living in poverty over the past 30 years, as
14 measured by the 1990, 2000 and 2010 Island Areas
15 Decennial Censuses, or equivalent data, of the Bu-
16 reau of the Census.

17 INTERNAL REVENUE SERVICE

18 TAXPAYER SERVICES

19 For necessary expenses of the Internal Revenue Serv-
20 ice to provide taxpayer services, including pre-filing assist-
21 ance and education, filing and account services, taxpayer
22 advocacy services, rent payments, and other services as
23 authorized by 5 U.S.C. 3109, at such rates as may be de-
24 termined by the Commissioner, \$3,410,728,000 (increased
25 by \$1,000,000), of which not to exceed \$100,000,000 shall

1 remain available until September 30, 2024; of which not
2 less than \$11,000,000 shall be for the Tax Counseling for
3 the Elderly Program, of which not less than \$13,000,000
4 shall be available for low-income taxpayer clinic grants,
5 of which not less than \$35,000,000, to remain available
6 until September 30, 2024, shall be available for the Com-
7 munity Volunteer Income Tax Assistance Matching
8 Grants Program for tax return preparation assistance,
9 and of which not less than \$235,000,000 (increased by
10 \$1,000,000) shall be available for operating expenses of
11 the Taxpayer Advocate Service: *Provided*, That of the
12 amounts made available for the Taxpayer Advocate Serv-
13 ice, not less than \$6,000,000 (increased by \$1,000,000)
14 shall be for identity theft and refund fraud casework.

15

ENFORCEMENT

16 For necessary expenses for tax enforcement activities
17 of the Internal Revenue Service to determine and collect
18 owed taxes, to provide legal and litigation support, to con-
19 duct criminal investigations, to enforce criminal statutes
20 related to violations of internal revenue laws and other fi-
21 nancial crimes, to purchase and hire passenger motor vehi-
22 cles (31 U.S.C. 1343(b)), rent payments, and to provide
23 other services as authorized by 5 U.S.C. 3109, at such
24 rates as may be determined by the Commissioner,
25 \$6,120,262,000, of which not to exceed \$250,000,000

1 shall remain available until September 30, 2024; of which
2 not less than \$60,257,000 shall be for the Interagency
3 Crime and Drug Enforcement program; and of which not
4 to exceed \$25,000,000 shall be for investigative technology
5 for the Criminal Investigation Division: *Provided*, That the
6 amount made available for investigative technology for the
7 Criminal Investigation Division shall be in addition to
8 amounts made available for the Criminal Investigation Di-
9 vision under the “Operations Support” heading.

10 OPERATIONS SUPPORT

11 For necessary expenses of the Internal Revenue Serv-
12 ice to support taxpayer services and enforcement pro-
13 grams, including rent payments; facilities services; print-
14 ing; postage; physical security; headquarters and other
15 IRS-wide administration activities; research and statistics
16 of income; telecommunications; information technology de-
17 velopment, enhancement, operations, maintenance, and se-
18 curity; the hire of passenger motor vehicles (31 U.S.C.
19 1343(b)); the operations of the Internal Revenue Service
20 Oversight Board; and other services as authorized by 5
21 U.S.C. 3109, at such rates as may be determined by the
22 Commissioner; \$3,753,561,000 (reduced by \$1,000,000),
23 of which not to exceed \$275,000,000 shall remain avail-
24 able until September 30, 2024; of which not to exceed
25 \$10,000,000 shall remain available until expended for ac-

1 quision of equipment and construction, repair and ren-
2 ovation of facilities; of which not to exceed \$1,000,000
3 shall remain available until September 30, 2025, for re-
4 search; and of which not to exceed \$20,000 shall be for
5 official reception and representation expenses: *Provided*,
6 That not later than 30 days after the end of each quarter,
7 the Internal Revenue Service shall submit a report to the
8 Committees on Appropriations of the House of Represent-
9 atives and the Senate and the Comptroller General of the
10 United States detailing major information technology in-
11 vestments in the Internal Revenue Service Integrated
12 Modernization Business Plan portfolio, including detailed,
13 plain language summaries on the status of plans, costs,
14 and results; prior results and actual expenditures of the
15 prior quarter; upcoming deliverables and costs for the fis-
16 cal year; risks and mitigation strategies associated with
17 ongoing work; reasons for any cost or schedule variances;
18 and total expenditures by fiscal year: *Provided further*,
19 That the Internal Revenue Service shall include, in its
20 budget justification for fiscal year 2024, a summary of
21 cost and schedule performance information for its major
22 information technology systems.

23 BUSINESS SYSTEMS MODERNIZATION

24 For necessary expenses of the Internal Revenue Serv-
25 ice's business systems modernization program,

1 \$310,027,000, to remain available until September 30,
2 2025, for the capital asset acquisition of information tech-
3 nology systems, including management and related con-
4 tractual costs of said acquisitions, including related Inter-
5 nal Revenue Service labor costs, and contractual costs as-
6 sociated with operations authorized by 5 U.S.C. 3109:
7 *Provided*, That not later than 30 days after the end of
8 each quarter, the Internal Revenue Service shall submit
9 a report to the Committees on Appropriations of the
10 House of Representatives and the Senate and the Comp-
11 troller General of the United States detailing major infor-
12 mation technology investments in the Internal Revenue
13 Service Integrated Modernization Business Plan portfolio,
14 including detailed, plain language summaries on the status
15 of plans, costs, and results; prior results and actual ex-
16 penditures of the prior quarter; upcoming deliverables and
17 costs for the fiscal year; risks and mitigation strategies
18 associated with ongoing work; reasons for any cost or
19 schedule variances; and total expenditures by fiscal year.

20 ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE

21 SERVICE

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 101. Not to exceed 4 percent of the appropria-
24 tion made available in this Act to the Internal Revenue
25 Service under the “Enforcement” heading, and not to ex-

1 ceed 5 percent of any other appropriation made available
2 in this Act to the Internal Revenue Service, may be trans-
3 ferred to any other Internal Revenue Service appropria-
4 tion upon the advance approval of the Committees on Ap-
5 propriations of the House of Representatives and the Sen-
6 ate: *Provided*, That an additional 2 percent of the appro-
7 priation made available in this Act to the Internal Revenue
8 Service under the “Enforcement” heading may be trans-
9 ferred to the appropriation made available in this Act to
10 the Internal Revenue Service under the “Taxpayer Serv-
11 ices” heading upon advance approval of the Committees
12 on Appropriations of the House of Representatives and the
13 Senate.

14 SEC. 102. The Internal Revenue Service shall main-
15 tain an employee training program, which shall include the
16 following topics: taxpayers’ rights, dealing courteously
17 with taxpayers, cross-cultural relations, ethics, and the im-
18 partial application of tax law.

19 SEC. 103. The Internal Revenue Service shall insti-
20 tute and enforce policies and procedures that will safe-
21 guard the confidentiality of taxpayer information and pro-
22 tect taxpayers against identity theft.

23 SEC. 104. Funds made available by this or any other
24 Act to the Internal Revenue Service shall be available for
25 improved facilities and increased staffing to provide suffi-

1 cient and effective 1–800 help line service for taxpayers.
2 The Commissioner shall continue to make improvements
3 to the Internal Revenue Service 1–800 help line service
4 a priority and allocate resources necessary to enhance the
5 response time to taxpayer communications, particularly
6 with regard to victims of tax-related crimes.

7 SEC. 105. The Internal Revenue Service shall issue
8 a notice of confirmation of any address change relating
9 to an employer making employment tax payments, and
10 such notice shall be sent to both the employer’s former
11 and new address and an officer or employee of the Internal
12 Revenue Service shall give special consideration to an
13 offer-in-compromise from a taxpayer who has been the vic-
14 tim of fraud by a third party payroll tax preparer.

15 SEC. 106. None of the funds made available under
16 this Act may be used by the Internal Revenue Service to
17 target citizens of the United States for exercising any
18 right guaranteed under the First Amendment to the Con-
19 stitution of the United States.

20 SEC. 107. None of the funds made available in this
21 Act may be used by the Internal Revenue Service to target
22 groups for regulatory scrutiny based on their ideological
23 beliefs.

24 SEC. 108. None of funds made available by this Act
25 to the Internal Revenue Service shall be obligated or ex-

1 pended on conferences that do not adhere to the proce-
2 dures, verification processes, documentation requirements,
3 and policies issued by the Chief Financial Officer, Human
4 Capital Office, and Agency-Wide Shared Services as a re-
5 sult of the recommendations in the report published on
6 May 31, 2013, by the Treasury Inspector General for Tax
7 Administration entitled “Review of the August 2010 Small
8 Business/Self-Employed Division’s Conference in Ana-
9 heim, California” (Reference Number 2013–10–037).

10 SEC. 109. None of the funds made available in this
11 Act to the Internal Revenue Service may be obligated or
12 expended—

13 (1) to make a payment to any employee under
14 a bonus, award, or recognition program; or

15 (2) under any hiring or personnel selection
16 process with respect to re-hiring a former employee;
17 unless such program or process takes into account the
18 conduct and Federal tax compliance of such employee or
19 former employee.

20 SEC. 110. None of the funds made available by this
21 Act may be used in contravention of section 6103 of the
22 Internal Revenue Code of 1986 (relating to confidentiality
23 and disclosure of returns and return information).

24 SEC. 111. The Secretary of the Treasury (or the Sec-
25 retary’s delegate) may use the funds made available in this

1 pendants serving in foreign countries; and services author-
2 ized by 5 U.S.C. 3109.

3 SEC. 114. Not to exceed 2 percent of any appropria-
4 tions in this title made available under the headings “De-
5 partmental Offices—Salaries and Expenses”, “Office of
6 Inspector General”, “Special Inspector General for the
7 Troubled Asset Relief Program”, “Financial Crimes En-
8 forcement Network”, “Bureau of the Fiscal Service”, and
9 “Alcohol and Tobacco Tax and Trade Bureau” may be
10 transferred between such appropriations upon the advance
11 approval of the Committees on Appropriations of the
12 House of Representatives and the Senate: *Provided*, That
13 no transfer under this section may increase or decrease
14 any such appropriation by more than 2 percent.

15 SEC. 115. Not to exceed 2 percent of any appropria-
16 tion made available in this Act to the Internal Revenue
17 Service may be transferred to the Treasury Inspector Gen-
18 eral for Tax Administration’s appropriation upon the ad-
19 vance approval of the Committees on Appropriations of
20 the House of Representatives and the Senate: *Provided*,
21 That no transfer may increase or decrease any such appro-
22 priation by more than 2 percent.

23 SEC. 116. None of the funds appropriated in this Act
24 or otherwise available to the Department of the Treasury

1 or the Bureau of Engraving and Printing may be used
2 to redesign the \$1 Federal Reserve note.

3 SEC. 117. The Secretary of the Treasury may trans-
4 fer funds from the “Bureau of the Fiscal Service—Sala-
5 ries and Expenses” to the Debt Collection Fund as nec-
6 essary to cover the costs of debt collection: *Provided*, That
7 such amounts shall be reimbursed to such salaries and ex-
8 penses account from debt collections received in the Debt
9 Collection Fund.

10 SEC. 118. None of the funds appropriated or other-
11 wise made available by this or any other Act may be used
12 by the United States Mint to construct or operate any mu-
13 seum without the explicit approval of the Committees on
14 Appropriations of the House of Representatives and the
15 Senate, the House Committee on Financial Services, and
16 the Senate Committee on Banking, Housing, and Urban
17 Affairs.

18 SEC. 119. None of the funds appropriated or other-
19 wise made available by this or any other Act or source
20 to the Department of the Treasury, the Bureau of Engrav-
21 ing and Printing, and the United States Mint, individually
22 or collectively, may be used to consolidate any or all func-
23 tions of the Bureau of Engraving and Printing and the
24 United States Mint without the explicit approval of the
25 House Committee on Financial Services; the Senate Com-

1 mittee on Banking, Housing, and Urban Affairs; and the
2 Committees on Appropriations of the House of Represent-
3 atives and the Senate.

4 SEC. 120. Funds appropriated by this Act, or made
5 available by the transfer of funds in this Act, for the De-
6 partment of the Treasury's intelligence or intelligence re-
7 lated activities are deemed to be specifically authorized by
8 the Congress for purposes of section 504 of the National
9 Security Act of 1947 (50 U.S.C. 414) during fiscal year
10 2023 until the enactment of the Intelligence Authorization
11 Act for Fiscal Year 2023.

12 SEC. 121. Not to exceed \$5,000 shall be made avail-
13 able from the Bureau of Engraving and Printing's Indus-
14 trial Revolving Fund for necessary official reception and
15 representation expenses.

16 SEC. 122. The Secretary of the Treasury shall submit
17 a Capital Investment Plan to the Committees on Appro-
18 priations of the House of Representatives and the Senate
19 not later than 30 days following the submission of the an-
20 nual budget submitted by the President: *Provided*, That
21 such Capital Investment Plan shall include capital invest-
22 ment spending from all accounts within the Department
23 of the Treasury, including but not limited to the Depart-
24 ment-wide Systems and Capital Investment Programs ac-
25 count, Treasury Franchise Fund account, and the Treas-

1 ury Forfeiture Fund account: *Provided further*, That such
2 Capital Investment Plan shall include expenditures occur-
3 ring in previous fiscal years for each capital investment
4 project that has not been fully completed.

5 SEC. 123. Within 45 days after the date of enactment
6 of this Act, the Secretary of the Treasury shall submit
7 an itemized report to the Committees on Appropriations
8 of the House of Representatives and the Senate on the
9 amount of total funds charged to each office by the Fran-
10 chise Fund including the amount charged for each service
11 provided by the Franchise Fund to each office, a detailed
12 description of the services, a detailed explanation of how
13 each charge for each service is calculated, and a descrip-
14 tion of the role customers have in governing in the Fran-
15 chise Fund.

16 SEC. 124. (a) Not later than 60 days after the end
17 of each quarter, the Office of Financial Stability and the
18 Office of Financial Research shall submit reports on their
19 activities to the Committees on Appropriations of the
20 House of Representatives and the Senate, the Committee
21 on Financial Services of the House of Representatives,
22 and the Senate Committee on Banking, Housing, and
23 Urban Affairs.

24 (b) The reports required under subsection (a) shall
25 include—

1 (1) the obligations made during the previous
2 quarter by object class, office, and activity;

3 (2) the estimated obligations for the remainder
4 of the fiscal year by object class, office, and activity;

5 (3) the number of full-time equivalents within
6 each office during the previous quarter;

7 (4) the estimated number of full-time equiva-
8 lents within each office for the remainder of the fis-
9 cal year; and

10 (5) actions taken to achieve the goals, objec-
11 tives, and performance measures of each office.

12 (c) At the request of any such Committees specified
13 in subsection (a), the Office of Financial Stability and the
14 Office of Financial Research shall make officials available
15 to testify on the contents of the reports required under
16 subsection (a).

17 SEC. 125. In addition to amounts otherwise available,
18 there is appropriated to the Special Inspector General for
19 Pandemic Recovery, \$16,000,000, to remain available
20 until expended, for necessary expenses in carrying out sec-
21 tion 4018 of the Coronavirus Aid, Relief, and Economic
22 Security Act (Public Law 116–136).

23 SEC. 126. Of the unobligated balances from amounts
24 made available to the Secretary of the Treasury (referred
25 to in this section as “Secretary”) for administrative ex-

1 section; hire of passenger motor vehicles, and travel (not
2 to exceed \$100,000 to be expended and accounted for as
3 provided by 3 U.S.C. 103); and not to exceed \$19,000 for
4 official reception and representation expenses, to be avail-
5 able for allocation within the Executive Office of the Presi-
6 dent; and for necessary expenses of the Office of Policy
7 Development, including services as authorized by 5 U.S.C.
8 3109 and 3 U.S.C. 107, \$77,681,000.

9 EXECUTIVE RESIDENCE AT THE WHITE HOUSE

10 OPERATING EXPENSES

11 For necessary expenses of the Executive Residence
12 at the White House, \$15,609,000, to be expended and ac-
13 counted for as provided by 3 U.S.C. 105, 109, 110, and
14 112–114.

15 REIMBURSABLE EXPENSES

16 For the reimbursable expenses of the Executive Resi-
17 dence at the White House, such sums as may be nec-
18 essary: *Provided*, That all reimbursable operating expenses
19 of the Executive Residence shall be made in accordance
20 with the provisions of this paragraph: *Provided further*,
21 That, notwithstanding any other provision of law, such
22 amount for reimbursable operating expenses shall be the
23 exclusive authority of the Executive Residence to incur ob-
24 ligations and to receive offsetting collections, for such ex-
25 penses: *Provided further*, That the Executive Residence

1 shall require each person sponsoring a reimbursable polit-
2 ical event to pay in advance an amount equal to the esti-
3 mated cost of the event, and all such advance payments
4 shall be credited to this account and remain available until
5 expended: *Provided further*, That the Executive Residence
6 shall require the national committee of the political party
7 of the President to maintain on deposit \$25,000, to be
8 separately accounted for and available for expenses relat-
9 ing to reimbursable political events sponsored by such
10 committee during such fiscal year: *Provided further*, That
11 the Executive Residence shall ensure that a written notice
12 of any amount owed for a reimbursable operating expense
13 under this paragraph is submitted to the person owing
14 such amount within 60 days after such expense is in-
15 curred, and that such amount is collected within 30 days
16 after the submission of such notice: *Provided further*, That
17 the Executive Residence shall charge interest and assess
18 penalties and other charges on any such amount that is
19 not reimbursed within such 30 days, in accordance with
20 the interest and penalty provisions applicable to an out-
21 standing debt on a United States Government claim under
22 31 U.S.C. 3717: *Provided further*, That each such amount
23 that is reimbursed, and any accompanying interest and
24 charges, shall be deposited in the Treasury as miscella-
25 neous receipts: *Provided further*, That the Executive Resi-

1 dence shall prepare and submit to the Committees on Ap-
2 propriations, by not later than 90 days after the end of
3 the fiscal year covered by this Act, a report setting forth
4 the reimbursable operating expenses of the Executive Res-
5 idence during the preceding fiscal year, including the total
6 amount of such expenses, the amount of such total that
7 consists of reimbursable official and ceremonial events, the
8 amount of such total that consists of reimbursable political
9 events, and the portion of each such amount that has been
10 reimbursed as of the date of the report: *Provided further*,
11 That the Executive Residence shall maintain a system for
12 the tracking of expenses related to reimbursable events
13 within the Executive Residence that includes a standard
14 for the classification of any such expense as political or
15 nonpolitical: *Provided further*, That no provision of this
16 paragraph may be construed to exempt the Executive Res-
17 idence from any other applicable requirement of sub-
18 chapter I or II of chapter 37 of title 31, United States
19 Code.

20 WHITE HOUSE REPAIR AND RESTORATION

21 For the repair, alteration, and improvement of the
22 Executive Residence at the White House pursuant to 3
23 U.S.C. 105(d), \$2,500,000, to remain available until ex-
24 pended, for required maintenance, resolution of safety and
25 health issues, and continued preventative maintenance.

1 COUNCIL OF ECONOMIC ADVISERS

2 SALARIES AND EXPENSES

3 For necessary expenses of the Council of Economic
4 Advisers in carrying out its functions under the Employ-
5 ment Act of 1946 (15 U.S.C. 1021 et seq.), \$4,903,000.

6 NATIONAL SECURITY COUNCIL AND HOMELAND

7 SECURITY COUNCIL

8 SALARIES AND EXPENSES

9 For necessary expenses of the National Security
10 Council and the Homeland Security Council, including
11 services as authorized by 5 U.S.C. 3109, \$13,901,000, of
12 which not to exceed \$6,000 shall be available for official
13 reception and representation expenses.

14 OFFICE OF ADMINISTRATION

15 SALARIES AND EXPENSES

16 For necessary expenses of the Office of Administra-
17 tion, including services as authorized by 5 U.S.C. 3109
18 and 3 U.S.C. 107, and hire of passenger motor vehicles,
19 \$115,463,000, of which not to exceed \$12,800,000 shall
20 remain available until expended for continued moderniza-
21 tion of information resources within the Executive Office
22 of the President: *Provided*, That of the amounts provided
23 under this heading, up to \$4,500,000 shall be available
24 for a program to provide payments (such as stipends, sub-
25 sistence allowances, cost reimbursements, or awards) to

1 students, recent graduates, and veterans recently dis-
2 charged from active duty who are performing voluntary
3 services in the Executive Office of the President under sec-
4 tion 3111(b) of title 5, United States Code, or comparable
5 authority and shall be in addition to amounts otherwise
6 available to pay or compensate such individuals: *Provided*
7 *further*, That such payments shall not be considered com-
8 pensation for purposes of such section 3111(b) and may
9 be paid in advance.

10 OFFICE OF MANAGEMENT AND BUDGET

11 SALARIES AND EXPENSES

12 For necessary expenses of the Office of Management
13 and Budget, including hire of passenger motor vehicles
14 and services as authorized by 5 U.S.C. 3109, to carry out
15 the provisions of chapter 35 of title 44, United States
16 Code, and to prepare and submit the budget of the United
17 States Government, in accordance with section 1105(a) of
18 title 31, United States Code, \$128,035,000, of which not
19 to exceed \$3,000 shall be available for official representa-
20 tion expenses: *Provided*, That none of the funds appro-
21 priated in this Act for the Office of Management and
22 Budget may be used for the purpose of reviewing any agri-
23 cultural marketing orders or any activities or regulations
24 under the provisions of the Agricultural Marketing Agree-
25 ment Act of 1937 (7 U.S.C. 601 et seq.): *Provided further*,

1 That none of the funds made available for the Office of
2 Management and Budget by this Act may be expended for
3 the altering of the transcript of actual testimony of wit-
4 nesses, except for testimony of officials of the Office of
5 Management and Budget, before the Committees on Ap-
6 propriations or their subcommittees: *Provided further*,
7 That none of the funds made available for the Office of
8 Management and Budget by this Act may be expended for
9 the altering of the annual work plan developed by the
10 Corps of Engineers for submission to the Committees on
11 Appropriations: *Provided further*, That none of the funds
12 provided in this or prior Acts shall be used, directly or
13 indirectly, by the Office of Management and Budget, for
14 evaluating or determining if water resource project or
15 study reports submitted by the Chief of Engineers acting
16 through the Secretary of the Army are in compliance with
17 all applicable laws, regulations, and requirements relevant
18 to the Civil Works water resource planning process: *Pro-*
19 *vided further*, That the Office of Management and Budget
20 shall have not more than 60 days in which to perform
21 budgetary policy reviews of water resource matters on
22 which the Chief of Engineers has reported: *Provided fur-*
23 *ther*, That the Director of the Office of Management and
24 Budget shall notify the appropriate authorizing and ap-
25 propriating committees when the 60-day review is initi-

1 ated: *Provided further*, That if water resource reports have
2 not been transmitted to the appropriate authorizing and
3 appropriating committees within 15 days after the end of
4 the Office of Management and Budget review period based
5 on the notification from the Director, Congress shall as-
6 sume Office of Management and Budget concurrence with
7 the report and act accordingly: *Provided further*, That no
8 later than 14 days after the submission of the budget of
9 the United States Government for fiscal year 2024, the
10 Director of the Office of Management and Budget shall
11 make publicly available on a website a tabular list for each
12 agency that submits budget justification materials (as de-
13 fined in section 3 of the Federal Funding Accountability
14 and Transparency Act of 2006) that shall include, at min-
15 imum, the name of the agency, the date on which the
16 budget justification materials of the agency were sub-
17 mitted to Congress, and a uniform resource locator where
18 the budget justification materials are published on the
19 website of the agency.

20 INTELLECTUAL PROPERTY ENFORCEMENT

21 COORDINATOR

22 For necessary expenses of the Office of the Intellec-
23 tual Property Enforcement Coordinator, as authorized by
24 title III of the Prioritizing Resources and Organization for
25 Intellectual Property Act of 2008 (Public Law 110–403),

1 including services authorized by 5 U.S.C. 3109,
2 \$1,902,000.

3 OFFICE OF THE NATIONAL CYBER DIRECTOR

4 SALARIES AND EXPENSES

5 For necessary expenses of the Office of the National
6 Cyber Director, as authorized by section 1752 of the Wil-
7 liam M. (Mac) Thornberry National Defense Authoriza-
8 tion Act for Fiscal Year 2021 (Public Law 116–283),
9 \$21,926,000, of which not to exceed \$5,000 shall be avail-
10 able for official reception and representation expenses.

11 OFFICE OF NATIONAL DRUG CONTROL POLICY

12 SALARIES AND EXPENSES

13 For necessary expenses of the Office of National
14 Drug Control Policy; for research activities pursuant to
15 the Office of National Drug Control Policy Reauthoriza-
16 tion Act of 1998, as amended; not to exceed \$10,000 for
17 official reception and representation expenses; and for par-
18 ticipation in joint projects or in the provision of services
19 on matters of mutual interest with nonprofit, research, or
20 public organizations or agencies, with or without reim-
21 bursement, \$22,340,000: *Provided*, That the Office is au-
22 thorized to accept, hold, administer, and utilize gifts, both
23 real and personal, public and private, without fiscal year
24 limitation, for the purpose of aiding or facilitating the
25 work of the Office.

1 FEDERAL DRUG CONTROL PROGRAMS
2 HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM
3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses of the Office of National
5 Drug Control Policy's High Intensity Drug Trafficking
6 Areas Program, \$300,000,000 (increased by \$5,000,000),
7 to remain available until September 30, 2024, for drug
8 control activities consistent with the approved strategy for
9 each of the designated High Intensity Drug Trafficking
10 Areas ("HIDTAs"), of which not less than 51 percent
11 shall be transferred to State and local entities for drug
12 control activities and shall be obligated not later than 120
13 days after enactment of this Act: *Provided*, That up to
14 49 percent may be transferred to Federal agencies and
15 departments in amounts determined by the Director of the
16 Office of National Drug Control Policy, of which up to
17 \$5,800,000 may be used for auditing services and associ-
18 ated activities: *Provided further*, That any unexpended
19 funds obligated prior to fiscal year 2021 may be used for
20 any other approved activities of that HIDTA, subject to
21 reprogramming requirements: *Provided further*, That each
22 HIDTA designated as of September 30, 2022, shall be
23 funded at not less than the fiscal year 2022 base level,
24 unless the Director submits to the Committees on Appro-
25 priations of the House of Representatives and the Senate

1 justification for changes to those levels based on clearly
2 articulated priorities and published Office of National
3 Drug Control Policy performance measures of effective-
4 ness: *Provided further*, That the Director shall notify the
5 Committees on Appropriations of the initial allocation of
6 fiscal year 2023 funding among HIDTAs not later than
7 45 days after enactment of this Act, and shall notify the
8 Committees of planned uses of discretionary HIDTA
9 funding, as determined in consultation with the HIDTA
10 Directors, not later than 90 days after enactment of this
11 Act: *Provided further*, That upon a determination that all
12 or part of the funds so transferred from this appropriation
13 are not necessary for the purposes provided herein and
14 upon notification to the Committees on Appropriations of
15 the House of Representatives and the Senate, such
16 amounts may be transferred back to this appropriation.

17 OTHER FEDERAL DRUG CONTROL PROGRAMS

18 (INCLUDING TRANSFERS OF FUNDS)

19 For other drug control activities authorized by Public
20 Law 110–690 and the Office of National Drug Control
21 Policy Reauthorization Act of 1998, as amended,
22 \$139,670,000, to remain available until expended, which
23 shall be available as follows: \$110,000,000 for the Drug-
24 Free Communities Program, of which not more than
25 \$12,900,000 is for administrative expenses, and of which

1 \$2,500,000 shall be made available as directed by section
2 4 of Public Law 107–82, as amended by section 8204 of
3 Public Law 115–271; \$3,000,000 for drug court training
4 and technical assistance; \$15,000,000 for anti-doping ac-
5 tivities; up to \$3,420,000 for the United States member-
6 ship dues to the World Anti-Doping Agency; \$1,250,000
7 for the Model Acts Program; \$5,200,000 for activities au-
8 thorized by section 103 of Public Law 114–198;
9 \$1,300,000 for policy research; and \$500,000 for perform-
10 ance audits and evaluations: *Provided*, That amounts
11 made available under this heading may be transferred to
12 other Federal departments and agencies to carry out such
13 activities: *Provided further*, That the Director of the Office
14 of National Drug Control Policy shall, not fewer than 30
15 days prior to obligating funds under this heading for
16 United States membership dues to the World Anti-Doping
17 Agency, submit to the Committees on Appropriations of
18 the House of Representatives and the Senate a spending
19 plan and explanation of the proposed uses of these funds.

20 UNANTICIPATED NEEDS

21 For expenses necessary to enable the President to
22 meet unanticipated needs, in furtherance of the national
23 interest, security, or defense which may arise at home or
24 abroad during the current fiscal year, as authorized by

1 3 U.S.C. 108, \$1,000,000, to remain available until Sep-
2 tember 30, 2024.

3 INFORMATION TECHNOLOGY OVERSIGHT AND REFORM
4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses for the furtherance of inte-
6 grated, efficient, secure, and effective uses of information
7 technology in the Federal Government, \$13,700,000, to
8 remain available until expended: *Provided*, That the Direc-
9 tor of the Office of Management and Budget may transfer
10 these funds to one or more other agencies to carry out
11 projects to meet these purposes.

12 SPECIAL ASSISTANCE TO THE PRESIDENT
13 SALARIES AND EXPENSES

14 For necessary expenses to enable the Vice President
15 to provide assistance to the President in connection with
16 specially assigned functions; services as authorized by 5
17 U.S.C. 3109 and 3 U.S.C. 106, including subsistence ex-
18 penses as authorized by 3 U.S.C. 106, which shall be ex-
19 pended and accounted for as provided in that section; and
20 hire of passenger motor vehicles, \$6,076,000.

21 OFFICIAL RESIDENCE OF THE VICE PRESIDENT
22 OPERATING EXPENSES
23 (INCLUDING TRANSFER OF FUNDS)

24 For the care, operation, refurnishing, improvement,
25 and to the extent not otherwise provided for, heating and

1 lighting, including electric power and fixtures, of the offi-
2 cial residence of the Vice President; the hire of passenger
3 motor vehicles; and not to exceed \$90,000 pursuant to 3
4 U.S.C. 106(b)(2), \$321,000: *Provided*, That advances, re-
5 payments, or transfers from this appropriation may be
6 made to any department or agency for expenses of car-
7 rying out such activities.

8 ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF
9 THE PRESIDENT AND FUNDS APPROPRIATED TO
10 THE PRESIDENT

11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. 201. From funds made available in this Act
13 under the headings “The White House”, “Executive Resi-
14 dence at the White House”, “White House Repair and
15 Restoration”, “Council of Economic Advisers”, “National
16 Security Council and Homeland Security Council”, “Of-
17 fice of Administration”, “Special Assistance to the Presi-
18 dent”, and “Official Residence of the Vice President”, the
19 Director of the Office of Management and Budget (or
20 such other officer as the President may designate in writ-
21 ing), may, with advance approval of the Committees on
22 Appropriations of the House of Representatives and the
23 Senate, transfer not to exceed 10 percent of any such ap-
24 propriation to any other such appropriation, to be merged
25 with and available for the same time and for the same

1 purposes as the appropriation to which transferred: *Pro-*
2 *vided*, That the amount of an appropriation shall not be
3 increased by more than 50 percent by such transfers: *Pro-*
4 *vided further*, That no amount shall be transferred from
5 “Special Assistance to the President” or “Official Resi-
6 dence of the Vice President” without the approval of the
7 Vice President.

8 SEC. 202. (a) During fiscal year 2023, any Executive
9 order or Presidential memorandum issued or revoked by
10 the President shall be accompanied by a written statement
11 from the Director of the Office of Management and Budg-
12 et on the budgetary impact, including costs, benefits, and
13 revenues, of such order or memorandum.

14 (b) Any such statement shall include—

15 (1) a narrative summary of the budgetary im-
16 pact of such order or memorandum on the Federal
17 Government;

18 (2) the impact on mandatory and discretionary
19 obligations and outlays as the result of such order
20 or memorandum, listed by Federal agency, for each
21 year in the 5-fiscal-year period beginning in fiscal
22 year 2023; and

23 (3) the impact on revenues of the Federal Gov-
24 ernment as the result of such order or memorandum

1 over the 5-fiscal-year period beginning in fiscal year
2 2023.

3 (c) If an Executive order or Presidential memo-
4 randum is issued during fiscal year 2023 due to a national
5 emergency, the Director of the Office of Management and
6 Budget may issue the statement required by subsection
7 (a) not later than 15 days after the date that such order
8 or memorandum is issued.

9 (d) The requirement for cost estimates for Presi-
10 dential memoranda shall only apply for Presidential
11 memoranda estimated to have a regulatory cost in excess
12 of \$100,000,000.

13 SEC. 203. Not later than 30 days after the date of
14 enactment of this Act, the Director of the Office of Man-
15 agement and Budget shall issue a memorandum to all
16 Federal departments, agencies, and corporations directing
17 compliance with the provisions in title VII of this Act.

18 SEC. 204. In fiscal year 2023 and each fiscal year
19 thereafter—

20 (1) the Office of Management and Budget shall
21 operate and maintain the automated system required
22 to be implemented by section 204 of the Financial
23 Services and General Government Appropriations
24 Act, 2022 (division E of Public Law 117–103) and
25 shall continue to post each document apportioning

1 an appropriation, pursuant to section 1513(b) of
2 title 31, United States Code, including any associ-
3 ated footnotes, in a format that qualifies each such
4 document as an open Government data asset (as
5 that term is defined in section 3502 of title 44,
6 United States Code); and

7 (2) the requirements specified in subsection (c),
8 the first and second provisos of subsection (d)(1),
9 and subsection (d)(2) of such section 204 shall con-
10 tinue to apply.

11 SEC. 205. Not later than 90 days after the date of
12 enactment of this Act and updated every 90 days there-
13 after, the Executive Office of the President shall make
14 contemporaneously available on a publicly available
15 website, a searchable, sortable, downloadable database of
16 visitors to the White House, the Vice President's resi-
17 dence, or any other location at which the President or the
18 Vice President regularly conducts official business that in-
19 cludes the name of each visitor, the date and time of entry
20 for each visitor, the name of each individual with whom
21 each visitor met, and the purpose of the visit: *Provided*,
22 That notwithstanding this requirement, the Executive Of-
23 fice of the President, after consultation with the President
24 or his designee, may exclude from the database any infor-
25 mation that would implicate personal privacy or law en-

1 forcement concerns or threaten national security, relate to
2 a purely personal guest, or reveal the social security num-
3 ber, taxpayer identification number, birth date, home ad-
4 dress, or personal phone number of an individual, the
5 name of an individual, who is less than 18 years old, or
6 a financial account number: *Provided further*, With respect
7 to a particular sensitive meeting, the Executive Office of
8 the President shall disclose the number of records withheld
9 on this basis and post the applicable records no later than
10 360 days later.

11 This title may be cited as the “Executive Office of
12 the President Appropriations Act, 2023”.

13 TITLE III

14 THE JUDICIARY

15 SUPREME COURT OF THE UNITED STATES

16 SALARIES AND EXPENSES

17 For expenses necessary for the operation of the Su-
18 preme Court, as required by law, excluding care of the
19 building and grounds, including hire of passenger motor
20 vehicles as authorized by 31 U.S.C. 1343 and 1344; not
21 to exceed \$10,000 for official reception and representation
22 expenses; and for miscellaneous expenses, to be expended
23 as the Chief Justice may approve, \$113,951,000, of which
24 \$1,500,000 shall remain available until expended.

1 In addition, there are appropriated such sums as may
2 be necessary under current law for the salaries of the chief
3 justice and associate justices of the court.

4 CARE OF THE BUILDING AND GROUNDS

5 For such expenditures as may be necessary to enable
6 the Architect of the Capitol to carry out the duties im-
7 posed upon the Architect by 40 U.S.C. 6111 and 6112,
8 \$29,246,000, to remain available until expended.

9 UNITED STATES COURT OF APPEALS FOR THE FEDERAL
10 CIRCUIT

11 SALARIES AND EXPENSES

12 For salaries of officers and employees, and for nec-
13 essary expenses of the court, as authorized by law,
14 \$36,735,000.

15 In addition, there are appropriated such sums as may
16 be necessary under current law for the salaries of the chief
17 judge and judges of the court.

18 UNITED STATES COURT OF INTERNATIONAL TRADE

19 SALARIES AND EXPENSES

20 For salaries of officers and employees of the court,
21 services, and necessary expenses of the court, as author-
22 ized by law, \$21,260,000.

23 In addition, there are appropriated such sums as may
24 be necessary under current law for the salaries of the chief
25 judge and judges of the court.

1 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER
2 JUDICIAL SERVICES
3 SALARIES AND EXPENSES

4 For the salaries of judges of the United States Court
5 of Federal Claims, magistrate judges, and all other offi-
6 cers and employees of the Federal Judiciary not otherwise
7 specifically provided for, necessary expenses of the courts,
8 and the purchase, rental, repair, and cleaning of uniforms
9 for Probation and Pretrial Services Office staff, as author-
10 ized by law, \$5,867,825,000 (including the purchase of
11 firearms and ammunition); of which not to exceed
12 \$27,817,000 shall remain available until expended for
13 space alteration projects and for furniture and furnishings
14 related to new space alteration and construction projects.

15 In addition, there are appropriated such sums as may
16 be necessary under current law for the salaries of circuit
17 and district judges (including judges of the territorial
18 courts of the United States), bankruptcy judges, and jus-
19 tices and judges retired from office or from regular active
20 service.

21 In addition, for expenses of the United States Court
22 of Federal Claims associated with processing cases under
23 the National Childhood Vaccine Injury Act of 1986 (Pub-
24 lic Law 99–660), not to exceed \$10,280,000, to be appro-

1 priated from the Vaccine Injury Compensation Trust
2 Fund.

3 DEFENDER SERVICES

4 For the operation of Federal Defender organizations;
5 the compensation and reimbursement of expenses of attor-
6 neys appointed to represent persons under 18 U.S.C.
7 3006A and 3599, and for the compensation and reim-
8 bursement of expenses of persons furnishing investigative,
9 expert, and other services for such representations as au-
10 thorized by law; the compensation (in accordance with the
11 maximums under 18 U.S.C. 3006A) and reimbursement
12 of expenses of attorneys appointed to assist the court in
13 criminal cases where the defendant has waived representa-
14 tion by counsel; the compensation and reimbursement of
15 expenses of attorneys appointed to represent jurors in civil
16 actions for the protection of their employment, as author-
17 ized by 28 U.S.C. 1875(d)(1); the compensation and reim-
18 bursement of expenses of attorneys appointed under 18
19 U.S.C. 983(b)(1) in connection with certain judicial civil
20 forfeiture proceedings; the compensation and reimburse-
21 ment of travel expenses of guardians ad litem appointed
22 under 18 U.S.C. 4100(b); and for necessary training and
23 general administrative expenses, \$1,409,211,000, to re-
24 main available until expended.

1 FEES OF JURORS AND COMMISSIONERS

2 For fees and expenses of jurors as authorized by 28
3 U.S.C. 1871 and 1876; compensation of jury commis-
4 sioners as authorized by 28 U.S.C. 1863; and compensa-
5 tion of commissioners appointed in condemnation cases
6 pursuant to rule 71.1(h) of the Federal Rules of Civil Pro-
7 cedure (28 U.S.C. Appendix Rule 71.1(h)), \$45,677,000,
8 to remain available until expended: *Provided*, That the
9 compensation of land commissioners shall not exceed the
10 daily equivalent of the highest rate payable under 5 U.S.C.
11 5332.

12 COURT SECURITY

13 (INCLUDING TRANSFER OF FUNDS)

14 For necessary expenses, not otherwise provided for,
15 incident to the provision of protective guard services for
16 United States courthouses and other facilities housing
17 Federal court or Administrative Office of the United
18 States Courts operations, the procurement, installation,
19 and maintenance of security systems and equipment for
20 United States courthouses and other facilities housing
21 Federal court or Administrative Office of the United
22 States Courts operations, building ingress-egress control,
23 inspection of mail and packages, directed security patrols,
24 perimeter security, basic security services provided by the
25 Federal Protective Service, and other similar activities as

1 authorized by section 1010 of the Judicial Improvement
2 and Access to Justice Act (Public Law 100–702),
3 \$750,586,000, of which not to exceed \$20,000,000 shall
4 remain available until expended, to be expended directly
5 or transferred to the United States Marshals Service,
6 which shall be responsible for administering the Judicial
7 Facility Security Program consistent with standards or
8 guidelines agreed to by the Director of the Administrative
9 Office of the United States Courts and the Attorney Gen-
10 eral: *Provided*, That funds made available under this head-
11 ing may be used for managing a Judiciary-wide program
12 to facilitate security and emergency management services
13 among the Judiciary, United States Marshals Service,
14 Federal Protective Service, General Services Administra-
15 tion, other Federal agencies, state and local governments
16 and the public; and, notwithstanding sections 331,
17 566(e)(1), and 566(i) of title 28, United States Code, for
18 identifying and pursuing the voluntary redaction and re-
19 duction of personally identifiable information on the inter-
20 net of judges and other familial relatives who live at the
21 judge’s domicile.

1 ADMINISTRATIVE OFFICE OF THE UNITED STATES

2 COURTS

3 SALARIES AND EXPENSES

4 For necessary expenses of the Administrative Office
5 of the United States Courts as authorized by law, includ-
6 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-
7 senger motor vehicle as authorized by 31 U.S.C. 1343(b),
8 advertising and rent in the District of Columbia and else-
9 where, \$105,700,000, of which not to exceed \$8,500 is au-
10 thorized for official reception and representation expenses.

11 FEDERAL JUDICIAL CENTER

12 SALARIES AND EXPENSES

13 For necessary expenses of the Federal Judicial Cen-
14 ter, as authorized by Public Law 90–219, \$34,261,000;
15 of which \$1,800,000 shall remain available through Sep-
16 tember 30, 2024, to provide education and training to
17 Federal court personnel; and of which not to exceed
18 \$1,500 is authorized for official reception and representa-
19 tion expenses.

20 UNITED STATES SENTENCING COMMISSION

21 SALARIES AND EXPENSES

22 For the salaries and expenses necessary to carry out
23 the provisions of chapter 58 of title 28, United States
24 Code, \$21,641,000, of which not to exceed \$1,000 is au-
25 thorized for official reception and representation expenses.

1 ADMINISTRATIVE PROVISIONS—THE JUDICIARY
2 (INCLUDING TRANSFER OF FUNDS)

3 SEC. 301. Appropriations and authorizations made in
4 this title which are available for salaries and expenses shall
5 be available for services as authorized by 5 U.S.C. 3109.

6 SEC. 302. Not to exceed 5 percent of any appropria-
7 tion made available for the current fiscal year for the Judi-
8 ciary in this Act may be transferred between such appro-
9 priations, but no such appropriation, except “Courts of
10 Appeals, District Courts, and Other Judicial Services, De-
11 fender Services” and “Courts of Appeals, District Courts,
12 and Other Judicial Services, Fees of Jurors and Commis-
13 sioners”, shall be increased by more than 10 percent by
14 any such transfers: *Provided*, That any transfer pursuant
15 to this section shall be treated as a reprogramming of
16 funds under sections 604 and 608 of this Act and shall
17 not be available for obligation or expenditure except in
18 compliance with the procedures set forth in section 608.

19 SEC. 303. Notwithstanding any other provision of
20 law, the salaries and expenses appropriation for “Courts
21 of Appeals, District Courts, and Other Judicial Services”
22 shall be available for official reception and representation
23 expenses of the Judicial Conference of the United States:
24 *Provided*, That such available funds shall not exceed
25 \$11,000 and shall be administered by the Director of the

1 Administrative Office of the United States Courts in the
2 capacity as Secretary of the Judicial Conference.

3 SEC. 304. Section 3315(a) of title 40, United States
4 Code, shall be applied by substituting “Federal” for “exec-
5 utive” each place it appears.

6 SEC. 305. In accordance with 28 U.S.C. 561–569,
7 and notwithstanding any other provision of law, the
8 United States Marshals Service shall provide, for such
9 courthouses as its Director may designate in consultation
10 with the Director of the Administrative Office of the
11 United States Courts, for purposes of a pilot program, the
12 security services that 40 U.S.C. 1315 authorizes the De-
13 partment of Homeland Security to provide, except for the
14 services specified in 40 U.S.C. 1315(b)(2)(E). For build-
15 ing-specific security services at these courthouses, the Di-
16 rector of the Administrative Office of the United States
17 Courts shall reimburse the United States Marshals Service
18 rather than the Department of Homeland Security.

19 SEC. 306. (a) Section 203(c) of the Judicial Improve-
20 ments Act of 1990 (Public Law 101–650; 28 U.S.C. 133
21 note), is amended in the matter following paragraph 12—

22 (1) in the second sentence (relating to the Dis-
23 trict of Kansas), by striking “31 years and 6
24 months” and inserting “32 years and 6 months”;
25 and

1 (2) in the sixth sentence (relating to the Dis-
2 trict of Hawaii), by striking “28 years and 6
3 months” and inserting “29 years and 6 months”.

4 (b) Section 406 of the Transportation, Treasury,
5 Housing and Urban Development, the Judiciary, the Dis-
6 trict of Columbia, and Independent Agencies Appropria-
7 tions Act, 2006 (Public Law 109–115; 119 Stat. 2470;
8 28 U.S.C. 133 note) is amended in the second sentence
9 (relating to the eastern District of Missouri) by striking
10 “29 years and 6 months” and inserting “30 years and
11 6 months”.

12 (c) Section 312(c)(2) of the 21st Century Depart-
13 ment of Justice Appropriations Authorization Act (Public
14 Law 107–273; 28 U.S.C. 133 note), is amended—

15 (1) in the first sentence by striking “20 years”
16 and inserting “21 years”;

17 (2) in the second sentence (relating to the cen-
18 tral District of California), by striking “19 years
19 and 6 months” and inserting “20 years and 6
20 months”; and

21 (3) in the third sentence (relating to the west-
22 ern district of North Carolina), by striking “18
23 years” and inserting “19 years”.

24 SEC. 307. In addition to amounts otherwise available,
25 there is appropriated to the Judiciary \$128,000,000, to

1 remain available until September 30, 2024, to be used for
2 judicial security, cybersecurity, and information tech-
3 nology modernization infrastructure: *Provided*, That for
4 the purposes provided herein, such funds may be trans-
5 ferred to the “Salaries and Expenses”, “Court Security”,
6 and “Defender Services” appropriations under the
7 “Courts of Appeals, District Courts, and Other Judicial
8 Services” heading in this title: *Provided further*, That this
9 transfer authority shall be in addition to any other trans-
10 fer authority provided by law.

11 SEC. 308. Section 677 of title 28, United States
12 Code, is amended by adding at the end the following:

13 “(d) The Counselor, with the approval of the
14 Chief Justice, shall establish a retention and recruit-
15 ment program that is consistent with section 908 of
16 the Emergency Supplemental Act, 2002 (2 U.S.C.
17 1926) for Supreme Court Police officers and other
18 critical employees who agree in writing to remain
19 employed with the Supreme Court for a period of
20 service of not less than two years.”.

21 This title may be cited as the “Judiciary Appropria-
22 tions Act, 2023”.

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TITLE IV

DISTRICT OF COLUMBIA

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, \$40,000,000, to remain available until expended: *Provided*, That such funds, 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

1 shall be under the control of the District of Columbia
2 Chief Financial Officer, who shall use those funds solely
3 for the purposes of carrying out the Resident Tuition Sup-
4 port Program: *Provided further*, That the Office of the
5 Chief Financial Officer shall provide a quarterly financial
6 report to the Committees on Appropriations of the House
7 of Representatives and the Senate for these funds show-
8 ing, by object class, the expenditures made and the pur-
9 pose therefor.

10 FEDERAL PAYMENT FOR EMERGENCY PLANNING AND
11 SECURITY COSTS IN THE DISTRICT OF COLUMBIA

12 For a Federal payment of necessary expenses, as de-
13 termined by the Mayor of the District of Columbia in writ-
14 ten consultation with the elected county or city officials
15 of surrounding jurisdictions, \$30,000,000, to remain
16 available until expended, for the costs of providing public
17 safety at events related to the presence of the National
18 Capital in the District of Columbia, including support re-
19 quested by the Director of the United States Secret Serv-
20 ice in carrying out protective duties under the direction
21 of the Secretary of Homeland Security, and for the costs
22 of providing support to respond to immediate and specific
23 terrorist threats or attacks in the District of Columbia or
24 surrounding jurisdictions.

1 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
2 COURTS

3 For salaries and expenses for the District of Colum-
4 bia Courts, \$295,588,000 to be allocated as follows: for
5 the District of Columbia Court of Appeals, \$15,055,000,
6 of which not to exceed \$2,500 is for official reception and
7 representation expenses; for the Superior Court of the
8 District of Columbia, \$140,973,000, of which not to ex-
9 ceed \$2,500 is for official reception and representation ex-
10 penses; for the District of Columbia Court System,
11 \$88,290,000, of which not to exceed \$2,500 is for official
12 reception and representation expenses; and \$51,270,000,
13 to remain available until September 30, 2024, for capital
14 improvements for District of Columbia courthouse facili-
15 ties: *Provided*, That funds made available for capital im-
16 provements shall be expended consistent with the District
17 of Columbia Courts master plan study and facilities condi-
18 tion assessment: *Provided further*, That, in addition to the
19 amounts appropriated herein, fees received by the District
20 of Columbia Courts for administering bar examinations
21 and processing District of Columbia bar admissions may
22 be retained and credited to this appropriation, to remain
23 available until expended, for salaries and expenses associ-
24 ated with such activities, notwithstanding section 450 of
25 the District of Columbia Home Rule Act (D.C. Official

1 Code, sec. 1–204.50): *Provided further*, That notwith-
2 standing any other provision of law, all amounts under
3 this heading shall be apportioned quarterly by the Office
4 of Management and Budget and obligated and expended
5 in the same manner as funds appropriated for salaries and
6 expenses of other Federal agencies: *Provided further*, That
7 30 days after providing written notice to the Committees
8 on Appropriations of the House of Representatives and the
9 Senate, the District of Columbia Courts may reallocate
10 not more than \$9,000,000 of the funds provided under
11 this heading among the items and entities funded under
12 this heading: *Provided further*, That the Joint Committee
13 on Judicial Administration in the District of Columbia
14 may, by regulation, establish a program substantially simi-
15 lar to the program set forth in subchapter II of chapter
16 35 of title 5, United States Code, for employees of the
17 District of Columbia Courts.

18 FEDERAL PAYMENT FOR DEFENDER SERVICES IN
19 DISTRICT OF COLUMBIA COURTS
20 (INCLUDING RESCISSION OF FUNDS)

21 For payments authorized under section 11–2604 and
22 section 11–2605, D.C. Official Code (relating to represen-
23 tation provided under the District of Columbia Criminal
24 Justice Act), payments for counsel appointed in pro-
25 ceedings in the Family Court of the Superior Court of the

1 District of Columbia under chapter 23 of title 16, D.C.
2 Official Code, or pursuant to contractual agreements to
3 provide guardian ad litem representation, training, tech-
4 nical assistance, and such other services as are necessary
5 to improve the quality of guardian ad litem representation,
6 payments for counsel appointed in adoption proceedings
7 under chapter 3 of title 16, D.C. Official Code, and pay-
8 ments authorized under section 21–2060, D.C. Official
9 Code (relating to services provided under the District of
10 Columbia Guardianship, Protective Proceedings, and Du-
11 rable Power of Attorney Act of 1986), \$46,005,000, to
12 remain available until expended: *Provided*, That funds
13 provided under this heading shall be administered by the
14 Joint Committee on Judicial Administration in the Dis-
15 trict of Columbia: *Provided further*, That, notwithstanding
16 any other provision of law, this appropriation shall be ap-
17 portioned quarterly by the Office of Management and
18 Budget and obligated and expended in the same manner
19 as funds appropriated for expenses of other Federal agen-
20 cies: *Provided further*, That of the unobligated balances
21 from prior year appropriations made available under the
22 heading “Federal Payment for Defender Services in Dis-
23 trict of Columbia Courts”, \$22,000,000, are hereby re-
24 scinded not later than September 30, 2023.

1 FEDERAL PAYMENT TO THE COURT SERVICES AND OF-
2 FENDER SUPERVISION AGENCY FOR THE DISTRICT
3 OF COLUMBIA

4 For salaries and expenses, including the transfer and
5 hire of motor vehicles, of the Court Services and Offender
6 Supervision Agency for the District of Columbia, as au-
7 thorized by the National Capital Revitalization and Self-
8 Government Improvement Act of 1997, \$281,516,000, of
9 which not to exceed \$2,000 is for official reception and
10 representation expenses related to Community Supervision
11 and Pretrial Services Agency programs, and of which not
12 to exceed \$25,000 is for dues and assessments relating
13 to the implementation of the Court Services and Offender
14 Supervision Agency Interstate Supervision Act of 2002:
15 *Provided*, That, of the funds appropriated under this head-
16 ing, \$204,579,000 shall be for necessary expenses of Com-
17 munity Supervision and Sex Offender Registration, to in-
18 clude expenses relating to the supervision of adults subject
19 to protection orders or the provision of services for or re-
20 lated to such persons, of which \$7,798,000 shall remain
21 available until September 30, 2025, for costs associated
22 with the relocation under replacement leases for head-
23 quarters offices, field offices and related facilities: *Pro-*
24 *vided further*, That, of the funds appropriated under this
25 heading, \$76,937,000 shall be available to the Pretrial

1 Services Agency, of which \$998,000 shall remain available
2 until September 30, 2025, for costs associated with reloca-
3 tion under a replacement lease for headquarters offices,
4 field offices, and related facilities: *Provided further*, That
5 notwithstanding any other provision of law, all amounts
6 under this heading shall be apportioned quarterly by the
7 Office of Management and Budget and obligated and ex-
8 pended in the same manner as funds appropriated for sal-
9 aries and expenses of other Federal agencies: *Provided fur-*
10 *ther*, That amounts under this heading may be used for
11 programmatic incentives for defendants to successfully
12 complete their terms of supervision.

13 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

14 PUBLIC DEFENDER SERVICE

15 For salaries and expenses, including the transfer and
16 hire of motor vehicles, of the District of Columbia Public
17 Defender Service, as authorized by the National Capital
18 Revitalization and Self-Government Improvement Act of
19 1997, \$53,629,000: *Provided*, That notwithstanding any
20 other provision of law, all amounts under this heading
21 shall be apportioned quarterly by the Office of Manage-
22 ment and Budget and obligated and expended in the same
23 manner as funds appropriated for salaries and expenses
24 of Federal agencies: *Provided further*, That the District
25 of Columbia Public Defender Service may establish for

1 employees of the District of Columbia Public Defender
2 Service a program substantially similar to the program set
3 forth in subchapter II of chapter 35 of title 5, United
4 States Code, except that the maximum amount of the pay-
5 ment made under the program to any individual may not
6 exceed the amount referred to in section 3523(b)(3)(B)
7 of title 5, United States Code: *Provided further*, That the
8 District of Columbia Public Defender Service may be
9 deemed an “agency” for purposes of engaging with and
10 receiving services from Federal Franchise Fund Programs
11 established in accordance with section 403 of the Govern-
12 ment Management Reform Act of 1994 (Public Law 103–
13 356), as amended: *Provided further*, That the District of
14 Columbia Public Defender Service may enter into con-
15 tracts for the procurement of severable services and
16 multiyear contracts for the acquisition of property and
17 services to the same extent and under the same conditions
18 as an executive agency under sections 3902 and 3903 of
19 title 41, United States Code.

20 FEDERAL PAYMENT TO THE CRIMINAL JUSTICE

21 COORDINATING COUNCIL

22 For a Federal payment to the Criminal Justice Co-
23 ordinating Council, \$2,450,000, to remain available until
24 expended, to support initiatives related to the coordination

1 of Federal and local criminal justice resources in the Dis-
2 trict of Columbia.

3 FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

4 For a Federal payment, to remain available until
5 September 30, 2024, to the Commission on Judicial Dis-
6 abilities and Tenure, \$330,000, and for the Judicial Nomi-
7 nation Commission, \$300,000.

8 FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

9 For a Federal payment for a school improvement pro-
10 gram in the District of Columbia, \$52,500,000, to remain
11 available until expended, for payments authorized under
12 the Scholarships for Opportunity and Results Act (division
13 C of Public Law 112–10): *Provided*, That, to the extent
14 that funds are available for opportunity scholarships and
15 following the priorities included in section 3006 of such
16 Act, the Secretary of Education shall make scholarships
17 available to students eligible under section 3013(3) of such
18 Act (Public Law 112–10; 125 Stat. 211) including stu-
19 dents who were not offered a scholarship during any pre-
20 vious school year: *Provided further*, That within funds pro-
21 vided for opportunity scholarships up to \$1,750,000 shall
22 be for the activities specified in sections 3007(b) through
23 3007(d) of the Act and up to \$500,000 shall be for the
24 activities specified in section 3009 of the Act: *Provided*
25 *further*, That none of the funds made available under this

1 heading may be used for an opportunity scholarship for
2 a student to attend a school which does not certify to the
3 Secretary of Education that the student will be provided
4 with the same protections under the Federal laws which
5 are enforced by the Office for Civil Rights of the Depart-
6 ment of Education which are provided to a student of a
7 public elementary or secondary school in the District of
8 Columbia and which does not certify to the Secretary of
9 Education that the student and the student’s parents will
10 be provided with the same services, rights, and protections
11 under the Individuals With Disabilities Education Act (20
12 U.S.C. 1400 et seq.) which are provided to a student and
13 a student’s parents of a public elementary or secondary
14 school in the District of Columbia, as enumerated in Table
15 2 of Government Accountability Office Report 18–94 (en-
16 titled “Federal Actions Needed to Ensure Parents Are
17 Notified About Changes in Rights for Students with Dis-
18 abilities”), issued November 2017.

19 FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA

20 NATIONAL GUARD

21 For a Federal payment to the District of Columbia
22 National Guard, \$600,000, to remain available until ex-
23 pended for the Major General David F. Wherley, Jr. Dis-
24 trict of Columbia National Guard Retention and College
25 Access Program.

1 FEDERAL PAYMENT FOR TESTING AND TREATMENT OF
2 HIV/AIDS

3 For a Federal payment to the District of Columbia
4 for the testing of individuals for, and the treatment of in-
5 dividuals with, human immunodeficiency virus and ac-
6 quired immunodeficiency syndrome in the District of Co-
7 lumbia, \$5,000,000.

8 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
9 WATER AND SEWER AUTHORITY

10 For a Federal payment to the District of Columbia
11 Water and Sewer Authority, \$8,000,000, to remain avail-
12 able until expended, to continue implementation of the
13 Combined Sewer Overflow Long-Term Plan: *Provided*,
14 That the District of Columbia Water and Sewer Authority
15 provides a 100 percent match for this payment.

16 This title may be cited as the “District of Columbia
17 Appropriations Act, 2023”.

18 TITLE V
19 INDEPENDENT AGENCIES

20 ADMINISTRATIVE CONFERENCE OF THE UNITED STATES
21 SALARIES AND EXPENSES

22 For necessary expenses of the Administrative Con-
23 ference of the United States, authorized by 5 U.S.C. 591
24 et seq., \$3,465,000, to remain available until September

1 30, 2024, of which not to exceed \$1,000 is for official re-
2 ception and representation expenses.

3 CONSUMER PRODUCT SAFETY COMMISSION

4 SALARIES AND EXPENSES

5 For necessary expenses of the Consumer Product
6 Safety Commission, including hire of passenger motor ve-
7 hicles, services as authorized by 5 U.S.C. 3109, but at
8 rates for individuals not to exceed the per diem rate equiv-
9 alent to the maximum rate payable under 5 U.S.C. 5376,
10 purchase of nominal awards to recognize non-Federal offi-
11 cials' contributions to Commission activities, and not to
12 exceed \$4,000 for official reception and representation ex-
13 penses, \$166,300,000, of which \$2,500,000 shall remain
14 available until expended to carry out the program, includ-
15 ing administrative costs, required by section 1405 of the
16 Virginia Graeme Baker Pool and Spa Safety Act (Public
17 Law 110–140; 15 U.S.C. 8004).

18 ADMINISTRATIVE PROVISION—CONSUMER PRODUCT

19 SAFETY COMMISSION

20 SEC. 501. During fiscal year 2023, none of the
21 amounts made available by this Act may be used to final-
22 ize or implement the Safety Standard for Recreational
23 Off-Highway Vehicles published by the Consumer Product
24 Safety Commission in the Federal Register on November
25 19, 2014 (79 Fed. Reg. 68964) until after—

1 (1) the National Academy of Sciences, in con-
2 sultation with the National Highway Traffic Safety
3 Administration and the Department of Defense,
4 completes a study to determine—

5 (A) the technical validity of the lateral sta-
6 bility and vehicle handling requirements pro-
7 posed by such standard for purposes of reduc-
8 ing the risk of Recreational Off-Highway Vehi-
9 cle (referred to in this section as “ROV”) roll-
10 overs in the off-road environment, including the
11 repeatability and reproducibility of testing for
12 compliance with such requirements;

13 (B) the number of ROV rollovers that
14 would be prevented if the proposed require-
15 ments were adopted;

16 (C) whether there is a technical basis for
17 the proposal to provide information on a point-
18 of-sale hangtag about a ROV’s rollover resist-
19 ance on a progressive scale; and

20 (D) the effect on the utility of ROVs used
21 by the United States military if the proposed
22 requirements were adopted; and

23 (2) a report containing the results of the study
24 completed under paragraph (1) is delivered to—

1 (A) the Committee on Commerce, Science,
2 and Transportation of the Senate;

3 (B) the Committee on Energy and Com-
4 merce of the House of Representatives;

5 (C) the Committee on Appropriations of
6 the Senate; and

7 (D) the Committee on Appropriations of
8 the House of Representatives.

9 ELECTION ASSISTANCE COMMISSION

10 SALARIES AND EXPENSES

11 For necessary expenses to carry out the Help Amer-
12 ica Vote Act of 2002 (Public Law 107–252), \$34,087,000,
13 of which \$1,500,000 shall be made available to the Na-
14 tional Institute of Standards and Technology for election
15 reform activities authorized under the Help America Vote
16 Act of 2002, and of which \$4,000,000, to remain available
17 until expended, shall be for the Help America Vote College
18 Program as authorized by title V of the Help America
19 Vote Act of 2002.

20 ELECTION SECURITY GRANTS

21 Notwithstanding section 104(c)(2)(B) of the Help
22 America Vote Act of 2002 (52 U.S.C. 20904(c)(2)(B)),
23 \$400,000,000 (increased by \$5,000,000) (reduced by
24 \$5,000,000) is provided to the Election Assistance Com-
25 mission for necessary expenses to make payments to

1 States for activities to improve the administration of elec-
2 tions for Federal office, including to enhance election tech-
3 nology and make election security improvements, as au-
4 thorized by sections 101, 103, and 104 of such Act: *Pro-*
5 *vided*, That for purposes of applying such sections, the
6 Commonwealth of the Northern Mariana Islands shall be
7 deemed to be a State and, for purposes of sections
8 101(d)(2) and 103(a), shall be treated in the same manner
9 as the Commonwealth of Puerto Rico, Guam, American
10 Samoa, and the United States Virgin Islands: *Provided*
11 *further*, That each reference to the “Administrator of Gen-
12 eral Services” or the “Administrator” in sections 101 and
13 103 shall be deemed to refer to the “Election Assistance
14 Commission”: *Provided further*, That each reference to
15 “\$5,000,000” in section 103 shall be deemed to refer to
16 “\$3,000,000” and each reference to “\$1,000,000” in sec-
17 tion 103 shall be deemed to refer to “\$600,000”: *Provided*
18 *further*, That not later than 45 days after the date of en-
19 actment of this Act, the Election Assistance Commission
20 shall make the payments to States under this heading:
21 *Provided further*, That a State shall use such payment to
22 replace voting systems which use direct-recording elec-
23 tronic voting machines with a voting system which uses
24 an individual, durable, voter-verified paper ballot which is
25 marked by the voter by hand or through the use of a non-

1 tabulating ballot-marking device or system, so long as the
2 voter shall have the option to mark his or her ballot by
3 hand, and provides the voter with an opportunity to in-
4 spect and confirm the marked ballot before casting (in this
5 heading referred to as a “qualified voting system”): *Pro-*
6 *vided further*, That for purposes of determining whether
7 a voting system is a qualified voting system, a voter-
8 verified paper audit trail receipt generated by a direct-re-
9 cording electronic voting machine is not a paper ballot:
10 *Provided further*, That none of the funds made available
11 under this heading may be used to purchase or obtain any
12 voting system which is not a qualified voting system: *Pro-*
13 *vided further*, That a State may use such payment to carry
14 out other authorized activities to improve the administra-
15 tion of elections for Federal office only if the State cer-
16 tifies to the Election Assistance Commission that the
17 State has replaced all voting systems which use direct-re-
18 cording electronic voting machines with qualified voting
19 systems: *Provided further*, That not less than 67 percent
20 of the amount of the payment made to a State under this
21 heading shall be allocated in cash or in kind to the units
22 of local government which are responsible for the adminis-
23 tration of elections for Federal office in the State: *Pro-*
24 *vided further*, That States shall submit quarterly financial
25 reports and annual progress reports.

1 FEDERAL COMMUNICATIONS COMMISSION
2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Communica-
4 tions Commission, as authorized by law, including uni-
5 forms and allowances therefor, as authorized by 5 U.S.C.
6 5901–5902; not to exceed \$4,000 for official reception and
7 representation expenses; purchase and hire of motor vehi-
8 cles; special counsel fees; and services as authorized by
9 5 U.S.C. 3109, \$390,192,000, to remain available until
10 expended: *Provided*, That \$390,192,000 of offsetting col-
11 lections shall be assessed and collected pursuant to section
12 9 of title I of the Communications Act of 1934, shall be
13 retained and used for necessary expenses, and shall re-
14 main available until expended: *Provided further*, That the
15 sum herein appropriated shall be reduced as such offset-
16 ting collections are received during fiscal year 2023 so as
17 to result in a final fiscal year 2023 appropriation esti-
18 mated at \$0: *Provided further*, That, notwithstanding 47
19 U.S.C. 309(j)(8)(B), proceeds from the use of a competi-
20 tive bidding system that may be retained and made avail-
21 able for obligation shall not exceed \$132,231,000 for fiscal
22 year 2023: *Provided further*, That, of the amount appro-
23 priated under this heading, not less than \$12,131,000
24 shall be for the salaries and expenses of the Office of In-
25 spector General.

1 ADMINISTRATIVE PROVISIONS—FEDERAL
2 COMMUNICATIONS COMMISSION

3 SEC. 510. Section 302 of the Universal Service
4 Antideficiency Temporary Suspension Act is amended by
5 striking “December 31, 2022” each place it appears and
6 inserting “December 31, 2024”.

7 SEC. 511. None of the funds appropriated by this Act
8 may be used by the Federal Communications Commission
9 to modify, amend, or change its rules or regulations for
10 universal service support payments to implement the Feb-
11 ruary 27, 2004, recommendations of the Federal-State
12 Joint Board on Universal Service regarding single connec-
13 tion or primary line restrictions on universal service sup-
14 port payments.

15 SEC. 512. Notwithstanding section 421 of the Con-
16 trolled Substances Act (21 U.S.C. 862), or any other pro-
17 vision of law, none of the funds made available in this Act
18 to the Federal Communications Commission may be used,
19 with respect to an authorization for radio or television sta-
20 tions, to deny, fail to renew for a full term or condition
21 the authorization, decline to approve an application for au-
22 thority to assign the authorization or transfer direct or
23 indirect control of the licensee, require an early renewal
24 application, or impose a forfeiture penalty because the sta-
25 tion broadcast or otherwise transmitted advertisements (a)

1 of a business selling cannabis or cannabis-derived prod-
2 ucts, the sale or distribution of which is authorized in the
3 State, political subdivision of a State, or Indian country
4 in which the community of license of a station is located,
5 or (b) of a business selling hemp, hemp-derived CBD prod-
6 ucts or other hemp-derived cannabinoid products.

7 FEDERAL DEPOSIT INSURANCE CORPORATION

8 OFFICE OF THE INSPECTOR GENERAL

9 For necessary expenses of the Office of Inspector
10 General in carrying out the provisions of the Inspector
11 General Act of 1978, \$47,500,000, to be derived from the
12 Deposit Insurance Fund or, only when appropriate, the
13 FSLIC Resolution Fund.

14 FEDERAL ELECTION COMMISSION

15 SALARIES AND EXPENSES

16 For necessary expenses to carry out the provisions
17 of the Federal Election Campaign Act of 1971,
18 \$81,674,000, of which not to exceed \$5,000 shall be avail-
19 able for reception and representation expenses: *Provided*,
20 That not less than \$2,211,000 shall be for the salaries
21 and expenses of the Office of the Inspector General.

22 FEDERAL LABOR RELATIONS AUTHORITY

23 SALARIES AND EXPENSES

24 For necessary expenses to carry out functions of the
25 Federal Labor Relations Authority, pursuant to Reorga-

1 nization Plan Numbered 2 of 1978, and the Civil Service
2 Reform Act of 1978, including services authorized by 5
3 U.S.C. 3109, and including hire of experts and consult-
4 ants, hire of passenger motor vehicles, and including offi-
5 cial reception and representation expenses (not to exceed
6 \$1,500) and rental of conference rooms in the District of
7 Columbia and elsewhere, \$31,762,000: *Provided*, That
8 public members of the Federal Service Impasses Panel
9 may be paid travel expenses and per diem in lieu of sub-
10 sistence as authorized by law (5 U.S.C. 5703) for persons
11 employed intermittently in the Government service, and
12 compensation as authorized by 5 U.S.C. 3109: *Provided*
13 *further*, That, notwithstanding 31 U.S.C. 3302, funds re-
14 ceived from fees charged to non-Federal participants at
15 labor-management relations conferences shall be credited
16 to and merged with this account, to be available without
17 further appropriation for the costs of carrying out these
18 conferences.

19 FEDERAL PERMITTING IMPROVEMENT STEERING
20 COUNCIL

21 ENVIRONMENTAL REVIEW IMPROVEMENT FUND

22 For necessary expenses of the Environmental Review
23 Improvement Fund established pursuant to 42 U.S.C.
24 4370m-8(d), \$10,000,000, to remain available until ex-
25 pended.

1 FEDERAL TRADE COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Trade Com-
4 mission, including uniforms or allowances therefor, as au-
5 thorized by 5 U.S.C. 5901–5902; services as authorized
6 by 5 U.S.C. 3109; hire of passenger motor vehicles; and
7 not to exceed \$2,000 for official reception and representa-
8 tion expenses, \$490,000,000 (reduced by \$5,000,000) (in-
9 creased by \$5,000,000), to remain available until ex-
10 pended: *Provided*, That not to exceed \$300,000 shall be
11 available for use to contract with a person or persons for
12 collection services in accordance with the terms of 31
13 U.S.C. 3718: *Provided further*, That, notwithstanding any
14 other provision of law, fees collected for premerger notifi-
15 cation filings under the Hart-Scott-Rodino Antitrust Im-
16 provements Act of 1976 (15 U.S.C. 18a), regardless of
17 the year of collection (and estimated to be \$190,000,000
18 in fiscal year 2023), shall be retained and used for nec-
19 essary expenses in this appropriation and shall remain
20 available until expended: *Provided further*, That, notwith-
21 standing any other provision of law, fees collected to im-
22 plement and enforce the Telemarketing Sales Rule, pro-
23 mulgated under the Telemarketing and Consumer Fraud
24 and Abuse Prevention Act (15 U.S.C. 6101 et seq.), re-
25 gardless of the year of collection (and estimated to be

1 \$20,000,000 in fiscal year 2023), shall be credited to this
2 account, and be retained and used for necessary expenses
3 in this appropriation, and shall remain available until ex-
4 pended: *Provided further*, That the sum herein appro-
5 priated from the general fund shall be reduced as such
6 offsetting collections are received during fiscal year 2023,
7 so as to result in a final fiscal year 2023 appropriation
8 from the general fund estimated at not more than
9 \$280,000,000: *Provided further*, That none of the funds
10 made available to the Federal Trade Commission may be
11 used to implement subsection (e)(2)(B) of section 43 of
12 the Federal Deposit Insurance Act (12 U.S.C. 1831t).

13 GENERAL SERVICES ADMINISTRATION

14 REAL PROPERTY ACTIVITIES

15 FEDERAL BUILDINGS FUND

16 LIMITATIONS ON AVAILABILITY OF REVENUE

17 (INCLUDING TRANSFERS OF FUNDS)

18 Amounts in the Fund, including revenues and collec-
19 tions deposited into the Fund, shall be available for nec-
20 essary expenses of real property management and related
21 activities not otherwise provided for, including operation,
22 maintenance, and protection of federally owned and leased
23 buildings; rental of buildings in the District of Columbia;
24 restoration of leased premises; moving governmental agen-
25 cies (including space adjustments and telecommunications

1 relocation expenses) in connection with the assignment, al-
2 location, and transfer of space; contractual services inci-
3 dent to cleaning or servicing buildings, and moving; repair
4 and alteration of federally owned buildings, including
5 grounds, approaches, and appurtenances; care and safe-
6 guarding of sites; maintenance, preservation, demolition,
7 and equipment; acquisition of buildings and sites by pur-
8 chase, condemnation, or as otherwise authorized by law;
9 acquisition of options to purchase buildings and sites; con-
10 version and extension of federally owned buildings; pre-
11 liminary planning and design of projects by contract or
12 otherwise; construction of new buildings (including equip-
13 ment for such buildings); and payment of principal, inter-
14 est, and any other obligations for public buildings acquired
15 by installment purchase and purchase contract; in the ag-
16 gregate amount of \$10,485,535,000 (reduced by
17 \$2,000,000) (reduced by \$1,000,000) (reduced by
18 \$6,700,000) (reduced by \$1,000,000) (reduced by
19 \$3,000,000), of which—

20 (1) \$962,438,000 shall remain available until
21 expended for construction and acquisition (including
22 funds for sites and expenses, and associated design
23 and construction services) as follows:

1 (A) \$379,938,000 is for the Department of
2 Homeland Security Consolidation at St. Eliza-
3 beths, Washington, DC;

4 (B) \$21,000,000 is for the Federal Energy
5 Regulatory Commission Lease Purchase;

6 (C) \$500,000,000 is for the Federal Bu-
7reau of Investigation Headquarters Consolida-
8tion in the National Capital Region; and

9 (D) \$61,500,000 is for the U.S. Court-
10house in Hartford, CT:

11 *Provided*, That each of the foregoing limits of costs
12 on new construction and acquisition projects may be
13 exceeded to the extent that savings are effected in
14 other such projects, but not to exceed 10 percent of
15 the amounts included in a transmitted prospectus, if
16 required, unless advance approval is obtained from
17 the Committees on Appropriations of the House of
18 Representatives and the Senate of a greater amount;

19 (2) \$974,708,000 (increased by \$20,000,000)
20 shall remain available until expended for repairs and
21 alterations, including associated design and con-
22struction services, of which—

23 (A) \$475,911,000 is for Major Repairs and
24 Alterations as follows:

25 Multiple Locations:

1 National Conveying Systems,
2 \$63,198,000;
3 National Capital Region:
4 Fire Alarm Systems, \$81,125,000;
5 New York:
6 New York, Alexander Hamilton U.S.
7 Courthouse, \$68,497,000;
8 Pennsylvania:
9 Philadelphia, James A. Byrne U.S.
10 Courthouse, \$83,955,000;
11 Georgia:
12 Atlanta, Sam Nunn Atlanta Federal
13 Center, \$72,015,000;
14 Montana:
15 Butte, Mike Mansfield Federal Build-
16 ing and U.S. Courthouse, \$25,792,000;
17 California:
18 San Francisco Federal Building,
19 \$15,687,000;
20 Vermont:
21 St. Albans, Federal Building, U.S.
22 Post Office and Courthouse, \$17,978,000;
23 Colorado:
24 Denver, Federal Center Infrastruc-
25 ture, \$47,664,000;

1 (B) \$398,797,000 is for Basic Repairs and
2 Alterations, of which \$3,000,000 is for repairs
3 to the water feature at the Wilkie D. Ferguson
4 Jr. U.S. Courthouse in Miami, FL; and

5 (C) \$100,000,000 (increased by
6 \$20,000,000) is for the Special Emphasis Pro-
7 grams:

8 *Provided*, That funds made available in this or any
9 previous Act in the Federal Buildings Fund for Re-
10 pairs and Alterations shall, for prospectus projects,
11 be limited to the amount identified for each project,
12 except each project in this or any previous Act may
13 be increased by an amount not to exceed 10 percent
14 unless advance approval is obtained from the Com-
15 mittees on Appropriations of the House of Rep-
16 resentatives and the Senate of a greater amount:

17 *Provided further*, That additional projects for which
18 prospectuses have been fully approved may be fund-
19 ed under this category only if advance approval is
20 obtained from the Committees on Appropriations of
21 the House of Representatives and the Senate: *Pro-*
22 *vided further*, That the amounts provided in this or
23 any prior Act for “Repairs and Alterations” may be
24 used to fund costs associated with implementing se-
25 curity improvements to buildings necessary to meet

1 the minimum standards for security in accordance
2 with current law and in compliance with the re-
3 programming guidelines of the appropriate commit-
4 tees of the House and Senate: *Provided further*,
5 That the difference between the funds appropriated
6 and expended on any projects in this or any prior
7 Act, under the heading “Repairs and Alterations”,
8 may be transferred to “Basic Repairs and Alter-
9 ations” or used to fund authorized increases in pro-
10 spectus projects: *Provided further*, That the amount
11 provided in this or any prior Act for “Basic Repairs
12 and Alterations” may be used to pay claims against
13 the Government arising from any projects under the
14 heading “Repairs and Alterations” or used to fund
15 authorized increases in prospectus projects;

16 (3) \$5,596,008,000 (reduced by \$20,000,000)
17 (reduced by \$2,000,000) (reduced by \$1,000,000)
18 (reduced by \$1,000,000) (increased by \$1,000,000)
19 (reduced by \$6,700,000) (reduced by \$1,000,000)
20 (reduced by \$3,000,000) for rental of space to re-
21 main available until expended; and

22 (4) \$2,952,381,000 for building operations to
23 remain available until expended: *Provided*, That the
24 total amount of funds made available from this
25 Fund to the General Services Administration shall

1 not be available for expenses of any construction, re-
2 pair, alteration and acquisition project for which a
3 prospectus, if required by 40 U.S.C. 3307(a), has
4 not been approved, except that necessary funds may
5 be expended for each project for required expenses
6 for the development of a proposed prospectus: *Pro-*
7 *vided further*, That funds available in the Federal
8 Buildings Fund may be expended for emergency re-
9 pairs when advance approval is obtained from the
10 Committees on Appropriations of the House of Rep-
11 resentatives and the Senate: *Provided further*, That
12 amounts necessary to provide reimbursable special
13 services to other agencies under 40 U.S.C. 592(b)(2)
14 and amounts to provide such reimbursable fencing,
15 lighting, guard booths, and other facilities on private
16 or other property not in Government ownership or
17 control as may be appropriate to enable the United
18 States Secret Service to perform its protective func-
19 tions pursuant to 18 U.S.C. 3056, shall be available
20 from such revenues and collections: *Provided further*,
21 That revenues and collections and any other sums
22 accruing to this Fund during fiscal year 2022, ex-
23 cluding reimbursements under 40 U.S.C. 592(b)(2),
24 in excess of the aggregate new obligational authority
25 authorized for Real Property Activities of the Fed-

1 eral Buildings Fund in this Act shall remain in the
2 Fund and shall not be available for expenditure ex-
3 cept as authorized in appropriations Acts.

4 GENERAL ACTIVITIES

5 GOVERNMENT-WIDE POLICY

6 For expenses authorized by law, not otherwise pro-
7 vided for, for Government-wide policy and evaluation ac-
8 tivities associated with the management of real and per-
9 sonal property assets and certain administrative services;
10 Government-wide policy support responsibilities relating to
11 acquisition, travel, motor vehicles, information technology
12 management, and related technology activities; and serv-
13 ices as authorized by 5 U.S.C. 3109; \$71,186,000, of
14 which \$4,000,000 shall remain available until September
15 30, 2024.

16 OPERATING EXPENSES

17 For expenses authorized by law, not otherwise pro-
18 vided for, for Government-wide activities associated with
19 utilization and donation of surplus personal property; dis-
20 posal of real property; agency-wide policy direction, and
21 management; and services as authorized by 5 U.S.C.
22 3109; \$54,478,000, of which not to exceed \$7,500 is for
23 official reception and representation expenses.

1 CIVILIAN BOARD OF CONTRACT APPEALS

2 For expenses authorized by law, not otherwise pro-
3 vided for, for the activities associated with the Civilian
4 Board of Contract Appeals, \$10,352,000, of which
5 \$2,000,000 shall remain available until September 30,
6 2024.

7 OFFICE OF INSPECTOR GENERAL

8 For necessary expenses of the Office of Inspector
9 General and service authorized by 5 U.S.C. 3109,
10 \$74,583,000: *Provided*, That not to exceed \$3,000,000
11 shall be available for information technology enhance-
12 ments related to implementing cloud services, improving
13 security measures, and providing modern technology case
14 management solutions: *Provided further*, That not to ex-
15 ceed \$50,000 shall be available for payment for informa-
16 tion and detection of fraud against the Government, in-
17 cluding payment for recovery of stolen Government prop-
18 erty: *Provided further*, That not to exceed \$2,500 shall be
19 available for awards to employees of other Federal agen-
20 cies and private citizens in recognition of efforts and ini-
21 tiatives resulting in enhanced Office of Inspector General
22 effectiveness.

1 ALLOWANCES AND OFFICE STAFF FOR FORMER
2 PRESIDENTS

3 For carrying out the provisions of the Act of August
4 25, 1958 (3 U.S.C. 102 note), and Public Law 95–138,
5 \$5,200,000.

6 FEDERAL CITIZEN SERVICES FUND
7 (INCLUDING TRANSFER OF FUNDS)

8 For necessary expenses of the Office of Products and
9 Programs, including services authorized by 40 U.S.C. 323
10 and 44 U.S.C. 3604; and for necessary expenses in sup-
11 port of interagency projects that enable the Federal Gov-
12 ernment to enhance its ability to conduct activities elec-
13 tronically through the development and implementation of
14 innovative uses of information technology; \$115,784,000,
15 to be deposited into the Federal Citizen Services Fund:
16 *Provided*, That the previous amount may be transferred
17 to Federal agencies to carry out the purpose of the Fed-
18 eral Citizen Services Fund: *Provided further*, That the ap-
19 propriations, revenues, reimbursements, and collections
20 deposited into the Fund shall be available until expended
21 for necessary expenses of Federal Citizen Services and
22 other activities that enable the Federal Government to en-
23 hance its ability to conduct activities electronically in the
24 aggregate amount not to exceed \$160,000,000: *Provided*
25 *further*, That appropriations, revenues, reimbursements,

1 and collections accruing to this Fund during fiscal year
2 2023 in excess of such amount shall remain in the Fund
3 and shall not be available for expenditure except as au-
4 thorized in appropriations Acts: *Provided further*, That, of
5 the total amount appropriated, up to \$5,000,000 shall be
6 available for support functions and full-time hires to sup-
7 port activities related to the Administration's require-
8 ments under title II of the Foundations for Evidence-
9 Based Policymaking Act of 2018 (Public Law 115–435):
10 *Provided further*, That the transfer authorities provided
11 herein shall be in addition to any other transfer authority
12 provided in this Act.

13 TECHNOLOGY MODERNIZATION FUND

14 For the Technology Modernization Fund,
15 \$100,000,000, to remain available until expended, for
16 technology-related modernization activities.

17 ASSET PROCEEDS AND SPACE MANAGEMENT FUND

18 For carrying out section 16(b) of the Federal Assets
19 Sale and Transfer Act of 2016 (40 U.S.C. 1303 note),
20 \$7,000,000, to remain available until expended.

21 WORKING CAPITAL FUND

22 (INCLUDING TRANSFER OF FUNDS)

23 For the Working Capital Fund of the General Serv-
24 ices Administration, \$10,900,000, to remain available
25 until expended, for necessary costs incurred by the Admin-

1 istrator to modernize rulemaking systems and to provide
2 support services for Federal rulemaking agencies: *Pro-*
3 *vided*, That amounts made available under this heading
4 shall be in addition to any other amounts available for
5 such purposes.

6 ELECTRIC VEHICLES FUND

7 (INCLUDING TRANSFER OF FUNDS)

8 For the procurement of zero emission and electric
9 passenger motor vehicles and the associated charging in-
10 frastructure, notwithstanding section 303(c) of the En-
11 ergy Policy Act of 1992 (42 U.S.C. 13212(c)),
12 \$100,000,000, to remain available until expended: *Pro-*
13 *vided*, That amounts made available under this heading
14 shall be in addition to any other amounts available for
15 such purposes: *Provided further*, That amounts available
16 under this heading may be transferred to and merged with
17 appropriations at other Federal agencies, at the discretion
18 of the Administrator, for carrying out the purposes under
19 this heading, including for the procurement of charging
20 infrastructure for the United States Postal Service.

1 ADMINISTRATIVE PROVISIONS—GENERAL SERVICES

2 ADMINISTRATION

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 520. Funds available to the General Services
5 Administration shall be available for the hire of passenger
6 motor vehicles.

7 SEC. 521. Funds in the Federal Buildings Fund
8 made available for fiscal year 2023 for Federal Buildings
9 Fund activities may be transferred between such activities
10 only to the extent necessary to meet program require-
11 ments: *Provided*, That any proposed transfers shall be ap-
12 proved in advance by the Committees on Appropriations
13 of the House of Representatives and the Senate.

14 SEC. 522. Except as otherwise provided in this title,
15 funds made available by this Act shall be used to transmit
16 a fiscal year 2024 request for United States Courthouse
17 construction only if the request: (1) meets the design guide
18 standards for construction as established and approved by
19 the General Services Administration, the Judicial Con-
20 ference of the United States, and the Office of Manage-
21 ment and Budget; (2) reflects the priorities of the Judicial
22 Conference of the United States as set out in its approved
23 Courthouse Project Priorities plan; and (3) includes a
24 standardized courtroom utilization study of each facility
25 to be constructed, replaced, or expanded.

1 SEC. 523. None of the funds provided in this Act may
2 be used to increase the amount of occupiable square feet,
3 provide cleaning services, security enhancements, or any
4 other service usually provided through the Federal Build-
5 ings Fund, to any agency that does not pay the rate per
6 square foot assessment for space and services as deter-
7 mined by the General Services Administration in consider-
8 ation of the Public Buildings Amendments Act of 1972
9 (Public Law 92–313).

10 SEC. 524. From funds made available under the
11 heading “Federal Buildings Fund, Limitations on Avail-
12 ability of Revenue”, claims against the Government of less
13 than \$250,000 arising from direct construction projects
14 and acquisition of buildings may be liquidated from sav-
15 ings effected in other construction projects with prior noti-
16 fication to the Committees on Appropriations of the House
17 of Representatives and the Senate.

18 SEC. 525. In any case in which the Committee on
19 Transportation and Infrastructure of the House of Rep-
20 resentatives and the Committee on Environment and Pub-
21 lic Works of the Senate adopt a resolution granting lease
22 authority pursuant to a prospectus transmitted to Con-
23 gress by the Administrator of the General Services Admin-
24 istration under 40 U.S.C. 3307, the Administrator shall
25 ensure that the delineated area of procurement is identical

1 to the delineated area included in the prospectus for all
2 lease agreements, except that, if the Administrator deter-
3 mines that the delineated area of the procurement should
4 not be identical to the delineated area included in the pro-
5 spectus, the Administrator shall provide an explanatory
6 statement to each of such committees and the Committees
7 on Appropriations of the House of Representatives and the
8 Senate prior to exercising any lease authority provided in
9 the resolution.

10 SEC. 526. With respect to E-Government projects
11 funded under the heading “Federal Citizen Services
12 Fund”, the Administrator of General Services shall submit
13 a spending plan and explanation for each project to be
14 undertaken to the Committees on Appropriations of the
15 House of Representatives and the Senate not later than
16 60 days after the date of enactment of this Act.

17 SEC. 527. None of the funds made available in this
18 or any other Act for the Federal Bureau of Investigation
19 Headquarters Consolidation project may be used to plan
20 or design any facility that does not meet the requirements
21 of a new, fully-consolidated headquarters building in the
22 National Capital Region at one of the three sites listed
23 in the General Services Administration Fiscal Year 2017
24 PNCR-FBI-NCR 17 prospectus for a new fully-consoli-
25 dated Federal Bureau of Investigation Headquarters, and

1 that does not meet Interagency Security Committee Level
2 V security standards as described in the General Services
3 Administration Fiscal Year 2017 PNCR–FBI–NCR 17
4 prospectus.

5 SEC. 528. None of the funds made available in this
6 Act may be used by the General Services Administration
7 to award or facilitate the award of any contract for the
8 provision of architectural, engineering, and related serv-
9 ices in a manner inconsistent with the procedures in chap-
10 ter 11 of title 40, United States Code, and subpart 36.6
11 of title 48, Code of Federal Regulations.

12 SEC. 529. None of the funds made available in this
13 Act may be used to implement or otherwise carry out di-
14 rectives contained in any Executive order that would es-
15 tablish a preferred architectural style for Federal build-
16 ings and courthouses or that would otherwise conflict with
17 the Guiding Principles of Federal Architecture, as estab-
18 lished by the Ad Hoc Committee on Federal Space on
19 June 1, 1962.

20 HARRY S TRUMAN SCHOLARSHIP FOUNDATION

21 SALARIES AND EXPENSES

22 For payment to the Harry S Truman Scholarship
23 Foundation Trust Fund, established by section 10 of Pub-
24 lic Law 93–642, \$2,500,000 (increased by \$500,000), to
25 remain available until expended.

1 MERIT SYSTEMS PROTECTION BOARD
2 SALARIES AND EXPENSES
3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses to carry out functions of the
5 Merit Systems Protection Board pursuant to Reorganiza-
6 tion Plan Numbered 2 of 1978, the Civil Service Reform
7 Act of 1978, and the Whistleblower Protection Act of
8 1989 (5 U.S.C. 5509 note), including services as author-
9 ized by 5 U.S.C. 3109, rental of conference rooms in the
10 District of Columbia and elsewhere, hire of passenger
11 motor vehicles, direct procurement of survey printing, and
12 not to exceed \$2,000 for official reception and representa-
13 tion expenses, \$51,139,000, to remain available until Sep-
14 tember 30, 2024, and in addition \$2,345,000, to remain
15 available until September 30, 2024, for administrative ex-
16 penses to adjudicate retirement appeals to be transferred
17 from the Civil Service Retirement and Disability Fund in
18 amounts determined by the Merit Systems Protection
19 Board.

20 MORRIS K. UDALL AND STEWART L. UDALL
21 FOUNDATION

22 MORRIS K. UDALL AND STEWART L. UDALL TRUST FUND
23 (INCLUDING TRANSFER OF FUNDS)

24 For payment to the Morris K. Udall and Stewart L.
25 Udall Trust Fund, pursuant to the Morris K. Udall and

1 Stewart L. Udall Foundation Act (20 U.S.C. 5601 et
2 seq.), \$1,800,000, to remain available for direct expendi-
3 ture, and to remain available until expended, of which,
4 notwithstanding sections 8 and 9 of such Act, up to
5 \$1,000,000 shall be available to carry out the activities
6 authorized by section 6(7) of Public Law 102-259 and
7 section 817(a) of Public Law 106-568 (20 U.S.C.
8 5604(7)): *Provided*, That all current and previous
9 amounts transferred to the Office of Inspector General of
10 the Department of the Interior will remain available until
11 expended for audits and investigations of the Morris K.
12 Udall and Stewart L. Udall Foundation, consistent with
13 the Inspector General Act of 1978 (5 U.S.C. App.), as
14 amended, and for annual independent financial audits of
15 the Morris K. Udall and Stewart L. Udall Foundation
16 pursuant to the Accountability of Tax Dollars Act of 2002
17 (Public Law 107-289): *Provided further*, That previous
18 amounts transferred to the Office of Inspector General of
19 the Department of the Interior may be transferred to the
20 Morris K. Udall and Stewart L. Udall Foundation for an-
21 nual independent financial audits pursuant to the Ac-
22 countability of Tax Dollars Act of 2002 (Public Law 107-
23 289).

1 ENVIRONMENTAL DISPUTE RESOLUTION FUND

2 For payment to the Environmental Dispute Resolu-
3 tion Fund to carry out activities under sections 10 and
4 11 of the Morris K. Udall and Stewart L. Udall Founda-
5 tion Act (Public Law 111–90), \$3,943,000, to remain
6 available until expended: *Provided*, That during fiscal year
7 2023 and each fiscal year thereafter, any amounts in such
8 Fund shall, pursuant to section 1557 of title 31, United
9 States Code, be exempt from the provisions of subchapter
10 IV of chapter 15 of such title.

11 NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

12 OPERATING EXPENSES

13 For necessary expenses in connection with the admin-
14 istration of the National Archives and Records Adminis-
15 tration and archived Federal records and related activities,
16 as provided by law, and for expenses necessary for the re-
17 view and declassification of documents, the activities of
18 the Public Interest Declassification Board, the operations
19 and maintenance of the electronic records archives, the
20 hire of passenger motor vehicles, and for uniforms or al-
21 lowances therefor, as authorized by law (5 U.S.C. 5901),
22 including maintenance, repairs, and cleaning,
23 \$427,520,000, of which \$30,000,000 shall remain avail-
24 able until expended for expenses necessary to enhance the
25 Federal Government’s ability to electronically preserve,

1 manage, and store Government records, of which up to
2 \$2,000,000 shall remain available until expended to imple-
3 ment the Civil Rights Cold Case Records Collection Act
4 of 2018 (Public Law 115–426), and of which \$1,000,000
5 shall be for necessary expenses of the Public Interest De-
6 classification Board in carrying out the provisions of the
7 Public Interest Declassification Act of 2000 (title VII of
8 Public Law 106–567; 50 U.S.C. 3301 note).

9 OFFICE OF INSPECTOR GENERAL

10 For necessary expenses of the Office of Inspector
11 General in carrying out the provisions of the Inspector
12 General Reform Act of 2008, Public Law 110–409, 122
13 Stat. 4302–16 (2008), and the Inspector General Act of
14 1978 (5 U.S.C. App.), and for the hire of passenger motor
15 vehicles, \$5,980,000.

16 REPAIRS AND RESTORATION

17 For the repair, alteration, and improvement of ar-
18 chives facilities and to provide adequate storage for hold-
19 ings, \$7,500,000, to remain available until expended.

20 NATIONAL HISTORICAL PUBLICATIONS AND RECORDS

21 COMMISSION

22 GRANTS PROGRAM

23 For necessary expenses for allocations and grants for
24 historical publications and records as authorized by 44

1 U.S.C. 2504, \$9,500,000, to remain available until ex-
2 pended.

3 ADMINISTRATIVE PROVISION—NATIONAL ARCHIVES AND
4 RECORDS ADMINISTRATION

5 SEC. 530. For an additional amount for “National
6 Historical Publications and Records Commission Grants
7 Program”, \$1,332,000, which shall be for initiatives in the
8 amounts and for the projects specified in the table that
9 appears under the heading “Administrative Provisions—
10 National Archives and Records Administration” in the re-
11 port accompanying this Act: *Provided*, That none of the
12 funds made available by this section may be transferred
13 for any other purpose.

14 NATIONAL CREDIT UNION ADMINISTRATION

15 COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

16 For the Community Development Revolving Loan
17 Fund program as authorized by 42 U.S.C. 9812, 9822
18 and 9910, \$4,000,000 shall be available until September
19 30, 2024, for technical assistance to low-income des-
20 ignated credit unions.

21 OFFICE OF GOVERNMENT ETHICS

22 SALARIES AND EXPENSES

23 For necessary expenses to carry out functions of the
24 Office of Government Ethics pursuant to the Ethics in
25 Government Act of 1978, the Ethics Reform Act of 1989,

1 and the Representative Louise McIntosh Slaughter Stop
2 Trading on Congressional Knowledge Act of 2012, includ-
3 ing services as authorized by 5 U.S.C. 3109, rental of con-
4 ference rooms in the District of Columbia and elsewhere,
5 hire of passenger motor vehicles, and not to exceed \$1,500
6 for official reception and representation expenses,
7 \$25,400,000.

8 OFFICE OF PERSONNEL MANAGEMENT

9 SALARIES AND EXPENSES

10 (INCLUDING TRANSFERS OF TRUST FUNDS)

11 For necessary expenses to carry out functions of the
12 Office of Personnel Management (OPM) pursuant to Re-
13 organization Plan Numbered 2 of 1978 and the Civil Serv-
14 ice Reform Act of 1978, including services as authorized
15 by 5 U.S.C. 3109; medical examinations performed for
16 veterans by private physicians on a fee basis; rental of con-
17 ference rooms in the District of Columbia and elsewhere;
18 hire of passenger motor vehicles; not to exceed \$2,500 for
19 official reception and representation expenses; and pay-
20 ment of per diem and/or subsistence allowances to employ-
21 ees where Voting Rights Act activities require an employee
22 to remain overnight at his or her post of duty,
23 \$220,262,000: *Provided*, That of the total amount made
24 available under this heading, \$19,373,000 shall remain
25 available until expended, for information technology infra-

1 structure modernization and Trust Fund Federal Finan-
2 cial System migration or modernization, and shall be in
3 addition to funds otherwise made available for such pur-
4 poses: *Provided further*, That of the total amount made
5 available under this heading, \$1,381,748 may be made
6 available for strengthening the capacity and capabilities
7 of the acquisition workforce (as defined by the Office of
8 Federal Procurement Policy Act, as amended (41 U.S.C.
9 4001 et seq.)), including the recruitment, hiring, training,
10 and retention of such workforce and information tech-
11 nology in support of acquisition workforce effectiveness or
12 for management solutions to improve acquisition manage-
13 ment; and in addition \$190,316,000 for administrative ex-
14 penses, to be transferred from the appropriate trust funds
15 of OPM without regard to other statutes, including direct
16 procurement of printed materials, for the retirement and
17 insurance programs: *Provided further*, That the provisions
18 of this appropriation shall not affect the authority to use
19 applicable trust funds as provided by sections
20 8348(a)(1)(B), 8958(f)(2)(A), 8988(f)(2)(A), and
21 9004(f)(2)(A) of title 5, United States Code: *Provided fur-*
22 *ther*, That no part of this appropriation shall be available
23 for salaries and expenses of the Legal Examining Unit of
24 OPM established pursuant to Executive Order No. 9358
25 of July 1, 1943, or any successor unit of like purpose:

1 *Provided further*, That the President's Commission on
2 White House Fellows, established by Executive Order No.
3 11183 of October 3, 1964, may, during fiscal year 2023,
4 accept donations of money, property, and personal serv-
5 ices: *Provided further*, That such donations, including
6 those from prior years, may be used for the development
7 of publicity materials to provide information about the
8 White House Fellows, except that no such donations shall
9 be accepted for travel or reimbursement of travel expenses,
10 or for the salaries of employees of such Commission: *Pro-*
11 *vided further*, That not to exceed 5 percent of amounts
12 made available under this heading may be transferred to
13 an information technology working capital fund estab-
14 lished for purposes authorized by subtitle G of title X of
15 division A of the National Defense Authorization Act for
16 Fiscal Year 2018 (Public Law 115–91; 40 U. S. C. 11301
17 note) upon the advance approval of the Committees on Ap-
18 propriations of the House of Representatives and the Sen-
19 ate: *Provided further*, That amounts transferred to such
20 a fund under the preceding proviso from any organiza-
21 tional category of the Office of Personnel Management
22 shall not exceed 5 percent of its budget as identified in
23 the report required by section 608 of this Act: *Provided*
24 *further*, That amounts transferred to such a fund shall re-
25 main available for obligation through September 30, 2026.

1 OFFICE OF INSPECTOR GENERAL
2 SALARIES AND EXPENSES
3 (INCLUDING TRANSFER OF TRUST FUNDS)

4 For necessary expenses of the Office of Inspector
5 General in carrying out the provisions of the Inspector
6 General Act of 1978, including services as authorized by
7 5 U.S.C. 3109, hire of passenger motor vehicles,
8 \$5,556,000, and in addition, not to exceed \$32,163,000
9 for administrative expenses to audit, investigate, and pro-
10 vide other oversight of the Office of Personnel Manage-
11 ment's retirement and insurance programs, to be trans-
12 ferred from the appropriate trust funds of the Office of
13 Personnel Management, as determined by the Inspector
14 General: *Provided*, That the Inspector General is author-
15 ized to rent conference rooms in the District of Columbia
16 and elsewhere.

17 OFFICE OF SPECIAL COUNSEL
18 SALARIES AND EXPENSES

19 For necessary expenses to carry out functions of the
20 Office of Special Counsel, including services as authorized
21 by 5 U.S.C. 3109, payment of fees and expenses for wit-
22 nesses, rental of conference rooms in the District of Co-
23 lumbia and elsewhere, and hire of passenger motor vehi-
24 cles, \$31,990,000.

1 PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

2 SALARIES AND EXPENSES

3 For necessary expenses of the Privacy and Civil Lib-
4 erties Oversight Board, as authorized by section 1061 of
5 the Intelligence Reform and Terrorism Prevention Act of
6 2004 (42 U.S.C. 2000ee), \$10,700,000, to remain avail-
7 able until September 30, 2024.

8 PUBLIC BUILDINGS REFORM BOARD

9 SALARIES AND EXPENSES

10 For salaries and expenses of the Public Buildings Re-
11 form Board in carrying out the Federal Assets Sale and
12 Transfer Act of 2016 (Public Law 114–287), \$4,000,000
13 (reduced by \$4,000,000) (increased by \$4,000,000), to re-
14 main available until expended.

15 SECURITIES AND EXCHANGE COMMISSION

16 SALARIES AND EXPENSES

17 For necessary expenses for the Securities and Ex-
18 change Commission, including services as authorized by
19 5 U.S.C. 3109, the rental of space (to include multiple
20 year leases) in the District of Columbia and elsewhere, and
21 not to exceed \$3,500 for official reception and representa-
22 tion expenses, \$2,149,000,000, to remain available until
23 expended; of which not less than \$18,979,400 shall be for
24 the Office of Inspector General; of which not to exceed
25 \$275,000 shall be available for a permanent secretariat

1 for the International Organization of Securities Commis-
2 sions; and of which not to exceed \$100,000 shall be avail-
3 able for expenses for consultations and meetings hosted
4 by the Commission with foreign governmental and other
5 regulatory officials, members of their delegations and
6 staffs to exchange views concerning securities matters,
7 such expenses to include necessary logistic and adminis-
8 trative expenses and the expenses of Commission staff and
9 foreign invitees in attendance including: (1) incidental ex-
10 penses such as meals; (2) travel and transportation; and
11 (3) related lodging or subsistence.

12 In addition to the foregoing appropriation, for move,
13 replication, and related costs associated with a replace-
14 ment lease for the Commission's District of Columbia
15 headquarters facilities, not to exceed \$57,405,000, to re-
16 main available until expended.

17 For purposes of calculating the fee rate under section
18 31(j) of the Securities Exchange Act of 1934 (15 U.S.C.
19 78ee(j)) for fiscal year 2023, all amounts appropriated
20 under this heading shall be deemed to be the regular ap-
21 propriation to the Commission for fiscal year 2023: *Pro-*
22 *vided*, That fees and charges authorized by section 31 of
23 the Securities Exchange Act of 1934 (15 U.S.C. 78ee)
24 shall be credited to this account as offsetting collections:
25 *Provided further*, That not to exceed \$2,149,000,000 of

1 such offsetting collections shall be available until expended
2 for necessary expenses of this account; and not to exceed
3 \$57,405,000 of such offsetting collections shall be avail-
4 able until expended for move, replication, and related costs
5 under this heading associated with a replacement lease for
6 the Commission's District of Columbia headquarters facili-
7 ties: *Provided further*, That the total amount appropriated
8 under this heading from the general fund for fiscal year
9 2023 shall be reduced as such offsetting fees are received
10 so as to result in a final total fiscal year 2023 appropria-
11 tion from the general fund estimated at not more than
12 \$0: *Provided further*, That if any amount of the appropria-
13 tion for move, replication, and related costs associated
14 with a replacement lease for the Commission's District of
15 Columbia headquarters facilities is subsequently de-obli-
16 gated by the Commission, such amount that was derived
17 from the general fund shall be returned to the general
18 fund, and such amounts that were derived from fees or
19 assessments collected for such purpose shall be paid to
20 each national securities exchange and national securities
21 association, respectively, in proportion to any fees or as-
22 sessments paid by such national securities exchange or na-
23 tional securities association under section 31 of the Securi-
24 ties Exchange Act of 1934 (15 U.S.C. 78ee) in fiscal year
25 2023.

1 ADMINISTRATIVE PROVISION—SECURITIES AND
2 EXCHANGE COMMISSION

3 SEC. 540. None of the funds made available by this
4 Act may be used to implement the amendments to sections
5 240.14a–1(l), 240.14a–2, or 240.14a–9 of title 17, Code
6 of Federal Regulations, that were adopted by the Securi-
7 ties and Exchange Commission on July 22, 2020.

8 SELECTIVE SERVICE SYSTEM
9 SALARIES AND EXPENSES

10 For necessary expenses of the Selective Service Sys-
11 tem, including expenses of attendance at meetings and of
12 training for uniformed personnel assigned to the Selective
13 Service System, as authorized by 5 U.S.C. 4101–4118 for
14 civilian employees; hire of passenger motor vehicles; serv-
15 ices as authorized by 5 U.S.C. 3109; and not to exceed
16 \$750 for official reception and representation expenses;
17 \$29,300,000: *Provided*, That during the current fiscal
18 year, the President may exempt this appropriation from
19 the provisions of 31 U.S.C. 1341, whenever the President
20 deems such action to be necessary in the interest of na-
21 tional defense: *Provided further*, That none of the funds
22 appropriated by this Act may be expended for or in con-
23 nection with the induction of any person into the Armed
24 Forces of the United States.

1 SMALL BUSINESS ADMINISTRATION

2 SALARIES AND EXPENSES

3 For necessary expenses, not otherwise provided for,
4 of the Small Business Administration, including hire of
5 passenger motor vehicles as authorized by sections 1343
6 and 1344 of title 31, United States Code, and not to ex-
7 ceed \$3,500 for official reception and representation ex-
8 penses, \$313,872,000 (reduced by \$2,000,000) (reduced
9 by \$30,000,000) (increased by \$30,000,000), of which not
10 less than \$12,000,000 shall be available for examinations,
11 reviews, and other lender oversight activities: *Provided*,
12 That the Administrator is authorized to charge fees to
13 cover the cost of publications developed by the Small Busi-
14 ness Administration, and certain loan program activities,
15 including fees authorized by section 5(b) of the Small
16 Business Act: *Provided further*, That, notwithstanding 31
17 U.S.C. 3302, revenues received from all such activities
18 shall be credited to this account, to remain available until
19 expended, for carrying out these purposes without further
20 appropriations: *Provided further*, That the Small Business
21 Administration may accept gifts in an amount not to ex-
22 ceed \$4,000,000 and may co-sponsor activities, each in ac-
23 cordance with section 132(a) of division K of Public Law
24 108–447, during fiscal year 2023: *Provided further*, That
25 \$6,100,000 shall remain available until September 30,

1 2024, for the Loan Modernization and Accounting Sys-
2 tem: *Provided further*, That \$20,000,000 shall remain
3 available until September 30, 2024, for expenses relating
4 to the certification of small business concerns owned and
5 controlled by veterans and small business concerns owned
6 and controlled by service-disabled veterans under sections
7 36 and 36A of the Small Business Act (15 U.S.C. 657f;
8 657f–1).

9 ENTREPRENEURIAL DEVELOPMENT PROGRAMS

10 For necessary expenses of programs supporting en-
11 trepreneurial and small business development,
12 \$326,000,000 (reduced by \$5,000,000) (increased by
13 \$5,000,000) (increased by \$6,700,000) (increased by
14 \$2,000,000), to remain available until September 30,
15 2024: *Provided*, That \$145,000,000 shall be available to
16 fund grants for performance in fiscal year 2023 or fiscal
17 year 2024 as authorized by section 21 of the Small Busi-
18 ness Act: *Provided further*, That \$41,000,000 shall be for
19 marketing, management, and technical assistance under
20 section 7(m) of the Small Business Act (15 U.S.C.
21 636(m)(4)) by intermediaries that make microloans under
22 the microloan program: *Provided further*, That
23 \$22,000,000 shall be available for grants to States to
24 carry out export programs that assist small business con-

1 cerns authorized under section 22(l) of the Small Business
2 Act (15 U.S.C. 649(l)).

3 OFFICE OF INSPECTOR GENERAL

4 For necessary expenses of the Office of Inspector
5 General in carrying out the provisions of the Inspector
6 General Act of 1978, \$32,020,000 (increased by
7 \$1,000,000).

8 OFFICE OF ADVOCACY

9 For necessary expenses of the Office of Advocacy in
10 carrying out the provisions of title II of Public Law 94–
11 305 (15 U.S.C. 634a et seq.) and the Regulatory Flexi-
12 bility Act of 1980 (5 U.S.C. 601 et seq.), \$10,211,000,
13 to remain available until expended.

14 BUSINESS LOANS PROGRAM ACCOUNT

15 (INCLUDING TRANSFER OF FUNDS)

16 For the cost of direct loans, \$6,000,000, to remain
17 available until expended: *Provided*, That such costs, in-
18 cluding the cost of modifying such loans, shall be as de-
19 fined in section 502 of the Congressional Budget Act of
20 1974: *Provided further*, That subject to section 502 of the
21 Congressional Budget Act of 1974, during fiscal year
22 2023 commitments to guarantee loans under section 503
23 of the Small Business Investment Act of 1958 shall not
24 exceed \$11,000,000,000: *Provided further*, That during
25 fiscal year 2023 commitments for general business loans

1 authorized under paragraphs (1) through (35) of section
2 7(a) of the Small Business Act shall not exceed
3 \$35,000,000,000 for a combination of amortizing term
4 loans and the aggregated maximum line of credit provided
5 by revolving loans: *Provided further*, That during fiscal
6 year 2023 commitments for loans authorized under sub-
7 paragraph (C) of section 502(7) of the Small Business In-
8 vestment Act of 1958 (15 U.S.C. 696(7)) shall not exceed
9 \$7,500,000,000: *Provided further*, That during fiscal year
10 2023 commitments to guarantee loans for debentures
11 under section 303(b) of the Small Business Investment
12 Act of 1958 shall not exceed \$5,000,000,000: *Provided*
13 *further*, That during fiscal year 2023, guarantees of trust
14 certificates authorized by section 5(g) of the Small Busi-
15 ness Act shall not exceed a principal amount of
16 \$15,000,000,000. In addition, for administrative expenses
17 to carry out the direct and guaranteed loan programs,
18 \$165,300,000, which may be transferred to and merged
19 with the appropriations for Salaries and Expenses.

20 DISASTER LOANS PROGRAM ACCOUNT

21 (INCLUDING TRANSFERS OF FUNDS)

22 For administrative expenses to carry out the direct
23 loan program authorized by section 7(b) of the Small
24 Business Act, \$179,000,000 (reduced by \$1,000,000) (in-
25 creased by \$1,000,000), to be available until expended, of

1 which \$1,600,000 is for the Office of Inspector General
2 of the Small Business Administration for audits and re-
3 views of disaster loans and the disaster loan programs and
4 shall be transferred to and merged with the appropriations
5 for the Office of Inspector General; of which \$169,000,000
6 is for direct administrative expenses of loan making and
7 servicing to carry out the direct loan program, which may
8 be transferred to and merged with the appropriations for
9 Salaries and Expenses; and of which \$8,400,000 is for in-
10 direct administrative expenses for the direct loan program,
11 which may be transferred to and merged with the appro-
12 priations for Salaries and Expenses: *Provided*, That, of the
13 funds provided under this heading, \$143,000,000 shall be
14 for major disasters declared pursuant to the Robert T.
15 Stafford Disaster Relief and Emergency Assistance Act
16 (42 U.S.C. 5122(2)): *Provided further*, That the amount
17 for major disasters under this heading is designated by
18 the Congress as being for disaster relief pursuant to sec-
19 tion 1(f) of H. Res. 1151 (117th Congress), as engrossed
20 in the House of Representatives on June 8, 2022.

21 ADMINISTRATIVE PROVISIONS—SMALL BUSINESS

22 ADMINISTRATION

23 (INCLUDING TRANSFERS OF FUNDS)

24 SEC. 550. Not to exceed 5 percent of any appropria-
25 tion made available for the current fiscal year for the

1 Small Business Administration in this Act may be trans-
2 ferred between such appropriations, but no such appro-
3 priation shall be increased by more than 10 percent by
4 any such transfers: *Provided*, That any transfer pursuant
5 to this paragraph shall be treated as a reprogramming of
6 funds under section 608 of this Act and shall not be avail-
7 able for obligation or expenditure except in compliance
8 with the procedures set forth in that section.

9 SEC. 551. Not to exceed 3 percent of any appropria-
10 tion made available in this Act for the Small Business Ad-
11 ministration under the headings “Salaries and Expenses”
12 and “Business Loans Program Account” may be trans-
13 ferred to the Administration’s information technology sys-
14 tem modernization and working capital fund (IT WCF),
15 as authorized by section 1077(b)(1) of title X of division
16 A of the National Defense Authorization Act for Fiscal
17 Year 2018, for the purposes specified in section
18 1077(b)(3) of such Act, upon the advance approval of the
19 Committees on Appropriations of the House of Represent-
20 atives and the Senate: *Provided*, That amounts transferred
21 to the IT WCF under this section shall remain available
22 for obligation through September 30, 2026.

23 SEC. 552. For an additional amount under the head-
24 ing “Small Business Administration—Salaries and Ex-
25 penses”, \$75,159,000, which shall be for initiatives related

1 to small business development and entrepreneurship, in-
2 cluding programmatic and construction activities, in the
3 amounts and for the projects specified in the table that
4 appears under the heading “Administrative Provisions—
5 Small Business Administration” in the report accom-
6 panying this Act: *Provided*, That, notwithstanding sections
7 2701.92 and 2701.93 of title 2, Code of Federal Regula-
8 tions, the Administrator of the Small Business Adminis-
9 tration may permit awards to subrecipients for initiatives
10 funded under this section: *Provided further*, That none of
11 the funds made available by this section may be trans-
12 ferred for any other purpose.

13 UNITED STATES POSTAL SERVICE

14 PAYMENT TO THE POSTAL SERVICE FUND

15 For payment to the Postal Service Fund for revenue
16 forgone on free and reduced rate mail, pursuant to sub-
17 sections (c) and (d) of section 2401 of title 39, United
18 States Code, \$56,253,000: *Provided*, That mail for over-
19 seas voting and mail for the blind shall continue to be free:
20 *Provided further*, That none of the funds made available
21 to the Postal Service by this Act shall be used to imple-
22 ment any rule, regulation, or policy of charging any officer
23 or employee of any State or local child support enforce-
24 ment agency, or any individual participating in a State
25 or local program of child support enforcement, a fee for

1 information requested or provided concerning an address
2 of a postal customer: *Provided further*, That none of the
3 funds provided in this Act shall be used to consolidate or
4 close small rural and other small post offices: *Provided*
5 *further*, That the Postal Service may not destroy, and shall
6 continue to offer for sale, any copies of the Multinational
7 Species Conservation Funds Semipostal Stamp, as author-
8 ized under the Multinational Species Conservation Funds
9 Semipostal Stamp Act of 2010 (Public Law 111–241).

10 OFFICE OF INSPECTOR GENERAL

11 SALARIES AND EXPENSES

12 (INCLUDING TRANSFER OF FUNDS)

13 For necessary expenses of the Office of Inspector
14 General in carrying out the provisions of the Inspector
15 General Act of 1978, \$271,000,000, to be derived by
16 transfer from the Postal Service Fund and expended as
17 authorized by section 603(b)(3) of the Postal Account-
18 ability and Enhancement Act (Public Law 109–435).

19 UNITED STATES TAX COURT

20 SALARIES AND EXPENSES

21 For necessary expenses, including contract reporting
22 and other services as authorized by 5 U.S.C. 3109, and
23 not to exceed \$3,000 for official reception and representa-
24 tion expenses; \$57,300,000, of which \$1,000,000 shall re-
25 main available until expended: *Provided*, That travel ex-

1 penses of the judges shall be paid upon the written certifi-
2 cate of the judge.

3 TITLE VI

4 GENERAL PROVISIONS—THIS ACT

5 SEC. 601. None of the funds in this Act shall be used
6 for the planning or execution of any program to pay the
7 expenses of, or otherwise compensate, non-Federal parties
8 intervening in regulatory or adjudicatory proceedings
9 funded in this Act.

10 SEC. 602. None of the funds appropriated in this Act
11 shall remain available for obligation beyond the current
12 fiscal year, nor may any be transferred to other appropria-
13 tions, unless expressly so provided herein.

14 SEC. 603. The expenditure of any appropriation
15 under this Act for any consulting service through procure-
16 ment contract pursuant to 5 U.S.C. 3109, shall be limited
17 to those contracts where such expenditures are a matter
18 of public record and available for public inspection, except
19 where otherwise provided under existing law, or under ex-
20 isting Executive order issued pursuant to existing law.

21 SEC. 604. None of the funds made available in this
22 Act may be transferred to any department, agency, or in-
23 strumentality of the United States Government, except
24 pursuant to a transfer made by, or transfer authority pro-
25 vided in, this Act or any other appropriations Act.

1 SEC. 605. None of the funds made available by this
2 Act shall be available for any activity or for paying the
3 salary of any Government employee where funding an ac-
4 tivity or paying a salary to a Government employee would
5 result in a decision, determination, rule, regulation, or pol-
6 icy that would prohibit the enforcement of section 307 of
7 the Tariff Act of 1930 (19 U.S.C. 1307).

8 SEC. 606. No funds appropriated pursuant to this
9 Act may be expended by an entity unless the entity agrees
10 that in expending the assistance the entity will comply
11 with chapter 83 of title 41, United States Code.

12 SEC. 607. No funds appropriated or otherwise made
13 available under this Act shall be made available to any
14 person or entity that has been convicted of violating chap-
15 ter 83 of title 41, United States Code.

16 SEC. 608. Except as otherwise provided in this Act,
17 none of the funds provided in this Act, provided by pre-
18 vious appropriations Acts to the agencies or entities fund-
19 ed in this Act that remain available for obligation or ex-
20 penditure in fiscal year 2023, or provided from any ac-
21 counts in the Treasury derived by the collection of fees
22 and available to the agencies funded by this Act, shall be
23 available for obligation or expenditure through a re-
24 programming of funds that: (1) creates a new program;
25 (2) eliminates a program, project, or activity; (3) increases

1 funds or personnel for any program, project, or activity
2 for which funds have been denied or restricted by the Con-
3 gress; (4) proposes to use funds directed for a specific ac-
4 tivity by the Committee on Appropriations of either the
5 House of Representatives or the Senate for a different
6 purpose; (5) augments existing programs, projects, or ac-
7 tivities in excess of \$5,000,000 or 10 percent, whichever
8 is less; (6) reduces existing programs, projects, or activi-
9 ties by \$5,000,000 or 10 percent, whichever is less; or (7)
10 creates or reorganizes offices, programs, or activities un-
11 less prior approval is received from the Committees on Ap-
12 propriations of the House of Representatives and the Sen-
13 ate: *Provided*, That prior to any significant reorganization,
14 restructuring, relocation, or closing of offices, programs,
15 or activities, each agency or entity funded in this Act shall
16 consult with the Committees on Appropriations of the
17 House of Representatives and the Senate: *Provided fur-*
18 *ther*, That not later than 60 days after the date of enact-
19 ment of this Act, each agency funded by this Act shall
20 submit a report to the Committees on Appropriations of
21 the House of Representatives and the Senate to establish
22 the baseline for application of reprogramming and trans-
23 fer authorities for the current fiscal year: *Provided further*,
24 That at a minimum the report shall include: (1) a table
25 for each appropriation, detailing both full-time employee

1 equivalents and budget authority, with separate columns
2 to display the prior year enacted level, the President's
3 budget request, adjustments made by Congress, adjust-
4 ments due to enacted rescissions, if appropriate, and the
5 fiscal year enacted level; (2) a delineation in the table for
6 each appropriation and its respective prior year enacted
7 level by object class and program, project, and activity as
8 detailed in this Act, in the accompanying report, or in the
9 budget appendix for the respective appropriation, which-
10 ever is more detailed, and which shall apply to all items
11 for which a dollar amount is specified and to all programs
12 for which new budget authority is provided, as well as to
13 discretionary grants and discretionary grant allocations;
14 and (3) an identification of items of special congressional
15 interest: *Provided further*, That the amount appropriated
16 or limited for salaries and expenses for an agency shall
17 be reduced by \$100,000 per day for each day after the
18 required date that the report has not been submitted to
19 the Congress.

20 SEC. 609. Except as otherwise specifically provided
21 by law, not to exceed 50 percent of unobligated balances
22 remaining available at the end of fiscal year 2023 from
23 appropriations made available for salaries and expenses
24 for fiscal year 2023 in this Act, shall remain available
25 through September 30, 2024, for each such account for

1 the purposes authorized: *Provided*, That a request shall
2 be submitted to the Committees on Appropriations of the
3 House of Representatives and the Senate for approval
4 prior to the expenditure of such funds: *Provided further*,
5 That these requests shall be made in compliance with re-
6 programming guidelines.

7 SEC. 610. (a) None of the funds made available in
8 this Act may be used by the Executive Office of the Presi-
9 dent to request—

10 (1) any official background investigation report
11 on any individual from the Federal Bureau of Inves-
12 tigation; or

13 (2) a determination with respect to the treat-
14 ment of an organization as described in section
15 501(c) of the Internal Revenue Code of 1986 and
16 exempt from taxation under section 501(a) of such
17 Code from the Department of the Treasury or the
18 Internal Revenue Service.

19 (b) Subsection (a) shall not apply—

20 (1) in the case of an official background inves-
21 tigation report, if such individual has given express
22 written consent for such request not more than 6
23 months prior to the date of such request and during
24 the same presidential administration; or

1 (2) if such request is required due to extraor-
2 dinary circumstances involving national security.

3 SEC. 611. The cost accounting standards promul-
4 gated under chapter 15 of title 41, United States Code
5 shall not apply with respect to a contract under the Fed-
6 eral Employees Health Benefits Program established
7 under chapter 89 of title 5, United States Code.

8 SEC. 612. For the purpose of resolving litigation and
9 implementing any settlement agreements regarding the
10 nonforeign area cost-of-living allowance program, the Of-
11 fice of Personnel Management may accept and utilize
12 (without regard to any restriction on unanticipated travel
13 expenses imposed in an Appropriations Act) funds made
14 available to the Office of Personnel Management pursuant
15 to court approval.

16 SEC. 613. In order to promote Government access to
17 commercial information technology, the restriction on pur-
18 chasing nondomestic articles, materials, and supplies set
19 forth in chapter 83 of title 41, United States Code (popu-
20 larly known as the Buy American Act), shall not apply
21 to the acquisition by the Federal Government of informa-
22 tion technology (as defined in section 11101 of title 40,
23 United States Code), that is a commercial item (as defined
24 in section 103 of title 41, United States Code).

1 SEC. 614. Notwithstanding section 1353 of title 31,
2 United States Code, no officer or employee of any regu-
3 latory agency or commission funded by this Act may ac-
4 cept on behalf of that agency, nor may such agency or
5 commission accept, payment or reimbursement from a
6 non-Federal entity for travel, subsistence, or related ex-
7 penses for the purpose of enabling an officer or employee
8 to attend and participate in any meeting or similar func-
9 tion relating to the official duties of the officer or em-
10 ployee when the entity offering payment or reimbursement
11 is a person or entity subject to regulation by such agency
12 or commission, or represents a person or entity subject
13 to regulation by such agency or commission, unless the
14 person or entity is an organization described in section
15 501(c)(3) of the Internal Revenue Code of 1986 and ex-
16 empt from tax under section 501(a) of such Code.

17 SEC. 615. (a)(1) Notwithstanding any other provision
18 of law, an Executive agency covered by this Act otherwise
19 authorized to enter into contracts for either leases or the
20 construction or alteration of real property for office, meet-
21 ing, storage, or other space must consult with the General
22 Services Administration before issuing a solicitation for of-
23 fers of new leases or construction contracts, and in the
24 case of succeeding leases, before entering into negotiations
25 with the current lessor.

1 (2) Any such agency with authority to enter into an
2 emergency lease may do so during any period declared by
3 the President to require emergency leasing authority with
4 respect to such agency.

5 (b) For purposes of this section, the term “Executive
6 agency covered by this Act” means any Executive agency
7 provided funds by this Act, but does not include the Gen-
8 eral Services Administration or the United States Postal
9 Service.

10 SEC. 616. (a) There are appropriated for the fol-
11 lowing activities the amounts required under current law:

12 (1) Compensation of the President (3 U.S.C.
13 102).

14 (2) Payments to—

15 (A) the Judicial Officers’ Retirement Fund
16 (28 U.S.C. 377(o));

17 (B) the Judicial Survivors’ Annuities Fund
18 (28 U.S.C. 376(c)); and

19 (C) the United States Court of Federal
20 Claims Judges’ Retirement Fund (28 U.S.C.
21 178(l)).

22 (3) Payment of Government contributions—

23 (A) with respect to the health benefits of
24 retired employees, as authorized by chapter 89
25 of title 5, United States Code, and the Retired

1 Federal Employees Health Benefits Act (74
2 Stat. 849); and

3 (B) with respect to the life insurance bene-
4 fits for employees retiring after December 31,
5 1989 (5 U.S.C. ch. 87).

6 (4) Payment to finance the unfunded liability of
7 new and increased annuity benefits under the Civil
8 Service Retirement and Disability Fund (5 U.S.C.
9 8348).

10 (5) Payment of annuities authorized to be paid
11 from the Civil Service Retirement and Disability
12 Fund by statutory provisions other than subchapter
13 III of chapter 83 or chapter 84 of title 5, United
14 States Code.

15 (b) Nothing in this section may be construed to ex-
16 empt any amount appropriated by this section from any
17 otherwise applicable limitation on the use of funds con-
18 tained in this Act.

19 SEC. 617. (a) The head of each executive branch
20 agency funded by this Act shall ensure that the Chief In-
21 formation Officer of the agency has the authority to par-
22 ticipate in decisions regarding the budget planning process
23 related to information technology.

24 (b) Amounts appropriated for any executive branch
25 agency funded by this Act that are available for informa-

1 tion technology shall be allocated within the agency, con-
2 sistent with the provisions of appropriations Acts and
3 budget guidelines and recommendations from the Director
4 of the Office of Management and Budget, in such manner
5 as specified by, or approved by, the Chief Information Of-
6 ficer of the agency in consultation with the Chief Financial
7 Officer of the agency and budget officials.

8 SEC. 618. None of the funds made available in this
9 Act may be used in contravention of chapter 29, 31, or
10 33 of title 44, United States Code.

11 SEC. 619. None of the funds made available in this
12 Act may be used by a governmental entity to require the
13 disclosure by a provider of electronic communication serv-
14 ice to the public or remote computing service of the con-
15 tents of a wire or electronic communication that is in elec-
16 tronic storage with the provider (as such terms are defined
17 in sections 2510 and 2711 of title 18, United States Code)
18 in a manner that violates the Fourth Amendment to the
19 Constitution of the United States.

20 SEC. 620. No funds provided in this Act shall be used
21 to deny an Inspector General funded under this Act timely
22 access to any records, documents, or other materials avail-
23 able to the department or agency over which that Inspec-
24 tor General has responsibilities under the Inspector Gen-
25 eral Act of 1978, or to prevent or impede that Inspector

1 General's access to such records, documents, or other ma-
2 terials, under any provision of law, except a provision of
3 law that expressly refers to the Inspector General and ex-
4 pressly limits the Inspector General's right of access. A
5 department or agency covered by this section shall provide
6 its Inspector General with access to all such records, docu-
7 ments, and other materials in a timely manner. Each In-
8 spector General shall ensure compliance with statutory
9 limitations on disclosure relevant to the information pro-
10 vided by the establishment over which that Inspector Gen-
11 eral has responsibilities under the Inspector General Act
12 of 1978. Each Inspector General covered by this section
13 shall report to the Committees on Appropriations of the
14 House of Representatives and the Senate within 5 cal-
15 endar days any failures to comply with this requirement.

16 SEC. 621. None of the funds appropriated by this Act
17 may be used by the Federal Communications Commission
18 to modify, amend, or change the rules or regulations of
19 the Commission for universal service high-cost support for
20 competitive eligible telecommunications carriers in a way
21 that is inconsistent with paragraph (e)(5) or (e)(6) of sec-
22 tion 54.307 of title 47, Code of Federal Regulations, as
23 in effect on July 15, 2015: *Provided*, That this section
24 shall not prohibit the Commission from considering, devel-
25 oping, or adopting other support mechanisms as an alter-

1 native to Mobility Fund Phase II: *Provided further*, That
2 any such alternative mechanism shall maintain existing
3 high-cost support to competitive eligible telecommuni-
4 cations carriers until support under such mechanism com-
5 mences.

6 SEC. 622. (a) None of the funds made available in
7 this Act may be used to maintain or establish a computer
8 network unless such network blocks the viewing,
9 downloading, and exchanging of pornography.

10 (b) Nothing in subsection (a) shall limit the use of
11 funds necessary for any Federal, State, tribal, or local law
12 enforcement agency or any other entity carrying out crimi-
13 nal investigations, prosecution, adjudication activities, or
14 other law enforcement- or victim assistance-related activ-
15 ity.

16 SEC. 623. None of the funds appropriated or other-
17 wise made available by this Act may be used to pay award
18 or incentive fees for contractors whose performance has
19 been judged to be below satisfactory, behind schedule, over
20 budget, or has failed to meet the basic requirements of
21 a contract, unless the Agency determines that any such
22 deviations are due to unforeseeable events, government-
23 driven scope changes, or are not significant within the
24 overall scope of the project and/or program and unless

1 such awards or incentive fees are consistent with
2 16.401(e)(2) of the Federal Acquisition Regulation.

3 SEC. 624. (a) None of the funds made available under
4 this Act may be used to pay for travel and conference ac-
5 tivities that result in a total cost to an Executive branch
6 department, agency, board or commission funded by this
7 Act of more than \$500,000 at any single conference unless
8 the agency or entity determines that such attendance is
9 in the national interest and advance notice is transmitted
10 to the Committees on Appropriations of the House of Rep-
11 resentatives and the Senate that includes the basis of that
12 determination.

13 (b) None of the funds made available under this Act
14 may be used to pay for the travel to or attendance of more
15 than 50 employees, who are stationed in the United
16 States, at any single conference occurring outside the
17 United States unless the agency or entity determines that
18 such attendance is in the national interest and advance
19 notice is transmitted to the Committees on Appropriations
20 of the House of Representatives and the Senate that in-
21 cludes the basis of that determination.

22 SEC. 625. None of the funds made available by this
23 Act may be used for first-class or business-class travel by
24 the employees of executive branch agencies funded by this

1 Act in contravention of sections 301–10.122 through 301–
2 10.125 of title 41, Code of Federal Regulations.

3 SEC. 626. In addition to any amounts appropriated
4 or otherwise made available for expenses related to en-
5 hancements to www.oversight.gov, \$850,000, to remain
6 available until expended, shall be provided for an addi-
7 tional amount for such purpose to the Inspectors General
8 Council Fund established pursuant to section 11(c)(3)(B)
9 of the Inspector General Act of 1978 (5 U.S.C. App.):
10 *Provided*, That these amounts shall be in addition to any
11 amounts or any authority available to the Council of the
12 Inspectors General on Integrity and Efficiency under sec-
13 tion 11 of the Inspector General Act of 1978 (5 U.S.C.
14 App.).

15 SEC. 627. None of the funds made available by this
16 Act may be obligated on contracts in excess of \$5,000 for
17 public relations, as that term is defined in Office and Man-
18 agement and Budget Circular A–87 (revised May 10,
19 2004), unless advance notice of such an obligation is
20 transmitted to the Committees on Appropriations of the
21 House of Representatives and the Senate.

22 SEC. 628. Federal agencies funded under this Act
23 shall clearly state within the text, audio, or video used for
24 advertising or educational purposes, including emails or
25 Internet postings, that the communication is printed, pub-

1 lished, or produced and disseminated at U.S. taxpayer ex-
2 pense. The funds used by a Federal agency to carry out
3 this requirement shall be derived from amounts made
4 available to the agency for advertising or other commu-
5 nications regarding the programs and activities of the
6 agency.

7 SEC. 629. When issuing statements, press releases,
8 requests for proposals, bid solicitations and other docu-
9 ments describing projects or programs funded in whole or
10 in part with Federal money, all grantees receiving Federal
11 funds included in this Act, shall clearly state—

12 (1) the percentage of the total costs of the pro-
13 gram or project which will be financed with Federal
14 money;

15 (2) the dollar amount of Federal funds for the
16 project or program; and

17 (3) percentage and dollar amount of the total
18 costs of the project or program that will be financed
19 by non-governmental sources.

20 SEC. 630. Not later than 45 days after the last day
21 of each quarter, each agency funded in this Act shall sub-
22 mit to the Committees on Appropriations of the House
23 of Representatives and the Senate a quarterly budget re-
24 port that includes total obligations of the Agency for that

1 quarter for each appropriation, by the source year of the
2 appropriation.

3 SEC. 631. None of the funds made available in this
4 Act may be used to penalize a financial institution solely
5 because the institution provides financial services to an en-
6 tity that is a manufacturer, a producer, or a person that
7 participates in any business or organized activity that in-
8 volves handling hemp, hemp-derived cannabidiol products,
9 other hemp-derived cannabinoid products, marijuana,
10 marijuana products, or marijuana proceeds, and engages
11 in such activity pursuant to a law established by a State,
12 political subdivision of a State, or Indian Tribe. In this
13 section, the term “State” means each of the several
14 States, the District of Columbia, and any territory or pos-
15 session of the United States.

16 TITLE VII

17 GENERAL PROVISIONS—GOVERNMENT-WIDE

18 DEPARTMENTS, AGENCIES, AND CORPORATIONS

19 (INCLUDING TRANSFER OF FUNDS)

20 SEC. 701. No department, agency, or instrumentality
21 of the United States receiving appropriated funds under
22 this or any other Act for fiscal year 2023 shall obligate
23 or expend any such funds, unless such department, agen-
24 cy, or instrumentality has in place, and will continue to
25 administer in good faith, a written policy designed to en-

1 sure that all of its workplaces are free from the illegal
2 use, possession, or distribution of controlled substances
3 (as defined in the Controlled Substances Act (21 U.S.C.
4 802)) by the officers and employees of such department,
5 agency, or instrumentality.

6 SEC. 702. Unless otherwise specifically provided, the
7 maximum amount allowable during the current fiscal year
8 in accordance with subsection 1343(c) of title 31, United
9 States Code, for the purchase of any passenger motor ve-
10 hicle (exclusive of buses, ambulances, law enforcement ve-
11 hicles, protective vehicles, and undercover surveillance ve-
12 hicles), is hereby fixed at \$19,947 except station wagons
13 for which the maximum shall be \$19,997: *Provided*, That
14 these limits may be exceeded by not to exceed \$7,250 for
15 police-type vehicles: *Provided further*, That the limits set
16 forth in this section may not be exceeded by more than
17 5 percent for electric or hybrid vehicles purchased for
18 demonstration under the provisions of the Electric and
19 Hybrid Vehicle Research, Development, and Demonstra-
20 tion Act of 1976: *Provided further*, That the limits set
21 forth in this section may be exceeded by the incremental
22 cost of clean alternative fuels vehicles acquired pursuant
23 to Public Law 101-549 over the cost of comparable con-
24 ventionally fueled vehicles: *Provided further*, That the lim-
25 its set forth in this section shall not apply to any vehicle

1 that is a commercial item and which operates on alter-
2 native fuel, including but not limited to electric, plug-in
3 hybrid electric, and hydrogen fuel cell vehicles.

4 SEC. 703. Appropriations of the executive depart-
5 ments and independent establishments for the current fis-
6 cal year available for expenses of travel, or for the ex-
7 penses of the activity concerned, are hereby made available
8 for quarters allowances and cost-of-living allowances, in
9 accordance with 5 U.S.C. 5922–5924.

10 SEC. 704. Unless otherwise specified in law during
11 the current fiscal year, no part of any appropriation con-
12 tained in this or any other Act shall be used to pay the
13 compensation of any officer or employee of the Govern-
14 ment of the United States (including any agency the ma-
15 jority of the stock of which is owned by the Government
16 of the United States) whose post of duty is in the conti-
17 nental United States unless such person: (1) is a citizen
18 of the United States; (2) is a person who is lawfully admit-
19 ted for permanent residence and is seeking citizenship as
20 outlined in 8 U.S.C. 1324b(a)(3)(B); (3) is a person who
21 is admitted as a refugee under 8 U.S.C. 1157 or is grant-
22 ed asylum under 8 U.S.C. 1158 and has filed a declaration
23 of intention to become a lawful permanent resident and
24 then a citizen when eligible; (4) is a person who owes alle-
25 giance to the United States; or (5) is a person who is au-

1 thORIZED to be employed in the United States pursuant to
2 the Deferred Action for Childhood Arrivals program estab-
3 lished under the memorandum of the Secretary of Home-
4 land Security dated June 15, 2012: *Provided*, That for
5 purposes of this section, affidavits signed by any such per-
6 son shall be considered prima facie evidence that the re-
7 quirements of this section with respect to his or her status
8 are being complied with: *Provided further*, That for pur-
9 poses of paragraphs (2) and (3) such affidavits shall be
10 submitted prior to employment and updated thereafter as
11 necessary: *Provided further*, That any person making a
12 false affidavit shall be guilty of a felony, and upon convic-
13 tion, shall be fined no more than \$4,000 or imprisoned
14 for not more than 1 year, or both: *Provided further*, That
15 the above penal clause shall be in addition to, and not in
16 substitution for, any other provisions of existing law: *Pro-*
17 *vided further*, That any payment made to any officer or
18 employee contrary to the provisions of this section shall
19 be recoverable in action by the Federal Government: *Pro-*
20 *vided further*, That this section shall not apply to any per-
21 son who is an officer or employee of the Government of
22 the United States on the date of enactment of this Act,
23 or to international broadcasters employed by the Broad-
24 casting Board of Governors, or to temporary employment
25 of translators, or to temporary employment in the field

1 service (not to exceed 60 days) as a result of emergencies:
2 *Provided further*, That this section does not apply to the
3 employment as Wildland firefighters for not more than
4 120 days of nonresident aliens employed by the Depart-
5 ment of the Interior or the USDA Forest Service pursuant
6 to an agreement with another country.

7 SEC. 705. Appropriations available to any depart-
8 ment or agency during the current fiscal year for nec-
9 essary expenses, including maintenance or operating ex-
10 penses, shall also be available for payment to the General
11 Services Administration for charges for space and services
12 and those expenses of renovation and alteration of build-
13 ings and facilities which constitute public improvements
14 performed in accordance with the Public Buildings Act of
15 1959 (73 Stat. 479), the Public Buildings Amendments
16 of 1972 (86 Stat. 216), or other applicable law.

17 SEC. 706. In addition to funds provided in this or
18 any other Act, all Federal agencies are authorized to re-
19 ceive and use funds resulting from the sale of materials,
20 including Federal records disposed of pursuant to a
21 records schedule recovered through recycling or waste pre-
22 vention programs. Such funds shall be available until ex-
23 pended for the following purposes:

24 (1) Acquisition, waste reduction and prevention,
25 and recycling programs as described in Executive

1 Order No. 13834 (May 17, 2018), including any
2 such programs adopted prior to the effective date of
3 the Executive order.

4 (2) Other Federal agency environmental man-
5 agement programs, including, but not limited to, the
6 development and implementation of hazardous waste
7 management and pollution prevention programs.

8 (3) Other employee programs as authorized by
9 law or as deemed appropriate by the head of the
10 Federal agency.

11 SEC. 707. Funds made available by this or any other
12 Act for administrative expenses in the current fiscal year
13 of the corporations and agencies subject to chapter 91 of
14 title 31, United States Code, shall be available, in addition
15 to objects for which such funds are otherwise available,
16 for rent in the District of Columbia; services in accordance
17 with 5 U.S.C. 3109; and the objects specified under this
18 head, all the provisions of which shall be applicable to the
19 expenditure of such funds unless otherwise specified in the
20 Act by which they are made available: *Provided*, That in
21 the event any functions budgeted as administrative ex-
22 penses are subsequently transferred to or paid from other
23 funds, the limitations on administrative expenses shall be
24 correspondingly reduced.

1 SEC. 708. No part of any appropriation contained in
2 this or any other Act shall be available for interagency
3 financing of boards (except Federal Executive Boards),
4 commissions, councils, committees, or similar groups
5 (whether or not they are interagency entities) which do
6 not have a prior and specific statutory approval to receive
7 financial support from more than one agency or instru-
8 mentality.

9 SEC. 709. None of the funds made available pursuant
10 to the provisions of this or any other Act shall be used
11 to implement, administer, or enforce any regulation which
12 has been disapproved pursuant to a joint resolution duly
13 adopted in accordance with the applicable law of the
14 United States.

15 SEC. 710. During the period in which the head of
16 any department or agency, or any other officer or civilian
17 employee of the Federal Government appointed by the
18 President of the United States, holds office, no funds may
19 be obligated or expended in excess of \$5,000 to furnish
20 or redecorate the office of such department head, agency
21 head, officer, or employee, or to purchase furniture or
22 make improvements for any such office, unless advance
23 notice of such furnishing or redecoration is transmitted
24 to the Committees on Appropriations of the House of Rep-
25 resentatives and the Senate. For the purposes of this sec-

1 tion, the term “office” shall include the entire suite of of-
2 fices assigned to the individual, as well as any other space
3 used primarily by the individual or the use of which is
4 directly controlled by the individual.

5 SEC. 711. Notwithstanding 31 U.S.C. 1346, or sec-
6 tion 708 of this Act, funds made available for the current
7 fiscal year by this or any other Act shall be available for
8 the interagency funding of national security and emer-
9 gency preparedness telecommunications initiatives which
10 benefit multiple Federal departments, agencies, or enti-
11 ties, as provided by Executive Order No. 13618 (July 6,
12 2012).

13 SEC. 712. (a) None of the funds made available by
14 this or any other Act may be obligated or expended by
15 any department, agency, or other instrumentality of the
16 Federal Government to pay the salaries or expenses of any
17 individual appointed to a position of a confidential or pol-
18 icy-determining character that is excepted from the com-
19 petitive service under section 3302 of title 5, United
20 States Code, (pursuant to schedule C of subpart C of part
21 213 of title 5 of the Code of Federal Regulations) unless
22 the head of the applicable department, agency, or other
23 instrumentality employing such schedule C individual cer-
24 tifies to the Director of the Office of Personnel Manage-
25 ment that the schedule C position occupied by the indi-

1 vidual was not created solely or primarily in order to detail
2 the individual to the White House.

3 (b) The provisions of this section shall not apply to
4 Federal employees or members of the armed forces de-
5 tailed to or from an element of the intelligence community
6 (as that term is defined under section 3(4) of the National
7 Security Act of 1947 (50 U.S.C. 3003(4))).

8 SEC. 713. No part of any appropriation contained in
9 this or any other Act shall be available for the payment
10 of the salary of any officer or employee of the Federal
11 Government, who—

12 (1) prohibits or prevents, or attempts or threat-
13 ens to prohibit or prevent, any other officer or em-
14 ployee of the Federal Government from having any
15 direct oral or written communication or contact with
16 any Member, committee, or subcommittee of the
17 Congress in connection with any matter pertaining
18 to the employment of such other officer or employee
19 or pertaining to the department or agency of such
20 other officer or employee in any way, irrespective of
21 whether such communication or contact is at the ini-
22 tiative of such other officer or employee or in re-
23 sponse to the request or inquiry of such Member,
24 committee, or subcommittee; or

1 (2) removes, suspends from duty without pay,
2 demotes, reduces in rank, seniority, status, pay, or
3 performance or efficiency rating, denies promotion
4 to, relocates, reassigns, transfers, disciplines, or dis-
5 criminate in regard to any employment right, enti-
6 tlement, or benefit, or any term or condition of em-
7 ployment of, any other officer or employee of the
8 Federal Government, or attempts or threatens to
9 commit any of the foregoing actions with respect to
10 such other officer or employee, by reason of any
11 communication or contact of such other officer or
12 employee with any Member, committee, or sub-
13 committee of the Congress as described in paragraph
14 (1).

15 SEC. 714. (a) None of the funds made available in
16 this or any other Act may be obligated or expended for
17 any employee training that—

18 (1) does not meet identified needs for knowl-
19 edge, skills, and abilities bearing directly upon the
20 performance of official duties;

21 (2) contains elements likely to induce high lev-
22 els of emotional response or psychological stress in
23 some participants;

1 (3) does not require prior employee notification
2 of the content and methods to be used in the train-
3 ing and written end of course evaluation;

4 (4) contains any methods or content associated
5 with religious or quasi-religious belief systems or
6 “new age” belief systems as defined in Equal Em-
7 ployment Opportunity Commission Notice N-
8 915.022, dated September 2, 1988; or

9 (5) is offensive to, or designed to change, par-
10 ticipants’ personal values or lifestyle outside the
11 workplace.

12 (b) Nothing in this section shall prohibit, restrict, or
13 otherwise preclude an agency from conducting training
14 bearing directly upon the performance of official duties.

15 SEC. 715. No part of any funds appropriated in this
16 or any other Act shall be used by an agency of the execu-
17 tive branch, other than for normal and recognized execu-
18 tive-legislative relationships, for publicity or propaganda
19 purposes, and for the preparation, distribution or use of
20 any kit, pamphlet, booklet, publication, radio, television,
21 or film presentation designed to support or defeat legisla-
22 tion pending before the Congress, except in presentation
23 to the Congress itself.

24 SEC. 716. None of the funds appropriated by this or
25 any other Act may be used by an agency to provide a Fed-

1 eral employee's home address to any labor organization
2 except when the employee has authorized such disclosure
3 or when such disclosure has been ordered by a court of
4 competent jurisdiction.

5 SEC. 717. None of the funds made available in this
6 or any other Act may be used to provide any non-public
7 information such as mailing, telephone, or electronic mail-
8 ing lists to any person or any organization outside of the
9 Federal Government without the approval of the Commit-
10 tees on Appropriations of the House of Representatives
11 and the Senate.

12 SEC. 718. No part of any appropriation contained in
13 this or any other Act shall be used directly or indirectly,
14 including by private contractor, for publicity or propa-
15 ganda purposes within the United States not heretofore
16 authorized by Congress.

17 SEC. 719. (a) In this section, the term "agency"—

18 (1) means an Executive agency, as defined
19 under 5 U.S.C. 105; and

20 (2) includes a military department, as defined
21 under section 102 of such title, the United States
22 Postal Service, and the Postal Regulatory Commis-
23 sion.

24 (b) Unless authorized in accordance with law or regu-
25 lations to use such time for other purposes, an employee

1 of an agency shall use official time in an honest effort
2 to perform official duties. An employee not under a leave
3 system, including a Presidential appointee exempted under
4 5 U.S.C. 6301(2), has an obligation to expend an honest
5 effort and a reasonable proportion of such employee's time
6 in the performance of official duties.

7 SEC. 720. Notwithstanding 31 U.S.C. 1346 and sec-
8 tion 708 of this Act, funds made available for the current
9 fiscal year by this or any other Act to any department
10 or agency, which is a member of the Federal Accounting
11 Standards Advisory Board (FASAB), shall be available to
12 finance an appropriate share of FASAB administrative
13 costs.

14 SEC. 721. Notwithstanding 31 U.S.C. 1346 and sec-
15 tion 708 of this Act, the head of each Executive depart-
16 ment and agency is hereby authorized to transfer to or
17 reimburse "General Services Administration, Government-
18 wide Policy" with the approval of the Director of the Of-
19 fice of Management and Budget, funds made available for
20 the current fiscal year by this or any other Act, including
21 rebates from charge card and other contracts: *Provided*,
22 That these funds shall be administered by the Adminis-
23 trator of General Services to support Government-wide
24 and other multi-agency financial, information technology,
25 procurement, and other management innovations, initia-

1 tives, and activities, including improving coordination and
2 reducing duplication, as approved by the Director of the
3 Office of Management and Budget, in consultation with
4 the appropriate interagency and multi-agency groups des-
5 ignated by the Director (including the President’s Man-
6 agement Council for overall management improvement ini-
7 tiatives, the Chief Financial Officers Council for financial
8 management initiatives, the Chief Information Officers
9 Council for information technology initiatives, the Chief
10 Human Capital Officers Council for human capital initia-
11 tives, the Chief Acquisition Officers Council for procure-
12 ment initiatives, and the Performance Improvement Coun-
13 cil for performance improvement initiatives): *Provided fur-*
14 *ther*, That the total funds transferred or reimbursed shall
15 not exceed \$15,000,000 to improve coordination, reduce
16 duplication, and for other activities related to Federal
17 Government Priority Goals established by 31 U.S.C. 1120,
18 and not to exceed \$17,000,000 for Government-wide inno-
19 vations, initiatives, and activities: *Provided further*, That
20 the funds transferred to or for reimbursement of “General
21 Services Administration, Government-wide Policy” during
22 fiscal year 2023 shall remain available for obligation
23 through September 30, 2024: *Provided further*, That such
24 transfers or reimbursements may only be made after 15
25 days following notification of the Committees on Appro-

1 priations of the House of Representatives and the Senate
2 by the Director of the Office of Management and Budget.

3 SEC. 722. Notwithstanding any other provision of
4 law, a woman may breastfeed her child at any location
5 in a Federal building or on Federal property, if the woman
6 and her child are otherwise authorized to be present at
7 the location.

8 SEC. 723. Notwithstanding 31 U.S.C. 1346, or sec-
9 tion 708 of this Act, funds made available for the current
10 fiscal year by this or any other Act shall be available for
11 the interagency funding of specific projects, workshops,
12 studies, and similar efforts to carry out the purposes of
13 the National Science and Technology Council (authorized
14 by Executive Order No. 12881), which benefit multiple
15 Federal departments, agencies, or entities: *Provided*, That
16 the Office of Management and Budget shall provide a re-
17 port describing the budget of and resources connected with
18 the National Science and Technology Council to the Com-
19 mittees on Appropriations, the House Committee on
20 Science, Space, and Technology, and the Senate Com-
21 mittee on Commerce, Science, and Transportation 90 days
22 after enactment of this Act.

23 SEC. 724. Any request for proposals, solicitation,
24 grant application, form, notification, press release, or
25 other publications involving the distribution of Federal

1 funds shall comply with any relevant requirements in part
2 200 of title 2, Code of Federal Regulations: *Provided*,
3 That this section shall apply to direct payments, formula
4 funds, and grants received by a State receiving Federal
5 funds.

6 SEC. 725. (a) PROHIBITION OF FEDERAL AGENCY
7 MONITORING OF INDIVIDUALS' INTERNET USE.—None of
8 the funds made available in this or any other Act may
9 be used by any Federal agency—

10 (1) to collect, review, or create any aggregation
11 of data, derived from any means, that includes any
12 personally identifiable information relating to an in-
13 dividual's access to or use of any Federal Govern-
14 ment Internet site of the agency; or

15 (2) to enter into any agreement with a third
16 party (including another government agency) to col-
17 lect, review, or obtain any aggregation of data, de-
18 rived from any means, that includes any personally
19 identifiable information relating to an individual's
20 access to or use of any nongovernmental Internet
21 site.

22 (b) EXCEPTIONS.—The limitations established in
23 subsection (a) shall not apply to—

24 (1) any record of aggregate data that does not
25 identify particular persons;

1 (2) any voluntary submission of personally iden-
2 tifiable information;

3 (3) any action taken for law enforcement, regu-
4 latory, or supervisory purposes, in accordance with
5 applicable law; or

6 (4) any action described in subsection (a)(1)
7 that is a system security action taken by the oper-
8 ator of an Internet site and is necessarily incident
9 to providing the Internet site services or to pro-
10 tecting the rights or property of the provider of the
11 Internet site.

12 (c) DEFINITIONS.—For the purposes of this section:

13 (1) The term “regulatory” means agency ac-
14 tions to implement, interpret or enforce authorities
15 provided in law.

16 (2) The term “supervisory” means examina-
17 tions of the agency’s supervised institutions, includ-
18 ing assessing safety and soundness, overall financial
19 condition, management practices and policies and
20 compliance with applicable standards as provided in
21 law.

22 SEC. 726. (a) None of the funds appropriated by this
23 Act may be used to enter into or renew a contract which
24 includes a provision providing prescription drug coverage,

1 except where the contract also includes a provision for con-
2 traceptive coverage.

3 (b) Nothing in this section shall apply to a contract
4 with—

5 (1) any of the following religious plans:

6 (A) Personal Care’s HMO; and

7 (B) OSF HealthPlans, Inc.; and

8 (2) any existing or future plan, if the carrier
9 for the plan objects to such coverage on the basis of
10 religious beliefs.

11 (c) In implementing this section, any plan that enters
12 into or renews a contract under this section may not sub-
13 ject any individual to discrimination on the basis that the
14 individual refuses to prescribe or otherwise provide for
15 contraceptives because such activities would be contrary
16 to the individual’s religious beliefs or moral convictions.

17 (d) Nothing in this section shall be construed to re-
18 quire coverage of abortion or abortion-related services.

19 SEC. 727. The United States is committed to ensur-
20 ing the health of its Olympic, Pan American, and
21 Paralympic athletes, and supports the strict adherence to
22 anti-doping in sport through testing, adjudication, edu-
23 cation, and research as performed by nationally recognized
24 oversight authorities.

1 SEC. 728. Notwithstanding any other provision of
2 law, funds appropriated for official travel to Federal de-
3 partments and agencies may be used by such departments
4 and agencies, if consistent with Office of Management and
5 Budget Circular A-126 regarding official travel for Gov-
6 ernment personnel, to participate in the fractional aircraft
7 ownership pilot program.

8 SEC. 729. Notwithstanding any other provision of
9 law, none of the funds appropriated or made available
10 under this or any other appropriations Act may be used
11 to implement or enforce restrictions or limitations on the
12 Coast Guard Congressional Fellowship Program, or to im-
13 plement the proposed regulations of the Office of Per-
14 sonnel Management to add sections 300.311 through
15 300.316 to part 300 of title 5 of the Code of Federal Reg-
16 ulations, published in the Federal Register, volume 68,
17 number 174, on September 9, 2003 (relating to the detail
18 of executive branch employees to the legislative branch).

19 SEC. 730. Notwithstanding any other provision of
20 law, no executive branch agency shall purchase, construct,
21 or lease any additional facilities, except within or contig-
22 uous to existing locations, to be used for the purpose of
23 conducting Federal law enforcement training without the
24 advance approval of the Committees on Appropriations of
25 the House of Representatives and the Senate, except that

1 the Federal Law Enforcement Training Centers is author-
2 ized to obtain the temporary use of additional facilities
3 by lease, contract, or other agreement for training which
4 cannot be accommodated in existing Centers facilities.

5 SEC. 731. Unless otherwise authorized by existing
6 law, none of the funds provided in this or any other Act
7 may be used by an executive branch agency to produce
8 any prepackaged news story intended for broadcast or dis-
9 tribution in the United States, unless the story includes
10 a clear notification within the text or audio of the pre-
11 packaged news story that the prepackaged news story was
12 prepared or funded by that executive branch agency.

13 SEC. 732. None of the funds made available in this
14 Act may be used in contravention of section 552a of title
15 5, United States Code (popularly known as the Privacy
16 Act), and regulations implementing that section.

17 SEC. 733. (a) IN GENERAL.—None of the funds ap-
18 propriated or otherwise made available by this or any
19 other Act may be used for any Federal Government con-
20 tract with any foreign incorporated entity which is treated
21 as an inverted domestic corporation under section 835(b)
22 of the Homeland Security Act of 2002 (6 U.S.C. 395(b))
23 or any subsidiary of such an entity.

24 (b) WAIVERS.—

1 (1) IN GENERAL.—Any Secretary shall waive
2 subsection (a) with respect to any Federal Govern-
3 ment contract under the authority of such Secretary
4 if the Secretary determines that the waiver is re-
5 quired in the interest of national security.

6 (2) REPORT TO CONGRESS.—Any Secretary
7 issuing a waiver under paragraph (1) shall report
8 such issuance to Congress.

9 (c) EXCEPTION.—This section shall not apply to any
10 Federal Government contract entered into before the date
11 of the enactment of this Act, or to any task order issued
12 pursuant to such contract.

13 SEC. 734. During fiscal year 2023, for each employee
14 who—

15 (1) retires under section 8336(d)(2) or
16 8414(b)(1)(B) of title 5, United States Code; or

17 (2) retires under any other provision of sub-
18 chapter III of chapter 83 or chapter 84 of such title
19 5 and receives a payment as an incentive to sepa-
20 rate, the separating agency shall remit to the Civil
21 Service Retirement and Disability Fund an amount
22 equal to the Office of Personnel Management’s aver-
23 age unit cost of processing a retirement claim for
24 the preceding fiscal year. Such amounts shall be
25 available until expended to the Office of Personnel

1 Management and shall be deemed to be an adminis-
2 trative expense under section 8348(a)(1)(B) of title
3 5, United States Code.

4 SEC. 735. None of the funds made available in this
5 or any other Act may be used to pay for the painting of
6 a portrait of an officer or employee of the Federal Govern-
7 ment, including the President, the Vice President, a mem-
8 ber of Congress (including a Delegate or a Resident Com-
9 missioner to Congress), the head of an executive branch
10 agency (as defined in section 133 of title 41, United States
11 Code), or the head of an office of the legislative branch.

12 SEC. 736. (a)(1) Notwithstanding any other provision
13 of law, and except as otherwise provided in this section,
14 no part of any of the funds appropriated for fiscal year
15 2023, by this or any other Act, may be used to pay any
16 prevailing rate employee described in section
17 5342(a)(2)(A) of title 5, United States Code—

18 (A) during the period from the date of expira-
19 tion of the limitation imposed by the comparable sec-
20 tion for the previous fiscal years until the normal ef-
21 fective date of the applicable wage survey adjust-
22 ment that is to take effect in fiscal year 2023, in an
23 amount that exceeds the rate payable for the appli-
24 cable grade and step of the applicable wage schedule
25 in accordance with such section; and

1 (B) during the period consisting of the remain-
2 der of fiscal year 2023, in an amount that exceeds,
3 as a result of a wage survey adjustment, the rate
4 payable under subparagraph (A) by more than the
5 sum of—

6 (i) the percentage adjustment taking effect
7 in fiscal year 2023 under section 5303 of title
8 5, United States Code, in the rates of pay
9 under the General Schedule; and

10 (ii) the difference between the overall aver-
11 age percentage of the locality-based com-
12 parability payments taking effect in fiscal year
13 2023 under section 5304 of such title (whether
14 by adjustment or otherwise), and the overall av-
15 erage percentage of such payments which was
16 effective in the previous fiscal year under such
17 section.

18 (2) Notwithstanding any other provision of law, no
19 prevailing rate employee described in subparagraph (B) or
20 (C) of section 5342(a)(2) of title 5, United States Code,
21 and no employee covered by section 5348 of such title,
22 may be paid during the periods for which paragraph (1)
23 is in effect at a rate that exceeds the rates that would
24 be payable under paragraph (1) were paragraph (1) appli-
25 cable to such employee.

1 (3) For the purposes of this subsection, the rates pay-
2 able to an employee who is covered by this subsection and
3 who is paid from a schedule not in existence on September
4 30, 2022, shall be determined under regulations pre-
5 scribed by the Office of Personnel Management.

6 (4) Notwithstanding any other provision of law, rates
7 of premium pay for employees subject to this subsection
8 may not be changed from the rates in effect on September
9 30, 2022, except to the extent determined by the Office
10 of Personnel Management to be consistent with the pur-
11 pose of this subsection.

12 (5) This subsection shall apply with respect to pay
13 for service performed after September 30, 2022.

14 (6) For the purpose of administering any provision
15 of law (including any rule or regulation that provides pre-
16 mium pay, retirement, life insurance, or any other em-
17 ployee benefit) that requires any deduction or contribu-
18 tion, or that imposes any requirement or limitation on the
19 basis of a rate of salary or basic pay, the rate of salary
20 or basic pay payable after the application of this sub-
21 section shall be treated as the rate of salary or basic pay.

22 (7) Nothing in this subsection shall be considered to
23 permit or require the payment to any employee covered
24 by this subsection at a rate in excess of the rate that would
25 be payable were this subsection not in effect.

1 (8) The Office of Personnel Management may provide
2 for exceptions to the limitations imposed by this sub-
3 section if the Office determines that such exceptions are
4 necessary to ensure the recruitment or retention of quali-
5 fied employees.

6 (b) Notwithstanding subsection (a), the adjustment
7 in rates of basic pay for the statutory pay systems that
8 take place in fiscal year 2023 under sections 5344 and
9 5348 of title 5, United States Code, shall be—

10 (1) not less than the percentage received by em-
11 ployees in the same location whose rates of basic pay
12 are adjusted pursuant to the statutory pay systems
13 under sections 5303 and 5304 of title 5, United
14 States Code: *Provided*, That prevailing rate employ-
15 ees at locations where there are no employees whose
16 pay is increased pursuant to sections 5303 and 5304
17 of title 5, United States Code, and prevailing rate
18 employees described in section 5343(a)(5) of title 5,
19 United States Code, shall be considered to be located
20 in the pay locality designated as “Rest of United
21 States” pursuant to section 5304 of title 5, United
22 States Code, for purposes of this subsection; and

23 (2) effective as of the first day of the first ap-
24 plicable pay period beginning after September 30,
25 2022.

1 SEC. 737. (a) The head of any Executive branch de-
2 partment, agency, board, commission, or office funded by
3 this or any other appropriations Act shall submit annual
4 reports to the Inspector General or senior ethics official
5 for any entity without an Inspector General, regarding the
6 costs and contracting procedures related to each con-
7 ference held by any such department, agency, board, com-
8 mission, or office during fiscal year 2023 for which the
9 cost to the United States Government was more than
10 \$100,000.

11 (b) Each report submitted shall include, for each con-
12 ference described in subsection (a) held during the applica-
13 ble period—

14 (1) a description of its purpose;

15 (2) the number of participants attending;

16 (3) a detailed statement of the costs to the
17 United States Government, including—

18 (A) the cost of any food or beverages;

19 (B) the cost of any audio-visual services;

20 (C) the cost of employee or contractor
21 travel to and from the conference; and

22 (D) a discussion of the methodology used
23 to determine which costs relate to the con-
24 ference; and

1 (4) a description of the contracting procedures
2 used including—

3 (A) whether contracts were awarded on a
4 competitive basis; and

5 (B) a discussion of any cost comparison
6 conducted by the departmental component or
7 office in evaluating potential contractors for the
8 conference.

9 (c) Within 15 days after the end of a quarter, the
10 head of any such department, agency, board, commission,
11 or office shall notify the Inspector General or senior ethics
12 official for any entity without an Inspector General, of the
13 date, location, and number of employees attending a con-
14 ference held by any Executive branch department, agency,
15 board, commission, or office funded by this or any other
16 appropriations Act during fiscal year 2023 for which the
17 cost to the United States Government was more than
18 \$20,000.

19 (d) A grant or contract funded by amounts appro-
20 priated by this or any other appropriations Act may not
21 be used for the purpose of defraying the costs of a con-
22 ference described in subsection (c) that is not directly and
23 programmatically related to the purpose for which the
24 grant or contract was awarded, such as a conference held
25 in connection with planning, training, assessment, review,

1 or other routine purposes related to a project funded by
2 the grant or contract.

3 (e) None of the funds made available in this or any
4 other appropriations Act may be used for travel and con-
5 ference activities that are not in compliance with Office
6 of Management and Budget Memorandum M-12-12
7 dated May 11, 2012 or any subsequent revisions to that
8 memorandum.

9 SEC. 738. None of the funds made available in this
10 or any other appropriations Act may be used to increase,
11 eliminate, or reduce funding for a program, project, or ac-
12 tivity as proposed in the President's budget request for
13 a fiscal year until such proposed change is subsequently
14 enacted in an appropriation Act, or unless such change
15 is made pursuant to the reprogramming or transfer provi-
16 sions of this or any other appropriations Act.

17 SEC. 739. None of the funds made available by this
18 or any other Act may be used to implement, administer,
19 enforce, or apply the rule entitled "Competitive Area"
20 published by the Office of Personnel Management in the
21 Federal Register on April 15, 2008 (73 Fed. Reg. 20180
22 et seq.).

23 SEC. 740. None of the funds appropriated or other-
24 wise made available by this or any other Act may be used
25 to begin or announce a study or public-private competition

1 regarding the conversion to contractor performance of any
2 function performed by Federal employees pursuant to Of-
3 fice of Management and Budget Circular A-76 or any
4 other administrative regulation, directive, or policy.

5 SEC. 741. (a) None of the funds appropriated or oth-
6 erwise made available by this or any other Act may be
7 available for a contract, grant, or cooperative agreement
8 with an entity that requires employees or contractors of
9 such entity seeking to report fraud, waste, or abuse to sign
10 internal confidentiality agreements or statements prohib-
11 iting or otherwise restricting such employees or contrac-
12 tors from lawfully reporting such waste, fraud, or abuse
13 to a designated investigative or law enforcement represent-
14 ative of a Federal department or agency authorized to re-
15 ceive such information.

16 (b) The limitation in subsection (a) shall not con-
17 travene requirements applicable to Standard Form 312,
18 Form 4414, or any other form issued by a Federal depart-
19 ment or agency governing the nondisclosure of classified
20 information.

21 SEC. 742. (a) No funds appropriated in this or any
22 other Act may be used to implement or enforce the agree-
23 ments in Standard Forms 312 and 4414 of the Govern-
24 ment or any other nondisclosure policy, form, or agree-
25 ment if such policy, form, or agreement does not contain

1 the following provisions: “These provisions are consistent
2 with and do not supersede, conflict with, or otherwise alter
3 the employee obligations, rights, or liabilities created by
4 existing statute or Executive order relating to (1) classi-
5 fied information, (2) communications to Congress or the
6 Office of Special Counsel, (3) the reporting to an Inspec-
7 tor General of a violation of any law, rule, or regulation,
8 or mismanagement, a gross waste of funds, an abuse of
9 authority, or a substantial and specific danger to public
10 health or safety, or (4) any other whistleblower protection.
11 The definitions, requirements, obligations, rights, sanc-
12 tions, and liabilities created by controlling Executive or-
13 ders and statutory provisions are incorporated into this
14 agreement and are controlling.”: *Provided*, That notwith-
15 standing the preceding provision of this section, a non-
16 disclosure policy form or agreement that is to be executed
17 by a person connected with the conduct of an intelligence
18 or intelligence-related activity, other than an employee or
19 officer of the United States Government, may contain pro-
20 visions appropriate to the particular activity for which
21 such document is to be used. Such form or agreement
22 shall, at a minimum, require that the person will not dis-
23 close any classified information received in the course of
24 such activity unless specifically authorized to do so by the
25 United States Government. Such nondisclosure forms

1 shall also make it clear that they do not bar disclosures
2 to Congress, or to an authorized official of an executive
3 agency or the Department of Justice, that are essential
4 to reporting a substantial violation of law.

5 (b) A nondisclosure agreement may continue to be
6 implemented and enforced notwithstanding subsection (a)
7 if it complies with the requirements for such agreement
8 that were in effect when the agreement was entered into.

9 (c) No funds appropriated in this or any other Act
10 may be used to implement or enforce any agreement en-
11 tered into during fiscal year 2023 which does not contain
12 substantially similar language to that required in sub-
13 section (a).

14 SEC. 743. None of the funds made available by this
15 or any other Act may be used to enter into a contract,
16 memorandum of understanding, or cooperative agreement
17 with, make a grant to, or provide a loan or loan guarantee
18 to, any corporation that has any unpaid Federal tax liabil-
19 ity that has been assessed, for which all judicial and ad-
20 ministrative remedies have been exhausted or have lapsed,
21 and that is not being paid in a timely manner pursuant
22 to an agreement with the authority responsible for col-
23 lecting the tax liability, where the awarding agency is
24 aware of the unpaid tax liability, unless a Federal agency
25 has considered suspension or debarment of the corporation

1 and has made a determination that this further action is
2 not necessary to protect the interests of the Government.

3 SEC. 744. None of the funds made available by this
4 or any other Act may be used to enter into a contract,
5 memorandum of understanding, or cooperative agreement
6 with, make a grant to, or provide a loan or loan guarantee
7 to, any corporation that was convicted of a felony criminal
8 violation under any Federal law within the preceding 24
9 months, where the awarding agency is aware of the convic-
10 tion, unless a Federal agency has considered suspension
11 or debarment of the corporation and has made a deter-
12 mination that this further action is not necessary to pro-
13 tect the interests of the Government.

14 SEC. 745. (a) During fiscal year 2023, on the date
15 on which a request is made for a transfer of funds in ac-
16 cordance with section 1017 of Public Law 111–203, the
17 Bureau of Consumer Financial Protection shall notify the
18 Committees on Appropriations of the House of Represent-
19 atives and the Senate, the Committee on Financial Serv-
20 ices of the House of Representatives, and the Committee
21 on Banking, Housing, and Urban Affairs of the Senate
22 of such request.

23 (b) Any notification required by this section shall be
24 made available on the Bureau’s public website.

1 SEC. 746. (a) Notwithstanding any official rate ad-
2 justed under section 104 of title 3, United States Code,
3 the rate payable to the Vice President during calendar
4 year 2023 shall be the rate payable to the Vice President
5 on December 31, 2022, by operation of section 747 of divi-
6 sion E of Public Law 117–103.

7 (b) Notwithstanding any official rate adjusted under
8 section 5318 of title 5, United States Code, or any other
9 provision of law, the payable rate during calendar year
10 2023 for an employee serving in an Executive Schedule
11 position, or in a position for which the rate of pay is fixed
12 by statute at an Executive Schedule rate, shall be the rate
13 payable for the applicable Executive Schedule level on De-
14 cember 31, 2022, by operation of section 747 of division
15 E of Public Law 117–103. Such an employee may not re-
16 ceive a rate increase during calendar year 2023, except
17 as provided in subsection (i).

18 (c) Notwithstanding section 401 of the Foreign Serv-
19 ice Act of 1980 (Public Law 96–465) or any other provi-
20 sion of law, a chief of mission or ambassador at large is
21 subject to subsection (b) in the same manner as other em-
22 ployees who are paid at an Executive Schedule rate.

23 (d)(1) This subsection applies to—

24 (A) a noncareer appointee in the Senior
25 Executive Service paid a rate of basic pay at or

1 above the official rate for level IV of the Execu-
2 tive Schedule; or

3 (B) a limited term appointee or limited
4 emergency appointee in the Senior Executive
5 Service serving under a political appointment
6 and paid a rate of basic pay at or above the of-
7 ficial rate for level IV of the Executive Sched-
8 ule.

9 (2) Notwithstanding sections 5382 and 5383 of
10 title 5, United States Code, an employee described
11 in paragraph (1) may not receive a pay rate increase
12 during calendar year 2023, except as provided in
13 subsection (i).

14 (e) Notwithstanding any other provision of law, any
15 employee paid a rate of basic pay (including any locality-
16 based payments under section 5304 of title 5, United
17 States Code, or similar authority) at or above the official
18 rate for level IV of the Executive Schedule who serves
19 under a political appointment may not receive a pay rate
20 increase during calendar year 2023, except as provided in
21 subsection (i). This subsection does not apply to employees
22 in the General Schedule pay system or the Foreign Service
23 pay system, to employees appointed under section 3161
24 of title 5, United States Code, or to employees in another
25 pay system whose position would be classified at GS-15

1 or below if chapter 51 of title 5, United States Code, ap-
2 plied to them.

3 (f) Nothing in subsections (b) through (e) shall pre-
4 vent employees who do not serve under a political appoint-
5 ment from receiving pay increases as otherwise provided
6 under applicable law.

7 (g) This section does not apply to an individual who
8 makes an election to retain Senior Executive Service basic
9 pay under section 3392(c) of title 5, United States Code,
10 for such time as that election is in effect.

11 (h) This section does not apply to an individual who
12 makes an election to retain Senior Foreign Service pay
13 entitlements under section 302(b) of the Foreign Service
14 Act of 1980 (Public Law 96–465) for such time as that
15 election is in effect.

16 (i) Notwithstanding subsections (b) through (e), an
17 employee in a covered position may receive a pay rate in-
18 crease upon an authorized movement to a different cov-
19 ered position only if that new position has higher-level du-
20 ties and a pre-established level or range of pay higher than
21 the level or range for the position held immediately before
22 the movement. Any such increase must be based on the
23 rates of pay and applicable limitations on payable rates
24 of pay in effect on December 31, 2022, by operation of
25 section 747 of division E of Public Law 117–103.

1 (j) Notwithstanding any other provision of law, for
2 an individual who is newly appointed to a covered position
3 during the period of time subject to this section, the initial
4 pay rate shall be based on the rates of pay and applicable
5 limitations on payable rates of pay in effect on December
6 31, 2022, by operation of section 747 of division E of Pub-
7 lic Law 117–103.

8 (k) If an employee affected by this section is subject
9 to a biweekly pay period that begins in calendar year 2023
10 but ends in calendar year 2024, the bar on the employee’s
11 receipt of pay rate increases shall apply through the end
12 of that pay period.

13 (l) For the purpose of this section, the term “covered
14 position” means a position occupied by an employee whose
15 pay is restricted under this section.

16 (m) This section takes effect on the first day of the
17 first applicable pay period beginning on or after January
18 1, 2023.

19 SEC. 747. In the event of a violation of the Impound-
20 ment Control Act of 1974, the President or the head of
21 the relevant department or agency, as the case may be,
22 shall report immediately to the Congress all relevant facts
23 and a statement of actions taken: *Provided*, That a copy
24 of each report shall also be transmitted to the Committees
25 on Appropriations of the House of Representatives and the

1 Senate and the Comptroller General on the same date the
2 report is transmitted to the Congress.

3 SEC. 748. During the current fiscal year—

4 (a) with respect to budget authority proposed to be
5 rescinded or that is set to be reserved or proposed to be
6 deferred in a special message transmitted under section
7 1012 or 1013 of the Congressional Budget and Impound-
8 ment Control Act of 1974, such budget authority—

9 (1) shall be made available for obligation in suf-
10 ficient time to be prudently obligated as required
11 under section 1012(b) or 1013 of such Act; and

12 (2) may not be deferred or otherwise withheld
13 from obligation during the 90-day period before the
14 expiration of the period of availability of such budget
15 authority, including, if applicable, the 90-day period
16 before the expiration of an initial period of avail-
17 ability for which such budget authority was pro-
18 vided.

19 (b) With respect to an apportionment of an appro-
20 priation made pursuant to section 1513(b) of title 31,
21 United States Code, an appropriation (as that term is de-
22 fined in section 1511 of title 31, United States Code) shall
23 be apportioned—

24 (1) to make available all amounts for obligation
25 in sufficient time to be prudently obligated; and

1 (2) to make available all amounts for obligation,
2 without precondition (including footnotes) that shall
3 be met prior to obligation, not later than 90 days be-
4 fore the expiration of the period of availability of
5 such appropriation, including, if applicable, 90 days
6 before the expiration of an initial period of avail-
7 ability for which such appropriation was provided.

8 (c) As used in this section, the term “budget author-
9 ity” includes budget authority made available by this or
10 any other Act, by prior appropriations Acts, or by any law
11 other than an appropriations Act.

12 (d)(1) The Comptroller General shall review compli-
13 ance with this section and shall submit to the Committees
14 on Appropriations and the Budget, and any other appro-
15 priate congressional committees of the House of Rep-
16 resentatives and Senate a report, and any relevant infor-
17 mation related to the report, on any noncompliance with
18 this section or the Impoundment Control Act of 1974.

19 (2) The President or the head of the relevant depart-
20 ment or agency of the United States shall provide informa-
21 tion, documentation, and views to the Comptroller Gen-
22 eral, as is determined by the Comptroller General to be
23 necessary to determine such compliance, not later than 20
24 days after the date on which the request from the Comp-
25 troller General is received, or if the Comptroller General

1 determines that a shorter or longer period is appropriate
2 based on the specific circumstances, within such shorter
3 or longer period.

4 (3) To carry out the responsibilities of this section
5 and the Impoundment Control Act of 1974, the Comp-
6 troller General shall also have access to interview the offi-
7 cers, employees, contractors, and other agents and rep-
8 resentatives of a department, agency, or office of the
9 United States at any reasonable time as the Comptroller
10 General may request.

11 (e)(1) An officer or employee of the Executive Branch
12 of the United States Government violating this section
13 shall be subject to appropriate administrative discipline in-
14 cluding, when circumstances warrant, suspension from
15 duty without pay or removal from office.

16 (2) In the event of a violation of this section, or in
17 the case that the Government Accountability Office issues
18 a legal decision concluding that a department, agency, or
19 office of the United States violated this section, the Presi-
20 dent or the head of the relevant department or agency as
21 the case may be, shall report immediately to the Congress
22 all relevant facts and a statement of actions taken: *Pro-*
23 *vided*, That a copy of each report shall also be transmitted
24 to the Comptroller General and the relevant inspector gen-

1 eral on the same date the report is transmitted to the Con-
2 gress.

3 (3) Any such report shall include a summary of the
4 facts pertaining to the violation, the title and Treasury
5 Appropriation Fund Symbol of the appropriation or fund
6 account, the amount involved for each violation, the date
7 on which the violation occurred, the position of any indi-
8 viduals responsible for the violation, a statement of the
9 administrative discipline imposed and any further action
10 taken with respect to any officer or employee involved in
11 the violation, a statement of any additional action taken
12 to prevent recurrence of the same type of violation, and
13 any written response by any officer or employee identified
14 by position as involved in the violation: *Provided*, That in
15 the case that the Government Accountability Office issues
16 a legal decision concluding that a department, agency, or
17 office of the United States violated this section and the
18 relevant department, agency, or office does not agree that
19 a violation has occurred, the report provided to Congress,
20 the Comptroller General, and relevant inspector general
21 will explain such department, agency, or office's position.

22 SEC. 749. (a) If an executive agency or the District
23 of Columbia government receives a written request for in-
24 formation, documentation, or views from the Government
25 Accountability Office relating to a decision or opinion on

1 budget or appropriations law, the executive agency or the
2 District of Columbia government shall provide the re-
3 quested information, documentation, or views not later
4 than 20 days after receiving the written request, unless
5 such written request specifically provides otherwise.

6 (b) If an executive agency or the District of Columbia
7 government fails to respond to the request for information,
8 documentation, or views within the time required by this
9 section—

10 (1) the Comptroller General shall notify, in
11 writing, the Committee on Oversight and Reform of
12 the House of Representatives, the Committee on
13 Homeland Security and Governmental Affairs of the
14 Senate, and any other appropriate congressional
15 committee of the House of Representatives and the
16 Senate of such failure; and

17 (2) the Comptroller General is hereby expressly
18 empowered, through attorneys of their own selection,
19 to bring a civil action in the United States District
20 Court for the District of Columbia to require such
21 information, documentation, or views to be pro-
22 duced, and such court is expressly empowered to
23 enter in such civil action, against any department,
24 agency, officer, or employee of the United States,

1 any decree, judgment, or order which may be nec-
2 essary or appropriate to require such production.

3 (c) If the Government Accountability Office deter-
4 mines that an officer or employee of an executive agency
5 or an officer or employee of the District of Columbia gov-
6 ernment has violated section 1341(a), 1342, or 1517(a)
7 of title 31, United States Code, the head of the agency
8 or the Mayor of the District of Columbia, as the case may
9 be, shall report immediately to the President and Congress
10 all relevant facts and a statement of actions taken: *Pro-*
11 *vided*, That a copy of each report shall also be transmitted
12 to the Comptroller General on the same date the report
13 is transmitted to the President and Congress: *Provided*
14 *further*, That in the case that the Government Account-
15 ability Office issues a legal decision concluding that sec-
16 tion 1341(a), 1342, or 1517(a) of title 31, United States
17 Code was violated, and the executive agency or District
18 of Columbia government, as applicable, does not agree
19 that a violation has occurred, the report provided to the
20 President, the Congress, and the Comptroller General will
21 explain its position.

22 (d) The report required by subsection (c) and any re-
23 port required by section 1351 or section 1517(b) of title
24 31, United States Code, shall include a summary of the
25 facts pertaining to the violation, the title and Treasury

1 Appropriation Fund Symbol of the appropriation or fund
2 account, the amount involved for each violation, the date
3 on which the violation occurred, the position of any officer
4 or employee responsible for the violation, a statement of
5 the administrative discipline imposed and any further ac-
6 tion taken with respect to any officer or employee involved
7 in the violation, a statement of any additional action taken
8 to prevent recurrence of the same type of violation, a
9 statement of any determination that the violation was not
10 knowing and willful that has been made by the executive
11 agency or District of Columbia government, and any writ-
12 ten response by any officer or employee identified by posi-
13 tion as involved in the violation.

14 SEC. 750. (a) Each department or agency of the exec-
15 utive branch of the United States Government shall notify
16 the Committees on Appropriations and the Budget of the
17 House of Representatives and the Senate and any other
18 appropriate congressional committees if—

19 (1) an apportionment is not made in the re-
20 quired time period provided in section 1513(b) of
21 title 31, United States Code;

22 (2) an approved apportionment received by the
23 department or agency conditions the availability of
24 an appropriation on further action; or

1 (3) an approved apportionment received by the
2 department or agency may hinder the prudent obli-
3 gation of such appropriation or the execution of a
4 program, project, or activity by such department or
5 agency.

6 (b) Any notification submitted to a congressional
7 committee pursuant to this section shall contain informa-
8 tion identifying the bureau, account name, appropriation
9 name, and Treasury Appropriation Fund Symbol or fund
10 account.

11 SEC. 751. (a) ESTABLISHMENT.—There is hereby es-
12 tablished the Commission on Federal Naming and Dis-
13 plays (hereinafter referred to as the “Commission”).

14 (b) DUTIES.—

15 (1) DEVELOPMENT OF LIST.—Not later than
16 180 days after the day by which all of its members
17 have been appointed, the Commission, with input
18 from the general public, shall develop and publish a
19 list of property names, monuments, statues, public
20 artworks, historical markers, and other symbols
21 owned by the Federal government or located on
22 property owned by the Federal government (includ-
23 ing the legislative branch and the judicial branch)
24 which the Commission identifies as inconsistent with
25 the values of diversity, equity, and inclusion, includ-

1 ing those that do not represent the demographic di-
2 versity and history of the community.

3 (2) RECOMMENDATIONS.—Not later than 180
4 days after publishing the list under paragraph (1),
5 and after holding not fewer than two public meet-
6 ings, the Commission shall submit to the President
7 and Congress a report containing the following in-
8 formation:

9 (A) A recommendation regarding whether
10 each property name, monument, statue, public
11 artwork, historical marker, or other symbol on
12 the list developed under paragraph (1) should
13 remain unchanged or should be renamed or re-
14 moved.

15 (B) Supporting materials and context in-
16 formation for each recommendation under sub-
17 paragraph (A).

18 (C) Such other recommendations as the
19 Commission may consider appropriate, includ-
20 ing recommendations for educational programs,
21 supplemental historical markers, or other activi-
22 ties to promote diversity, equity, and inclusion
23 and to promote national reconciliation.

24 (3) SEPARATE VIEWS OF MEMBERS.—The Com-
25 mission may include in the report submitted under

1 paragraph (2) supplemental or dissenting rec-
2 ommendations from individual members of the Com-
3 mission.

4 (c) MEMBERSHIP.—

5 (1) APPOINTMENT.—The Commission shall con-
6 sist of the following:

7 (A) Two members appointed by the Presi-
8 dent.

9 (B) Two members appointed by the Speak-
10 er of the House of Representatives.

11 (C) Two members appointed by the Major-
12 ity Leader of the Senate.

13 (D) One member appointed by the Minor-
14 ity Leader of the House of Representatives.

15 (E) One member appointed by the Minor-
16 ity Leader of the Senate.

17 (F) Each of the following individuals:

18 (i) The Secretary of the Smithsonian
19 Institution.

20 (ii) The Historian of the House of
21 Representatives.

22 (iii) The Historian of the Senate.

23 (2) QUALIFICATIONS.—Each member of the
24 Commission appointed under subparagraphs (A)
25 through (E) of paragraph (1) shall have 10 or more

1 years of educational and professional experience in
2 one or more of the following disciplines:

3 (A) History.

4 (B) Art and antiquities.

5 (C) Historic preservation.

6 (D) Cultural heritage.

7 (E) Education.

8 (3) NO COMPENSATION FOR SERVICE; TRAVEL
9 EXPENSES.—Members of the Commission shall serve
10 without pay, but each member shall receive travel
11 expenses, including per diem in lieu of subsistence,
12 in accordance with applicable provisions under sub-
13 chapter I of chapter 57 of title 5, United States
14 Code.

15 (4) DEADLINE FOR APPOINTMENT.—The mem-
16 bers of the Commission shall be appointed not later
17 than 45 days after the date of the enactment of this
18 Act.

19 (5) CO-CHAIRS.—Not later than 10 days after
20 the first meeting of the Commission, the members of
21 the Commission shall select two co-chairs from
22 among the members.

23 (d) POWERS.—

24 (1) HEARINGS AND SESSIONS.—The Commis-
25 sion may, for the purpose of carrying out this Act,

1 hold hearings, sit and act at times and places, take
2 testimony, and receive evidence as the Commission
3 considers appropriate, except that the Commission
4 shall hold its initial meeting not later than 10 days
5 after the day by which all of its members have been
6 appointed.

7 (2) OBTAINING OFFICIAL DATA.—The Commis-
8 sion may secure directly from any department or
9 agency of the United States information necessary
10 to enable it to carry out its duties. Upon request of
11 the Commission, the head of that department or
12 agency shall furnish that information to the Com-
13 mission.

14 (3) MAILS.—The Commission may use the
15 United States mails in the same manner and under
16 the same conditions as other departments and agen-
17 cies of the United States.

18 (4) ADMINISTRATIVE SUPPORT SERVICES.—
19 Upon the request of the Commission, the Librarian
20 of Congress shall provide to the Commission, on a
21 reimbursable basis, the administrative support serv-
22 ices necessary for the Commission to carry out its
23 duties.

24 (5) STAFF OF FEDERAL AGENCIES.—Upon the
25 request of the Commission, the head of any Federal

1 department or agency may detail any of the per-
2 sonnel of that department or agency to the Commis-
3 sion to assist it in carrying out its duties. Any per-
4 sonnel detailed to the Commission under this para-
5 graph may receive travel expenses, including per
6 diem in lieu of subsistence, in accordance with appli-
7 cable provisions under subchapter I of chapter 57 of
8 title 5, United States Code.

9 (6) CONTRACT AUTHORITY.—The Commission
10 may contract with and compensate government and
11 private agencies or persons for goods and services,
12 without regard to section 6101 of title 41, United
13 States Code.

14 (e) FUNDING.—There is hereby appropriated
15 \$1,500,000, to remain available until expended, to carry
16 out this section.

17 (f) TERMINATION.—The Commission shall terminate
18 60 days after submitting the report under subsection
19 (b)(2).

20 SEC. 752. Notwithstanding section 1346 of title 31,
21 United States Code, or section 708 of this Act, funds
22 made available by this or any other Act to any Federal
23 agency may be used by that Federal agency for inter-
24 agency funding for coordination with, participation in, or
25 recommendations involving, activities of the U.S. Army

1 Medical Research and Development Command, the Con-
2 gressionally Directed Medical Research Programs and the
3 National Institutes of Health research programs.

4 SEC. 753. (a) As a condition of receiving funds pro-
5 vided in this or any other appropriations Act for fiscal
6 year 2023 that are specified in the disclosure table sub-
7 mitted in compliance with clause 9 of rule XXI of the
8 Rules of the House of Representatives that is included in
9 the report or explanatory statement accompanying any
10 such Act, any non-Federal entity shall, to the extent prac-
11 ticable—

12 (1) retain until the date that is 3 years after the date
13 on which such entity has expended such funds any records
14 related to the planned or actual obligation or expenditure
15 of such funds, and make available any such records to the
16 Comptroller General of the United States, upon request;
17 and

18 (2) subject to reasonable advance notification by the
19 Comptroller General—

20 (A) make available to the Comptroller General
21 or their designee for interview, any officers, employ-
22 ees, or staff of such entity involved in the obligation
23 or expenditure of such funds; and

24 (B) grant access to the Comptroller General or
25 their designee for inspection, any facilities, work

1 sites, offices, or other locations, as the Comptroller
2 General deems necessary, at which the individuals
3 referenced in subparagraph (A) carry out their re-
4 sponsibilities related to such funds. The Comptroller
5 General may make and retain copies of these records
6 as the Comptroller General determines necessary.

7 (b) Access, rights, and authority provided to the
8 Comptroller General or their designee under this section
9 shall be in addition to any other authority vested in the
10 Comptroller General, and nothing in this section shall be
11 construed to limit, amend, supersede, or restrict in any
12 manner any existing authority of the Comptroller General.

13 SEC. 754. (a) Beginning on the date that is 180 days
14 after the date of enactment of this Act, and except as pro-
15 vided in subsection (b), none of the funds made available
16 by this Act may be used to purchase infrastructure as a
17 service except infrastructure as a service determined by
18 the Government to take reasonable measures to—

19 (1) not store or transmit images which depict known
20 violations of sections 2251, 2251A, 2252, 2252A, 2252B
21 or 2260 of title 18, United States Code, with respect to
22 child pornography; and

23 (2) comply with the reporting requirements under
24 section 2258A(a) of such title for such violations.

1 (b) The limitation in subsection (a) shall not apply
2 to such services used for bona fide law enforcement ac-
3 tions.

4 SEC. 755. Except as expressly provided otherwise,
5 any reference to “this Act” contained in any title other
6 than title IV or VIII shall not apply to such title IV or
7 VIII.

8 SEC. 756. None of the funds appropriated by this Act
9 may be used in contravention of Executive Order No.
10 14076 (87 Fed. Reg 42053; relating to protecting access
11 to reproductive healthcare services).

12 TITLE VIII

13 GENERAL PROVISIONS—DISTRICT OF

14 COLUMBIA

15 SEC. 801. None of the Federal funds provided under
16 this Act to the agencies funded by this Act, both Federal
17 and District government agencies, that remain available
18 for obligation or expenditure in fiscal year 2023, or pro-
19 vided from any accounts in the Treasury of the United
20 States derived by the collection of fees available to the
21 agencies funded by this Act, shall be available for obliga-
22 tion or expenditures for an agency through a reprogram-
23 ming of funds which—

24 (1) creates new programs;

1 (2) eliminates a program, project, or responsi-
2 bility center;

3 (3) establishes or changes allocations specifi-
4 cally denied, limited or increased under this Act;

5 (4) increases funds or personnel by any means
6 for any program, project, or responsibility center for
7 which funds have been denied or restricted;

8 (5) re-establishes any program or project pre-
9 viously deferred through reprogramming;

10 (6) augments any existing program, project, or
11 responsibility center through a reprogramming of
12 funds in excess of \$3,000,000 or 10 percent, which-
13 ever is less; or

14 (7) increases by 20 percent or more personnel
15 assigned to a specific program, project or responsi-
16 bility center,

17 unless prior approval is received from the Committees on
18 Appropriations of the House of Representatives and the
19 Senate.

20 SEC. 802. None of the Federal funds appropriated
21 in this Act shall remain available for obligation beyond
22 the current fiscal year, nor may any be transferred to
23 other appropriations, unless expressly so provided herein.

24 SEC. 803. Except as otherwise specifically provided
25 by law or under this Act, not to exceed 50 percent of unob-

1 ligated balances remaining available at the end of fiscal
2 year 2023 from appropriations of Federal funds made
3 available for salaries and expenses for fiscal year 2023 in
4 this Act, shall remain available through September 30,
5 2024, for each such account for the purposes authorized:
6 *Provided*, That a request shall be submitted to the Com-
7 mittees on Appropriations of the House of Representatives
8 and the Senate for approval prior to the expenditure of
9 such funds: *Provided further*, That these requests shall be
10 made in compliance with reprogramming guidelines out-
11 lined in section 801 of this Act.

12 SEC. 804. (a)(1) During fiscal year 2024, during a
13 period in which neither a District of Columbia continuing
14 resolution or a regular District of Columbia appropriation
15 bill is in effect, local funds are appropriated in the amount
16 provided for any project or activity for which local funds
17 are provided in the Act referred to in paragraph (2) (sub-
18 ject to any modifications enacted by the District of Colum-
19 bia as of the beginning of the period during which this
20 subsection is in effect) at the rate set forth by such Act.

21 (2) The Act referred to in this paragraph is the Act
22 of the Council of the District of Columbia pursuant to
23 which a proposed budget is approved for fiscal year 2024
24 which (subject to the requirements of the District of Co-
25 lumbia Home Rule Act) will constitute the local portion

1 of the annual budget for the District of Columbia govern-
2 ment for fiscal year 2024 for purposes of section 446 of
3 the District of Columbia Home Rule Act (sec. 1–204.46,
4 D.C. Official Code).

5 (b) Appropriations made by subsection (a) shall cease
6 to be available—

7 (1) during any period in which a District of Co-
8 lumbia continuing resolution for fiscal year 2024 is
9 in effect; or

10 (2) upon the enactment into law of the regular
11 District of Columbia appropriation bill for fiscal year
12 2024.

13 (c) An appropriation made by subsection (a) is pro-
14 vided under the authority and conditions as provided
15 under this Act and shall be available to the extent and
16 in the manner that would be provided by this Act.

17 (d) An appropriation made by subsection (a) shall
18 cover all obligations or expenditures incurred for such
19 project or activity during the portion of fiscal year 2024
20 for which this section applies to such project or activity.

21 (e) This section shall not apply to a project or activity
22 during any period of fiscal year 2024 if any other provi-
23 sion of law (other than an authorization of appropria-
24 tions)—

1 (1) makes an appropriation, makes funds avail-
2 able, or grants authority for such project or activity
3 to continue for such period; or

4 (2) specifically provides that no appropriation
5 shall be made, no funds shall be made available, or
6 no authority shall be granted for such project or ac-
7 tivity to continue for such period.

8 (f) Nothing in this section shall be construed to affect
9 obligations of the government of the District of Columbia
10 mandated by other law.

11 SEC. 805. (a) Section 3(c)(2)(G) of the District of
12 Columbia College Access Act of 1999 (sec. 38–
13 2702(c)(2)(G), D.C. Official Code) is amended to read as
14 follows:

15 “(G) is from a family with a taxable an-
16 nual income of less than the applicable family
17 income limit, as defined in paragraph (7).”.

18 (b) Section 3(e) of such Act (sec. 38–2702(e), D.C.
19 Official Code) is amended by adding at the end the fol-
20 lowing new paragraph:

21 “(7) APPLICABLE FAMILY INCOME LIMIT.—The
22 term ‘applicable family income limit’ means, with re-
23 spect to an individual, the following:

1 “(A) In the case of an individual who
2 began an undergraduate course of study prior
3 to school year 2015-2016, \$1,000,000.

4 “(B) In the case of an individual who be-
5 gins an undergraduate course of study in school
6 year 2016-2017, \$750,000.

7 “(C) In the case of an individual who be-
8 gins an undergraduate course of study in school
9 year 2017-2018 or school year 2018-2019, the
10 applicable family income limit under this para-
11 graph for an individual who began an under-
12 graduate course of study in the previous school
13 year, adjusted by the Mayor for inflation, as
14 measured by the percentage increase, if any,
15 from the preceding fiscal year in the Consumer
16 Price Index for All Urban Consumers, pub-
17 lished by the Bureau of Labor Statistics of the
18 Department of Labor.

19 “(D) In the case of an individual who be-
20 gins an undergraduate course of study in school
21 year 2019-2020, \$500,000.

22 “(E) In the case of an individual who be-
23 gins an undergraduate course of study in school
24 year 2020-2021, the amount described in sub-
25 paragraph (D), adjusted by the Mayor for infla-

1 tion, as measured by the percentage increase, if
2 any, from the preceding fiscal year in the Con-
3 sumer Price Index for All Urban Consumers,
4 published by the Bureau of Labor Statistics of
5 the Department of Labor.

6 “(F) In the case of an individual who be-
7 gins an undergraduate course of study in school
8 year 2021-2022, \$750,000.

9 “(G) In the case of an individual who be-
10 gins an undergraduate course of study in school
11 year 2022-2023 or any succeeding school year,
12 the applicable family income limit under this
13 paragraph for an individual who began an un-
14 dergraduate course of study in the previous
15 school year, adjusted by the Mayor for inflation,
16 as measured by the percentage increase, if any,
17 from the preceding fiscal year in the Consumer
18 Price Index for All Urban Consumers, pub-
19 lished by the Bureau of Labor Statistics of the
20 Department of Labor.”.

21 (c) The amendments made by this section shall take
22 effect as if included in the enactment of the Financial
23 Services and General Government Appropriations Act,
24 2019 (division D of Public Law 116–6).

1 SEC. 806. Nothing in this Act may be construed to
2 prevent the Council or Mayor of the District of Columbia
3 from addressing the issue of the provision of contraceptive
4 coverage by health insurance plans, but it is the intent
5 of Congress that any legislation enacted on such issue
6 should include a “conscience clause” which provides excep-
7 tions for religious beliefs and moral convictions.

8 SEC. 807. (a) Section 244 of the Revised Statutes
9 of the United States relating to the District of Columbia
10 (sec. 9-1201.03, D.C. Official Code) does not apply with
11 respect to any railroads installed pursuant to the Long
12 Bridge Project.

13 (b) In this section, the term “Long Bridge Project”
14 means the project carried out by the District of Columbia
15 and the Commonwealth of Virginia to construct a new
16 Long Bridge adjacent to the existing Long Bridge over
17 the Potomac River, including related infrastructure and
18 other related projects, to expand commuter and regional
19 passenger rail service and to provide bike and pedestrian
20 access crossings over the Potomac River.

21 SEC. 808. No services may be made available in ac-
22 cordance with section 740(a) of the District of Columbia
23 Home Rule Act (sec. 1–207.40(a), D.C. Official Code) at
24 any time during fiscal year 2023.

1 SEC. 809. Section 3 of the District of Columbia Col-
2 lege Access Act of 1999 (sec.38–2702, D.C. Official
3 Code), is amended—

4 (1) in subsection (a)(2)(A), by striking
5 “\$10,000” and inserting “\$15,000”;

6 (2) in subsection (a)(2)(B), by striking
7 “\$50,000” and inserting “\$75,000”;

8 (3) in subsection (b)(1)(A), by striking “and”
9 at the end;

10 (4) in subsection (b)(1), by redesignating sub-
11 paragraph (B) as subparagraph (C) and inserting
12 after subparagraph (A) the following new subpara-
13 graph; “(B) after making reductions under subpara-
14 graph (A), ratably reduce the amount of the tuition
15 and fee payment of each eligible student who re-
16 ceives more than \$10,000 for the award year; and”;
17 and

18 (5) in subparagraph (C) of subsection (b)(1), as
19 so redesignated, by striking “subparagraph (A)” and
20 inserting “subparagraphs (A) and (B)”.

21 SEC. 810. ADJUSTMENTS IN COMPENSATION RATES
22 FOR CERTAIN PERSONNEL.—

23 (a) ATTORNEYS REPRESENTING INDIGENT DEFEND-
24 ANTS.—

1 (1) Section 11–2604(a), District of Columbia
2 Official Code, is amended by striking “at a fixed
3 rate of \$90 per hour” and inserting “an hourly rate
4 not to exceed the rate payable under section
5 3006A(d)(1) of title 18, United States Code”.

6 (2) The amendments made by this section shall
7 apply with respect to cases and proceedings initiated
8 on or after the date of the enactment of this Act.

9 (b) CRIMINAL JUSTICE INVESTIGATORS.—

10 (1) Section 11–2605, District of Columbia Offi-
11 cial Code, is amended in subsections (b) and (c) by
12 striking “(or, in the case of investigative services, a
13 fixed rate of \$25 per hour)” each place it appears.

14 (2) The amendments made by this section shall
15 apply with respect to investigative services provided
16 in connection with cases and proceedings initiated on
17 or after the date of the enactment of this Act.

18 SEC. 811. Except as expressly provided otherwise,
19 any reference to “this Act” contained in this title or in
20 title IV shall be treated as referring only to the provisions
21 of this title or of title IV.

22 This division may be cited as the “Financial Services
23 and General Government Appropriations Act, 2023”.

1 **DIVISION E—DEPARTMENT OF THE INTE-**
2 **RIOR, ENVIRONMENT, AND RELATED**
3 **AGENCIES APPROPRIATIONS ACT, 2023**

4 TITLE I

5 DEPARTMENT OF THE INTERIOR

6 BUREAU OF LAND MANAGEMENT

7 MANAGEMENT OF LANDS AND RESOURCES

8 For necessary expenses for protection, use, improve-
9 ment, development, disposal, cadastral surveying, classi-
10 fication, acquisition of easements and other interests in
11 lands, and performance of other functions, including main-
12 tenance of facilities, as authorized by law, in the manage-
13 ment of lands and their resources under the jurisdiction
14 of the Bureau of Land Management, including the general
15 administration of the Bureau, and assessment of mineral
16 potential of public lands pursuant to section 1010(a) of
17 Public Law 96–487 (16 U.S.C. 3150(a)), \$1,416,126,000
18 (reduced by \$1,000,000) (increased by \$1,000,000), to re-
19 main available until September 30, 2024; of which
20 \$79,345,000 for annual and deferred maintenance and
21 \$156,100,000 for the wild horse and burro program, as
22 authorized by Public Law 92–195 (16 U.S.C. 1331 et
23 seq.), shall remain available until expended: *Provided*,
24 That amounts in the fee account of the BLM Permit Proc-
25 essing Improvement Fund may be used for any bureau-

1 related expenses associated with the processing of oil and
2 gas applications for permits to drill and related use of au-
3 thorizations: *Provided further*, That of the amounts made
4 available under this heading, up to \$1,000,000 may be
5 made available for the purposes described in section
6 122(e)(1)(A) of division G of Public Law 115–31 (43
7 U.S.C. 1748c(e)(1)(A)).

8 In addition, \$51,020,000, to remain available until
9 expended, is for conducting oil and gas inspection activi-
10 ties, to be reduced by amounts collected by the Bureau
11 and credited to this appropriation from onshore oil and
12 gas inspection fees that the Bureau shall collect, as pro-
13 vided for in this Act; and \$39,696,000 is for Mining Law
14 Administration program operations, including the cost of
15 administering the mining claim fee program, to remain
16 available until expended, to be reduced by amounts col-
17 lected by the Bureau and credited to this appropriation
18 from mining claim maintenance fees and location fees that
19 are hereby authorized for fiscal year 2023, so as to result
20 in a final appropriation estimated at not more than
21 \$1,416,126,000 and \$2,000,000, to remain available until
22 expended, from communication site rental fees established
23 by the Bureau for the cost of administering communica-
24 tion site activities.

1 OREGON AND CALIFORNIA GRANT LANDS

2 For expenses necessary for management, protection,
3 and development of resources and for construction, oper-
4 ation, and maintenance of access roads, reforestation, and
5 other improvements on the revested Oregon and California
6 Railroad grant lands, on other Federal lands in the Or-
7 egon and California land-grant counties of Oregon, and
8 on adjacent rights-of-way; and acquisition of lands or in-
9 terests therein, including existing connecting roads on or
10 adjacent to such grant lands; \$125,049,000, to remain
11 available until expended: *Provided*, That 25 percent of the
12 aggregate of all receipts during the current fiscal year
13 from the revested Oregon and California Railroad grant
14 lands is hereby made a charge against the Oregon and
15 California land-grant fund and shall be transferred to the
16 General Fund in the Treasury in accordance with the sec-
17 ond paragraph of subsection (b) of title II of the Act of
18 August 28, 1937 (43 U.S.C. 2605).

19 RANGE IMPROVEMENTS

20 For rehabilitation, protection, and acquisition of
21 lands and interests therein, and improvement of Federal
22 rangelands pursuant to section 401 of the Federal Land
23 Policy and Management Act of 1976 (43 U.S.C. 1751),
24 notwithstanding any other Act, sums equal to 50 percent
25 of all moneys received during the prior fiscal year under

1 sections 3 and 15 of the Taylor Grazing Act (43 U.S.C.
2 315b, 315m) and the amount designated for range im-
3 provements from grazing fees and mineral leasing receipts
4 from Bankhead-Jones lands transferred to the Depart-
5 ment of the Interior pursuant to law, but not less than
6 \$10,000,000, to remain available until expended: *Pro-*
7 *vided*, That not to exceed \$600,000 shall be available for
8 administrative expenses.

9 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

10 For administrative expenses and other costs related
11 to processing application documents and other authoriza-
12 tions for use and disposal of public lands and resources,
13 for costs of providing copies of official public land docu-
14 ments, for monitoring construction, operation, and termi-
15 nation of facilities in conjunction with use authorizations,
16 and for rehabilitation of damaged property, such amounts
17 as may be collected under Public Law 94–579 (43 U.S.C.
18 1701 et seq.), and under section 28 of the Mineral Leasing
19 Act (30 U.S.C. 185), to remain available until expended:
20 *Provided*, That notwithstanding any provision to the con-
21 trary of section 305(a) of Public Law 94–579 (43 U.S.C.
22 1735(a)), any moneys that have been or will be received
23 pursuant to that section, whether as a result of forfeiture,
24 compromise, or settlement, if not appropriate for refund
25 pursuant to section 305(c) of that Act (43 U.S.C.

1 1735(c)), shall be available and may be expended under
2 the authority of this Act by the Secretary of the Interior
3 to improve, protect, or rehabilitate any public lands ad-
4 ministered through the Bureau of Land Management
5 which have been damaged by the action of a resource de-
6 veloper, purchaser, permittee, or any unauthorized person,
7 without regard to whether all moneys collected from each
8 such action are used on the exact lands damaged which
9 led to the action: *Provided further*, That any such moneys
10 that are in excess of amounts needed to repair damage
11 to the exact land for which funds were collected may be
12 used to repair other damaged public lands.

13 MISCELLANEOUS TRUST FUNDS

14 In addition to amounts authorized to be expended
15 under existing laws, there is hereby appropriated such
16 amounts as may be contributed under section 307 of Pub-
17 lic Law 94-579 (43 U.S.C. 1737), and such amounts as
18 may be advanced for administrative costs, surveys, ap-
19 praisals, and costs of making conveyances of omitted lands
20 under section 211(b) of that Act (43 U.S.C. 1721(b)), to
21 remain available until expended.

22 ADMINISTRATIVE PROVISIONS

23 The Bureau of Land Management may carry out the
24 operations funded under this Act by direct expenditure,
25 contracts, grants, cooperative agreements, and reimburs-

1 able agreements with public and private entities, including
2 with States. Appropriations for the Bureau shall be avail-
3 able for purchase, erection, and dismantlement of tem-
4 porary structures, and alteration and maintenance of nec-
5 essary buildings and appurtenant facilities to which the
6 United States has title; up to \$100,000 for payments, at
7 the discretion of the Secretary, for information or evidence
8 concerning violations of laws administered by the Bureau;
9 miscellaneous and emergency expenses of enforcement ac-
10 tivities authorized or approved by the Secretary and to be
11 accounted for solely on the Secretary's certificate, not to
12 exceed \$10,000: *Provided*, That notwithstanding Public
13 Law 90-620 (44 U.S.C. 501), the Bureau may, under co-
14 operative cost-sharing and partnership arrangements au-
15 thorized by law, procure printing services from cooperators
16 in connection with jointly produced publications for which
17 the cooperators share the cost of printing either in cash
18 or in services, and the Bureau determines the cooperator
19 is capable of meeting accepted quality standards: *Provided*
20 *further*, That projects to be funded pursuant to a written
21 commitment by a State government to provide an identi-
22 fied amount of money in support of the project may be
23 carried out by the Bureau on a reimbursable basis.

1 UNITED STATES FISH AND WILDLIFE SERVICE
2 RESOURCE MANAGEMENT

3 For necessary expenses of the United States Fish and
4 Wildlife Service, as authorized by law, and for scientific
5 and economic studies, general administration, and for the
6 performance of other authorized functions related to such
7 resources, \$1,649,753,000, to remain available until Sep-
8 tember 30, 2024: *Provided*, That not to exceed
9 \$25,946,000 shall be used for implementing subsections
10 (a), (b), (c), and (e) of section 4 of the Endangered Spe-
11 cies Act of 1973 (16 U.S.C. 1533) (except for processing
12 petitions, developing and issuing proposed and final regu-
13 lations, and taking any other steps to implement actions
14 described in subsection (c)(2)(A), (c)(2)(B)(i), or
15 (c)(2)(B)(ii) of such section.

16 CONSTRUCTION

17 For construction, improvement, acquisition, or re-
18 moval of buildings and other facilities required in the con-
19 servation, management, investigation, protection, and uti-
20 lization of fish and wildlife resources, and the acquisition
21 of lands and interests therein; \$32,904,000, to remain
22 available until expended: *Provided*, That such amounts are
23 available for the modernization of field communication ca-
24 pabilities, in addition to amounts otherwise available for
25 such purpose.

1 COOPERATIVE ENDANGERED SPECIES CONSERVATION
2 FUND

3 For expenses necessary to carry out section 6 of the
4 Endangered Species Act of 1973 (16 U.S.C. 1535),
5 \$24,564,000, to remain available until expended, to be de-
6 rived from the Cooperative Endangered Species Conserva-
7 tion Fund.

8 NATIONAL WILDLIFE REFUGE FUND

9 For expenses necessary to implement the Act of Octo-
10 ber 17, 1978 (16 U.S.C. 715s), \$13,228,000.

11 NORTH AMERICAN WETLANDS CONSERVATION FUND

12 For expenses necessary to carry out the provisions
13 of the North American Wetlands Conservation Act (16
14 U.S.C. 4401 et seq.), \$50,000,000, to remain available
15 until expended.

16 NEOTROPICAL MIGRATORY BIRD CONSERVATION

17 For expenses necessary to carry out the Neotropical
18 Migratory Bird Conservation Act (16 U.S.C. 6101 et
19 seq.), \$5,100,000, to remain available until expended.

20 MULTINATIONAL SPECIES CONSERVATION FUND

21 For expenses necessary to carry out the African Ele-
22 phant Conservation Act (16 U.S.C. 4201 et seq.), the
23 Asian Elephant Conservation Act of 1997 (16 U.S.C.
24 4261 et seq.), the Rhinoceros and Tiger Conservation Act
25 of 1994 (16 U.S.C. 5301 et seq.), the Great Ape Con-

1 servation Act of 2000 (16 U.S.C. 6301 et seq.), and the
2 Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601
3 et seq.), \$25,500,000, to remain available until expended.

4 STATE AND TRIBAL WILDLIFE GRANTS

5 For wildlife conservation grants to States and to the
6 District of Columbia, Puerto Rico, Guam, the United
7 States Virgin Islands, the Northern Mariana Islands,
8 American Samoa, and Indian tribes under the provisions
9 of the Fish and Wildlife Act of 1956 and the Fish and
10 Wildlife Coordination Act, for the development and imple-
11 mentation of programs for the benefit of wildlife and their
12 habitat, including species that are not hunted or fished,
13 \$74,362,000 (increased by \$74,362,000) (reduced by
14 \$74,362,000) (increased by \$1,000,000), to remain avail-
15 able until expended: *Provided*, That of the amount pro-
16 vided herein, \$6,250,000 is for a competitive grant pro-
17 gram for Indian tribes not subject to the remaining provi-
18 sions of this appropriation: *Provided further*, That
19 \$7,862,000 is for a competitive grant program to imple-
20 ment approved plans for States, territories, and other ju-
21 risdictions and at the discretion of affected States, the re-
22 gional Associations of fish and wildlife agencies, not sub-
23 ject to the remaining provisions of this appropriation: *Pro-*
24 *vided further*, That the Secretary shall, after deducting
25 \$14,112,000 and administrative expenses, apportion the

1 amount provided herein in the following manner: (1) to
2 the District of Columbia and to the Commonwealth of
3 Puerto Rico, each a sum equal to not more than one-half
4 of 1 percent thereof; and (2) to Guam, American Samoa,
5 the United States Virgin Islands, and the Commonwealth
6 of the Northern Mariana Islands, each a sum equal to not
7 more than one-fourth of 1 percent thereof: *Provided fur-*
8 *ther*, That the Secretary of the Interior shall apportion
9 the remaining amount in the following manner: (1) one-
10 third of which is based on the ratio to which the land area
11 of such State bears to the total land area of all such
12 States; and (2) two-thirds of which is based on the ratio
13 to which the population of such State bears to the total
14 population of all such States: *Provided further*, That the
15 amounts apportioned under this paragraph shall be ad-
16 justed equitably so that no State shall be apportioned a
17 sum which is less than 1 percent of the amount available
18 for apportionment under this paragraph for any fiscal year
19 or more than 5 percent of such amount: *Provided further*,
20 That the Federal share of planning grants shall not exceed
21 75 percent of the total costs of such projects and the Fed-
22 eral share of implementation grants shall not exceed 65
23 percent of the total costs of such projects: *Provided fur-*
24 *ther*, That the non-Federal share of such projects may not
25 be derived from Federal grant programs: *Provided further*,

1 That any amount apportioned in 2023 to any State, terri-
2 tory, or other jurisdiction that remains unobligated as of
3 September 30, 2024, shall be reapportioned, together with
4 funds appropriated in 2025, in the manner provided here-
5 in.

6 ADMINISTRATIVE PROVISIONS

7 The United States Fish and Wildlife Service may
8 carry out the operations of Service programs by direct ex-
9 penditure, contracts, grants, cooperative agreements and
10 reimbursable agreements with public and private entities.
11 Appropriations and funds available to the United States
12 Fish and Wildlife Service shall be available for repair of
13 damage to public roads within and adjacent to reservation
14 areas caused by operations of the Service; options for the
15 purchase of land at not to exceed one dollar for each op-
16 tion; facilities incident to such public recreational uses on
17 conservation areas as are consistent with their primary
18 purpose; and the maintenance and improvement of aquar-
19 ia, buildings, and other facilities under the jurisdiction of
20 the Service and to which the United States has title, and
21 which are used pursuant to law in connection with man-
22 agement, and investigation of fish and wildlife resources:
23 *Provided*, That notwithstanding 44 U.S.C. 501, the Serv-
24 ice may, under cooperative cost sharing and partnership
25 arrangements authorized by law, procure printing services

1 from cooperators in connection with jointly produced pub-
2 lications for which the cooperators share at least one-half
3 the cost of printing either in cash or services and the Serv-
4 ice determines the cooperator is capable of meeting accept-
5 ed quality standards: *Provided further*, That the Service
6 may accept donated aircraft as replacements for existing
7 aircraft: *Provided further*, That notwithstanding 31 U.S.C.
8 3302, all fees collected for non-toxic shot review and ap-
9 proval shall be deposited under the heading “United
10 States Fish and Wildlife Service—Resource Management”
11 and shall be available to the Secretary, without further
12 appropriation, to be used for expenses of processing of
13 such non-toxic shot type or coating applications and revis-
14 ing regulations as necessary, and shall remain available
15 until expended: *Provided further*, That the second proviso
16 under the heading “United States Fish and Wildlife Serv-
17 ice—Resource Management” in title I of division E of Pub-
18 lic Law 112–74 (16 U.S.C. 742l–1) is amended by striking
19 “2012” and inserting “2023” and striking “\$400,000”
20 and inserting “\$750,000”.

21 NATIONAL PARK SERVICE

22 OPERATION OF THE NATIONAL PARK SYSTEM

23 For expenses necessary for the management, oper-
24 ation, and maintenance of areas and facilities adminis-
25 tered by the National Park Service and for the general

1 administration of the National Park Service,
2 \$3,089,856,000 (reduced by \$5,000,000) (increased by
3 \$5,000,000), of which \$11,661,000 for planning and
4 interagency coordination in support of Everglades restora-
5 tion and \$135,980,000 for maintenance, repair, or reha-
6 bilitation projects for constructed assets and
7 \$188,184,000 for cyclic maintenance projects for con-
8 structed assets and cultural resources and \$5,000,000 for
9 uses authorized by section 101122 of title 54, United
10 States Code shall remain available until September 30,
11 2024: *Provided*, That funds appropriated under this head-
12 ing in this Act are available for the purposes of section
13 5 of Public Law 95–348: *Provided further*, That notwith-
14 standing section 9 of the 400 Years of African-American
15 History Commission Act (36 U.S.C. note prec. 101; Public
16 Law 115–102), \$3,300,000 of the funds provided under
17 this heading shall be made available for the purposes spec-
18 ified by that Act: *Provided further*, That sections (7)(b)
19 and (8) of that Act shall be amended by striking “July
20 1, 2023” and inserting “July 1, 2024”.

21 In addition, for purposes described in section 2404
22 of Public Law 116–9, an amount equal to the amount de-
23 posited in this fiscal year into the National Park Medical
24 Services Fund established pursuant to such section of

1 such Act, to remain available until expended, shall be de-
2 rived from such Fund.

3 NATIONAL RECREATION AND PRESERVATION

4 For expenses necessary to carry out recreation pro-
5 grams, natural programs, cultural programs, heritage
6 partnership programs, environmental compliance and re-
7 view, international park affairs, and grant administration,
8 not otherwise provided for, \$88,243,000, to remain avail-
9 able until September 30, 2024.

10 HISTORIC PRESERVATION FUND

11 For expenses necessary in carrying out the National
12 Historic Preservation Act (division A of subtitle III of title
13 54, United States Code), \$170,825,000 (reduced by
14 \$3,000,000) (increased by \$3,000,000), to be derived from
15 the Historic Preservation Fund and to remain available
16 until September 30, 2024, of which \$26,500,000 shall be
17 for Save America's Treasures grants for preservation of
18 nationally significant sites, structures and artifacts as au-
19 thorized by section 7303 of the Omnibus Public Land
20 Management Act of 2009 (54 U.S.C. 3089): *Provided*,
21 That an individual Save America's Treasures grant shall
22 be matched by non-Federal funds: *Provided further*, That
23 individual projects shall only be eligible for one grant: *Pro-*
24 *vided further*, That all projects to be funded shall be ap-
25 proved by the Secretary of the Interior in consultation

1 with the House and Senate Committees on Appropria-
2 tions: *Provided further*, That of the funds provided for the
3 Historic Preservation Fund, \$1,250,000 is for competitive
4 grants for the survey and nomination of properties to the
5 National Register of Historic Places and as National His-
6 toric Landmarks associated with communities currently
7 under-represented, as determined by the Secretary;
8 \$26,750,000 is for competitive grants to preserve the sites
9 and stories of the Civil Rights movement; \$10,000,000 is
10 for grants to Historically Black Colleges and Universities;
11 \$10,000,000 is for competitive grants for the restoration
12 of historic properties of national, State, and local signifi-
13 cance listed on or eligible for inclusion on the National
14 Register of Historic Places, to be made without imposing
15 the usage or direct grant restrictions of section 101(e)(3)
16 (54 U.S.C. 302904) of the National Historical Preserva-
17 tion Act; \$3,000,000 is for a competitive grant program
18 to honor the semiquincentennial anniversary of the United
19 States by restoring and preserving sites and structures
20 listed on the National Register of Historic Places that
21 commemorate the founding of the nation; and
22 \$11,650,000 is for projects specified for the Historic Pres-
23 ervation Fund in the table titled “Interior and Environ-
24 ment Incorporation of Community Project Funding
25 Items” included for this division in the report accom-

1 panying this Act: *Provided further*, That such competitive
2 grants shall be made without imposing the matching re-
3 quirements in section 302902(b)(3) of title 54, United
4 States Code to States and Indian tribes as defined in
5 chapter 3003 of such title, Native Hawaiian organizations,
6 local governments, including Certified Local Governments,
7 and non-profit organizations.

8 CONSTRUCTION

9 For construction, improvements, repair, or replace-
10 ment of physical facilities, and compliance and planning
11 for programs and areas administered by the National
12 Park Service, \$279,340,000, to remain available until ex-
13 pended: *Provided*, That notwithstanding any other provi-
14 sion of law, for any project initially funded in fiscal year
15 2023 with a future phase indicated in the National Park
16 Service 5–Year Line Item Construction Plan, a single pro-
17 curement may be issued which includes the full scope of
18 the project: *Provided further*, That the solicitation and
19 contract shall contain the clause availability of funds
20 found at 48 CFR 52.232–18: *Provided further*, That Na-
21 tional Park Service Donations, Park Concessions Fran-
22 chise Fees, and Recreation Fees may be made available
23 for the cost of adjustments and changes within the origi-
24 nal scope of effort for projects funded by the National
25 Park Service Construction appropriation: *Provided further*,

1 That the Secretary of the Interior shall consult with the
2 Committees on Appropriations, in accordance with current
3 reprogramming thresholds, prior to making any charges
4 authorized by this section.

5 CENTENNIAL CHALLENGE

6 For expenses necessary to carry out the provisions
7 of section 101701 of title 54, United States Code, relating
8 to challenge cost share agreements, \$15,000,000, to re-
9 main available until expended, for Centennial Challenge
10 projects and programs: *Provided*, That not less than 50
11 percent of the total cost of each project or program shall
12 be derived from non-Federal sources in the form of do-
13 nated cash, assets, or a pledge of donation guaranteed by
14 an irrevocable letter of credit.

15 ADMINISTRATIVE PROVISIONS

16 (INCLUDING TRANSFER OF FUNDS)

17 In addition to other uses set forth in section
18 101917(c)(2) of title 54, United States Code, franchise
19 fees credited to a sub-account shall be available for ex-
20 penditure by the Secretary, without further appropriation,
21 for use at any unit within the National Park System to
22 extinguish or reduce liability for Possessory Interest or
23 leasehold surrender interest. Such funds may only be used
24 for this purpose to the extent that the benefitting unit an-
25 ticipated franchise fee receipts over the term of the con-

1 tract at that unit exceed the amount of funds used to ex-
2 tinguish or reduce liability. Franchise fees at the benefit-
3 ting unit shall be credited to the sub-account of the origi-
4 nating unit over a period not to exceed the term of a single
5 contract at the benefitting unit, in the amount of funds
6 so expended to extinguish or reduce liability.

7 For the costs of administration of the Land and
8 Water Conservation Fund grants authorized by section
9 105(a)(2)(B) of the Gulf of Mexico Energy Security Act
10 of 2006 (Public Law 109–432), the National Park Service
11 may retain up to 3 percent of the amounts which are au-
12 thorized to be disbursed under such section, such retained
13 amounts to remain available until expended.

14 National Park Service funds may be transferred to
15 the Federal Highway Administration (FHWA), Depart-
16 ment of Transportation, for purposes authorized under 23
17 U.S.C. 203. Transfers may include a reasonable amount
18 for FHWA administrative support costs.

19 UNITED STATES GEOLOGICAL SURVEY

20 SURVEYS, INVESTIGATIONS, AND RESEARCH

21 For expenses necessary for the United States Geo-
22 logical Survey to perform surveys, investigations, and re-
23 search covering topography, geology, hydrology, biology,
24 and the mineral and water resources of the United States,
25 its territories and possessions, and other areas as author-

1 ized by 43 U.S.C. 31, 1332, and 1340; classify lands as
2 to their mineral and water resources; give engineering su-
3 pervision to power permittees and Federal Energy Regu-
4 latory Commission licensees; administer the minerals ex-
5 ploration program (30 U.S.C. 641); conduct inquiries into
6 the economic conditions affecting mining and materials
7 processing industries (30 U.S.C. 3, 21a, and 1603; 50
8 U.S.C. 98g(a)(1)) and related purposes as authorized by
9 law; and to publish and disseminate data relative to the
10 foregoing activities; \$1,644,232,000, to remain available
11 until September 30, 2024; of which \$92,274,000 shall re-
12 main available until expended for satellite operations; and
13 of which \$74,840,000 shall be available until expended for
14 deferred maintenance and capital improvement projects
15 that exceed \$100,000 in cost: *Provided*, That none of the
16 funds provided for the ecosystem research activity shall
17 be used to conduct new surveys on private property, unless
18 specifically authorized in writing by the property owner:
19 *Provided further*, That no part of this appropriation shall
20 be used to pay more than one-half the cost of topographic
21 mapping or water resources data collection and investiga-
22 tions carried on in cooperation with States and municipali-
23 ties.

1 ADMINISTRATIVE PROVISIONS

2 From within the amount appropriated for activities
3 of the United States Geological Survey such sums as are
4 necessary shall be available for contracting for the fur-
5 nishing of topographic maps and for the making of geo-
6 physical or other specialized surveys when it is administra-
7 tively determined that such procedures are in the public
8 interest; construction and maintenance of necessary build-
9 ings and appurtenant facilities; acquisition of lands for
10 gauging stations, observation wells, and seismic equip-
11 ment; expenses of the United States National Committee
12 for Geological Sciences; and payment of compensation and
13 expenses of persons employed by the Survey duly ap-
14 pointed to represent the United States in the negotiation
15 and administration of interstate compacts: *Provided*, That
16 activities funded by appropriations herein made may be
17 accomplished through the use of contracts, grants, or co-
18 operative agreements as defined in section 6302 of title
19 31, United States Code: *Provided further*, That the United
20 States Geological Survey may enter into contracts or coop-
21 erative agreements directly with individuals or indirectly
22 with institutions or nonprofit organizations, without re-
23 gard to 41 U.S.C. 6101, for the temporary or intermittent
24 services of students or recent graduates, who shall be con-
25 sidered employees for the purpose of chapters 57 and 81

1 of title 5, United States Code, relating to compensation
2 for travel and work injuries, and chapter 171 of title 28,
3 United States Code, relating to tort claims, but shall not
4 be considered to be Federal employees for any other pur-
5 poses.

6 BUREAU OF OCEAN ENERGY MANAGEMENT

7 OCEAN ENERGY MANAGEMENT

8 For expenses necessary for granting and admin-
9 istering leases, easements, rights-of-way, and agreements
10 for use for oil and gas, other minerals, energy, and ma-
11 rine-related purposes on the Outer Continental Shelf and
12 approving operations related thereto, as authorized by law;
13 for environmental studies, as authorized by law; for imple-
14 menting other laws and to the extent provided by Presi-
15 dential or Secretarial delegation; and for matching grants
16 or cooperative agreements \$228,765,000 (increased by
17 \$1,000,000) (increased by \$2,000,000) (reduced by
18 \$2,000,000), of which \$191,765,000 (increased by
19 \$1,000,000) is to remain available until September 30,
20 2024, and of which \$37,000,000 is to remain available
21 until expended: *Provided*, That this total appropriation
22 shall be reduced by amounts collected by the Secretary of
23 the Interior and credited to this appropriation from addi-
24 tions to receipts resulting from increases to lease rental
25 rates in effect on August 5, 1993, and from cost recovery

1 fees from activities conducted by the Bureau of Ocean En-
2 ergy Management pursuant to the Outer Continental Shelf
3 Lands Act, including studies, assessments, analysis, and
4 miscellaneous administrative activities: *Provided further*,
5 That the sum herein appropriated shall be reduced as such
6 collections are received during the fiscal year, so as to re-
7 sult in a final fiscal year 2023 appropriation estimated
8 at not more than \$191,765,000 (increased by
9 \$1,000,000): *Provided further*, That not to exceed \$3,000
10 shall be available for reasonable expenses related to pro-
11 moting volunteer beach and marine cleanup activities.

12 BUREAU OF SAFETY AND ENVIRONMENTAL

13 ENFORCEMENT

14 OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT

15 For expenses necessary for the regulation of oper-
16 ations related to leases, easements, rights-of-way, and
17 agreements for use for oil and gas, other minerals, energy,
18 and marine-related purposes on the Outer Continental
19 Shelf, as authorized by law; for enforcing and imple-
20 menting laws and regulations as authorized by law and
21 to the extent provided by Presidential or Secretarial dele-
22 gation; and for matching grants or cooperative agree-
23 ments, \$175,086,000, of which \$151,086,000 is to remain
24 available until September 30, 2024, and of which
25 \$24,000,000 is to remain available until expended, includ-

1 ing \$5,000,000 for offshore decommissioning activities:
2 *Provided*, That this total appropriation shall be reduced
3 by amounts collected by the Secretary of the Interior and
4 credited to this appropriation from additions to receipts
5 resulting from increases to lease rental rates in effect on
6 August 5, 1993, and from cost recovery fees from activi-
7 ties conducted by the Bureau of Safety and Environmental
8 Enforcement pursuant to the Outer Continental Shelf
9 Lands Act, including studies, assessments, analysis, and
10 miscellaneous administrative activities: *Provided further*,
11 That the sum herein appropriated shall be reduced as such
12 collections are received during the fiscal year, so as to re-
13 sult in a final fiscal year 2023 appropriation estimated
14 at not more than \$156,086,000.

15 For an additional amount, \$44,000,000, to remain
16 available until expended, to be reduced by amounts col-
17 lected by the Secretary and credited to this appropriation,
18 which shall be derived from non-refundable inspection fees
19 collected in fiscal year 2023, as provided in this Act: *Pro-*
20 *vided*, That to the extent that amounts realized from such
21 inspection fees exceed \$44,000,000, the amounts realized
22 in excess of \$44,000,000 shall be credited to this appro-
23 priation and remain available until expended: *Provided*
24 *further*, That for fiscal year 2023, not less than 50 percent
25 of the inspection fees expended by the Bureau of Safety

1 and Environmental Enforcement will be used to fund per-
2 sonnel and mission-related costs to expand capacity and
3 expedite the orderly development, subject to environmental
4 safeguards, of the Outer Continental Shelf pursuant to the
5 Outer Continental Shelf Lands Act (43 U.S.C. 1331 et
6 seq.), including the review of applications for permits to
7 drill.

8 OIL SPILL RESEARCH

9 For necessary expenses to carry out title I, section
10 1016; title IV, sections 4202 and 4303; title VII; and title
11 VIII, section 8201 of the Oil Pollution Act of 1990,
12 \$15,099,000, which shall be derived from the Oil Spill Li-
13 ability Trust Fund, to remain available until expended.

14 OFFICE OF SURFACE MINING RECLAMATION AND

15 ENFORCEMENT

16 REGULATION AND TECHNOLOGY

17 For necessary expenses to carry out the provisions
18 of the Surface Mining Control and Reclamation Act of
19 1977, Public Law 95–87, \$122,076,000, to remain avail-
20 able until September 30, 2024, of which \$65,000,000 shall
21 be available for state and tribal regulatory grants: *Pro-*
22 *vided*, That appropriations for the Office of Surface Min-
23 ing Reclamation and Enforcement may provide for the
24 travel and per diem expenses of State and tribal personnel

1 attending Office of Surface Mining Reclamation and En-
2 forcement sponsored training.

3 In addition, for costs to review, administer, and en-
4 force permits issued by the Office pursuant to section 507
5 of Public Law 95–87 (30 U.S.C. 1257), \$40,000, to re-
6 main available until expended: *Provided*, That fees as-
7 sessed and collected by the Office pursuant to such section
8 507 shall be credited to this account as discretionary off-
9 setting collections, to remain available until expended:
10 *Provided further*, That the sum herein appropriated from
11 the general fund shall be reduced as collections are re-
12 ceived during the fiscal year, so as to result in a fiscal
13 year 2023 appropriation estimated at not more than
14 \$122,076,000.

15 ABANDONED MINE RECLAMATION FUND

16 For necessary expenses to carry out title IV of the
17 Surface Mining Control and Reclamation Act of 1977,
18 Public Law 95–87, \$34,142,000, to be derived from re-
19 ceipts of the Abandoned Mine Reclamation Fund and to
20 remain available until expended: *Provided*, That pursuant
21 to Public Law 97–365, the Department of the Interior is
22 authorized to use up to 20 percent from the recovery of
23 the delinquent debt owed to the United States Government
24 to pay for contracts to collect these debts: *Provided fur-*
25 *ther*, That funds made available under title IV of Public

1 Law 95–87 may be used for any required non-Federal
2 share of the cost of projects funded by the Federal Gov-
3 ernment for the purpose of environmental restoration re-
4 lated to treatment or abatement of acid mine drainage
5 from abandoned mines: *Provided further*, That such
6 projects must be consistent with the purposes and prior-
7 ities of the Surface Mining Control and Reclamation Act:
8 *Provided further*, That amounts provided under this head-
9 ing may be used for the travel and per diem expenses of
10 State and tribal personnel attending Office of Surface
11 Mining Reclamation and Enforcement sponsored training.

12 In addition, \$135,000,000, to remain available until
13 expended, for grants to States and federally recognized In-
14 dian Tribes for reclamation of abandoned mine lands and
15 other related activities in accordance with the terms and
16 conditions described in the report accompanying this Act:
17 *Provided*, That such additional amount shall be used for
18 economic and community development in conjunction with
19 the priorities in section 403(a) of the Surface Mining Con-
20 trol and Reclamation Act of 1977 (30 U.S.C. 1233(a)):
21 *Provided further*, That of such additional amount,
22 \$88,042,000 shall be distributed in equal amounts to the
23 three Appalachian States with the greatest amount of un-
24 funded needs to meet the priorities described in para-
25 graphs (1) and (2) of such section, \$35,218,000 shall be

1 distributed in equal amounts to the three Appalachian
2 States with the subsequent greatest amount of unfunded
3 needs to meet such priorities, and \$11,740,000 shall be
4 for grants to federally recognized Indian Tribes without
5 regard to their status as certified or uncertified under the
6 Surface Mining Control and Reclamation Act of 1977 (30
7 U.S.C. 1233(a)), for reclamation of abandoned mine lands
8 and other related activities in accordance with the terms
9 and conditions described in the report accompanying this
10 Act and shall be used for economic and community devel-
11 opment in conjunction with the priorities in section 403(a)
12 of the Surface Mining Control and Reclamation Act of
13 1977: *Provided further*, That such additional amount shall
14 be allocated to States and Indian Tribes within 60 days
15 after the date of enactment of this Act.

16 INDIAN AFFAIRS

17 BUREAU OF INDIAN AFFAIRS

18 OPERATION OF INDIAN PROGRAMS

19 (INCLUDING TRANSFERS OF FUNDS)

20 For expenses necessary for the operation of Indian
21 programs, as authorized by law, including the Snyder Act
22 of November 2, 1921 (25 U.S.C. 13) and the Indian Self-
23 Determination and Education Assistance Act of 1975 (25
24 U.S.C. 5301 et seq.), \$2,149,387,000, to remain available
25 until September 30, 2024, except as otherwise provided

1 herein; of which not to exceed \$8,500 may be for official
2 reception and representation expenses; of which not to ex-
3 ceed \$78,488,000 shall be for welfare assistance pay-
4 ments: *Provided*, That in cases of designated Federal dis-
5 asters, the Secretary of the Interior may exceed such cap
6 for welfare payments from the amounts provided herein,
7 to provide for disaster relief to Indian communities af-
8 fected by the disaster: *Provided further*, That federally rec-
9 ognized Indian tribes and tribal organizations of federally
10 recognized Indian tribes may use their tribal priority allo-
11 cations for unmet welfare assistance costs: *Provided fur-*
12 *ther*, That not to exceed \$67,084,000 shall remain avail-
13 able until expended for housing improvement, road main-
14 tenance, land acquisition, attorney fees, litigation support,
15 land records improvement, and the Navajo-Hopi Settle-
16 ment Program: *Provided further*, That any forestry funds
17 allocated to a federally recognized tribe which remain un-
18 obligated as of September 30, 2024, may be transferred
19 during fiscal year 2025 to an Indian forest land assistance
20 account established for the benefit of the holder of the
21 funds within the holder's trust fund account: *Provided fur-*
22 *ther*, That any such unobligated balances not so trans-
23 ferred shall expire on September 30, 2025: *Provided fur-*
24 *ther*, That in order to enhance the safety of Bureau field
25 employees, the Bureau may use funds to purchase uni-

1 forms or other identifying articles of clothing for per-
2 sonnel: *Provided further*, That the Bureau of Indian Af-
3 fairs may accept transfers of funds from United States
4 Customs and Border Protection to supplement any other
5 funding available for reconstruction or repair of roads
6 owned by the Bureau of Indian Affairs as identified on
7 the National Tribal Transportation Facility Inventory, 23
8 U.S.C. 202(b)(1).

9
10 INDIAN LAND CONSOLIDATION

11 For the acquisition of fractional interests to further
12 land consolidation as authorized under the Indian Land
13 Consolidation Act Amendments of 2000 (Public Law 106–
14 462), and the American Indian Probate Reform Act of
15 2004 (Public Law 108–374), \$50,000,000, to remain
16 available until expended: *Provided*, That any provision of
17 the Indian Land Consolidation Act Amendments of 2000
18 (Public Law 106–462) that requires or otherwise relates
19 to application of a lien shall not apply to the acquisitions
20 funded herein.

21 CONTRACT SUPPORT COSTS

22 For payments to tribes and tribal organizations for
23 contract support costs associated with Indian Self-Deter-
24 mination and Education Assistance Act agreements with
25 the Bureau of Indian Affairs and the Bureau of Indian
Education for fiscal year 2023, such sums as may be nec-

1 essary, which shall be available for obligation through Sep-
2 tember 30, 2024: *Provided*, That notwithstanding any
3 other provision of law, no amounts made available under
4 this heading shall be available for transfer to another
5 budget account.

6 PAYMENTS FOR TRIBAL LEASES

7 For payments to tribes and tribal organizations for
8 leases pursuant to section 105(l) of the Indian Self-Deter-
9 mination and Education Assistance Act (25 U.S.C.
10 5324(l)) for fiscal year 2023, such sums as may be nec-
11 essary, which shall be available for obligation through Sep-
12 tember 30, 2024: *Provided*, That notwithstanding any
13 other provision of law, no amounts made available under
14 this heading shall be available for transfer to another
15 budget account.

16 CONSTRUCTION

17 (INCLUDING TRANSFER OF FUNDS)

18 For construction, repair, improvement, and mainte-
19 nance of irrigation and power systems, buildings, utilities,
20 and other facilities, including architectural and engineer-
21 ing services by contract; acquisition of lands, and interests
22 in lands; and preparation of lands for farming, and for
23 construction of the Navajo Indian Irrigation Project pur-
24 suant to Public Law 87-483; \$181,009,000, to remain
25 available until expended: *Provided*, That such amounts as

1 may be available for the construction of the Navajo Indian
2 Irrigation Project may be transferred to the Bureau of
3 Reclamation: *Provided further*, That any funds provided
4 for the Safety of Dams program pursuant to the Act of
5 November 2, 1921 (25 U.S.C. 13), shall be made available
6 on a nonreimbursable basis: *Provided further*, That this
7 appropriation may be reimbursed from the Office of the
8 Special Trustee for American Indians appropriation for
9 the appropriate share of construction costs for space ex-
10 pansion needed in agency offices to meet trust reform im-
11 plementation: *Provided further*, That of the funds made
12 available under this heading, \$10,000,000 shall be derived
13 from the Indian Irrigation Fund established by section
14 3211 of the WIIN Act (Public Law 114–322; 130 Stat.
15 1749).

16 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND
17 MISCELLANEOUS PAYMENTS TO INDIANS

18 For payments and necessary administrative expenses
19 for implementation of Indian land and water claim settle-
20 ments pursuant to Public Laws 99–264, 114–322, and
21 116–260, and for implementation of other land and water
22 rights settlements, \$825,000, to remain available until ex-
23 pended.

1 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

2 For the cost of guaranteed loans and insured loans,
3 \$13,884,000, to remain available until September 30,
4 2024, of which \$2,680,000 is for administrative expenses,
5 as authorized by the Indian Financing Act of 1974: *Pro-*
6 *vided*, That such costs, including the cost of modifying
7 such loans, shall be as defined in section 502 of the Con-
8 gressional Budget Act of 1974: *Provided further*, That
9 these funds are available to subsidize total loan principal,
10 any part of which is to be guaranteed or insured, not to
11 exceed \$150,213,551.

12 BUREAU OF INDIAN EDUCATION

13 OPERATION OF INDIAN EDUCATION PROGRAMS

14 For expenses necessary for the operation of Indian
15 education programs, as authorized by law, including the
16 Snyder Act of November 2, 1921 (25 U.S.C. 13), the In-
17 dian Self-Determination and Education Assistance Act of
18 1975 (25 U.S.C. 5301 et seq.), the Education Amend-
19 ments of 1978 (25 U.S.C. 2001–2019), and the Tribally
20 Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.),
21 \$1,202,676,000 to remain available until September 30,
22 2024, except as otherwise provided herein: *Provided*, That
23 federally recognized Indian tribes and tribal organizations
24 of federally recognized Indian tribes may use their tribal
25 priority allocations for unmet welfare assistance costs:

1 *Provided further*, That not to exceed \$870,288,000 for
2 school operations costs of Bureau-funded schools and
3 other education programs shall become available on July
4 1, 2023, and shall remain available until September 30,
5 2024: *Provided further*, That notwithstanding any other
6 provision of law, including but not limited to the Indian
7 Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.)
8 and section 1128 of the Education Amendments of 1978
9 (25 U.S.C. 2008), not to exceed \$99,107,000 within and
10 only from such amounts made available for school oper-
11 ations shall be available for administrative cost grants as-
12 sociated with grants approved prior to July 1, 2023: *Pro-*
13 *vided further*, That in order to enhance the safety of Bu-
14 reau field employees, the Bureau may use funds to pur-
15 chase uniforms or other identifying articles of clothing for
16 personnel.

17 EDUCATION CONSTRUCTION

18 For construction, repair, improvement, and mainte-
19 nance of buildings, utilities, and other facilities necessary
20 for the operation of Indian education programs, including
21 architectural and engineering services by contract; acquisi-
22 tion of lands, and interests in lands; \$375,102,000 to re-
23 main available until expended: *Provided*, That in order to
24 ensure timely completion of construction projects, the Sec-
25 retary of the Interior may assume control of a project and

1 all funds related to the project, if, not later than 18
2 months after the date of the enactment of this Act, any
3 Public Law 100–297 (25 U.S.C. 2501, et seq.) grantee
4 receiving funds appropriated in this Act or in any prior
5 Act, has not completed the planning and design phase of
6 the project and commenced construction.

7 ADMINISTRATIVE PROVISIONS

8 The Bureau of Indian Affairs and the Bureau of In-
9 dian Education may carry out the operation of Indian pro-
10 grams by direct expenditure, contracts, cooperative agree-
11 ments, compacts, and grants, either directly or in coopera-
12 tion with States and other organizations.

13 Notwithstanding Public Law 87–279 (25 U.S.C. 15),
14 the Bureau of Indian Affairs may contract for services in
15 support of the management, operation, and maintenance
16 of the Power Division of the San Carlos Irrigation Project.

17 Notwithstanding any other provision of law, no funds
18 available to the Bureau of Indian Affairs or the Bureau
19 of Indian Education for central office oversight and Exec-
20 utive Direction and Administrative Services (except Exec-
21 utive Direction and Administrative Services funding for
22 Tribal Priority Allocations, regional offices, and facilities
23 operations and maintenance) shall be available for con-
24 tracts, grants, compacts, or cooperative agreements with
25 the Bureau of Indian Affairs or the Bureau of Indian

1 Education under the provisions of the Indian Self-Deter-
2 mination Act or the Tribal Self-Governance Act of 1994
3 (Public Law 103–413).

4 In the event any tribe returns appropriations made
5 available by this Act to the Bureau of Indian Affairs or
6 the Bureau of Indian Education, this action shall not di-
7 minish the Federal Government’s trust responsibility to
8 that tribe, or the government-to-government relationship
9 between the United States and that tribe, or that tribe’s
10 ability to access future appropriations.

11 Notwithstanding any other provision of law, no funds
12 available to the Bureau of Indian Education, other than
13 the amounts provided herein for assistance to public
14 schools under 25 U.S.C. 452 et seq., shall be available to
15 support the operation of any elementary or secondary
16 school in the State of Alaska.

17 No funds available to the Bureau of Indian Edu-
18 cation shall be used to support expanded grades for any
19 school or dormitory beyond the grade structure in place
20 or approved by the Secretary of the Interior at each school
21 in the Bureau of Indian Education school system as of
22 October 1, 1995, except that the Secretary of the Interior
23 may waive this prohibition to support expansion of up to
24 one additional grade when the Secretary determines such
25 waiver is needed to support accomplishment of the mission

1 of the Bureau of Indian Education, or more than one
2 grade to expand the elementary grade structure for Bu-
3 reau-funded schools with a K–2 grade structure on Octo-
4 ber 1, 1996. Appropriations made available in this or any
5 prior Act for schools funded by the Bureau shall be avail-
6 able, in accordance with the Bureau’s funding formula,
7 only to the schools in the Bureau school system as of Sep-
8 tember 1, 1996, and to any school or school program that
9 was reinstated in fiscal year 2012. Funds made available
10 under this Act may not be used to establish a charter
11 school at a Bureau-funded school (as that term is defined
12 in section 1141 of the Education Amendments of 1978
13 (25 U.S.C. 2021)), except that a charter school that is
14 in existence on the date of the enactment of this Act and
15 that has operated at a Bureau-funded school before Sep-
16 tember 1, 1999, may continue to operate during that pe-
17 riod, but only if the charter school pays to the Bureau
18 a pro rata share of funds to reimburse the Bureau for
19 the use of the real and personal property (including buses
20 and vans), the funds of the charter school are kept sepa-
21 rate and apart from Bureau funds, and the Bureau does
22 not assume any obligation for charter school programs of
23 the State in which the school is located if the charter
24 school loses such funding. Employees of Bureau-funded
25 schools sharing a campus with a charter school and per-

1 forming functions related to the charter school's operation
2 and employees of a charter school shall not be treated as
3 Federal employees for purposes of chapter 171 of title 28,
4 United States Code.

5 Notwithstanding any other provision of law, including
6 section 113 of title I of appendix C of Public Law 106–
7 113, if in fiscal year 2003 or 2004 a grantee received indi-
8 rect and administrative costs pursuant to a distribution
9 formula based on section 5(f) of Public Law 101–301, the
10 Secretary shall continue to distribute indirect and admin-
11 istrative cost funds to such grantee using the section 5(f)
12 distribution formula.

13 Funds available under this Act may not be used to
14 establish satellite locations of schools in the Bureau school
15 system as of September 1, 1996, except that the Secretary
16 may waive this prohibition in order for an Indian tribe
17 to provide language and cultural immersion educational
18 programs for non-public schools located within the juris-
19 dictional area of the tribal government which exclusively
20 serve tribal members, do not include grades beyond those
21 currently served at the existing Bureau-funded school,
22 provide an educational environment with educator pres-
23 ence and academic facilities comparable to the Bureau-
24 funded school, comply with all applicable Tribal, Federal,
25 or State health and safety standards, and the Americans

1 with Disabilities Act, and demonstrate the benefits of es-
2 tablishing operations at a satellite location in lieu of incur-
3 ring extraordinary costs, such as for transportation or
4 other impacts to students such as those caused by busing
5 students extended distances: *Provided*, That no funds
6 available under this Act may be used to fund operations,
7 maintenance, rehabilitation, construction, or other facili-
8 ties-related costs for such assets that are not owned by
9 the Bureau: *Provided further*, That the term “satellite
10 school” means a school location physically separated from
11 the existing Bureau school by more than 50 miles but that
12 forms part of the existing school in all other respects.

13 Funds made available for Tribal Priority Allocations
14 within Operation of Indian Programs and Operation of In-
15 dian Education Programs may be used to execute re-
16 quested adjustments in tribal priority allocations initiated
17 by an Indian Tribe.

18 OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN
19 INDIANS
20 FEDERAL TRUST PROGRAMS
21 (INCLUDING TRANSFER OF FUNDS)

22 For the operation of trust programs for Indians by
23 direct expenditure, contracts, cooperative agreements,
24 compacts, and grants, \$111,286,000, to remain available
25 until expended, of which not to exceed \$17,867,000 from

1 this or any other Act, may be available for historical ac-
2 counting: *Provided*, That funds for trust management im-
3 provements and litigation support may, as needed, be
4 transferred to or merged with the Bureau of Indian Af-
5 fairs, “Operation of Indian Programs” and Bureau of In-
6 dian Education, “Operation of Indian Education Pro-
7 grams” accounts; the Office of the Solicitor, “Salaries and
8 Expenses” account; and the Office of the Secretary, “De-
9 partmental Operations” account: *Provided further*, That
10 funds made available through contracts or grants obli-
11 gated during fiscal year 2023, as authorized by the Indian
12 Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.),
13 shall remain available until expended by the contractor or
14 grantee: *Provided further*, That notwithstanding any other
15 provision of law, the Secretary shall not be required to
16 provide a quarterly statement of performance for any In-
17 dian trust account that has not had activity for at least
18 15 months and has a balance of \$15 or less: *Provided fur-*
19 *ther*, That the Secretary shall issue an annual account
20 statement and maintain a record of any such accounts and
21 shall permit the balance in each such account to be with-
22 drawn upon the express written request of the account
23 holder: *Provided further*, That not to exceed \$100,000 is
24 available for the Secretary to make payments to correct
25 administrative errors of either disbursements from or de-

1 posits to Individual Indian Money or Tribal accounts after
2 September 30, 2002: *Provided further*, That erroneous
3 payments that are recovered shall be credited to and re-
4 main available in this account for this purpose: *Provided*
5 *further*, That the Secretary shall not be required to re-
6 concile Special Deposit Accounts with a balance of less than
7 \$500 unless the Office of the Special Trustee receives
8 proof of ownership from a Special Deposit Accounts claim-
9 ant: *Provided further*, That notwithstanding section 102
10 of the American Indian Trust Fund Management Reform
11 Act of 1994 (Public Law 103–412) or any other provision
12 of law, the Secretary may aggregate the trust accounts
13 of individuals whose whereabouts are unknown for a con-
14 tinuous period of at least 5 years and shall not be required
15 to generate periodic statements of performance for the in-
16 dividual accounts: *Provided further*, That with respect to
17 the eighth proviso, the Secretary shall continue to main-
18 tain sufficient records to determine the balance of the indi-
19 vidual accounts, including any accrued interest and in-
20 come, and such funds shall remain available to the indi-
21 vidual account holders.

1 DEPARTMENTAL OFFICES

2 OFFICE OF THE SECRETARY

3 DEPARTMENTAL OPERATIONS

4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses for management of the De-
6 partment of the Interior and for grants and cooperative
7 agreements, as authorized by law, \$147,706,000 (reduced
8 by \$1,000,000) (reduced by \$1,000,000) (reduced by
9 \$1,000,000) (reduced by \$8,000,000) (increased by
10 \$8,000,000) (reduced by \$4,000,000) (increased by
11 \$4,000,000), to remain available until September 30,
12 2024; of which not to exceed \$15,000 may be for official
13 reception and representation expenses; of which up to
14 \$1,000,000 shall be available for workers compensation
15 payments and unemployment compensation payments as-
16 sociated with the orderly closure of the United States Bu-
17 reau of Mines; and of which \$14,295,000 for Indian land,
18 mineral, and resource valuation activities shall remain
19 available until expended: *Provided*, That funds for Indian
20 land, mineral, and resource valuation activities may, as
21 needed, be transferred to and merged with the Bureau of
22 Indian Affairs “Operation of Indian Programs” and Bu-
23 reau of Indian Education “Operation of Indian Education
24 Programs” accounts and the Office of the Special Trustee
25 “Federal Trust Programs” account: *Provided further*,

1 That funds made available through contracts or grants ob-
2 ligated during fiscal year 2023, as authorized by the In-
3 dian Self-Determination Act of 1975 (25 U.S.C. 5301 et
4 seq.), shall remain available until expended by the con-
5 tractor or grantee.

6 ADMINISTRATIVE PROVISIONS

7 For fiscal year 2023, up to \$400,000 of the payments
8 authorized by chapter 69 of title 31, United States Code,
9 may be retained for administrative expenses of the Pay-
10 ments in Lieu of Taxes Program: *Provided*, That the
11 amounts provided under this Act specifically for the Pay-
12 ments in Lieu of Taxes program are the only amounts
13 available for payments authorized under chapter 69 of
14 title 31, United States Code: *Provided further*, That in the
15 event the sums appropriated for any fiscal year for pay-
16 ments pursuant to this chapter are insufficient to make
17 the full payments authorized by that chapter to all units
18 of local government, then the payment to each local gov-
19 ernment shall be made proportionally: *Provided further*,
20 That the Secretary may make adjustments to payment to
21 individual units of local government to correct for prior
22 overpayments or underpayments: *Provided further*, That
23 no payment shall be made pursuant to that chapter to oth-
24 erwise eligible units of local government if the computed
25 amount of the payment is less than \$100.

1 INSULAR AFFAIRS

2 ASSISTANCE TO TERRITORIES

3 For expenses necessary for assistance to territories
4 under the jurisdiction of the Department of the Interior
5 and other jurisdictions identified in section 104(e) of Pub-
6 lic Law 108–188, \$121,257,000, of which: (1)
7 \$111,040,000 shall remain available until expended for
8 territorial assistance, including general technical assist-
9 ance, maintenance assistance, disaster assistance, coral
10 reef initiative and natural resources activities, and brown
11 tree snake control and research; grants to the judiciary
12 in American Samoa for compensation and expenses, as au-
13 thorized by law (48 U.S.C. 1661(c)); grants to the Govern-
14 ment of American Samoa, in addition to current local rev-
15 enues, for construction and support of governmental func-
16 tions; grants to the Government of the Virgin Islands, as
17 authorized by law; grants to the Government of Guam,
18 as authorized by law; and grants to the Government of
19 the Northern Mariana Islands, as authorized by law (Pub-
20 lic Law 94–241; 90 Stat. 272); and (2) \$10,217,000 shall
21 be available until September 30, 2024, for salaries and
22 expenses of the Office of Insular Affairs: *Provided*, That
23 all financial transactions of the territorial and local gov-
24 ernments herein provided for, including such transactions
25 of all agencies or instrumentalities established or used by

1 such governments, may be audited by the Government Ac-
2 countability Office, at its discretion, in accordance with
3 chapter 35 of title 31, United States Code: *Provided fur-*
4 *ther*, That Northern Mariana Islands Covenant grant
5 funding shall be provided according to those terms of the
6 Agreement of the Special Representatives on Future
7 United States Financial Assistance for the Northern Mar-
8 iana Islands approved by Public Law 104–134: *Provided*
9 *further*, That the funds for the program of operations and
10 maintenance improvement are appropriated to institu-
11 tionalize routine operations and maintenance improvement
12 of capital infrastructure with territorial participation and
13 cost sharing to be determined by the Secretary based on
14 the grantee’s commitment to timely maintenance of its
15 capital assets: *Provided further*, That any appropriation
16 for disaster assistance under this heading in this Act or
17 previous appropriations Acts may be used as non–Federal
18 matching funds for the purpose of hazard mitigation
19 grants provided pursuant to section 404 of the Robert T.
20 Stafford Disaster Relief and Emergency Assistance Act
21 (42 U.S.C. 5170c).

22 COMPACT OF FREE ASSOCIATION

23 For grants and necessary expenses, \$8,463,000, to
24 remain available until expended, as provided for in sec-
25 tions 221(a)(2) and 233 of the Compact of Free Associa-

1 tion for the Republic of Palau; and section 221(a)(2) of
2 the Compacts of Free Association for the Government of
3 the Republic of the Marshall Islands and the Federated
4 States of Micronesia, as authorized by Public Law 99–
5 658 and Public Law 108–188: *Provided*, That of the funds
6 appropriated under this heading, \$5,000,000 is for deposit
7 into the Compact Trust Fund of the Republic of the Mar-
8 shall Islands as compensation authorized by Public Law
9 108–188 for adverse financial and economic impacts.

10 ADMINISTRATIVE PROVISIONS

11 (INCLUDING TRANSFER OF FUNDS)

12 At the request of the Governor of Guam, the Sec-
13 retary may transfer discretionary funds or mandatory
14 funds provided under section 104(e) of Public Law 108–
15 188 and Public Law 104–134, that are allocated for
16 Guam, to the Secretary of Agriculture for the subsidy cost
17 of direct or guaranteed loans, plus not to exceed three per-
18 cent of the amount of the subsidy transferred for the cost
19 of loan administration, for the purposes authorized by the
20 Rural Electrification Act of 1936 and section 306(a)(1)
21 of the Consolidated Farm and Rural Development Act for
22 construction and repair projects in Guam, and such funds
23 shall remain available until expended: *Provided*, That such
24 costs, including the cost of modifying such loans, shall be
25 as defined in section 502 of the Congressional Budget Act

1 of 1974: *Provided further*, That such loans or loan guaran-
2 tees may be made without regard to the population of the
3 area, credit elsewhere requirements, and restrictions on
4 the types of eligible entities under the Rural Electrifica-
5 tion Act of 1936 and section 306(a)(1) of the Consolidated
6 Farm and Rural Development Act: *Provided further*, That
7 any funds transferred to the Secretary of Agriculture shall
8 be in addition to funds otherwise made available to make
9 or guarantee loans under such authorities.

10 OFFICE OF THE SOLICITOR

11 SALARIES AND EXPENSES

12 For necessary expenses of the Office of the Solicitor,
13 \$103,190,000, to remain available until September 30,
14 2024.

15 OFFICE OF INSPECTOR GENERAL

16 SALARIES AND EXPENSES

17 For necessary expenses of the Office of Inspector
18 General, \$76,870,000, to remain available until September
19 30, 2024.

20 DEPARTMENT-WIDE PROGRAMS

21 WILDLAND FIRE MANAGEMENT

22 (INCLUDING TRANSFERS OF FUNDS)

23 For necessary expenses for fire preparedness, fire
24 suppression operations, fire science and research, emer-
25 gency rehabilitation, fuels management activities, and

1 rural fire assistance by the Department of the Interior,
2 \$1,202,130,000 (increased by \$1,000,000), to remain
3 available until expended, of which not to exceed
4 \$10,000,000 shall be for the renovation or construction
5 of fire facilities: *Provided*, That such funds are also avail-
6 able for repayment of advances to other appropriation ac-
7 counts from which funds were previously transferred for
8 such purposes: *Provided further*, That of the funds pro-
9 vided \$304,344,000 is for fuels management activities:
10 *Provided further*, That of the funds provided \$22,470,000
11 is for burned area rehabilitation: *Provided further*, That
12 persons hired pursuant to 43 U.S.C. 1469 may be fur-
13 nished subsistence and lodging without cost from funds
14 available from this appropriation: *Provided further*, That
15 notwithstanding 42 U.S.C. 1856d, sums received by a bu-
16 reau or office of the Department of the Interior for fire
17 protection rendered pursuant to 42 U.S.C. 1856 et seq.,
18 protection of United States property, may be credited to
19 the appropriation from which funds were expended to pro-
20 vide that protection, and are available without fiscal year
21 limitation: *Provided further*, That using the amounts des-
22 ignated under this title of this Act, the Secretary of the
23 Interior may enter into procurement contracts, grants, or
24 cooperative agreements, for fuels management activities,
25 and for training and monitoring associated with such fuels

1 management activities on Federal land, or on adjacent
2 non-Federal land for activities that benefit resources on
3 Federal land: *Provided further*, That the costs of imple-
4 menting any cooperative agreement between the Federal
5 Government and any non-Federal entity may be shared,
6 as mutually agreed on by the affected parties: *Provided*
7 *further*, That notwithstanding requirements of the Com-
8 petition in Contracting Act, the Secretary, for purposes
9 of fuels management activities, may obtain maximum
10 practicable competition among: (1) local private, non-
11 profit, or cooperative entities; (2) Youth Conservation
12 Corps crews, Public Lands Corps (Public Law 109–154),
13 or related partnerships with State, local, or nonprofit
14 youth groups; (3) small or micro-businesses; or (4) other
15 entities that will hire or train locally a significant percent-
16 age, defined as 50 percent or more, of the project work-
17 force to complete such contracts: *Provided further*, That
18 in implementing this section, the Secretary shall develop
19 written guidance to field units to ensure accountability
20 and consistent application of the authorities provided here-
21 in: *Provided further*, That funds appropriated under this
22 heading may be used to reimburse the United States Fish
23 and Wildlife Service and the National Marine Fisheries
24 Service for the costs of carrying out their responsibilities
25 under the Endangered Species Act of 1973 (16 U.S.C.

1 1531 et seq.) to consult and conference, as required by
2 section 7 of such Act, in connection with wildland fire
3 management activities: *Provided further*, That the Sec-
4 retary of the Interior may use wildland fire appropriations
5 to enter into leases of real property with local govern-
6 ments, at or below fair market value, to construct capital-
7 ized improvements for fire facilities on such leased prop-
8 erties, including but not limited to fire guard stations, re-
9 tardant stations, and other initial attack and fire support
10 facilities, and to make advance payments for any such
11 lease or for construction activity associated with the lease:
12 *Provided further*, That the Secretary of the Interior and
13 the Secretary of Agriculture may authorize the transfer
14 of funds appropriated for wildland fire management, in
15 an aggregate amount not to exceed \$50,000,000 between
16 the Departments when such transfers would facilitate and
17 expedite wildland fire management programs and projects:
18 *Provided further*, That funds provided for wildfire suppres-
19 sion shall be available for support of Federal emergency
20 response actions: *Provided further*, That funds appro-
21 priated under this heading shall be available for assistance
22 to or through the Department of State in connection with
23 forest and rangeland research, technical information, and
24 assistance in foreign countries, and, with the concurrence
25 of the Secretary of State, shall be available to support for-

1 estry, wildland fire management, and related natural re-
2 source activities outside the United States and its terri-
3 tories and possessions, including technical assistance, edu-
4 cation and training, and cooperation with United States
5 and international organizations: *Provided further*, That of
6 the funds provided under this heading, \$383,657,000 shall
7 be available for wildfire suppression operations, and is pro-
8 vided to meet the terms of section 4004(b)(5)(B) of S.
9 Con. Res. 14 (117th Congress), the concurrent resolution
10 on the budget for fiscal year 2022, and section 1(g)(2)
11 of H. Res. 1151 (117th Congress), as engrossed in the
12 House of Representatives on June 8, 2022.

13 WILDFIRE SUPPRESSION OPERATIONS RESERVE FUND
14 (INCLUDING TRANSFERS OF FUNDS)

15 In addition to the amounts provided under the head-
16 ing “Department of the Interior—Department-Wide Pro-
17 grams—Wildland Fire Management” for wildfire suppres-
18 sion operations, \$340,000,000, to remain available until
19 transferred, is additional new budget authority as speci-
20 fied for purposes of section 4004(b)(5) of S. Con. Res.
21 14 (117th Congress), the concurrent resolution on the
22 budget for fiscal year 2022, and section 1(g) of H. Res.
23 1151 (117th Congress), as engrossed in the House of Rep-
24 resentatives on June 8, 2022: *Provided*, That such
25 amounts may be transferred to and merged with amounts

1 made available under the headings “Department of Agri-
2 culture—Forest Service—Wildland Fire Management”
3 and “Department of the Interior—Department-Wide Pro-
4 grams—Wildland Fire Management” for wildfire suppres-
5 sion operations in the fiscal year in which such amounts
6 are transferred: *Provided further*, That amounts may be
7 transferred to the “Wildland Fire Management” accounts
8 in the Department of Agriculture or the Department of
9 the Interior only upon the notification of the House and
10 Senate Committees on Appropriations that all wildfire
11 suppression operations funds appropriated under that
12 heading in this and prior appropriations Acts to the agen-
13 cy to which the funds will be transferred will be obligated
14 within 30 days: *Provided further*, That the transfer au-
15 thority provided under this heading is in addition to any
16 other transfer authority provided by law: *Provided further*,
17 That, in determining whether all wildfire suppression op-
18 erations funds appropriated under the heading “Wildland
19 Fire Management” in this and prior appropriations Acts
20 to either the Department of Agriculture or the Depart-
21 ment of the Interior will be obligated within 30 days pur-
22 suant to the preceding proviso, any funds transferred or
23 permitted to be transferred pursuant to any other transfer
24 authority provided by law shall be excluded.

1 CENTRAL HAZARDOUS MATERIALS FUND

2 For necessary expenses of the Department of the In-
3 terior and any of its component offices and bureaus for
4 the response action, including associated activities, per-
5 formed pursuant to the Comprehensive Environmental Re-
6 sponse, Compensation, and Liability Act (42 U.S.C. 9601
7 et seq.), \$10,064,000, to remain available until expended.

8 ENERGY COMMUNITY REVITALIZATION PROGRAM

9 (INCLUDING TRANSFERS OF FUNDS)

10 For necessary expenses of the Department of the In-
11 terior to inventory, assess, decommission, reclaim, respond
12 to hazardous substance releases, remediate lands pursuant
13 to section 40704 of Public Law 117–58 (30 U.S.C. 1245),
14 and carry out the purposes of section 349 of the Energy
15 Policy Act of 2005 (42 U.S.C. 15907), as amended,
16 \$45,000,000, to remain available until expended: *Pro-*
17 *vided*, That such amount shall be in addition to amounts
18 otherwise available for such purposes: *Provided further*,
19 That amounts appropriated under this heading are avail-
20 able for program management and oversight of these ac-
21 tivities: *Provided further*, That the Secretary may transfer
22 the funds provided under this heading in this Act to any
23 other account in the Department to carry out such pur-
24 poses, and may expend such funds directly, or through
25 grants: *Provided further*, That these amounts are not

1 available to fulfill Comprehensive Environmental Re-
2 sponse, Compensation, and Liability Act (42 U.S.C. 9601
3 et seq.) obligations agreed to in settlement or imposed by
4 a court, whether for payment of funds or for work to be
5 performed.

6 NATURAL RESOURCE DAMAGE ASSESSMENT AND
7 RESTORATION

8 NATURAL RESOURCE DAMAGE ASSESSMENT FUND

9 To conduct natural resource damage assessment, res-
10 toration activities, and onshore oil spill preparedness by
11 the Department of the Interior necessary to carry out the
12 provisions of the Comprehensive Environmental Response,
13 Compensation, and Liability Act (42 U.S.C. 9601 et seq.),
14 the Federal Water Pollution Control Act (33 U.S.C. 1251
15 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701
16 et seq.), and 54 U.S.C. 100721 et seq., \$8,059,000, to
17 remain available until expended.

18 WORKING CAPITAL FUND

19 For the operation and maintenance of a departmental
20 financial and business management system, data manage-
21 ment, and information technology improvements of gen-
22 eral benefit to the Department, cybersecurity, and the con-
23 solidation of facilities and operations throughout the De-
24 partment, \$118,746,000 (reduced by \$2,000,000), to re-
25 main available until expended: *Provided*, That none of the

1 funds appropriated in this Act or any other Act may be
2 used to establish reserves in the Working Capital Fund
3 account other than for accrued annual leave and deprecia-
4 tion of equipment without prior approval of the Commit-
5 tees on Appropriations of the House of Representatives
6 and the Senate: *Provided further*, That the Secretary of
7 the Interior may assess reasonable charges to State, local,
8 and tribal government employees for training services pro-
9 vided by the National Indian Program Training Center,
10 other than training related to Public Law 93-638: *Pro-*
11 *vided further*, That the Secretary may lease or otherwise
12 provide space and related facilities, equipment, or profes-
13 sional services of the National Indian Program Training
14 Center to State, local and tribal government employees or
15 persons or organizations engaged in cultural, educational,
16 or recreational activities (as defined in section 3306(a) of
17 title 40, United States Code) at the prevailing rate for
18 similar space, facilities, equipment, or services in the vicin-
19 ity of the National Indian Program Training Center: *Pro-*
20 *vided further*, That all funds received pursuant to the two
21 preceding provisos shall be credited to this account, shall
22 be available until expended, and shall be used by the Sec-
23 retary for necessary expenses of the National Indian Pro-
24 gram Training Center: *Provided further*, That the Sec-
25 retary may enter into grants and cooperative agreements

1 to support the Office of Natural Resource Revenue's col-
2 lection and disbursement of royalties, fees, and other min-
3 eral revenue proceeds, as authorized by law.

4 ADMINISTRATIVE PROVISION

5 There is hereby authorized for acquisition from avail-
6 able resources within the Working Capital Fund, aircraft
7 which may be obtained by donation, purchase, or through
8 available excess surplus property: *Provided*, That existing
9 aircraft being replaced may be sold, with proceeds derived
10 or trade-in value used to offset the purchase price for the
11 replacement aircraft.

12 OFFICE OF NATURAL RESOURCES REVENUE

13 For necessary expenses for management of the collec-
14 tion and disbursement of royalties, fees, and other mineral
15 revenue proceeds, and for grants and cooperative agree-
16 ments, as authorized by law, \$174,977,000, to remain
17 available until September 30, 2024; of which \$69,751,000
18 shall remain available until expended for the purpose of
19 mineral revenue management activities: *Provided*, That
20 notwithstanding any other provision of law, \$15,000 shall
21 be available for refunds of overpayments in connection
22 with certain Indian leases in which the Secretary of the
23 Interior concurred with the claimed refund due, to pay
24 amounts owed to Indian allottees or tribes, or to correct
25 prior unrecoverable erroneous payments.

1 GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR
2 (INCLUDING TRANSFERS OF FUNDS)

3 EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

4 SEC. 101. Appropriations made in this title shall be
5 available for expenditure or transfer (within each bureau
6 or office), with the approval of the Secretary of the Inte-
7 rior, for the emergency reconstruction, replacement, or re-
8 pair of aircraft, buildings, utilities, or other facilities or
9 equipment damaged or destroyed by fire, flood, storm, or
10 other unavoidable causes: *Provided*, That no funds shall
11 be made available under this authority until funds specifi-
12 cally made available to the Department of the Interior for
13 emergencies shall have been exhausted: *Provided further*,
14 That all funds used pursuant to this section must be re-
15 plenished by a supplemental appropriation, which must be
16 requested as promptly as possible.

17 EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

18 SEC. 102. The Secretary of the Interior may author-
19 ize the expenditure or transfer of any no year appropria-
20 tion in this title, in addition to the amounts included in
21 the budget programs of the several agencies, for the sup-
22 pression or emergency prevention of wildland fires on or
23 threatening lands under the jurisdiction of the Depart-
24 ment of the Interior; for the emergency rehabilitation of
25 burned-over lands under its jurisdiction; for emergency ac-

1 tions related to potential or actual earthquakes, floods,
2 volcanoes, storms, or other unavoidable causes; for contin-
3 gency planning subsequent to actual oil spills; for response
4 and natural resource damage assessment activities related
5 to actual oil spills or releases of hazardous substances into
6 the environment; for the prevention, suppression, and con-
7 trol of actual or potential grasshopper and Mormon cricket
8 outbreaks on lands under the jurisdiction of the Secretary,
9 pursuant to the authority in section 417(b) of Public Law
10 106–224 (7 U.S.C. 7717(b)); for emergency reclamation
11 projects under section 410 of Public Law 95–87; and shall
12 transfer, from any no year funds available to the Office
13 of Surface Mining Reclamation and Enforcement, such
14 funds as may be necessary to permit assumption of regu-
15 latory authority in the event a primacy State is not car-
16 rying out the regulatory provisions of the Surface Mining
17 Act: *Provided*, That appropriations made in this title for
18 wildland fire operations shall be available for the payment
19 of obligations incurred during the preceding fiscal year,
20 and for reimbursement to other Federal agencies for de-
21 struction of vehicles, aircraft, or other equipment in con-
22 nection with their use for wildland fire operations, with
23 such reimbursement to be credited to appropriations cur-
24 rently available at the time of receipt thereof: *Provided*
25 *further*, That for wildland fire operations, no funds shall

1 be made available under this authority until the Secretary
2 determines that funds appropriated for “wildland fire sup-
3 pression” shall be exhausted within 30 days: *Provided fur-*
4 *ther*, That all funds used pursuant to this section must
5 be replenished by a supplemental appropriation, which
6 must be requested as promptly as possible: *Provided fur-*
7 *ther*, That such replenishment funds shall be used to reim-
8 burse, on a pro rata basis, accounts from which emergency
9 funds were transferred.

10 AUTHORIZED USE OF FUNDS

11 SEC. 103. Appropriations made to the Department
12 of the Interior in this title shall be available for services
13 as authorized by section 3109 of title 5, United States
14 Code, when authorized by the Secretary of the Interior,
15 in total amount not to exceed \$500,000; purchase and re-
16 placement of motor vehicles, including specially equipped
17 law enforcement vehicles; hire, maintenance, and oper-
18 ation of aircraft; hire of passenger motor vehicles; pur-
19 chase of reprints; payment for telephone service in private
20 residences in the field, when authorized under regulations
21 approved by the Secretary; and the payment of dues, when
22 authorized by the Secretary, for library membership in so-
23 cieties or associations which issue publications to members
24 only or at a price to members lower than to subscribers
25 who are not members.

1 AUTHORIZED USE OF FUNDS, INDIAN TRUST
2 MANAGEMENT

3 SEC. 104. Appropriations made in this Act under the
4 headings Bureau of Indian Affairs and Bureau of Indian
5 Education, and Office of the Special Trustee for American
6 Indians and any unobligated balances from prior appro-
7 priations Acts made under the same headings shall be
8 available for expenditure or transfer for Indian trust man-
9 agement and reform activities. Total funding for historical
10 accounting activities shall not exceed amounts specifically
11 designated in this Act for such purpose. The Secretary
12 shall notify the House and Senate Committees on Appro-
13 priations within 60 days of the expenditure or transfer of
14 any funds under this section, including the amount ex-
15 pended or transferred and how the funds will be used.

16 REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN
17 AFFAIRS

18 SEC. 105. Notwithstanding any other provision of
19 law, the Secretary of the Interior is authorized to redis-
20 tribute any Tribal Priority Allocation funds, including
21 tribal base funds, to alleviate tribal funding inequities by
22 transferring funds to address identified, unmet needs,
23 dual enrollment, overlapping service areas or inaccurate
24 distribution methodologies. No tribe shall receive a reduc-
25 tion in Tribal Priority Allocation funds of more than 10

1 percent in fiscal year 2023. Under circumstances of dual
2 enrollment, overlapping service areas or inaccurate dis-
3 tribution methodologies, the 10 percent limitation does not
4 apply.

5 ELLIS, GOVERNORS, AND LIBERTY ISLANDS

6 SEC. 106. Notwithstanding any other provision of
7 law, the Secretary of the Interior is authorized to acquire
8 lands, waters, or interests therein, including the use of all
9 or part of any pier, dock, or landing within the State of
10 New York and the State of New Jersey, for the purpose
11 of operating and maintaining facilities in the support of
12 transportation and accommodation of visitors to Ellis,
13 Governors, and Liberty Islands, and of other program and
14 administrative activities, by donation or with appropriated
15 funds, including franchise fees (and other monetary con-
16 sideration), or by exchange; and the Secretary is author-
17 ized to negotiate and enter into leases, subleases, conces-
18 sion contracts, or other agreements for the use of such
19 facilities on such terms and conditions as the Secretary
20 may determine reasonable: *Provided*, That for the pur-
21 poses of 54 U.S.C. 200306(a), such lands, waters, or in-
22 terests therein shall be considered to be within the exterior
23 boundary of a System unit authorized or established.

1 OUTER CONTINENTAL SHELF INSPECTION FEES

2 SEC. 107. (a) In fiscal year 2023, the Secretary of
3 the Interior shall collect a nonrefundable inspection fee,
4 which shall be deposited in the “Offshore Safety and Envi-
5 ronmental Enforcement” account, from the designated op-
6 erator for facilities subject to inspection under 43 U.S.C.
7 1348(c).

8 (b) Annual fees shall be collected for facilities that
9 are above the waterline, excluding drilling rigs, and are
10 in place at the start of the fiscal year. Fees for fiscal year
11 2023 shall be—

12 (1) \$11,725 for facilities with no wells, but with
13 processing equipment or gathering lines;

14 (2) \$18,984 for facilities with 1 to 10 wells,
15 with any combination of active or inactive wells; and

16 (3) \$35,176 for facilities with more than 10
17 wells, with any combination of active or inactive
18 wells.

19 (c) Fees shall be assessed for facilities that are above
20 the waterline, excluding drilling rigs, and require follow-
21 up inspections. Fees for fiscal year 2023 shall be—

22 (1) \$5,863 for facilities with no wells, but with
23 processing or gathering lines;

24 (2) \$9,492 for facilities with 1 to 10 wells, with
25 any combination of active or inactive wells; and

1 (3) \$17,588 for facilities with more than 10
2 wells, with any combination of active or inactive
3 wells.

4 (d) Fees for drilling rigs shall be assessed for all in-
5 spections completed in fiscal year 2023. Fees for fiscal
6 year 2023 shall be—

7 (1) \$34,059 per inspection for rigs operating in
8 water depths of 500 feet or more; and

9 (2) \$18,649 per inspection for rigs operating in
10 water depths of less than 500 feet.

11 (e) Fees for inspection of well operations conducted
12 via non-rig units as outlined in title 30 CFR 250 subparts
13 D, E, F, and Q shall be assessed for all inspections com-
14 pleted in fiscal year 2023. Fees for fiscal year 2023 shall
15 be—

16 (1) \$13,260 per inspection for non-rig units op-
17 erating in water depths of 2,500 feet or more;

18 (2) \$11,530 per inspection for non-rig units op-
19 erating in water depths between 500 and 2,499 feet;
20 and

21 (3) \$4,470 per inspection for non-rig units op-
22 erating in water depths of less than 500 feet.

23 (f) The Secretary shall bill designated operators
24 under subsection (b) quarterly, with payment required
25 within 30 days of billing. The Secretary shall bill des-

1 federally financed hatcheries including but not limited to
2 fish releases of coho, chinook, and steelhead species.
3 Marked fish must have a visible mark that can be readily
4 identified by commercial and recreational fishers.

5 CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

6 SEC. 110. Notwithstanding any other provision of
7 law, during fiscal year 2023, in carrying out work involv-
8 ing cooperation with State, local, and tribal governments
9 or any political subdivision thereof, Indian Affairs may
10 record obligations against accounts receivable from any
11 such entities, except that total obligations at the end of
12 the fiscal year shall not exceed total budgetary resources
13 available at the end of the fiscal year.

14 DEPARTMENT OF THE INTERIOR EXPERIENCED SERVICES
15 PROGRAM

16 SEC. 111. (a) Notwithstanding any other provision
17 of law relating to Federal grants and cooperative agree-
18 ments, the Secretary of the Interior is authorized to make
19 grants to, or enter into cooperative agreements with, pri-
20 vate nonprofit organizations designated by the Secretary
21 of Labor under title V of the Older Americans Act of 1965
22 to utilize the talents of older Americans in programs au-
23 thorized by other provisions of law administered by the
24 Secretary and consistent with such provisions of law.

1 (b) Prior to awarding any grant or agreement under
2 subsection (a), the Secretary shall ensure that the agree-
3 ment would not—

4 (1) result in the displacement of individuals
5 currently employed by the Department, including
6 partial displacement through reduction of non-over-
7 time hours, wages, or employment benefits;

8 (2) result in the use of an individual under the
9 Department of the Interior Experienced Services
10 Program for a job or function in a case in which a
11 Federal employee is in a layoff status from the same
12 or substantially equivalent job within the Depart-
13 ment; or

14 (3) affect existing contracts for services.

15 OBLIGATION OF FUNDS

16 SEC. 112. Amounts appropriated by this Act to the
17 Department of the Interior shall be available for obligation
18 and expenditure not later than 60 days after the date of
19 enactment of this Act.

20 SEPARATION OF ACCOUNTS

21 SEC. 113. The Secretary of the Interior, in order to
22 implement an orderly transition to separate accounts of
23 the Bureau of Indian Affairs and the Bureau of Indian
24 Education, may transfer funds among and between the
25 successor offices and bureaus affected by the reorganiza-

1 tion only in conformance with the reprogramming guide-
2 lines described in this Act.

3 PAYMENTS IN LIEU OF TAXES (PILT)

4 SEC. 114. Section 6906 of title 31, United States
5 Code, shall be applied by substituting “fiscal year 2023”
6 for “fiscal year 2019”.

7 DISCLOSURE OF DEPARTURE OR ALTERNATE PROCEDURE

8 APPROVAL

9 SEC. 115. (a) Subject to subsection (b), in any case
10 in which the Bureau of Safety and Environmental En-
11 forcement or the Bureau of Ocean Energy Management
12 prescribes or approves any departure or use of alternate
13 procedure or equipment, in regards to a plan or permit,
14 under 30 CFR 585.103; 30 CFR 550.141; 30 CFR
15 550.142; 30 CFR 250.141; or 30 CFR 250.142, the head
16 of such bureau shall post a description of such departure
17 or alternate procedure or equipment use approval on such
18 bureau’s publicly available website not more than 15 busi-
19 ness days after such issuance.

20 (b) The head of each bureau may exclude confidential
21 business information.

22 LONG BRIDGE PROJECT

23 SEC. 116. (a) AUTHORIZATION OF CONVEYANCE.—
24 On request by the State of Virginia or the District of Co-
25 lumbia for the purpose of the construction of rail and

1 other infrastructure relating to the Long Bridge Project,
2 the Secretary of the Interior may convey to the State or
3 the District of Columbia, as applicable, all right, title, and
4 interest of the United States in and to any portion of the
5 approximately 4.4 acres of National Park Service land de-
6 picted as “Permanent Impact to NPS Land” on the Map
7 dated May 15, 2020, that is identified by the State or
8 the District of Columbia.

9 (b) TERMS AND CONDITIONS.—Such conveyance of
10 the National Park Service land under subsection (a) shall
11 be subject to any terms and conditions that the Secretary
12 may require. If such conveyed land is no longer being used
13 for the purposes specified in this section, the lands or in-
14 terests therein shall revert to the National Park Service
15 after they have been restored or remediated to the satis-
16 faction of the Secretary.

17 (c) CORRECTIONS.—The Secretary and the State or
18 the District of Columbia, as applicable, by mutual agree-
19 ment, may—

20 (1) make minor boundary adjustments to the
21 National Park Service land to be conveyed to the
22 State or the District of Columbia under subsection
23 (a); and

24 (2) correct any minor errors in the Map re-
25 ferred to in subsection (a).

1 (d) DEFINITIONS.—For purposes of this section:

2 (1) LONG BRIDGE PROJECT.—The term “Long
3 Bridge Project” means the rail project, as identified
4 by the Federal Railroad Administration, from
5 Rosslyn (RO) Interlocking in Arlington, Virginia, to
6 L’Enfant (LE) Interlocking in Washington, DC,
7 which includes a bicycle and pedestrian bridge.

8 (2) SECRETARY.—The term “Secretary” means
9 the Secretary of the Interior, acting through the Di-
10 rector of the National Park Service.

11 (3) STATE.—The term “State” means the State
12 of Virginia.

13 INTERAGENCY MOTOR POOL

14 SEC. 117. Notwithstanding any other provision of law
15 or Federal regulation, federally recognized Indian tribes
16 or authorized tribal organizations that receive Tribally-
17 Controlled School Grants pursuant to Public Law 100-
18 297 may obtain interagency motor vehicles and related
19 services for performance of any activities carried out
20 under such grants to the same extent as if they were con-
21 tracting under the Indian Self-Determination and Edu-
22 cation Assistance Act.

23 DELAWARE WATER GAP AUTHORITY

24 SEC. 118. Section 4(b) of The Delaware Water Gap
25 National Recreation Area Improvement Act, as amended

1 by section 1 of Public Law 115–101, shall be applied by
2 substituting “2023” for “2021”.

3 NATIONAL HERITAGE AREAS AND CORRIDORS

4 SEC. 119. (a) Section 109(a) of the Quinebaug and
5 Shetucket Rivers Valley National Heritage Corridor Act
6 of 1994 (title I of Public Law 103–449), is amended by
7 striking “\$17,000,000” and inserting “\$19,000,000”.

8 (b) Section 409(a) of the Steel Industry American
9 Heritage Area Act of 1996 (title IV of division II of Public
10 Law 104–333) is amended by striking “\$20,000,000” and
11 inserting “\$22,000,000”.

12 (c) Section 608(a) of the South Carolina National
13 Heritage Corridor Act of 1996 (title VI of division II of
14 Public Law 104–333) is amended by striking
15 “\$17,000,000” and inserting “\$19,000,000”.

16 (d) Subsection 157(h)(1) of the Wheeling National
17 Heritage Area Act of 2000 (section 157 of Public Law
18 106–291) is amended by striking “\$15,000,000” and in-
19 serting “\$17,000,000”.

20 (e) Sections 411, 432, and 451 of title IV of the Con-
21 solidated Natural Resources Act of 2008 (Public Law
22 110–229), are each amended by striking “the date that
23 is 15 years after the date of” and all that follows through
24 the end of each section and inserting “September 30,
25 2024.”.

1 (f) Section 512 of the National Aviation Heritage
2 Area Act (title V of division J of Public Law 108–447),
3 is amended by striking “2022” and inserting “2024”.

4 (g) Section 608 of the Oil Region National Heritage
5 Area Act (title VI of Public Law 108–447) is amended
6 by striking “2022” and inserting “2024”.

7 (h) Section 125(a) of Public Law 98–398, as amend-
8 ed by section 402 of Public Law 109–338 (120 Stat.
9 1853), is amended by striking “\$10,000,000” and insert-
10 ing “\$12,000,000”.

11 STUDY FOR SELMA TO MONTGOMERY NATIONAL HISTORIC
12 TRAIL

13 SEC. 120. (a) STUDY.—The Secretary of the Interior
14 (Secretary) shall conduct a study to evaluate—

15 (1) resources associated with the 1965 Voting
16 Rights March from Selma to Montgomery not cur-
17 rently part of the Selma to Montgomery National
18 Historic Trail (Trail) (16 U.S.C. 1244(a)(20)) that
19 would be appropriate for addition to the Trail; and

20 (2) the potential designation of the Trail as a
21 unit of the National Park System instead of, or in
22 addition to, remaining a designated part of the Na-
23 tional Trails System.

24 (b) REPORT.—Not later than one year after the date
25 of enactment of this Act, the Secretary shall submit to

1 the House and Senate Committees on Appropriations, the
2 Committee on Natural Resources of the House of Rep-
3 resentatives and the Committee on Energy and Natural
4 Resources of the Senate a report that describes the results
5 of the study and the conclusions and recommendations of
6 the study.

7 (c) LAND ACQUISITION.—The Secretary is author-
8 ized, subject to the availability of appropriations and at
9 her discretion, to acquire property or interests therein lo-
10 cated in the city of Selma, Alabama and generally depicted
11 on the map entitled, “Selma to Montgomery NHT Pro-
12 posed Addition,” numbered 628/177376 and dated Sep-
13 tember 14, 2021, with the consent of the owner, for the
14 benefit of the Selma to Montgomery National Historic
15 Trail and to further the purpose for which the trail has
16 been established.

17 APPRAISER PAY AUTHORITY

18 SEC. 121. For fiscal year 2023, funds made available
19 in this or any other Act or otherwise made available to
20 the Department of the Interior for the Appraisal and
21 Valuation Services Office may be used by the Secretary
22 of the Interior to establish higher minimum rates of basic
23 pay for employees of the Department of the Interior in
24 the Appraiser (GS–1171) job series at grades 11 through
25 15 carrying out appraisals of real property and appraisal

1 reviews conducted in support of the Department’s realty
2 programs at rates no greater than 15 percent above the
3 minimum rates of basic pay normally scheduled, and such
4 higher rates shall be consistent with subsections (e)
5 through (h) of section 5305 of title 5, United States Code.

6 ONSHORE OIL AND GAS INSPECTION FEE

7 SEC. 122. (a) ONSHORE OIL AND GAS INSPECTION
8 FEES.—The designated operator under each oil and gas
9 lease on Federal or Indian lands, or under each unit and
10 communitization agreement that includes one or more
11 such Federal or Indian leases, that is subject to inspection
12 under section 108(b) of the Federal Oil and Gas Royalty
13 Management Act of 1982 (30 U.S.C. 1718(b)) and that
14 is in force at the start of fiscal year 2022 shall pay a non-
15 refundable annual inspection fee that the Bureau of Land
16 Management (BLM) shall collect and deposit in the “Man-
17 agement of Lands and Resources” account.

18 (b) FEES.—Fees for fiscal year 2023 shall be—

19 (1) \$1,560 for each lease or unit or
20 communitization agreement with 1 to 10 wells, with
21 any combination of active or inactive wells;

22 (2) \$7,000 for each lease or unit or
23 communitization agreement with 11 to 50 wells, with
24 any combination of active or inactive wells; and

1 agement Service in Public Law 101–512 shall hereafter
2 have no force or effect.

3 (b) Beginning on the later of October 1, 2022, or the
4 date of enactment of this Act, and in each fiscal year here-
5 after—

6 (1) Notwithstanding section 3302 of title 31,
7 any moneys hereafter received as a result of the for-
8 feiture of a bond or other security by an Outer Con-
9 tinental Shelf permittee, lessee, or right-of-way hold-
10 er that does not fulfill the requirements of its per-
11 mit, lease, or right-of-way or does not comply with
12 the regulations of the Secretary, or as a bankruptcy
13 distribution or settlement associated with such fail-
14 ure or noncompliance, shall be credited to a separate
15 account established in the Treasury for decommis-
16 sioning activities and shall be available to the Bu-
17 reau of Ocean Energy Management without further
18 appropriation or fiscal year limitation to cover the
19 cost to the United States of any improvement, pro-
20 tection, rehabilitation, or decommissioning work ren-
21 dered necessary by the action or inaction that led to
22 the forfeiture or bankruptcy distribution or settle-
23 ment, to remain available until expended.

24 (2) Amounts deposited into the decommis-
25 sioning account may be allocated to the Bureau of

1 Safety and Environmental Enforcement for such
2 costs.

3 (3) Any moneys received for such costs cur-
4 rently held in the Ocean Energy Management ac-
5 count shall be transferred to the decommissioning
6 account.

7 (4) Any portion of the moneys so credited shall
8 be returned to the bankruptcy estate, permittee, les-
9 see, or right-of-way holder to the extent that the
10 money is in excess of the amount expended in per-
11 forming the work necessitated by the action or inac-
12 tion which led to their receipt or, if the bond or se-
13 curity was forfeited for failure to pay the civil pen-
14 alty, in excess of the civil penalty imposed.

15 LAND AND WATER CONSERVATION FUND FINANCIAL

16 ASSISTANCE TO STATES

17 SEC. 124. For expenses necessary to carry out section
18 200305 of title 54, United States Code, the National Park
19 Service may retain up to 7 percent of the State Conserva-
20 tion Grants program to provide to States, the District of
21 Columbia, and insular areas, as matching grants to sup-
22 port state program administrative costs.

1 INCORPORATION BY REFERENCE

2 SEC. 125. (a) H.R. 6707 as introduced in the 117th
3 Congress (Advancing Equality for Wabanaki Nations Act)
4 is hereby enacted into law.

5 (b) In publishing this Act in slip form and in the
6 United States Statutes at large pursuant to section 112
7 of title 1, United States Code, the Archivist of the United
8 States shall include after the date of approval at the end
9 an appendix setting forth the text of the sections of the
10 bill referred to in subsection (a).

11 INDIAN RESERVATION GAMING REGULATIONS

12 SEC. 126. The Ysleta del Sur Pueblo and Alabama
13 and Coshatta Indian Tribes of Texas Restoration Act
14 (Public Law 100—89; 101 Stat. 666) is amended by add-
15 ing at the end the following:

16 **“SEC. 301 RULE OF CONSTRUCTION.**

17 “Nothing in this Act shall be construed to preclude
18 or limit the applicability of the Indian Gaming Regulatory
19 Act (25 U.S.C. 2701 et seq.).”.

20 INDIAN REORGANIZATION ACT

21 SEC. 127. (a) MODIFICATION.—(1) IN GENERAL.—
22 The first sentence of section 19 of the Act of June 18,
23 1934 (commonly known as the “Indian Reorganization
24 Act”) (25 U.S.C. 5129), is amended—

1 (A) by striking “The term” and inserting “Effective
2 beginning on June 18, 1934, the term”; and

3 (B) by striking “any recognized Indian tribe now
4 under Federal jurisdiction” and inserting “any federally
5 recognized Indian tribe”.

6 (2) EFFECTIVE DATE.—The amendments made by
7 paragraph (1) shall take effect as if included in the Act
8 of June 18, 1934 (commonly known as the “Indian Reor-
9 ganization Act”) (25 U.S.C. 5129), on the date of enact-
10 ment of that Act.

11 (b) RATIFICATION AND CONFIRMATION OF AC-
12 TIONS.—Any action taken by the Secretary of the Interior
13 pursuant to the Act of June 18, 1934 (commonly known
14 as the “Indian Reorganization Act”) (25 U.S.C. 5101 et
15 seq.) for any Indian tribe that was federally recognized
16 on the date of the action is ratified and confirmed, to the
17 extent such action is subjected to challenge based on
18 whether the Indian tribe was federally recognized or under
19 Federal jurisdiction on June 18, 1934, as if the action
20 had, by prior act of Congress, been specifically authorized
21 and directed.

22 (c) EFFECT ON OTHER LAWS.—(1) IN GENERAL.—
23 Nothing in this section or the amendments made by this
24 section affects—

1 (A) the application or effect of any Federal law other
2 than the Act of June 18, 1934 (25 U.S.C. 5101 et seq.)
3 (as amended by subsection (a)); or

4 (B) any limitation on the authority of the Secretary
5 of the Interior under any Federal law or regulation other
6 than the Act of June 18, 1934 (25 U.S.C. 5101 et seq.)
7 (as so amended).

8 (2) REFERENCES IN OTHER LAWS.—An express ref-
9 erence to the Act of June 18, 1934 (25 U.S.C. 5101 et
10 seq.) contained in any other Federal law shall be consid-
11 ered to be a reference to that Act as amended by sub-
12 section (a).

13 LOWELL NATIONAL HISTORIC PARK

14 SEC. 128. Section 103(a) of Public Law 95–290 (16
15 U.S.C. 410cc–13; 92 Stat. 292) is amended by striking
16 paragraph (1) and redesignating paragraph (2) as para-
17 graph (1).

18 RESTRICTION ON USE OF FUNDS

19 SEC. 129. (a) None of the funds made available in
20 this Act may be used by the Secretary of the Interior or
21 the Director of the Bureau of Ocean Energy Management
22 to conduct or authorize oil and gas preleasing, leasing, or
23 related activities, including but not limited to the issuance
24 of permits for geological and geophysical exploration, in
25 any planning area where the 2017-2022 Outer Continental

1 Shelf Oil and Gas Leasing Proposed Final Program (No-
2 vember 2016) did not schedule leases.

3 (b) The restrictions under subsection (a) apply to the
4 formal steps identified by the Department of the Interior
5 and the enabling steps prior to leasing, including the
6 issuance of permits for geological and geophysical explo-
7 ration.

8 TRIBAL CANNABIS

9 SEC. 130. None of the funds appropriated by this Act
10 to the Department of Justice or its agencies or bureaus
11 or the Department of the Interior, Bureau of Indian Af-
12 fairs, Office of Justice Services, including those agency
13 funds distributed to any Indian tribe (as such term is de-
14 fined in the Federally Recognized Indian Tribe List Act
15 of 1994 (25 U.S.C. 5130(2))) via the Indian Self-Deter-
16 mination and Education Assistance Act (25 U.S.C. §
17 5301, et. seq.), may be used to enforce federal laws crim-
18 inalizing the use, distribution, possession, or cultivation of
19 marijuana against any person engaged in the use, dis-
20 tribution, possession, or cultivation of marijuana in Indian
21 country (as defined by 18 U.S.C. § 1151), where tribal
22 laws authorize such use, distribution, possession, or cul-
23 tivation of marijuana, subject to the following:

24 (1) unless federal law subjects the Indian lands
25 (as such term is defined in the Indian Gaming Reg-

1 ulatory Act (25 U.S.C. 2703(4)) to the civil and
2 criminal laws of the state and the tribal laws author-
3 izing the use, distribution, possession, or cultivation
4 of marijuana do not comply therewith or the Indian
5 lands are not in a state that has legalized marijuana
6 for any purpose; and

7 (2) provided the governing Indian tribe (Feder-
8 ally Recognized Indian Tribe List Act) takes reason-
9 able measures under tribal marijuana laws to ensure
10 that marijuana is prohibited for minors; marijuana
11 is not diverted to states or tribes where marijuana
12 is prohibited by state or tribal law; marijuana is not
13 used as a means for trafficking other illegal drugs
14 or used to support organized crime activity; and
15 marijuana is not permitted on Federal public lands.

16 VISITOR EXPERIENCE IMPROVEMENT AUTHORITY

17 SEC. 131. Section 101938 of title 54, United States
18 Code, is amended by striking “7” and inserting “9”.

19 BIG CYPRESS NATIONAL PRESERVE

20 SEC. 132. The Secretary of the Interior, acting
21 through the Director of the National Park Service, shall
22 prepare an environmental impact statement under the Na-
23 tional Environmental Policy Act of 1969 (42 U.S.C. 4321
24 et seq.), prior to approving an operations permit, as de-
25 scribed in 36 Code of Federal Regulations, subpart B

1 §§9.80 through 9.90, for the purpose of conducting or pro-
2 posing to conduct non-federal oil or gas operations within
3 the Big Cypress National Preserve.

4 TITLE II

5 ENVIRONMENTAL PROTECTION AGENCY

6 SCIENCE AND TECHNOLOGY

7 For science and technology, including research and
8 development activities, which shall include research and
9 development activities under the Comprehensive Environ-
10 mental Response, Compensation, and Liability Act of
11 1980; necessary expenses for personnel and related costs
12 and travel expenses; procurement of laboratory equipment
13 and supplies; hire, maintenance, and operation of aircraft;
14 and other operating expenses in support of research and
15 development, \$872,743,000 (reduced by \$2,000,000) (in-
16 creased by \$2,000,000), to remain available until Sep-
17 tember 30, 2024: *Provided*, That of the funds included
18 under this heading, \$10,000,000 shall be for Research:
19 National Priorities as specified in the report accom-
20 panying this Act.

21 ENVIRONMENTAL PROGRAMS AND MANAGEMENT

22 For environmental programs and management, in-
23 cluding necessary expenses not otherwise provided for, for
24 personnel and related costs and travel expenses; hire of
25 passenger motor vehicles; hire, maintenance, and oper-

1 ation of aircraft; purchase of reprints; library member-
2 ships in societies or associations which issue publications
3 to members only or at a price to members lower than to
4 subscribers who are not members; administrative costs of
5 the brownfields program under the Small Business Liabil-
6 ity Relief and Brownfields Revitalization Act of 2002; im-
7 plementation of a coal combustion residual permit pro-
8 gram under section 2301 of the Water and Waste Act of
9 2016; and not to exceed \$9,000 for official reception and
10 representation expenses, \$3,792,315,000 (reduced by
11 \$80,000,000) (increased by \$80,000,000) (reduced by
12 \$5,000,000) (increased by \$5,000,000) (reduced by
13 \$15,000,000) (increased by \$15,000,000), to remain avail-
14 able until September 30, 2024: *Provided*, That of the
15 amounts made available under this heading, \$27,700,000
16 shall be for Environmental Protection: National Priorities
17 as specified in the report accompanying this Act: *Provided*
18 *further*, That of the amounts made available under this
19 heading, \$679,938,000 shall be for Geographic Programs
20 specified in the report accompanying this Act: *Provided*
21 *further*, That amounts made available under this heading
22 may be used for environmental justice implementation and
23 training grants, and associated program support costs.
24 *Provided further*, That of the amounts made available
25 under this heading, the Chemical Risk Review and Reduc-

1 tion program project shall be allocated for this fiscal year,
2 excluding the amount of any fees appropriated, not less
3 than the amount of appropriations for that program
4 project for fiscal year 2014.

5 OFFICE OF INSPECTOR GENERAL

6 For necessary expenses of the Office of Inspector
7 General in carrying out the provisions of the Inspector
8 General Act of 1978, \$55,865,000, to remain available
9 until September 30, 2024.

10 BUILDINGS AND FACILITIES

11 For construction, repair, improvement, extension, al-
12 teration, and purchase of fixed equipment or facilities of,
13 or for use by, the Environmental Protection Agency,
14 \$80,570,000, to remain available until expended.

15 HAZARDOUS SUBSTANCE SUPERFUND

16 (INCLUDING TRANSFERS OF FUNDS)

17 For necessary expenses to carry out the Comprehen-
18 sive Environmental Response, Compensation, and Liabil-
19 ity Act of 1980 (CERCLA), including sections 111(c)(3),
20 (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and hire,
21 maintenance, and operation of aircraft, \$1,313,638,000,
22 to remain available until expended, consisting of, in the
23 following order, amounts made available for fiscal year
24 2023 pursuant to section 613 of Public Law 117-58; to
25 the extent necessary, such sums as are available in the

1 Trust Fund on September 30, 2022, and not otherwise
2 appropriated from the Trust Fund, as authorized by sec-
3 tion 517(a) of the Superfund Amendments and Reauthor-
4 ization Act of 1986 (SARA); and to the extent necessary,
5 up to \$1,313,638,000 as a payment from general revenues
6 to the Hazardous Substance Superfund for purposes as
7 authorized by section 517(b) of SARA: *Provided*, That
8 funds appropriated under this heading may be allocated
9 to other Federal agencies in accordance with section
10 111(a) of CERCLA: *Provided further*, That of the funds
11 appropriated under this heading, \$12,111,000 shall be
12 paid to the “Office of Inspector General” appropriation
13 to remain available until September 30, 2024, and
14 \$31,391,000 shall be paid to the “Science and Tech-
15 nology” appropriation to remain available until September
16 30, 2024.

17 LEAKING UNDERGROUND STORAGE TANK TRUST FUND
18 PROGRAM

19 For necessary expenses to carry out leaking under-
20 ground storage tank cleanup activities authorized by sub-
21 title I of the Solid Waste Disposal Act, \$93,814,000, to
22 remain available until expended, of which \$67,145,000
23 shall be for carrying out leaking underground storage tank
24 cleanup activities authorized by section 9003(h) of the
25 Solid Waste Disposal Act; \$26,669,000 shall be for car-

1 rying out the other provisions of the Solid Waste Disposal
2 Act specified in section 9508(c) of the Internal Revenue
3 Code: *Provided*, That the Administrator is authorized to
4 use appropriations made available under this heading to
5 implement section 9013 of the Solid Waste Disposal Act
6 to provide financial assistance to federally recognized In-
7 dian tribes for the development and implementation of
8 programs to manage underground storage tanks.

9 INLAND OIL SPILL PROGRAMS

10 For expenses necessary to carry out the Environ-
11 mental Protection Agency's responsibilities under the Oil
12 Pollution Act of 1990, including hire, maintenance, and
13 operation of aircraft, \$26,502,000, to be derived from the
14 Oil Spill Liability trust fund, to remain available until ex-
15 pended.

16 STATE AND TRIBAL ASSISTANCE GRANTS

17 For environmental programs and infrastructure as-
18 sistance, including capitalization grants for State revolv-
19 ing funds and performance partnership grants,
20 \$5,177,332,000 (reduced by \$1,000,000) (increased by
21 \$1,000,000), to remain available until expended, of
22 which—

23 (1) \$1,751,646,000 (reduced by \$1,000,000)
24 (increased by \$1,000,000) shall be for making cap-
25 italization grants for the Clean Water State Revolv-

1 ing Funds under title VI of the Federal Water Pol-
2 lution Control Act; and of which \$1,126,096,000
3 shall be for making capitalization grants for the
4 Drinking Water State Revolving Funds under sec-
5 tion 1452 of the Safe Drinking Water Act: *Provided*,
6 That \$553,401,264 of the funds made available for
7 capitalization grants for the Clean Water State Re-
8 volving Funds and \$381,263,499 of the funds made
9 available for capitalization grants for the Drinking
10 Water State Revolving Funds shall be for the con-
11 struction of drinking water, wastewater, and storm
12 water infrastructure and for water quality protection
13 in accordance with the terms and conditions speci-
14 fied for such grants in the report accompanying this
15 Act for projects specified for “STAG—Drinking
16 Water SRF” and “STAG—Clean Water SRF”, in
17 the table titled “Interior and Environment Incorpor-
18 ation of Community Project Funding Items” in-
19 cluded in the report accompanying this Act, and, for
20 purposes of these grants, each grantee shall con-
21 tribute not less than 20 percent of the cost of the
22 project unless the grantee is approved for a waiver
23 by the Agency: *Provided further*, That for fiscal year
24 2023, to the extent there are sufficient eligible
25 project applications and projects are consistent with

1 State Intended Use Plans, not less than 10 percent
2 of the funds made available under this title to each
3 State for Clean Water State Revolving Fund capital-
4 ization grants shall be used by the State for projects
5 to address green infrastructure, water or energy effi-
6 ciency improvements, or other environmentally inno-
7 vative activities: *Provided further*, That the Adminis-
8 trator is authorized to use up to \$1,500,000 of
9 amounts made available for the Clean Water State
10 Revolving Funds under this heading under title VI
11 of the Federal Water Pollution Control Act (33
12 U.S.C. 1381) to conduct the Clean Watersheds
13 Needs Survey: *Provided further*, That for fiscal year
14 2023, amounts made available under this title to
15 each State for Drinking Water State Revolving
16 Fund capitalization grants may, at the discretion of
17 each State, be used for projects to address green in-
18 frastructure, water or energy efficiency improve-
19 ments, or other environmentally innovative activities:
20 *Provided further*, That notwithstanding section
21 603(d)(7) of the Federal Water Pollution Control
22 Act, the limitation on the amounts in a State water
23 pollution control revolving fund that may be used by
24 a State to administer the fund shall not apply to
25 amounts included as principal in loans made by such

1 fund in fiscal year 2023 and prior years where such
2 amounts represent costs of administering the fund
3 to the extent that such amounts are or were deemed
4 reasonable by the Administrator, accounted for sepa-
5 rately from other assets in the fund, and used for
6 eligible purposes of the fund, including administra-
7 tion: *Provided further*, That for fiscal year 2023,
8 notwithstanding the provisions of subsections (g)(1),
9 (h), and (l) of section 201 of the Federal Water Pol-
10 lution Control Act, grants made under title II of
11 such Act for American Samoa, Guam, the Common-
12 wealth of the Northern Marianas, the United States
13 Virgin Islands, and the District of Columbia may
14 also be made for the purpose of providing assistance:
15 (1) solely for facility plans, design activities, or
16 plans, specifications, and estimates for any proposed
17 project for the construction of treatment works; and
18 (2) for the construction, repair, or replacement of
19 privately owned treatment works serving one or
20 more principal residences or small commercial estab-
21 lishments: *Provided further*, That for fiscal year
22 2023, notwithstanding the provisions of such sub-
23 sections (g)(1), (h), and (l) of section 201 and sec-
24 tion 518(c) of the Federal Water Pollution Control
25 Act, funds reserved by the Administrator for grants

1 under section 518(c) of the Federal Water Pollution
2 Control Act may also be used to provide assistance:
3 (1) solely for facility plans, design activities, or
4 plans, specifications, and estimates for any proposed
5 project for the construction of treatment works; and
6 (2) for the construction, repair, or replacement of
7 privately owned treatment works serving one or
8 more principal residences or small commercial estab-
9 lishments: *Provided further*, That for fiscal year
10 2023, notwithstanding any provision of the Federal
11 Water Pollution Control Act and regulations issued
12 pursuant thereof, up to a total of \$2,000,000 of the
13 funds reserved by the Administrator for grants
14 under section 518(c) of such Act may also be used
15 for grants for training, technical assistance, and
16 educational programs relating to the operation and
17 management of the treatment works specified in sec-
18 tion 518(c) of such Act: *Provided further*, That for
19 fiscal year 2023, funds reserved under section
20 518(c) of such Act shall be available for grants only
21 to Indian tribes, as defined in section 518(h) of such
22 Act and former Indian reservations in Oklahoma (as
23 determined by the Secretary of the Interior) and Na-
24 tive Villages as defined in Public Law 92-203: *Pro-*
25 *vided further*, That for fiscal year 2023, notwith-

1 standing the limitation on amounts in section 518(c)
2 of the Federal Water Pollution Control Act, up to a
3 total of 2 percent of the funds appropriated, or
4 \$30,000,000, whichever is greater, and notwith-
5 standing the limitation on amounts in section
6 1452(i) of the Safe Drinking Water Act, up to a
7 total of 2 percent of the funds appropriated, or
8 \$20,000,000, whichever is greater, for State Revolv-
9 ing Funds under such Acts may be reserved by the
10 Administrator for grants under section 518(c) and
11 section 1452(i) of such Acts: *Provided further*, That
12 for fiscal year 2023, notwithstanding the amounts
13 specified in section 205(c) of the Federal Water Pol-
14 lution Control Act, up to 1.5 percent of the aggre-
15 gate funds appropriated for the Clean Water State
16 Revolving Fund program under the Act less any
17 sums reserved under section 518(c) of the Act, may
18 be reserved by the Administrator for grants made
19 under title II of the Federal Water Pollution Control
20 Act for American Samoa, Guam, the Commonwealth
21 of the Northern Marianas, and United States Virgin
22 Islands: *Provided further*, That for fiscal year 2023,
23 notwithstanding the limitations on amounts specified
24 in section 1452(j) of the Safe Drinking Water Act,
25 up to 1.5 percent of the funds appropriated for the

1 Drinking Water State Revolving Fund programs
2 under the Safe Drinking Water Act may be reserved
3 by the Administrator for grants made under section
4 1452(j) of the Safe Drinking Water Act: *Provided*
5 *further*, That 10 percent of the funds made available
6 under this title to each State for Clean Water State
7 Revolving Fund capitalization grants and 14 percent
8 of the funds made available under this title to each
9 State for Drinking Water State Revolving Fund cap-
10 italization grants shall be used by the State to pro-
11 vide additional subsidy to eligible recipients in the
12 form of forgiveness of principal, negative interest
13 loans, or grants (or any combination of these), and
14 shall be so used by the State only where such funds
15 are provided as initial financing for an eligible re-
16 cipient or to buy, refinance, or restructure the debt
17 obligations of eligible recipients only where such debt
18 was incurred on or after the date of enactment of
19 this Act, or where such debt was incurred prior to
20 the date of enactment of this Act if the State, with
21 concurrence from the Administrator, determines that
22 such funds could be used to help address a threat
23 to public health from heightened exposure to lead in
24 drinking water or if a Federal or State emergency
25 declaration has been issued due to a threat to public

1 health from heightened exposure to lead in a munic-
2 ipal drinking water supply before the date of enact-
3 ment of this Act: *Provided further*, That in a State
4 in which such an emergency declaration has been
5 issued, the State may use more than 14 percent of
6 the funds made available under this title to the
7 State for Drinking Water State Revolving Fund cap-
8 italization grants to provide additional subsidy to eli-
9 gible recipients: *Provided further*, That notwith-
10 standing section 1452(o) of the Safe Drinking Water
11 Act (42 U.S.C. 300j-12(o)), the Administrator shall
12 reserve \$12,000,000 of amounts made available
13 under this paragraph for making capitalization
14 grants for the Drinking Water State Revolving
15 Funds to pay the costs of monitoring for unregu-
16 lated contaminants under section 1445(a)(2)(C) of
17 such Act during fiscal years 2023 through 2027;

18 (2) \$35,000,000 shall be for architectural, engi-
19 neering, planning, design, construction and related
20 activities in connection with the construction of high
21 priority water and wastewater facilities in the area
22 of the United States-Mexico Border, after consulta-
23 tion with the appropriate border commission: *Pro-*
24 *vided*, That no funds provided by this appropriations
25 Act to address the water, wastewater and other crit-

1 ical infrastructure needs of the colonias in the
2 United States along the United States-Mexico bor-
3 der shall be made available to a county or municipal
4 government unless that government has established
5 an enforceable local ordinance, or other zoning rule,
6 which prevents in that jurisdiction the development
7 or construction of any additional colonia areas, or
8 the development within an existing colonia the con-
9 struction of any new home, business, or other struc-
10 ture which lacks water, wastewater, or other nec-
11 essary infrastructure;

12 (3) \$40,000,000 shall be for grants to the State
13 of Alaska to address drinking water and wastewater
14 infrastructure needs of rural and Alaska Native Vil-
15 lages: *Provided*, That of these funds: (A) the State
16 of Alaska shall provide a match of 25 percent; (B)
17 no more than 5 percent of the funds may be used
18 for administrative and overhead expenses; and (C)
19 the State of Alaska shall make awards consistent
20 with the Statewide priority list established in con-
21 junction with the Agency and the U.S. Department
22 of Agriculture for all water, sewer, waste disposal,
23 and similar projects carried out by the State of Alas-
24 ka that are funded under section 221 of the Federal
25 Water Pollution Control Act (33 U.S.C. 1301) or

1 the Consolidated Farm and Rural Development Act
2 (7 U.S.C. 1921 et seq.) which shall allocate not less
3 than 25 percent of the funds provided for projects
4 in regional hub communities;

5 (4) \$130,982,000 shall be to carry out section
6 104(k) of the Comprehensive Environmental Re-
7 sponse, Compensation, and Liability Act of 1980
8 (CERCLA), including grants, interagency agree-
9 ments, and associated program support costs: *Pro-*
10 *vided*, That at least 10 percent shall be allocated for
11 assistance in persistent poverty counties: *Provided*
12 *further*, That for purposes of this section, the term
13 “persistent poverty counties” means any county that
14 has had 20 percent or more of its population living
15 in poverty over the past 30 years, as measured by
16 the 1993 Small Area Income and Poverty Estimates,
17 the 2000 decennial census, and the most recent
18 Small Area Income and Poverty Estimates, or any
19 territory or possession of the United States;

20 (5) \$150,000,000 shall be for grants under title
21 VII, subtitle G of the Energy Policy Act of 2005;

22 (6) \$100,000,000 shall be for targeted airshed
23 grants in accordance with the terms and conditions
24 in the explanatory statement described in section 4

1 (in the matter preceding division A of this consoli-
2 dated Act);

3 (7) \$4,000,000 shall be to carry out the water
4 quality program authorized in section 5004(d) of the
5 Water Infrastructure Improvements for the Nation
6 Act (Public Law 114–322);

7 (8) \$42,593,000 shall be for grants under sub-
8 sections (a) through (j) of section 1459A of the Safe
9 Drinking Water Act (42 U.S.C. 300j–19a);

10 (9) \$36,000,000 shall be for grants under sec-
11 tion 1464(d) of the Safe Drinking Water Act (42
12 U.S.C. 300j–24(d));

13 (10) \$51,011,000 shall be for grants under sec-
14 tion 1459B of the Safe Drinking Water Act (42
15 U.S.C. 300j–19b);

16 (11) \$6,000,000 shall be for grants under sec-
17 tion 1459A(l) of the Safe Drinking Water Act (42
18 U.S.C. 300j–19a(l));

19 (12) \$33,000,000 shall be for grants under sec-
20 tion 104(b)(8) of the Federal Water Pollution Con-
21 trol Act (33 U.S.C. 1254(b)(8));

22 (13) \$280,000,000 shall be for grants under
23 section 221 of the Federal Water Pollution Control
24 Act (33 U.S.C. 1301);

1 (14) \$5,000,000 shall be for grants under sec-
2 tion 4304(b) of the America's Water Infrastructure
3 Act of 2018 (Public Law 115–270);

4 (15) \$10,000,000 shall be for grants under sec-
5 tion 1442(b) of the Safe Drinking Water Act (42
6 U.S.C. 300j–1(b));

7 (16) \$10,000,000 shall be for grants under sec-
8 tion 1459F of the Safe Drinking Water Act (42
9 U.S.C. 300j–19g);

10 (17) \$5,000,000, in addition to amounts other-
11 wise available, shall be for grants under sections
12 104(b)(3), 104(b)(8), and 104(g) of the Federal
13 Water Pollution Control Act (33 U.S.C. 1254(b)(3),
14 1254(b)(8) and 1254(g));

15 (18) \$5,000,000 shall be for grants under sec-
16 tion 224 of the Federal Water Pollution Control Act
17 (33 U.S.C. 1302b);

18 (19) \$5,000,000 shall be for grants under sec-
19 tion 226 of the Federal Water Pollution Control Act
20 (33 U.S.C. 1302d);

21 (20) \$5,000,000 shall be for grants under sec-
22 tion 50213 of the Infrastructure Investment and
23 Jobs Act (42 U.S.C. 10361; Public Law 117–58);

1 (21) \$5,000,000 shall be for grants under sec-
2 tion 50217(b) of the Infrastructure Investment and
3 Jobs Act (33 U.S.C. 1302f(b); Public Law 117–58);

4 (22) \$5,000,000 shall be for grants under sec-
5 tion 50217(c) of the Infrastructure Investment and
6 Jobs Act (33 U.S.C. 1302f(c); Public Law 117–58);

7 (23) \$10,000,000 shall be for grants under sec-
8 tion 220 of the Federal Water Pollution Control Act
9 (33 U.S.C. 1300);

10 (24) \$5,000,000 shall be for grants under sec-
11 tion 124 of the Federal Water Pollution Control Act
12 (33 U.S.C. 1276); and

13 (25) \$1,321,004,000 shall be for grants, includ-
14 ing associated program support costs, to States, fed-
15 erally recognized Tribes, interstate agencies, tribal
16 consortia, and air pollution control agencies for
17 multi-media or single media pollution prevention,
18 control and abatement, and related activities, includ-
19 ing activities pursuant to the provisions set forth
20 under this heading in Public Law 104–134, and for
21 making grants under section 103 of the Clean Air
22 Act for particulate matter monitoring and data col-
23 lection activities subject to terms and conditions
24 specified by the Administrator, and under section
25 2301 of the Water and Waste Act of 2016 to assist

1 States in developing and implementing programs for
2 control of coal combustion residuals, of which:
3 \$46,954,000 shall be for carrying out section 128 of
4 CERCLA; \$15,000,000 shall be for Environmental
5 Information Exchange Network grants, including as-
6 sociated program support costs; \$1,505,000 shall be
7 for grants to States under section 2007(f)(2) of the
8 Solid Waste Disposal Act, which shall be in addition
9 to funds appropriated under the heading “Leaking
10 Underground Storage Tank Trust Fund Program”
11 to carry out the provisions of the Solid Waste Dis-
12 posal Act specified in section 9508(c) of the Internal
13 Revenue Code other than section 9003(h) of the
14 Solid Waste Disposal Act; \$18,512,000 of the funds
15 available for grants under section 106 of the Federal
16 Water Pollution Control Act shall be for State par-
17 ticipation in national- and State-level statistical sur-
18 veys of water resources and enhancements to State
19 monitoring programs; and \$10,000,000 shall be for
20 carrying out section 302(a) of the Save Our Seas
21 2.0 Act (33 U.S.C. 4283(a)), of which not more
22 than 2 percent shall be for administrative costs to
23 carry out such section: *Provided*, That grants made
24 pursuant to the authority in such section 302(a)
25 may also be used for the construction, maintenance,

1 and operation of post consumer materials manage-
2 ment or recycling facilities: *Provided further*, That
3 notwithstanding such section 302(a), the Adminis-
4 trator may also provide grants pursuant to such au-
5 thority to intertribal consortia consistent with the
6 requirements in 40 CFR 35.504(a), to former In-
7 dian reservations in Oklahoma (as determined by the
8 Secretary of the Interior), and Alaska Native Vil-
9 lages as defined in Public Law 92–203).

10 WATER INFRASTRUCTURE FINANCE AND INNOVATION

11 PROGRAM ACCOUNT

12 For the cost of direct loans and for the cost of guar-
13 anteed loans, as authorized by the Water Infrastructure
14 Finance and Innovation Act of 2014, \$72,108,000, to re-
15 main available until expended: *Provided*, That such costs,
16 including the cost of modifying such loans, shall be as de-
17 fined in section 502 of the Congressional Budget Act of
18 1974: *Provided further*, That these funds are available to
19 subsidize gross obligations for the principal amount of di-
20 rect loans, including capitalized interest, and total loan
21 principal, including capitalized interest, any part of which
22 is to be guaranteed, not to exceed \$12,500,000,000: *Pro-*
23 *vided further*, That of the funds made available under this
24 heading, \$5,000,000 shall be used solely for the cost of
25 direct loans and for the cost of guaranteed loans for

1 projects described in section 5026(9) of the Water Infra-
2 structure Finance and Innovation Act of 2014 to State
3 infrastructure financing authorities, as authorized by sec-
4 tion 5033(e) of such Act: *Provided further*, That the use
5 of direct loans or loan guarantee authority under this
6 heading for direct loans or commitments to guarantee
7 loans for any project shall be in accordance with the cri-
8 teria published in the Federal Register on June 30, 2020
9 (85 FR 39189) pursuant to the fourth proviso under the
10 heading “Water Infrastructure Finance and Innovation
11 Program Account” in division D of the Further Consoli-
12 dated Appropriations Act, 2020 (Public Law 116–94):
13 *Provided further*, That none of the direct loans or loan
14 guarantee authority made available under this heading
15 shall be available for any project unless the Administrator
16 and the Director of the Office of Management and Budget
17 have certified in advance in writing that the direct loan
18 or loan guarantee, as applicable, and the project comply
19 with the criteria referenced in the preceding proviso: *Pro-*
20 *vided further*, That, for the purposes of carrying out the
21 Congressional Budget Act of 1974, the Director of the
22 Congressional Budget Office may request, and the Admin-
23 istrator shall promptly provide, documentation and infor-
24 mation relating to a project identified in a Letter of Inter-
25 est submitted to the Administrator pursuant to a Notice

1 of Funding Availability for applications for credit assist-
2 ance under the Water Infrastructure Finance and Innova-
3 tion Act Program, including with respect to a project that
4 was initiated or completed before the date of enactment
5 of this Act.

6 In addition, fees authorized to be collected pursuant
7 to sections 5029 and 5030 of the Water Infrastructure
8 Finance and Innovation Act of 2014 shall be deposited
9 in this account, to remain available until expended.

10 In addition, for administrative expenses to carry out
11 the direct and guaranteed loan programs, notwithstanding
12 section 5033 of the Water Infrastructure Finance and In-
13 novation Act of 2014, \$8,236,000, to remain available
14 until September 30, 2024.

15 ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL
16 PROTECTION AGENCY
17 (INCLUDING TRANSFERS OF FUNDS)

18 For fiscal year 2023, notwithstanding 31 U.S.C.
19 6303(1) and 6305(1), the Administrator of the Environ-
20 mental Protection Agency, in carrying out the Agency's
21 function to implement directly Federal environmental pro-
22 grams required or authorized by law in the absence of an
23 acceptable tribal program, may award cooperative agree-
24 ments to federally recognized Indian tribes or Intertribal
25 consortia, if authorized by their member tribes, to assist

1 the Administrator in implementing Federal environmental
2 programs for Indian tribes required or authorized by law,
3 except that no such cooperative agreements may be award-
4 ed from funds designated for State financial assistance
5 agreements.

6 The Administrator of the Environmental Protection
7 Agency is authorized to collect and obligate pesticide reg-
8 istration service fees in accordance with section 33 of the
9 Federal Insecticide, Fungicide, and Rodenticide Act (7
10 U.S.C. 136w-8), to remain available until expended.

11 Notwithstanding section 33(d)(2) of the Federal In-
12 secticide, Fungicide, and Rodenticide Act (FIFRA) (7
13 U.S.C. 136w-8(d)(2)), the Administrator of the Environ-
14 mental Protection Agency may assess fees under section
15 33 of FIFRA (7 U.S.C. 136w-8) for fiscal year 2023.

16 The Administrator is authorized to transfer up to
17 \$368,000,000 of the funds appropriated for the Great
18 Lakes Restoration Initiative under the heading “Environ-
19 mental Programs and Management” to the head of any
20 Federal department or agency, with the concurrence of
21 such head, to carry out activities that would support the
22 Great Lakes Restoration Initiative and Great Lakes
23 Water Quality Agreement programs, projects, or activities;
24 to enter into an interagency agreement with the head of
25 such Federal department or agency to carry out these ac-

1 tivities; and to make grants to governmental entities, non-
2 profit organizations, institutions, and individuals for plan-
3 ning, research, monitoring, outreach, and implementation
4 in furtherance of the Great Lakes Restoration Initiative
5 and the Great Lakes Water Quality Agreement.

6 The Science and Technology, Environmental Pro-
7 grams and Management, Office of Inspector General, Haz-
8 ardous Substance Superfund, and Leaking Underground
9 Storage Tank Trust Fund Program Accounts, are avail-
10 able for the construction, alteration, repair, rehabilitation,
11 and renovation of facilities, provided that the cost does
12 not exceed \$350,000 per project.

13 The Administrator of the Environmental Protection
14 Agency is authorized to collect and obligate fees in accord-
15 ance with section 3024 of the Solid Waste Disposal Act
16 (42 U.S.C. 6939g) for fiscal year 2023, to remain avail-
17 able until expended.

18 The Administrator of the Environmental Protection
19 Agency is authorized to collect and obligate fees in accord-
20 ance with section 26(b) of the Toxic Substances Control
21 Act (15 U.S.C. 2625(b)) for fiscal year 2023, to remain
22 available until expended.

23 For fiscal year 2023, and notwithstanding section
24 518(f) of the Federal Water Pollution Control Act (33
25 U.S.C. 1377(f)), the Administrator is authorized to use

1 the amounts appropriated for any fiscal year under section
2 319 of the Act to make grants to Indian tribes pursuant
3 to sections 319(h) and 518(e) of that Act.

4 The Administrator is authorized to use the amounts
5 appropriated under the heading “Environmental Pro-
6 grams and Management” for fiscal year 2023 to provide
7 grants to implement the Southeastern New England Wa-
8 tershed Restoration Program.

9 Notwithstanding the limitations on amounts in sec-
10 tion 320(i)(2)(B) of the Federal Water Pollution Control
11 Act, not less than \$4,000,000 of the funds made available
12 under this title for the National Estuary Program shall
13 be for making competitive awards described in section
14 320(g)(4).

15 Section 122(b)(3) of the Comprehensive Environ-
16 mental Response, Compensation, and Liability Act of
17 1980 (42 U.S.C. 9622(b)(3)), shall be applied by inserting
18 before the period: “, including for the hire, maintenance,
19 and operation of aircraft.”.

20 For fiscal years 2023 through 2027, the Office of
21 Chemical Safety and Pollution Prevention and the Office
22 of Water may, using funds appropriated under the head-
23 ings “Environmental Programs and Management” and
24 “Science and Technology”, contract directly with individ-
25 uals or indirectly with institutions or nonprofit organiza-

1 tions, without regard to 41 U.S.C. 5, for the temporary
2 or intermittent personal services of students or recent
3 graduates, who shall be considered employees for the pur-
4 poses of chapters 57 and 81 of title 5, United States Code,
5 relating to compensation for travel and work injuries, and
6 chapter 171 of title 28, United States Code, relating to
7 tort claims, but shall not be considered to be Federal em-
8 ployees for any other purpose: *Provided*, That amounts
9 used for this purpose by the Office of Chemical Safety and
10 Pollution Prevention and the Office of Water collectively
11 may not exceed \$2,000,000.

12 TITLE III

13 RELATED AGENCIES

14 DEPARTMENT OF AGRICULTURE

15 OFFICE OF THE UNDER SECRETARY FOR NATURAL

16 RESOURCES AND ENVIRONMENT

17 For necessary expenses of the Office of the Under
18 Secretary for Natural Resources and Environment,
19 \$1,429,000: *Provided*, That funds made available by this
20 Act to any agency in the Natural Resources and Environ-
21 ment mission area for salaries and expenses are available
22 to fund up to one administrative support staff for the of-
23 fice.

1 FOREST SERVICE

2 FOREST SERVICE OPERATIONS

3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses of the Forest Service, not
5 otherwise provided for, \$1,112,652,000 (reduced by
6 \$1,000,000) (increased by \$1,000,000), to remain avail-
7 able through September 30, 2026: *Provided*, That a por-
8 tion of the funds made available under this heading shall
9 be for the base salary and expenses of employees in the
10 Chief's Office, the Work Environment and Performance
11 Office, the Business Operations Deputy Area, and the
12 Chief Financial Officer's Office to carry out administra-
13 tive and general management support functions: *Provided*
14 *further*, That funds provided under this heading shall be
15 available for the costs of facility maintenance, repairs, and
16 leases for buildings and sites where these administrative,
17 general management and other Forest Service support
18 functions take place; the costs of all utility and tele-
19 communication expenses of the Forest Service, as well as
20 business services; and, for information technology, includ-
21 ing cyber security requirements: *Provided further*, That
22 funds provided under this heading may be used for nec-
23 essary expenses to carry out administrative and general
24 management support functions of the Forest Service not
25 otherwise provided for and necessary for its operation.

1 FOREST AND RANGELAND RESEARCH

2 For necessary expenses of forest and rangeland re-
3 search as authorized by law, \$360,370,000, to remain
4 available through September 30, 2026: *Provided*, That of
5 the funds provided, \$37,700,000 is for the forest inventory
6 and analysis program: *Provided further*, That all authori-
7 ties for the use of funds, including the use of contracts,
8 grants, and cooperative agreements, available to execute
9 the Forest and Rangeland Research appropriation, are
10 also available in the utilization of these funds for Fire
11 Science Research.

12 STATE AND PRIVATE FORESTRY

13 For necessary expenses of cooperating with and pro-
14 viding technical and financial assistance to States, terri-
15 tories, possessions, and others, and for forest health man-
16 agement, including for invasive plants, and conducting an
17 international program and trade compliance activities as
18 authorized, \$332,626,000, to remain available through
19 September 30, 2026, as authorized by law, of which
20 \$9,482,000 shall be for projects specified for Forest Re-
21 source Information and Analysis in the table titled “Inte-
22 rior and Environment Incorporation of Community
23 Project Funding Items” included in the report accom-
24 panying this Act.

1 NATIONAL FOREST SYSTEM

2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses of the Forest Service, not
4 otherwise provided for, for management, protection, im-
5 provement, and utilization of the National Forest System,
6 and for hazardous fuels management on or adjacent to
7 such lands, \$1,997,650,000 (reduced by \$5,000,000) (in-
8 creased by \$5,000,000) (reduced by \$8,000,000) (in-
9 creased by \$8,000,000), to remain available through Sep-
10 tember 30, 2026: *Provided*, That of the funds provided,
11 \$60,000,000 shall be deposited in the Collaborative Forest
12 Landscape Restoration Fund for ecological restoration
13 treatments as authorized by 16 U.S.C. 7303(f): *Provided*
14 *further*, That of the funds provided, \$38,000,000 shall be
15 for forest products: *Provided further*, That of the amounts
16 made available for hazardous fuels management under
17 this heading in prior Acts, any unobligated amounts may
18 be transferred to “Forest Service—Wildland Fire Man-
19 agement” to be used for the purposes provided therein:
20 *Provided further*, That funds made available to implement
21 the Community Forest Restoration Act, Public Law 106–
22 393, title VI, shall be available for use on non-Federal
23 lands in accordance with authorities made available to the
24 Forest Service under the “State and Private Forestry” ap-
25 propriation: *Provided further*, That notwithstanding sec-

1 tion 33 of the Bankhead Jones Farm Tenant Act (7
2 U.S.C. 1012), the Secretary of Agriculture, in calculating
3 a fee for grazing on a National Grassland, may provide
4 a credit of up to 50 percent of the calculated fee to a Graz-
5 ing Association or direct permittee for a conservation
6 practice approved by the Secretary in advance of the fiscal
7 year in which the cost of the conservation practice is in-
8 curred, and that the amount credited shall remain avail-
9 able to the Grazing Association or the direct permittee,
10 as appropriate, in the fiscal year in which the credit is
11 made and each fiscal year thereafter for use on the project
12 for conservation practices approved by the Secretary: *Pro-*
13 *vided further*, That funds appropriated to this account
14 shall be available for the base salary and expenses of em-
15 ployees that carry out the functions funded by the “Cap-
16 ital Improvement and Maintenance” account, the “Range
17 Betterment Fund” account, and the “Management of Na-
18 tional Forest Lands for Subsistence Uses” account.

19 CAPITAL IMPROVEMENT AND MAINTENANCE

20 (INCLUDING TRANSFER OF FUNDS)

21 For necessary expenses of the Forest Service, not
22 otherwise provided for, \$162,182,000 (reduced by
23 \$5,000,000) (increased by \$5,000,000), to remain avail-
24 able through September 30, 2026, for construction, capital
25 improvement, maintenance, and acquisition of buildings

1 and other facilities and infrastructure; and for construc-
2 tion, reconstruction, and decommissioning of roads that
3 are no longer needed, including unauthorized roads that
4 are not part of the transportation system; and for mainte-
5 nance of forest roads and trails by the Forest Service as
6 authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and
7 205: *Provided*, That \$15,000,000 shall be for activities au-
8 thorized by 16 U.S.C. 538(a): *Provided further*, That
9 funds becoming available in fiscal year 2023 under the Act
10 of March 4, 1913 (16 U.S.C. 501) shall be transferred
11 to the General Fund of the Treasury and shall not be
12 available for transfer or obligation for any other purpose
13 unless the funds are appropriated.

14 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL
15 ACTS

16 For acquisition of lands within the exterior bound-
17 aries of the Cache, Uinta, and Wasatch National Forests,
18 Utah; the Toiyabe National Forest, Nevada; and the An-
19 geles, San Bernardino, Sequoia, and Cleveland National
20 Forests, California; and the Ozark-St. Francis and
21 Ouachita National Forests, Arkansas; as authorized by
22 law, \$664,000, to be derived from forest receipts.

23 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

24 For acquisition of lands, such sums, to be derived
25 from funds deposited by State, county, or municipal gov-

1 ernments, public school districts, or other public school au-
2 thorities, and for authorized expenditures from funds de-
3 posited by non-Federal parties pursuant to Land Sale and
4 Exchange Acts, pursuant to the Act of December 4, 1967
5 (16 U.S.C. 484a), to remain available through September
6 30, 2026, (16 U.S.C. 516–617a, 555a; Public Law 96–
7 586; Public Law 76–589, Public Law 76–591; and Public
8 Law 78–310).

9 RANGE BETTERMENT FUND

10 For necessary expenses of range rehabilitation, pro-
11 tection, and improvement, 50 percent of all moneys re-
12 ceived during the prior fiscal year, as fees for grazing do-
13 mestic livestock on lands in National Forests in the 16
14 Western States, pursuant to section 401(b)(1) of Public
15 Law 94–579, to remain available through September 30,
16 2026, of which not to exceed 6 percent shall be available
17 for administrative expenses associated with on-the-ground
18 range rehabilitation, protection, and improvements.

19 GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND

20 RANGELAND RESEARCH

21 For expenses authorized by 16 U.S.C. 1643(b),
22 \$45,000, to remain available through September 30, 2026,
23 to be derived from the fund established pursuant to the
24 above Act.

1 MANAGEMENT OF NATIONAL FOREST LANDS FOR
2 SUBSISTENCE USES

3 For necessary expenses of the Forest Service to man-
4 age Federal lands in Alaska for subsistence uses under
5 title VIII of the Alaska National Interest Lands Conserva-
6 tion Act (16 U.S.C. 3111 et seq.), \$1,099,000, to remain
7 available through September 30, 2026.

8 WILDLAND FIRE MANAGEMENT
9 (INCLUDING TRANSFERS OF FUNDS)

10 For necessary expenses for forest fire presuppression
11 activities on National Forest System lands, for emergency
12 wildland fire suppression on or adjacent to such lands or
13 other lands under fire protection agreement, and for emer-
14 gency rehabilitation of burned-over National Forest Sys-
15 tem lands and water, \$2,678,659,000, to remain available
16 until expended: *Provided*, That such funds including unob-
17 ligated balances under this heading, are available for re-
18 payment of advances from other appropriations accounts
19 previously transferred for such purposes: *Provided further*,
20 That any unobligated funds appropriated in a previous fis-
21 cal year for hazardous fuels management may be trans-
22 ferred to the “National Forest System” account: *Provided*
23 *further*, That such funds shall be available to reimburse
24 State and other cooperating entities for services provided
25 in response to wildfire and other emergencies or disasters

1 to the extent such reimbursements by the Forest Service
2 for non-fire emergencies are fully repaid by the responsible
3 emergency management agency: *Provided further*, That
4 funds provided shall be available for support to Federal
5 emergency response: *Provided further*, That the costs of
6 implementing any cooperative agreement between the Fed-
7 eral Government and any non-Federal entity may be
8 shared, as mutually agreed on by the affected parties: *Pro-*
9 *vided further*, That of the funds provided, \$321,388,000
10 shall be for hazardous fuels management activities, of
11 which not to exceed \$15,000,000 may be used to make
12 grants, using any authorities available to the Forest Serv-
13 ice under the “State and Private Forestry” appropriation,
14 for the purpose of creating incentives for increased use
15 of biomass from National Forest System lands: *Provided*
16 *further*, That funds made available in the preceding pro-
17 viso to implement the Community Forest Restoration Act,
18 Public Law 106–393, title VI, shall be available for use
19 on non-Federal lands in accordance with authorities made
20 available to the Forest Service under the “State and Pri-
21 vate Forestry” appropriation: *Provided further*, That of
22 the funds provided under this heading, \$20,000,000 may
23 be used by the Secretary of Agriculture to enter into pro-
24 curement contracts or cooperative agreements; to issue
25 grants for hazardous fuels management activities; for

1 training or monitoring associated with such hazardous
2 fuels management activities on Federal land; or for train-
3 ing or monitoring associated with such hazardous fuels
4 management activities on non-Federal land if the Sec-
5 retary determines such activities benefit resources on Fed-
6 eral land: *Provided further*, That of the funds provided
7 under this heading, \$1,011,000,000 shall be available for
8 wildfire suppression operations, and is provided to meet
9 the terms of section 4004(b)(5)(B) of S. Con. Res. 14
10 (117th Congress), the concurrent resolution on the budget
11 for fiscal year 2022, and section 1(g)(2) of H. Res. 1151
12 (117th Congress), as engrossed in the House of Rep-
13 resentatives on June 8, 2022.

14 WILDFIRE SUPPRESSION OPERATIONS RESERVE FUND
15 (INCLUDING TRANSFERS OF FUNDS)

16 In addition to the amounts provided under the head-
17 ing “Department of Agriculture—Forest Service—
18 Wildland Fire Management” for wildfire suppression oper-
19 ations, \$2,210,000,000, to remain available until trans-
20 ferred, is additional new budget authority as specified for
21 purposes of section 4004(b)(5) of S. Con. Res. 14 (117th
22 Congress), the concurrent resolution on the budget for fis-
23 cal year 2022, and section 1(g) of H. Res. 1151 (117th
24 Congress), as engrossed in the House of Representatives
25 on June 8, 2022: *Provided*, That such amounts may be

1 transferred to and merged with amounts made available
2 under the headings “Department of the Interior—Depart-
3 ment-Wide Programs—Wildland Fire Management” and
4 “Department of Agriculture—Forest Service—Wildland
5 Fire Management” for wildfire suppression operations in
6 the fiscal year in which such amounts are transferred: *Pro-*
7 *vided further*, That amounts may be transferred to the
8 “Wildland Fire Management” accounts in the Department
9 of the Interior or the Department of Agriculture only upon
10 the notification of the House and Senate Committees on
11 Appropriations that all wildfire suppression operations
12 funds appropriated under that heading in this and prior
13 appropriations Acts to the agency to which the funds will
14 be transferred will be obligated within 30 days: *Provided*
15 *further*, That the transfer authority provided under this
16 heading is in addition to any other transfer authority pro-
17 vided by law: *Provided further*, That, in determining
18 whether all wildfire suppression operations funds appro-
19 priated under the heading “Wildland Fire Management”
20 in this and prior appropriations Acts to either the Depart-
21 ment of Agriculture or the Department of the Interior will
22 be obligated within 30 days pursuant to the preceding pro-
23 viso, any funds transferred or permitted to be transferred
24 pursuant to any other transfer authority provided by law
25 shall be excluded.

1 COMMUNICATIONS SITE ADMINISTRATION
2 (INCLUDING TRANSFER OF FUNDS)

3 Amounts collected in this fiscal year pursuant to sec-
4 tion 8705(f)(2) of the Agriculture Improvement Act of
5 2018 (Public Law 115–334), shall be deposited in the spe-
6 cial account established by section 8705(f)(1) of such Act,
7 shall be available to cover the costs described in subsection
8 (c)(3) of such section of such Act, and shall remain avail-
9 able until expended: *Provided*, That such amounts shall
10 be transferred to the “National Forest System” account.

11 ADMINISTRATIVE PROVISIONS—FOREST SERVICE
12 (INCLUDING TRANSFERS OF FUNDS)

13 Appropriations to the Forest Service for the current
14 fiscal year shall be available for: (1) purchase of passenger
15 motor vehicles; acquisition of passenger motor vehicles
16 from excess sources, and hire of such vehicles; purchase,
17 lease, operation, maintenance, and acquisition of aircraft
18 to maintain the operable fleet for use in Forest Service
19 wildland fire programs and other Forest Service programs;
20 notwithstanding other provisions of law, existing aircraft
21 being replaced may be sold, with proceeds derived or
22 trade-in value used to offset the purchase price for the
23 replacement aircraft; (2) services pursuant to 7 U.S.C.
24 2225, and not to exceed \$100,000 for employment under
25 5 U.S.C. 3109; (3) purchase, erection, and alteration of

1 buildings and other public improvements (7 U.S.C. 2250);
2 (4) acquisition of land, waters, and interests therein pur-
3 suant to 7 U.S.C. 428a; (5) for expenses pursuant to the
4 Volunteers in the National Forest Act of 1972 (16 U.S.C.
5 558a, 558d, and 558a note); (6) the cost of uniforms as
6 authorized by 5 U.S.C. 5901–5902; and (7) for debt col-
7 lection contracts in accordance with 31 U.S.C. 3718(c).

8 Funds made available to the Forest Service in this
9 Act may be transferred between accounts affected by the
10 Forest Service budget restructure outlined in section 435
11 of division D of the Further Consolidated Appropriations
12 Act, 2020 (Public Law 116–94): *Provided*, That any
13 transfer of funds pursuant to this paragraph shall not in-
14 crease or decrease the funds appropriated to any account
15 in this fiscal year by more than ten percent: *Provided fur-*
16 *ther*, That such transfer authority is in addition to any
17 other transfer authority provided by law.

18 Any appropriations or funds available to the Forest
19 Service may be transferred to the Wildland Fire Manage-
20 ment appropriation for forest firefighting, emergency re-
21 habilitation of burned-over or damaged lands or waters
22 under its jurisdiction, and fire preparedness due to severe
23 burning conditions upon the Secretary of Agriculture’s no-
24 tification of the House and Senate Committees on Appro-
25 priations that all fire suppression funds appropriated

1 under the heading “Wildland Fire Management” will be
2 obligated within 30 days: *Provided*, That all funds used
3 pursuant to this paragraph must be replenished by a sup-
4 plemental appropriation which must be requested as
5 promptly as possible.

6 Not more than \$50,000,000 of funds appropriated to
7 the Forest Service shall be available for expenditure or
8 transfer to the Department of the Interior for wildland
9 fire management, hazardous fuels management, and State
10 fire assistance when such transfers would facilitate and
11 expedite wildland fire management programs and projects.

12 Notwithstanding any other provision of this Act, the
13 Forest Service may transfer unobligated balances of dis-
14 cretionary funds appropriated to the Forest Service by
15 this Act to or within the National Forest System Account,
16 or reprogram funds to be used for the purposes of haz-
17 ardous fuels management and urgent rehabilitation of
18 burned-over National Forest System lands and water: *Pro-*
19 *vided*, That such transferred funds shall remain available
20 through September 30, 2026: *Provided further*, That none
21 of the funds transferred pursuant to this paragraph shall
22 be available for obligation without written notification to
23 and the prior approval of the Committees on Appropria-
24 tions of both Houses of Congress.

1 Funds appropriated to the Forest Service shall be
2 available for assistance to or through the Agency for Inter-
3 national Development in connection with forest and range-
4 land research, technical information, and assistance in for-
5 eign countries, and shall be available to support forestry
6 and related natural resource activities outside the United
7 States and its territories and possessions, including tech-
8 nical assistance, education and training, and cooperation
9 with United States government, private sector, and inter-
10 national organizations. The Forest Service, acting for the
11 International Program, may sign direct funding agree-
12 ments with foreign governments and institutions as well
13 as other domestic agencies (including the U.S. Agency for
14 International Development, the Department of State, and
15 the Millennium Challenge Corporation), United States pri-
16 vate sector firms, institutions and organizations to provide
17 technical assistance and training programs on forestry and
18 rangeland management: *Provided*, That to maximize effec-
19 tiveness of domestic and international research and co-
20 operation, the International Program may utilize all au-
21 thorities related to forestry, research, and cooperative as-
22 sistance regardless of program designations.

23 Funds appropriated to the Forest Service shall be
24 available for expenditure or transfer to the Department
25 of the Interior, Bureau of Land Management, for removal,

1 preparation, and adoption of excess wild horses and burros
2 from National Forest System lands, and for the perform-
3 ance of cadastral surveys to designate the boundaries of
4 such lands.

5 None of the funds made available to the Forest Serv-
6 ice in this Act or any other Act with respect to any fiscal
7 year shall be subject to transfer under the provisions of
8 section 702(b) of the Department of Agriculture Organic
9 Act of 1944 (7 U.S.C. 2257), section 442 of Public Law
10 106–224 (7 U.S.C. 7772), or section 10417(b) of Public
11 Law 107–171 (7 U.S.C. 8316(b)).

12 Not more than \$82,000,000 of funds available to the
13 Forest Service shall be transferred to the Working Capital
14 Fund of the Department of Agriculture and not more than
15 \$14,500,000 of funds available to the Forest Service shall
16 be transferred to the Department of Agriculture for De-
17 partment Reimbursable Programs, commonly referred to
18 as Greenbook charges. Nothing in this paragraph shall
19 prohibit or limit the use of reimbursable agreements re-
20 quested by the Forest Service in order to obtain informa-
21 tion technology services, including telecommunications and
22 system modifications or enhancements, from the Working
23 Capital Fund of the Department of Agriculture.

24 Of the funds available to the Forest Service, up to
25 \$5,000,000 shall be available for priority projects within

1 the scope of the approved budget, which shall be carried
2 out by the Youth Conservation Corps and shall be carried
3 out under the authority of the Public Lands Corps Act
4 of 1993 (16 U.S.C. 1721 et seq.).

5 Of the funds available to the Forest Service, \$4,000
6 is available to the Chief of the Forest Service for official
7 reception and representation expenses.

8 Pursuant to sections 405(b) and 410(b) of Public
9 Law 101–593, of the funds available to the Forest Service,
10 up to \$3,000,000 may be advanced in a lump sum to the
11 National Forest Foundation to aid conservation partner-
12 ship projects in support of the Forest Service mission,
13 without regard to when the Foundation incurs expenses,
14 for projects on or benefitting National Forest System
15 lands or related to Forest Service programs: *Provided*,
16 That of the Federal funds made available to the Founda-
17 tion, no more than \$300,000 shall be available for admin-
18 istrative expenses: *Provided further*, That the Foundation
19 shall obtain, by the end of the period of Federal financial
20 assistance, private contributions to match funds made
21 available by the Forest Service on at least a one-for-one
22 basis: *Provided further*, That the Foundation may transfer
23 Federal funds to a Federal or a non-Federal recipient for
24 a project at the same rate that the recipient has obtained
25 the non-Federal matching funds.

1 Pursuant to section 2(b)(2) of Public Law 98-244,
2 up to \$3,000,000 of the funds available to the Forest
3 Service may be advanced to the National Fish and Wildlife
4 Foundation in a lump sum to aid cost-share conservation
5 projects, without regard to when expenses are incurred,
6 on or benefitting National Forest System lands or related
7 to Forest Service programs: *Provided*, That such funds
8 shall be matched on at least a one-for-one basis by the
9 Foundation or its sub-recipients: *Provided further*, That
10 the Foundation may transfer Federal funds to a Federal
11 or non-Federal recipient for a project at the same rate
12 that the recipient has obtained the non-Federal matching
13 funds.

14 Funds appropriated to the Forest Service shall be
15 available for interactions with and providing technical as-
16 sistance to rural communities and natural resource-based
17 businesses for sustainable rural development purposes.

18 Funds appropriated to the Forest Service shall be
19 available for payments to counties within the Columbia
20 River Gorge National Scenic Area, pursuant to section
21 14(c)(1) and (2), and section 16(a)(2) of Public Law 99-
22 663.

23 Any funds appropriated to the Forest Service may
24 be used to meet the non-Federal share requirement in sec-

1 tion 502(c) of the Older Americans Act of 1965 (42
2 U.S.C. 3056(c)(2)).

3 The Forest Service shall not assess funds for the pur-
4 pose of performing fire, administrative, and other facilities
5 maintenance and decommissioning.

6 Notwithstanding any other provision of law, of any
7 appropriations or funds available to the Forest Service,
8 not to exceed \$500,000 may be used to reimburse the Of-
9 fice of the General Counsel (OGC), Department of Agri-
10 culture, for travel and related expenses incurred as a re-
11 sult of OGC assistance or participation requested by the
12 Forest Service at meetings, training sessions, management
13 reviews, land purchase negotiations, and similar matters
14 unrelated to civil litigation. Future budget justifications
15 for both the Forest Service and the Department of Agri-
16 culture should clearly display the sums previously trans-
17 ferred and the sums requested for transfer.

18 An eligible individual who is employed in any project
19 funded under title V of the Older Americans Act of 1965
20 (42 U.S.C. 3056 et seq.) and administered by the Forest
21 Service shall be considered to be a Federal employee for
22 purposes of chapter 171 of title 28, United States Code.

23 Funds appropriated to the Forest Service shall be
24 available to pay, from a single account, the base salary
25 and expenses of employees who carry out functions funded

1 by other accounts for Enterprise Program, Geospatial
2 Technology and Applications Center, remnant Natural Re-
3 source Manager, Job Corps, and National Technology and
4 Development Program.

5 DEPARTMENT OF HEALTH AND HUMAN
6 SERVICES

7 INDIAN HEALTH SERVICE

8 INDIAN HEALTH SERVICES

9 For expenses necessary to carry out the Act of Au-
10 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-
11 tion and Education Assistance Act, the Indian Health
12 Care Improvement Act, and titles II and III of the Public
13 Health Service Act with respect to the Indian Health Serv-
14 ice, \$5,734,044,000, to remain available until September
15 30, 2024, except as otherwise provided herein, together
16 with payments received during the fiscal year pursuant to
17 sections 231(b) and 233 of the Public Health Service Act
18 (42 U.S.C. 238(b) and 238b), for services furnished by the
19 Indian Health Service: *Provided*, That funds made avail-
20 able to tribes and tribal organizations through contracts,
21 grant agreements, or any other agreements or compacts
22 authorized by the Indian Self-Determination and Edu-
23 cation Assistance Act of 1975 (25 U.S.C. 450), shall be
24 deemed to be obligated at the time of the grant or contract
25 award and thereafter shall remain available to the tribe

1 or tribal organization without fiscal year limitation: *Pro-*
2 *vided further*, That \$2,500,000 shall be available for
3 grants or contracts with public or private institutions to
4 provide alcohol or drug treatment services to Indians, in-
5 cluding alcohol detoxification services: *Provided further*,
6 That \$1,097,255,000 for Purchased/Referred Care, in-
7 cluding \$54,000,000 for the Indian Catastrophic Health
8 Emergency Fund, shall remain available until expended:
9 *Provided further*, That of the funds provided, up to
10 \$66,000,000 shall remain available until expended for im-
11 plementation of the loan repayment program under section
12 108 of the Indian Health Care Improvement Act: *Provided*
13 *further*, That of the funds provided, \$58,000,000 shall be
14 for costs related to or resulting from accreditation emer-
15 gencies, including supplementing activities funded under
16 the heading “Indian Health Facilities,” of which up to
17 \$4,000,000 may be used to supplement amounts otherwise
18 available for Purchased/Referred Care: *Provided further*,
19 That the amounts collected by the Federal Government
20 as authorized by sections 104 and 108 of the Indian
21 Health Care Improvement Act (25 U.S.C. 1613a and
22 1616a) during the preceding fiscal year for breach of con-
23 tracts shall be deposited in the Fund authorized by section
24 108A of that Act (25 U.S.C. 1616a–1) and shall remain
25 available until expended and, notwithstanding section

1 108A(c) of that Act (25 U.S.C. 1616a–1(c)), funds shall
2 be available to make new awards under the loan repay-
3 ment and scholarship programs under sections 104 and
4 108 of that Act (25 U.S.C. 1613a and 1616a): *Provided*
5 *further*, That the amounts made available within this ac-
6 count for the substance use and suicide prevention pro-
7 gram, for Opioid Prevention, Treatment and Recovery
8 Services, for the Domestic Violence Prevention Program,
9 for the Zero Suicide Initiative, for the housing subsidy au-
10 thority for civilian employees, for Aftercare Pilot Pro-
11 grams at Youth Regional Treatment Centers, for trans-
12 formation and modernization costs of the Indian Health
13 Service Electronic Health Record system, for national
14 quality and oversight activities, to improve collections from
15 public and private insurance at Indian Health Service and
16 tribally operated facilities, for an initiative to treat or re-
17 duce the transmission of HIV and HCV, for a maternal
18 health initiative, for the Telebehaviorial Health Center of
19 Excellence, for Alzheimer’s grants, for Village Built Clin-
20 ics, for a produce prescription pilot, and for accreditation
21 emergencies shall be allocated at the discretion of the Di-
22 rector of the Indian Health Service and shall remain avail-
23 able until expended: *Provided further*, That funds provided
24 in this Act may be used for annual contracts and grants
25 that fall within 2 fiscal years, provided the total obligation

1 is recorded in the year the funds are appropriated: *Pro-*
2 *vided further*, That the amounts collected by the Secretary
3 of Health and Human Services under the authority of title
4 IV of the Indian Health Care Improvement Act (25 U.S.C.
5 1613) shall remain available until expended for the pur-
6 pose of achieving compliance with the applicable condi-
7 tions and requirements of titles XVIII and XIX of the So-
8 cial Security Act, except for those related to the planning,
9 design, or construction of new facilities: *Provided further*,
10 That funding contained herein for scholarship programs
11 under the Indian Health Care Improvement Act (25
12 U.S.C. 1613) shall remain available until expended: *Pro-*
13 *vided further*, That amounts received by tribes and tribal
14 organizations under title IV of the Indian Health Care Im-
15 provement Act shall be reported and accounted for and
16 available to the receiving tribes and tribal organizations
17 until expended: *Provided further*, That the Bureau of In-
18 dian Affairs may collect from the Indian Health Service,
19 and from tribes and tribal organizations operating health
20 facilities pursuant to Public Law 93-638, such individ-
21 ually identifiable health information relating to disabled
22 children as may be necessary for the purpose of carrying
23 out its functions under the Individuals with Disabilities
24 Education Act (20 U.S.C. 1400 et seq.): *Provided further*,
25 That of the funds provided, \$232,138,000 is for the In-

1 dian Health Care Improvement Fund and may be used,
2 as needed, to carry out activities typically funded under
3 the Indian Health Facilities account: *Provided further*,
4 That none of the funds appropriated by this Act, or any
5 other Act, to the Indian Health Service for the Electronic
6 Health Record system shall be available for obligation or
7 expenditure for the selection or implementation of a new
8 Information Technology infrastructure system, unless the
9 Committees on Appropriations of the House of Represent-
10 atives and the Senate are consulted 90 days in advance
11 of such obligation.

12 CONTRACT SUPPORT COSTS

13 For payments to tribes and tribal organizations for
14 contract support costs associated with Indian Self-Deter-
15 mination and Education Assistance Act agreements with
16 the Indian Health Service for fiscal year 2023, such sums
17 as may be necessary: *Provided*, That notwithstanding any
18 other provision of law, no amounts made available under
19 this heading shall be available for transfer to another
20 budget account: *Provided further*, That amounts obligated
21 but not expended by a tribe or tribal organization for con-
22 tract support costs for such agreements for the current
23 fiscal year shall be applied to contract support costs due
24 for such agreements for subsequent fiscal years.

1 PAYMENTS FOR TRIBAL LEASES

2 For payments to tribes and tribal organizations for
3 leases pursuant to section 105(l) of the Indian Self-Deter-
4 mination and Education Assistance Act (25 U.S.C.
5 5324(l)) for fiscal year 2023, such sums as may be nec-
6 essary, which shall be available for obligation through Sep-
7 tember 30, 2024: *Provided*, That notwithstanding any
8 other provision of law, no amounts made available under
9 this heading shall be available for transfer to another
10 budget account.

11 INDIAN HEALTH FACILITIES

12 For construction, repair, maintenance, demolition,
13 improvement, and equipment of health and related auxil-
14 iary facilities, including quarters for personnel; prepara-
15 tion of plans, specifications, and drawings; acquisition of
16 sites, purchase and erection of modular buildings, and
17 purchases of trailers; and for provision of domestic and
18 community sanitation facilities for Indians, as authorized
19 by section 7 of the Act of August 5, 1954 (42 U.S.C.
20 2004a), the Indian Self-Determination Act, and the In-
21 dian Health Care Improvement Act, and for expenses nec-
22 essary to carry out such Acts and titles II and III of the
23 Public Health Service Act with respect to environmental
24 health and facilities support activities of the Indian Health
25 Service, \$1,306,979,000, to remain available until ex-

1 pended: *Provided*, That notwithstanding any other provi-
2 sion of law, funds appropriated for the planning, design,
3 construction, renovation, or expansion of health facilities
4 for the benefit of an Indian tribe or tribes may be used
5 to purchase land on which such facilities will be located:
6 *Provided further*, That not to exceed \$500,000 may be
7 used by the Indian Health Service to purchase TRANSAM
8 equipment from the Department of Defense for distribu-
9 tion to the Indian Health Service and tribal facilities: *Pro-*
10 *vided further*, That none of the funds appropriated to the
11 Indian Health Service may be used for sanitation facilities
12 construction for new homes funded with grants by the
13 housing programs of the United States Department of
14 Housing and Urban Development.

15 ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

16 Appropriations provided in this Act to the Indian
17 Health Service shall be available for services as authorized
18 by 5 U.S.C. 3109 at rates not to exceed the per diem rate
19 equivalent to the maximum rate payable for senior-level
20 positions under 5 U.S.C. 5376; hire of passenger motor
21 vehicles and aircraft; purchase of medical equipment; pur-
22 chase of reprints; purchase, renovation, and erection of
23 modular buildings and renovation of existing facilities;
24 payments for telephone service in private residences in the
25 field, when authorized under regulations approved by the

1 Secretary of Health and Human Services; uniforms, or al-
2 lowances therefor as authorized by 5 U.S.C. 5901–5902;
3 and for expenses of attendance at meetings that relate to
4 the functions or activities of the Indian Health Service:
5 *Provided*, That in accordance with the provisions of the
6 Indian Health Care Improvement Act, non-Indian patients
7 may be extended health care at all tribally administered
8 or Indian Health Service facilities, subject to charges, and
9 the proceeds along with funds recovered under the Federal
10 Medical Care Recovery Act (42 U.S.C. 2651–2653) shall
11 be credited to the account of the facility providing the
12 service and shall be available without fiscal year limitation:
13 *Provided further*, That notwithstanding any other law or
14 regulation, funds transferred from the Department of
15 Housing and Urban Development to the Indian Health
16 Service shall be administered under Public Law 86–121,
17 the Indian Sanitation Facilities Act and Public Law 93–
18 638: *Provided further*, That funds appropriated to the In-
19 dian Health Service in this Act, except those used for ad-
20 ministrative and program direction purposes, shall not be
21 subject to limitations directed at curtailing Federal travel
22 and transportation: *Provided further*, That none of the
23 funds made available to the Indian Health Service in this
24 Act shall be used for any assessments or charges by the
25 Department of Health and Human Services unless identi-

1 fied in the budget justification and provided in this Act,
2 or approved by the House and Senate Committees on Ap-
3 propriations through the reprogramming process: *Pro-*
4 *vided further*, That notwithstanding any other provision
5 of law, funds previously or herein made available to a tribe
6 or tribal organization through a contract, grant, or agree-
7 ment authorized by title I or title V of the Indian Self-
8 Determination and Education Assistance Act of 1975 (25
9 U.S.C. 450 et seq.), may be deobligated and reobligated
10 to a self-determination contract under title I, or a self-
11 governance agreement under title V of such Act and there-
12 after shall remain available to the tribe or tribal organiza-
13 tion without fiscal year limitation: *Provided further*, That
14 none of the funds made available to the Indian Health
15 Service in this Act shall be used to implement the final
16 rule published in the Federal Register on September 16,
17 1987, by the Department of Health and Human Services,
18 relating to the eligibility for the health care services of
19 the Indian Health Service until the Indian Health Service
20 has submitted a budget request reflecting the increased
21 costs associated with the proposed final rule, and such re-
22 quest has been included in an appropriations Act and en-
23 acted into law: *Provided further*, That with respect to func-
24 tions transferred by the Indian Health Service to tribes
25 or tribal organizations, the Indian Health Service is au-

1 thORIZED to provide goods and services to those entities on
2 a reimbursable basis, including payments in advance with
3 subsequent adjustment, and the reimbursements received
4 therefrom, along with the funds received from those enti-
5 ties pursuant to the Indian Self-Determination Act, may
6 be credited to the same or subsequent appropriation ac-
7 count from which the funds were originally derived, with
8 such amounts to remain available until expended: *Provided*
9 *further*, That reimbursements for training, technical as-
10 sistance, or services provided by the Indian Health Service
11 will contain total costs, including direct, administrative,
12 and overhead costs associated with the provision of goods,
13 services, or technical assistance: *Provided further*, That
14 the Indian Health Service may provide to civilian medical
15 personnel serving in hospitals operated by the Indian
16 Health Service housing allowances equivalent to those that
17 would be provided to members of the Commissioned Corps
18 of the United States Public Health Service serving in simi-
19 lar positions at such hospitals: *Provided further*, That the
20 appropriation structure for the Indian Health Service may
21 not be altered without advance notification to the House
22 and Senate Committees on Appropriations.

1 NATIONAL INSTITUTES OF HEALTH
2 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
3 SCIENCES

4 For necessary expenses for the National Institute of
5 Environmental Health Sciences in carrying out activities
6 set forth in section 311(a) of the Comprehensive Environ-
7 mental Response, Compensation, and Liability Act of
8 1980 (42 U.S.C. 9660(a)) and section 126(g) of the
9 Superfund Amendments and Reauthorization Act of 1986,
10 \$83,035,000.

11 AGENCY FOR TOXIC SUBSTANCES AND DISEASE
12 REGISTRY
13 TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC
14 HEALTH

15 For necessary expenses for the Agency for Toxic Sub-
16 stances and Disease Registry (ATSDR) in carrying out
17 activities set forth in sections 104(i) and 111(c)(4) of the
18 Comprehensive Environmental Response, Compensation,
19 and Liability Act of 1980 (CERCLA) and section 3019
20 of the Solid Waste Disposal Act, \$85,020,000: *Provided,*
21 That notwithstanding any other provision of law, in lieu
22 of performing a health assessment under section 104(i)(6)
23 of CERCLA, the Administrator of ATSDR may conduct
24 other appropriate health studies, evaluations, or activities,
25 including, without limitation, biomedical testing, clinical

1 evaluations, medical monitoring, and referral to accredited
2 healthcare providers: *Provided further*, That in performing
3 any such health assessment or health study, evaluation,
4 or activity, the Administrator of ATSDR shall not be
5 bound by the deadlines in section 104(i)(6)(A) of
6 CERCLA: *Provided further*, That none of the funds appro-
7 priated under this heading shall be available for ATSDR
8 to issue in excess of 40 toxicological profiles pursuant to
9 section 104(i) of CERCLA during fiscal year 2023, and
10 existing profiles may be updated as necessary.

11 OTHER RELATED AGENCIES

12 EXECUTIVE OFFICE OF THE PRESIDENT

13 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF

14 ENVIRONMENTAL QUALITY

15 For necessary expenses to continue functions as-
16 signed to the Council on Environmental Quality and Office
17 of Environmental Quality pursuant to the National Envi-
18 ronmental Policy Act of 1969, the Environmental Quality
19 Improvement Act of 1970, and Reorganization Plan No.
20 1 of 1977, and not to exceed \$750 for official reception
21 and representation expenses, \$4,676,000: *Provided*, That
22 notwithstanding section 202 of the National Environ-
23 mental Policy Act of 1970, the Council shall consist of
24 one member, appointed by the President, by and with the

1 advice and consent of the Senate, serving as chairman and
2 exercising all powers, functions, and duties of the Council.

3 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

4 SALARIES AND EXPENSES

5 For necessary expenses in carrying out activities pur-
6 suant to section 112(r)(6) of the Clean Air Act, including
7 hire of passenger vehicles, uniforms or allowances there-
8 for, as authorized by 5 U.S.C. 5901–5902, and for serv-
9 ices authorized by 5 U.S.C. 3109 but at rates for individ-
10 uals not to exceed the per diem equivalent to the maximum
11 rate payable for senior level positions under 5 U.S.C.
12 5376, \$14,400,000: *Provided*, That the Chemical Safety
13 and Hazard Investigation Board (Board) shall have not
14 more than three career Senior Executive Service positions:
15 *Provided further*, That notwithstanding any other provi-
16 sion of law, the individual appointed to the position of In-
17 spector General of the Environmental Protection Agency
18 (EPA) shall, by virtue of such appointment, also hold the
19 position of Inspector General of the Board: *Provided fur-*
20 *ther*, That notwithstanding any other provision of law, the
21 Inspector General of the Board shall utilize personnel of
22 the Office of Inspector General of EPA in performing the
23 duties of the Inspector General of the Board, and shall
24 not appoint any individuals to positions within the Board.

1 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION
2 SALARIES AND EXPENSES

3 For necessary expenses of the Office of Navajo and
4 Hopi Indian Relocation as authorized by Public Law 93–
5 531, \$3,060,000, to remain available until expended,
6 which shall be derived from unobligated balances from
7 prior year appropriations available under this heading:
8 *Provided*, That funds provided in this or any other appro-
9 priations Act are to be used to relocate eligible individuals
10 and groups including evictees from District 6, Hopi-parti-
11 tioned lands residents, those in significantly substandard
12 housing, and all others certified as eligible and not in-
13 cluded in the preceding categories: *Provided further*, That
14 none of the funds contained in this or any other Act may
15 be used by the Office of Navajo and Hopi Indian Reloca-
16 tion to evict any single Navajo or Navajo family who, as
17 of November 30, 1985, was physically domiciled on the
18 lands partitioned to the Hopi Tribe unless a new or re-
19 placement home is provided for such household: *Provided*
20 *further*, That no relocatee will be provided with more than
21 one new or replacement home: *Provided further*, That the
22 Office shall relocate any certified eligible relocatees who
23 have selected and received an approved homesite on the
24 Navajo reservation or selected a replacement residence off

1 the Navajo reservation or on the land acquired pursuant
2 to section 11 of Public Law 93–531 (88 Stat. 1716).

3 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE
4 CULTURE AND ARTS DEVELOPMENT
5 PAYMENT TO THE INSTITUTE

6 For payment to the Institute of American Indian and
7 Alaska Native Culture and Arts Development, as author-
8 ized by part A of title XV of Public Law 99–498 (20
9 U.S.C. 4411 et seq.), \$13,274,000, which shall become
10 available on July 1, 2023, and shall remain available until
11 September 30, 2024.

12 SMITHSONIAN INSTITUTION
13 SALARIES AND EXPENSES

14 For necessary expenses of the Smithsonian Institu-
15 tion, as authorized by law, including research in the fields
16 of art, science, and history; development, preservation, and
17 documentation of the National Collections; presentation of
18 public exhibits and performances; collection, preparation,
19 dissemination, and exchange of information and publica-
20 tions; conduct of education, training, and museum assist-
21 ance programs; maintenance, alteration, operation, lease
22 agreements of no more than 30 years, and protection of
23 buildings, facilities, and approaches; not to exceed
24 \$100,000 for services as authorized by 5 U.S.C. 3109; and
25 purchase, rental, repair, and cleaning of uniforms for em-

1 ployees, \$909,500,000, to remain available until Sep-
2 tember 30, 2024, except as otherwise provided herein; of
3 which not to exceed \$26,974,000 for the instrumentation
4 program, collections acquisition, exhibition reinstallation,
5 Smithsonian American Women’s History Museum, Na-
6 tional Museum of the American Latino, and the repatri-
7 ation of skeletal remains program shall remain available
8 until expended; and including such funds as may be nec-
9 essary to support American overseas research centers:
10 *Provided*, That funds appropriated herein are available for
11 advance payments to independent contractors performing
12 research services or participating in official Smithsonian
13 presentations: *Provided further*, That the Smithsonian In-
14 stitution may expend Federal appropriations designated in
15 this Act for lease or rent payments, as rent payable to
16 the Smithsonian Institution, and such rent payments may
17 be deposited into the general trust funds of the Institution
18 to be available as trust funds for expenses associated with
19 the purchase of a portion of the building at 600 Maryland
20 Avenue, SW, Washington, DC, to the extent that federally
21 supported activities will be housed there: *Provided further*,
22 That the use of such amounts in the general trust funds
23 of the Institution for such purpose shall not be construed
24 as Federal debt service for, a Federal guarantee of, a
25 transfer of risk to, or an obligation of the Federal Govern-

1 ment: *Provided further*, That no appropriated funds may
2 be used directly to service debt which is incurred to fi-
3 nance the costs of acquiring a portion of the building at
4 600 Maryland Avenue, SW, Washington, DC, or of plan-
5 ning, designing, and constructing improvements to such
6 building: *Provided further*, That any agreement entered
7 into by the Smithsonian Institution for the sale of its own-
8 ership interest, or any portion thereof, in such building
9 so acquired may not take effect until the expiration of a
10 30 day period which begins on the date on which the Sec-
11 retary of the Smithsonian submits to the Committees on
12 Appropriations of the House of Representatives and Sen-
13 ate, the Committees on House Administration and Trans-
14 portation and Infrastructure of the House of Representa-
15 tives, and the Committee on Rules and Administration of
16 the Senate a report, as outlined in the explanatory state-
17 ment described in section 4 of the Further Consolidated
18 Appropriations Act, 2020 (Public Law 116–94; 133 Stat.
19 2536) on the intended sale.

20 FACILITIES CAPITAL

21 For necessary expenses of repair, revitalization, and
22 alteration of facilities owned or occupied by the Smithso-
23 nian Institution, by contract or otherwise, as authorized
24 by section 2 of the Act of August 22, 1949 (63 Stat. 623),
25 and for construction, including necessary personnel,

1 \$265,000,000, to remain available until expended, of
2 which not to exceed \$10,000 shall be for services as au-
3 thorized by 5 U.S.C. 3109.

4 NATIONAL GALLERY OF ART

5 SALARIES AND EXPENSES

6 For the upkeep and operations of the National Gal-
7 lery of Art, the protection and care of the works of art
8 therein, and administrative expenses incident thereto, as
9 authorized by the Act of March 24, 1937 (50 Stat. 51),
10 as amended by the public resolution of April 13, 1939
11 (Public Resolution 9, 76th Congress), including services
12 as authorized by 5 U.S.C. 3109; payment in advance when
13 authorized by the treasurer of the Gallery for membership
14 in library, museum, and art associations or societies whose
15 publications or services are available to members only, or
16 to members at a price lower than to the general public;
17 purchase, repair, and cleaning of uniforms for guards, and
18 uniforms, or allowances therefor, for other employees as
19 authorized by law (5 U.S.C. 5901–5902); purchase or
20 rental of devices and services for protecting buildings and
21 contents thereof, and maintenance, alteration, improve-
22 ment, and repair of buildings, approaches, and grounds;
23 and purchase of services for restoration and repair of
24 works of art for the National Gallery of Art by contracts
25 made, without advertising, with individuals, firms, or or-

1 ganizations at such rates or prices and under such terms
2 and conditions as the Gallery may deem proper,
3 \$170,240,000, to remain available until September 30,
4 2024, of which not to exceed \$3,875,000 for the special
5 exhibition program shall remain available until expended.

6 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

7 (INCLUDING TRANSFER OF FUNDS)

8 For necessary expenses of repair, restoration, and
9 renovation of buildings, grounds and facilities owned or
10 occupied by the National Gallery of Art, by contract or
11 otherwise, for operating lease agreements of no more than
12 10 years, that address space needs created by the ongoing
13 renovations in the Master Facilities Plan, as authorized,
14 \$39,000,000, to remain available until expended: *Pro-*
15 *vided*, That of this amount, \$27,208,000 shall be available
16 for design and construction of an off-site art storage facil-
17 ity in partnership with the Smithsonian Institution and
18 may be transferred to the Smithsonian Institution for such
19 purposes: *Provided further*, That contracts awarded for en-
20 vironmental systems, protection systems, and exterior re-
21 pair or renovation of buildings of the National Gallery of
22 Art may be negotiated with selected contractors and
23 awarded on the basis of contractor qualifications as well
24 as price.

1 JOHN F. KENNEDY CENTER FOR THE PERFORMING
2 ARTS
3 OPERATIONS AND MAINTENANCE

4 For necessary expenses for the operation, mainte-
5 nance, and security of the John F. Kennedy Center for
6 the Performing Arts, \$27,640,000, to remain available
7 until September, 30, 2024.

8 CAPITAL REPAIR AND RESTORATION

9 For necessary expenses for capital repair and restora-
10 tion of the existing features of the building and site of
11 the John F. Kennedy Center for the Performing Arts,
12 \$17,740,000, to remain available until expended.

13 WOODROW WILSON INTERNATIONAL CENTER FOR
14 SCHOLARS

15 SALARIES AND EXPENSES

16 For expenses necessary in carrying out the provisions
17 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.
18 1356) including hire of passenger vehicles and services as
19 authorized by 5 U.S.C. 3109, \$15,000,000, to remain
20 available until September 30, 2024.

1 NATIONAL FOUNDATION ON THE ARTS AND THE
2 HUMANITIES

3 NATIONAL ENDOWMENT FOR THE ARTS
4 GRANTS AND ADMINISTRATION

5 For necessary expenses to carry out the National
6 Foundation on the Arts and the Humanities Act of 1965,
7 \$207,000,000 shall be available to the National Endow-
8 ment for the Arts for the support of projects and produc-
9 tions in the arts, including arts education and public out-
10 reach activities, through assistance to organizations and
11 individuals pursuant to section 5 of the Act, for program
12 support, and for administering the functions of the Act,
13 to remain available until expended.

14 NATIONAL ENDOWMENT FOR THE HUMANITIES
15 GRANTS AND ADMINISTRATION

16 For necessary expenses to carry out the National
17 Foundation on the Arts and the Humanities Act of 1965,
18 \$207,000,000 to remain available until expended, of which
19 \$188,250,000 shall be available for support of activities
20 in the humanities, pursuant to section 7(c) of the Act and
21 for administering the functions of the Act; and
22 \$18,750,000 shall be available to carry out the matching
23 grants program pursuant to section 10(a)(2) of the Act,
24 including \$15,750,000 for the purposes of section 7(h):
25 *Provided*, That appropriations for carrying out section

1 10(a)(2) shall be available for obligation only in such
2 amounts as may be equal to the total amounts of gifts,
3 bequests, devises of money, and other property accepted
4 by the chairman or by grantees of the National Endow-
5 ment for the Humanities under the provisions of sections
6 11(a)(2)(B) and 11(a)(3)(B) during the current and pre-
7 ceding fiscal years for which equal amounts have not pre-
8 viously been appropriated.

9 ADMINISTRATIVE PROVISIONS

10 None of the funds appropriated to the National
11 Foundation on the Arts and the Humanities may be used
12 to process any grant or contract documents which do not
13 include the text of 18 U.S.C. 1913: *Provided*, That none
14 of the funds appropriated to the National Foundation on
15 the Arts and the Humanities may be used for official re-
16 ception and representation expenses: *Provided further*,
17 That funds from nonappropriated sources may be used as
18 necessary for official reception and representation ex-
19 penses: *Provided further*, That the Chairperson of the Na-
20 tional Endowment for the Arts may approve grants of up
21 to \$10,000, if in the aggregate the amount of such grants
22 does not exceed 5 percent of the sums appropriated for
23 grantmaking purposes per year: *Provided further*, That
24 such small grant actions are taken pursuant to the terms

1 of an expressed and direct delegation of authority from
2 the National Council on the Arts to the Chairperson.

3 COMMISSION OF FINE ARTS

4 SALARIES AND EXPENSES

5 For expenses of the Commission of Fine Arts under
6 chapter 91 of title 40, United States Code, \$3,661,000:
7 *Provided*, That the Commission is authorized to charge
8 fees to cover the full costs of its publications, and such
9 fees shall be credited to this account as an offsetting col-
10 lection, to remain available until expended without further
11 appropriation: *Provided further*, That the Commission is
12 authorized to accept gifts, including objects, papers, art-
13 work, drawings and artifacts, that pertain to the history
14 and design of the Nation's Capital or the history and ac-
15 tivities of the Commission of Fine Arts, for the purpose
16 of artistic display, study, or education: *Provided further*,
17 That one-tenth of one percent of the funds provided under
18 this heading may be used for official reception and rep-
19 resentation expenses.

20 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

21 For necessary expenses as authorized by Public Law
22 99-190 (20 U.S.C. 956a), \$5,000,000: *Provided*, That the
23 item relating to "National Capital Arts and Cultural Af-
24 fairs" in the Department of the Interior and Related
25 Agencies Appropriations Act, 1986, as enacted into law

1 by section 101(d) of Public Law 99–190 (20 U.S.C.
2 956a), shall be applied in fiscal year 2023 in the second
3 paragraph by inserting “, calendar year 2020 excluded”
4 before the first period: *Provided further*, That in deter-
5 mining an eligible organization’s annual income for cal-
6 endar years 2021, 2022, and 2023 funds or grants re-
7 ceived by the eligible organization from any supplemental
8 appropriations Act related to coronavirus or any other law
9 providing appropriations for the purpose of preventing,
10 preparing for, or responding to coronavirus shall be count-
11 ed as part of the eligible organization’s annual income.

12 ADVISORY COUNCIL ON HISTORIC PRESERVATION

13 SALARIES AND EXPENSES

14 For necessary expenses of the Advisory Council on
15 Historic Preservation (Public Law 89–665), \$8,585,000.

16 NATIONAL CAPITAL PLANNING COMMISSION

17 SALARIES AND EXPENSES

18 For necessary expenses of the National Capital Plan-
19 ning Commission under chapter 87 of title 40, United
20 States Code, including services as authorized by 5 U.S.C.
21 3109, \$8,750,000: *Provided*, That one-quarter of 1 per-
22 cent of the funds provided under this heading may be used
23 for official reception and representational expenses associ-
24 ated with hosting international visitors engaged in the
25 planning and physical development of world capitals.

1 UNITED STATES HOLOCAUST MEMORIAL MUSEUM
2 HOLOCAUST MEMORIAL MUSEUM

3 For expenses of the Holocaust Memorial Museum, as
4 authorized by Public Law 106–292 (36 U.S.C. 2301–
5 2310), \$65,231,000 (increased by \$2,000,000), of which
6 \$1,000,000 shall remain available until September 30,
7 2025, for the Museum’s equipment replacement program;
8 and of which \$4,000,000 for the Museum’s repair and re-
9 habilitation program and \$1,264,000 for the Museum’s
10 outreach initiatives program shall remain available until
11 expended.

12 PRESIDIO TRUST

13 The Presidio Trust is authorized to issue obligations
14 to the Secretary of the Treasury pursuant to section
15 104(d)(3) of the Omnibus Parks and Public Lands Man-
16 agement Act of 1996 (Public Law 104–333), in an
17 amount not to exceed \$90,000,000: *Provided*, That such
18 section is amended by striking “\$150,000,000” and in-
19 serting “\$250,000,000”.

20 WORLD WAR I CENTENNIAL COMMISSION
21 SALARIES AND EXPENSES

22 Notwithstanding section 9 of the World War I Cen-
23 tennial Commission Act, as authorized by the World War
24 I Centennial Commission Act (Public Law 112–272) and
25 the Carl Levin and Howard P. “Buck” McKeon National

1 Defense Authorization Act for Fiscal Year 2015 (Public
2 Law 113–291), for necessary expenses of the World War
3 I Centennial Commission, \$1,000,000, to remain available
4 until September 30, 2024: *Provided*, That in addition to
5 the authority provided by section 6(g) of such Act, the
6 World War I Commission may accept money, in-kind per-
7 sonnel services, contractual support, or any appropriate
8 support from any executive branch agency for activities
9 of the Commission.

10 UNITED STATES SEMIQUINCENTENNIAL COMMISSION

11 SALARIES AND EXPENSES

12 For necessary expenses of the United States
13 Semiquincentennial Commission to plan and coordinate
14 observances and activities associated with the 250th anni-
15 versary of the founding of the United States, as authorized
16 by Public Law 116–282, the technical amendments to
17 Public Law 114–196, \$15,000,000, to remain available
18 until September 30, 2024.

19 TITLE IV

20 GENERAL PROVISIONS

21 (INCLUDING TRANSFERS OF FUNDS)

22 RESTRICTION ON USE OF FUNDS

23 SEC. 401. No part of any appropriation contained in
24 this Act shall be available for any activity or the publica-
25 tion or distribution of literature that in any way tends to

1 promote public support or opposition to any legislative
2 proposal on which Congressional action is not complete
3 other than to communicate to Members of Congress as
4 described in 18 U.S.C. 1913.

5 OBLIGATION OF APPROPRIATIONS

6 SEC. 402. No part of any appropriation contained in
7 this Act shall remain available for obligation beyond the
8 current fiscal year unless expressly so provided herein.

9 DISCLOSURE OF ADMINISTRATIVE EXPENSES

10 SEC. 403. The amount and basis of estimated over-
11 head charges, deductions, reserves, or holdbacks, including
12 working capital fund charges, from programs, projects, ac-
13 tivities and subactivities to support government-wide, de-
14 partmental, agency, or bureau administrative functions or
15 headquarters, regional, or central operations shall be pre-
16 sented in annual budget justifications and subject to ap-
17 proval by the Committees on Appropriations of the House
18 of Representatives and the Senate. Changes to such esti-
19 mates shall be presented to the Committees on Appropria-
20 tions for approval.

21 MINING APPLICATIONS

22 SEC. 404. (a) LIMITATION OF FUNDS.—None of the
23 funds appropriated or otherwise made available pursuant
24 to this Act shall be obligated or expended to accept or

1 process applications for a patent for any mining or mill
2 site claim located under the general mining laws.

3 (b) EXCEPTIONS.—Subsection (a) shall not apply if
4 the Secretary of the Interior determines that, for the claim
5 concerned: (1) a patent application was filed with the Sec-
6 retary on or before September 30, 1994; and (2) all re-
7 quirements established under sections 2325 and 2326 of
8 the Revised Statutes (30 U.S.C. 29 and 30) for vein or
9 lode claims, sections 2329, 2330, 2331, and 2333 of the
10 Revised Statutes (30 U.S.C. 35, 36, and 37) for placer
11 claims, and section 2337 of the Revised Statutes (30
12 U.S.C. 42) for mill site claims, as the case may be, were
13 fully complied with by the applicant by that date.

14 (c) REPORT.—On September 30, 2024, the Secretary
15 of the Interior shall file with the House and Senate Com-
16 mittees on Appropriations and the Committee on Natural
17 Resources of the House and the Committee on Energy and
18 Natural Resources of the Senate a report on actions taken
19 by the Department under the plan submitted pursuant to
20 section 314(c) of the Department of the Interior and Re-
21 lated Agencies Appropriations Act, 1997 (Public Law
22 104–208).

23 (d) MINERAL EXAMINATIONS.—In order to process
24 patent applications in a timely and responsible manner,
25 upon the request of a patent applicant, the Secretary of

1 the Interior shall allow the applicant to fund a qualified
2 third-party contractor to be selected by the Director of the
3 Bureau of Land Management to conduct a mineral exam-
4 ination of the mining claims or mill sites contained in a
5 patent application as set forth in subsection (b). The Bu-
6 reau of Land Management shall have the sole responsi-
7 bility to choose and pay the third-party contractor in ac-
8 cordance with the standard procedures employed by the
9 Bureau of Land Management in the retention of third-
10 party contractors.

11 CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION

12 SEC. 405. Sections 405 and 406 of division F of the
13 Consolidated and Further Continuing Appropriations Act,
14 2015 (Public Law 113–235) shall continue in effect in fis-
15 cal year 2023.

16 CONTRACT SUPPORT COSTS, FISCAL YEAR 2023

17 LIMITATION

18 SEC. 406. Amounts provided by this Act for fiscal
19 year 2023 under the headings “Department of Health and
20 Human Services, Indian Health Service, Contract Support
21 Costs” and “Department of the Interior, Bureau of Indian
22 Affairs and Bureau of Indian Education, Contract Sup-
23 port Costs” are the only amounts available for contract
24 support costs arising out of self-determination or self-gov-
25 ernance contracts, grants, compacts, or annual funding

1 agreements for fiscal year 2023 with the Bureau of Indian
2 Affairs, Bureau of Indian Education, and the Indian
3 Health Service: *Provided*, That such amounts provided by
4 this Act are not available for payment of claims for con-
5 tract support costs for prior years, or for repayments of
6 payments for settlements or judgments awarding contract
7 support costs for prior years.

8 FOREST MANAGEMENT PLANS

9 SEC. 407. The Secretary of Agriculture shall not be
10 considered to be in violation of subparagraph 6(f)(5)(A)
11 of the Forest and Rangeland Renewable Resources Plan-
12 ning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because
13 more than 15 years have passed without revision of the
14 plan for a unit of the National Forest System. Nothing
15 in this section exempts the Secretary from any other re-
16 quirement of the Forest and Rangeland Renewable Re-
17 sources Planning Act (16 U.S.C. 1600 et seq.) or any
18 other law: *Provided*, That if the Secretary is not acting
19 expeditiously and in good faith, within the funding avail-
20 able, to revise a plan for a unit of the National Forest
21 System, this section shall be void with respect to such plan
22 and a court of proper jurisdiction may order completion
23 of the plan on an accelerated basis.

1 PROHIBITION WITHIN NATIONAL MONUMENTS

2 SEC. 408. No funds provided in this Act may be ex-
3 pended to conduct preleasing, leasing and related activities
4 under either the Mineral Leasing Act (30 U.S.C. 181 et
5 seq.) or the Outer Continental Shelf Lands Act (43 U.S.C.
6 1331 et seq.) within the boundaries of a National Monu-
7 ment established pursuant to the Act of June 8, 1906 (16
8 U.S.C. 431 et seq.) as such boundary existed on January
9 20, 2001, except where such activities are allowed under
10 the Presidential proclamation establishing such monu-
11 ment.

12 LIMITATION ON TAKINGS

13 SEC. 409. Unless otherwise provided herein, no funds
14 appropriated in this Act for the acquisition of lands or
15 interests in lands may be expended for the filing of dec-
16 larations of taking or complaints in condemnation without
17 the approval of the House and Senate Committees on Ap-
18 propriations: *Provided*, That this provision shall not apply
19 to funds appropriated to implement the Everglades Na-
20 tional Park Protection and Expansion Act of 1989, or to
21 funds appropriated for Federal assistance to the State of
22 Florida to acquire lands for Everglades restoration pur-
23 poses.

1 PROHIBITION ON NO-BID CONTRACTS

2 SEC. 410. None of the funds appropriated or other-
3 wise made available by this Act to executive branch agen-
4 cies may be used to enter into any Federal contract unless
5 such contract is entered into in accordance with the re-
6 quirements of chapter 33 of title 41, United States Code,
7 or chapter 137 of title 10, United States Code, and the
8 Federal Acquisition Regulation, unless—

9 (1) Federal law specifically authorizes a con-
10 tract to be entered into without regard for these re-
11 quirements, including formula grants for States, or
12 federally recognized Indian tribes;

13 (2) such contract is authorized by the Indian
14 Self-Determination and Education Assistance Act
15 (Public Law 93–638, 25 U.S.C. 450 et seq.) or by
16 any other Federal laws that specifically authorize a
17 contract within an Indian tribe as defined in section
18 4(e) of that Act (25 U.S.C. 450b(e)); or

19 (3) such contract was awarded prior to the date
20 of enactment of this Act.

21 POSTING OF REPORTS

22 SEC. 411. (a) Any agency receiving funds made avail-
23 able in this Act, shall, subject to subsections (b) and (c),
24 post on the public website of that agency any report re-
25 quired to be submitted by the Congress in this or any

1 other Act, upon the determination by the head of the agen-
2 cy that it shall serve the national interest.

3 (b) Subsection (a) shall not apply to a report if—

4 (1) the public posting of the report com-
5 promises national security; or

6 (2) the report contains proprietary information.

7 (c) The head of the agency posting such report shall
8 do so only after such report has been made available to
9 the requesting Committee or Committees of Congress for
10 no less than 45 days.

11 NATIONAL ENDOWMENT FOR THE ARTS GRANT

12 GUIDELINES

13 SEC. 412. Of the funds provided to the National En-
14 dowment for the Arts—

15 (1) The Chairperson shall only award a grant
16 to an individual if such grant is awarded to such in-
17 dividual for a literature fellowship, National Herit-
18 age Fellowship, or American Jazz Masters Fellow-
19 ship.

20 (2) The Chairperson shall establish procedures
21 to ensure that no funding provided through a grant,
22 except a grant made to a State or local arts agency,
23 or regional group, may be used to make a grant to
24 any other organization or individual to conduct ac-
25 tivity independent of the direct grant recipient.

1 Nothing in this subsection shall prohibit payments
2 made in exchange for goods and services.

3 (3) No grant shall be used for seasonal support
4 to a group, unless the application is specific to the
5 contents of the season, including identified programs
6 or projects.

7 NATIONAL ENDOWMENT FOR THE ARTS PROGRAM

8 PRIORITIES

9 SEC. 413. (a) In providing services or awarding fi-
10 nancial assistance under the National Foundation on the
11 Arts and the Humanities Act of 1965 from funds appro-
12 priated under this Act, the Chairperson of the National
13 Endowment for the Arts shall ensure that priority is given
14 to providing services or awarding financial assistance for
15 projects, productions, workshops, or programs that serve
16 underserved populations.

17 (b) In this section:

18 (1) The term “underserved population” means
19 a population of individuals, including urban minori-
20 ties, who have historically been outside the purview
21 of arts and humanities programs due to factors such
22 as a high incidence of income below the poverty line
23 or to geographic isolation.

24 (2) The term “poverty line” means the poverty
25 line (as defined by the Office of Management and

1 Budget, and revised annually in accordance with sec-
2 tion 673(2) of the Community Services Block Grant
3 Act (42 U.S.C. 9902(2))) applicable to a family of
4 the size involved.

5 (c) In providing services and awarding financial as-
6 sistance under the National Foundation on the Arts and
7 Humanities Act of 1965 with funds appropriated by this
8 Act, the Chairperson of the National Endowment for the
9 Arts shall ensure that priority is given to providing serv-
10 ices or awarding financial assistance for projects, produc-
11 tions, workshops, or programs that will encourage public
12 knowledge, education, understanding, and appreciation of
13 the arts.

14 (d) With funds appropriated by this Act to carry out
15 section 5 of the National Foundation on the Arts and Hu-
16 manities Act of 1965—

17 (1) the Chairperson shall establish a grant cat-
18 egory for projects, productions, workshops, or pro-
19 grams that are of national impact or availability or
20 are able to tour several States;

21 (2) the Chairperson shall not make grants ex-
22 ceeding 15 percent, in the aggregate, of such funds
23 to any single State, excluding grants made under the
24 authority of paragraph (1);

1 (3) the Chairperson shall report to the Con-
2 gress annually and by State, on grants awarded by
3 the Chairperson in each grant category under sec-
4 tion 5 of such Act; and

5 (4) the Chairperson shall encourage the use of
6 grants to improve and support community-based
7 music performance and education.

8 STATUS OF BALANCES OF APPROPRIATIONS

9 SEC. 414. The Department of the Interior, the Envi-
10 ronmental Protection Agency, the Forest Service, and the
11 Indian Health Service shall provide the Committees on
12 Appropriations of the House of Representatives and Sen-
13 ate quarterly reports on the status of balances of appro-
14 priations including all uncommitted, committed, and unob-
15 ligated funds in each program and activity within 60 days
16 of enactment of this Act.

17 EXTENSION OF GRAZING PERMITS

18 SEC. 415. The terms and conditions of section 325
19 of Public Law 108–108 (117 Stat. 1307), regarding graz-
20 ing permits issued by the Forest Service on any lands not
21 subject to administration under section 402 of the Federal
22 Lands Policy and Management Act (43 U.S.C. 1752),
23 shall remain in effect for fiscal year 2023.

1 horse or burro (as defined in section 2 of Public Law 92–
2 195 (commonly known as the “Wild Free-Roaming Horses
3 and Burros Act”) (16 U.S.C. 1332)).

4 (d) A Federal, State, or local government agency re-
5 ceiving an excess wild horse or burro pursuant to sub-
6 section (a) shall not—

7 (1) destroy the horse or burro in a manner that
8 results in the destruction of the horse or burro into
9 a commercial product;

10 (2) sell or otherwise transfer the horse or burro
11 in a manner that results in the destruction of the
12 horse or burro for processing into a commercial
13 product; or

14 (3) euthanize the horse or burro, except on the
15 recommendation of a licensed veterinarian in a case
16 of severe injury, illness, or advanced age.

17 (e) Amounts appropriated by this Act shall not be
18 available for—

19 (1) the destruction of any healthy, unadopted,
20 and wild horse or burro under the jurisdiction of the
21 Secretary concerned (including a contractor); or

22 (2) the sale of a wild horse or burro that results
23 in the destruction of the wild horse or burro for
24 processing into a commercial product.

1 FOREST SERVICE FACILITY REALIGNMENT AND
2 ENHANCEMENT AUTHORIZATION EXTENSION

3 SEC. 418. Section 503(f) of Public Law 109–54 (16
4 U.S.C. 580d note) shall be applied by substituting “Sep-
5 tember 30, 2023” for “September 30, 2019”.

6 USE OF AMERICAN IRON AND STEEL

7 SEC. 419. (a)(1) None of the funds made available
8 by a State water pollution control revolving fund as au-
9 thorized by section 1452 of the Safe Drinking Water Act
10 (42 U.S.C. 300j–12) shall be used for a project for the
11 construction, alteration, maintenance, or repair of a public
12 water system or treatment works unless all of the iron and
13 steel products used in the project are produced in the
14 United States.

15 (2) In this section, the term “iron and steel” products
16 means the following products made primarily of iron or
17 steel: lined or unlined pipes and fittings, manhole covers
18 and other municipal castings, hydrants, tanks, flanges,
19 pipe clamps and restraints, valves, structural steel, rein-
20 forced precast concrete, and construction materials.

21 (b) Subsection (a) shall not apply in any case or cat-
22 egory of cases in which the Administrator of the Environ-
23 mental Protection Agency (in this section referred to as
24 the “Administrator”) finds that—

1 (1) applying subsection (a) would be incon-
2 sistent with the public interest;

3 (2) iron and steel products are not produced in
4 the United States in sufficient and reasonably avail-
5 able quantities and of a satisfactory quality; or

6 (3) inclusion of iron and steel products pro-
7 duced in the United States will increase the cost of
8 the overall project by more than 25 percent.

9 (c) If the Administrator receives a request for a waiv-
10 er under this section, the Administrator shall make avail-
11 able to the public on an informal basis a copy of the re-
12 quest and information available to the Administrator con-
13 cerning the request, and shall allow for informal public
14 input on the request for at least 15 days prior to making
15 a finding based on the request. The Administrator shall
16 make the request and accompanying information available
17 by electronic means, including on the official public Inter-
18 net Web site of the Environmental Protection Agency.

19 (d) This section shall be applied in a manner con-
20 sistent with United States obligations under international
21 agreements.

22 (e) The Administrator may retain up to 0.25 percent
23 of the funds appropriated in this Act for the Clean and
24 Drinking Water State Revolving Funds for carrying out

1 the provisions described in subsection (a)(1) for manage-
2 ment and oversight of the requirements of this section.

3 LOCAL COOPERATOR TRAINING AGREEMENTS AND TRANS-
4 FERS OF EXCESS EQUIPMENT AND SUPPLIES FOR
5 WILDFIRES

6 SEC. 420. The Secretary of the Interior is authorized
7 to enter into grants and cooperative agreements with vol-
8 unteer fire departments, rural fire departments, rangeland
9 fire protection associations, and similar organizations to
10 provide for wildland fire training and equipment, including
11 supplies and communication devices. Notwithstanding sec-
12 tion 121(c) of title 40, United States Code, or section 521
13 of title 40, United States Code, the Secretary is further
14 authorized to transfer title to excess Department of the
15 Interior firefighting equipment no longer needed to carry
16 out the functions of the Department's wildland fire man-
17 agement program to such organizations.

18 RECREATION FEES

19 SEC. 421. Section 810 of the Federal Lands Recre-
20 ation Enhancement Act (16 U.S.C. 6809) shall be applied
21 by substituting "October 1, 2024" for "September 30,
22 2019".

23 REPROGRAMMING GUIDELINES

24 SEC. 422. None of the funds made available in this
25 Act, in this and prior fiscal years, may be reprogrammed

1 without the advance approval of the House and Senate
2 Committees on Appropriations in accordance with the re-
3 programming procedures contained in the explanatory
4 statement described in section 4 (in the matter preceding
5 division A of this consolidated Act).

6 LOCAL CONTRACTORS

7 SEC. 423. Section 412 of division E of Public Law
8 112–74 shall be applied by substituting “fiscal year 2023”
9 for “fiscal year 2019”.

10 SHASTA-TRINITY MARINA FEE AUTHORITY

11 AUTHORIZATION EXTENSION

12 SEC. 424. Section 422 of division F of Public Law
13 110–161 (121 Stat 1844), as amended, shall be applied
14 by substituting “fiscal year 2023” for “fiscal year 2019”.

15 INTERPRETIVE ASSOCIATION AUTHORIZATION EXTENSION

16 SEC. 425. Section 426 of division G of Public Law
17 113–76 (16 U.S.C. 565a–1 note) shall be applied by sub-
18 stituting “September 30, 2023” for “September 30,
19 2019”.

20 PUERTO RICO SCHOOLING AUTHORIZATION EXTENSION

21 SEC. 426. The authority provided by the 19th un-
22 numbered paragraph under heading “Administrative Pro-
23 visions, Forest Service” in title III of Public Law 109–
24 54, as amended, shall be applied by substituting “fiscal
25 year 2023” for “fiscal year 2019”.

1 FOREST BOTANICAL PRODUCTS FEE COLLECTION
2 AUTHORIZATION EXTENSION

3 SEC. 427. Section 339 of the Department of the Inte-
4 rior and Related Agencies Appropriations Act, 2000 (as
5 enacted into law by Public Law 106–113; 16 U.S.C. 528
6 note), as amended by section 335(6) of Public Law 108–
7 108 and section 432 of Public Law 113–76, shall be ap-
8 plied by substituting “fiscal year 2023” for “fiscal year
9 2019”.

10 CHACO CANYON

11 SEC. 428. None of the funds made available by this
12 Act may be used to accept a nomination for oil and gas
13 leasing under 43 CFR 3120.3 et seq., or to offer for oil
14 and gas leasing, any Federal lands within the withdrawal
15 area identified on the map of the Chaco Culture National
16 Historical Park prepared by the Bureau of Land Manage-
17 ment and dated April 2, 2019.

18 TRIBAL LEASES

19 SEC. 429. Notwithstanding any other provision of
20 law, in the case of any lease under section 105(1) of the
21 Indian Self-Determination and Education Assistance Act
22 (25 U.S.C. 5324(1)), the initial lease term shall commence
23 no earlier than the date of receipt of the lease proposal.

1 FOREST ECOSYSTEM HEALTH AND RECOVERY FUND

2 SEC. 430. The authority provided under the heading
3 “Forest Ecosystem Health and Recovery Fund” in title
4 I of Public Law 111–88, as amended by section 117 of
5 division F of Public Law 113–235, shall be applied by sub-
6 stituting “fiscal year 2023” for “fiscal year 2020” each
7 place it appears.

8 ALLOCATION OF PROJECTS, NATIONAL PARKS AND PUB-
9 LIC LAND LEGACY RESTORATION FUND AND LAND
10 AND WATER CONSERVATION FUND

11 SEC. 431. (a)(1) Within 45 days of enactment of this
12 Act, the Secretary of the Interior shall allocate amounts
13 made available from the National Parks and Public Land
14 Legacy Restoration Fund for fiscal year 2023 pursuant
15 to subsection (c) of section 200402 of title 54, United
16 States Code, and as provided in subsection (e) of such sec-
17 tion of such title, to the agencies of the Department of
18 the Interior and the Department of Agriculture specified,
19 in the amounts specified, for the stations and unit names
20 specified, and for the projects and activities specified in
21 the table titled “Allocation of Funds: National Parks and
22 Public Land Legacy Restoration Fund Fiscal Year 2023”
23 in the report accompanying this Act.

24 (2) Within 45 days of enactment of this Act, the Sec-
25 retary of the Interior and the Secretary of Agriculture,

1 as appropriate, shall allocate amounts made available for
2 expenditure from the Land and Water Conservation Fund
3 for fiscal year 2023 pursuant to subsection (a) of section
4 200303 of title 54, United States Code, to the agencies
5 and accounts specified, in the amounts specified, and for
6 the projects and activities specified in the table titled “Al-
7 location of Funds: Land and Water Conservation Fund
8 Fiscal Year 2023” in the report accompanying this Act.

9 (b) Except as otherwise provided by subsection (c)
10 of this section, neither the President nor his designee may
11 allocate any amounts that are made available for any fiscal
12 year under subsection (c) of section 200402 of title 54,
13 United States Code, or subsection (a) of section 200303
14 of title 54, United States Code, other than in amounts
15 and for projects and activities that are allocated by sub-
16 sections (a)(1) and (a)(2) of this section: *Provided*, That
17 in any fiscal year, the matter preceding this proviso shall
18 not apply to the allocation of amounts for continuing ad-
19 ministration of programs allocated funds from the Na-
20 tional Parks and Public Land Legacy Restoration Fund
21 or the Land and Water Conservation Fund, which may
22 be allocated only in amounts that are no more than the
23 allocation for such purposes in subsections (a)(1) and
24 (a)(2) of this section.

1 (c) The Secretary of the Interior and the Secretary
2 of Agriculture may reallocate amounts from each agency’s
3 “Contingency Fund” line in the table titled “Allocation
4 of Funds: National Parks and Public Land Legacy Res-
5 toration Fund Fiscal Year 2023” to any project funded
6 by the National Parks and Public Land Legacy Restora-
7 tion Fund within the same agency, from any fiscal year,
8 that experienced a funding deficiency due to unforeseen
9 cost overruns, in accordance with the following require-
10 ments:

11 (1) “Contingency Fund” amounts may only be
12 reallocated if there is a risk to project completion re-
13 sulting from unforeseen cost overruns;

14 (2) “Contingency Fund” amounts may only be
15 reallocated for cost of adjustments and changes
16 within the original scope of effort for projects fund-
17 ed by the National Parks and Public Land Legacy
18 Restoration Fund; and

19 (3) The Secretary of the Interior or the Sec-
20 retary of Agriculture must provide written notifica-
21 tion to the Committees on Appropriations 30 days
22 before taking any actions authorized by this sub-
23 section if the amount reallocated from the “Contin-
24 gency Fund” line for a project is projected to be 10
25 percent or greater than the following, as applicable:

1 (A) The amount allocated to that project
2 in the table titled “Allocation of Funds: Na-
3 tional Parks and Public Land Legacy Restora-
4 tion Fund Fiscal Year 2023” in the report ac-
5 companying this Act; or

6 (B) The initial estimate in the most recent
7 report submitted, prior to enactment of this
8 Act, to the Committees on Appropriations pur-
9 suant to section 434(e) of division G of the
10 Consolidated Appropriations Act, 2021 (Public
11 Law 116–260).

12 (d)(1) Concurrent with the annual budget submission
13 of the President for fiscal year 2024, the Secretary of the
14 Interior and the Secretary of Agriculture shall each sub-
15 mit to the Committees on Appropriations of the House
16 of Representatives and the Senate project data sheets for
17 the projects in the “Submission of Annual List of Projects
18 to Congress” required by section 200402(h) of title 54,
19 United States Code: *Provided*, That the “Submission of
20 Annual List of Projects to Congress” must include a
21 “Contingency Fund” line for each agency within the allo-
22 cations defined in subsection (e) of section 200402 of title
23 54, United States Code: *Provided further*, That in the
24 event amounts allocated by this Act or any prior Act for
25 the National Parks and Public Land Legacy Restoration

1 Fund are no longer needed to complete a specified project,
2 such amounts may be reallocated in such submission to
3 that agency’s “Contingency Fund” line: *Provided further*,
4 That any proposals to change the scope of or terminate
5 a previously approved project must be clearly identified
6 in such submission.

7 (2)(A) Concurrent with the annual budget sub-
8 mission of the President for fiscal year 2024, the
9 Secretary of the Interior and the Secretary of Agri-
10 culture shall each submit to the Committees on Ap-
11 propriations of the House of Representatives and the
12 Senate a list of supplementary allocations for Fed-
13 eral land acquisition and Forest Legacy Projects at
14 the National Park Service, the U.S. Fish and Wild-
15 life Service, the Bureau of Land Management, and
16 the U.S. Forest Service that are in addition to the
17 “Submission of Cost Estimates” required by section
18 200303(c)(1) of title 54, United States Code, that
19 are prioritized and detailed by account, program,
20 and project, and that total no less than half the full
21 amount allocated to each account for that land man-
22 agement Agency under the allocations submitted
23 under section 200303(c)(1) of title 54, United
24 States Code: *Provided*, That in the event amounts
25 allocated by this Act or any prior Act pursuant to

1 subsection (a) of section 200303 of title 54, United
2 States Code are no longer needed because a project
3 has been completed or can no longer be executed,
4 such amounts must be clearly identified if proposed
5 for reallocation in the annual budget submission.

6 (B) The Federal land acquisition and Forest
7 Legacy projects in the “Submission of Cost Esti-
8 mates” required by section 200303(c)(1) of title 54,
9 United States Code, and on the list of supple-
10 mentary allocations required by subparagraph (A)
11 shall be comprised only of projects for which a will-
12 ing seller has been identified and for which an ap-
13 praisal or market research has been initiated.

14 (C) Concurrent with the annual budget submis-
15 sion of the President for fiscal year 2024, the Sec-
16 retary of the Interior and the Secretary of Agri-
17 culture shall each submit to the Committees on Ap-
18 propriations of the House of Representatives and the
19 Senate project data sheets in the same format and
20 containing the same level of detailed information
21 that is found on such sheets in the Budget Justifica-
22 tions annually submitted by the Department of the
23 Interior with the President’s Budget for the projects
24 in the “Submission of Cost Estimates” required by
25 section 200303(c)(1) of title 54, United States Code,

1 and in the same format and containing the same
2 level of detailed information that is found on such
3 sheets submitted to the Committees pursuant to sec-
4 tion 427 of division D of the Further Consolidated
5 Appropriations Act, 2020 (Public Law 116–94) for
6 the list of supplementary allocations required by
7 subparagraph (A).

8 (e) The Department of the Interior and the Depart-
9 ment of Agriculture shall provide the Committees on Ap-
10 propriations of the House of Representatives and Senate
11 quarterly reports on the status of balances of projects and
12 activities funded by the National Parks and Public Land
13 Legacy Restoration Fund for amounts allocated pursuant
14 to subsection (a)(1) of this section and the status of bal-
15 ances of projects and activities funded by the Land and
16 Water Conservation Fund for amounts allocated pursuant
17 to subsection (a)(2) of this section, including all uncom-
18 mitted, committed, and unobligated funds, and, for
19 amounts allocated pursuant to subsection (a)(1) of this
20 section, National Parks and Public Land Legacy Restora-
21 tion Fund amounts reallocated pursuant to subsection (c)
22 of this section.

23 POLICIES RELATING TO BIOMASS ENERGY

24 SEC. 432. To support the key role that forests in the
25 United States can play in addressing the energy needs of

1 the United States, the Secretary of Energy, the Secretary
2 of Agriculture, and the Administrator of the Environ-
3 mental Protection Agency shall, consistent with their mis-
4 sions, jointly—

5 (1) ensure that Federal policy relating to forest
6 bioenergy—

7 (A) is consistent across all Federal depart-
8 ments and agencies; and

9 (B) using the best available science, recog-
10 nizes the benefits of the use of forest biomass
11 for energy, conservation, and responsible forest
12 management; and

13 (2) establish clear and simple policies for the
14 use of forest biomass as an energy solution, includ-
15 ing policies that—

16 (A) reflect the carbon benefits of forest
17 bioenergy and recognize biomass as a renewable
18 energy source, provided the use of forest bio-
19 mass for energy production does not cause con-
20 version of forests to non-forest use;

21 (B) encourage private investment through-
22 out the forest biomass supply chain, including
23 in—

24 (i) working forests;

25 (ii) harvesting operations;

- 1 (iii) forest improvement operations;
2 (iv) forest bioenergy production;
3 (v) wood products manufacturing; or
4 (vi) paper manufacturing;
- 5 (C) encourage forest management to im-
6 prove forest health; and
- 7 (D) recognize State initiatives to produce
8 and use forest biomass.

9 TIMBER SALE REQUIREMENTS

10 SEC. 433. No timber sale in Alaska's Region 10 shall
11 be advertised if the indicated rate is deficit (defined as
12 the value of the timber is not sufficient to cover all logging
13 and stumpage costs and provide a normal profit and risk
14 allowance under the Forest Service's appraisal process)
15 when appraised using a residual value appraisal. The west-
16 ern red cedar timber from those sales which is surplus
17 to the needs of the domestic processors in Alaska, shall
18 be made available to domestic processors in the contiguous
19 48 United States at prevailing domestic prices. All addi-
20 tional western red cedar volume not sold to Alaska or con-
21 tiguous 48 United States domestic processors may be ex-
22 ported to foreign markets at the election of the timber sale
23 holder. All Alaska yellow cedar may be sold at prevailing
24 export prices at the election of the timber sale holder.

1 TRANSFER AUTHORITY TO FEDERAL HIGHWAY ADMINIS-
2 TRATION FOR THE NATIONAL PARKS AND PUBLIC
3 LAND LEGACY RESTORATION FUND

4 SEC. 434. Funds made available or allocated in this
5 Act to the Department of the Interior or the Department
6 of Agriculture that are subject to the allocations and limi-
7 tations in 54 U.S.C. 200402(e) and prohibitions in 54
8 U.S.C. 200402(f) may be further allocated or reallocated
9 to the Federal Highway Administration for transportation
10 projects of the covered agencies defined in 54 U.S.C.
11 200401(2).

12 ICE AGE NATIONAL SCENIC TRAIL

13 SEC. 435. Section 5(a)(10) of the National Trails
14 System Act (16 U.S.C. 1244(a)(10)) is amended by strik-
15 ing the third and fourth sentences and inserting “The trail
16 shall be administered by the Secretary of the Interior as
17 a unit of the National Park System.”.

18 FACILITIES RENOVATION FOR URBAN INDIAN ORGANIZA-
19 TIONS TO THE EXTENT AUTHORIZED FOR OTHER
20 GOVERNMENT CONTRACTORS

21 SEC. 436. The Secretary of Health and Human Serv-
22 ices may authorize an urban Indian organization (as de-
23 fined in section 4 of the Indian Health Care Improvement
24 Act (25 U.S.C. 1603) that is awarded a grant or contract
25 under title V of that Act (25 U.S.C. 1651 et seq.)) to

1 use funds provided in such grant or contract for minor
2 renovations to facilities or construction or expansion of fa-
3 cilities, including leased facilities, to assist the urban In-
4 dian organization in meeting or maintaining standards
5 issued by Federal or State governments or by accredita-
6 tion organizations.

7 TONGASS NATIONAL FOREST

8 SEC. 437. None of the funds made available by this
9 Act may be used to plan, design, study, or construct, for
10 the purpose of harvesting timber by private entities or in-
11 dividuals, a forest development road in the Tongass Na-
12 tional Forest.

13 ROAD CONSTRUCTION

14 SEC. 438. Section 8206(a)(4)(B)(i) of the Agricul-
15 tural Act of 2014 (16 U.S.C. 2113a(a)(4)(B)(i)) is
16 amended by inserting “or Bureau of Land Management
17 managed” after “National Forest System”.

18 PERMIT PROHIBITION

19 SEC. 439. None of the funds made available by this
20 Act may be used to issue a permit for the import of a
21 sport-hunted trophy of an elephant or lion taken in Tan-
22 zania, Zimbabwe, or Zambia. The limitation described in
23 this section shall not apply in the case of the administra-
24 tion of a tax or tariff.

1 SEC. 440. None of the funds made available by this
2 division may be used to enforce the Presidential Memo-
3 randum entitled “Memorandum on the Withdrawal of Cer-
4 tain Areas of the United States Outer Continental Shelf
5 from Leasing Disposition” (issued September 8, 2020) or
6 the Presidential Memorandum entitled “Presidential De-
7 termination on the Withdrawal of Certain Areas of the
8 United States Outer Continental Shelf from Leasing Dis-
9 position” (issued September 25, 2020), with respect to
10 leasing activities pursuant to section 8(p)(1)(C) of the
11 Outer Continental Shelf Lands Act (43 U.S.C.
12 1337(p)(1)(C)) relating to the Mid Atlantic, South Atlan-
13 tic, and Straits of Florida Planning Areas.

14 This division may be cited as the “Department of the
15 Interior, Environment, and Related Agencies Appropria-
16 tions Act, 2023”.

1 **DIVISION F—MILITARY CON-**
2 **STRUCTION, VETERANS AF-**
3 **FAIRS, AND RELATED AGEN-**
4 **CIES APPROPRIATIONS ACT,**
5 **2023**

6 TITLE I

7 DEPARTMENT OF DEFENSE

8 MILITARY CONSTRUCTION, ARMY

9 For acquisition, construction, installation, and equip-
10 ment of temporary or permanent public works, military
11 installations, facilities, and real property for the Army as
12 currently authorized by law, including personnel in the
13 Army Corps of Engineers and other personal services nec-
14 essary for the purposes of this appropriation, and for con-
15 struction and operation of facilities in support of the func-
16 tions of the Commander in Chief, \$997,425,000 (in-
17 creased by \$997,425,000) (reduced by \$997,425,000), to
18 remain available until September 30, 2027: *Provided,*
19 That, of the amount made available under this heading,
20 not to exceed \$240,011,000 shall be available for study,
21 planning, design, architect and engineer services, and host
22 nation support, as authorized by law, unless the Secretary
23 of the Army determines that additional obligations are
24 necessary for such purposes and notifies the Committees
25 on Appropriations of both Houses of Congress of the de-

1 termination and the reasons therefor: *Provided further*,
2 That of the amount made available under this heading,
3 \$101,860,000 shall be for the projects and activities, and
4 in the amounts, specified in the table under the heading
5 “Military Construction, Army” in the report accom-
6 panying this Act, in addition to amounts otherwise avail-
7 able for such purposes.

8 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

9 For acquisition, construction, installation, and equip-
10 ment of temporary or permanent public works, naval in-
11 stallations, facilities, and real property for the Navy and
12 Marine Corps as currently authorized by law, including
13 personnel in the Naval Facilities Engineering Command
14 and other personal services necessary for the purposes of
15 this appropriation, \$3,808,340,000, to remain available
16 until September 30, 2027: *Provided*, That, of the amount
17 made available under this heading, not to exceed
18 \$428,073,000 shall be available for study, planning, de-
19 sign, and architect and engineer services, as authorized
20 by law, unless the Secretary of the Navy determines that
21 additional obligations are necessary for such purposes and
22 notifies the Committees on Appropriations of both Houses
23 of Congress of the determination and the reasons therefor:
24 *Provided further*, That of the amount made available
25 under this heading, \$5,949,000 shall be for the project

1 and activity, and in the amount, specified in the table
2 under the heading “Military Construction, Navy and Ma-
3 rine Corps” in the report accompanying this Act, in addi-
4 tion to amounts otherwise available for such purposes.

5 MILITARY CONSTRUCTION, AIR FORCE

6 For acquisition, construction, installation, and equip-
7 ment of temporary or permanent public works, military
8 installations, facilities, and real property for the Air Force
9 as currently authorized by law, \$2,291,156,000, to remain
10 available until September 30, 2027: *Provided*, That, of the
11 amount made available under this heading, not to exceed
12 \$171,094,000 shall be available for study, planning, de-
13 sign, and architect and engineer services, as authorized
14 by law, unless the Secretary of the Air Force determines
15 that additional obligations are necessary for such purposes
16 and notifies the Committees on Appropriations of both
17 Houses of Congress of the determination and the reasons
18 therefor: *Provided further*, That of the amount made avail-
19 able under this heading, \$185,700,000 shall be for the
20 projects and activities, and in the amounts, specified in
21 the table under the heading “Military Construction, Air
22 Force” in the report accompanying this Act, in addition
23 to amounts otherwise available for such purposes.

1 MILITARY CONSTRUCTION, DEFENSE-WIDE

2 (INCLUDING TRANSFER OF FUNDS)

3 For acquisition, construction, installation, and equip-
4 ment of temporary or permanent public works, installa-
5 tions, facilities, and real property for activities and agen-
6 cies of the Department of Defense (other than the military
7 departments), as currently authorized by law,
8 \$2,675,128,000, to remain available until September 30,
9 2027: *Provided*, That such amounts of this appropriation
10 as may be determined by the Secretary of Defense may
11 be transferred to such appropriations of the Department
12 of Defense available for military construction or family
13 housing as the Secretary may designate, to be merged with
14 and to be available for the same purposes, and for the
15 same time period, as the appropriation or fund to which
16 transferred: *Provided further*, That, of the amount made
17 available under this heading, not to exceed \$506,107,000
18 shall be available for study, planning, design, and architect
19 and engineer services, as authorized by law, unless the
20 Secretary of Defense determines that additional obliga-
21 tions are necessary for such purposes and notifies the
22 Committees on Appropriations of both Houses of Congress
23 of the determination and the reasons therefor: *Provided*
24 *further*, That of the amount made available under this
25 heading, \$58,730,000 shall be for the projects and activi-

1 ties, and in the amounts, specified in the table under the
2 heading “Military Construction, Defense-Wide” in the re-
3 port accompanying this Act, in addition to amounts other-
4 wise available for such purposes.

5 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

6 For construction, acquisition, expansion, rehabilita-
7 tion, and conversion of facilities for the training and ad-
8 ministration of the Army National Guard, and contribu-
9 tions therefor, as authorized by chapter 1803 of title 10,
10 United States Code, and Military Construction Authoriza-
11 tion Acts, \$325,658,000, to remain available until Sep-
12 tember 30, 2027: *Provided*, That, of the amount made
13 available under this heading, not to exceed \$43,625,000
14 shall be available for study, planning, design, and architect
15 and engineer services, as authorized by law, unless the Di-
16 rector of the Army National Guard determines that addi-
17 tional obligations are necessary for such purposes and no-
18 tifies the Committees on Appropriations of both Houses
19 of Congress of the determination and the reasons therefor:
20 *Provided further*, That of the amount made available
21 under this heading, \$3,380,000 shall be for the projects
22 and activities, and in the amounts, specified in the table
23 under the heading “Military Construction, Army National
24 Guard” in the report accompanying this Act, in addition
25 to amounts otherwise available for such purposes.

1 MILITARY CONSTRUCTION, AIR NATIONAL GUARD

2 For construction, acquisition, expansion, rehabilita-
3 tion, and conversion of facilities for the training and ad-
4 ministration of the Air National Guard, and contributions
5 therefor, as authorized by chapter 1803 of title 10, United
6 States Code, and Military Construction Authorization
7 Acts, \$193,983,000, to remain available until September
8 30, 2027: *Provided*, That, of the amount made available
9 under this heading, not to exceed \$41,712,000 shall be
10 available for study, planning, design, and architect and en-
11 gineer services, as authorized by law, unless the Director
12 of the Air National Guard determines that additional obli-
13 gations are necessary for such purposes and notifies the
14 Committees on Appropriations of both Houses of Congress
15 of the determination and the reasons therefor: *Provided*
16 *further*, That of the amount made available under this
17 heading, \$20,100,000 shall be for the projects and activi-
18 ties, and in the amounts, specified in the table under the
19 heading “Military Construction, Air National Guard” in
20 the report accompanying this Act, in addition to amounts
21 otherwise available for such purposes.

22 MILITARY CONSTRUCTION, ARMY RESERVE

23 For construction, acquisition, expansion, rehabilita-
24 tion, and conversion of facilities for the training and ad-
25 ministration of the Army Reserve as authorized by chapter

1 1803 of title 10, United States Code, and Military Con-
2 struction Authorization Acts, \$119,878,000, to remain
3 available until September 30, 2027: *Provided*, That, of the
4 amount made available under this heading, not to exceed
5 \$19,829,000 shall be available for study, planning, design,
6 and architect and engineer services, as authorized by law,
7 unless the Chief of the Army Reserve determines that ad-
8 ditional obligations are necessary for such purposes and
9 notifies the Committees on Appropriations of both Houses
10 of Congress of the determination and the reasons therefor.

11 MILITARY CONSTRUCTION, NAVY RESERVE

12 For construction, acquisition, expansion, rehabilita-
13 tion, and conversion of facilities for the training and ad-
14 ministration of the reserve components of the Navy and
15 Marine Corps as authorized by chapter 1803 of title 10,
16 United States Code, and Military Construction Authoriza-
17 tion Acts, \$30,337,000, to remain available until Sep-
18 tember 30, 2027: *Provided*, That, of the amount made
19 available under this heading, not to exceed \$2,590,000
20 shall be available for study, planning, design, and architect
21 and engineer services, as authorized by law, unless the
22 Secretary of the Navy determines that additional obliga-
23 tions are necessary for such purposes and notifies the
24 Committees on Appropriations of both Houses of Congress
25 of the determination and the reasons therefor.

1 MILITARY CONSTRUCTION, AIR FORCE RESERVE

2 For construction, acquisition, expansion, rehabilita-
3 tion, and conversion of facilities for the training and ad-
4 ministration of the Air Force Reserve as authorized by
5 chapter 1803 of title 10, United States Code, and Military
6 Construction Authorization Acts, \$82,123,000, to remain
7 available until September 30, 2027: *Provided*, That, of the
8 amount made available under this heading, not to exceed
9 \$21,773,000 shall be available for study, planning, design,
10 and architect and engineer services, as authorized by law,
11 unless the Chief of the Air Force Reserve determines that
12 additional obligations are necessary for such purposes and
13 notifies the Committees on Appropriations of both Houses
14 of Congress of the determination and the reasons therefor:
15 *Provided further*, That of the amount made available
16 under this heading, \$5,500,000 shall be for the projects
17 and activities, and in the amounts, specified in the table
18 under the heading “Military Construction, Air Force Re-
19 serve” in the report accompanying this Act, in addition
20 to amounts otherwise available for such purposes.

21 NORTH ATLANTIC TREATY ORGANIZATION

22 SECURITY INVESTMENT PROGRAM

23 For the United States share of the cost of the North
24 Atlantic Treaty Organization Security Investment Pro-
25 gram for the acquisition and construction of military fa-

1 cilities and installations (including international military
2 headquarters) and for related expenses for the collective
3 defense of the North Atlantic Treaty Area as authorized
4 by section 2806 of title 10, United States Code, and Mili-
5 tary Construction Authorization Acts, \$220,139,000, to
6 remain available until expended.

7 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

8 For deposit into the Department of Defense Base
9 Closure Account, established by section 2906(a) of the De-
10 fense Base Closure and Realignment Act of 1990 (10
11 U.S.C. 2687 note), \$574,687,000, to remain available
12 until expended.

13 FAMILY HOUSING CONSTRUCTION, ARMY

14 For expenses of family housing for the Army for con-
15 struction, including acquisition, replacement, addition, ex-
16 pansion, extension, and alteration, as authorized by law,
17 \$169,339,000, to remain available until September 30,
18 2027.

19 FAMILY HOUSING OPERATION AND MAINTENANCE,

20 ARMY

21 For expenses of family housing for the Army for op-
22 eration and maintenance, including debt payment, leasing,
23 minor construction, principal and interest charges, and in-
24 surance premiums, as authorized by law, \$446,411,000.

1 FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE
2 CORPS

3 For expenses of family housing for the Navy and Ma-
4 rine Corps for construction, including acquisition, replace-
5 ment, addition, expansion, extension, and alteration, as
6 authorized by law, \$337,297,000, to remain available until
7 September 30, 2027.

8 FAMILY HOUSING OPERATION AND MAINTENANCE,
9 NAVY AND MARINE CORPS

10 For expenses of family housing for the Navy and Ma-
11 rine Corps for operation and maintenance, including debt
12 payment, leasing, minor construction, principal and inter-
13 est charges, and insurance premiums, as authorized by
14 law, \$378,224,000.

15 FAMILY HOUSING CONSTRUCTION, AIR FORCE

16 For expenses of family housing for the Air Force for
17 construction, including acquisition, replacement, addition,
18 expansion, extension, and alteration, as authorized by law,
19 \$232,788,000, to remain available until September 30,
20 2027.

21 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR
22 FORCE

23 For expenses of family housing for the Air Force for
24 operation and maintenance, including debt payment, leas-
25 ing, minor construction, principal and interest charges,

1 and insurance premiums, as authorized by law,
2 \$365,222,000.

3 FAMILY HOUSING OPERATION AND MAINTENANCE,
4 DEFENSE-WIDE

5 For expenses of family housing for the activities and
6 agencies of the Department of Defense (other than the
7 military departments) for operation and maintenance,
8 leasing, and minor construction, as authorized by law,
9 \$50,113,000.

10 DEPARTMENT OF DEFENSE

11 FAMILY HOUSING IMPROVEMENT FUND

12 For the Department of Defense Family Housing Im-
13 provement Fund, \$6,442,000, to remain available until ex-
14 pended, for family housing initiatives undertaken pursu-
15 ant to section 2883 of title 10, United States Code, pro-
16 viding alternative means of acquiring and improving mili-
17 tary family housing and supporting facilities.

18 DEPARTMENT OF DEFENSE

19 MILITARY UNACCOMPANIED HOUSING IMPROVEMENT
20 FUND

21 For the Department of Defense Military Unaccom-
22 panied Housing Improvement Fund, \$494,000, to remain
23 available until expended, for unaccompanied housing ini-
24 tiatives undertaken pursuant to section 2883 of title 10,
25 United States Code, providing alternative means of acquir-

1 ing and improving military unaccompanied housing and
2 supporting facilities.

3 ADMINISTRATIVE PROVISIONS

4 SEC. 101. None of the funds made available in this
5 title shall be expended for payments under a cost-plus-a-
6 fixed-fee contract for construction, where cost estimates
7 exceed \$25,000, to be performed within the United States,
8 except Alaska, without the specific approval in writing of
9 the Secretary of Defense setting forth the reasons there-
10 for.

11 SEC. 102. Funds made available in this title for con-
12 struction shall be available for hire of passenger motor ve-
13 hicles.

14 SEC. 103. Funds made available in this title for con-
15 struction may be used for advances to the Federal High-
16 way Administration, Department of Transportation, for
17 the construction of access roads as authorized by section
18 210 of title 23, United States Code, when projects author-
19 ized therein are certified as important to the national de-
20 fense by the Secretary of Defense.

21 SEC. 104. None of the funds made available in this
22 title may be used to begin construction of new bases in
23 the United States for which specific appropriations have
24 not been made.

1 SEC. 105. None of the funds made available in this
2 title shall be used for purchase of land or land easements
3 in excess of 100 percent of the value as determined by
4 the Army Corps of Engineers or the Naval Facilities Engi-
5 neering Command, except: (1) where there is a determina-
6 tion of value by a Federal court; (2) purchases negotiated
7 by the Attorney General or the designee of the Attorney
8 General; (3) where the estimated value is less than
9 \$25,000; or (4) as otherwise determined by the Secretary
10 of Defense to be in the public interest.

11 SEC. 106. None of the funds made available in this
12 title shall be used to: (1) acquire land; (2) provide for site
13 preparation; or (3) install utilities for any family housing,
14 except housing for which funds have been made available
15 in annual Acts making appropriations for military con-
16 struction.

17 SEC. 107. None of the funds made available in this
18 title for minor construction may be used to transfer or
19 relocate any activity from one base or installation to an-
20 other, without prior notification to the Committees on Ap-
21 propriations of both Houses of Congress.

22 SEC. 108. None of the funds made available in this
23 title may be used for the procurement of steel for any con-
24 struction project or activity for which American steel pro-

1 ducers, fabricators, and manufacturers have been denied
2 the opportunity to compete for such steel procurement.

3 SEC. 109. None of the funds available to the Depart-
4 ment of Defense for military construction or family hous-
5 ing during the current fiscal year may be used to pay real
6 property taxes in any foreign nation.

7 SEC. 110. None of the funds made available in this
8 title may be used to initiate a new installation overseas
9 without prior notification to the Committees on Appro-
10 priations of both Houses of Congress.

11 SEC. 111. None of the funds made available in this
12 title may be obligated for architect and engineer contracts
13 estimated by the Government to exceed \$500,000 for
14 projects to be accomplished in Japan, in any North Atlan-
15 tic Treaty Organization member country, or in countries
16 bordering the Arabian Gulf, unless such contracts are
17 awarded to United States firms or United States firms
18 in joint venture with host nation firms.

19 SEC. 112. None of the funds made available in this
20 title for military construction in the United States terri-
21 tories and possessions in the Pacific and on Kwajalein
22 Atoll, or in countries bordering the Arabian Gulf, may be
23 used to award any contract estimated by the Government
24 to exceed \$1,000,000 to a foreign contractor: *Provided*,
25 That this section shall not be applicable to contract

1 awards for which the lowest responsive and responsible bid
2 of a United States contractor exceeds the lowest respon-
3 sive and responsible bid of a foreign contractor by greater
4 than 20 percent: *Provided further*, That this section shall
5 not apply to contract awards for military construction on
6 Kwajalein Atoll for which the lowest responsive and re-
7 sponsible bid is submitted by a Marshallese contractor.

8 SEC. 113. The Secretary of Defense shall inform the
9 appropriate committees of both Houses of Congress, in-
10 cluding the Committees on Appropriations, of plans and
11 scope of any proposed military exercise involving United
12 States personnel 30 days prior to its occurring, if amounts
13 expended for construction, either temporary or permanent,
14 are anticipated to exceed \$100,000.

15 SEC. 114. Funds appropriated to the Department of
16 Defense for construction in prior years shall be available
17 for construction authorized for each such military depart-
18 ment by the authorizations enacted into law during the
19 current session of Congress.

20 SEC. 115. For military construction or family housing
21 projects that are being completed with funds otherwise ex-
22 pired or lapsed for obligation, expired or lapsed funds may
23 be used to pay the cost of associated supervision, inspec-
24 tion, overhead, engineering and design on those projects
25 and on subsequent claims, if any.

1 SEC. 116. Notwithstanding any other provision of
2 law, any funds made available to a military department
3 or defense agency for the construction of military projects
4 may be obligated for a military construction project or
5 contract, or for any portion of such a project or contract,
6 at any time before the end of the fourth fiscal year after
7 the fiscal year for which funds for such project were made
8 available, if the funds obligated for such project: (1) are
9 obligated from funds available for military construction
10 projects; and (2) do not exceed the amount appropriated
11 for such project, plus any amount by which the cost of
12 such project is increased pursuant to law.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 117. Subject to 30 days prior notification, or
15 14 days for a notification provided in an electronic me-
16 dium pursuant to sections 480 and 2883 of title 10,
17 United States Code, to the Committees on Appropriations
18 of both Houses of Congress, such additional amounts as
19 may be determined by the Secretary of Defense may be
20 transferred to: (1) the Department of Defense Family
21 Housing Improvement Fund from amounts appropriated
22 for construction in “Family Housing” accounts, to be
23 merged with and to be available for the same purposes
24 and for the same period of time as amounts appropriated
25 directly to the Fund; or (2) the Department of Defense

1 Military Unaccompanied Housing Improvement Fund
2 from amounts appropriated for construction of military
3 unaccompanied housing in “Military Construction” ac-
4 counts, to be merged with and to be available for the same
5 purposes and for the same period of time as amounts ap-
6 propriated directly to the Fund: *Provided*, That appropria-
7 tions made available to the Funds shall be available to
8 cover the costs, as defined in section 502 of the Congres-
9 sional Budget Act of 1974, of direct loans or loan guaran-
10 tees issued by the Department of Defense pursuant to the
11 provisions of subchapter IV of chapter 169 of title 10,
12 United States Code, pertaining to alternative means of ac-
13 quiring and improving military family housing, military
14 unaccompanied housing, and supporting facilities.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 118. In addition to any other transfer authority
17 available to the Department of Defense, amounts may be
18 transferred from the Department of Defense Base Closure
19 Account to the fund established by section 1013(d) of the
20 Demonstration Cities and Metropolitan Development Act
21 of 1966 (42 U.S.C. 3374) to pay for expenses associated
22 with the Homeowners Assistance Program incurred under
23 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall
24 be merged with and be available for the same purposes

1 and for the same time period as the fund to which trans-
2 ferred.

3 SEC. 119. Notwithstanding any other provision of
4 law, funds made available in this title for operation and
5 maintenance of family housing shall be the exclusive
6 source of funds for repair and maintenance of all family
7 housing units, including general or flag officer quarters:
8 *Provided*, That not more than \$35,000 per unit may be
9 spent annually for the maintenance and repair of any gen-
10 eral or flag officer quarters without 30 days prior notifica-
11 tion, or 14 days for a notification provided in an electronic
12 medium pursuant to sections 480 and 2883 of title 10,
13 United States Code, to the Committees on Appropriations
14 of both Houses of Congress, except that an after-the-fact
15 notification shall be submitted if the limitation is exceeded
16 solely due to costs associated with environmental remedi-
17 ation that could not be reasonably anticipated at the time
18 of the budget submission: *Provided further*, That the
19 Under Secretary of Defense (Comptroller) is to report an-
20 nually to the Committees on Appropriations of both
21 Houses of Congress all operation and maintenance ex-
22 penditures for each individual general or flag officer quar-
23 ters for the prior fiscal year.

24 SEC. 120. Amounts contained in the Ford Island Im-
25 provement Account established by subsection (h) of sec-

1 tion 2814 of title 10, United States Code, are appro-
2 priated and shall be available until expended for the pur-
3 poses specified in subsection (i)(1) of such section or until
4 transferred pursuant to subsection (i)(3) of such section.

5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 121. During the 5-year period after appropria-
7 tions available in this Act to the Department of Defense
8 for military construction and family housing operation and
9 maintenance and construction have expired for obligation,
10 upon a determination that such appropriations will not be
11 necessary for the liquidation of obligations or for making
12 authorized adjustments to such appropriations for obliga-
13 tions incurred during the period of availability of such ap-
14 propriations, unobligated balances of such appropriations
15 may be transferred into the appropriation “Foreign Cur-
16 rency Fluctuations, Construction, Defense”, to be merged
17 with and to be available for the same time period and for
18 the same purposes as the appropriation to which trans-
19 ferred.

20 SEC. 122. None of the funds made available in this
21 title may be obligated or expended for planning and design
22 and construction of projects at Arlington National Ceme-
23 tery.

24 SEC. 123. All amounts appropriated to the “Depart-
25 ment of Defense—Military Construction, Army”, “De-

1 partment of Defense—Military Construction, Navy and
2 Marine Corps”, “Department of Defense—Military Con-
3 struction, Air Force”, and “Department of Defense—Mili-
4 tary Construction, Defense-Wide” accounts pursuant to
5 the authorization of appropriations in a National Defense
6 Authorization Act specified for fiscal year 2023 in the
7 funding table in section 4601 of that Act shall be imme-
8 diately available and allotted to contract for the full scope
9 of authorized projects.

10 SEC. 124. Notwithstanding section 116 of this Act,
11 funds made available in this Act or any available unobli-
12 gated balances from prior appropriations Acts may be obli-
13 gated before October 1, 2024 for fiscal years 2017 and
14 2018 military construction projects for which project au-
15 thorization has not lapsed or for which authorization is
16 extended for fiscal year 2023 by a National Defense Au-
17 thorization Act: *Provided*, That no amounts may be obli-
18 gated pursuant to this section from amounts that were
19 designated by the Congress as an emergency requirement
20 pursuant to a concurrent resolution on the budget or the
21 Balanced Budget and Emergency Deficit Control Act of
22 1985.

23 SEC. 125. For the purposes of this Act, the term
24 “congressional defense committees” means the Commit-
25 tees on Armed Services of the House of Representatives

1 and the Senate, the Subcommittee on Military Construc-
2 tion and Veterans Affairs of the Committee on Appropria-
3 tions of the Senate, and the Subcommittee on Military
4 Construction and Veterans Affairs of the Committee on
5 Appropriations of the House of Representatives.

6 SEC. 126. For an additional amount for the accounts
7 and in the amounts specified for planning and design and
8 unspecified minor construction, for improving military in-
9 stallation resilience, to remain available until September
10 30, 2027:

11 “Military Construction, Army”, \$40,000,000;

12 “Military Construction, Navy and Marine
13 Corps”, \$40,000,000;

14 “Military Construction, Air Force”,
15 \$40,000,000; and

16 “Military Construction, Defense-Wide”,
17 \$15,000,000:

18 *Provided*, That not later than 60 days after the date of
19 enactment of this Act, the Secretary of the military de-
20 partment concerned, or their designee, shall submit to the
21 Committees on Appropriations of both Houses of Congress
22 an expenditure plan for funds provided under this section:

23 *Provided further*, That the Secretary of the military de-
24 partment concerned may not obligate or expend any funds
25 prior to approval by the Committees on Appropriations of

1 both Houses of Congress of the expenditure plan required
2 by this section.

3 SEC. 127. For an additional amount for the accounts
4 and in the amounts specified for planning and design, for
5 child development centers, to remain available until Sep-
6 tember 30, 2027:

7 “Military Construction, Army”, \$15,000,000;

8 “Military Construction, Navy and Marine
9 Corps”, \$15,000,000; and

10 “Military Construction, Air Force”,
11 \$15,000,000:

12 *Provided*, That not later than 60 days after the date of
13 enactment of this Act, the Secretary of the military de-
14 partment concerned, or their designee, shall submit to the
15 Committees on Appropriations of both Houses of Congress
16 an expenditure plan for funds provided under this section.

17 SEC. 128. For an additional amount for “Military
18 Construction, Air Force”, \$360,000,000, to remain avail-
19 able until September 30, 2027, for expenses incurred as
20 a result of natural disasters: *Provided*, That not later than
21 60 days after the date of enactment of this Act, the Sec-
22 retary of the Air Force, or their designee, shall submit
23 to the Committees on Appropriations of both Houses of
24 Congress an expenditure plan for funds provided under
25 this section.

1 SEC. 129. For an additional amount for the accounts
2 and in the amounts specified for planning and design, un-
3 specified minor construction, and authorized major con-
4 struction projects, for construction improvements to De-
5 partment of Defense laboratory facilities, to remain avail-
6 able until September 30, 2027:

7 “Military Construction, Army”, \$40,000,000;

8 “Military Construction, Navy and Marine
9 Corps”, \$30,000,000; and

10 “Military Construction, Air Force”,
11 \$30,000,000:

12 *Provided*, That not later than 30 days after the date of
13 enactment of this Act, the Secretary of the military de-
14 partment concerned, or their designee, shall submit to the
15 Committees on Appropriations of both Houses of Congress
16 an expenditure plan for funds provided under this section:

17 *Provided further*, That the Secretary of the military de-
18 partment concerned may not obligate or expend any funds
19 prior to approval by the Committees on Appropriations of
20 both Houses of Congress of the expenditure plan required
21 by this section.

22 SEC. 130. For an additional amount for “Military
23 Construction, Air Force Reserve”, \$8,000,000, to remain
24 available until September 30, 2027: *Provided*, That such
25 funds may only be obligated to carry out construction

1 projects identified in the Department of the Air Force’s
2 unfunded priority list for fiscal year 2023 submitted to
3 Congress: *Provided further*, That not later than 60 days
4 after the date of enactment of this Act, the Secretary of
5 the Air Force, or a duly authorized designee, shall submit
6 to the Committees on Appropriations of both Houses of
7 Congress an expenditure plan for funds provided under
8 this section.

9 SEC. 131. For an additional amount for the accounts
10 and in the amounts specified to address cost increases
11 identified subsequent to the fiscal year 2023 budget re-
12 quest for authorized major construction projects included
13 in that request, to remain available until September 30,
14 2027:

15 “Military Construction, Army”, \$253,500,000;

16 “Military Construction, Navy and Marine
17 Corps”, \$200,000,000;

18 “Military Construction, Air Force”,
19 \$30,000,000;

20 “Military Construction, Defense-Wide”,
21 \$37,897,000;

22 “Military Construction, Army National Guard”,
23 \$89,000,000;

24 “Military Construction, Air National Guard”,
25 \$11,000,000;

1 “Military Construction, Army Reserve”,
2 \$66,000,000; and

3 “Military Construction, Navy Reserve”,
4 \$2,660,000:

5 *Provided*, That not later than 30 days after the date of
6 enactment of this Act, the Secretary of the military de-
7 partment concerned, or their designee, shall submit to the
8 Committees on Appropriations of both Houses of Congress
9 an expenditure plan for funds provided under this section:
10 *Provided further*, That the Secretary of the military de-
11 partment concerned may not obligate or expend any funds
12 prior to approval by the Committees on Appropriations of
13 both Houses of Congress of the expenditure plan required
14 by this section.

15 SEC. 132. For an additional amount for “Military
16 Construction, Defense-Wide” , \$8,000,000, to remain
17 available until September 30, 2027, to address cost in-
18 creases for authorized major construction projects funded
19 by this Act: *Provided*, That not later than 30 days after
20 the date of enactment of this Act, the Secretary of De-
21 fense, or their designee, shall submit to the Committees
22 on Appropriations of both Houses of Congress an expendi-
23 ture plan for funds provided under this section: *Provided*
24 *further*, That the Secretary of Defense may not obligate
25 or expend any funds prior to approval by the Committees

1 on Appropriations of both Houses of Congress of the ex-
2 penditure plan required by this section.

3 SEC. 133. For an additional amount for “Military
4 Construction, Navy and Marine Corps”, \$100,000,000, to
5 remain available until September 30, 2027, for planning
6 and design of water treatment and distribution facilities
7 construction, including relating to improvements of infra-
8 structure and defueling at the Red Hill Bulk Fuel Storage
9 Facility: *Provided*, That not later than 180 days after the
10 date of enactment of this Act, the Secretary of the Navy,
11 or their designee, shall submit to the Committees on Ap-
12 propriations of both Houses of Congress an expenditure
13 plan for funds provided under this section: *Provided fur-*
14 *ther*, That the Secretary of the Navy may not obligate or
15 expend any funds prior to approval by the Committees on
16 Appropriations of both Houses of Congress of the expendi-
17 ture plan required by this section.

18 SEC. 134. For an additional amount for the accounts
19 and in the amounts specified for barracks and unaccom-
20 panied personnel housing, to remain available until Sep-
21 tember 30, 2027:

22 “Military Construction, Army National Guard”,
23 \$15,243,000; and
24 “Military Construction, Army Reserve”,
25 \$68,400,000:

1 *Provided*, That such funds may only be obligated to carry
2 out construction projects identified in the Department’s
3 unfunded priority list for fiscal year 2023 submitted to
4 Congress: *Provided further*, That not later than 30 days
5 after the date of enactment of this Act, the Secretary of
6 the Army, or their designee, shall submit to the Commit-
7 tees on Appropriations of both Houses of Congress an ex-
8 penditure plan for funds provided under this section.

9 SEC. 135. For an additional amount for “Family
10 Housing Construction, Army” , \$138,783,000, to remain
11 available until September 30, 2027: *Provided*, That such
12 funds may only be obligated to carry out construction, im-
13 provement, and replacement projects identified in the De-
14 partment of the Army’s cost to complete projects list of
15 previously appropriated projects submitted to Congress:
16 *Provided further*, That, of the amount made available
17 under this section, \$28,900,000 shall be available for
18 projects within the continental United States: *Provided*
19 *further*, That such projects are subject to authorization
20 prior to obligation and expenditure of funds to carry out
21 construction: *Provided further*, That not later than 30
22 days after the date of enactment of this Act, the Secretary
23 of the Army, or their designee, shall submit to the Com-
24 mittees on Appropriations of both Houses of Congress an
25 expenditure plan for funds provided under this section.

1 SEC. 136. For an additional amount for the accounts
2 and in the amounts specified for child development cen-
3 ters, to remain available until September 30, 2027:

4 “Military Construction, Army”, \$9,000,000;

5 “Military Construction, Navy and Marine
6 Corps”, \$47,940,000; and

7 “Military Construction, Air Force”,
8 \$22,393,000:

9 *Provided*, That such funds may only be obligated to carry
10 out construction projects identified in the respective mili-
11 tary department’s Future Years Defense Program list for
12 fiscal year 2023 submitted to Congress, or the respective
13 military department’s cost to complete project list of pre-
14 viously appropriated projects submitted to Congress: *Pro-*
15 *vided further*, That not later than 30 days after the date
16 of enactment of this Act, the Secretary of the military de-
17 partment concerned, or their designee, shall submit to the
18 Committees on Appropriations of both Houses of Congress
19 an expenditure plan for funds provided under this section.

1 TITLE II
2 DEPARTMENT OF VETERANS AFFAIRS
3 VETERANS BENEFITS ADMINISTRATION
4 COMPENSATION AND PENSIONS
5 (INCLUDING TRANSFER OF FUNDS)

6 For the payment of compensation benefits to or on
7 behalf of veterans and a pilot program for disability ex-
8 aminations as authorized by section 107 and chapters 11,
9 13, 18, 51, 53, 55, and 61 of title 38, United States Code;
10 pension benefits to or on behalf of veterans as authorized
11 by chapters 15, 51, 53, 55, and 61 of title 38, United
12 States Code; and burial benefits, the Reinstated Entitle-
13 ment Program for Survivors, emergency and other offi-
14 cers' retirement pay, adjusted-service credits and certifi-
15 cates, payment of premiums due on commercial life insur-
16 ance policies guaranteed under the provisions of title IV
17 of the Servicemembers Civil Relief Act (50 U.S.C. App.
18 541 et seq.) and for other benefits as authorized by sec-
19 tions 107, 1312, 1977, and 2106, and chapters 23, 51,
20 53, 55, and 61 of title 38, United States Code,
21 \$146,778,136,000, which shall become available on Octo-
22 ber 1, 2023, to remain available until expended: *Provided*,
23 That not to exceed \$21,423,000 of the amount made avail-
24 able for fiscal year 2024 under this heading shall be reim-
25 bursed to "General Operating Expenses, Veterans Bene-

1 fits Administration”, and “Information Technology Sys-
2 tems” for necessary expenses in implementing the provi-
3 sions of chapters 51, 53, and 55 of title 38, United States
4 Code, the funding source for which is specifically provided
5 as the “Compensation and Pensions” appropriation: *Pro-*
6 *vided further*, That such sums as may be earned on an
7 actual qualifying patient basis, shall be reimbursed to
8 “Medical Care Collections Fund” to augment the funding
9 of individual medical facilities for nursing home care pro-
10 vided to pensioners as authorized.

11 READJUSTMENT BENEFITS

12 For the payment of readjustment and rehabilitation
13 benefits to or on behalf of veterans as authorized by chap-
14 ters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and
15 61 of title 38, United States Code, \$8,452,500,000, which
16 shall become available on October 1, 2023, to remain
17 available until expended: *Provided*, That expenses for re-
18 habilitation program services and assistance which the
19 Secretary is authorized to provide under subsection (a) of
20 section 3104 of title 38, United States Code, other than
21 under paragraphs (1), (2), (5), and (11) of that sub-
22 section, shall be charged to this account.

23 VETERANS INSURANCE AND INDEMNITIES

24 For military and naval insurance, national service life
25 insurance, servicemen’s indemnities, service-disabled vet-

1 erans insurance, and veterans mortgage life insurance as
2 authorized by chapters 19 and 21 of title 38, United
3 States Code, \$121,126,000, which shall become available
4 on October 1, 2023, to remain available until expended.

5 VETERANS HOUSING BENEFIT PROGRAM FUND

6 For the cost of direct and guaranteed loans, such
7 sums as may be necessary to carry out the program, as
8 authorized by subchapters I through III of chapter 37 of
9 title 38, United States Code: *Provided*, That such costs,
10 including the cost of modifying such loans, shall be as de-
11 fined in section 502 of the Congressional Budget Act of
12 1974: *Provided further*, That, during fiscal year 2023,
13 within the resources available, not to exceed \$500,000 in
14 gross obligations for direct loans are authorized for spe-
15 cially adapted housing loans.

16 In addition, for administrative expenses to carry out
17 the direct and guaranteed loan programs, \$282,361,131.

18 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

19 For the cost of direct loans, \$7,171, as authorized
20 by chapter 31 of title 38, United States Code: *Provided*,
21 That such costs, including the cost of modifying such
22 loans, shall be as defined in section 502 of the Congres-
23 sional Budget Act of 1974: *Provided further*, That funds
24 made available under this heading are available to sub-

1 sidize gross obligations for the principal amount of direct
2 loans not to exceed \$942,330.

3 In addition, for administrative expenses necessary to
4 carry out the direct loan program, \$445,698, which may
5 be paid to the appropriation for “General Operating Ex-
6 penses, Veterans Benefits Administration”.

7 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM
8 ACCOUNT

9 For administrative expenses to carry out the direct
10 loan program authorized by subchapter V of chapter 37
11 of title 38, United States Code, \$1,400,000.

12 GENERAL OPERATING EXPENSES, VETERANS BENEFITS
13 ADMINISTRATION

14 For necessary operating expenses of the Veterans
15 Benefits Administration, not otherwise provided for, in-
16 cluding hire of passenger motor vehicles, reimbursement
17 of the General Services Administration for security guard
18 services, and reimbursement of the Department of De-
19 fense for the cost of overseas employee mail,
20 \$3,863,000,000 (increased by \$1,000,000) (reduced by
21 \$1,000,000) (reduced by \$1,000,000) (increased by
22 \$1,000,000) (reduced by \$1,000,000) (increased by
23 \$1,000,000): *Provided*, That expenses for services and as-
24 sistance authorized under paragraphs (1), (2), (5), and
25 (11) of section 3104(a) of title 38, United States Code,

1 that the Secretary of Veterans Affairs determines are nec-
2 essary to enable entitled veterans: (1) to the maximum ex-
3 tent feasible, to become employable and to obtain and
4 maintain suitable employment; or (2) to achieve maximum
5 independence in daily living, shall be charged to this ac-
6 count: *Provided further*, That, of the funds made available
7 under this heading, not to exceed 10 percent shall remain
8 available until September 30, 2024.

9 VETERANS HEALTH ADMINISTRATION

10 MEDICAL SERVICES

11 For necessary expenses for furnishing, as authorized
12 by law, inpatient and outpatient care and treatment to
13 beneficiaries of the Department of Veterans Affairs and
14 veterans described in section 1705(a) of title 38, United
15 States Code, including care and treatment in facilities not
16 under the jurisdiction of the Department, and including
17 medical supplies and equipment, bioengineering services,
18 food services, and salaries and expenses of healthcare em-
19 ployees hired under title 38, United States Code, assist-
20 ance and support services for caregivers as authorized by
21 section 1720G of title 38, United States Code, loan repay-
22 ments authorized by section 604 of the Caregivers and
23 Veterans Omnibus Health Services Act of 2010 (Public
24 Law 111–163; 124 Stat. 1174; 38 U.S.C. 7681 note),
25 monthly assistance allowances authorized by section

1 322(d) of title 38, United States Code, grants authorized
2 by section 521A of title 38, United States Code, and ad-
3 ministrative expenses necessary to carry out sections
4 322(d) and 521A of title 38, United States Code, and hos-
5 pital care and medical services authorized by section 1787
6 of title 38, United States Code; \$327,000,000 (increased
7 by \$5,000,000) (increased by \$1,000,000) (increased by
8 \$1,000,000) (reduced by \$1,000,000) (reduced by
9 \$10,000,000) (increased by \$10,000,000) (increased by
10 \$10,000,000) (reduced by \$10,000,000) (reduced by
11 \$3,000,000) (increased by \$3,000,000) (increased by
12 \$1,000,000) (increased by \$5,000,000), which shall be in
13 addition to funds previously appropriated under this head-
14 ing that become available on October 1, 2022; and, in ad-
15 dition, \$74,004,000,000, plus reimbursements, shall be-
16 come available on October 1, 2023, and shall remain avail-
17 able until September 30, 2024: *Provided*, That, of the
18 amount made available on October 1, 2023, under this
19 heading, \$1,500,000,000 shall remain available until Sep-
20 tember 30, 2025: *Provided further*, That, notwithstanding
21 any other provision of law, the Secretary of Veterans Af-
22 fairs shall establish a priority for the provision of medical
23 treatment for veterans who have service-connected disabil-
24 ities, lower income, or have special needs: *Provided further*,
25 That, notwithstanding any other provision of law, the Sec-

1 until September 30, 2024: *Provided*, That, of the amount
2 made available on October 1, 2023, under this heading,
3 \$2,000,000,000 shall remain available until September 30,
4 2025.

5 MEDICAL SUPPORT AND COMPLIANCE

6 For necessary expenses in the administration of the
7 medical, hospital, nursing home, domiciliary, construction,
8 supply, and research activities, as authorized by law; ad-
9 ministrative expenses in support of capital policy activi-
10 ties; and administrative and legal expenses of the Depart-
11 ment for collecting and recovering amounts owed the De-
12 partment as authorized under chapter 17 of title 38,
13 United States Code, and the Federal Medical Care Recov-
14 ery Act (42 U.S.C. 2651 et seq.), \$1,400,000,000, which
15 shall be in addition to funds previously appropriated under
16 this heading that become available on October 1, 2022;
17 and, in addition, \$12,300,000,000, plus reimbursements,
18 shall become available on October 1, 2023, and shall re-
19 main available until September 30, 2024: *Provided*, That,
20 of the amount made available on October 1, 2023, under
21 this heading, \$200,000,000 shall remain available until
22 September 30, 2025.

23 MEDICAL FACILITIES

24 For necessary expenses for the maintenance and op-
25 eration of hospitals, nursing homes, domiciliary facilities,

1 and other necessary facilities of the Veterans Health Ad-
2 ministration; for administrative expenses in support of
3 planning, design, project management, real property ac-
4 quisition and disposition, construction, and renovation of
5 any facility under the jurisdiction or for the use of the
6 Department; for oversight, engineering, and architectural
7 activities not charged to project costs; for repairing, alter-
8 ing, improving, or providing facilities in the several hos-
9 pitals and homes under the jurisdiction of the Depart-
10 ment, not otherwise provided for, either by contract or by
11 the hire of temporary employees and purchase of mate-
12 rials; for leases of facilities; and for laundry services;
13 \$1,500,000,000, which shall be in addition to funds pre-
14 viously appropriated under this heading that become avail-
15 able on October 1, 2022; and, in addition,
16 \$8,800,000,000, plus reimbursements, shall become avail-
17 able on October 1, 2023, and shall remain available until
18 September 30, 2024: *Provided*, That, of the amount made
19 available on October 1, 2023, under this heading,
20 \$350,000,000 shall remain available until September 30,
21 2025.

22 MEDICAL AND PROSTHETIC RESEARCH

23 For necessary expenses in carrying out programs of
24 medical and prosthetic research and development as au-
25 thorized by chapter 73 of title 38, United States Code,

1 \$926,000,000, plus reimbursements, shall remain avail-
2 able until September 30, 2024: *Provided*, That the Sec-
3 retary of Veterans Affairs shall ensure that sufficient
4 amounts appropriated under this heading are available for
5 prosthetic research specifically for female veterans, and
6 for toxic exposure research.

7 NATIONAL CEMETERY ADMINISTRATION

8 For necessary expenses of the National Cemetery Ad-
9 ministration for operations and maintenance, not other-
10 wise provided for, including uniforms or allowances there-
11 for; cemeterial expenses as authorized by law; purchase
12 of one passenger motor vehicle for use in cemeterial oper-
13 ations; hire of passenger motor vehicles; and repair, alter-
14 ation or improvement of facilities under the jurisdiction
15 of the National Cemetery Administration, \$430,000,000,
16 of which not to exceed 10 percent shall remain available
17 until September 30, 2024.

18 DEPARTMENTAL ADMINISTRATION

19 GENERAL ADMINISTRATION

20 (INCLUDING TRANSFER OF FUNDS)

21 For necessary operating expenses of the Department
22 of Veterans Affairs, not otherwise provided for, including
23 administrative expenses in support of Department-wide
24 capital planning, management and policy activities, uni-
25 forms, or allowances therefor; not to exceed \$25,000 for

1 official reception and representation expenses; hire of pas-
2 senger motor vehicles; and reimbursement of the General
3 Services Administration for security guard services,
4 \$435,000,000 (reduced by \$10,000,000) (increased by
5 \$10,000,000) (reduced by \$1,000,000), of which not to
6 exceed 10 percent shall remain available until September
7 30, 2024: *Provided*, That funds provided under this head-
8 ing may be transferred to “General Operating Expenses,
9 Veterans Benefits Administration”.

10 BOARD OF VETERANS APPEALS

11 For necessary operating expenses of the Board of
12 Veterans Appeals, \$285,000,000, of which not to exceed
13 10 percent shall remain available until September 30,
14 2024.

15 INFORMATION TECHNOLOGY SYSTEMS

16 (INCLUDING TRANSFER OF FUNDS)

17 For necessary expenses for information technology
18 systems and telecommunications support, including devel-
19 opmental information systems and operational information
20 systems; for pay and associated costs; and for the capital
21 asset acquisition of information technology systems, in-
22 cluding management and related contractual costs of said
23 acquisitions, including contractual costs associated with
24 operations authorized by section 3109 of title 5, United
25 States Code, \$5,782,000,000 (reduced by \$1,000,000) (re-

duced by \$1,000,000), plus reimbursements: *Provided*,
That \$1,494,230,000 (reduced by \$1,000,000) shall be for
pay and associated costs, of which not to exceed 3 percent
shall remain available until September 30, 2024: *Provided*
further, That \$4,145,678,000 (reduced by \$1,000,000)
shall be for operations and maintenance, of which not to
exceed 5 percent shall remain available until September
30, 2024: *Provided further*, That \$142,092,000 shall be
for information technology systems development, and shall
remain available until September 30, 2024: *Provided fur-*
ther, That amounts made available for salaries and ex-
penses, operations and maintenance, and information
technology systems development may be transferred
among the three subaccounts after the Secretary of Vet-
erans Affairs requests from the Committees on Appropria-
tions of both Houses of Congress the authority to make
the transfer and an approval is issued: *Provided further*,
That amounts made available for the “Information Tech-
nology Systems” account for development may be trans-
ferred among projects or to newly defined projects: *Pro-*
vided further, That no project may be increased or de-
creased by more than \$3,000,000 of cost prior to submit-
ting a request to the Committees on Appropriations of
both Houses of Congress to make the transfer and an ap-
proval is issued, or absent a response, a period of 30 days

1 has elapsed: *Provided further*, That the funds made avail-
2 able under this heading for information technology sys-
3 tems development shall be for the projects, and in the
4 amounts, specified in the table entitled “Information
5 Technology Development Projects” under this heading in
6 the report accompanying this Act.

7 VETERANS ELECTRONIC HEALTH RECORD

8 For activities related to implementation, preparation,
9 development, interface, management, rollout, and mainte-
10 nance of a Veterans Electronic Health Record system, in-
11 cluding contractual costs associated with operations au-
12 thorized by section 3109 of title 5, United States Code,
13 and salaries and expenses of employees hired under titles
14 5 and 38, United States Code, \$1,759,000,000 (reduced
15 by \$5,000,000) (increased by \$5,000,000), to remain
16 available until September 30, 2025: *Provided*, That the
17 Secretary of Veterans Affairs shall submit to the Commit-
18 tees on Appropriations of both Houses of Congress quar-
19 terly reports detailing obligations, expenditures, and de-
20 ployment implementation by facility, including any
21 changes from the deployment plan or schedule: *Provided*
22 *further*, That the funds provided in this account shall only
23 be available to the Office of the Deputy Secretary, to be
24 administered by that Office: *Provided further*, That 25
25 percent of the funds made available under this heading

1 shall not be available until July 1, 2023, and are contin-
2 gent upon the Secretary of Veterans Affairs providing a
3 certification of any changes to the deployment schedules
4 contained in the plan submitted pursuant to the last pro-
5 viso under this heading in division J of Public Law 117–
6 103, an updated plan with benchmarks and measurable
7 metrics for deployment, and an updated plan for address-
8 ing all required infrastructure upgrades, no later than 30
9 days prior to that date to the Committees on Appropria-
10 tions, and upon approval of the Committees on Appropria-
11 tions prior to that date.

12 OFFICE OF INSPECTOR GENERAL

13 For necessary expenses of the Office of Inspector
14 General, to include information technology, in carrying out
15 the provisions of the Inspector General Act of 1978 (5
16 U.S.C. App.), \$273,000,000, of which not to exceed 10
17 percent shall remain available until September 30, 2024.

18 CONSTRUCTION, MAJOR PROJECTS

19 For constructing, altering, extending, and improving
20 any of the facilities, including parking projects, under the
21 jurisdiction or for the use of the Department of Veterans
22 Affairs, or for any of the purposes set forth in sections
23 316, 2404, 2406 and chapter 81 of title 38, United States
24 Code, not otherwise provided for, including planning, ar-
25 chitectural and engineering services, construction manage-

1 ment services, maintenance or guarantee period services
2 costs associated with equipment guarantees provided
3 under the project, services of claims analysts, offsite utility
4 and storm drainage system construction costs, and site ac-
5 quisition, where the estimated cost of a project is more
6 than the amount set forth in section 8104(a)(3)(A) of title
7 38, United States Code, or where funds for a project were
8 made available in a previous major project appropriation,
9 \$1,371,890,000 (increased by \$550,000,000) (reduced by
10 \$550,000,000), of which \$731,722,000 shall remain avail-
11 able until September 30, 2027, and of which
12 \$640,168,000 shall remain available until expended, of
13 which \$1,500,000 shall be available for seismic improve-
14 ment projects and seismic program management activities,
15 including for projects that would otherwise be funded by
16 the Construction, Minor Projects, Medical Facilities or
17 National Cemetery Administration accounts: *Provided,*
18 That except for advance planning activities, including
19 needs assessments which may or may not lead to capital
20 investments, and other capital asset management related
21 activities, including portfolio development and manage-
22 ment activities, and planning, cost estimating, and design
23 for major medical facility projects and major medical facil-
24 ity leases and investment strategy studies funded through
25 the advance planning fund and the planning and design

1 activities funded through the design fund, staffing ex-
2 penses, and funds provided for the purchase, security, and
3 maintenance of land for the National Cemetery Adminis-
4 tration through the land acquisition line item, none of the
5 funds made available under this heading shall be used for
6 any project that has not been notified to Congress through
7 the budgetary process or that has not been approved by
8 the Congress through statute, joint resolution, or in the
9 explanatory statement accompanying such Act and pre-
10 sented to the President at the time of enrollment: *Provided*
11 *further*, That such sums as may be necessary shall be
12 available to reimburse the “General Administration” ac-
13 count for payment of salaries and expenses of all Office
14 of Construction and Facilities Management employees to
15 support the full range of capital infrastructure services
16 provided, including minor construction and leasing serv-
17 ices: *Provided further*, That funds made available under
18 this heading for fiscal year 2023, for each approved
19 project shall be obligated: (1) by the awarding of a con-
20 struction documents contract by September 30, 2023; and
21 (2) by the awarding of a construction contract by Sep-
22 tember 30, 2024: *Provided further*, That the Secretary of
23 Veterans Affairs shall promptly submit to the Committees
24 on Appropriations of both Houses of Congress a written
25 report on any approved major construction project for

1 which obligations are not incurred within the time limita-
2 tions established above: *Provided further*, That notwith-
3 standing the requirements of section 8104(a) of title 38,
4 United States Code, amounts made available under this
5 heading for seismic improvement projects and seismic pro-
6 gram management activities shall be available for the com-
7 pletion of both new and existing seismic projects of the
8 Department.

9 CONSTRUCTION, MINOR PROJECTS

10 For constructing, altering, extending, and improving
11 any of the facilities, including parking projects, under the
12 jurisdiction or for the use of the Department of Veterans
13 Affairs, including planning and assessments of needs
14 which may lead to capital investments, architectural and
15 engineering services, maintenance or guarantee period
16 services costs associated with equipment guarantees pro-
17 vided under the project, services of claims analysts, offsite
18 utility and storm drainage system construction costs, and
19 site acquisition, or for any of the purposes set forth in
20 sections 316, 2404, 2406 and chapter 81 of title 38,
21 United States Code, not otherwise provided for, where the
22 estimated cost of a project is equal to or less than the
23 amount set forth in section 8104(a)(3)(A) of title 38,
24 United States Code, \$626,110,000, of which
25 \$563,499,000 shall remain available until September 30,

1 2027, and of which \$62,611,000 shall remain available
2 until expended, along with unobligated balances of pre-
3 vious “Construction, Minor Projects” appropriations
4 which are hereby made available for any project where the
5 estimated cost is equal to or less than the amount set forth
6 in such section: *Provided*, That funds made available
7 under this heading shall be for: (1) repairs to any of the
8 nonmedical facilities under the jurisdiction or for the use
9 of the Department which are necessary because of loss or
10 damage caused by any natural disaster or catastrophe;
11 and (2) temporary measures necessary to prevent or to
12 minimize further loss by such causes.

13 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE
14 FACILITIES

15 For grants to assist States to acquire or construct
16 State nursing home and domiciliary facilities and to re-
17 model, modify, or alter existing hospital, nursing home,
18 and domiciliary facilities in State homes, for furnishing
19 care to veterans as authorized by sections 8131 through
20 8137 of title 38, United States Code, \$150,000,000, to
21 remain available until expended.

22 GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

23 For grants to assist States and tribal organizations
24 in establishing, expanding, or improving veterans ceme-
25 teries as authorized by section 2408 of title 38, United

1 States Code, \$50,000,000 (increased by \$1,000,000), to
2 remain available until expended.

3 ASSET AND INFRASTRUCTURE REVIEW

4 For carrying out the VA Asset and Infrastructure
5 Review Act of 2018 (subtitle A of title II of Public Law
6 115–182), \$5,000,000 (reduced by \$5,000,000), to remain
7 available until September 30, 2024.

8 ADMINISTRATIVE PROVISIONS

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 201. Any appropriation for fiscal year 2023 for
11 “Compensation and Pensions”, “Readjustment Benefits”,
12 and “Veterans Insurance and Indemnities” may be trans-
13 ferred as necessary to any other of the mentioned appro-
14 priations: *Provided*, That, before a transfer may take
15 place, the Secretary of Veterans Affairs shall request from
16 the Committees on Appropriations of both Houses of Con-
17 gress the authority to make the transfer and such Com-
18 mittees issue an approval, or absent a response, a period
19 of 30 days has elapsed.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 202. Amounts made available for the Depart-
22 ment of Veterans Affairs for fiscal year 2023, in this or
23 any other Act, under the “Medical Services”, “Medical
24 Community Care”, “Medical Support and Compliance”,
25 and “Medical Facilities” accounts may be transferred

1 among the accounts: *Provided*, That any transfers among
2 the “Medical Services”, “Medical Community Care”, and
3 “Medical Support and Compliance” accounts of 1 percent
4 or less of the total amount appropriated to the account
5 in this or any other Act may take place subject to notifica-
6 tion from the Secretary of Veterans Affairs to the Com-
7 mittees on Appropriations of both Houses of Congress of
8 the amount and purpose of the transfer: *Provided further*,
9 That any transfers among the “Medical Services”, “Med-
10 ical Community Care”, and “Medical Support and Compli-
11 ance” accounts in excess of 1 percent, or exceeding the
12 cumulative 1 percent for the fiscal year, may take place
13 only after the Secretary requests from the Committees on
14 Appropriations of both Houses of Congress the authority
15 to make the transfer and an approval is issued: *Provided*
16 *further*, That any transfers to or from the “Medical Facili-
17 ties” account may take place only after the Secretary re-
18 quests from the Committees on Appropriations of both
19 Houses of Congress the authority to make the transfer
20 and an approval is issued.

21 SEC. 203. Appropriations available in this title for
22 salaries and expenses shall be available for services au-
23 thorized by section 3109 of title 5, United States Code;
24 hire of passenger motor vehicles; lease of a facility or land
25 or both; and uniforms or allowances therefore, as author-

1 ized by sections 5901 through 5902 of title 5, United
2 States Code.

3 SEC. 204. No appropriations in this title (except the
4 appropriations for “Construction, Major Projects”, and
5 “Construction, Minor Projects”) shall be available for the
6 purchase of any site for or toward the construction of any
7 new hospital or home.

8 SEC. 205. No appropriations in this title shall be
9 available for hospitalization or examination of any persons
10 (except beneficiaries entitled to such hospitalization or ex-
11 amination under the laws providing such benefits to vet-
12 erans, and persons receiving such treatment under sec-
13 tions 7901 through 7904 of title 5, United States Code,
14 or the Robert T. Stafford Disaster Relief and Emergency
15 Assistance Act (42 U.S.C. 5121 et seq.)), unless reim-
16 bursement of the cost of such hospitalization or examina-
17 tion is made to the “Medical Services” account at such
18 rates as may be fixed by the Secretary of Veterans Affairs.

19 SEC. 206. Appropriations available in this title for
20 “Compensation and Pensions”, “Readjustment Benefits”,
21 and “Veterans Insurance and Indemnities” shall be avail-
22 able for payment of prior year accrued obligations re-
23 quired to be recorded by law against the corresponding
24 prior year accounts within the last quarter of fiscal year
25 2022.

1 SEC. 207. Appropriations available in this title shall
2 be available to pay prior year obligations of corresponding
3 prior year appropriations accounts resulting from sections
4 3328(a), 3334, and 3712(a) of title 31, United States
5 Code, except that if such obligations are from trust fund
6 accounts they shall be payable only from “Compensation
7 and Pensions”.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 208. Notwithstanding any other provision of
10 law, during fiscal year 2023, the Secretary of Veterans
11 Affairs shall, from the National Service Life Insurance
12 Fund under section 1920 of title 38, United States Code,
13 the Veterans’ Special Life Insurance Fund under section
14 1923 of title 38, United States Code, and the United
15 States Government Life Insurance Fund under section
16 1955 of title 38, United States Code, reimburse the “Gen-
17 eral Operating Expenses, Veterans Benefits Administra-
18 tion” and “Information Technology Systems” accounts for
19 the cost of administration of the insurance programs fi-
20 nanced through those accounts: *Provided*, That reimburse-
21 ment shall be made only from the surplus earnings accu-
22 mulated in such an insurance program during fiscal year
23 2023 that are available for dividends in that program after
24 claims have been paid and actuarially determined reserves
25 have been set aside: *Provided further*, That if the cost of

1 administration of such an insurance program exceeds the
2 amount of surplus earnings accumulated in that program,
3 reimbursement shall be made only to the extent of such
4 surplus earnings: *Provided further*, That the Secretary
5 shall determine the cost of administration for fiscal year
6 2023 which is properly allocable to the provision of each
7 such insurance program and to the provision of any total
8 disability income insurance included in that insurance pro-
9 gram.

10 SEC. 209. Amounts deducted from enhanced-use
11 lease proceeds to reimburse an account for expenses in-
12 curred by that account during a prior fiscal year for pro-
13 viding enhanced-use lease services shall be available until
14 expended.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 210. Funds available in this title or funds for
17 salaries and other administrative expenses shall also be
18 available to reimburse the Office of Resolution Manage-
19 ment, Diversity and Inclusion, the Office of Employment
20 Discrimination Complaint Adjudication, and the Alter-
21 native Dispute Resolution function within the Office of
22 Human Resources and Administration for all services pro-
23 vided at rates which will recover actual costs but not to
24 exceed \$86,481,000 for the Office of Resolution Manage-
25 ment, Diversity and Inclusion, \$6,812,000 for the Office

1 of Employment Discrimination Complaint Adjudication,
2 and \$4,576,000 for the Alternative Dispute Resolution
3 function within the Office of Human Resources and Ad-
4 ministration: *Provided*, That payments may be made in
5 advance for services to be furnished based on estimated
6 costs: *Provided further*, That amounts received shall be
7 credited to the “General Administration” and “Informa-
8 tion Technology Systems” accounts for use by the office
9 that provided the service.

10 SEC. 211. No funds of the Department of Veterans
11 Affairs shall be available for hospital care, nursing home
12 care, or medical services provided to any person under
13 chapter 17 of title 38, United States Code, for a non-serv-
14 ice-connected disability described in section 1729(a)(2) of
15 such title, unless that person has disclosed to the Sec-
16 retary of Veterans Affairs, in such form as the Secretary
17 may require, current, accurate third-party reimbursement
18 information for purposes of section 1729 of such title: *Pro-*
19 *vided*, That the Secretary may recover, in the same man-
20 ner as any other debt due the United States, the reason-
21 able charges for such care or services from any person who
22 does not make such disclosure as required: *Provided fur-*
23 *ther*, That any amounts so recovered for care or services
24 provided in a prior fiscal year may be obligated by the

1 Secretary during the fiscal year in which amounts are re-
2 ceived.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 212. Notwithstanding any other provision of
5 law, proceeds or revenues derived from enhanced-use leas-
6 ing activities (including disposal) may be deposited into
7 the “Construction, Major Projects” and “Construction,
8 Minor Projects” accounts and be used for construction
9 (including site acquisition and disposition), alterations,
10 and improvements of any medical facility under the juris-
11 diction or for the use of the Department of Veterans Af-
12 fairs. Such sums as realized are in addition to the amount
13 provided for in “Construction, Major Projects” and “Con-
14 struction, Minor Projects”.

15 SEC. 213. Amounts made available under “Medical
16 Services” are available—

17 (1) for furnishing recreational facilities, sup-
18 plies, and equipment; and

19 (2) for funeral expenses, burial expenses, and
20 other expenses incidental to funerals and burials for
21 beneficiaries receiving care in the Department.

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 214. Such sums as may be deposited into the
24 Medical Care Collections Fund pursuant to section 1729A
25 of title 38, United States Code, may be transferred to the

1 Houses of Congress a report on the financial status of the
2 Department of Veterans Affairs for the preceding quarter:
3 *Provided*, That, at a minimum, the report shall include
4 the direction contained in the paragraph entitled “Quar-
5 terly reporting”, under the heading “General Administra-
6 tion” in the joint explanatory statement accompanying
7 Public Law 114–223.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 218. Amounts made available under the “Med-
10 ical Services”, “Medical Community Care”, “Medical Sup-
11 port and Compliance”, “Medical Facilities”, “General Op-
12 erating Expenses, Veterans Benefits Administration”,
13 “Board of Veterans Appeals”, “General Administration”,
14 and “National Cemetery Administration” accounts for fis-
15 cal year 2023 may be transferred to or from the “Informa-
16 tion Technology Systems” account: *Provided*, That such
17 transfers may not result in a more than 10 percent aggre-
18 gate increase in the total amount made available by this
19 Act for the “Information Technology Systems” account:
20 *Provided further*, That, before a transfer may take place,
21 the Secretary of Veterans Affairs shall request from the
22 Committees on Appropriations of both Houses of Congress
23 the authority to make the transfer and an approval is
24 issued.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 219. Of the amounts appropriated to the De-
3 partment of Veterans Affairs for fiscal year 2023 for
4 “Medical Services”, “Medical Community Care”, “Medical
5 Support and Compliance”, “Medical Facilities”, “Con-
6 struction, Minor Projects”, and “Information Technology
7 Systems”, up to \$330,140,000, plus reimbursements, may
8 be transferred to the Joint Department of Defense—De-
9 partment of Veterans Affairs Medical Facility Demonstra-
10 tion Fund, established by section 1704 of the National De-
11 fense Authorization Act for Fiscal Year 2010 (Public Law
12 111–84; 123 Stat. 2571) and may be used for operation
13 of the facilities designated as combined Federal medical
14 facilities as described by section 706 of the Duncan Hun-
15 ter National Defense Authorization Act for Fiscal Year
16 2009 (Public Law 110–417; 122 Stat. 4500): *Provided*,
17 That additional funds may be transferred from accounts
18 designated in this section to the Joint Department of De-
19 fense—Department of Veterans Affairs Medical Facility
20 Demonstration Fund upon written notification by the Sec-
21 retary of Veterans Affairs to the Committees on Appro-
22 priations of both Houses of Congress: *Provided further*,
23 That section 220 of title II of division J of Public Law
24 117–103 is repealed.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 220. Of the amounts appropriated to the De-
3 partment of Veterans Affairs which become available on
4 October 1, 2023, for “Medical Services”, “Medical Com-
5 munity Care”, “Medical Support and Compliance”, and
6 “Medical Facilities”, up to \$314,825,000, plus reimburse-
7 ments, may be transferred to the Joint Department of De-
8 fense—Department of Veterans Affairs Medical Facility
9 Demonstration Fund, established by section 1704 of the
10 National Defense Authorization Act for Fiscal Year 2010
11 (Public Law 111–84; 123 Stat. 2571) and may be used
12 for operation of the facilities designated as combined Fed-
13 eral medical facilities as described by section 706 of the
14 Duncan Hunter National Defense Authorization Act for
15 Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500):
16 *Provided*, That additional funds may be transferred from
17 accounts designated in this section to the Joint Depart-
18 ment of Defense—Department of Veterans Affairs Med-
19 ical Facility Demonstration Fund upon written notifica-
20 tion by the Secretary of Veterans Affairs to the Commit-
21 tees on Appropriations of both Houses of Congress.

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 221. Such sums as may be deposited into the
24 Medical Care Collections Fund pursuant to section 1729A
25 of title 38, United States Code, for healthcare provided

1 at facilities designated as combined Federal medical facili-
2 ties as described by section 706 of the Duncan Hunter
3 National Defense Authorization Act for Fiscal Year 2009
4 (Public Law 110–417; 122 Stat. 4500) shall also be avail-
5 able: (1) for transfer to the Joint Department of De-
6 fense—Department of Veterans Affairs Medical Facility
7 Demonstration Fund, established by section 1704 of the
8 National Defense Authorization Act for Fiscal Year 2010
9 (Public Law 111–84; 123 Stat. 2571); and (2) for oper-
10 ations of the facilities designated as combined Federal
11 medical facilities as described by section 706 of the Dun-
12 can Hunter National Defense Authorization Act for Fiscal
13 Year 2009 (Public Law 110–417; 122 Stat. 4500): *Pro-*
14 *vided*, That, notwithstanding section 1704(b)(3) of the
15 National Defense Authorization Act for Fiscal Year 2010
16 (Public Law 111–84; 123 Stat. 2573), amounts trans-
17 ferred to the Joint Department of Defense—Department
18 of Veterans Affairs Medical Facility Demonstration Fund
19 shall remain available until expended.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 222. Of the amounts available in this title for
22 “Medical Services”, “Medical Community Care”, “Medical
23 Support and Compliance”, and “Medical Facilities”, a
24 minimum of \$15,000,000 shall be transferred to the
25 DOD–VA Health Care Sharing Incentive Fund, as au-

1 thORIZED by section 8111(d) of title 38, United States
2 Code, to remain available until expended, for any purpose
3 authorized by section 8111 of title 38, United States Code.

4 SEC. 223. The Secretary of Veterans Affairs shall no-
5 tify the Committees on Appropriations of both Houses of
6 Congress of all bid savings in a major construction project
7 that total at least \$5,000,000, or 5 percent of the pro-
8 grammed amount of the project, whichever is less: *Pro-*
9 *vided*, That such notification shall occur within 14 days
10 of a contract identifying the programmed amount: *Pro-*
11 *vided further*, That the Secretary shall notify the Commit-
12 tees on Appropriations of both Houses of Congress 14
13 days prior to the obligation of such bid savings and shall
14 describe the anticipated use of such savings.

15 SEC. 224. None of the funds made available for
16 “Construction, Major Projects” may be used for a project
17 in excess of the scope specified for that project in the origi-
18 nal justification data provided to the Congress as part of
19 the request for appropriations unless the Secretary of Vet-
20 erans Affairs receives approval from the Committees on
21 Appropriations of both Houses of Congress.

22 SEC. 225. Not later than 30 days after the end of
23 each fiscal quarter, the Secretary of Veterans Affairs shall
24 submit to the Committees on Appropriations of both
25 Houses of Congress a quarterly report containing perform-

1 ance measures and data from each Veterans Benefits Ad-
2 ministration Regional Office: *Provided*, That, at a min-
3 imum, the report shall include the direction contained in
4 the section entitled “Disability claims backlog”, under the
5 heading “General Operating Expenses, Veterans Benefits
6 Administration” in the joint explanatory statement accom-
7 panying Public Law 114–223: *Provided further*, That the
8 report shall also include information on the number of ap-
9 peals pending at the Veterans Benefits Administration as
10 well as the Board of Veterans Appeals on a quarterly
11 basis.

12 SEC. 226. The Secretary of Veterans Affairs shall
13 provide written notification to the Committees on Appro-
14 priations of both Houses of Congress 15 days prior to or-
15 ganizational changes which result in the transfer of 25 or
16 more full-time equivalents from one organizational unit of
17 the Department of Veterans Affairs to another.

18 SEC. 227. The Secretary of Veterans Affairs shall
19 provide on a quarterly basis to the Committees on Appro-
20 priations of both Houses of Congress notification of any
21 single national outreach and awareness marketing cam-
22 paign in which obligations exceed \$1,000,000.

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 228. The Secretary of Veterans Affairs, upon
25 determination that such action is necessary to address

1 needs of the Veterans Health Administration, may trans-
2 fer to the “Medical Services” account any discretionary
3 appropriations made available for fiscal year 2023 in this
4 title (except appropriations made to the “General Oper-
5 ating Expenses, Veterans Benefits Administration” ac-
6 count) or any discretionary unobligated balances within
7 the Department of Veterans Affairs, including those ap-
8 propriated for fiscal year 2023, that were provided in ad-
9 vance by appropriations Acts: *Provided*, That transfers
10 shall be made only with the approval of the Office of Man-
11 agement and Budget: *Provided further*, That the transfer
12 authority provided in this section is in addition to any
13 other transfer authority provided by law: *Provided further*,
14 That no amounts may be transferred from amounts that
15 were designated by Congress as an emergency requirement
16 pursuant to a concurrent resolution on the budget or the
17 Balanced Budget and Emergency Deficit Control Act of
18 1985: *Provided further*, That such authority to transfer
19 may not be used unless for higher priority items, based
20 on emergent healthcare requirements, than those for
21 which originally appropriated and in no case where the
22 item for which funds are requested has been denied by
23 Congress: *Provided further*, That, upon determination that
24 all or part of the funds transferred from an appropriation
25 are not necessary, such amounts may be transferred back

1 to that appropriation and shall be available for the same
2 purposes as originally appropriated: *Provided further*,
3 That before a transfer may take place, the Secretary of
4 Veterans Affairs shall request from the Committees on
5 Appropriations of both Houses of Congress the authority
6 to make the transfer and receive approval of that request.

7 (INCLUDING TRANSFER OF FUNDS)

8 SEC. 229. Amounts made available for the Depart-
9 ment of Veterans Affairs for fiscal year 2023, under the
10 “Board of Veterans Appeals” and the “General Operating
11 Expenses, Veterans Benefits Administration” accounts
12 may be transferred between such accounts: *Provided*, That
13 before a transfer may take place, the Secretary of Vet-
14 erans Affairs shall request from the Committees on Appro-
15 priations of both Houses of Congress the authority to
16 make the transfer and receive approval of that request.

17 SEC. 230. The Secretary of Veterans Affairs may not
18 reprogram funds among major construction projects or
19 programs if such instance of reprogramming will exceed
20 \$7,000,000, unless such reprogramming is approved by
21 the Committees on Appropriations of both Houses of Con-
22 gress.

23 SEC. 231. (a) The Secretary of Veterans Affairs shall
24 ensure that the toll-free suicide hotline under section
25 1720F(h) of title 38, United States Code—

1 (1) provides to individuals who contact the hot-
2 line immediate assistance from a trained profes-
3 sional; and

4 (2) adheres to all requirements of the American
5 Association of Suicidology.

6 (b)(1) None of the funds made available by this Act
7 may be used to enforce or otherwise carry out any Execu-
8 tive action that prohibits the Secretary of Veterans Affairs
9 from appointing an individual to occupy a vacant civil
10 service position, or establishing a new civil service position,
11 at the Department of Veterans Affairs with respect to
12 such a position relating to the hotline specified in sub-
13 section (a).

14 (2) In this subsection—

15 (A) the term “civil service” has the meaning
16 given such term in section 2101(1) of title 5, United
17 States Code; and

18 (B) the term “Executive action” includes—

19 (i) any Executive order, Presidential
20 memorandum, or other action by the President;
21 and

22 (ii) any agency policy, order, or other di-
23 rective.

24 (c)(1) The Secretary of Veterans Affairs shall con-
25 duct a study on the effectiveness of the hotline specified

1 in subsection (a) during the 5-year period beginning on
2 January 1, 2016, based on an analysis of national suicide
3 data and data collected from such hotline.

4 (2) At a minimum, the study required by paragraph
5 (1) shall—

6 (A) determine the number of veterans who con-
7 tact the hotline specified in subsection (a) and who
8 receive follow up services from the hotline or mental
9 health services from the Department of Veterans Af-
10 fairs thereafter;

11 (B) determine the number of veterans who con-
12 tact the hotline who are not referred to, or do not
13 continue receiving, mental health care who commit
14 suicide; and

15 (C) determine the number of veterans described
16 in subparagraph (A) who commit or attempt suicide.

17 SEC. 232. Effective during the period beginning on
18 October 1, 2018, and ending on January 1, 2024, none
19 of the funds made available to the Secretary of Veterans
20 Affairs by this or any other Act may be obligated or ex-
21 pended in contravention of the “Veterans Health Adminis-
22 tration Clinical Preventive Services Guidance Statement
23 on the Veterans Health Administration’s Screening for
24 Breast Cancer Guidance” published on May 10, 2017, as

1 issued by the Veterans Health Administration National
2 Center for Health Promotion and Disease Prevention.

3 SEC. 233. Subchapter II of chapter 17 of title 38,
4 United States Code, is amended by adding at the end the
5 following new section (and conforming the table of sections
6 at the beginning of such chapter accordingly):

7 **“§ 1720K. Infertility counseling and treatment; reim-**
8 **bursement of adoption expenses**

9 “(a) INFERTILITY COUNSELING AND TREATMENT.—

10 (1) Pursuant to regulations the Secretary shall prescribe
11 to carry out this subsection, the Secretary may provide
12 infertility counseling and treatment, using assisted repro-
13 ductive technology, including in vitro fertilization, intra-
14 uterine insemination, and other advanced reproductive
15 technologies, to the following:

16 “(A) A veteran—

17 “(i) who is enrolled in the system of an-
18 nual patient enrollment established and oper-
19 ated under section 1705 of this title; and

20 “(ii) who, in the judgment of a health care
21 professional of the Department—

22 “(I) has a service-connected disability
23 or condition causing or aggravating infer-
24 tility; or

1 “(II) is infertile as a result of having
2 received medically necessary treatment
3 pursuant to this chapter.

4 “(B) The spouse of a veteran described in sub-
5 paragraph (A), or the partner of a veteran described
6 in subparagraph (A) whom the veteran designates
7 for purposes of this subsection.

8 “(2)(A) The Secretary may contract with a provider
9 of in vitro fertilization services to obtain donor gametes
10 or embryos from third-party donors.

11 “(B) The Secretary may only obtain third-party do-
12 nation of gametes or embryos through a contract.

13 “(C) The Secretary may not provide assisted repro-
14 ductive technology services or medical services to third-
15 party donors.

16 “(3)(A) The Secretary may contract with a facility
17 to furnish the cryopreservation, storage, and transpor-
18 tation of gametes and embryos.

19 “(B) The Secretary may not impose any limitation
20 on the period in which an embryo or gamete is
21 cryopreserved and stored pursuant to this subsection.

22 “(4) The legal status, custody, future use, donation,
23 disposition, or destruction, of gametes or embryos relating
24 to infertility or treatment furnished under this subsection

1 shall be determined in accordance with the law of the
2 State in which the gametes or embryos are located.

3 “(5)(A) In prescribing regulations to carry out this
4 subsection, the Secretary shall ensure that any in vitro
5 fertilization (including with respect to the number of re-
6 trieval attempts and completed embryo transfer cycles)
7 will be—

8 “(i) determined using the best medical evidence
9 available; and

10 “(ii) provided in accordance with applicable
11 standards of care.

12 “(B) In furnishing in vitro fertilization to a covered
13 individual pursuant to this subsection, the Secretary is re-
14 sponsible only for payment of the costs of the in vitro fer-
15 tilization services.

16 “(C) The Secretary may not furnish an in vitro fer-
17 tilization cycle to a covered individual under this sub-
18 section unless the Secretary receives consent for such cycle
19 from each of the following:

20 “(i) The covered individual.

21 “(ii) If the covered individual is a spouse or
22 partner of a veteran as described in subparagraph
23 (1)(B), the veteran.

24 “(iii) If applicable, the third-party donor.

25 “(6) In this subsection:

1 “(A) The term ‘covered individual’ means a vet-
2 eran, spouse, or partner who receives infertility
3 counseling and treatment under paragraph (1).

4 “(B) The term ‘gamete’ means a mature sperm
5 or an oocyte or egg germ cell, as applicable.

6 “(C) The term ‘infertility’ means the inability
7 to procreate without the use of infertility treatment.

8 “(D) The term ‘in vitro fertilization’ means the
9 procedure in which an oocyte is removed from a ma-
10 ture ovarian follicle and fertilized by a sperm cell
11 outside the human body and, at the appropriate
12 time, transferred into the uterus.

13 “(E) The term ‘third-party donor’ means an in-
14 dividual who consents to donate the gametes or em-
15 bryo of the individual for use in treatment furnished
16 pursuant to this subsection.

17 “(b) ADOPTION REIMBURSEMENT.—(1) Pursuant to
18 regulations the Secretary shall prescribe to carry out this
19 subsection, the Secretary may reimburse an eligible vet-
20 eran for qualifying adoption expenses incurred by the vet-
21 eran in the adoption of a child.

22 “(2) For purposes of this subsection, an eligible vet-
23 eran is a veteran who meets the following criteria:

1 “(A) The veteran is enrolled in the system of
2 annual patient enrollment established and operated
3 under section 1705 of this title.

4 “(B) The veteran, in the judgment of the health
5 care professional of the Department—

6 “(i) has a service-connected disability or
7 condition causing or aggravating infertility; or

8 “(ii) is infertile as a result of having re-
9 ceived medically necessary treatment pursuant
10 to this chapter.

11 “(3) An adoption for which expenses may be reim-
12 bursed under this subsection includes an adoption by a
13 single person, an infant adoption, an intercountry adop-
14 tion, or an adoption of a child with special needs (as de-
15 fined in section 473(c) of the Social Security Act (42
16 U.S.C. 673(c))).

17 “(4) The Secretary may reimburse an eligible veteran
18 for qualifying adoption expenses under this subsection
19 only after the adoption is final.

20 “(5) The Secretary may not reimburse an eligible vet-
21 eran for qualifying adoption expenses under this sub-
22 section for any expense paid to or for the veteran under
23 any other adoption benefits program administered by the
24 Federal Government or under any such program adminis-
25 tered by a State or local government.

1 “(6)(A)(i) The Secretary may not reimburse an eligi-
2 ble veteran, or two eligible veterans who are partners, for
3 qualifying adoption expenses under this subsection for
4 more than one adoption.

5 “(ii) The Secretary may not reimburse more than one
6 eligible veteran for the qualifying adoption expenses under
7 this subsection for the adoption of the same child.

8 “(B) In prescribing regulations to carry out this sub-
9 section, the Secretary shall establish minimum and max-
10 imum amounts for the reimbursement of qualifying adop-
11 tion expenses.

12 “(7) In this subsection:

13 “(A) Notwithstanding section 101 of this title,
14 the term ‘child’ means an individual who is under
15 the age of eighteen years.

16 “(B) The term ‘qualified adoption agency’
17 means—

18 “(i) a State or local government agency
19 that has responsibility under State or local law
20 for child placement through adoption;

21 “(ii) a nonprofit, voluntary adoption agen-
22 cy that is authorized by State or local law to
23 place children for adoption;

24 “(iii) any other source authorized by a
25 State to provide adoption placement if the

1 adoption is supervised by a court under State
2 or local law; or

3 “(iv) a foreign government or an agency
4 authorized by a foreign government to place
5 children for adoption, in any case in which—

6 “(I) the adopted child is entitled to
7 automatic citizenship under section 320 of
8 the Immigration and Nationality Act (8
9 U.S.C. 1431); or

10 “(II) a certificate of citizenship has
11 been issued for such child under section
12 322 of that Act (8 U.S.C. 1433).

13 “(C) The term ‘qualifying adoption expenses’
14 means reasonable and necessary expenses that are
15 directly related to the legal adoption of a child, but
16 only if such adoption is arranged by a qualified
17 adoption agency. Such term does not include any ex-
18 pense incurred—

19 “(i) by an adopting parent for travel; or

20 “(ii) in connection with an adoption ar-
21 ranged in violation of Federal, State, or local
22 law.

23 “(D) The term ‘reasonable and necessary ex-
24 penses’ includes—

1 “(i) public and private agency fees, includ-
2 ing adoption fees charged by an agency in a
3 foreign country;

4 “(ii) placement fees, including fees charged
5 adoptive parents for counseling;

6 “(iii) legal fees (including court costs) or
7 notary expenses; and

8 “(iv) medical expenses, including hospital
9 expenses of the biological mother of the child to
10 be adopted and of a newborn infant to be
11 adopted.”.

12 SEC. 234. None of the funds appropriated or other-
13 wise made available by this Act or any other Act for the
14 Department of Veterans Affairs may be used in a manner
15 that is inconsistent with: (1) section 842 of the Transpor-
16 tation, Treasury, Housing and Urban Development, the
17 Judiciary, the District of Columbia, and Independent
18 Agencies Appropriations Act, 2006 (Public Law 109–115;
19 119 Stat. 2506); or (2) section 8110(a)(5) of title 38,
20 United States Code.

21 SEC. 235. Section 842 of Public Law 109–115 shall
22 not apply to conversion of an activity or function of the
23 Veterans Health Administration, Veterans Benefits Ad-
24 ministration, or National Cemetery Administration to con-
25 tractor performance by a business concern that is at least

1 51 percent owned by one or more Indian tribes as defined
2 in section 5304(e) of title 25, United States Code, or one
3 or more Native Hawaiian Organizations as defined in sec-
4 tion 637(a)(15) of title 15, United States Code.

5 SEC. 236. (a) Except as provided in subsection (b),
6 the Secretary of Veterans Affairs, in consultation with the
7 Secretary of Defense and the Secretary of Labor, shall dis-
8 continue using Social Security account numbers to identify
9 individuals in all information systems of the Department
10 of Veterans Affairs as follows:

11 (1) For all veterans submitting to the Secretary
12 of Veterans Affairs new claims for benefits under
13 laws administered by the Secretary, not later than
14 March 23, 2023.

15 (2) For all individuals not described in para-
16 graph (1), not later than March 23, 2026.

17 (b) The Secretary of Veterans Affairs may use a So-
18 cial Security account number to identify an individual in
19 an information system of the Department of Veterans Af-
20 fairs if and only if the use of such number is required
21 to obtain information the Secretary requires from an in-
22 formation system that is not under the jurisdiction of the
23 Secretary.

24 (c) The matter in subsections (a) and (b) shall super-
25 sede section 238 of division F of Public Law 116–94.

1 SEC. 237. For funds provided to the Department of
2 Veterans Affairs for each of fiscal year 2023 and 2024
3 for “Medical Services”, section 239 of division A of Public
4 Law 114–223 shall apply.

5 SEC. 238. None of the funds appropriated in this or
6 prior appropriations Acts or otherwise made available to
7 the Department of Veterans Affairs may be used to trans-
8 fer any amounts from the Filipino Veterans Equity Com-
9 pensation Fund to any other account within the Depart-
10 ment of Veterans Affairs.

11 SEC. 239. Of the funds provided to the Department
12 of Veterans Affairs for each of fiscal year 2023 and fiscal
13 year 2024 for “Medical Services”, funds may be used in
14 each year to carry out and expand the child care program
15 authorized by section 205 of Public Law 111–163, not-
16 withstanding subsection (e) of such section.

17 SEC. 240. None of the funds appropriated or other-
18 wise made available in this title may be used by the Sec-
19 retary of Veterans Affairs to enter into an agreement re-
20 lated to resolving a dispute or claim with an individual
21 that would restrict in any way the individual from speak-
22 ing to members of Congress or their staff on any topic
23 not otherwise prohibited from disclosure by Federal law
24 or required by Executive order to be kept secret in the

1 interest of national defense or the conduct of foreign af-
2 fairs.

3 SEC. 241. For funds provided to the Department of
4 Veterans Affairs for each of fiscal year 2023 and 2024,
5 section 258 of division A of Public Law 114–223 shall
6 apply.

7 SEC. 242. (a) None of the funds appropriated or oth-
8 erwise made available by this Act may be used to deny
9 an Inspector General funded under this Act timely access
10 to any records, documents, or other materials available to
11 the department or agency over which that Inspector Gen-
12 eral has responsibilities under the Inspector General Act
13 of 1978 (5 U.S.C. App.), or to prevent or impede the ac-
14 cess of the Inspector General to such records, documents,
15 or other materials, under any provision of law, except a
16 provision of law that expressly refers to such Inspector
17 General and expressly limits the right of access.

18 (b) A department or agency covered by this section
19 shall provide its Inspector General access to all records,
20 documents, and other materials in a timely manner.

21 (c) Each Inspector General shall ensure compliance
22 with statutory limitations on disclosure relevant to the in-
23 formation provided by the establishment over which that
24 Inspector General has responsibilities under the Inspector
25 General Act of 1978 (5 U.S.C. App.).

1 (d) Each Inspector General covered by this section
2 shall report to the Committee on Appropriations of the
3 Senate and the Committee on Appropriations of the House
4 of Representatives within 5 calendar days of any failure
5 by any department or agency covered by this section to
6 comply with this requirement.

7 SEC. 243. None of the funds made available in this
8 Act may be used in a manner that would increase wait
9 times for veterans who seek care at medical facilities of
10 the Department of Veterans Affairs.

11 SEC. 244. None of the funds appropriated or other-
12 wise made available by this Act to the Veterans Health
13 Administration may be used in fiscal year 2023 to convert
14 any program which received specific purpose funds in fis-
15 cal year 2022 to a general purpose funded program unless
16 the Secretary of Veterans Affairs submits written notifica-
17 tion of any such proposal to the Committees on Appropria-
18 tions of both Houses of Congress at least 30 days prior
19 to any such action and an approval is issued by the Com-
20 mittees.

21 SEC. 245. (a) Except as provided by subsection (b),
22 none of the funds made available by this Act may be used
23 by the Secretary of Veterans Affairs to purchase, breed,
24 transport, house, feed, maintain, dispose of, or experiment
25 on, dogs or cats as part of the conduct of any study includ-

1 ing an assignment of pain category D or E, as defined
2 by the Pain and Distress Categories of the Department
3 of Agriculture (or such successor categories developed pur-
4 suant to section 13 of the Animal Welfare Act (7 U.S.C.
5 2143)).

6 (b) Subsection (a) shall not apply to training pro-
7 grams or studies of service dogs described in section 1714
8 of title 38, United States Code, or section 17.148 of title
9 38, Code of Federal Regulations.

10 SEC. 246. Amounts made available for the “Veterans
11 Health Administration, Medical Community Care” ac-
12 count in this or any other Act for fiscal years 2023 and
13 2024 may be used for expenses that would otherwise be
14 payable from the Veterans Choice Fund established by
15 section 802 of the Veterans Access, Choice, and Account-
16 ability Act, as amended (38 U.S.C. 1701 note).

17 SEC. 247. Obligations and expenditures applicable to
18 the “Medical Services” account in fiscal years 2017
19 through 2019 for aid to state homes (as authorized by
20 section 1741 of title 38, United States Code) shall remain
21 in the “Medical Community Care” account for such fiscal
22 years.

23 SEC. 248. Of the amounts made available for the De-
24 partment of Veterans Affairs for fiscal year 2023, in this
25 or any other Act, under the “Veterans Health Administra-

1 tion—Medical Services”, “Veterans Health Administra-
2 tion—Medical Community Care”, “Veterans Health Ad-
3 ministration—Medical Support and Compliance”, and
4 “Veterans Health Administration—Medical Facilities” ac-
5 counts, \$911,119,000 shall be made available for gender-
6 specific care and programmatic efforts to deliver care for
7 women veterans.

8 (RESCISSION OF FUNDS)

9 SEC. 249. Of the unobligated balances in the “Recur-
10 ring Expenses Transformational Fund” established in sec-
11 tion 243 of division J of Public Law 114–113,
12 \$48,132,853 is hereby rescinded.

13 SEC. 250. Not later than 30 days after the end of
14 each fiscal quarter, the Secretary of Veterans Affairs shall
15 submit to the Committees on Appropriations of both
16 Houses of Congress a quarterly report on the status of
17 the “Veterans Medical Care and Health Fund”, estab-
18 lished to execute section 8002 of the American Rescue
19 Plan Act of 2021 (Public Law 117–2): *Provided*, That,
20 at a minimum, the report shall include an update on obli-
21 gations by program, project or activity and a plan for ex-
22 pending the remaining funds: *Provided further*, That the
23 Secretary of Veterans Affairs must submit notification of
24 any plans to reallocate funds from the current apporportion-
25 ment categories of “Medical Services”, “Medical Support

1 countries, \$87,500,000, to remain available until ex-
2 pended.

3 FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

4 For necessary expenses, not otherwise provided for,
5 of the American Battle Monuments Commission, such
6 sums as may be necessary, to remain available until ex-
7 pended, for purposes authorized by section 2109 of title
8 36, United States Code.

9 UNITED STATES COURT OF APPEALS FOR VETERANS

10 CLAIMS

11 SALARIES AND EXPENSES

12 For necessary expenses for the operation of the
13 United States Court of Appeals for Veterans Claims as
14 authorized by sections 7251 through 7298 of title 38,
15 United States Code, \$45,159,000: *Provided*, That
16 \$3,385,000 shall be available for the purpose of providing
17 financial assistance as described and in accordance with
18 the process and reporting procedures set forth under this
19 heading in Public Law 102–229.

20 DEPARTMENT OF DEFENSE—CIVIL

21 CEMETERIAL EXPENSES, ARMY

22 SALARIES AND EXPENSES

23 For necessary expenses for maintenance, operation,
24 and improvement of Arlington National Cemetery and Sol-
25 diers' and Airmen's Home National Cemetery, including

1 the purchase or lease of passenger motor vehicles for re-
2 placement on a one-for-one basis only, and not to exceed
3 \$2,000 for official reception and representation expenses,
4 \$93,400,000, of which not to exceed \$15,000,000 shall re-
5 main available until September 30, 2025. In addition,
6 such sums as may be necessary for parking maintenance,
7 repairs and replacement, to be derived from the “Lease
8 of Department of Defense Real Property for Defense
9 Agencies” account.

10 CONSTRUCTION

11 For necessary expenses for planning and design and
12 construction at Arlington National Cemetery and Soldiers’
13 and Airmen’s Home National Cemetery, \$62,500,000, to
14 remain available until expended, of which \$2,500,000 shall
15 be for study, planning and design, and architect and engi-
16 neering services for Memorial Avenue improvements at Ar-
17 lington National Cemetery; and \$60,000,000 shall be for
18 planning and design and construction associated with the
19 Southern Expansion project at Arlington National Ceme-
20 tery.

21 ARMED FORCES RETIREMENT HOME

22 TRUST FUND

23 For expenses necessary for the Armed Forces Retire-
24 ment Home to operate and maintain the Armed Forces
25 Retirement Home—Washington, District of Columbia,

1 and the Armed Forces Retirement Home—Gulfport, Mis-
2 sissippi, to be paid from funds available in the Armed
3 Forces Retirement Home Trust Fund, \$75,360,000, to re-
4 main available until September 30, 2024, of which
5 \$7,300,000 shall remain available until expended for con-
6 struction and renovation of the physical plants at the
7 Armed Forces Retirement Home—Washington, District of
8 Columbia, and the Armed Forces Retirement Home—
9 Gulfport, Mississippi: *Provided*, That of the amounts made
10 available under this heading from funds available in the
11 Armed Forces Retirement Home Trust Fund,
12 \$25,000,000 shall be paid from the general fund of the
13 Treasury to the Trust Fund.

14 MAJOR CONSTRUCTION

15 For an additional amount for necessary expenses re-
16 lated to design, planning, and construction for renovation
17 of the Sheridan Building at the Armed Forces Retirement
18 Home—Washington, District of Columbia, \$77,000,000,
19 to remain available until expended, shall be paid from the
20 general fund of the Treasury to the Armed Forces Retire-
21 ment Home Trust Fund.

22 ADMINISTRATIVE PROVISION

23 SEC. 301. Amounts deposited into the special account
24 established under 10 U.S.C. 7727 are appropriated and

1 shall be available until expended to support activities at
2 the Army National Military Cemeteries.

3 TITLE IV

4 GENERAL PROVISIONS

5 SEC. 401. No part of any appropriation contained in
6 this Act shall remain available for obligation beyond the
7 current fiscal year unless expressly so provided herein.

8 SEC. 402. None of the funds made available in this
9 Act may be used for any program, project, or activity,
10 when it is made known to the Federal entity or official
11 to which the funds are made available that the program,
12 project, or activity is not in compliance with any Federal
13 law relating to risk assessment, the protection of private
14 property rights, or unfunded mandates.

15 SEC. 403. All departments and agencies funded under
16 this Act are encouraged, within the limits of the existing
17 statutory authorities and funding, to expand their use of
18 “E-Commerce” technologies and procedures in the con-
19 duct of their business practices and public service activi-
20 ties.

21 SEC. 404. Unless stated otherwise, all reports and no-
22 tifications required by this Act shall be submitted to the
23 Subcommittee on Military Construction and Veterans Af-
24 fairs, and Related Agencies of the Committee on Appro-
25 priations of the House of Representatives and the Sub-

1 committee on Military Construction and Veterans Affairs,
2 and Related Agencies of the Committee on Appropriations
3 of the Senate.

4 SEC. 405. None of the funds made available in this
5 Act may be transferred to any department, agency, or in-
6 strumentality of the United States Government except
7 pursuant to a transfer made by, or transfer authority pro-
8 vided in, this or any other appropriations Act.

9 SEC. 406. None of the funds made available in this
10 Act may be used for a project or program named for an
11 individual serving as a Member, Delegate, or Resident
12 Commissioner of the United States House of Representa-
13 tives.

14 SEC. 407. (a) Any agency receiving funds made avail-
15 able in this Act, shall, subject to subsections (b) and (c),
16 post on the public Web site of that agency any report re-
17 quired to be submitted by the Congress in this or any
18 other Act, upon the determination by the head of the agen-
19 cy that it shall serve the national interest.

20 (b) Subsection (a) shall not apply to a report if—

21 (1) the public posting of the report com-
22 promises national security; or

23 (2) the report contains confidential or propri-
24 etary information.

1 (c) The head of the agency posting such report shall
2 do so only after such report has been made available to
3 the requesting Committee or Committees of Congress for
4 no less than 45 days.

5 SEC. 408. (a) None of the funds made available in
6 this Act may be used to maintain or establish a computer
7 network unless such network blocks the viewing,
8 downloading, and exchanging of pornography.

9 (b) Nothing in subsection (a) shall limit the use of
10 funds necessary for any Federal, State, tribal, or local law
11 enforcement agency or any other entity carrying out crimi-
12 nal investigations, prosecution, or adjudication activities.

13 SEC. 409. None of the funds made available in this
14 Act may be used by an agency of the executive branch
15 to pay for first-class travel by an employee of the agency
16 in contravention of sections 301–10.122 through 301–
17 10.124 of title 41, Code of Federal Regulations.

18 SEC. 410. None of the funds made available in this
19 Act may be used to execute a contract for goods or serv-
20 ices, including construction services, where the contractor
21 has not complied with Executive Order No. 12989.

22 SEC. 411. None of the funds made available by this
23 Act may be used in contravention of section 101(e)(8) of
24 title 10, United States Code.

1 This division may be cited as the “Military Construc-
2 tion, Veterans Affairs, and Related Agencies Appropria-
3 tions Act, 2023”.

Passed the House of Representatives July 20, 2022.

Attest:

Clerk.

117TH CONGRESS
2^D SESSION

H. R. 8294

AN ACT

Making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2023, and for other purposes.