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House of Representatives

The House was not in session today. Its next meeting will be held on Friday, September 8, 2023, at 1:00 p.m.

Senate

THURSDAY, SEPTEMBER 7, 2023

The Senate met at 10 a.m. and was called to order by the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia.

PRAYER

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

Let us pray.

God be in our heads, eyes, mouths, hearts, and in our understanding. God be in our looking, our thinking, and our speaking. God be with the Members of this legislative body today. Teach them and lead them into Your truth. Unite them with a common desire to do what is best for our Nation and world. Lord, give them grace to take judicious risks for the sake of truth and justice. Enable them to experience a fresh regenerating touch of Your power. In the decisions to be made, in crucial days ahead, make them worthy of these demanding times that call aloud for wisdom and character.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication

to the Senate from the President pro tempore (Mrs. MURRAY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 7, 2023.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia, to perform the duties of the Chair.

PATTY MURRAY,
President pro tempore.

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

RESERVATION OF LEADER TIME

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

RECOGNITION OF THE MAJORITY LEADER

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

BUDGET

Mr. SCHUMER. Mr. President, yesterday, Appropriations Chair PATTY MURRAY and Vice Chair SUSAN COLLINS announced they are ready to move ahead with the first three appropriations bills here on the Senate floor: MILCON-VA, Agriculture, and Transportation HUD.

This is extremely good news for what has already been a fruitful and bipar-

tisan Senate appropriations process. Chair and Vice Chair MURRAY and COLLINS have done an outstanding job negotiating this difficult work, so I thank them, as well as my other colleagues, particularly those on Appropriations, on both sides of the aisle.

To keep the bipartisan momentum alive, I will file cloture on this package today, with a plan to hold our first vote early next week. The Senate appropriations process is a lesson in how governing should work. All 12 appropriations bills have been passed with bipartisan support through regular order. Nine of them were either unanimous or just had one "no" vote.

That doesn't mean the parties have to agree on everything—we know that won't happen. But what it means is that our disagreements have not paralyzed the process. That is the mark of good governance.

Of course, the work is far from over. When the House gavels back into session next week, time will be short for both parties in both Chambers to unite around a plan to keep the government open beyond September 30.

There is only one way—one way—that this will happen: through bipartisanship. Neither party can afford to go at it alone if we want to avoid a shutdown. We are going to have to work together, just as we have done in the Senate, without resorting to extremism and unseemly tactics. And that message is intended for the House, the House Republicans, and the House Republican leadership, in particular.

When I last met with the Speaker at the end of July, we had a good conversation on the matter, so I hope he

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



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sticks to his guns as this process begins in earnest. Both parties in both Chambers must come together on passing emergency supplemental funding to help our fellow Americans reeling from natural disasters, to stand with our friends in Ukraine fighting against Putin, and to fight against the fentanyl crisis, among other priorities.

Later this morning, I will attend a classified briefing on the state of the war in Ukraine, where I expect we will see precisely why, now more than ever, our friends abroad need our help. We must continue to show Putin and the forces of autocracy that the United States stands firmly behind Ukraine. The worst thing we could do right now for our own national security and for our democratic values is to waver or hesitate in our support.

What is the point in cutting off support now when we are at a turning point in the war—an inflection point—after we have invested such a large amount of resources to get us to this inflection point? It is a crucial moment right now.

So one more time, let me implore my House colleagues: Follow in the Senate's example when you return next week and work with Democrats in a bipartisan way so we can avoid a costly, pointless, and very harmful and unnecessary government shutdown. We do not need to go down that road, and we cannot follow the lead of a mindless few who believe a shutdown is a good thing and who want it and who openly admit they want it. They are hurting the American people, plain and simple. We should not follow them.

Democrats and Republicans in both the House and Senate should not follow this small band of people who are at the extreme. Instead, let's keep our economic recovery going. Let's keep our investments in infrastructure and manufacturing flowing, and let's make sure we help Americans with disaster aid, help our friends in Ukraine, deal with fentanyl, and fulfill our other needs too.

The Senate, as I said, is off to a very good start. I hope the House gets off to a good start next week as well by embracing bipartisanship. We will know very soon whether they are ready or not to follow through on this very important responsibility they have to the American people.

NOMINATIONS

Mr. SCHUMER. Mr. President, nominations, well, it has been a productive first week back here on the Senate floor for nominations. Yesterday, I am proud to say, we confirmed Gwynne Wilcox to a second term on the NLRB, the National Labor Relations Board. I am happy she passed, just as she did 2 years ago when she became the first Black woman ever to be confirmed to the NLRB. Confirming highly qualified nominees like Ms. Wilcox to the NLRB is a top priority for Democrats and for all working Americans, because it is

one of the most important proworker Agencies in the country.

Under the Biden administration, the NLRB has been hard at work overturning Trump-era rulings that harmed workers and unions. They have been at work expanding protections in the workplace and safeguarding the right to organize. All important to maintaining the middle class and growing the middle class; because after all, it was the union movement that really created the broad American middle class in the first place. And when unions were attacked, the middle class declined.

During her first term on the NLRB, Ms. Wilcox was a fervent champion of the labor movement, so I am pleased that she will be back on the board again.

Now, later this morning we will confirm Adriana Kugler to be on the Federal Reserve Board. I was proud to champion this historic nomination of Ms. Kugler, a Colombian-American economist who will make history as the first—the first—Latina in the Fed Board's 109-year history. And I want to thank Chairman MENENDEZ for championing this outstanding nominee.

Ms. Kugler's historic confirmation will be a great moment for the Fed and for America, as we elevate fresh, diverse perspectives to our Nation's central bank and continue our strong economic recovery.

We also confirmed two other very impressive nominees to the Federal Reserve this week: Philip Jefferson and Lisa Cook, another historic nominee, as Ms. Cook became the first Black woman confirmed to a full term on the Fed. Both of them again passed with bipartisan support.

And, finally, today we will vote to confirm Anna Gomez as a Commissioner of the Federal Communications Commission. Ms. Gomez is an exceptional nominee with considerable telecom experience and broad support from groups on both sides of the aisle. And if confirmed, she will be the first Latina on the Commission in over 20 years, another glass ceiling broken. And these are so important to getting a full, diverse view on important governing Agencies like the Fed, like the FCC.

Ms. Gomez's confirmation will fill the fifth and final spot on the FCC so they can do the crucial work of expanding access to high-speed internet, administering programs for affordable internet access, and protecting consumers from junk fees and much more.

So I thank my colleagues on both sides of the aisle for their cooperation on these nominees, and I look forward to continuing this Democratic Senate's historic pace of confirming well-qualified and diverse nominees.

ARTIFICIAL INTELLIGENCE

Mr. SCHUMER. Mr. President, now, finally, on AI. Next week the Senate will host one of the most important

conversations of the year when the top minds in artificial intelligence convene for our first AI Insight Forum. It will be a meeting unlike any other that we have seen in the Senate in a very long time—perhaps ever. A coming together of top voices in business, civil rights, defense, research, labor, the arts—all together in one room having a much needed discussion, conversation, about how Congress can tackle AI.

Both parties recognize that AI is something we can't ignore, but we need a lot of help understanding the best way forward. Different countries are taking such different approaches to AI, and some are more successful than others.

We have to learn from their mistakes and learn from this panel, illustrious as it is. We need to find an approach that balances both innovation and savings. That means both creative innovation to develop new applications, new technologies, new breakthroughs so we can advance in science and in medicine and in education and in health and in so many other areas—communications. But we also need innovation on guardrails so we can find creative and new ways to protect our kids, our privacy, prevent racial bias, prevent doomsday scenarios. Innovation must apply to both sides of the equation, innovating so we can move the advantages of AI forward but innovating so we can deal with the problems that AI might create and lessen them as much as we can.

It will not be easy, not easy at all. In fact, it will be one of the hardest things we undertake in Congress, the hardest thing we probably ever have undertaken. That is why next week's conversation will be so important because it will be the first of a series of forums that will give our committees the knowledge base and thought insights to draft the right kind of policies. Already our committees have done some outstanding work on this topic, holding no less than eight hearings on AI on matters related to national security, intellectual property, human rights, and more. In fact, as we speak, the Energy and Natural Resources Committee is holding a hearing on AI and the Department of Energy's role in preserving competition and new technologies.

One thing I want to underscore before I finish my speech here on my little talk here on AI is that we are doing this in a bipartisan way. Senator ROUNDS, Senator YOUNG, Senator HEINRICH, and myself are sort of steering this effort. We are having this be done in a bipartisan way, and we expect the committees to work in a bipartisan way because if this becomes a partisan issue, nothing will happen, and that could create real problems in our society. So the Senate is ready and engaged on this most important issue.

I want to thank my colleagues for their work. I want to thank Senators ROUNDS, YOUNG, and HEINRICH for helping organize these forums, and I look forward to our conversation, our very

important conversation, next week. We hope Senators will come—Senators and their staffs will come, listen, learn, and then act.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

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

PRESCRIPTION DRUGS

Mr. McCONNELL. Mr. President, last week, the Biden administration rolled out the first targets of the scheme it has been working on for years—prescription drug socialism.

Ironically enough, Washington Democrats' plan to fix prices in the market for world-leading medical innovations is baked into legislation they produced after their own runaway spending sent consumer prices through the roof.

As we know, the Inflation Reduction Act did nothing to reduce inflation, and by one estimate, the government price controls it created may well cost the American economy 676,000 jobs.

Before Democrats rammed the IRA through on party lines, the average net prices for drugs were actually stable or falling, but that didn't stop the Biden administration from storming ahead with a drug-by-drug Federal power grab.

So let's be clear about what this means. Companies that don't comply with the administration's scheme will be forced to pay an unprecedented and excessive fine or withdraw their products from Medicare coverage, leaving American seniors with fewer options for lifesaving treatments. Meanwhile, researchers will have less certainty to dedicate years to creating the high-quality, consumer-friendly, affordable medications American industry is known for.

Research from the University of Chicago estimates that prescription drug socialism will result in 135 fewer new drugs—135 fewer new drugs, 188 fewer new treatments, and a \$663 billion drop in innovative research and development. It will impact 60 percent of cancer medications on the market today and inevitably freeze innovations on future treatments.

To make matters worse, limits on price increases will force manufacturers to launch new drugs at much higher prices to cover future rising costs and leave many low-income and elderly Americans simply out of luck.

Price fixing is not some bright new idea cooked up on a liberal college campus. It is the sort of decrepit socialism that has been tried with disastrous results in places like China, Cuba, Venezuela, and the former Soviet Union.

We cannot afford for America's world-leading medical innovators to be next on the leftwing chopping block,

and the millions of Americans living with rare and aggressive diseases can afford it least of all.

UKRAINE

Mr. McCONNELL. Mr. President, on another matter, the loudest critics of American assistance to Ukraine tend to rest their case on three dubious claims: first, that somehow our support for Ukraine is a distraction—a distraction—from China, when, in fact, there are many reasons to believe exactly the opposite; second, that there is no accountability of lethal U.S. assistance when, in fact—in fact—we have unprecedented visibility into how the weapons and vehicles we are providing Ukraine are being utilized; and third, that somehow this whole thing is a zero-sum proposition, that support for Ukraine or European security comes at the expense of American prosperity and security, that we are spending too much.

I will discuss each of these faulty arguments in detail in the coming days, but today I would like to discuss this last one, in particular. Set aside the fact, recognized by the previous administration's National Security Strategy, that "a strong and vital Europe is of vital importance to the United States."

Standing with our allies against Putin is directly and measurably strengthening the U.S. military, growing the U.S. industrial base, and supporting thousands of good-paying American jobs. The overwhelming majority of the money that we have appropriated is being spent here in America, right here in this country. This is especially true for the security assistance we have appropriated for Ukraine. This assistance falls into two basic buckets.

The first, smaller portion is for the Ukraine Security Assistance Initiative—USAI for short. USAI predates the Biden administration. It was used by the previous administration to enhance Ukraine's military capabilities.

The second, larger portion isn't even for Ukraine. It is referred to as "backfill" or "replenishment" money, and it is used to purchase new versions of weapons and vehicles to replace the old—sometimes very old—versions the United States has taken from stockpiles and warehouses and transferred to Ukraine.

Now, the Biden administration often announces tranches of assistance as though it is new, direct aid to Ukraine. In fact, it is previously authorized or appropriated assistance that is only too slowly actually being disbursed. But, in both cases, the money we are talking about doesn't go to Ukraine; it goes to defense manufacturing facilities all across America and supports tens of thousands of American jobs—expanding our defense industrial capacity to better compete with China, replenishing America's arsenal with weapons built by American workers.

But don't take my word for it. Just look at where some of these resources are going. Nearly \$1.4 billion is buying the U.S. military new Javelin anti-tank missiles. These weapons are manufactured at facilities in Troy, AL; Ocala, FL; Farmington, NM; and Tucson, AZ, that employ hundreds of thousands of Americans.

Another \$3 billion is producing new precision rockets and Patriot missiles for our military. That work is underway at a plant in Camden, AR, that employs nearly 1,000 workers. Dozens of suppliers across the country are doing work to support these high-end weapons.

Hundreds of millions of dollars in new air-to-air weapons systems bound for the U.S. military are rolling off production lines across the country—from a Massachusetts facility that employs 400 people to one in Arizona that employs 14,000. And this work is made possible by suppliers all across America, including in Iowa, Missouri, Texas, Florida, Alabama, Utah, and my home State of Kentucky—tens of billions of dollars directly invested in American military strength, directly supporting thousands of American jobs, and expanding our defense industry's capability to produce the weapons needed to deter adversaries like Russia and China.

Our support to Ukraine is grinding down one of America's biggest strategic adversaries and showing the other one the strength of our resolve; and it is providing Western forces, from NATO to Taiwan, with valuable operational lessons to apply to their own defense.

The value of that to American interests can hardly be measured simply in dollars or jobs; but critics of this investment cannot ignore its returns: American industry and workers are stronger for it; our warfighters are stronger for it; and our Nation is stronger for it.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Adriana Debora Kugler, of Maryland, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2012.

The ACTING PRESIDENT pro tempore. The majority whip.

MEDICARE

Mr. DURBIN. Mr. President, my timing couldn't have been better than to

have arrived on the floor of the Senate after the Republican leader, Senator MCCONNELL, had given a speech on the cost of drugs in America. I have the rest of the story, the other side of the story, that he has just delivered. He spoke about prescription drug socialism. I want to talk about the unfairness of pharmaceutical pricing to Americans, to families, and across the board.

People have talked about the cost of prescription drugs being too high for as long as I can remember; but last week, President Joe Biden and the Democrats in Congress marked a milestone in fulfilling a commitment to start bringing down the outrageous price of prescription drugs. For years, Americans have paid the highest prices in the world—in the world—for medications. We pay an average of nearly four times more than other Western countries for exactly the same drugs made by the same companies.

Last year, thanks to the Inflation Reduction Act, which Senator MCCONNELL calls prescription drug socialism, the Democrats finally delivered for America's patients, granting Medicare the power to negotiate fair prices for medications used by seniors. He made the point; I want to make it again. Not a single Republican Senator voted in favor of bringing down prescription drug prices in the Inflation Reduction Act. Not one. Not one Republican Senator would join us. Thank goodness, we had enough votes to pass it, and President Joe Biden signed it into law.

Well, last week, the President announced the first 10 drugs that would see the reductions from negotiations—the medications that cost the Medicare program and American taxpayers more than \$50 billion last year. In 2022, seniors across America spent more than \$3 billion on copays at the drug stores for these 10 drugs.

For example, 132,000 seniors in Illinois each spent an average of \$500 out of pocket on Eliquis. Do you recognize the name? Eliquis is a blood thinner. The Inflation Reduction Act capped the price of insulin for seniors at \$35 a month and went on to say that no senior will have to pay more than \$2,000 in a year out of pocket for the cost of prescription drugs. The law established new penalties for drug manufacturers that raise prices unreasonably. And many vaccines are now free for seniors, like the shingles vaccine that had a list price of nearly \$400.

This is what Senator MCCONNELL and the Republicans call socialism. To me, it is simple fairness. Once again, not a single Republican voted to support this measure. Not one. In fact, the Republicans have called this socialist price controls—socialism. It is all socialism. Bringing down the cost of prescription drugs, to the Republicans, has to be just too much government—socialism.

How do they ignore the fact that, for years, the Veterans Health Administration has already used negotiations to bring down prices for veterans and the

VA to provide for some of the best-serving Americans in history? Bargaining for fair prices allows the VA to pay an average of one half of what Medicare pays for exactly the same drug.

Let me make sure this is clear to you. The Veterans Health Administration says to the pharmaceutical companies: Our veterans need your drugs, but we are going to negotiate with you to get a fair price.

That fair price means that the veterans are paying one half of what other families have to pay when they go to the drug store.

So now we are saying that Medicare for seniors and the disabled is going to have the same negotiating power, too, so they can bring the cost of drugs down for seniors and for our government.

I think if it is good enough for America's veterans, it is good enough for seniors too.

Let's be crystal clear. Big Pharma has been untouchable in politics for way too long.

First off, I imagine, when the President announced this list, America said: Well, I know those names and those drugs.

Why are we so familiar with these odd names? It is because they are among the most heavily advertised drugs on television in America today.

Do you know how many ads you see for drugs on television each day in America? It is an average of nine per day—and for those shows that look like they are geared toward senior audiences, even more.

How many countries in the world allow drug companies to advertise on television? Two. One is, of course, the United States. The other one is New Zealand. Only two countries do.

By filling the airwaves with these ads, Big Pharma is inflating demand for the most expensive drugs on the market. Some manufacturers spend over \$100 million a year to make sure that you can spell "Xarelto" and then go ask your doctor for it. They never tell you what the price of the drug is, do they? Of all of the things they say on TV in that garbled message that they have with rapid fire at the end, they never mention the price. Don't you think it is worth knowing that Xarelto costs \$500 a month when a generic or lower priced alternative may be just as effective?

Republican Senator CHUCK GRASSLEY and I have a commonsense, bipartisan bill. Let me give you the idea behind the bill. Some may call it radical, socialism.

We would require Big Pharma to end the secrecy about the price of the drugs that they are running on the ads and disclose that price right up front. Incidentally, in 2020, Xarelto's manufacturer, Johnson & Johnson, spent \$22 billion on marketing. How much did they spend on research for drugs in the new year? \$12 billion. This is \$22 billion versus \$12 billion.

Similarly, Bristol-Myers Squibb and Pfizer spent more than \$1 billion on ads for Eliquis—\$1 billion—and doubled the price from \$250 a month to \$529 a month. The result? Medicare spent \$16 billion last year on this blood thinner and medication—\$16 billion.

I have a chart here which I want to refer to. It has a lot of information, but there are several things I will point out just to make clear what we are up against.

For Xarelto, Medicare spent \$6 billion. The average estimated expenditure for ads was \$107 million a year for 6 years. The overall revenue for Xarelto was \$7.4 billion. Medicare paid \$6 billion of it. We are the biggest consumers of these drugs that are being advertised on television whose prices are going up and up and up. Bristol-Myers Squibb and Pfizer earned more than \$18 billion from Eliquis last year.

One drug that is not on the list of the 10 drugs that the President noted is Ozempic. It could be subject to price negotiations next year. Most Americans are now aware of this blockbuster diabetes medication and can probably sing the jingle on command. Its manufacturer, Novo Nordisk, has plastered the airwaves, spending three-quarters of a billion dollars on ads since 2018. As a result, Ozempic charged Medicare \$3 billion in 2021.

People are going to argue—and you heard it from the Senator from Kentucky—that, you know, who is going to pay for this? This is private industry simply coming up with a good product that is needed and charging for a profit. What they don't tell you is that virtually all of the 356 drugs approved by the Food and Drug Administration between 2010 and 2019 were developed with research from the National Institutes of Health. What is the National Institutes of Health? It is the taxpayer-funded, basic research Agency that does the groundbreaking research that leads to these drugs. So the taxpayers are in on the cost of the drugs from the start.

The manufacturers have gamed the patent system to keep lower priced competitors off the markets. The typical patent lasts for 20 years. Now, here is what this basic bill boils down to in explanation: When you discover a chemical formula that you think has the potential to have some drug value, you file a patent, and you are protected for 20 years in developing that chemical compound and selling it to the public. So it is virtual monopoly control of the pricing of the drug during your patent period.

The idea is, at the end of the patent, the formula becomes available to the public, and generic drug manufacturers can step in and make the same thing that you originally made but at a fraction of the cost so that the consumer finally, at the end of the patent, gets a break and gets the cost reduced. However, some very well-paid lawyers for these pharmaceutical companies find ways to stretch that patent on and on

for years. As I said, the typical patent lasts for 20 years from the discovery of the chemical compound. It is usually filed at that time, early in drug development. But these 10 drugs that the President noted have been loaded up with secondary patents, extending that period of monopoly sales for years and years. It is a scheme by Big Pharma to block competition, which brings prices down for consumers and for Medicare and Medicaid.

Take a look at—I am going to see if I can pronounce this drug's name—Imbruvica, a cancer medication. It is right here, Imbruvica, a cancer medication from AbbVie and Johnson & Johnson. It has received 37 patents since its original FDA approval, extending its protection to 2035—another 12 years from now.

Also on this list here is Farxiga. Medicare spent \$3.3 billion a year on this drug. It spent \$77 million a year advertising it on television. How much did they have as global revenue in 2022? They had \$4.4 billion. So of the \$4.4 billion, \$3.3 billion came right out of the taxpayer's Agency, Medicare.

It is a heart medication. This added 13 patents after its approval, shielding the drug from competition for 16 years.

By retaining extensive monopoly periods, the manufacturers have been able to charge Medicare and patients as much as they want. It doesn't have to be this way. While Jardiance retails for more than \$700 in the United States, the exact same drug sells for \$150 in Canada—\$700 in the United States, \$150 in Canada. It costs \$680 to \$700 in the United States. Farxiga costs \$680 in the United States and \$110 in the United Kingdom. How can you explain that difference? Why are the American consumers being taken to the cleaners?

Here is the bottom line: For too long, Big Pharma has abused the drug-pricing system in America, driving up costs and profits off the backs of patients who can no longer afford these medications.

Last week's announcement is a breakthrough, a political breakthrough, thanks to the Inflation Reduction Act passed here in the Senate and the House, signed by President Biden, without a single Republican Senator voting in favor of it—not one. What a shame it is that Big Pharma has filed lawsuit after lawsuit to block these savings for patients, and what a shame that it has become so darn partisan.

I can't tell you how many families have brought this issue up to me. Whether they have a sick child or an aging parent, they need help with the cost of medications. This should be bipartisan, for goodness' sake.

We can have a healthy, productive pharmaceutical industry and have pricing that is affordable. We can bring Canadian prices home to America once we shame these pharmaceutical companies into admitting that they are taking advantage of American consumers.

One of the arguments made by Senator MCCONNELL was to reference a

study at the University of Chicago. He said that if we go ahead with this so-called prescription drug socialism, we are going to deny the discovery and marketing of 130 new drugs. Of course, that would be of very grave concern.

The Congressional Budget Office looked at that study, which was done long before this bill was passed, and said that, in fact, we stand to lose 13 new drugs over the next 30 years if we bring down the profit-taking by these pharmaceutical companies—13 over 30 years.

If a drug is not affordable, it is not accessible. So a drug that you can't afford, even if it is on the market, is of no help to you and your family.

Is this important beyond the cost at the drugstore? Yes, it is. One of the leading health insurers in this country, Blue Cross Blue Shield, told me in Chicago that the No. 1 driver of health insurance premiums people are paying at work is the cost of prescription drugs. This advertising that creates this appetite for all these new drugs leads to requests by patients of doctors to prescribe them. Some doctors, instead of taking the time to question whether or not a patient needs the drug or whether a generic could be satisfactory, just write out a script, and the cost of healthcare goes up day in and day out. Individuals, even with copays, are finding it difficult to have their prescriptions filled.

It doesn't have to be this way. If the pharmaceutical companies of the United States of America would just treat us like their Canadian customers—that is all I might ask for—or European customers, we would be in much better condition.

Finally, we have a President and an administration that stopped talking about it and is doing something. What the President has said is that we are going to negotiate for American consumers and for Medicare the prices of these top-10 drugs: Eliquis, Jardiance, Xarelto, Januvia, Farxiga, Entresto, Enbrel, Imbruvica, Stelara, and NovoLog/Fiasp. All of these are going to be negotiated by the President to bring down the prices by authority created with Congress and a bill that passed with no Republican support.

If the price of prescription drugs is important to you, understand that the battle is now joined. The President has announced we are going after these overcharging pharmaceutical companies. Finally, the American consumer is going to have a champion and have a break in the cost of prescription drugs. It is long overdue.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

REGULAR ORDER PROCESS

Mr. THUNE. Mr. President, today, I want to talk about something that has been going really right here in the U.S. Senate, and that is the use of regular order to consider the annual appropriations bills.

What do I mean by “regular order”? For starters, regular order refers to allowing bills to go through the committee process—including hearings and a markup—where members of the committee have a chance to amend and approve the bill before being referred by the committee to the Senate as a whole for additional debate and deliberation.

The regular-order process is key. It provides the time and space for real deliberation. It allows for input from a broad array of Members and promotes collaboration and compromise. It is a transparent process, one that ensures that both Senators and the American people can see how the legislation in question is made and have ample time to digest it, not to mention the fact that by ensuring the input of more Senators, the regular-order process helps ensure that a broader swath of the American people is represented in any final legislation.

One of Congress's most basic responsibilities is funding the government. For all the reasons I just listed, the way we should be doing that is through regular order. But we haven't been doing the greatest job of that lately here in the Senate. But this year, for the first time in 5 years, the Senate Appropriations Committee has processed all 12 appropriations bills through the committee. A huge amount of credit goes to Senator COLLINS and to her Democrat counterpart, Senator MURRAY, for making this happen.

I hope this will not be a one-off but the start of a new habit for the Senate—a habit of giving each of the appropriations bills the time, debate, and serious consideration that it deserves.

In their press release following passage of all 12 appropriations bills out of committee, Senators COLLINS and MURRAY noted that the bills had passed the committee by overwhelming bipartisan margins, and it is not surprising. When you give Members time to debate and amend legislation and make their concerns and the concerns of their constituents heard, you are a lot more likely to get bipartisan buy-in on the final product.

Today, we expect the Democrat leader to file cloture on what we call a minibus of three appropriations bills: Agriculture; Transportation, Housing and Urban Development, or what we call THUD; and Military Construction and Veterans Affairs, or MILCON-VA. I hope the hearing these bills got in committee will be matched by a similarly deliberative process on the floor, including ample time for consideration of amendments.

Debate and amendment on the floor is another key element of the regular-

order process and one that also helps promote a bipartisan final bill. The debate on the National Defense Authorization Act in July was a good example of this. Members had the opportunity to file and offer amendments when the bill came to the floor, resulting in consideration of 131 amendments, including 33 amendment votes, which helped the bill pass the full Senate by an overwhelming bipartisan margin.

I am looking forward to next week's debate on the minibus, and I am very pleased that, among many other good provisions, this year's MILCON-VA appropriations bill will continue funding for building out the necessary infrastructure for the B-21 long-range strike bomber at Ellsworth Air Force Base in South Dakota. The B-21 will revolutionize the Air Force's long-range strike capabilities and is an important step forward in ensuring that our military is prepared to meet and defeat 21st-century threats. I have been working to ensure that the Air Force—and Ellsworth, the main operating base for the first B-21s—has everything it needs for the B-21 mission.

So, as I said, I am looking forward to debate on the Agriculture, THUD, and MILCON-VA appropriations bills. I trust that we will continue working through appropriations bills in the coming weeks with full debates on the Senate floor. I expect we will need to pass a short-term continuing resolution to enable these debates and to allow for time to reconcile the House and Senate versions of these bills and get final versions to the President's desk.

Before I close, I do want to mention one troubling thing among the good news about the regular-order process, and that is the Democrat leader's decision, in his words, to "invent a new process" to deal with the thorny question of regulating AI, or artificial intelligence, because the committee process "won't suffice"—"won't suffice."

I am not too sure what the majority leader hopes to gain by taking responsibility for oversight and examination of this subject away from the relevant committees of jurisdiction that consider issues like this day in and day out and are well-versed in developing solutions. I am definitely worried that this new process will restrict Senators' input into the final product, leading to legislation created by the leader exclusively without collaboration with other Members or relevant committees.

It is a disappointing move, especially considering the progress we have made on returning to regular order with appropriations bills. I would like to see the leader show a little more faith in the committee process and in his committee chairs.

But, again, I am very pleased that at least on the appropriations front, we are back where we should be, and that is processing appropriations bills in committee and on the Senate floor.

I am looking forward to next week's Ag, THUD, and MILCON-VA appropriations debate.

I yield the floor.

The PRESIDING OFFICER (Mr. LUJÁN). The Senator from Kentucky.

UNANIMOUS CONSENT REQUEST—S. RES. 332

Mr. PAUL. Mr. President, the Flat Earth Society is champing at the bit to bring back masks even though the Cochrane analysis has looked at 78 randomized controlled studies and shown that masks didn't stop transmission, didn't stop hospitalization, and didn't lessen deaths. In other words, the masks on a population level had no influence over the spread of COVID. Again, the Flat Earth Society cannot listen and absorb these facts. They want the masks to come back.

In addition, the Flat Earth Society also wants to mandate three COVID vaccines for kids despite no evidence that COVID vaccines reduce transmission, hospitalization, or death for adolescents. Yet, to this very day, Senate pages are required to get three vaccines in order to participate in the program.

I rise today out of a desire to protect the health of the young men and women who serve as Senate pages. I think we can all agree that the Senate wouldn't function very well without the pages.

The very first page was a 9-year-old boy named Grafton Hanson. He was appointed by DANIEL WEBSTER back in 1829. In those days, the pages had to refill the inkwells and clean out the spittoons. Things have changed a little bit around here since then. The work isn't quite as messy anymore, but it is still a high-pressure job for a high school student.

From day one, our country's response to the pandemic made the comfortable more comfortable while the working class had to keep on working. And now, in the Halls of Congress, a privileged class can choose whether to get vaccinated while an underclass must abide by COVID dictates. Think about it. The antiquarians of the Senate are not required to be vaccinated, but the young, healthy people—at zero risk for death from COVID—are being forced to be vaccinated three times.

To become a Senate page, you must get a COVID-19 booster shot, but study after study demonstrates that for young and healthy people, the risks posed by the vaccine are greater than the risk from COVID. Let me be clear about that. This is for young, healthy adolescents; the facts are different.

If you are elderly or infirm or have other risk factors, the risks of the disease outweigh the risks of the vaccine, but for young, healthy people, none of them will die from COVID. Almost all of them have either had a vaccine or had the disease or both, but we are mandating that they have three vaccines.

Study after study shows that it makes no sense to mandate COVID vaccinations for teenagers who are

healthy and that such a mandate actually may be dangerous to adolescents. A study published last year in the *Journal of the American Medical Association* Cardiology examined 23 million people ages 12 and up across Denmark, Finland, Norway, and Sweden. It found that after two doses of mRNA vaccine, "the risk of myocarditis was higher within 28 days of vaccination." So they had a risk of developing a heart inflammation within 28 days of the vaccination compared with the group who was unvaccinated and that the risk increased with each successive dose.

So there is a risk, particularly for the ages between 16 and 24, of an inflammation of the heart, and it increases with each successive dose. So if you are going to mandate three vaccines on a group of kids who have zero risk of dying and the vaccine doesn't prevent transmission, protects no one, all you are doing is adding a risk to their health. And for goodness' sake, in a free country, couldn't we let them make their own medical decisions?

This is exactly why European countries, including Germany, France, Finland, Sweden, Denmark, and Norway, restrict the use of mRNA vaccines for COVID. There are rules for young people. Yet the policy for the Senate pages blindly commands three vaccines for young, healthy people.

A study published in December in the *Journal of Medical Ethics* found that per million third doses, booster doses, of COVID vaccine, up to 147 cases of myocarditis may be caused in males ages 18 to 29; up to 80 percent of those diagnosed with vaccine-induced myocarditis or pericarditis continue to struggle with cardiac inflammation more than 3 months after receiving a second dose.

Yet, remember, this is a group of people who have zero deaths—zero deaths. There are no deaths of young, healthy people from COVID, and we are mandating that they take three vaccines. We are supposed to be the leaders in this country. What science are we looking at? What science are we obeying? We are reacting in an emotional way. We are promoting hysteria and leading with the wrong example.

Recently, Dr. Vinay Prasad and Dr. Benjamin Knudsen published a review in the *European Journal of Clinical Investigation* that examined 29 studies across three continents. Six of the 29 studies showed that after two doses of mRNA vaccine, more than 1 in 10,000 males between the ages of 12 and 24 would experience myocarditis.

Think about it. To be a page up here, you send a perfectly healthy young man or woman up here, and then you give them the risk of a serious heart inflammation over a disease that is evolving every 3 or 4 months—such that the vaccine is good for about 3 or 4 months, until it is no longer good—for a disease that was never deadly for children.

Initially, the argument was: Oh, we have to stop the children from transmitting it to the old people. It doesn't

work that way. The only thing even the proponents of the vaccine argue is that the individual vaccinated may have a reduction of hospitalization and death, but those statistics only hold for at-risk populations: the elderly, the immunocompromised, the ill. For young, healthy people, there is no health advantage to being vaccinated, and there is actually a health disadvantage the more vaccines you give them.

It is actually medical malpractice to continue to mandate three vaccines, whether it is in the Senate or in a university, and unfortunately, the example that is being set here in the Senate is being followed in other universities around the country of mandating three vaccines.

A study published recently in the *Annals of Internal Medicine* found that regardless of sex, among those ages 5 to 39, myocarditis or pericarditis occurred in 1 in every 50,000 after a first booster. With statistics like that, why would we think it is a good idea to insist on boosters for our young, healthy people who are in their early teenage years?

We are taking the rights of the individual, their parents, and their physicians to make a decision based on their risk factors and their individual parameters, and we are making a blanket rule that says they need to get vaccinated. Yet study after study is showing that the risks of the vaccine exceed the risks of the disease for this particular age group. It is the height of malpractice to subject young people to the greater risk of vaccination simply to satisfy mandates designed to protect bureaucrats from accountability.

Now, I am told that the Democrats will object to this today. The Democrats will stand up and say they know better than your parents. The Democrats will stand up and say they know better than these kids' doctors and that, by golly, if you want to be on the Senate floor, you have to have three vaccines.

Well, guess what. I have got zero. I am standing right here. I have got zero vaccines. I had COVID in the first month of the disease. And, actually, I would have gotten vaccinated, but I got the disease early on, and then all the evidence pointed toward immunity being gained from having the disease. So I didn't bother getting the vaccine. Members of my family got the vaccine. We recommended that my elderly in-laws get the vaccine. But the thing is, we made that choice.

And so here I sit without a vaccine, and I won't wear a mask because they don't work either. Yet then we are telling them. In a month, are we going to be putting them back in masks? The Democrats want everybody in masks. They want the hysteria to return. Why? Because they don't think any of us are smart enough to make our own decisions. They want to make the decision for us. The common man be damned. The working class be damned. Americans be damned. The Democrats

are going to tell you to wear a mask, and the Democrats are going to tell you how many vaccines to get.

Well, the vaccine goes out of style. The virus evolves away from the vaccine within a couple of months. How many mandates are there going to be? Why not six mandates? Why not 12? Why not mandate the newest booster that may be more effective than the last booster? Which one are we mandating? They just have to get three vaccines. But it goes against the science.

Let's say you even grant the Democrats that there might be some science on the other side of it. Good. Let the individual make the decision. Whatever happened to the idea of individual choice? Whatever happened to the idea of choice with regard to your body and your medical decisions? The hypocrisy is astounding.

Recently, Drs. Vinay Prasad, Tracy Beth Hoeg, and Ram Duriseti shed light on some of the science surrounding this, on some of the efforts to manufacture studies that artificially bolster the case for mandates. In a letter published this July in the *New England Journal of Medicine*, Dr. Prasad and his team question an Israeli study that the FDA and our government—Democrats—are trying to use to justify forcing people to take boosters.

This study, they said, shows a 90-percent reduction in death if you take the COVID booster vaccine. And they kind of scratched their heads, and they said: Well, almost nobody is dying anymore because the virus has become less dangerous as it has evolved. More people have immunity, either natural or vaccine immunity. To have a 90-percent reduction in a death rate that is already very tiny just seems a little bit unbelievable.

So they looked at the data from the study, and what they found was that, actually, there was a 90-percent reduction in the booster category for all diseases: cancer, a variety of—diabetic, heart attacks, you name it; people died 90 percent less of the time if you were boosted. It is like: Wow. A booster cures heart disease; it cures diabetes; it cures cancer. No. It turned out the study was flawed and that the group that had been boosted died 90 percent less of the time just because you have got to select it out for a group that was very healthy versus a group that was less healthy.

The study was flawed, and it took scientists with the courage to stand up to the *New England Journal* and say: Look at the data.

The original authors of the data finally released and said: Whoops. We made a big mistake here. Our study doesn't really prove what we said it proved.

When the FDA approved boosters for kids, did they show that it reduced transmission? No. When they approved vaccines for adolescents, did they show that it reduced hospitalization? No. Did they show that it reduced deaths?

No, because no kids are dying from COVID. You can't be less than zero deaths.

How did they approve the vaccine at all for adolescents? How did they approve the booster? They said: If we give them a booster, they make antibodies.

I confronted Anthony Fauci on this, and I said: Well, I can give you a hundred vaccines. Every individual I give it to will make antibodies. That doesn't prove you need it. You need to prove that it does something.

If you give them three vaccines, will they transmit the disease less? No evidence of it. Will they be hospitalized less? No evidence of it. Will they die less often? No evidence. There is no evidence other than the laboratory tests saying they make antibodies but no evidence that they need to make more antibodies.

But one thing we know: If you are a young person who has had COVID recently—even the CDC admits this: If you have had COVID within 3 months and you take a vaccine, you have a profound risk of getting an overly exuberant immune response and having the myocarditis because you have had the vaccine in the middle of an immune response that you are making against the disease.

Yet do you recall anyone at one of these pharmacies that are all handing out the vaccine and pushing it—have you had any example of them saying: Well, have you had COVID recently? Maybe you should wait 3 months. No. Nobody is paying any attention to natural immunity. Nobody is paying any attention to the natural course of the disease. And nobody is really paying any attention to the danger the vaccine presents to young people.

This is not a benign situation. This is a situation where the Democrats are in favor of mandating a vaccine that puts their health at risk. We are telling kids all across America: You cannot come up here unless you get what the Democrats tell you is the best thing for your health. And even though there are some scientists who say that it may actually imperil your health, you don't get a choice; and you can't be part of the nationwide Senate program, you can't be part of this elite group, unless you submit, unless you bend the knee to the Democrats, unless you say: My body belongs to the Democratic Party; my body will be injected with whatever the Democrats tell me I need to do because I don't have control over my medical decisions; the Democratic Party does.

This is obscene, and the Democratic majority should be embarrassed that they are here today telling us that American parents and American families are not smart enough to make their own decisions.

In the letter, Dr. Prasad and his colleagues wrote that the “[u]nderlying health plays a substantial role in COVID-19-related mortality” and “[i]nclusion of mortality not related to COVID-19 in all observational . . .

studies would provide important context.”

So, in other words, it looks like the studies that may have shown any indication that boosters might help were incorrectly performed, but the vast majority of the studies have shown no effect on transmission, hospitalization, or death. They do not exist.

I would love for the Democrats, when they stand up and talk about forcing kids to do this, if they would present the studies for us that show why or show that the booster vaccine actually aids in reduction of transmission, hospitalization, or death of adolescents.

Even from within the government, though, some have resisted the ever-expanding booster mandates. In 2021, the Director and Deputy Director of the FDA's Office of Vaccine Research and Review—not someone who is opposed to vaccines, someone who has been involved with the development and promotion of vaccinations his entire career—resigned, two of these guys resigned, citing White House pressure to approve third doses for all adults, writing damning op-eds critical of the FDA's subsequent decision to do so.

One of these op-eds ran in the Washington Post and was coauthored by Dr. Paul Offit—once again, not an opponent of vaccines, not an opponent of the COVID vaccine, a professor of pediatrics and director of the Vaccine Education Center at Children's Hospital of Philadelphia, a longtime advocate of vaccines who has been involved in the mainstream pro-vaccine community—objected.

As a member of the FDA's Vaccine Advisory Committee, Dr. Offit did not support widespread boosting. He and two former FDA officials wrote that “healthy young person[s] with two mRNA vaccine doses is extremely unlikely to be hospitalized with COVID, so the case for risking any side effects—such as myocarditis—diminishes substantially.” Dr. Offit even advised his own son not to get a booster because he was already well protected against severe disease.

So here we have advocates of the vaccine, mainstream scientists who work in the vaccine community, who have been promoting vaccines for the health of the community. These are not people opposed to vaccines, saying they would not give a booster to their child; they would not give a third COVID vaccine because the risks of the vaccine outweigh the risks of the disease.

This really encapsulates the debate here. Your healthcare is about you. You are not a statistic. The Democrats somehow feel you are a cog in their wheel, and you are just supposed to do what everybody does and do as they say. But really, your healthcare decisions are based on your risks of getting COVID, your risk of dying, being hospitalized, or transmitting it. It is about you. That is why you make the decision. Instead, they want a blanket mandate. And by doing it to the pages here and forcing them to submit to

this, what they are doing is setting a terrible example for the country.

One editorial put it this way last year:

If being “boosted” becomes a prerequisite for participation in normal life, the vaccine's diminishing efficacy means the booster campaign will never end.

What does that mean? The virus is evolving. It is like the flu. It is changing every 3 or 4 months. The vaccine becomes outdated within 3 or 4 months. So if you are at risk, by all means, keep getting the updated vaccine. We are not even mandating the updated vaccine; we are mandating a booster and often a booster that is a year or two old and has no effect at all on the vaccine, even for people who are susceptible to this. But we need to let the individual kids and their parents make this decision.

Dr. Marty Makary is a professor at Johns Hopkins School of Medicine. He wrote in the Wall Street Journal that “[t]he U.S. government is pushing COVID-19 vaccine boosters for 16- and 17-year-olds without supporting clinical data. A large Israeli population study, published in the New England Journal of Medicine . . . found that the risk of COVID death in people under 30 with two vaccine shots was zero.”

So there is no science behind this. A large study of the entire country of Israel, which keeps great records on this, found that kids that had been vaccinated twice had zero deaths. Germany showed the same thing—not just a few, not a small number, zero deaths among kids aged 5 to 17.

There is no scientific rationale for mandating three COVID vaccines for healthy kids. Even the World Health Organization's chief scientist, Dr. Soumya Swaminathan, said last year that “there's no evidence right now” that suggests healthy children and adolescents need booster shots. Even the WHO—one of the most pro-vaccine mandate groups you can find in the world—has said they don't recommend booster shots.

Dr. Martin Kulldorff of Harvard Medical School says that mandating people who have already had COVID still get vaccinated “makes zero sense”—zero sense—“from a scientific point of view, and it makes zero sense from a public health point of view.”

A study in the Lancet supported this view, stating that “[c]urrent evidence does not . . . appear to show a need for boosting in the general population, in which efficacy against severe disease remains high.”

What does that mean? Why do they have efficacy? Why can they fight it? Because they are young and healthy, and the disease seems to have a predilection for the elderly. They are young and healthy, but they have already had COVID. They have immunity. And many of them have already been vaccinated. But we aren't demanding even just basic vaccination; we are demanding three vaccines. And what we know is that with each individual vaccine,

the risk for heart inflammation goes up. It is less if they have one. It is less if they have two. It is even more, though, if you get to a third.

When we consider the rules for the pages, we ought to ask: Will these policies be expected to continue indefinitely? COVID is with us forever. COVID is now the new flu. Fortunately, it has become less deadly over time. It was quite deadly in 2020, and each successive evolution of the virus has made it less deadly. The death rate is dramatically reduced.

Even at its peak, the death rate was about .3 percent, about three times greater than the seasonal flu. It still meant a million Americans died either from COVID or with COVID, but it is now lessened in severity. Are they going to continue to tell us how to make our healthcare decisions forever? Are Democrats so insistent that they know better than everyone else that we will be beholden to bending the knee and asking their permission to live? Are we going to ask permission whether or not—they will come to us and say: To participate in life, you have to be vaccinated three times. There is no science to back this up.

When it comes to vaccines, although they can benefit the vaccinated person if that person is in a risk category, in Denmark, vaccines were not shown to have any impact on household viral transmission or secondary attack rate.

Even the proponents of the mandates will admit, if forced to admit, the vaccines don't stop transmission. The only thing they can hang their hat on is there is reduced hospitalization, but that only exists if you are in a category of increased risk.

Over a certain age, over a certain weight, have some diseases, immunocompromised, there is some evidence of reduced hospitalization if you have immunity. But actually, it is less so with each subsequent one and really hasn't fully accounted for the natural immunity that people get from having the disease, which still needs to be studied.

Multiple scientific studies have shown, though, that there is a heightened risk of myocarditis—heart inflammation—for children and teenagers after taking mRNA COVID vaccine. That is why multiple countries began restricting it for certain age groups. Germany, France, Denmark, Finland, and Sweden all restricted Moderna's vaccine for young people. Norway, South America, and the UK all chose to recommend only one dose of Pfizer due to the risk of cardiovascular side effects for boosting kids.

But what we are going to find out today is the Democratic Party doesn't care about the science, doesn't care about choice with regard to your medical decisions, can't even allow a debate whether you get one, two, or three vaccines, but it is going to insist that, to be part of the U.S. Capitol, the U.S. Senate Page Program, you must bend the knee to the Democratic Party and

do what they say about your vaccines or you can't be a participant.

Why is the U.S. Senate choosing to ignore risks other countries acknowledge when mandating these vaccines for young people who are in peak physical condition?

Public health measures should be backed up with proof that the benefits outweigh the burdens. There is no evidence of that when it comes to vaccination and booster mandates, especially for teenagers, who as a group are less vulnerable to this virus than any Senator.

That is why I ask unanimous consent that the Senate pass my resolution to end all COVID-related mandates for pages who serve in this Chamber.

Mr. President, as in legislative session, I ask unanimous consent that the Senate proceed to S. Res. 322, which is at the desk; further, that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon table.

The PRESIDING OFFICER. Is there objection?

The Senator from Maryland.

Mr. CARDIN. Mr. President, reserving the right to object.

Mr. President, I have major concerns about this unanimous consent request. But let me start first with the process, whether we should be legislating a policy in regard to the health of our pages. Despite what the Senator from Kentucky has said, the policies concerning our pages' health is not set on a partisan basis; it is set based upon the recommendations of our health professionals. They are not politicians. They are not making partisan decisions. They are making their recommendations based upon what they believe is in the best interests of the health of the people who work in this institution, including our Senate pages.

So I am concerned about the unanimous consent request because it would legislate areas that should be left to the administration based upon the recommendations of our health professionals.

Secondly, as I look at the legislation that the unanimous consent would adopt, it goes well beyond COVID-19 vaccines. It goes to wearing a mask, having a legislative prohibition about requiring a page to wear a mask.

That is pretty broad. We don't know what is coming. We don't know what our requirements are going to be and needs to deal with public health in this institution. Again, that should be left to the health professionals. We shouldn't be micromanaging what the health professionals tell us is in the best interests of the people who work in this institution.

Let just me point out that COVID-19 cases are rising all over. We know that. We don't know what is going to be the best countermeasures in order to deal with that, but we do know that vaccinations, testing, and masking are ef-

fective countermeasures to reduce the spread of COVID-19 and other respiratory diseases.

I recognize that Senator PAUL has put into his comments studies that he has quoted. The overwhelming evidence that has been presented by the health professionals globally, including here in the United States, is that vaccinations, testing, and masking are effective.

Mr. President, I ask unanimous consent to have printed in the RECORD the listing of those types of studies that would counter what Senator PAUL has said.

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

COVID-19 STUDIES REGARDING COUNTERMEASURE EFFECTIVENESS FOR ADOLESCENTS

COVID-19 Vaccination Protects Children and Adolescents (The Lancet, Sept 2022), <https://www.thelancet.com/journals/laninf/article/PIIS1473-30992200575-8/fulltext>

Effectiveness of mRNA COVID-19 Vaccines in Adolescents Over 6 Months (Pediatrics, Nov 2022), <https://pubmed.ncbi.nlm.nih.gov/3594567/>

Vaccine effectiveness against hospitalization among adolescent and pediatric SARS-CoV-2 cases between May 2021 and January 2022 in Ontario, Canada: A retrospective cohort study (PLOS One, 2023) <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10065234/>

Effectiveness of BNT162b2 COVID-19 vaccination in Children and Adolescents (Pediatrics, April 2023), <https://publications.aap.org/pediatrics/article/151/5/e2022060894/191035/Effectiveness-of-BNT162b2-COVID-19-Vaccination-in?autologincheck=redirected>

Safety of COVID-19 Vaccination in United States Children Ages 5 to 11 Years. Pediatrics. 2022 Jul 14. <https://doi.org/10.1542/peds.2022-057313>.

An evidence review of face masks against COVID-19 (Proc Natl Acad Sci U S A. 2021) doi: 10.1073/pnas.2014564118. PMID: 33431650; PMCID: PMC7848583.

Association of Country-wide Coronavirus Mortality with Demographics, Testing, Lockdowns, and Public Wearing of Masks (Am J Trop Med Hyg. 2020) doi: 10.4269/ajtmh.20-1015. Epub 2020 Oct 26. PMID: 33124541; PMCID: PMC7695060.

Effectiveness Associated With BNT162b2 Vaccine Against Emergency Department and Urgent Care Encounters for Delta and Omicron SARS-CoV-2 Infection Among Adolescents Aged 12 to 17 Years (Aug 2022), <https://pubmed.ncbi.nlm.nih.gov/35921109/>.

Effectiveness of mRNA-1273 bivalent (Original and Omicron BA.4/BA.5) COVID-19 2 vaccine in preventing hospitalizations for COVID-19, medically attended SARS-CoV-2 3 infections, and hospital death in the United States, <https://www.medrxiv.org/content/10.1101/2023.05.25.23290456v1.full.pdf>

Vaccine Effectiveness, School Reopening, and Risk of Omicron Infection Among Adolescents Aged 12-17 Years (Journal of Adolescent Health, January 2023), <https://www.sciencedirect.com/science/article/pii/S1054139X22006437>.

Science Brief: Community Use of Masks to Control the Spread of SARS-CoV-2 (CDC 2021), <https://www.cdc.gov/coronavirus/2019-ncov/science/science-briefs/masking-science-sarscov2.html>.

Mr. CARDIN. Mr. President, schools throughout and the Nation implement public health requirements to keep stu-

dents, teachers, and their communities safe. Let me remind my colleagues, the pages are in the Page School. They should be treated no differently, as far as the protection of their health, than other students around the Nation and those responsible for their safekeeping.

We need to follow science. We need to follow what science tells us we should do. We shouldn't respond to the political whim or the political pressures. We should let science make the judgments that keep our people safe, particularly our Senate pages.

There is no credible evidence that supports a prohibition on requiring COVID-19 vaccinations, testing, or masking. In contrast, overwhelming evidence indicates that they are important tools in helping to deal with these issues.

I will mention one other issue just in passing because I know we are going to get to debate on the floor soon about the spending programs for our country and how we are dealing with the costs. Well, there are a lot of healthcare costs that we would like to get contained. Every time we don't deal with the spread of an illness or a disease, it adds to the costs to the taxpayers of this country.

The Senate has a duty of care with respect to the pages. Their well-being is our responsibility. For those reasons, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Kentucky.

Mr. PAUL. Mr. President, the argument has been made that we should leave these decisions up to a doctor. Well, the thing is that in America we don't appoint like a doctor as dictator. We don't appoint one doctor. You get a choice. You get to choose your doctor. If you don't like your doctor's advice, you think your doctor's advice is invalid, such as it is in this case, you go to another doctor.

In a free country, the decisions are made by individuals, and each individual will assess their risk.

Now, the argument has been made that there is overwhelming evidence on the record. That is just, frankly, untrue. There is no evidence—and I don't say that lightly—zero—there are zero studies in any of the scientific literature that show that a booster for adolescents reduces transmission, hospitalization, or death—zero.

They only approved the booster to allow you to make the choice of using it by saying that you make antibodies. Making antibodies proves that vaccines work, which no one disputes. Vaccines work to induce the production of antibodies. But the question is, If you have already had COVID, do you need three vaccines if you are a 15-year-old kid? The answer in all the literature is, you don't need that vaccine.

What we found today—he says: Oh, this isn't partisan. Certainly, it is partisan. Do you see any Republicans over here objecting? The Republicans unanimously support getting rid of this mandate. The Democrats are objecting because the Democrats don't think that

individual Americans are smart enough to make their own decisions. The Democrats don't think that these kids and their parents and their doctors can make their decision. They don't believe in choice when it comes to medical decision making. They believe that they know better.

But in this case, it isn't just a matter of taking something that is ineffective; it is mandating a vaccine that threatens the health and well-being of these kids—not just a vaccine, mandating three vaccines with no mention of even whether the kids have already had COVID, which is essentially another inoculation.

So this is a disappointing day, but this is consistent with what we have seen time and again, whether it is having a nationwide emergency mandating that you wear masks in school, masks on planes, vaccines here, vaccines there. This is a desire by the majority party to control your life, to control your medical decision making because they know better.

They want to beg off and say this is about the science. I recited 15 different studies for them. They didn't recite one study because no study exists saying that three vaccines for kids reduces hospitalization, transmission, or death. There is no science. Large, nationwide studies of this problem have gotten a dozen countries to say we shouldn't be giving three vaccines to kids. Half of Europe won't allow you to do it. They won't allow the mandates.

The argument is made, oh, well, we have to do what everybody is doing in schools. Even the colleges—90 percent of the colleges aren't requiring this. This was a bad mandate from the beginning. Most of the colleges have woken up and understand now, one, that this is America and you ought to be able to make your own medical decisions, but, two, that the science points towards booster vaccine mandates actually being a threat to the health and well-being of adolescents.

I am very disappointed, but I think this illustrates where we are in America, where one party thinks they are smarter than every American, smarter than every individual, and they will make your medical decisions for you.

I rest my case.

The PRESIDING OFFICER. The Senator from Hawaii.

MAUI WILDFIRES

Ms. HIRONO. Mr. President, tomorrow marks 1 month since the devastating fires that destroyed the historic town of Lahaina on Maui and damaged several of Maui's upcountry communities.

These devastating fires and the events that followed have been harrowing for all those who call Maui home and the many more who have visited these communities over the years. Initial estimates suggest the fires destroyed nearly 3,000 structures in Lahaina, almost 90 percent of which were residential. It also leveled roughly 700 businesses in and around

Lahaina's historic Front Street. Tragically, the fires have claimed 115 lives to date, with some 385 people still unaccounted for.

These numbers are devastating and reflect the pain and anguish Hawaii is feeling. But this disaster did not simply impact a collection of numbers or statistics; it impacted a community of people, tight-knit and proud—business owners who served as stewards of family-owned shops and restaurants passed down through generations; immigrants who came to Maui in search of a better life for themselves and their families; firefighters who raced into horrific, toxic conditions to try to save a town they loved even as many of their own homes burned to the ground mere miles away; and so many more who called Lahaina home.

As the onetime capital of the Kingdom of Hawaii, Lahaina holds great agriculture and historic significance for the Native Hawaiian community. For some families, their roots in Lahaina date back more than a century, with homes passed down from generation to generation. Others came from elsewhere, captivated by Lahaina's beauty and charm. And before the fires, Lahaina was a bustling seaside town that welcomed thousands of visitors every month. But in mere moments, all of that was destroyed as 80-mile-per-hour winds, fueled by a hurricane 500 miles away, propelled the fire through the town with unimaginable speed and fury.

The devastation is difficult to put into words, as is the trauma this community is experiencing. Front Street, once vibrant with the sounds of music and revelers in the air, is now eerily quiet. The only sound to be heard is often the clanging of twisted metal in the wind. At the hotels where survivors are staying, parents are afraid to send their children to school, not wanting them out of their sight.

I met a woman who escaped the fire with just a backpack of belongings—a backpack she now takes everywhere with her, refusing to take it off her back. I met hotel workers and others, especially a mental health worker who said that weeks after the fires, some residents and workers were so traumatized, they didn't even want to come out of their rooms.

At the same time, at a time of grief and loss, residents have been subjected to disinformation on social media, likely coordinated by foreign government entities, to discourage residents from reaching out to FEMA for disaster assistance and disinformation that sows distrust in the Federal Government. It is an all-hands-on-deck effort to combat this kind of disinformation and make sure survivors can access Federal support.

As we work to ensure the survivors of this disaster have the support they need, we are also working to understand the full cost of the devastation. According to initial estimates, the damage to property alone from these

fires is upwards of \$5 billion. Estimates for rebuilding Lahaina are more than double that.

Rebuilding will take time, resources, and a continuity of effort. That is why I am so grateful for the strong response of the full family of Federal Agencies, more than 25 of which are on the ground in Maui with over 1,000 personnel. From FEMA and SBA to HHS, HUD, DOD, and so many others, the Federal family responded with speed to meet the immediate needs of those impacted.

Within days of the fires starting, FEMA, working with the Governor, mayor, and local entities, was able to get thousands of survivors into hotel rooms, Airbnbs, and other short-term shelters. To date, more than \$50 million in Federal assistance to individuals has already been approved. But we know this is just the beginning. Federal personnel have also been critical to the search and rescue efforts, coming from around the country to help search through the rubble and identify the remains of those lost.

When President Biden visited last month, he made a commitment that the Federal Government will be there for as long as it takes to help Lahaina recover and rebuild as the community—as the community—envisions. The \$4 billion in additional FEMA funding the President requested late last week is an important downpayment on that promise.

This funding will help ensure FEMA has the resources it needs to continue its critical disaster relief work not just on Maui but in other communities impacted by disasters all across our country. I hope it will pass with strong bipartisan support, as has long been the case for disaster relief funding.

But we know, as I said before, this is just the beginning. In the decade since Hurricane Sandy wreaked havoc on New York and New Jersey, FEMA has spent more than \$18 billion assisting impacted communities. FEMA's long-term cost for its response to Hurricane Katrina in 2005 exceeded \$60 billion. Like those communities, Lahaina's rebuilding will take time and, as I said before, a continuity of effort.

These fires took so much from so many, but the spirit of aloha—of love, kindness, and care for one another—continues. It is that aloha that brought our community together after this crisis, and I have faith that it will continue to see us through.

I will be here, along with my colleagues from Hawaii—my other Senator, BRIAN SCHATZ, is here as part of our delegation—to fight for everything Hawaii and Maui needs to recover and rebuild, guided by the voices and values of those who call Lahaina home.

I yield the floor.

The PRESIDING OFFICER (Ms. CANTWELL). The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I ask unanimous consent that prior to the scheduled votes, I be permitted to

speak for 6 minutes, Senator LUJÁN for 5 minutes, and Senator CANTWELL for 5 minutes.

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

NOMINATION OF ADRIANA DEBORA KUGLER

Mr. MENENDEZ. Madam President, every so often, this Chamber is granted an opportunity to alter the course of American history. These rare opportunities allow us to pick up the torch, hoist it high like those who came before, and carry it forward as we strive to create a more perfect Union.

Today, we have such an opportunity. In a few minutes, this body will consider the nomination of a preeminent economist, Dr. Adriana Kugler, to serve on the Board of Governors of the Federal Reserve. Already, she has broken barriers and blazed new trails—the first Hispanic American ever nominated to serve in that critical role.

But for my colleagues who will soon cast their votes on her nomination, I would just like to highlight what this means for the 62 million Latinos who call America home. Simply put, we see ourselves reflected in her story and her nomination.

Dr. Kugler is a first-generation American, the daughter of immigrants from Colombia. To hear her tell her story is to listen to the American dream come to life, from her grandparents who overcame tremendous obstacles—whether it was fleeing religious persecution, being orphaned at the age of 3, or dropping out of high school to help a widowed mother raise five siblings. Dr. Kugler's family instilled in her the importance of grit and resilience alongside an unwavering work ethic. As a result, her life's work has been to help others similarly rise above their station.

For more than 25 years as an economist, she has conducted essential research on labor markets, worker mobility, and firm productivity—three areas that are essential to the Federal Reserve's mandate.

She currently serves as U.S. Executive Director at the World Bank after previously serving as Chief Economist at the Department of Labor, bringing a domestic and international perspective at a time when global economies have never been more connected. Because of this work, because of her sterling credentials and outstanding reputation, Dr. Kugler's nomination has earned the endorsement of 33 peer economists from across the political spectrum. In a joint letter, they called her “a brilliant, objective economist who takes an evidence-based approach to decision-making and is an expert in policy evaluation.”

Make no mistake, Dr. Kugler is eminently qualified for the role she has been nominated for. At her confirmation hearing, she reaffirmed a fundamental commitment to the Federal Reserve dual mandate, pledging to continue its efforts to bring down high inflation that is hurting workers and businesses alike.

In addition to her qualifications and balanced approach to decision making, Dr. Kugler has demonstrated time and time again that she will uphold the Federal Reserve's long legacy of independent decision making. It is precisely because those decisions affect every community in our country that I am especially proud that Dr. Kugler will finally bring lived experience of being Latino in the United States to the Federal Reserve leadership.

That is right. In the nearly 110-year history of the Federal Reserve, there has never, ever been a Latino serving on this Board of Governors. Not once. Simply put, it is an affront to the 62 million Hispanic Americans who meaningfully contribute to our economy. It is out of step with the fact that our economic input as a community is nearly \$3 trillion. And it violates the idea that the hopes and dreams of Latinos are essential to the promise of America.

So it is time for Latinos to serve the highest levels of the Federal Reserve. It is time for Latinos to be taken seriously as an essential part of our American family and economy. And it is time for us to confirm Dr. Adriana Kugler as a meaningful step towards that goal. Never again should a Latino or Latina have to wonder if they can rise from humble beginnings to occupy seats of power. Today's vote helps us do just that.

At its core, it is about changing the face of leadership so that our institutions, these bodies that we entrust with the future wealth and prosperity of our country, can fully reflect the Nation that they serve. In no uncertain terms, Dr. Kugler is a remarkable economist and a fantastic nominee to serve as the first Latina on the Board of Governors of the Federal Reserve. I am proud to have championed her historic nomination, and now it is time that we turn it into a historic confirmation.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

NOMINATION OF ANNA M. GOMEZ

Mr. LUJÁN. Madam President, communications and technology are at the forefront of policy today. From protecting consumers to establishing competitive and open markets to using spectrum and fiber to close the digital divide, the Federal Communications Commission is the expert Agency to establish regulations, policy, and recommendations to Congress.

Before us today is a genuine and passionate public servant. Anna Gomez has proven herself to be a prominent leader in technology and telecommunications, and I urge my colleagues to support her confirmation.

Ms. Gomez is more than ready to assume her next role in public service as our fifth and final FCC Commissioner. As I often say, folks know the difference between fast internet, slow internet, and no internet. I rise today before my colleagues to voice my sup-

port for a deeply qualified person who knows the difference between fast internet, slow internet, and no internet. She has the experience to bridge those divides.

Today, one in five families in New Mexico are living without a reliable connection to the internet. Ms. Gomez has worked on bringing more reliable and affordable ways to connect Americans to the internet almost as long as the term “digital divide” has been around. I was a strong advocate for the President to nominate Anna, and her reception here in the Senate is proof that she is the right choice. Anna's professional record is impeccable, and her path is an inspiration.

During her confirmation hearing, Ms. Gomez shared her story of scraping, borrowing, and working her way through college and through law school. Beyond law school, Ms. Gomez's experience in the White House, the State Department, the U.S. Senate, the National Telecommunications and Information Administration, and the FCC shows us all that she is not afraid to roll up her sleeves and get to work.

I am confident that with her issue-oriented experience at every level of the congressionally mandated responsibilities of the FCC, she will be ready on day one. Protecting the public interest and advancing universal service for broadband and broadcast services is a passion for Ms. Gomez.

Anna's voice as the first Latina to serve on the Commission since my fellow New Mexican, Gloria Tristani, is very welcomed. I know that many of my colleagues here know that numbing sense of fear one can have when your constituents are in the midst of danger from a wildfire or a hurricane or a flood, with no way to reach them. Having reliable access to broadband connectivity during an emergency can mean the difference between someone coming home or not.

Anna Gomez has worked on securing reliable communication access for our first responders all across the country. As we continue to encounter more and more climate disasters, these efforts made by Ms. Gomez will continue to play a critical role.

Moreover, the Federal Communications Commission has never been more important in our Nation's history. These technologies have proven their value and demonstrated huge potential. However, the complexities of these ever-evolving technological wonders are multifaceted, intersectional, and complex.

Americans need the force of a fully appointed Federal Communications Commission to protect consumers, to guarantee competition, and foster innovation. The mission and work of the FCC has never been more important to the future of our Nation.

Anna Gomez will play a pivotal role in setting the course for our country into the next digital generation. I urge my colleagues to work together to bridge these digital divides; and today,

I urge you to vote yes on the confirmation of Anna Gomez to be a Commissioner of the Federal Communications Commission.

I yield the floor.

VOTE ON KUGLER NOMINATION

The PRESIDING OFFICER (Mr. LUJAN). Under the previous order, The question is, Will the Senate advise and consent to the Kugler nomination?

Mr. SCHATZ. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER) is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Kansas (Mr. MORAN).

The result was announced—yeas 53, nays 45, as follows:

[Rollcall Vote No. 220 Ex.]

YEAS—53

Baldwin	Hickenlooper	Rosen
Bennet	Hirono	Rounds
Blumenthal	Kaine	Sanders
Brown	Kelly	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Lujan	Sinema
Casey	Manchin	Smith
Collins	Markey	Stabenow
Coons	Menendez	Tester
Cortez Masto	Merkley	Van Hollen
Duckworth	Murkowski	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Fetterman	Ossoff	Welch
Gillibrand	Padilla	Whitehouse
Hassan	Peters	Wyden
Heinrich	Reed	

NAYS—45

Barrasso	Fischer	Paul
Blackburn	Graham	Ricketts
Boozman	Grassley	Risch
Braun	Hagerty	Romney
Britt	Hawley	Rubio
Budd	Hoeven	Schmitt
Capito	Hyde-Smith	Scott (FL)
Cassidy	Johnson	Scott (SC)
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Cramer	Lee	Tillis
Crapo	Lummis	Tuberville
Cruz	Marshall	Vance
Daines	McConnell	Wicker
Ernst	Mullin	Young

NOT VOTING—2

Booker Moran

The nomination was confirmed.

(Mr. KING assumed the Chair.)

The PRESIDING OFFICER (Mr. HICKENLOOPER). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the

Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 253, Anna M. Gomez, of Virginia, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2021.

Charles E. Schumer, Maria Cantwell, Margaret Wood Hassan, Mark Kelly, Jack Reed, John W. Hickenlooper, Elizabeth Warren, Tammy Duckworth, Jeff Merkley, Richard J. Durbin, Jeanne Shaheen, Benjamin L. Cardin, Mazie Hirono, Tina Smith, Edward J. Markey, Tim Kaine, Tammy Baldwin.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Anna M. Gomez, of Virginia, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2021, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER) is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Kansas (Mr. MORAN).

The yeas and nays resulted—yeas 55, nays 43, as follows:

[Rollcall vote No. 221 Ex.]

YEAS—55

Baldwin	Hickenlooper	Rounds
Bennet	Hirono	Sanders
Blumenthal	Kaine	Schatz
Brown	Kelly	Schumer
Cantwell	King	Shaheen
Capito	Klobuchar	Sinema
Cardin	Lujan	Smith
Carper	Manchin	Stabenow
Casey	Markey	Tester
Collins	Menendez	Van Hollen
Coons	Merkley	Warner
Cortez Masto	Murkowski	Warnock
Duckworth	Murphy	Warren
Durbin	Murray	Welch
Feinstein	Ossoff	Whitehouse
Fetterman	Padilla	Wyden
Gillibrand	Peters	Young
Hassan	Reed	
Heinrich	Rosen	

NAYS—43

Barrasso	Graham	Ricketts
Blackburn	Grassley	Risch
Boozman	Hagerty	Romney
Braun	Hawley	Rubio
Britt	Hoeven	Schmitt
Budd	Hyde-Smith	Scott (FL)
Cassidy	Johnson	Scott (SC)
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Cramer	Lee	Tillis
Crapo	Lummis	Tuberville
Cruz	Marshall	Vance
Daines	McConnell	Wicker
Ernst	Mullin	
Fischer	Paul	

NOT VOTING—2

Booker Moran

The PRESIDING OFFICER (Mr. PETERS). On this vote, the yeas are 55, the nays are 43.

The motion was agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Anna M. Gomez, of Virginia, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2021.

The PRESIDING OFFICER. The Senator from Ohio.

UNANIMOUS CONSENT REQUEST—S. 2738

Mr. VANCE. Mr. President, all of us have lived through the failed experiment of mass mandatory masking. Today, I want to ensure that we do not subject the American people to this tyranny again for the sake of nothing.

We have recently seen a seasonal uptick of COVID cases across the country. This is not something to worry about. I don't like this fact that COVID is here to stay. Seasonal upticks in a respiratory virus are exactly to be expected. They shouldn't cause panic from our leadership or from our country, and they shouldn't cause us to reimpose a policy that has failed time and time again.

Many are now calling to bring back mask mandates and regulate social gatherings. I have heard some of my friends on the opposite side of the aisle saying that no one is trying to do this, but let's just recapture and summarize the last couple of weeks in August. Lionsgate studios asked its employees to wear masks at their filming facility. Last week, Kaiser Permanente reimposed a requirement of staff and visitors to wear masks at its Santa Rosa, CA, facility. Schools such as Morris Brown College in Atlanta, and even local public schools here in the DC area, have reimposed mask mandates.

Now, it is not just that masks—according to randomized control studies—do no good; it is that they could actively cause harm. We know a generation of school children have suffered significant speech and developmental disabilities because this country panicked instead of using its brain and forced toddlers and small children to wear masks. We cannot return to the failed policies of the COVID pandemic.

I am not mad that we screwed up. I made mistakes. Many people in this body made mistakes. What I do think that we should avoid is repeating the mistakes in 2023. Let's learn from the mistakes that we made instead of just doubling down on them.

This policy does not set anything for an unlimited period of time. It says that for the next 15 months, the government can't force you to wear a mask on planes, on public transit, or in public schools. Taxpayer dollars cannot be used to force and enforce a mandate against our people. It is not setting a policy that we cannot deal with pandemics in the future. If something else comes—God forbid—then let this body deal with it at that time.

But now, let's heed the message from the American people, and let's learn the lessons of the past couple of years. Mandatory masking was a failure. It had costs for very little benefit, and we shouldn't repeat it.

Mr. President, as in legislative session, I ask unanimous consent that the

Senate proceed to the immediate consideration of S. 2738, the Freedom to Breathe Act, which is at the desk; further, that the bill be considered read a third time and passed; and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. MARKEY. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, this bill would undermine the ability of States, cities, and towns across this country to make decisions about what is best for their communities.

It would silence and hamstring public health experts who have guided our Nation out of the darkest days of a pandemic that has killed 1,139,000 people in our country in 3 years. Let me repeat that.

This disease has killed 1,139,000 people already, and doctors and experts are saying that COVID is coming back. It is on the rise, once again. This provision would violate a long-held belief in the Republican Party that States and localities should not be told what to do by a Federal Government removed from the realities that they are seeing on the ground in their neighborhoods.

This bill is little more than an attempt by Republicans to dismantle a public health infrastructure that had to be built in order to deal with this greatest of pandemics since 1918. What public health experts and the medical professionals are talking about is an upcoming COVID and flu and RSV season and preparing for it.

These healthcare heroes are the same ones who risked their lives to save lives, and we should continue to protect that right to make decisions on the health of their patients, of their communities, and that is what locally focused healthcare is all about.

Here is what we do know. Last year, the combined forces of this “triple-demic” of flu, RSV, and COVID strained healthcare centers to a breaking point. Healthcare providers tried to keep up as emergency departments overflowed with sick children, adults, and seniors. And people are still getting sick.

This year, healthcare providers, health centers, public health departments, transportation workers, and school districts are, once again, preparing to protect students and seniors and disabled and immunocompromised people all across our country. Millions of Americans will be doing what we can to protect ourselves and our loved ones, and our communities must be able to take steps to save lives and keep people from getting sick or getting sicker, including the tools of vaccines and masks.

But the only thing that the Republicans seem willing to mask is their antipathy for making healthcare affordable and acceptable for millions of

Americans. Republicans already fought this year to throw people off of Medicare and their health coverage. Not a single Republican voted to make insulin and other medications more affordable for seniors.

Republicans have blocked legislation to protect the right of individuals to make healthcare decisions with their doctors. It makes no sense to put limits on how communities and individuals can protect themselves. This bill is a red herring. It is a false debate. We should have an aquarium down in the well of the Senate to capture all of the red herrings that are being introduced into this public health debate. It is a distraction; it is misleading; and it is meant to deflect from what the GOP really stands for right now, “Gimmicks Over People.”

Republicans have to understand that we have to provide the options for our healthcare heroes to save lives. They will make us less safe because they will be tying the hands of healthcare professionals in order to implement policies that protect against an addition to the 1.139 million people who have already died.

You argue that this bill is about freedom, but it is not. Freedom is parents and students knowing their school can take every step possible to keep them from getting sick or taking home an illness that could hurt their siblings, their parents, or their grandparents.

Freedom is workers who know their workplace on a plane, train, or even in a classroom is safe. Freedom is knowing that when people travel, either on their way to work by way of public transportation or across the country to visit family for the holidays, they will know that every safety measure is available to keep them and their families safe.

We must protect the freedom for communities to have every public health tool available, if it is needed in the opinion of the public health officials in that community, in that State. They should be the ones making the decision, at the local level, looking at the dangers to their population.

Again, these numbers are historic: 1,139,000 people have already died, and there is more coming. And if in the opinion of public health officials, strategies can be adopted using masks that reduce the likelihood that more will die, we should give them that freedom to make those decisions.

With that, I object.

The PRESIDING OFFICER. The objection is heard.

Mr. VANCE. Mr. President, let me offer a couple of thoughts in response.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. VANCE. Mr. President, I know we are on a short timeline, but let me just offer a couple of points in response, and then I will let this body go on with its business.

No. 1, Senator MARKEY mentioned the tragic number of Americans, over 1 million, who lost their lives due to

COVID. And I agree that it is a tragedy, and I wish that we hadn't lost them. But we lost them in spite of some of the most aggressive masking policies in the world. If mandatory masking were going to save our citizens, it would have already done so. That is the first point.

The second point is that this legislation doesn't prevent any of our citizens from wearing masks. If you would like to wear a mask, of course, you have the right to do so, but the Senator talked about freedom. What I would like is for the freedom of a school child to not be thrown out of the classroom because he doesn't want to wear a mask. I would like the freedom of airline passengers to be able to go and visit their families and not be thrown off an airplane because they refuse to wear a mask. Freedom is fundamentally about respecting that you might have a different view than I do, respecting that, accepting it, and not using government mandates to force our fellow citizens to do exactly what we want them to do but to let us all figure this out together.

The final point that I will make here is I heard some pretty alarming rhetoric from my friend on the other side of the aisle. We are about to have some serious respiratory problems. We always do in the fall, and maybe it will be worse this fall and this winter than before. But I think that what our children most of all need—and I am the father of three kids under the age of 7—they need us to not be “Chicken Little” about every single respiratory pandemic and problem that confronts this country.

We are going to have people who get sick from viruses. It has always been thus, and the way to respond to it is with calmness, resolve, and strategic thinking, not by pretending the world is ending because what has always happened is going to happen once again.

We cannot repeat the anxiety, the stress, and the nonstop panic of the last couple of years. That is what this legislation is about. End the mandates; end the panic; and let's get back to some common sense.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I come to support Senator VANCE's Freedom to Breathe Act. I believe this bill is a vital step to protect the individual's rights as well as preserving State's rights. And in the interest of time, I would just point out, too, that we have a number of Republican Senators on the floor standing with Senator VANCE in support of this legislation. I see Senator CRUZ here from Texas, Senator MIKE BRAUN from Indiana, TED BUDD from North Carolina, KATIE BRITT from Alabama, and ERIC SCHMITT from Missouri. I appreciate all of them being here to support and stand with Senator VANCE on this important piece of legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, I ask unanimous consent that I be allowed to speak for up to 7 minutes and Senator MARKEY for up to 5 minutes prior to the scheduled rollcall vote.

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

NOMINATION OF ANNA M. GOMEZ

Mr. CRUZ. Mr. President, I rise today to discuss Anna Gomez, one of President Biden's FCC nominees. If confirmed, she would give the Democrats a majority at the FCC that would enable them to impose a radical leftwing agenda, including investment-killing and job-killing so-called net neutrality rules, otherwise known as "Obamacare for the internet."

I strongly oppose her nomination, and I encourage my colleagues to do the same. The FCC exercises vast power over how Americans communicate and access information. It also has a history of abusing vague statutory provisions to pursue partisan policy goals. In the wrong hands, the FCC could go down a dark path of censoring speech and engaging in regulatory overreach.

Under current Democrat FCC Chairwoman Rosenworcel's leadership, that threat is not merely hypothetical. The FCC has engaged in unprecedented abuses of power, such as killing the multibillion-dollar Standard General-TEGNA transaction without a Commission vote, attempting to expand the Universal Service Fund spending in defiance of clear statutory limits, and holding valuable 2.5 gigahertz spectrum licenses hostage.

Even more alarming, the FCC is now entertaining requests by radical leftwing groups to revoke a broadcast station's license for alleged "misinformation" and turning a routine FCC license renewal proceeding into a truth commission, an alarming assault on the First Amendment. And that is without a Democrat majority on the FCC. With a majority, there is no telling what regulatory excesses the Chairwoman could inflict—from forcing antiquated telephone monopoly rules on the competitive broadband industry to micromanaging providers' rates and terms of service, to imposing crippling new legal risks on American companies through "disparate impact" lawsuits.

Make no mistake, a vote for Anna Gomez is a vote for regulating the internet as a public utility. Ms. Gomez has publicly supported the reinstatement of the heavyhanded Obama-era net neutrality rules that would make the internet more expensive and slower for American households, despite privately confessing that Democrats had engaged in wild "hyperbole" in opposing the repeal of net neutrality.

Rather than giving reasons for the reinstatement of the failed net neutrality rules, she claims she simply wants "robust authority" over the internet. In other words, the power to regulate companies' pricing and terms

of service and to collect billions of dollars in new taxes from them and from you, the consumer, all at the expense of investment and innovation and consumer choice.

She has also refused to disavow the ongoing efforts to impose investment-killing "disparate impact" liability on American broadband companies. And she has given noncommittal answers to my requests for commitments to improve transparency and accountability at the FCC.

Ms. Gomez has a history of failing to protect taxpayer interests. In the Obama administration, she had a senior leadership role in implementing a wasteful \$4 billion broadband grant program. In one egregious example, funding from a \$100 million project in Colorado was used to build a third fiber connection to a single school of 11 students. But by far, most concerning in Ms. Gomez's history is her tweets concerning the use of government power to police so-called misinformation.

For instance, she retweeted a claim made by Democrat Congresswoman CORI BUSH, who is a member of the radical leftwing squad in the House, that Trump engaged in a "targeted mass disinformation campaign against 3.5 million Black voters in 2016" for the purpose of voter suppression.

In addition, she tweeted enthusiastically in support of efforts by the Defense Department's research wing—known as DARPA—and the Federal Government to crack down on so-called disinformation. At this point, it is, sadly, well known that the Biden administration has repeatedly trampled on the First Amendment to silence opposing views.

The White House Press Secretary publicly bragged that they were "in regular touch" and "flagging problematic posts" for social media companies and threatening new legislation if those companies did not heed the censors. And the Biden DHS tried to create its own "ministry of truth" before a public backlash shamed them into disbanding the effort.

Amid these First Amendment assaults, as well as recent efforts at the FCC to deplatform a FOX broadcast station, it was critical to gain clarity into Ms. Gomez's views on free speech, "disinformation," and the FCC's role in such matters.

Unfortunately, she gave vague answers to my questions and did not reassure the Commerce Committee that she would actively oppose censorship at the FCC.

Confirming Ms. Gomez would harm taxpayers, broadband investment, innovation, and most importantly, our First Amendment freedoms.

I strongly encourage my colleagues to oppose her nomination.

Ms. CANTWELL. Mr. President, I rise today in support of President Biden's nomination of Anna Gomez to be a commissioner of the Federal Communications Commission.

Americans need an FCC fully equipped to deliver affordable high-

speed connectivity, strengthen local broadcasting, foster spectrum innovation, and promote emerging technologies. Ms. Gomez will deliver on these priorities.

While she has dedicated much of her career to public service, working in various roles at the FCC, serving as Deputy Assistant Secretary at NTIA, and at the National Economic Council during the Clinton administration, she has also worked in the private sector.

For 3 years, she served as the vice president of State and Federal regulatory, government affairs for Sprint Nextel, and for 9 years, she worked at Wiley Rein, as part of the law firm's telecommunications practice.

Ms. Gomez will focus on ensuring affordable, reliable broadband across America's cities, suburbs, and rural communities. In recent years, it has become increasingly clear that for healthcare, education, labor, and so much more, broadband is a necessity.

For this purpose, Congress allocated \$65 billion for broadband in the Bipartisan Infrastructure Law, including \$42.5 billion allocated based on the FCC's broadband maps. Ms. Gomez has pledged to work to improve the accuracy of these maps and deliver broadband to all.

We also need to lower the cost of broadband deployment. By leveraging our existing electrical grid infrastructure, we can build out more middle mile capacity. This will spur competition and help lower the cost of broadband.

While Congress invested \$1 billion to create a middle mile grant program at the National Telecommunications and Information Administration, the demand for this funding was more than seven times the amount available. We must do more.

Given her experience working at NTIA, Ms. Gomez has unique expertise in middle mile broadband deployment issues.

The FCC also plays an important role in sustaining local news. Local stations provide trusted on-the-ground reporting that informs the public and strengthens our democracy.

Ms. Gomez understands that we must protect local broadcast news and has pledged to delve into what the FCC can do to protect it.

She will also fight to ensure that the United States remains a leader in global spectrum policy. As countries like China compete for spectrum leadership, we must develop smart spectrum policies that promote national security and innovation.

We know the FCC has a crucial role in making sufficient spectrum available for wireless innovation and our federal agencies' critical missions.

Over the past year, Ms. Gomez has worked hard to prepare the United States for the 2023 World Radiocommunication Conference and develop a comprehensive U.S. global spectrum strategy. She has also built a strong team that is well-informed and

well-equipped to represent U.S. interests in spectrum policy.

Some of my Republican colleagues have complained that they did not have an opportunity to meet with the nominee or that we should not confirm her until the World Radiocommunication Conference is over.

It has been 100 days since Ms. Gomez's nomination and 57 days since the committee's vote. Ms. Gomez has been available, willing, and eager to meet with all Senators to discuss her qualifications for the role.

The State Department also has extremely qualified experts who can step in for Ms. Gomez, just as she has planned for.

Anna Gomez has the knowledge, skills, and qualities to be an FCC Commissioner. I am proud to support Ms. Gomez's nomination, and I urge my colleagues to do the same.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, I rise today in support of Anna Gomez, President Joe Biden's nominee to serve on the Federal Communications Commission.

The FCC is one of the premier, expert Agencies in the Federal Government, responsible for overseeing the wires and the radio waves that have become the backbone of our economy and our communities.

But since the beginning of the Biden administration nearly 1,000 days ago, the Agency has been hamstrung in implementing critical communications priorities due to the absence of a fifth Commissioner. With Ms. Gomez as a Commissioner, that will finally change. The Federal Communications Commission will have the power to take on the big-dollar interests that seek to block critical consumer protections at every turn.

I support Ms. Gomez's nomination because I know she is ready for these fights. She knows that today broadband is not a luxury. Like running water or heat, broadband is an essential utility. Without high-quality and affordable broadband, students cannot learn, small businesses cannot reach new customers, entrepreneurs cannot innovate, and seniors cannot access telemedicine. The FCC's authority must reflect the essential nature of the internet in American life, and that is exactly what Ms. Gomez will provide.

With three Democratic Commissioners, the FCC can act swiftly to restore net neutrality and protect a free and open internet. My Republican colleagues will say that Congress should act on net neutrality instead of the Federal Communications Commission, but their Big Cable and Big Tech industry allies will be in their ear with crocodile-tear arguments about an out-of-control Agency usurping the will of Congress.

Well, if Republicans really want to take on this problem through legisla-

tion and not administrative action, then they should be prepared to join me when I reintroduce my net neutrality legislation in the coming weeks. They can be on record supporting internet freedom or siding with the broadband behemoths.

It has been nearly 6 years since the Trump FCC repealed net neutrality. We cannot wait any longer for Republicans to come to their senses. We must confirm Ms. Gomez so that the FCC can act without delay.

We must also confirm Ms. Gomez because the FCC must address other critical communications issues, including technology accessibility for people with disabilities, protecting local community media, and closing the homework gap.

I am particularly concerned about the future of the \$7 billion Emergency Connectivity Fund, which I passed during the pandemic. Over the past 2 years, thanks to the Commission's hard work, the Emergency Connectivity Fund has provided laptops, tablets, and internet services to more than 17 million students and teachers. Those resources are particularly critical for Black and Brown and immigrant and low-income populations who often lack access to the internet at home.

Unfortunately, this program will soon be out of money, potentially disconnecting millions of students and driving a deeper wedge into the digital divide. We cannot let that happen.

I stand ready to work with my colleagues to extend this essential funding, and I know that Ms. Gomez, like Chairwoman Jessica Rosenworcel, will be a fierce advocate for students at the Commission so that we can keep closing the homework gap and provide every child with access to the 21st-century tools they will need.

We stand at a critical moment to ensure a just broadband future for everyone. We need Anna Gomez on the Federal Communications Commission. She has the knowledge, the values, and the judgment the Commission needs.

I urge my colleagues to join me in supporting her nomination.

I yield the floor.

VOTE ON GOMEZ NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the Gomez nomination?

Mr. MARKEY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER) is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Kansas (Mr. MORAN).

The result was announced—yeas 55, nays 43, as follows:

[Rollcall Vote No. 222 Ex.]

YEAS—55

Baldwin	Hickenlooper	Rounds
Bennet	Hirono	Sanders
Blumenthal	Kaine	Schatz
Brown	Kelly	Schumer
Cantwell	King	Shaheen
Capito	Klobuchar	Sinema
Cardin	Lujan	Smith
Carper	Manchin	Stabenow
Casey	Markey	Tester
Collins	Menendez	Van Hollen
Coons	Merkley	Warner
Cortez Masto	Murkowski	Warnock
Duckworth	Murphy	Warren
Durbin	Murray	Welch
Feinstein	Ossoff	Whitehouse
Fetterman	Padilla	Wyden
Gillibrand	Peters	Young
Hassan	Reed	
Heinrich	Rosen	

NAYS—43

Barrasso	Graham	Ricketts
Blackburn	Grassley	Risch
Boozman	Hagerty	Romney
Braun	Hawley	Rubio
Britt	Hoeben	Schmitt
Budd	Hyde-Smith	Scott (FL)
Cassidy	Johnson	Scott (SC)
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Cramer	Lee	Tillis
Crapo	Lummis	Tuberville
Cruz	Marshall	Vance
Daines	McConnell	Wicker
Ernst	Mullin	
Fischer	Paul	

NOT VOTING—2

Booker Moran

The nomination was confirmed.

The PRESIDING OFFICER (Mr. SCHATZ). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

The President pro tempore.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as in morning business for 5 minutes.

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

EASTERN WASHINGTON WILDFIRES

Mrs. MURRAY. Mr. President, last month, the Gray and Oregon Road wildfires in Eastern Washington caused serious devastation and forced thousands of people to evacuate, including members of my family and members of my staff. While folks on the ground are still assessing the awful scope of the damage and what resources our communities need to recover and rebuild in the aftermath, we already know that these fires burned tens of thousands of acres; destroyed hundreds of buildings, including over 350 homes; and, tragically, the fires were responsible for two deaths.

My heart goes out to the many families whose lives have been upended by these horrific fires, including our selfless firefighters, some of whom lost their homes to the flames while they were working hard to defend others'. I am incredibly grateful to all of our firefighters who have worked around the clock for weeks to get these fires under control. And I am also grateful to so many other first responders who helped keep our families safe from the blazes—law enforcement officers who raced door-to-door warning people as the fires approached, dispatchers who

worked so quickly to coordinate emergency response efforts, and everyone who helped those in danger, from evacuating families to conducting boat and helicopter rescues, to all of the volunteers who chipped in for the recovery effort.

We are all relieved that those fires are now under control, thanks to the heroic efforts of so many firefighters, but communities in Eastern Washington have a long way to go on the road to recovery. So I will absolutely be staying in close touch with folks in my State and on the frontlines and making sure that our families and communities have the support they need to get through this.

I am also going to continue to push to bolster our national efforts to prevent and mitigate and respond to wildfires and other extreme weather events, and that has to include more action on climate change because it is painfully clear—and it has been for a while now—that the climate crisis continues to make wildfires like this more common and more severe.

Beyond the recent fires in Eastern Washington, my State has seen devastating fires in the Sourdough fire in the North Cascades; fires on our Olympic Peninsula, on Tribal lands, in the Columbia River Gorge; and we have seen high risks for catastrophic fires in literally every corner of my State.

Over the last few years, Washington State has seen drier and hotter summers, which means longer and more dangerous fire seasons. And we are not alone. My heart breaks for the communities in Hawaii where the Presiding Officer has seen the impact firsthand. They were hit hard by devastating, unprecedented wildfires last month and are still suffering from that damage.

We have to do more to address the climate crisis that is driving increasingly severe disasters. And on another important note, we absolutely must provide more resources for the critical work being done by FEMA and our Federal wildland firefighters to respond to fires across the country.

FEMA's disaster relief fund is running dry. The Agency has already been forced to begin prioritizing immediate response efforts over longer term recovery projects. So it is absolutely essential that we deliver the additional resources FEMA needs as soon as possible because leaving behind communities struck by disaster is simply not an option.

And we absolutely cannot let Federal inaction result in a salary cut for Federal wildland firefighters at the end of this month. After all they do for our communities, the last thing our firefighters need is to see their pay slashed.

I know there is bipartisan support for providing the resources FEMA desperately needs in making sure wildland firefighters do not face a pay cut. I am talking with colleagues on both sides of the aisle about how we can make sure we get this done by the end of the month.

But as the Presiding Officer knows, people are hurting right now. But they are also coming together to support survivors and gather donations and rebuild our communities. We need Congress to come together as well so we can tackle the climate crisis, support our wildland firefighters, continue to build on our investments in wildfire prevention and mitigation in a big way, and make sure FEMA has the resources it needs to help our communities.

As the Presiding Officer well knows, when there is a fire, you don't ask what someone's politics are; you grab a bucket and go to work. That is what we need to do.

I yield the floor.

THE PRESIDING OFFICER. The senior Senator from Michigan.

Ms. STABENOW. Mr. President, before talking about some good news, I think, for so many of us across the country, I want to just thank Senator MURRAY for all of her leadership in the devastation she is describing in Washington State. I know that our Presiding Officer, with what is happening in Maui—the people of Hawaii are so fortunate to have you and Senator HIRONO, who are out every day describing what needs to happen and pushing hard to make it happen.

We have a lot of issues that are really important, a lot of devastation, a lot of extreme weather events; and we certainly understand that the climate crisis is adding to all of what we are seeing right now and the devastation. And it is critical—it is critical—that we keep focused on that.

THE ECONOMY

Mr. President, I want to take a moment today to talk about what is going right. We have a lot of challenges to work on. At the same time, I am really excited about the fact that we are seeing evidence of the right policies, the right funding, that are actually creating jobs in my home State of Michigan and across the country.

All across our country, manufacturing facilities are opening. We are seeing a lot of those in Michigan. I have always said we don't have an economy unless somebody makes something and somebody grows something. That is what we do in Michigan. That is what we have traditionally done in America; but we have lost, over decades, so many of those jobs going overseas for a number of reasons.

Now we are bringing them back, and that is exciting to see. Last month, 187,000 jobs were created just in August, 13.5 million jobs since President Biden has taken office. This is good news. Over 800,000 of those are in manufacturing. In fact, we are witnessing a rebirth of American manufacturing, and this is part of how we are going to also tackle the climate crisis, with the clean energy efforts and the new opportunities for us in good-paying jobs that also address clean energy.

Unemployment has been under 4 percent for 19 months in a row. I am not

sure when else I could have stood on the floor to say, 19 months in a row, unemployment under 4 percent, the longest stretch in over 50 years. We are seeing the lowest unemployment rate for American women in 70 years; and as a caveat, I would say that if we addressed childcare costs, unemployment would be even lower for women who want and need to work in the workplace. And the highest share of Americans aged 25 to 54 are now in the workforce. It is the highest share since May of 2002—quite a while ago.

So wages are up, and costs for the things people need continue to go down. We have got more work to do. I am not saying we are done by any stretch of the imagination, but things are moving in the right direction.

And, certainly, in lowering costs, I am so proud of what we have done regarding prescription drugs: a \$35 cap on insulin for seniors and others on Medicare, \$35 a month—not \$600, not \$800, not \$1,000, like many people have experienced, but \$35. And we are seeing a cap on overall out-of-pocket costs for seniors. In another year, next January, it goes down to a \$3,200 cap altogether; and then, after that, \$2,000 for everything—not the \$14,000 that is the average right now in America but a \$2,000 cap for a year of prescriptions—huge difference; huge, huge difference.

And I have to say, I am proud of the fact that we have taken on one of the most powerful special interests in our country, Big Pharma—pharmaceutical companies—and made sure that we are lowering prices for people in our country. There is more to do. It is disappointing for me to say that not one of our Republican colleagues joined us in that effort. Not one. But we are continuing to push forward and lower costs.

I would also say none of this is by accident. It is a very different way of viewing the economy and what is good for Americans. Democrats are growing our economy from the middle out, the bottom up, not the top down. It is the opposite of trickle-down economics that, for decades, we have been hearing that if we only give it to the top—wait, wait, wait—it will trickle down. People in Michigan are still waiting for that to trickle down.

We are doing something different. We are aiming at the middle class of our country, making smart investments in America, bringing jobs home from overseas. We are empowering workers with higher wages and better training, more support for unions that can do collective bargaining, that can make workplaces safer, and raise wages as well.

And it is so interesting to see that job satisfaction surveys are saying they are at the highest ever recorded. Right now, we are enjoying one of the strongest job-creating periods in the history of our country—not by accident. It is a different view.

For our friends on the other side of the aisle, basically, if the economy is

up, we need a tax cut; if the economy is down, we need a tax cut. Whichever problem there is, a tax cut for the wealthy will solve it. It has not worked, and what we are saying is: No, why don't we actually directly address the costs that families are feeling, take on the special interests and bring those costs down and invest in the opportunity to rebuild America, create a manufacturing renaissance, bring jobs home. That is what is happening right now.

It is a lot of hard work, and certainly we are not done, but I am excited that we are moving in the direction that we are with 13.5 million new jobs coming out of a worldwide pandemic, 13.5 million new jobs since President Biden took office.

That is why it is so incredibly important that we work together, Democrats and Republicans, to keep our government running, to keep our government open. As a reminder, government funding runs out on September 30. That is not very far away.

I am so proud of the bipartisan work in the Senate, the effort to put all 12 appropriations bills out of committee, most of them unanimous, very few with a single "no" vote.

I have to give a particular shout-out to Senator MURRAY and Senator COLLINS. You know, again, not by accident, I would say this is the first time we had two women leading that effort—just saying—and it is on time and on budget. So I am very proud of their leadership and their work.

But what is so worrisome is what the House Republicans are doing. Well, actually, they are not doing anything this week because they are still in recess. But when they get back, keeping the government open is not on their to-do list, and that is really terrible news for American families.

In fairness, I am not sure Speaker MCCARTHY wants the government to shut down. In fact, he and President Biden shook hands and made a commitment to move our country forward with agreed-upon spending levels, which we in the Senate, on a bipartisan basis, are abiding by. But while Speaker MCCARTHY is Speaker, it is the fringe of his caucus that seems to be doing all of the talking. They are making all sorts of ridiculous and radical demands that will go nowhere in the Senate and certainly are not things the American people want to have happen.

Meanwhile, we know what will happen if these extremists win and the government shuts down. It will take us in the exact opposite direction of the good news I have been talking about today. Seniors will worry about receiving the services they depend on. Members of our military, who put their lives on the line to defend our country, will go without pay. Millions of hard-working public employees will worry about paying their bills and providing for their families. Small businesses may struggle to get loans or help with redtape and other issues. Food safety

and rail safety inspections will happen less frequently, making us all less safe. Air travel may go from a hassle to a nightmare. Michigan families who are getting away for one last weekend while the weather is still nice will find that the national park they plan to attend is closed down.

Beyond the individual pain—and I could go on and on and on about what this means for individuals, for Americans—but beyond the pain that would cause, the cost of the government shutting down is enormous. The Congressional Budget Office estimated that the last time the government shut down, it cost our economy \$11 billion.

Now, I have to tell you, I am in the middle, as the chair of the Agriculture, Nutrition, and Forestry Committee, of negotiating the farm bill, and I think my ranking member, Senator ROSEN, would join me in saying that \$11 billion we could lose in the economy we sure could use to invest in our farmers in rural America to be able to get this done.

A Republican government shutdown will completely undermine our government's and our country's progress. We are moving. We are out of the pandemic. We are moving forward. We are creating jobs. We are creating new opportunities. We are moving in the right direction. And this will completely undermine it. You have to wonder if that is exactly what those folks are aiming to do, actually.

It is time to come together on a bipartisan basis like we are doing in the Senate. Keep our government open, and build on the progress we have already made.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from Texas.

Mr. CORNYN. Mr. President, I find it ironic that we are talking about government shutdowns when it is as a result of Senator SCHUMER's handling of this matter that we find ourselves here 2 weeks before the end of the fiscal year without having a chance to vote on appropriations bills. This is by design. This is not a bug. This is a feature of his strategy.

These bipartisan appropriations bills were passed out of the Senate Appropriations Committee weeks ago, and then Senator SCHUMER put the Senate in a 40-day recess during the month of August. Now, with the clock ticking, September 30 just right around the corner, we will start with a minibuss appropriations bill next week, but we won't be able to finish. We won't be able to reconcile the House and the Senate versions before the end of the fiscal year, so we will be forced to do some form of continuing resolution.

You might ask, why would the majority leader of the Senate sabotage the normal, expected procedure by which the appropriations process should work? Well, one, it maximizes his power because he knows that only a handful of people will ultimately negotiate the final product, and it will

disempower 98 other Members of the U.S. Senate, rank-and-file Members who will not have a chance to debate, vote, and amend various appropriations bills as they come across the floor.

So this is a part of Senator SCHUMER's strategy. His political strategy is to create this crisis and then to blame somebody else—namely, the House of Representatives. And you heard it from our friend from Michigan, the Senator from Michigan. This is all about talking about shutdowns. Well, we tried that before, and we figured out it doesn't really work because when you reopen, the same problems that you found difficult to deal with beforehand are still in front of you.

So we need to do our work here, but we need to do it on a basis where we can actually have an opportunity to shape these appropriations bills and not go through this unnecessary but entirely predictable drama because the majority leader refused to give us an opportunity to put these bills on the floor and to go through them in an orderly and transparent way.

Our national debt is about \$38 trillion. Excuse me, I forgot what the exact number is, but it is at a historic high. One reason that spending is out of control is because of this gamesmanship. So we need to do better.

With the government funding deadline just a few weeks away, the Biden administration has adopted a puzzling messaging strategy.

This week, the White House launched an attack against House Republicans, accusing them of turning a blind eye to the fentanyl crisis. Well, it is tough to peel back the many layers of irony and hypocrisy in that accusation. After all, this administration has been asleep at the wheel for more than 2½ years as fentanyl has continued to pour across our border.

Last year alone, 71,000 Americans died of fentanyl poisoning. We know where it comes from. We know what we need to do to stop it. But the administration has done none of those things to try to save the lives of Americans and now has the temerity—audacity, really—to blame House Republicans for its own failure. How hypocritical is that?

In the last 12 months, Customs and Border Protection has seized nearly 28,000 pounds of fentanyl. I know occasionally you will see it in social media where people will say: Well, good for them; they got it. And I agree—good for them—but that is only a fraction of the fentanyl that has come across the border.

We know—because 1½ million migrants got away from law enforcement, ran away from law enforcement, we will never know what they were carrying on their persons. This fentanyl powder is so powerful that even small amounts that can be contained in a backpack or in some similar carrying case can kill hundreds of thousands of people.

We know from the sad fact that 71,000 Americans died of fentanyl poisoning

last year that, notwithstanding their heroic efforts, Customs and Border Protection is unable to stop all of it. A lethal dose of fentanyl, after all, fits on the tip of the sharpened end of a pencil. So when you consider the fact that Customs and Border Protection has seized nearly 28,000 pounds, it is enough to wipe out the entire U.S. population 20 times over.

I have been in too many sad meetings with too many grieving parents who lost their teenage son or daughter to fentanyl poisoning. One of those fathers gave me this wristband that I still wear that he has handed out to others in memory of his daughter. It says: "One pill can kill."

These kids don't know they are taking this deadly drug. They think they are taking something like a Xanax or Percocet, something relatively innocuous, but, in fact, it is a counterfeit pill contaminated with this poison that kills them.

I am grateful to the brave men and women who work hard to stop these drugs every day. We know they aren't able to interdict all of the contraband that comes across the border, but thanks to President Biden's border strategy—otherwise known as the Biden border crisis—their already-tough job has become even more challenging.

Over the last couple of years, the unprecedented border crisis has affected all of our missions at the southern border, even those that have nothing to do with immigration. Law enforcement has been shifted from the frontlines in order to process the migrants who continue to come in the millions. Instead of stopping dangerous drugs and criminals, many agents are now pushing paper, changing diapers, and arranging for transportation, so they are not able to be on the frontlines to stop this scourge of illegal drugs, including fentanyl.

Of course, no one profits more from the status quo than the drug cartels. With fewer agents on the frontlines, these cartels have a clear and easy path to move fentanyl, heroin, methamphetamine, and other deadly drugs into the United States.

Our communities are being ravaged by this overdose epidemic, and the Biden administration apparently does not care, because if they did care, they would do something different.

By ignoring the border crisis for more than 2½ years, President Biden has given the cartels a clear and easy pathway to move drugs into the United States. The fact that the White House has decided that the best defense is an offense and to turn around and try to attack House Republicans isn't just dishonest, it is completely incoherent. It is cynical, and it is wrong.

In its memo, the White House cited a Morning Consult poll that found that nearly 60 percent of voters want Congress to make fentanyl trafficking a top priority. This may have surprised the White House, but it isn't news to

anybody else in America who has been keeping track of the fentanyl epidemic.

As I said, the fentanyl epidemic is terrorizing our communities. No one, no community is safe. This doesn't respect how rich you are, how poor you are, the color of your skin, your ethnicity. All of our country is being affected.

Since President Biden took office, he has made every effort to ignore, underplay, or misrepresent what is happening at the border.

Over the last few months, we have seen another effort to try to downplay his failure to meet the challenge at the border. When title 42, for example—the public health title that allowed the Border Patrol to expel people for public health reasons—when it expired, the Biden administration tried to assure the American people that it had a plan to manage the crisis, and there is no reason to worry. And for the first few weeks, we saw a drop in border crossings, and the administration was quick to declare victory. The Department of Homeland Security bragged that the Biden administration border plan was "working as intended."

Well, as I and others pointed out at the time, the dip was likely to be only temporary. There was a lot of uncertainty how cases will be handled in a post-title 42 world, and it made sense that migrants—but even more so the criminal organizations that smuggle these migrants—would take a wait-and-see approach, sort of get the lay of the land before they decide the next method they would use.

And as an added deterrent, the growing summer heat made the journey to and across our border even more dangerous. Either way, it was tough to tell how much things had really changed as a result of the administration's gimmicky accounting.

Earlier this year, the administration stood up a new program that allows migrants from four countries to enter and remain in the United States for up to 2 years and to receive work permits. All they have to do is submit their information online and wait for the administration to give them a green light. Now, this is not a small program. You would think after the 7 million migrants who have crossed our border since President Biden became President, that he would try to tamp down the flow of even more migrants across the border. But this program is open to up to 30,000 individuals a month. That is 360,000 migrants a year.

Until recently, the American people had a pretty good idea about the number of migrants who crossed the border each month. The administration is required to report the number of apprehensions each month, and this data provides a great snapshot of what the facts actually are.

By standing up a new program, the administration effectively opened an additional loophole that allows it to hide the true scale of this crisis. They just basically quit counting some peo-

ple. They said: Well, we are creating a program where 30,000 people a month can come across under this program so we are going to cut them from the total so that makes us look like we are doing better.

We do not know the full extent of the administration's programmatic use of parole to hide the effects of their immigration nonenforcement policies. What that means is even if people do not claim asylum when they come to the border, the Biden administration is simply waving them through, granting what is known in immigration law as parole—not based on individual circumstance but by the hundreds and thousands. They simply are refusing to enforce the immigration laws that Congress passed on the books.

Despite the smoke-and-mirrors accounting and a range of other factors that contribute to the post-title 42 decrease, the administration had the temerity to declare victory.

But it is becoming clear there was no reason to celebrate. Preliminary data published in the Washington Post shows that last month, a record number of families illegally crossed the southern border—a record number. In August alone, Border Patrol detained more than 91,000 migrants who ended up in the United States as part of a family unit. This is the highest number we have ever seen in a single month.

But it is not just what is called family units. Apprehension numbers increased dramatically over the past couple of months. We have gone from just under 100,000 in June to 132,000 in July, to more than 177,000 in August. To be clear, these are not overall encounters. These are just the arrests by Border Patrol.

I already mentioned that since President Biden became President, there have been 1½ million "got-aways," people who were evading law enforcement—up to no good, I am sure. We won't see the full picture until the administration releases its data later this month. But the Washington Post is estimating roughly 230,000 migrant encounters in August when you include migrants processed through the land ports of entry. This would make it the busiest month for border crossings this year.

Time and time again, the Biden administration has refused to accept responsibility. The administration has cooked the books, manipulated the numbers, in order to hide the pace of border crossings. It has ignored frontline officers' plea for support. It has attacked States like mine for providing transportation to migrants to help them reach other States rather than to have them settle in our States. And now, it is trying to blame House Republicans for turning a blind eye to the fentanyl crisis. This is a new low, a new low even for the Biden administration.

The reason so many Americans see, understand, and care about fentanyl is because the crisis has ballooned under

President Biden's watch. It is going to continue to get worse, not better. Under this administration, fentanyl has poured across the southern border and into our communities across America. If anyone should be named and shamed for ignoring this crisis, it is not the House of Representatives, it is the gentleman sitting at 1600 Pennsylvania Avenue.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 261.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Tanya J. Bradsher, of Virginia, to be Deputy Secretary of Veterans Affairs.

CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 261, Tanya J. Bradsher, of Virginia, to be Deputy Secretary of Veterans Affairs.

Charles E. Schumer, Jon Tester, Raphael G. Warnock, Angus S. King, Jr., Sherrod Brown, Tim Kaine, Tina Smith, Mark Kelly, Debbie Stabenow, Richard J. Durbin, Jeanne Shaheen, Catherine Cortez Masto, Chris Van Hollen, Alex Padilla, Gary C. Peters, Richard Blumenthal, Margaret Wood Hassan.

LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 124.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Jeffrey Irvine Cummings, of Illinois, to be United States District Judge for the Northern District of Illinois.

CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 124, Jeffrey Irvine Cummings, of Illinois, to be United States District Judge for the Northern District of Illinois.

Charles E. Schumer, Richard J. Durbin, Brian Schatz, John W. Hickenlooper, Margaret Wood Hassan, Gary C. Peters, Mark Kelly, Jack Reed, Tammy Duckworth, Christopher Murphy, Sheldon Whitehouse, Catherine Cortez Masto, Mazie Hirono, Benjamin L. Cardin, Jeanne Shaheen, Tammy Baldwin, Angus S. King, Jr., Alex Padilla, Robert Menendez, Michael F. Bennet.

LEGISLATIVE SESSION

MAKING APPROPRIATIONS FOR MILITARY CONSTRUCTION, THE DEPARTMENT OF VETERANS AFFAIRS, AND RELATED AGENCIES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2024—MOTION TO PROCEED

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

Mr. SCHUMER. Mr. President, I move to proceed to Calendar No. 198, H.R. 4366.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4366) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes.

CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented

under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 198, H.R. 4366, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes.

Charles E. Schumer, Patty Murray, Jack Reed, Alex Padilla, Richard J. Durbin, Chris Van Hollen, Martin Heinrich, Debbie Stabenow, Richard Blumenthal, Christopher Murphy, Brian Schatz, Tina Smith, Margaret Wood Hassan, Christopher A. Coons, Catherine Cortez Masto, Tammy Duckworth, Benjamin L. Cardin.

Mr. SCHUMER. I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, September 7, be waived.

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

ORDERS FOR MONDAY, SEPTEMBER 11, 2023

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 3 p.m. Monday, September 11; that following the prayer and pledge, the Journal of proceedings be approved to date, morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon conclusion of morning business, the Senate proceed to executive session to resume consideration of the Bradsher nomination; further, that the cloture motions filed during today's session ripen at 5:30 p.m.

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

ORDER FOR ADJOURNMENT

Mr. SCHUMER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senators CARDIN, LANKFORD, and LEE.

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

The PRESIDING OFFICER. The senior Senator from Maryland.

60TH ANNIVERSARY OF THE MARCH ON WASHINGTON

Mr. CARDIN. Mr. President, 60 years ago last week, on Monday, August 28, hundreds of thousands of men and women descended on our Nation's capital for the March on Washington for Jobs and Freedom.

The march has become synonymous with Dr. Martin Luther King, Jr.'s "I

Have a Dream" speech, which he delivered from the steps of the Lincoln Memorial and has become a central rallying theme for the civil rights movement.

Dr. King was prophetic in his remarks, beginning by saying that the day "will go down in history as the greatest demonstration for freedom in the history of our nation."

To this day, it is the standard by which every other march and rally in Washington is judged. I thank all the Marylanders who attended the march and wanted to give a special thanks to those who joined the reenactment last week in Annapolis, which was kicked off by the Morgan State Marching Band. Had he lived to see the progress that has been made, and sometimes lost, six decades later, I am confident that Dr. King would have been uneasy and deeply frustrated that we are still fighting many of the same battles against bigotry and racism as well as economic repression and hate-fueled gun violence. Yet I am sure he would have leaned into the words he spoke on March 31, 1968, just days before his assassination, when he said:

We shall overcome because the arc of the moral universe is long, but it bends towards justice.

Of course, Dr. King knew that we cannot leave it to fate to bend the arc of the moral universe on its own. We must work together for justice, equality, and democracy so that all people in this great Nation can be free. As Dr. King said:

All men, yes, black men, as well as white men, would be guaranteed the inalienable rights of life, liberty and the pursuit of happiness.

Labor leader A. Philip Randolph's opening speech at the march was also explicit in the broad demands of the moment:

We want a free, democratic society dedicated to the political, economic, and social advancement of men along moral lines.

To that end, for many years in the U.S. Senate, I have been humbled to lead the fight for a number of key civil rights measures that would move the arc in the right direction of progress. These are basic measures that rebuke the structural racism that has been so deeply ingrained in our legal, social, and economic system for generations.

All of these legislative measures have healthy Democratic support; but, regrettably, with few exceptions, they are not yet bipartisan.

So let me go through some of these efforts. First, the End Racial and Religious Profiling Act would ban discriminatory profiling by Federal, State, and local law enforcement nationwide. Prohibited behavior would include targeting based on actual or perceived race, ethnicity, nationality, religion, gender, gender identity, or sexual orientation.

This prohibition covers Federal, State, and local law enforcement agencies carrying out criminal, immigration, or custom laws. Nothing in this

bill would keep law enforcement officers from pursuing suspects based on legitimate descriptions—including their race and ethnicity, et cetera—but the days of targeting groups of people solely on how they look would end. My legislation was included in the broader George Floyd Justice and Policing Act, and I was pleased to see the U.S. Department of Justice recently strengthened their guidance against discriminatory profiling.

Next in my efforts, I would like to mention the Democracy Restoration Act, which would finally end the permanent denial of voting rights nationwide for individuals with criminal convictions who have been released from incarceration.

The bill aims to eliminate the complicated patchwork of State laws, many harkening back to the Jim Crow era. The current system worsens racial disparities in access to the ballot box and contributes to confusion and misinformation regarding voting rights.

In early August, a Federal appeals court issued a decision stating that the Mississippi's lifetime ban on voting for individuals convicted on some felonies "violates the Eighth Amendment's prohibition against cruel and unusual punishment."

As described by the Brennan Center For Justice:

The remarkable 2-1 ruling by the U.S. Court of Appeals for the Fifth Circuit will re-enfranchise tens of thousands of people.

My legislation was included in the broader For the People and Freedom to Vote Act legislation.

On voting rights, I joined a bipartisan working group to help pass the Electoral Count Reform Act to address some of the tactics used to attempt to overthrow the 2020 elections, which led to the January 6 insurrection at the Capitol.

But Congress still needs to take up and pass the John Lewis Voting Rights Reauthorization Act to begin to repair the damage done by the Supreme Court in curtailing the rights to vote and the use of voter suppression tactics, particularly against minority communities.

And when it comes to the lower Federal courts such as the district and circuit courts, I have continued to work with the Biden administration to recommend highly qualified and diverse Federal judges for lifetime appointments who believe in equal justice under the law that protects all Americans.

In regards to equal rights for women, we still have unfinished business. In May of this year, a bipartisan majority of the U.S. Senate voted to remove the arbitrary deadline for the ratification of the Equal Rights Amendment and making it the 28th Amendment to our Constitution.

I was proud to lead the effort on this historic vote, along with my partner in this effort, Senator LISA MURKOWSKI of Alaska. For more than a decade, I have been working with a full grassroots

army of women and men who understand that constitutional equality will not be a reality until the Equal Rights Amendment is recognized and ratified.

I first introduced a similar resolution in 2012. At that time, I had only 17 cosponsors, and we were still three States short of ratification.

Today, we have a bipartisan majority of Senators affirming that 38 States have ratified the ERA thanks to Virginia's ratification as the 38th State in 2020. This vote was decades in the making. I served in the Maryland House of Delegates in 1973 when the Maryland General Assembly voted to ratify the ERA. For my wife, my daughter, and my granddaughters, I have been working to complete the ratification of the ERA to protect their rights and the rights of all people across this Nation.

The ERA simply states that equality of rights under the law shall not be denied or abridged by the United States or any State on account of sex. That is it. That is the very straightforward text of what the Equal Rights Amendment to the Constitution says. Ratification would affirm women's equality by enshrining the principles of women's equality and explicitly prohibiting against sex discrimination in our Nation's founding document.

Most Americans think the ERA already is part of our Constitution, and nearly three-quarters support it. A majority of States covering a supermajority of Americans have equal rights or gender equality provisions in their State constitutions—as does Maryland—but millions are still left behind.

At the Federal level, the only current explicit guaranteed right in the United States Constitution based on sex is the 19th Amendment, which is the right to vote. That amendment was proposed by Congress in 1919, shortly after the end of World War I, and ratified by the States in 1920. Clearly, existing legal protections against sex discrimination fall well short of addressing the systemic sex-based inequality in our society.

Congress ratified the ERA in 1972 and sent it to the States for ratification. But back in 1972, an arbitrary deadline of 7 years was included in the enabling legislation for the ERA. The deadline was not—is not—in the amendment itself.

Congress extended the deadline to a full 10 years when it was clear that 38 States would not complete their ratification in time. What we are now trying to do is follow that precedent and change that deadline again. Actually, we want to remove that deadline.

With Virginia's ratification in 2020, the States completed their work, and it is now up to Congress to remove any doubt about the ERA being part of our Constitution. This has been a struggle, but we must make it to the finish line. Our resolution S.J. Res. 4 would clarify once and for all that the ERA has met all the requirements of article V of our Constitution.

As the 28th Amendment, the ERA would serve as a new tool for Congress, Federal Agencies, and in the courts to advance equality in the fields of workforce and pay, pregnancy discrimination, sexual harassment and violence, reproductive autonomy, and protection of the LGBTQ+ individuals. It is also a signal to the courts that they should apply a more rigorous level of review to laws and government policies that discriminate on the basis of sex.

That is what the ERA is all about: equality, the most fundamental of American values. I am disappointed by the outcome of the vote this May, but this is not the end. Just before the Senate vote on the measure, I led my colleagues in a vigorous floor debate in support of the ERA and our resolution to affirm the ratification.

Not one opponent showed up to debate the merits of the resolution or equal rights. No one. It tells me that we are on the right side of history, and they know it.

So make no mistake about it, this march towards equality on account of sex continues. We will not rest until the ERA is in the Constitution of the United States. The States have done their job. We will get the necessary votes to make that a reality.

My life of public service was inspired by my faith but also by the civil rights movement and elected leaders of the 1960s. I was first elected to Congress in 1986 and sworn into office in 1987, along with Congressman John Lewis of Georgia, who would become a lifelong friend and mentor.

Years earlier, John was one of the original Freedom Riders and served as chairman of the Student Nonviolent Coordinating Committee. He was one of the major organizers of the 1963 March on Washington.

For John, the movement for freedom, justice and equality—economically, socially, and all aspects of life—was not merely a movement; it was his life's work.

As times changed and as the struggle for equality took on new forms, his commitment never faltered. He marched on Washington through Selma and in the Halls of the U.S. Capitol with the same faith, courage, and conviction.

This past weekend, tens of thousands gathered on the National Mall to continue to march for freedom and justice, hearkening back to those who stood on the same ground six decades earlier. Dr. King's daughter-in-law, Arndrea Waters King, described to the crowd:

We are here to liberate the souls of the Nation, the soul of democracy from the forces who would have us all go backwards and perish rather than go forward as sisters and brothers.

As President Joe Biden said recently, recalling Dr. King's reference to a "promissory note" to every American, it is "a promise derived from the very idea of America, that we are all created equal and deserve to be treated equally throughout our entire lives. While

we've never fully lived up to that promise, we've never—thank God—fully walked away from it . . . for our administration and with your help, it means pushing back against voter suppression, election subversion, and hate-fueled violence."

So, Mr. President, my message to our colleagues is let us work together to do the work necessary to make sure that the moral arc of the universe moves toward justice. We must carry out that mission.

With that, I yield the floor.

MORNING BUSINESS

ADDITIONAL STATEMENTS

REMEMBERING DOROTHY CALDWELL

• Mr. BOOZMAN. Mr. President, I rise to recognize the life and advocacy of child nutrition champion Dorothy Caldwell who passed away on August 13, 2023.

From a young age, it was clear to her teachers and others around her that Dorothy would make a difference in Arkansas. She was a trailblazer.

Dorothy was active in 4-H and graduated high school at the age of 16. With help from her community, she was the first person in her family to attend college. At the University of Arkansas, she was involved in a number of activities. She served as vice president and chaplain of Phi Upsilon Omicron, the university's home economics sorority. As a senior, she traveled all over the State for her duties as president of the Arkansas Future Teachers of America.

She fostered a passion for helping students and went to work improving nutrition programs, first as director of food and nutrition for the Lee County School District and, from 1988–1997, as director of child nutrition for the Arkansas Department of Education. Her skills, experience and commitment to public service took her to Washington, DC, where she worked at the U.S. Department of Agriculture for 4 years. Dorothy continued her leadership advancing child nutrition policy in numerous roles including as president of the School Nutrition Association. In this capacity she helped develop nationwide child nutrition standards. Her tireless advocacy on behalf of school-age children resulted in standardized lunch times, education initiatives about healthy eating and the launch of student breakfast programs. She earned the honor of "School Nutrition Hero" from the School Nutrition Foundation at its 50th anniversary celebration.

Dorothy dedicated her career to improving the lives of children and ensuring they receive the nutrition necessary to succeed. As we continue building on the groundwork she established and improve access to USDA school meal programs, we remember

and honor her tireless efforts and admirable example.

I offer my deepest condolences to her family, friends and those who had the privilege to work alongside such a wonderful person. I am hopeful they can find comfort knowing Dorothy's legacy will live on.●

TRIBUTE TO STEPHEN BROWN

• Mr. RUBIO. Mr. President, I recognize Stephen Robert Brown, the Bradford County Teacher of the Year from Bradford High School in Starke, FL.

Stephen never predicted he would work as one of the most celebrated teachers in the school district. He developed his teaching philosophy as one that teaches from bell to bell and advocates for all students, not just those in his classes. He instills in his students the confidence to achieve their long-term goals and develops plans to help meet those goals.

Stephen's students grow academically and personally by the end of each school year. He welcomes his students to ask questions to better comprehend the assignments, and ultimately wants to see them thrive.

Stephen is the team lead for the Exceptional Student Education Department at Bradford High School. He also is the school's ACT testing coordinator.

I extend my deepest gratitude and best wishes to Stephen for his commitment to his students. I look forward to hearing about his continued good work in the years to come.●

TRIBUTE TO FRANCISCO CARDOZA

• Mr. RUBIO. Mr. President, I recognize Francisco Cardoza, the Orange County Teacher of the Year from Village Park Elementary School in Orlando, FL.

Francisco helps his students gain confidence and seek excellence in their schoolwork. He often has fun lessons for his students, such as setting the classroom up to mimic a racetrack to demonstrate force and motion or going into a hospital room to teach how to measure volume and mass.

While Francisco considers his students his top priority, he also works to help everyone else on campus. He volunteers to tutor other students, mentor children, lead a committee, or plan a school event. His colleagues know he commits to teaching and leads others to be successful in any way he can.

Francisco is a fifth grade teacher at Village Park Elementary, where he has taught for nearly 2 years. He began the school's National Elementary Honor Society chapter and Safety Patrol and helped run its Amazing Shake initiative.

I extend my deepest gratitude and best wishes to Francisco for his commitment to his students. I look forward to hearing about his continued good work in the years to come.●

TRIBUTE TO KIMBERLY CROWDER

• Mr. RUBIO. Mr. President, I recognize Kimberly Crowder, the Hamilton County Teacher of the Year from Hamilton County Elementary School in South Jasper, FL.

Kimberly works to help each student be their best and considers herself blessed to play an important part in their lives by shaping them for success. She designs her lesson plans to meet the needs of her students.

Kimberly is most proud of her recent contribution where she revised her school's intervention instructions. Their new plan for students implements prescriptive intervention tactics to improve their achievements in the classroom by focusing on their personal needs.

Kimberly serves as a pre-K through fifth grade reading interventionist and the curriculum coordinator at her school. She has been with the Hamilton County School District since 2007, teaching kindergarten, first, and second grade students.

I extend my deepest gratitude and best wishes to Kimberly for her commitment to her students. I look forward to hearing about her continued good work in the years to come.●

TRIBUTE TO JANAN HODGES

• Mr. RUBIO. Mr. President, I recognize Janan Hodges, the Seminole County Teacher of the Year from Spring Lake Elementary School in Altamonte Springs, FL.

Janan holds high expectations for her students, in which she ensures her classroom represents achievement and belonging. She does this by cultivating class rules that are innovative and engaging.

Janan also develops resiliency skills to benefit student success from elementary school and beyond. She works tirelessly to know each student, finding their strengths and helping limit their weaknesses.

Janan teaches third grade and is a team leader at Spring Lake Elementary School, where she has taught for 4 of her 16-year educator career. She is her school's New Educator Support Team lead teacher, where she works with new instructors and dedicates time to mentor them.

I extend my deepest gratitude and best wishes to Janan for her commitment to her students. I look forward to hearing about her continued good work in the years to come.●

TRIBUTE TO KAREN KEARNEY

• Mr. RUBIO. Mr. President, I recognize Karen Kearney, the Alachua County Teacher of the Year from Buchholz High School in Gainesville, FL.

Karen's lifelong passion has been to be a teacher. As a child, she would teach and pretend to grade the assignments of her stuffed animals. Today, she works to ensure her school is the

best in Florida and instills her belief that students are happiest and strongest when engaged in a lifelong pursuit of learning.

Karen's teaching philosophy relies on students having personal power and a positive outlook when it comes to fulfilling their dreams and reaching their full potential. She instills in her students that education is a major tool in that process and can be a helpful advantage when setting realistic dream expectations.

Karen is an alumna of Buchholz High School and spent 5 years working in chiropractic therapy before becoming a teacher. She earned her bachelor of science degree in nutrition and her doctor of chiropractic degree from Life University and her teaching certificate in broad field secondary science from the State University of West Georgia. In addition to her work in the classroom, she has been a teacher mentor since 2006 and has served as department chair since 2019.

I extend my deepest gratitude and best wishes to Karen for her commitment to her students. I look forward to hearing about her continued good work in the years to come.●

TRIBUTE TO JUSTYN PHILIP KELLER

• Mr. RUBIO. Mr. President, I recognize Justyn Philip Keller, the Teacher of the Year for the Florida School for the Deaf and the Blind in St. Johns County, FL.

For high school, Justyn attended the Florida School for the Deaf and the Blind after losing his sight in a random incident. He credits his teachers and the staff members who helped him learn and get through that difficult period of his life.

Halfway through college, much of Justyn's vision returned. He then felt a calling to come home to teach and give back to the community that supported him during his time of need. He enjoys teaching visually impaired students not only because it is challenging, but because he relates to the struggles they are experiencing.

Justyn teaches math at the Blind Middle School and has taught for 5 years. He attended Flagler College and the Baptist College of Florida. He holds a Florida Visually Impaired K-12 Professional Educator's Certificate, is the boys' goalball team assistant coach, and is the Young Life Team coordinator.

I extend my deepest gratitude and best wishes to Justyn for his commitment to his students. I look forward to hearing about his continued good work in the years to come.●

TRIBUTE TO JULIA MAYESHIBA

• Mr. RUBIO. Mr. President, I recognize Julia Mayeshiba, the Duval County Teacher of the Year from Andrew Jackson High School of Advanced Technology in Jacksonville, FL.

Julia initiated an afterschool tutoring system for math and physics students seeking extra help in these challenging subjects. She often meets with students one-on-one to address their concerns and to instill the importance of learning as they seek to further their educational goals.

Julia also develops schoolwide incentives to reward good student behaviors. She believes this further motivates a student to try their best throughout the school year. Julia believes that when her students leave her classroom, they should feel confident to ask for help to ensure success later in life.

Julia has been a math and physics teacher at Andrew Jackson High School of Advanced Technology for the past 4 years. She graduated from the University of Wisconsin-Madison in 2015 with her bachelor's degree and from the University of North Florida in 2019 with her master's degree. She is a Robert Noyce National Science Foundation teaching fellow and is her school's senior class sponsor.

I extend my deepest gratitude and best wishes to Julia for her commitment to her students. I look forward to hearing about her continued good work in the years to come.●

TRIBUTE TO SARA MESSER

• Mr. RUBIO. Mr. President, I recognize Sara Messer, the Columbia County Teacher of the Year from Pinemount Elementary School in Lake City, FL.

Sara's favorite aspect of being a teacher is that she works on building positive relationships and guides students to believe in themselves to become lifelong learners. She spends each day with her students by instilling the importance of reading and ensuring they work together throughout the school year to be successful.

Sara has been a second grade teacher at Pinemount Elementary School since 2018. She graduated from Florida Gateway College, Saint Leo University, and American College of Education. Sara enjoys spending time with her family and caring for farm animals in her spare time.

I extend my deepest gratitude and best wishes to Sara for her commitment to her students. I look forward to hearing about her continued good work in the years to come.●

TRIBUTE TO HEATHER DAWN MILLER

• Mr. RUBIO. Mr. President, I recognize Heather Dawn Miller, the Clay County Teacher of the Year from Lake Asbury Elementary School in Green Cove Springs, FL.

Heather hopes to spark interest and passion in her students in science, technology, engineering, and mathematics. Through her work, she spends each school day working to help her students interested in STEM.

Heather also works with her colleagues to facilitate collaborative

learning opportunities that help students achieve their academic goals and interpersonal needs. Her students see how the skills she teaches them can be used after graduation.

Heather is a fourth grade math and science teacher at Lake Asbury Elementary School and has taught for 25 years. She also works as a teacher model classroom, is the math field day coach, and serves as a professional learning community leader by helping other teachers create lesson plans and assignments.

I extend my deepest gratitude and best wishes to Heather for her commitment to her students. I look forward to hearing about her continued good work in the years to come.●

TRIBUTE TO VONDA MORRIS

● Mr. RUBIO. Mr. President, I recognize Vonda Morris, the Volusia County Teacher of the Year from Spruce Creek High School in Port Orange, FL.

Vonda knew she wanted to be a teacher since she was a child when she would line up her dolls to teach them math. While her dolls could not flee her lessons, Vonda realized she had to develop math curriculum that would make her students want to learn. Today, Vonda's math lessons use dance and song to help her students absorb the material.

Vonda wants learning to be fun and meaningful. She knows each day is not easy for her students, so she works to not only teach them, but to also be someone they can talk to.

Vonda is a probability and statistics/AP statistics teacher at Spruce Creek High School. She has taught for more than 20 years at the middle, high, and college levels. Vonda earned her bachelor's degree from the University of South Carolina and her master's from Concordia University and Stetson University.

I extend my deepest gratitude and best wishes to Vonda for her commitment to her students. I look forward to hearing about her continued good work in the years to come.●

TRIBUTE TO JESSICA ODOM

● Mr. RUBIO. Mr. President, I recognize Jessica Odom, the Baker County Teacher of the Year from Baker County Middle School in Macclenny, FL.

Jessica works daily to develop lesson plans that make learning enjoyable for her students. In her science classes, she engages her students in physics and works with them as the school's Science, Technology, Engineering, and Mathematics Club coach.

Jessica credits her family and friends for helping her become a teacher. They motivate her to develop engaging curriculum that allow her students to be successful. With their support, she received this important recognition from her peers.

Jessica has taught sixth and seventh grade science at Baker County Middle

School for the past 7 years and is on the campus tech support team. She earned her bachelor's degree in elementary education from the University of North Florida and her master's degree in educational leadership from American University. She served as a food service specialist in the U.S. Coast Guard Reserves from 2008–2016 at Naval Station Mayport.

I extend my deepest gratitude and best wishes to Jessica for her commitment to her students. I look forward to hearing about her continued good work in the years to come.●

TRIBUTE TO TIFFANY PERRY

● Mr. RUBIO. Mr. President, I recognize Tiffany Perry, the Osceola County Teacher of the Year from East Lake Elementary School in Kissimmee, FL.

Tiffany makes it her mission to know her students well. She encourages her students to be authentic and show their uniqueness. Tiffany prefers to hear their voice in the classroom more than her own.

Tiffany applied Socratic Seminars to help improve writing skills by having her students ask and answer questions together by using critical thinking and encouraging different viewpoints. She also teaches her students to focus on the engineering design process by working with them to code robots.

Tiffany teaches fifth grade at East Lake Elementary School. She also serves as her school's grade-level chairman, helps model lessons for other teachers, and trains teachers on various strategies to use in the classroom.

I extend my deepest gratitude and best wishes to Tiffany for her commitment to her students. I look forward to hearing about her continued good work in the years to come.●

TRIBUTE TO ROBIN ROMAGNOLO

● Mr. RUBIO. Mr. President, I recognize Robin Romagnolo, the Levy County Teacher of the Year from Bronson Elementary School in Bronson, FL.

Robin adapts her way of work to meet her students' needs and challenges. She focuses each day on how to inspire and instill high expectations in their mentality to be successful in her classroom and as they further their education.

Robin designs her lesson plans to keep her students engaged throughout the school day. When they leave her class, they often perform with a mastery of standards for their grade. Her work frequently has other teachers seeking her mentorship at their school.

Robin has taught at Bronson Elementary School for 6 years and teaches third grade. She began teaching in Levy County with Pre-Kindergarten students 15 years ago. She earned her bachelor's and master's degrees while working in the county.

I extend my deepest gratitude and best wishes to Robin for her commitment to her students. I look forward to

hearing about her continued good work in the years to come.●

TRIBUTE TO LORI SADLER

● Mr. RUBIO. Mr. President, I recognize Lori Sadler, the Lafayette County Teacher of the Year from Lafayette High School in Mayo, FL.

Lori's students often score above State averages, which she credits to their hard work in the classroom and at home. She has worked with students of all ages throughout her teaching career, providing her with ample examples of how best to design her lesson plans.

Lori has spent time as an eighth grade English Language Arts teacher, the English Language Arts department chair, and the school's yearbook sponsor. She also holds English as a second language and reading endorsements for teaching.

Lori is in her 22nd year as a teacher, spending the last 16 years at her school. She graduated from the University of South Florida with her bachelor's degree in Elementary Education and from Southeastern University with her master's degree in curriculum and instruction.

I extend my deepest gratitude and best wishes to Lori for her commitment to her students. I look forward to hearing about her continued good work in the years to come.●

TRIBUTE TO AMANDA SAULS

● Mr. RUBIO. Mr. President, I recognize Amanda Sauls, the Nassau County Teacher of the Year from Callahan Intermediate School in Callahan, FL.

Amanda approaches each new school year by knowing parents entrust her with their children, which is an opportunity to start fresh with a new class. As a teacher, she believes she has the privilege of investing in her students' hearts and minds every day they come to learn.

Amanda's teaching philosophy is that she can create lifelong learners and build relationships with students, their families, and the community. She encourages her students to learn and tirelessly works with them on each step to success.

Amanda is a fourth grade math, science, and social studies teacher at Callahan Intermediate School.

I extend my deepest gratitude and best wishes to Amanda for her commitment to her students. I look forward to hearing about her continued good work in the years to come.●

TRIBUTE TO BRICE LEE WINFREE, JR.

● Mr. RUBIO. Mr. President, I recognize Brice Lee Winfree, Jr., the Flagler County Teacher of the Year from Matanzas High School in Palm Coast, FL.

Brice feels a renewed sense of accomplishment when teaching new students

and seeing how much they learn by the end of the school year. Often, his former students visit his classroom to share their successes.

Brice uses visuals to allow his students to pause and think when answering questions and encourages them to discuss and teach each other. Seeing his students stretch beyond what they believe they are capable of gives Brice a good sense that all their hard work, overcoming their struggles, and his lesson plans pay off.

At Matanzas High School, Brice teaches AP calculus, AP statistics, probability and statistics, college algebra, and college trigonometry. He has taught for 22 years, half of that time in Flagler County.

I extend my deepest gratitude and best wishes to Brice for his commitment to his students. I look forward to hearing about his continued good work in the years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Kelly, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-1822. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "IFR Altitude; Miscellaneous Amendments; Amdt. No. 572" ((RIN2120-AA63) (Docket No. 31489)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1823. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Updating Manual Requirements to Accommodate Technology" ((RIN2120-AL36) (Docket No. FAA-2022-0912)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1824. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Installation and Operations of Flightdeck Installed Physical Secondary Barriers on Transport Category Airplanes in Part 121 Service"

((RIN2120-AL59) (Docket No. FAA-2022-0722)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1825. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "High Elevation Airport Operations" ((RIN2120-AL15) (Docket No. FAA-2019-0218)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1826. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Updating Manual Requirements to Accommodate Technology" ((RIN2120-AL67) (Docket No. FAA-2021-0237)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1827. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4062" ((RIN2120-AA65) (Docket No. 31488)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1828. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4061" ((RIN2120-AA65) (Docket No. 31487)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1829. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4059" ((RIN2120-AA65) (Docket No. 31485)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1830. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4060" ((RIN2120-AA65) (Docket No. 31486)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1831. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4063" ((RIN2120-AA65) (Docket No. 31490)) received in the Office of the President of the Senate on July 27, 2023; to the Com-

mittee on Commerce, Science, and Transportation.

EC-1832. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4065" ((RIN2120-AA65) (Docket No. 31492)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1833. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Decompression Criteria for Interior Compartments" ((RIN2120-AL11) (Docket No. FAA-2019-0343)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1834. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4064" ((RIN2120-AA65) (Docket No. 31491)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1835. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4066" ((RIN2120-AA65) (Docket No. 31493)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1836. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of VOR Federal Airways; Northeast United States" ((RIN2120-AA66) (Docket No. FAA-2022-0939)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1837. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment and Revocation of VOR Federal Airways; Northeast United States" ((RIN2120-AA66) (Docket No. FAA-2022-0902)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1838. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and Class E Airspace; Albemarle, NC" ((RIN2120-AA66) (Docket No. FAA-2023-0824)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1839. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of

Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class E Airspace; West Palm Beach, FL” ((RIN2120-AA66) (Docket No. FAA-2023-1254)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1840. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment and Revocation of Very High Frequency (VHF) Omnidirectional Range (VOR) Federal Airways in the Eastern United States” ((RIN2120-AA66) (Docket No. FAA-2023-0599)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1841. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of the Nashville International Airport Class C Airspace; Nashville, TN; and the John C Tune Airport Class D Airspace; Nashville, TN” ((RIN2120-AA66) (Docket No. FAA-2022-1678)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1842. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Class E Airspace; Sandusky, MI” ((RIN2120-AA66) (Docket No. FAA-2023-0443)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1843. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Class E Airspace; San Saba, TX” ((RIN2120-AA66) (Docket No. FAA-2022-1422)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1844. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Very High Frequency (VHF) Omnidirectional Range (VOR) Federal Airway V-376; Eastern United States” ((RIN2120-AA66) (Docket No. FAA-2023-1120)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1845. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class D and Class E Airspace; Greenville, Spartansburg, and Greer, SC” ((RIN2120-AA66) (Docket No. FAA-2022-1161)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1846. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment and Establishment of Air Traffic Service (ATS) Routes in the Vicinity of Devils Lake, ND” ((RIN2120-AA66) (Docket No. FAA-2022-1558)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1847. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Class E Airspace; Marion, IA” ((RIN2120-AA66) (Docket No. FAA-2022-1672)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1848. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment and Revocation of VOR Federal Airways; Northeast United States” ((RIN2120-AA66) (Docket No. FAA-2022-0901)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1849. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class D and Class E Airspace; Columbia, MS” ((RIN2120-AA66) (Docket No. FAA-2023-1352)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1850. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Class E Airspace; Winnie/Stowell, TX” ((RIN2120-AA66) (Docket No. FAA-2023-0615)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1851. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class E Airspace; Hasting, MI” ((RIN2120-AA66) (Docket No. FAA-2023-0913)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1852. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of the Nashville International Airport Class C Airspace; Nashville, TN, and the John C. Tune Airport Class D Airspace; Nashville, TN” ((RIN2120-AA66) (Docket No. FAA-2022-1678)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1853. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “(CORRECTION) Amendment of Class E Airspace; West Palm Beach, FL” ((RIN2120-AA66) (Docket No. FAA-2023-1254)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1854. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Class E Airspace; Augusta, GA” ((RIN2120-AA66) (Docket No. FAA-2023-0502)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1855. A communication from the Management and Program Analyst, Federal

Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class C Airspace; Dane County Regional Airport-Traux Field, Madison, WI” ((RIN2120-AA66) (Docket No. FAA-2023-1022)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1856. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class D and Class E Airspace; Huntsville, AL” ((RIN2120-AA66) (Docket No. FAA-2023-0503)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1857. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Modification of Class E Airspace; Pullman/Moscow Regional Airport, Pullman/Moscow, WA” ((RIN2120-AA66) (Docket No. FAA-2023-0533)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1858. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Revocation of Class E Airspace; A.P. Hill, VA” ((RIN2120-AA66) (Docket No. FAA-2023-0854)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1859. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class E Airspace; Artesia, NM” ((RIN2120-AA66) (Docket No. FAA-2023-0614)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1860. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Class E Airspace; Berclair, TX” ((RIN2120-AA66) (Docket No. FAA-2023-0947)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1861. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Class E Airspace; Carthage, TX” ((RIN2120-AA66) (Docket No. FAA-2023-0333)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1862. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class E Airspace; Elberton, GA” ((RIN2120-AA66) (Docket No. FAA-2023-0720)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1863. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class E Airspace; Madison Dane County Regional Airport-Traux Field, WI”

EC-1887. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Leonardo S.p.a. Helicopters:

Amendment 39-22441" ((RIN2120-AA64) (Docket No. FAA-2023-1049)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1888. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus SAS Airplanes; Amendment 39-22424" ((RIN2120-AA64) (Docket No. FAA-2022-1491)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1889. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus SAS Airplanes; Amendment 39-22426" ((RIN2120-AA64) (Docket No. FAA-2023-0936)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1890. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; CFM International, S.A. Turboprop Engines; Amendment 39-22429" ((RIN2120-AA64) (Docket No. FAA-2023-0653)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1891. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes; Amendment 39-22463" ((RIN2120-AA64) (Docket No. FAA-2023-0670)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1892. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes; Amendment 39-22468" ((RIN2120-AA64) (Docket No. FAA-2023-0163)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1893. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes; Amendment 39-22449" ((RIN2120-AA64) (Docket No. FAA-2023-0439)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1894. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; DAHER AEROSPACE (Type Certificate Previously Held by SOCAT) Airplanes; Amendment 39-22458" ((RIN2120-AA64) (Docket No. FAA-2023-0425)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1895. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness

Directives; Airbus SAS Airplanes; Amendment 39-22454" ((RIN2120-AA64) (Docket No. FAA-2023-0156)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1896. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Gulfstream Aerospace Corporation Airplanes; Amendment 39-22455" ((RIN2120-AA64) (Docket No. FAA-2023-1055)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1897. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pilatus Aircraft Ltd. Airplanes; Amendment 39-22451" ((RIN2120-AA64) (Docket No. FAA-2023-0426)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1898. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Various Airplanes, Helicopters, and Engines; Amendment 39-22432" ((RIN2120-AA64) (Docket No. FAA-2022-0891)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1899. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus SAS Airplanes; Amendment 39-22476" ((RIN2120-AA64) (Docket No. FAA-2023-0438)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1900. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Airplanes; Amendment 39-22456" ((RIN2120-AA64) (Docket No. FAA-2023-1209)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1901. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Various Helicopters; Amendment 39-22453" ((RIN2120-AA64) (Docket No. FAA-2023-0668)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1902. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes; Amendment 39-22473" ((RIN2120-AA64) (Docket No. FAA-2023-0923)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1903. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to

law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes; Amendment 39-22472" ((RIN2120-AA64) (Docket No. FAA-2023-0922)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1904. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes; Amendment 39-22471" ((RIN2120-AA64) (Docket No. FAA-2023-0921)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1905. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes; Amendment 39-22469" ((RIN2120-AA64) (Docket No. FAA-2023-0671)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1906. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes; Amendment 39-22470" ((RIN2120-AA64) (Docket No. FAA-2023-0672)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1907. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Establishment of the Long Valley-Lake County Viticultural Area and Modification of the High Valley and North Coast Viticultural Areas" (RIN1513-AC79) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1908. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Television Broadcasting Services; Kalispell, Montana" (MB Docket No. 23-79) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1909. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Television Broadcasting Services; Coos Bay, Oregon" (MB Docket No. 23-43) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1910. A communication from the Chief of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Implementation of the Final Acts of the 2019 World Radiocommunication Conference" (ET Docket Nos. 23-121 and 23-120) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1911. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "ATSC 3.0 Third Report and Order and Fourth Further Notice" ((GN Docket No. 16-142) (FCC 23-53)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1912. A communication from the Deputy Chief of the Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 15.255 of the Commission's Rules" ((ET Docket No. 21-264) (FCC 23-35)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1913. A communication from the Program Analyst, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Access to Video Conferencing; Implementing of Sections 716 and 717 of the Communications Act, as enacted by the Twenty-First Century Communications and Video Accessibility Act of 2010; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; et. al, Report and Order and Order" ((FCC 23-50) (CG Docket No. 23-161) (CG Docket No. 10-213) (CG Docket No. 03-123)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. BARRASSO (for himself, Mrs. BLACKBURN, Mr. BRAUN, Mr. BUDD, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Ms. ERNST, Mrs. FISCHER, Mr. GRAHAM, Mrs. HYDE-SMITH, Mr. KENNEDY, Ms. LUMMIS, Mr. MARSHALL, Mr. SCOTT of Florida, Mr. RICKETTS, Mr. RISCH, Mr. ROUNDS, Mr. SCHMITT, Mr. SULLIVAN, Mr. WICKER, Mr. HAWLEY, Mr. CRAMER, Mr. THUNE, Ms. COLLINS, and Ms. MURKOWSKI):

S. 2736. A bill to clarify that section 8526(7) of the Elementary and Secondary Education Act of 1965 does not apply with respect to the use of funds for sports clubs, teams, training, or related activities provided for students; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MANCHIN (for himself and Mr. BRAUN):

S. 2737. A bill to require the Food and Drug Administration to determine whether to permit the use of enriched enrollment randomized withdrawal methodology with respect to clinical trials; to the Committee on Health, Education, Labor, and Pensions.

By Mr. VANCE (for himself, Mr. HAWLEY, Mr. SCHMITT, Mr. BRAUN, Mr. MARSHALL, Ms. LUMMIS, Mr. BUDD, Mr. BARRASSO, Mrs. BRITT, Mrs. BLACKBURN, and Mr. DAINES):

S. 2738. A bill to prohibit through December 31, 2024, the imposition of a mask mandate on passengers of air carriers or public transit and in educational settings within the United States, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. HASSAN (for herself and Mrs. BLACKBURN):

S. 2739. A bill to coordinate Federal research and development efforts focused on modernizing mathematics in STEM education through mathematical and statistical modeling, including data-driven and computational thinking, problem, project, and performance-based learning and assessment, interdisciplinary exploration, and career

connections, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RISCH (for himself, Mrs. SHAHEEN, Mr. CRAPO, and Ms. CORTEZ MASTO):

S. 2740. A bill to help small businesses prepare for and combat cybersecurity threats, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. CASEY (for himself, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Ms. STABENOW, Mrs. MURRAY, and Mr. SANDERS):

S. 2741. A bill to amend title II of the Social Security Act to increase survivors benefits for disabled widows, widowers, and surviving divorced spouses, and for other purposes; to the Committee on Finance.

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

S. 2742. A bill to establish the Fort Ontario National Monument in the State of New York as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. GILLIBRAND:

S. 2743. A bill to amend the John D. Dingell, Jr. Conservation, Management, and Recreation Act to designate as a component of the National Heritage Area System the Finger Lakes National Heritage Area in the State of New York, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. CORTEZ MASTO (for herself and Mr. CORNYN):

S. 2744. A bill to provide grants to transit operators and airports for human trafficking awareness, education, and prevention efforts, and for other purposes; to the Committee on Commerce, Science, and Transportation.

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

S. 2745. A bill to amend title 38, United States Code, to eliminate conflicts of interest in conduct of quality management and administrative investigations by the Veterans Health Administration and to limit the detail of directors of medical centers of Department of Veterans Affairs to different positions, and for other positions; to the Committee on Veterans' Affairs.

By Ms. DUCKWORTH (for herself and Mr. BROWN):

S. 2746. A bill to direct the Secretary of Transportation to issue rules requiring the inclusion of new safety equipment in school buses, and for other purposes; to the Committee on Commerce, Science, and Transportation.

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

S. 2747. A bill to amend the Federal Election Campaign Act of 1971 to extend the Administrative Fine Program for certain reporting violations; considered and passed.

By Mr. MURPHY (for himself and Mr. YOUNG):

S. 2748. A bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Kazakhstan, Uzbekistan, and Tajikistan; to the Committee on Finance.

By Mr. MERKLEY (for himself, Mr. WYDEN, Mr. PADILLA, and Mrs. FEINSTEIN):

S. 2749. A bill to provide mandatory funding for hazardous fuels reduction projects on certain Federal land, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. HAWLEY:

S. 2750. A bill to impose restrictions on the investment in Chinese companies by tax-exempt entities; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. PAUL:

S. Res. 332. A resolution prohibiting the imposition of vaccination, testing, and masking requirements relating to COVID-19 for Senate Pages; to the Committee on Rules and Administration.

By Mr. DURBIN (for himself and Mr. GRASSLEY):

S. Res. 333. A resolution designating 2024 as the Year of Democracy as a time to reflect on the contributions of the system of Government of the United States to a more free and stable world; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 260

At the request of Ms. COLLINS, the name of the Senator from Ohio (Mr. VANCE) was added as a cosponsor of S. 260, a bill to amend title XVIII of the Social Security Act to permit nurse practitioners and physician assistants to satisfy the documentation requirement under the Medicare program for coverage of certain shoes for individuals with diabetes.

S. 265

At the request of Mr. DURBIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 265, a bill to reauthorize the rural emergency medical service training and equipment assistance program, and for other purposes.

S. 547

At the request of Mr. WHITEHOUSE, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 547, a bill to award a Congressional Gold Medal, collectively, to the First Rhode Island Regiment, in recognition of their dedicated service during the Revolutionary War.

S. 570

At the request of Mr. CARDIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 570, a bill to amend title XIX of the Social Security Act to improve coverage of dental and oral health services for adults under Medicaid, and for other purposes.

S. 747

At the request of Ms. COLLINS, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 747, a bill to authorize the Secretary of Agriculture to provide grants to States, territories, and Indian Tribes to address contamination by perfluoroalkyl and polyfluoroalkyl substances on farms, and for other purposes.

S. 789

At the request of Mr. VAN HOLLEN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 789, a bill to require the Secretary of the Treasury to mint a coin in recognition of the 100th anniversary of the United States Foreign

Service and its contribution to United States diplomacy.

S. 881

At the request of Mr. SCHATZ, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 881, a bill to amend the Internal Revenue Code of 1986 to provide a credit for the purchase of certain new electric bicycles.

S. 913

At the request of Mr. RISCH, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 913, a bill to make Ecuador eligible for designation as a beneficiary country under the Caribbean Basin Economic Recovery Act.

S. 993

At the request of Ms. CORTEZ MASTO, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 993, a bill to prohibit certain uses of xylazine, and for other purposes.

S. 1016

At the request of Mr. HEINRICH, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. 1016, a bill to address the impact of climate change on agriculture, and for other purposes.

S. 1064

At the request of Mrs. CAPITO, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 1064, a bill to direct the Secretary of Health and Human Services to carry out a national project to prevent and cure Parkinson's, to be known as the National Parkinson's Project, and for other purposes.

S. 1212

At the request of Mr. CRAMER, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 1212, a bill to authorize notaries public to perform, and to establish minimum standards for, electronic notarizations and remote notarizations that occur in or affect interstate commerce, to require any Federal court to recognize notarizations performed by a notarial officer of any State, to require any State to recognize notarizations performed by a notarial officer of any other State when the notarization was performed under or relates to a public Act, record, or judicial proceeding of notarial officer's State or when the notarization occurs in or affects interstate commerce, and for other purposes.

S. 1250

At the request of Mr. DURBIN, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 1250, a bill to amend title XI of the Social Security Act to require that direct-to-consumer advertisements for drugs and biologicals include an appropriate disclosure of pricing information.

S. 1253

At the request of Mr. PETERS, the name of the Senator from Georgia (Mr.

OSSOFF) was added as a cosponsor of S. 1253, a bill to increase the number of U.S. Customs and Border Protection Customs and Border Protection officers and support staff and to require reports that identify staffing, infrastructure, and equipment needed to enhance security at ports of entry.

S. 1409

At the request of Mr. BLUMENTHAL, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 1409, a bill to protect the safety of children on the internet.

S. 1558

At the request of Ms. BALDWIN, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. 1558, a bill to award a Congressional Gold Medal, collectively, to the brave women who served in World War II as members of the U.S. Army Nurse Corps and U.S. Navy Nurse Corps.

S. 1573

At the request of Mr. BENNET, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 1573, a bill to reauthorize the Prematurity Research Expansion and Education for Mothers who deliver Infants Early Act.

S. 1834

At the request of Mrs. BLACKBURN, the name of the Senator from Ohio (Mr. VANCE) was added as a cosponsor of S. 1834, a bill to prohibit the President from negotiating or concluding any withdrawal, suspension, waiver, or modification to the Agreement on Trade-Related Aspects of Intellectual Property Rights without explicit authorization from Congress.

S. 1908

At the request of Ms. WARREN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1908, a bill to establish judicial ethics.

S. 2012

At the request of Mr. CARDIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2012, a bill to amend title XVIII of the Social Security Act to provide for coverage of dental services under the Medicare program.

S. 2014

At the request of Ms. ROSEN, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 2014, a bill to ensure that certain members of the Armed Forces who served in female cultural support teams receive proper credit for such service, and for other purposes.

S. 2085

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

S. 2181

At the request of Mr. PETERS, the name of the Senator from North Da-

kota (Mr. HOEVEN) was added as a cosponsor of S. 2181, a bill to amend title 38, United States Code, to repeal the sunset on entitlement to memorial headstones and markers for commemoration of veterans and certain individuals and to repeal the sunset on authority to bury remains of certain spouses and children in national cemeteries, and for other purposes.

S. 2210

At the request of Mr. HAGERTY, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 2210, a bill to provide for congressional review of actions to terminate or waive sanctions imposed with respect to Iran.

S. 2235

At the request of Mr. COONS, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Mississippi (Mrs. HYDE-SMITH) were added as cosponsors of S. 2235, a bill to amend the Animal Health Protection Act to provide compensation for poultry growers and layers in control areas, and for other purposes.

S. 2300

At the request of Mr. MARSHALL, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2300, a bill to require that information on spending associated with national emergencies be subject to the same reporting requirements as other Federal funds under the Federal Funding Accountability and Transparency Act of 2006, and for other purposes.

S. 2311

At the request of Mr. PADILLA, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 2311, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 2028 Olympic and Paralympic Games in Los Angeles, California.

S. 2315

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

S. 2340

At the request of Ms. SMITH, the name of the Senator from Pennsylvania (Mr. FETTERMAN) was added as a cosponsor of S. 2340, a bill to establish the Increasing Land, Capital, and Market Access Program within the Farm Service Agency Office of Outreach and Education.

S. 2374

At the request of Mr. VANCE, the name of the Senator from Missouri (Mr. HAWLEY) was added as a cosponsor of S. 2374, a bill to exclude certain individuals subject to certain deferred action from eligibility for health plans

offered on the Exchanges, advance payments of the premium tax credit, cost-sharing reductions, a Basic Health Program, and for Medicaid and the Children's Health Insurance Programs, and for other purposes.

S. 2391

At the request of Mr. KENNEDY, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2391, a bill to reauthorize the National Flood Insurance Program.

S. 2479

At the request of Mr. PADILLA, the name of the Senator from Vermont (Mr. WELCH) was added as a cosponsor of S. 2479, a bill to direct the Secretary of Agriculture to establish an alternative manure management program, and for other purposes.

S. 2581

At the request of Mr. CRAPO, the names of the Senator from Utah (Mr. ROMNEY) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 2581, a bill to extend the Secure Rural Schools and Community Self-Determination Act of 2000.

S. 2687

At the request of Mr. KENNEDY, the name of the Senator from Alabama (Mrs. BRITT) was added as a cosponsor of S. 2687, a bill to provide additional requirements for the purchase and sale of conventional mortgages by the enterprises, and for other purposes.

S. 2713

At the request of Mr. CASEY, the name of the Senator from Pennsylvania (Mr. FETTERMAN) was added as a cosponsor of S. 2713, a bill to amend the Food and Nutrition Act of 2008 and the Emergency Food Assistance Act of 1983 to make commodities available for the Emergency Food Assistance Program, and for other purposes.

S. 2735

At the request of Mr. TESTER, the names of the Senator from Alaska (Ms. MURKOWSKI), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 2735, a bill to clarify that section 8526(7) of the Elementary and Secondary Education Act of 1965 does not apply with respect to the use of funds for activities carried out under programs authorized by the Elementary and Secondary Education Act of 1965 that are otherwise permissible under such programs and that provide students with educational enrichment activities and instruction, such as archery, hunter safety education, or culinary arts.

S.J. RES. 32

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

S.J. RES. 42

At the request of Mr. MARSHALL, the name of the Senator from Alabama (Mrs. BRITT) was added as a cosponsor of S.J. Res. 42, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Food and Nutrition Service relating to "Application of Bostock v. Clayton County to Program Discrimination Complaint Processing-Policy Update".

S.J. RES. 43

At the request of Mr. CASSIDY, the names of the Senator from Tennessee (Mrs. BLACKBURN), the Senator from Kansas (Mr. MORAN), the Senator from Florida (Mr. RUBIO) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S.J. Res. 43, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to "Improving Income Driven Repayment for the William D. Ford Federal Direct Loan Program and the Federal Family Education Loan (FFEL) Program".

S. CON. RES. 8

At the request of Ms. STABENOW, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Pennsylvania (Mr. FETTERMAN) were added as cosponsors of S. Con. Res. 8, a concurrent resolution expressing the sense of Congress that tax-exempt fraternal benefit societies have historically provided and continue to provide critical benefits to the people and communities of the United States.

S. RES. 109

At the request of Mr. MURPHY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. Res. 109, a resolution requesting information on Saudi Arabia's human rights practices pursuant to section 502B(c) of the Foreign Assistance Act of 1961.

S. RES. 320

At the request of Mr. PADILLA, the names of the Senator from Delaware (Mr. COONS) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. Res. 320, a resolution calling for the immediate release of Eyvin Hernandez, a United States citizen and Los Angeles County public defender, who was wrongfully detained by the Venezuelan regime in March 2022.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 332—PROHIBITING THE IMPOSITION OF VACCINATION, TESTING, AND MASKING REQUIREMENTS RELATING TO COVID-19 FOR SENATE PAGES

Mr. PAUL submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 332

Resolved,

SECTION 1. PROHIBITION ON COVID-19 VACCINATION, TESTING, AND MASKING REQUIREMENTS FOR SENATE PAGES.

A Senate Page or applicant to be a Senate Page may not be required to—

- (1) show proof of COVID-19 vaccination status;
- (2) receive a vaccination for COVID-19;
- (3) undergo testing for COVID-19 without cause; or
- (4) wear a mask.

SENATE RESOLUTION 333—DESIGNATING 2024 AS THE YEAR OF DEMOCRACY AS A TIME TO REFLECT ON THE CONTRIBUTIONS OF THE SYSTEM OF GOVERNMENT OF THE UNITED STATES TO A MORE FREE AND STABLE WORLD

Mr. DURBIN (for himself and Mr. GRASSLEY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 333

Whereas 2,000 years after the ancient Greeks laid the groundwork for democracy, the founders of the United States built an even greater system of government, a democratic republic, propelling the United States to become the most advanced nation in human history;

Whereas the model of government of the United States has been reproduced around the world;

Whereas Thomas Jefferson and Abraham Lincoln, respectively, described democracy as the "light that led us out of gothic darkness" and humankind's "last best hope";

Whereas recent life-threatening and life-altering attacks and threats against political figures and public servants speak loudly to the necessity of maintaining mutual respect and civility for the right of an opponent to advocate for or oppose policies;

Whereas the ardent pursuit of one's policies is not diminished whatsoever by the exercise of respect and civility that assures the maintenance of our democracy and freedoms;

Whereas President John F. Kennedy said, we "must remember on both sides that civility is not a sign of weakness";

Whereas, according to the 2022 Freedom House report, only about 20 percent of the global population now live in "free" countries;

Whereas the Constitution of the United States and the Bill of Rights, including the addition of the Reconstruction Era amendments, enshrine the rights and civil liberties of the citizens of the United States, including the right to vote in free and fair elections;

Whereas the perpetuation of the ideals of democracy does not happen on its own and can be stalled or reversed;

Whereas surveys show citizens of the United States are losing faith in the democratic system;

Whereas former Supreme Court Justice Sandra Day O'Connor said, "The practice of democracy is not passed down through the gene pool. It must be taught and learned anew by each generation of citizens.";

Whereas President Ronald Reagan said, "Democracy is worth dying for, because it's the most deeply honorable form of government ever devised by man.";

Whereas Congressman John R. Lewis said in his final words to the United States, "Democracy is not a state. It is an act, and each generation must do its part to help build what we called the Beloved Community, a nation and world society at peace with itself.";

Whereas World War II demonstrated the fragility of democracy and the civilized life that accompanies democracy;

Whereas British Prime Minister Winston Churchill observed that, “Indeed it has been said that democracy is the worst form of Government except for all those other forms that have been tried from time to time. . .”;

Whereas President George Washington said the United States must recognize the immense value of the National Union and work towards preservation of that Union with “jealous anxiety” and wrote that the security of a free Constitution may be accomplished by “teaching the people themselves to know and to value their own rights”;

Whereas President Thomas Jefferson wrote, “Educate and inform the whole mass of the people. . . They are the only sure reliance for the preservation of our liberty.”; and

Whereas the Government of the United States must teach and educate the people by taking appropriate actions to highlight and emphasize the importance of democratic principles and civility in the freedoms and way of life enjoyed by the people of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates 2024 as the “Year of Democracy”;

(2) encourages States and local governments to designate 2024 as the “Year of Democracy”;

(3) recognizes the celebration of the “Year of Democracy” as a time to reflect on the contributions of the system of Government of the United States to a more free and stable world; and

(4) encourages the people of the United States to observe the “Year of Democracy” with appropriate ceremonies and activities that—

(A) provide appreciation for the system of Government of the United States;

(B) demonstrate that the people of the United States shall never forget the sacrifices made by past generations of people of the United States to preserve the freedoms and principles of the United States; and

(C) remind our citizens that those with differing political opinions are often their neighbors, fellow religious congregants, and extended family members with whom they share many life values and can respectfully disagree.

AMENDMENTS SUBMITTED AND PROPOSED

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

TEXT OF AMENDMENTS

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

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Consolidated Appropriations Act, 2024”.

SEC. 2. REFERENCES TO ACT.

Except as expressly provided otherwise, any reference to “this Act” contained in any division of this Act shall be treated as referring only to the provisions of that division.

SEC. 3. REFERENCES TO REPORT.

(a) Any reference to a “report accompanying this Act” contained in division A shall be treated as a reference to Senate Report 118-43. The effect of such Report shall be limited to division A and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, division A.

(b) Any reference to a “report accompanying this Act” contained in division B shall be treated as a reference to Senate Report 118-44. The effect of such Report shall be limited to division B and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, division B.

(c) Any reference to a “report accompanying this Act” contained in division C shall be treated as a reference to Senate Report 118-70. The effect of such Report shall be limited to division C and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, division C.

DIVISION A—MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2024

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, \$1,876,875,000, to remain available until September 30, 2028: *Provided*, That, of this amount, not to exceed \$349,245,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of the Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That of the amount made available under this heading, \$376,320,000 shall be for the projects and activities, and in the amounts, specified in the report accompanying this Act, in addition to amounts otherwise available for such purposes.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, \$6,046,309,000, to remain available until September 30, 2028: *Provided*, That, of this amount, not to exceed \$708,822,000 shall be available for study, planning, design, and architect and engineer services, as author-

ized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That of the amount made available under this heading, \$282,880,000 shall be for the projects and activities, and in the amounts, specified in the report accompanying this Act, in addition to amounts otherwise available for such purposes.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, \$2,802,924,000, to remain available until September 30, 2028: *Provided*, That, of this amount, not to exceed \$562,074,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That of the amount made available under this heading, \$197,610,000 shall be for the projects and activities, and in the amounts, specified in the report accompanying this Act, in addition to amounts otherwise available for such purposes.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, \$3,132,782,000, to remain available until September 30, 2028: *Provided*, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided further*, That, of the amount, not to exceed \$318,545,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That of the amount made available under this heading, \$36,100,000 shall be for the projects and activities, and in the amounts, specified in the report accompanying this Act, in addition to amounts otherwise available for such purposes.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$598,572,000, to remain available until September 30, 2028: *Provided*, That, of the amount, not to exceed \$71,146,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Army National Guard determines that additional obligations are necessary for such purposes and

notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That of the amount made available under this heading, \$251,386,000 shall be for the projects and activities, and in the amounts, specified in the report accompanying this Act, in addition to amounts otherwise available for such purposes.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$304,426,000, to remain available until September 30, 2028: *Provided*, That, of the amount, not to exceed \$67,854,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That of the amount made available under this heading, \$125,704,000 shall be for the projects and activities, and in the amounts, specified in the report accompanying this Act, in addition to amounts otherwise available for such purposes.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$151,076,000, to remain available until September 30, 2028: *Provided*, That, of the amount, not to exceed \$27,389,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Army Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That of the amount made available under this heading, \$44,000,000 shall be for the projects and activities, and in the amounts, specified in the report accompanying this Act, in addition to amounts otherwise available for such purposes.

MILITARY CONSTRUCTION, NAVY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$51,291,000, to remain available until September 30, 2028: *Provided*, That, of the amount, not to exceed \$6,495,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$309,572,000, to remain available until September 30, 2028: *Provided*, That, of the

amount, not to exceed \$14,646,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Air Force Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That of the amount made available under this heading, \$18,000,000 shall be for the projects and activities, and in the amounts, specified in the report accompanying this Act, in addition to amounts otherwise available for such purposes.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, \$293,434,000, to remain available until expended.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

For deposit into the Department of Defense Base Closure Account, established by section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$439,174,000, to remain available until expended.

FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$304,895,000, to remain available until September 30, 2028.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$385,485,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$277,142,000, to remain available until September 30, 2028.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$363,854,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$237,097,000, to remain available until September 30, 2028.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$314,386,000.

FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, \$50,785,000.

DEPARTMENT OF DEFENSE

FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, \$6,611,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

DEPARTMENT OF DEFENSE

MILITARY UNACCOMPANIED HOUSING IMPROVEMENT FUND

For the Department of Defense Military Unaccompanied Housing Improvement Fund, \$496,000, to remain available until expended, for unaccompanied housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military unaccompanied housing and supporting facilities.

ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed \$25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than \$25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement

of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed \$500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Gulf, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Gulf, may be used to award any contract estimated by the Government to exceed \$1,000,000 to a foreign contractor: *Provided*, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: *Provided further*, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense shall inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed \$100,000.

SEC. 114. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 115. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 116. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(INCLUDING TRANSFER OF FUNDS)

SEC. 117. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections

480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in "Military Construction" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: *Provided*, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

(INCLUDING TRANSFER OF FUNDS)

SEC. 118. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the Department of Defense Base Closure Account to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program incurred under 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 119. Notwithstanding any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: *Provided*, That not more than \$35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: *Provided further*, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 120. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

(INCLUDING TRANSFER OF FUNDS)

SEC. 121. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such

appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation "Foreign Currency Fluctuations, Construction, Defense", to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

(INCLUDING TRANSFER OF FUNDS)

SEC. 122. Amounts appropriated or otherwise made available in an account funded under the headings in this title may be transferred among projects and activities within the account in accordance with the reprogramming guidelines for military construction and family housing construction contained in Department of Defense Financial Management Regulation 7000.14-R, Volume 3, Chapter 7, of March 2011, as in effect on the date of enactment of this Act.

SEC. 123. None of the funds made available in this title may be obligated or expended for planning and design and construction of projects at Arlington National Cemetery.

SEC. 124. For an additional amount for the accounts and in the amounts specified, to remain available until September 30, 2023:

"Military Construction, Army", \$38,514,000;
 "Military Construction, Navy and Marine Corps", \$351,100,000;
 "Military Construction, Air Force", \$66,000,000;
 "Military Construction, Defense-Wide", \$117,100,000;
 "Military Construction, Army National Guard", \$89,500,000;
 "Military Construction, Air National Guard", \$5,200,000; and
 "Military Construction, Army Reserve", \$23,000,000.

Provided, That such funds may only be obligated to carry out construction and cost to complete projects identified in the respective military department's unfunded priority list for fiscal year 2024 submitted to Congress: *Provided further*, That such projects are subject to authorization prior to obligation and expenditure of funds to carry out construction: *Provided further*, That not later than 60 days after enactment of this Act, the Secretary of the military department concerned, or their designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 125. All amounts appropriated to the "Department of Defense—Military Construction, Army", "Department of Defense—Military Construction, Navy and Marine Corps", "Department of Defense—Military Construction, Air Force", and "Department of Defense—Military Construction, Defense-Wide" accounts pursuant to the authorization of appropriations in a National Defense Authorization Act specified for fiscal year 2024 in the funding table in section 4601 of that Act shall be immediately available and allotted to contract for the full scope of authorized projects.

SEC. 126. Notwithstanding section 116 of this Act, funds made available in this Act or any available unobligated balances from prior appropriations Acts may be obligated before October 1, 2025 for fiscal year 2017, 2018, and 2019 military construction projects for which project authorization has not lapsed or for which authorization is extended for fiscal year 2024 by a National Defense Authorization Act: *Provided*, That no amounts may be obligated pursuant to this section from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the

budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 127. For the purposes of this Act, the term “congressional defense committees” means the Committees on Armed Services of the House of Representatives and the Senate, the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the Senate, and the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the House of Representatives.

SEC. 128. For an additional amount for the accounts and in the amounts specified for planning and design and unspecified minor construction, for improving military installation resilience, to remain available until September 30, 2028:

“Military Construction, Army”, \$15,000,000;

“Military Construction, Navy and Marine Corps”, \$7,500,000; and

“Military Construction, Air Force”, \$7,500,000;

Provided, That not later than 60 days after enactment of this Act, the Secretary of the military department concerned, or their designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section: *Provided further*, That the Secretary of the military department concerned may not obligate or expend any funds prior to approval by the Committees on Appropriations of both Houses of Congress of the expenditure plan required by this section.

SEC. 129. For an additional amount for “Military Construction, Air Force”, \$150,000,000, to remain available until September 30, 2028, for expenses incurred as a result of natural disasters: *Provided*, That not later than 60 days after the date of enactment of this Act, the Secretary of the Air Force, or their designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 130. For an additional amount for the accounts and in the amounts specified for planning and design and authorized major construction projects, for child development centers, to remain available until September 30, 2028:

“Military Construction, Army”, \$15,000,000;

“Military Construction, Navy and Marine Corps”, \$15,000,000; and

“Military Construction, Air Force”, \$15,000,000;

Provided, That not later than 60 days after the date of enactment of this Act, the Secretary of the military department concerned, or their designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 131. For an additional amount for “Military Construction, Air National Guard”, \$83,000,000, to remain available until September 30, 2028, for planning and design and authorized major construction projects at future foreign military training sites: *Provided*, That not later than 60 days after enactment of this Act, the Secretary of the Air Force, or their designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 132. For an additional amount for “Military Construction, Air Force”, \$20,000,000, to remain available until September 30, 2028, for cost increases identified subsequent to the fiscal year 2024 budget request for authorized major construction projects: *Provided*, That not later than 60 days after enactment of this Act, the Secretary of the Air Force, or their designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

(INCLUDING TRANSFER OF FUNDS)

SEC. 133. Of the proceeds credited to the Department of Defense Family Housing Improvement Fund pursuant to subsection (c)(1)(D) of section 2883 of title 10, United States Code, pursuant to a Department of Navy investment, the Secretary of Defense shall transfer \$18,800,000 to the Secretary of the Navy under paragraph (3) of subsection (d) of such section for use by the Secretary of the Navy as provided in paragraph (1) of such subsection until expended.

SEC. 134. For an additional amount for the accounts and in the amounts specified for authorized major construction projects, to remain available until September 30, 2028:

“Military Construction, Navy”, \$48,300,000; and

“Military Construction, Defense-Wide”, \$37,100,000;

Provided, That not later than 30 days after enactment of this Act, the Secretary of Defense, or their designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 135. None of the funds made available by this Act may be used to carry out the closure or realignment of the United States Naval Station, Guantánamo Bay, Cuba.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, \$4,655,879,000, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2023, to remain available until expended; and, in addition, \$181,390,281,000, which shall become available on October 1, 2024, to remain available until expended: *Provided*, That not to exceed \$22,109,000 of the amount made available for fiscal year 2025 under this heading shall be reimbursed to “General Operating Expenses, Veterans Benefits Administration”, and “Information Technology Systems” for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the “Compensation and Pensions” appropriation: *Provided further*, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to “Medical Care Collections Fund” to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of title 38, United States Code, \$11,523,134,000, which shall become available on October 1, 2024, to remain available until expended: *Provided*, That ex-

penses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by chapters 19 and 21 of title 38, United States Code, \$12,701,000, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2023, to remain available until expended; and, in addition, \$135,119,422, which shall become available on October 1, 2024, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That, during fiscal year 2024, within the resources available, not to exceed \$500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$316,742,419.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$78,337, as authorized by chapter 31 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$2,026,000.

In addition, for administrative expenses necessary to carry out the direct loan program, \$460,698, which may be paid to the appropriation for “General Operating Expenses, Veterans Benefits Administration”.

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, \$2,718,546.

GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, reimbursement of the General Services Administration for security guard services, and reimbursement of the Department of Defense for the cost of overseas employee mail, \$3,899,000,000: *Provided*, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: *Provided further*, That, of the funds made available under this heading, not to exceed 10 percent shall remain available until September 30, 2025.

VETERANS HEALTH ADMINISTRATION
MEDICAL SERVICES

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, bioengineering services, food services, and salaries and expenses of healthcare employees hired under title 38, United States Code, assistance and support services for caregivers as authorized by section 1720G of title 38, United States Code, loan repayments authorized by section 604 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111-163; 124 Stat. 1174; 38 U.S.C. 7681 note), monthly assistance allowances authorized by section 322(d) of title 38, United States Code, grants authorized by section 521A of title 38, United States Code, and administrative expenses necessary to carry out sections 322(d) and 521A of title 38, United States Code, and hospital care and medical services authorized by section 1787 of title 38, United States Code; \$71,000,000,000, plus reimbursements, which shall become available on October 1, 2024, and shall remain available until September 30, 2025: *Provided*, That, of the amount made available on October 1, 2024, under this heading, \$2,000,000,000 shall remain available until September 30, 2026: *Provided further*, That of the \$74,004,000,000 to become available on October 1, 2023, previously appropriated under this heading in division J of the Consolidated Appropriations Act, 2023 (Public Law 117-328), \$4,933,113,000 is hereby rescinded: *Provided further*, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: *Provided further*, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: *Provided further*, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: *Provided further*, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs: *Provided further*, That the Secretary of Veterans Affairs shall ensure that sufficient amounts appropriated under this heading for medical supplies and equipment are available for the acquisition of prosthetics designed specifically for female veterans: *Provided further*, That nothing in section 2044(e)(1) of title 38, United States Code, may be construed as limiting amounts that may be made available under this heading for fiscal years 2024 and 2025 in this or prior Acts.

MEDICAL COMMUNITY CARE

For necessary expenses for furnishing health care to individuals pursuant to chapter 17 of title 38, United States Code, at non-Department facilities, \$20,382,000,000, plus reimbursements, which shall become available on October 1, 2024, and shall remain available until September 30, 2025: *Provided*, That, of the amount made available on October 1, 2024, under this heading, \$2,000,000,000 shall remain available until September 30, 2026: *Provided further*, That of the \$33,000,000,000 to become available on October 1, 2023, previously appropriated under this heading in

division J of the Consolidated Appropriations Act, 2023 (Public Law 117-328), \$3,159,584,000 is hereby rescinded.

MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.), \$11,800,000,000, plus reimbursements, which shall become available on October 1, 2024, and shall remain available until September 30, 2025: *Provided*, That, of the amount made available on October 1, 2024, under this heading, \$350,000,000 shall remain available until September 30, 2026.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, domiciliary facilities, and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services; \$1,000,000,000, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2023; and, in addition, \$9,400,000,000, plus reimbursements, which shall become available on October 1, 2024, and shall remain available until September 30, 2025: *Provided*, That, of the amount made available on October 1, 2024, under this heading, \$500,000,000 shall remain available until September 30, 2026.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, \$938,000,000, plus reimbursements, shall remain available until September 30, 2025: *Provided*, That the Secretary of Veterans Affairs shall ensure that sufficient amounts appropriated under this heading are available for prosthetic research specifically for female veterans, and for toxic exposure research.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemetery expenses as authorized by law; purchase of one passenger motor vehicle for use in cemetery operations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, \$480,000,000, of which not to exceed 10 percent shall remain available until September 30, 2025.

DEPARTMENTAL ADMINISTRATION

GENERAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-wide capital planning, management and policy activi-

ties, uniforms, or allowances therefor; not to exceed \$25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, \$475,000,000, of which not to exceed 10 percent shall remain available until September 30, 2025: *Provided*, That funds provided under this heading may be transferred to "General Operating Expenses, Veterans Benefits Administration".

BOARD OF VETERANS APPEALS

For necessary operating expenses of the Board of Veterans Appeals, \$287,000,000, of which not to exceed 10 percent shall remain available until September 30, 2025.

INFORMATION TECHNOLOGY SYSTEMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, \$6,401,000,000, plus reimbursements: *Provided*, That \$1,606,977,000 shall be for pay and associated costs, of which not to exceed 3 percent shall remain available until September 30, 2025: *Provided further*, That \$4,668,373,000 shall be for operations and maintenance, of which not to exceed 5 percent shall remain available until September 30, 2025, and of which \$75,288,000 shall remain available until September 30, 2028 for the purpose of facility activations related to projects funded by the "Construction, Major Projects", "Construction, Minor Projects", "Medical Facilities", "National Cemetery Administration", "General Operating Expenses, Veterans Benefits Administration", and "General Administration" accounts: *Provided further*, That \$125,650,000 shall be for information technology systems development, and shall remain available until September 30, 2025: *Provided further*, That amounts made available for salaries and expenses, operations and maintenance, and information technology systems development may be transferred among the three subaccounts after the Secretary of Veterans Affairs requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: *Provided further*, That amounts made available for the "Information Technology Systems" account for development may be transferred among projects or to newly defined projects: *Provided further*, That no project may be increased or decreased by more than \$3,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed: *Provided further*, That the funds made available under this heading for information technology systems development shall be for the projects, and in the amounts, specified under this heading in the report accompanying this Act.

VETERANS ELECTRONIC HEALTH RECORD

For activities related to implementation, preparation, development, interface, management, rollout, and maintenance of a Veterans Electronic Health Record system, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, and salaries and expenses of employees hired under titles 5 and 38, United States Code, \$1,334,142,000, to remain available until September 30, 2026: *Provided*, That the Secretary of Veterans Affairs

shall submit to the Committees on Appropriations of both Houses of Congress quarterly reports detailing obligations, expenditures, and deployment implementation by facility, including any changes from the deployment plan or schedule: *Provided further*, That the funds provided in this account shall only be available to the Office of the Deputy Secretary, to be administered by that Office: *Provided further*, That 25 percent of the funds made available under this heading shall not be available until July 1, 2024, and are contingent upon the Secretary of Veterans Affairs—

(1) providing the Committees on Appropriations a report, no later than 60 days after enactment of this Act, outlining the measurable operational metrics that will be used to determine when it is appropriate to re-start deployments;

(2) providing the Committees on Appropriations a report on the reset process as of March 1, 2024, including progress on achieving the necessary targets on the operational metrics identified in paragraph (1) and the current performance at all Department of Veterans Affairs facilities using the new electronic health record on or before September 2023 compared to pre-deployment baselines; and

(3) certifying in writing no later than 30 days prior to July 1, 2024, whether the system is stable, ready, and optimized for further deployment at VA sites, and if not, an estimate of the timeline required for further deployment.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$296,000,000, of which not to exceed 10 percent shall remain available until September 30, 2025.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, \$881,000,000, of which \$373,096,000 shall remain available until September 30, 2028, and of which \$507,904,000 shall remain available until expended, of which \$110,000,000 shall be available for seismic improvement projects and seismic program management activities, including for projects that would otherwise be funded by the Construction, Minor Projects, Medical Facilities or National Cemetery Administration accounts: *Provided*, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and planning, cost estimating, and design for major medical facility projects and major medical facility leases and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, staffing ex-

penses, and funds provided for the purchase, security, and maintenance of land for the National Cemetery Administration and the Veterans Health Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project that has not been notified to Congress through the budgetary process or that has not been approved by the Congress through statute, joint resolution, or in the explanatory statement accompanying such Act and presented to the President at the time of enrollment: *Provided further*, That funds provided for the Veterans Health Administration through the land acquisition line item shall be only for projects included on the five year development plan notified to Congress through the budgetary process: *Provided further*, That such sums as may be necessary shall be available to reimburse the “General Administration” account for payment of salaries and expenses of all Office of Construction and Facilities Management employees to support the full range of capital infrastructure services provided, including minor construction and leasing services: *Provided further*, That funds made available under this heading for fiscal year 2024, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2024; and (2) by the awarding of a construction contract by September 30, 2025: *Provided further*, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above: *Provided further*, That notwithstanding the requirements of section 8104(a) of title 38, United States Code, amounts made available under this heading for seismic improvement projects and seismic program management activities shall be available for the completion of both new and existing seismic projects of the Department.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, \$680,000,000, of which \$612,000,000 shall remain available until September 30, 2028, and of which \$68,000,000 shall remain available until expended, along with unobligated balances of previous “Construction, Minor Projects” appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: *Provided*, That funds made available under this heading shall be for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domi-

ciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, \$164,000,000, to remain available until expended.

GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

For grants to assist States and tribal organizations in establishing, expanding, or improving veterans cemeteries as authorized by section 2408 of title 38, United States Code, \$60,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS (INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2024 for “Compensation and Pensions”, “Readjustment Benefits”, and “Veterans Insurance and Indemnities” may be transferred as necessary to any other of the mentioned appropriations: *Provided*, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2024, in this or any other Act, under the “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, and “Medical Facilities” accounts may be transferred among the accounts: *Provided*, That any transfers among the “Medical Services”, “Medical Community Care”, and “Medical Support and Compliance” accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: *Provided further*, That any transfers among the “Medical Services”, “Medical Community Care”, and “Medical Support and Compliance” accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: *Provided further*, That any transfers to or from the “Medical Facilities” account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for “Construction, Major Projects”, and “Construction, Minor Projects”) shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for health care treatment or examination of any persons (except beneficiaries entitled to such health care treatment or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 7904 of title 5, United States Code, or the Robert T. Stafford Disaster Relief and

Emergency Assistance Act (42 U.S.C. 5121 et seq.), unless reimbursement of the cost of such health care treatment or examination is made to the “Medical Services” account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for “Compensation and Pensions”, “Readjustment Benefits”, and “Veterans Insurance and Indemnities” shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2023.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from “Compensation and Pensions”.

(INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2024, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans’ Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the “General Operating Expenses, Veterans Benefits Administration” and “Information Technology Systems” accounts for the cost of administration of the insurance programs financed through those accounts: *Provided*, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2024 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: *Provided further*, That if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: *Provided further*, That the Secretary shall determine the cost of administration for fiscal year 2024 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services shall be available until expended.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management, Diversity and Inclusion, the Office of Employment Discrimination Complaint Adjudication, and the Alternative Dispute Resolution function within the Office of Human Resources and Administration for all services provided at rates which will recover actual costs but not to exceed \$145,408,000 for the Office of Resolution Management, Diversity and Inclusion, \$6,960,000 for the Office of Employment Discrimination Complaint Adjudication, and \$7,772,000 for the Alternative Dispute Resolution function within the Office of Human Resources and Administration: *Provided*, That payments may be made in advance for services to be furnished based on estimated costs: *Provided further*, That amounts received shall be credited to the “General Administration” and “Information Technology Systems” accounts for use by the office that provided the service.

SEC. 211. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: *Provided*, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: *Provided further*, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 212. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the “Construction, Major Projects” and “Construction, Minor Projects” accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in “Construction, Major Projects” and “Construction, Minor Projects”.

SEC. 213. Amounts made available under “Medical Services” are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 214. Such sums as may be deposited into the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to the “Medical Services” and “Medical Community Care” accounts to remain available until expended for the purposes of these accounts.

SEC. 215. The Secretary of Veterans Affairs may enter into agreements with Federally Qualified Health Centers in the State of Alaska and Indian Tribes and Tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, to provide healthcare, including behavioral health and dental care, to veterans in rural Alaska. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary. The term “rural Alaska” shall mean those lands which are not within the boundaries of the municipality of Anchorage or the Fairbanks North Star Borough.

(INCLUDING TRANSFER OF FUNDS)

SEC. 216. Such sums as may be deposited into the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the “Construction, Major Projects” and “Construction, Minor Projects” accounts, to remain available until expended for the purposes of these accounts.

SEC. 217. Not later than 30 days after the end of each fiscal quarter, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a report on the financial status of the Department of Veterans Affairs for the preceding quarter: *Provided*, That, at a minimum, the report shall include the direction

contained in the paragraph entitled “Quarterly reporting”, under the heading “General Administration” in the joint explanatory statement accompanying Public Law 114-223.

(INCLUDING TRANSFER OF FUNDS)

SEC. 218. Amounts made available under the “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, “Medical Facilities”, “General Operating Expenses, Veterans Benefits Administration”, “Board of Veterans Appeals”, “General Administration”, and “National Cemetery Administration” accounts for fiscal year 2024 may be transferred to or from the “Information Technology Systems” account: *Provided*, That such transfers may not result in a more than 10 percent aggregate increase in the total amount made available by this Act for the “Information Technology Systems” account: *Provided further*, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

(INCLUDING TRANSFER OF FUNDS)

SEC. 219. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2024 for “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, “Medical Facilities”, “Construction, Minor Projects”, and “Information Technology Systems”, up to \$430,532,000, plus reimbursements, may be transferred to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500): *Provided*, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress: *Provided further*, That section 220 of title II of division J of Public Law 117-328 is repealed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Of the amounts appropriated to the Department of Veterans Affairs which become available on October 1, 2024, for “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, and “Medical Facilities”, up to \$456,547,000, plus reimbursements, may be transferred to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500): *Provided*, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 221. Such sums as may be deposited into the Medical Care Collections Fund pursuant to section 1729A of title 38, United

States Code, for healthcare provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500) shall also be available: (1) for transfer to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2571); and (2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500): *Provided*, That, notwithstanding section 1704(b)(3) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2573), amounts transferred to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund shall remain available until expended.

(INCLUDING TRANSFER OF FUNDS)

SEC. 222. Of the amounts available in this title for “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, and “Medical Facilities”, a minimum of \$15,000,000 shall be transferred to the DOD-VA Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

SEC. 223. None of the funds available to the Department of Veterans Affairs, in this or any other Act, may be used to replace the current system by which the Veterans Integrated Service Networks select and contract for diabetes monitoring supplies and equipment.

SEC. 224. The Secretary of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in a major construction project that total at least \$5,000,000, or 5 percent of the programmed amount of the project, whichever is less: *Provided*, That such notification shall occur within 14 days of a contract identifying the programmed amount: *Provided further*, That the Secretary shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

SEC. 225. None of the funds made available for “Construction, Major Projects” may be used for a project in excess of the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations unless the Secretary of Veterans Affairs receives approval from the Committees on Appropriations of both Houses of Congress.

SEC. 226. Not later than 30 days after the end of each fiscal quarter, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report containing performance measures and data from each Veterans Benefits Administration Regional Office: *Provided*, That, at a minimum, the report shall include the direction contained in the section entitled “Disability claims backlog”, under the heading “General Operating Expenses, Veterans Benefits Administration” in the joint explanatory statement accompanying Public Law 114-223: *Provided further*, That the report shall also include information on the number of appeals pending at the Veterans Benefits Administration as well as the Board of Veterans Appeals on a quarterly basis.

SEC. 227. The Secretary of Veterans Affairs shall provide written notification to the

Committees on Appropriations of both Houses of Congress 15 days prior to organizational changes which result in the transfer of 25 or more full-time equivalents from one organizational unit of the Department of Veterans Affairs to another.

SEC. 228. The Secretary of Veterans Affairs shall provide on a quarterly basis to the Committees on Appropriations of both Houses of Congress notification of any single national outreach and awareness marketing campaign in which obligations exceed \$1,000,000.

(INCLUDING TRANSFER OF FUNDS)

SEC. 229. The Secretary of Veterans Affairs, upon determination that such action is necessary to address needs of the Veterans Health Administration, may transfer to the “Medical Services” account any discretionary appropriations made available for fiscal year 2024 in this title (except appropriations made to the “General Operating Expenses, Veterans Benefits Administration” account) or any discretionary unobligated balances within the Department of Veterans Affairs, including those appropriated for fiscal year 2024, that were provided in advance by appropriations Acts: *Provided*, That transfers shall be made only with the approval of the Office of Management and Budget: *Provided further*, That the transfer authority provided in this section is in addition to any other transfer authority provided by law: *Provided further*, That no amounts may be transferred from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That such authority to transfer may not be used unless for higher priority items, based on emergent healthcare requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by Congress: *Provided further*, That, upon determination that all or part of the funds transferred from an appropriation are not necessary, such amounts may be transferred back to that appropriation and shall be available for the same purposes as originally appropriated: *Provided further*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and receive approval of that request.

(INCLUDING TRANSFER OF FUNDS)

SEC. 230. Amounts made available for the Department of Veterans Affairs for fiscal year 2024, under the “Board of Veterans Appeals” and the “General Operating Expenses, Veterans Benefits Administration” accounts may be transferred between such accounts: *Provided*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and receive approval of that request.

SEC. 231. The Secretary of Veterans Affairs may not reprogram funds among major construction projects or programs if such instance of reprogramming will exceed \$7,000,000, unless such reprogramming is approved by the Committees on Appropriations of both Houses of Congress.

SEC. 232. (a) The Secretary of Veterans Affairs shall ensure that the toll-free suicide hotline under section 1720F(h) of title 38, United States Code—

(1) provides to individuals who contact the hotline immediate assistance from a trained professional; and

(2) adheres to all requirements of the American Association of Suicidology.

(b)(1) None of the funds made available by this Act may be used to enforce or otherwise carry out any Executive action that prohibits the Secretary of Veterans Affairs from appointing an individual to occupy a vacant civil service position, or establishing a new civil service position, at the Department of Veterans Affairs with respect to such a position relating to the hotline specified in subsection (a).

(2) In this subsection—

(A) the term “civil service” has the meaning given such term in section 2101(l) of title 5, United States Code; and

(B) the term “Executive action” includes—

(i) any Executive order, Presidential memorandum, or other action by the President; and

(ii) any agency policy, order, or other directive.

(c)(1) The Secretary of Veterans Affairs shall conduct a study on the effectiveness of the hotline specified in subsection (a) during the 5-year period beginning on January 1, 2016, based on an analysis of national suicide data and data collected from such hotline.

(2) At a minimum, the study required by paragraph (1) shall—

(A) determine the number of veterans who contact the hotline specified in subsection (a) and who receive follow up services from the hotline or mental health services from the Department of Veterans Affairs thereafter;

(B) determine the number of veterans who contact the hotline who are not referred to, or do not continue receiving, mental health care who commit suicide; and

(C) determine the number of veterans described in subparagraph (A) who commit or attempt suicide.

SEC. 233. Effective during the period beginning on October 1, 2018, and ending on January 1, 2025, none of the funds made available to the Secretary of Veterans Affairs by this or any other Act may be obligated or expended in contravention of the “Veterans Health Administration Clinical Preventive Services Guidance Statement on the Veterans Health Administration’s Screening for Breast Cancer Guidance” published on May 10, 2017, as issued by the Veterans Health Administration National Center for Health Promotion and Disease Prevention.

SEC. 234. (a) Notwithstanding any other provision of law, the amounts appropriated or otherwise made available to the Department of Veterans Affairs for the “Medical Services” account may be used to provide—

(1) fertility counseling and treatment using assisted reproductive technology to a covered veteran or the spouse of a covered veteran; or

(2) adoption reimbursement to a covered veteran.

(b) In this section:

(1) The term “service-connected” has the meaning given such term in section 101 of title 38, United States Code.

(2) The term “covered veteran” means a veteran, as such term is defined in section 101 of title 38, United States Code, who has a service-connected disability that results in the inability of the veteran to procreate without the use of fertility treatment.

(3) The term “assisted reproductive technology” means benefits relating to reproductive assistance provided to a member of the Armed Forces who incurs a serious injury or illness on active duty pursuant to section 1074(c)(4)(A) of title 10, United States Code, as described in the memorandum on the subject of “Policy for Assisted Reproductive Services for the Benefit of Seriously or Severely Ill/Injured (Category II or III) Active Duty Service Members” issued by the Assistant Secretary of Defense for Health Affairs on April 3, 2012, and the guidance issued to

implement such policy, including any limitations on the amount of such benefits available to such a member except that—

(A) the time periods regarding embryo cryopreservation and storage set forth in part III(G) and in part IV(H) of such memorandum shall not apply; and

(B) such term includes embryo cryopreservation and storage without limitation on the duration of such cryopreservation and storage.

(4) The term “adoption reimbursement” means reimbursement for the adoption-related expenses for an adoption that is finalized after the date of the enactment of this Act under the same terms as apply under the adoption reimbursement program of the Department of Defense, as authorized in Department of Defense Instruction 1341.09, including the reimbursement limits and requirements set forth in such instruction.

(c) Amounts made available for the purposes specified in subsection (a) of this section are subject to the requirements for funds contained in section 508 of division H of the Consolidated Appropriations Act, 2018 (Public Law 115-141).

SEC. 235. None of the funds appropriated or otherwise made available by this Act or any other Act for the Department of Veterans Affairs may be used in a manner that is inconsistent with: (1) section 842 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109-115; 119 Stat. 2506); or (2) section 8110(a)(5) of title 38, United States Code.

SEC. 236. Section 842 of Public Law 109-115 shall not apply to conversion of an activity or function of the Veterans Health Administration, Veterans Benefits Administration, or National Cemetery Administration to contractor performance by a business concern that is at least 51 percent owned by one or more Indian Tribes as defined in section 5304(e) of title 25, United States Code, or one or more Native Hawaiian Organizations as defined in section 637(a)(15) of title 15, United States Code.

SEC. 237. (a) The Secretary of Veterans Affairs, in consultation with the Secretary of Defense and the Secretary of Labor, shall discontinue collecting and using Social Security account numbers to authenticate individuals in all information systems of the Department of Veterans Affairs for all individuals not later than September 30, 2024.

(b) The Secretary of Veterans Affairs may collect and use a Social Security account number to identify an individual, in accordance with section 552a of title 5, United States Code, in an information system of the Department of Veterans Affairs if and only if the use of such number is necessary to:

(1) obtain or provide information the Secretary requires from an information system that is not under the jurisdiction of the Secretary;

(2) comply with a law, regulation, or court order;

(3) perform anti-fraud activities; or

(4) identify a specific individual where no adequate substitute is available.

(c) The matter in subsections (a) and (b) shall supersede section 237 of division J of Public Law 117-328.

SEC. 238. For funds provided to the Department of Veterans Affairs for each of fiscal year 2024 and 2025 for “Medical Services”, section 239 of division A of Public Law 114-223 shall apply.

SEC. 239. None of the funds appropriated in this or prior appropriations Acts or otherwise made available to the Department of Veterans Affairs may be used to transfer any amounts from the Filipino Veterans Equity Compensation Fund to any other account within the Department of Veterans Affairs.

SEC. 240. Of the funds provided to the Department of Veterans Affairs for each of fiscal year 2024 and fiscal year 2025 for “Medical Services”, funds may be used in each year to carry out and expand the child care program authorized by section 205 of Public Law 111-163, notwithstanding subsection (e) of such section.

SEC. 241. None of the funds appropriated or otherwise made available in this title may be used by the Secretary of Veterans Affairs to enter into an agreement related to resolving a dispute or claim with an individual that would restrict in any way the individual from speaking to members of Congress or their staff on any topic not otherwise prohibited from disclosure by Federal law or required by Executive order to be kept secret in the interest of national defense or the conduct of foreign affairs.

SEC. 242. For funds provided to the Department of Veterans Affairs for each of fiscal year 2024 and 2025, section 258 of division A of Public Law 114-223 shall apply.

SEC. 243. (a) None of the funds appropriated or otherwise made available by this Act may be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.), or to prevent or impede the access of the Inspector General to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to such Inspector General and expressly limits the right of access.

(b) A department or agency covered by this section shall provide its Inspector General access to all records, documents, and other materials in a timely manner.

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

(d) Each Inspector General covered by this section shall report to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives within 5 calendar days of any failure by any department or agency covered by this section to comply with this requirement.

SEC. 244. None of the funds made available in this Act may be used in a manner that would increase wait times for veterans who seek care at medical facilities of the Department of Veterans Affairs.

SEC. 245. None of the funds appropriated or otherwise made available by this Act to the Veterans Health Administration may be used in fiscal year 2024 to convert any program which received specific purpose funds in fiscal year 2023 to a general purpose funded program unless the Secretary of Veterans Affairs submits written notification of any such proposal to the Committees on Appropriations of both Houses of Congress at least 30 days prior to any such action and an approval is issued by the Committees.

SEC. 246. For funds provided to the Department of Veterans Affairs for each of fiscal year 2024 and 2025, section 248 of division A of Public Law 114-223 shall apply.

SEC. 247. (a) None of the funds appropriated or otherwise made available by this Act may be used to conduct research commencing on or after October 1, 2019, that uses any canine, feline, or non-human primate unless the Secretary of Veterans Affairs approves such research specifically and in writing pursuant to subsection (b).

(b)(1) The Secretary of Veterans Affairs may approve the conduct of research com-

mencing on or after October 1, 2019, using canines, felines, or non-human primates if the Secretary determines that—

(A) the scientific objectives of the research can only be met by using such canines, felines, or non-human primates;

(B) such scientific objectives are directly related to an illness or injury that is combat-related; and

(C) the research is consistent with the revised Department of Veterans Affairs canine research policy document dated December 15, 2017, including any subsequent revisions to such document.

(2) The Secretary may not delegate the authority under this subsection.

(c) If the Secretary approves any new research pursuant to subsection (b), not later than 30 days before the commencement of such research, the Secretary shall submit to the Committees on Appropriations of the Senate and House of Representatives a report describing—

(1) the nature of the research to be conducted using canines, felines, or non-human primates;

(2) the date on which the Secretary approved the research;

(3) the justification for the determination of the Secretary that the scientific objectives of such research could only be met using canines, felines, or non-human primates;

(4) the frequency and duration of such research; and

(5) the protocols in place to ensure the necessity, safety, and efficacy of the research.

(d) Not later than 180 days after the date of the enactment of this Act, and biannually thereafter, the Secretary shall submit to such Committees a report describing—

(1) any research being conducted by the Department of Veterans Affairs using canines, felines, or non-human primates as of the date of the submittal of the report;

(2) the circumstances under which such research was conducted using canines, felines, or non-human primates;

(3) the justification for using canines, felines, or non-human primates to conduct such research; and

(4) the protocols in place to ensure the necessity, safety, and efficacy of such research.

(e) The Department shall implement a plan under which the Secretary will eliminate or reduce the research conducted using canines, felines, or non-human primates by not later than 5 years after the date of enactment of Public Law 116-94.

SEC. 248. (a) The Secretary of Veterans Affairs may use amounts appropriated or otherwise made available in this title to ensure that the ratio of veterans to full-time employment equivalents within any program of rehabilitation conducted under chapter 31 of title 38, United States Code, does not exceed 125 veterans to one full-time employment equivalent.

(b) Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the programs of rehabilitation conducted under chapter 31 of title 38, United States Code, including—

(1) an assessment of the veteran-to-staff ratio for each such program; and

(2) recommendations for such action as the Secretary considers necessary to reduce the veteran-to-staff ratio for each such program.

SEC. 249. Amounts made available for the “Veterans Health Administration, Medical Community Care” account in this or any other Act for fiscal years 2024 and 2025 may be used for expenses that would otherwise be payable from the Veterans Choice Fund established by section 802 of the Veterans Access, Choice, and Accountability Act, as amended (38 U.S.C. 1701 note).

SEC. 250. Obligations and expenditures applicable to the “Medical Services” account in fiscal years 2017 through 2019 for aid to state homes (as authorized by section 1741 of title 38, United States Code) shall remain in the “Medical Community Care” account for such fiscal years.

SEC. 251. Of the amounts made available for the Department of Veterans Affairs for fiscal year 2024, in this or any other Act, under the “Veterans Health Administration—Medical Services”, “Veterans Health Administration—Medical Community Care”, “Veterans Health Administration—Medical Support and Compliance”, and “Veterans Health Administration—Medical Facilities” accounts, \$1,279,096,000 shall be made available for gender-specific care and programmatic efforts to deliver care for women veterans.

SEC. 252. Of the unobligated balances available in fiscal year 2024 in the “Recurring Expenses Transformational Fund” established in section 243 of division J of Public Law 114-113, and in addition to any funds otherwise made available for such purposes in this, prior, or subsequent fiscal years, \$600,000,000 shall be available for constructing, altering, extending, and improving medical facilities of the Veterans Health Administration, including all supporting activities and required contingencies, during the period of availability of the Fund:

Provided, That prior to obligation of any of the funds provided in this section, the Secretary of Veterans Affairs must provide a plan for the execution of the funds appropriated in this section to the Committees on Appropriations of both Houses of Congress and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

SEC. 253. Not later than 30 days after the end of each fiscal quarter, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the status of the “Cost of War Toxic Exposures Fund”, as authorized by section 324 of title 38, United States Code: *Provided*, That, at a minimum, the report shall include an update on obligations by program, project or activity and a plan for expending the remaining funds: *Provided further*, That the budget resource categories supporting the Veterans Health Administration shall be reported by the subcategories “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, and “Medical and Prosthetics Research”.

SEC. 254. Any amounts transferred to the Secretary and administered by a corporation referred to in section 7364(b) of title 38, United States Code, between October 1, 2017 and September 30, 2018 for purposes of carrying out an order placed with the Department of Veterans Affairs pursuant to section 1535 of title 31, United States Code, that are available for obligation pursuant to section 7364(b)(1) of title 38, United States Code, are to remain available for the liquidation of valid obligations incurred by such corporation during the period of performance of such order, provided that the Secretary of Veterans Affairs determines that such amounts need to remain available for such liquidation.

(RESCISSION OF FUNDS)

SEC. 255. Of the unobligated balances from amounts made available under the heading “Departmental Administration—Veterans Electronic Health Record” in division J of the Consolidated Appropriations Act, 2023 (Public Law 117-328), \$439,750,000 is hereby rescinded.

(RESCISSIONS OF FUNDS)

SEC. 256. Of the unobligated balances available to the Department of Veterans Affairs

from prior appropriations Acts, the following funds are hereby rescinded from the following accounts in the amounts specified:

Veterans Health Administration—Medical Services, \$1,000,000,000; and

Veterans Health Administration—Medical Community Care, \$976,005,000:

Provided, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 257. None of the funds in this or any other Act may be used to close Department of Veterans Affairs hospitals, domiciliaries, or clinics, conduct an environmental assessment, or to diminish healthcare services at existing Veterans Health Administration medical facilities as part of a planned realignment of services until the Secretary provides to the Committees on Appropriations of both Houses of Congress a report including an analysis of how any such planned realignment of services will impact access to care for veterans living in rural or highly rural areas, including travel distances and transportation costs to access a Department medical facility and availability of local specialty and primary care.

SEC. 258. Unobligated balances available under the headings “Construction, Major Projects” and “Construction, Minor Projects” may be obligated by the Secretary of Veterans Affairs for a facility pursuant to section 2(e)(1) of the Communities Helping Invest through Property and Improvements Needed for Veterans Act of 2016 (Public Law 114-294; 38 U.S.C. 8103 note), as amended, to provide additional funds or to fund an escalation clause under such section of such Act: *Provided*, That before such unobligated balances are obligated pursuant to this section, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to obligate such unobligated balances and such Committees issue an approval, or absent a response, a period of 30 days has elapsed: *Provided further*, That the request to obligate such unobligated balances must provide Congress notice that the entity described in section 2(a)(2) of Public Law 114-294, as amended, has exhausted available cost containment approaches as set forth in the agreement under section 2(c) of such Public Law.

SEC. 259. (a) IN GENERAL.—None of the funds appropriated by this Act or otherwise made available for fiscal year 2024 for the Department of Veterans Affairs may be obligated or expended to procure or purchase computers, printers, software, hardware, connecting cables, or other information technology equipment needed for an office environment in which the manufacturer, bidder, or offeror, or any subsidiary or parent entity of the manufacturer, bidder, or offeror, of the equipment or software is an entity, or is a subsidiary or parent company of an entity—

(1) in which the People’s Republic of China has any ownership stake;

(2) that has been organized under the laws of the People’s Republic of China; or

(3) that contributes to the defense industry of the Chinese Communist Party.

(b) APPLICABILITY TO THIRD PARTIES.—The prohibition in subsection (a) also applies in cases in which the Secretary has contracted with a third party for the procurement, purchase, or expenditure of funds on any of the equipment and software described in such subsection.

SEC. 260. None of the funds appropriated or otherwise made available to the Department of Veterans Affairs in this Act may be used in a manner that would—

(1) interfere with the ability of a veteran to participate in a medicinal marijuana program approved by a State;

(2) deny any services from the Department to a veteran who is participating in such a program; or

(3) limit or interfere with the ability of a health care provider of the Department to make appropriate recommendations, fill out forms, or take steps to comply with such a program.

TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed \$15,000 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, \$158,630,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, \$47,200,000: *Provided*, That \$3,000,000 shall be available for the purpose of providing financial assistance as described and in accordance with the process and reporting procedures set forth under this heading in Public Law 102-229.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers’ and Airmen’s Home National Cemetery, including the purchase or lease of passenger motor vehicles for replacement on a one-for-one basis only, and not to exceed \$2,000 for official reception and representation expenses, \$99,880,000, of which not to exceed \$15,000,000 shall remain available until September 30, 2026. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the “Lease of Department of Defense Real Property for Defense Agencies” account.

CONSTRUCTION

For necessary expenses for planning and design and construction at Arlington National Cemetery and Soldiers’ and Airmen’s Home National Cemetery, \$88,600,000, to remain available until expended, for planning and design and construction associated with the Southern Expansion project at Arlington National Cemetery.

ARMED FORCES RETIREMENT HOME

TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement

Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$77,000,000, to remain available until September 30, 2025, of which \$8,940,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi: *Provided*, That of the amounts made available under this heading from funds available in the Armed Forces Retirement Home Trust Fund, \$25,000,000 shall be paid from the general fund of the Treasury to the Trust Fund.

ADMINISTRATIVE PROVISION

SEC. 301. Amounts deposited into the special account established under 10 U.S.C. 7727 are appropriated and shall be available until expended to support activities at the Army National Military Cemeteries.

TITLE IV

GENERAL PROVISIONS

SEC. 401. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 402. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 403. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of “E-Commerce” technologies and procedures in the conduct of their business practices and public service activities.

SEC. 404. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 405. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriations Act.

SEC. 406. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains confidential or proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 407. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

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

SEC. 408. None of the funds made available in this Act may be used by an agency of the executive branch to pay for first-class travel by an employee of the agency in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 409. None of the funds made available in this Act may be used to execute a contract for goods or services, including construction services, where the contractor has not complied with Executive Order No. 12989.

SEC. 410. None of the funds made available by this Act may be used in contravention of section 101(e)(8) of title 10, United States Code.

SEC. 411. (a) IN GENERAL.—None of the funds appropriated or otherwise made available to the Department of Defense in this Act may be used to construct, renovate, or expand any facility in the United States, its territories, or possessions to house any individual detained at United States Naval Station, Guantánamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

This division may be cited as the “Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2024”.

DIVISION B—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2024

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2024, and for other purposes, namely:

TITLE I

AGRICULTURAL PROGRAMS

PROCESSING, RESEARCH, AND MARKETING

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary, \$65,067,000 of which not to exceed \$7,432,000 shall be available for the immediate Office of the Secretary; not to exceed \$1,396,000 shall be available for the Office of Homeland Security; not to exceed \$5,190,000 shall be available for the Office of Tribal Relations, of which \$1,000,000 shall be to continue a Tribal Public Health Resource Center at a land grant university with existing indigenous public health expertise to expand current partnerships and collaborative efforts with indigenous groups, including but not limited to, tribal organizations and institutions such as tribal colleges, tribal technical colleges, tribal community colleges and tribal universities, to improve the delivery of culturally appropriate public health

services and functions in American Indian communities focusing on indigenous food sovereignty; not to exceed \$9,280,000 shall be available for the Office of Partnerships and Public Engagement, of which \$1,500,000 shall be for 7 U.S.C. 2279(c)(5); not to exceed \$28,422,000 shall be available for the Office of the Assistant Secretary for Administration, of which \$26,716,000 shall be available for Departmental Administration to provide for necessary expenses for management support services to offices of the Department and for general administration, security, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department: *Provided*, That funds made available by this Act to an agency in the Administration mission area for salaries and expenses are available to fund up to one administrative support staff for the Office; not to exceed \$4,609,000 shall be available for the Office of Assistant Secretary for Congressional Relations and Intergovernmental Affairs to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch; and not to exceed \$8,738,000 shall be available for the Office of Communications: *Provided further*, That the Secretary of Agriculture is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 5 percent: *Provided further*, That not to exceed \$22,000 of the amount made available under this paragraph for the immediate Office of the Secretary shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: *Provided further*, That the amount made available under this heading for Departmental Administration shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558: *Provided further*, That funds made available under this heading for the Office of the Assistant Secretary for Congressional Relations and Intergovernmental Affairs shall be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: *Provided further*, That no funds made available under this heading for the Office of Assistant Secretary for Congressional Relations may be obligated after 30 days from the date of enactment of this Act, unless the Secretary has notified the Committees on Appropriations of both Houses of Congress on the allocation of these funds by USDA agency: *Provided further*, That during any 30 day notification period referenced in section 716 of this Act, the Secretary of Agriculture shall take no action to begin implementation of the action that is subject to section 716 of this Act or make any public announcement of such action in any form.

EXECUTIVE OPERATIONS

OFFICE OF THE CHIEF ECONOMIST

For necessary expenses of the Office of the Chief Economist, \$30,181,000, of which \$10,000,000 shall be for grants or cooperative agreements for policy research under 7 U.S.C. 3155: *Provided*, That of the amounts made available under this heading, \$2,000,000 shall be for an interdisciplinary center based at a land grant university focused on agricultural policy relevant to the Midwest region which will provide private entities, policymakers, and the public with timely insights and targeted economic solutions: *Provided further*, That of the amounts made available under this heading, \$500,000 shall be

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

OFFICE OF HEARINGS AND APPEALS

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

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, \$14,967,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, \$92,284,000, of which not less than \$77,428,000 is for cybersecurity requirements of the department.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, \$7,367,000.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

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

OFFICE OF CIVIL RIGHTS

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

AGRICULTURE BUILDINGS AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92-313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 121, for programs and activities of the Department which are included in this Act, and for alterations and other actions needed for the Department and its agencies to consolidate unneeded space into configurations suitable for release to the Administrator of General Services, and for the operation, maintenance, improvement, and repair of Agriculture buildings and facilities, and for related costs, \$36,081,000, to remain available until expended.

HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) and the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), \$6,586,000, to remain available until expended: *Provided*, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

OFFICE OF SAFETY, SECURITY, AND PROTECTION

For necessary expenses of the Office of Safety, Security, and Protection, \$21,800,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, including employment pursuant to the Inspector General Act of 1978 (Public Law 95-452; 5 U.S.C. App.), \$111,561,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978 (Public Law 95-452; 5 U.S.C. App.), and including not to exceed \$125,000 for certain confidential operational expenses, including the payment of inform-

ants, to be expended under the direction of the Inspector General pursuant to the Inspector General Act of 1978 (Public Law 95-452; 5 U.S.C. App.) and section 1337 of the Agriculture and Food Act of 1981 (Public Law 97-98).

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, \$60,537,000.

OFFICE OF ETHICS

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

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

For necessary expenses of the Office of the Under Secretary for Research, Education, and Economics, \$2,384,000: *Provided*, That funds made available by this Act to an agency in the Research, Education, and Economics mission area for salaries and expenses are available to fund up to one administrative support staff for the Office: *Provided further*, That of the amounts made available under this heading, \$1,000,000 shall be made available for the Office of the Chief Scientist.

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service, \$92,183,000.

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service, \$200,563,000, of which up to \$55,900,000 shall be available until expended for the Census of Agriculture: *Provided*, That amounts made available for the Census of Agriculture may be used to conduct Current Industrial Report surveys subject to 7 U.S.C. 2204g(d) and (f).

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Agricultural Research Service and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed \$100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, \$1,792,879,000: *Provided*, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: *Provided further*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed \$500,000, except for headhouses or greenhouses which shall each be limited to \$1,800,000, except for 10 buildings to be constructed or improved at a cost not to exceed \$1,100,000 each, and except for four buildings to be constructed at a cost not to exceed \$5,000,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or \$500,000, whichever is greater: *Provided further*, That appropriations hereunder shall be available for entering into lease agreements at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by the Agricultural Research Service and a condition of the lease shall be that any facility shall be owned, operated, and maintained by the non-Federal entity and shall be removed upon the expiration or termination of the lease agreement: *Provided further*, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: *Provided further*, That appropria-

tions hereunder shall be available for granting easements at the Beltsville Agricultural Research Center: *Provided further*, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided further*, That appropriations hereunder shall be available for granting easements at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by, and acceptable to, the Agricultural Research Service and a condition of the easements shall be that upon completion the facility shall be accepted by the Secretary, subject to the availability of funds herein, if the Secretary finds that acceptance of the facility is in the interest of the United States: *Provided further*, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

BUILDINGS AND FACILITIES

For the acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, \$88,869,000 to remain available until expended, of which \$47,464,000 shall be for the purposes, and in the amounts, specified for this account in the table titled "Congressionally Directed Spending" in the report accompanying this Act.

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, \$1,084,600,000 which shall be for the purposes, and in the amounts, specified in the table titled "National Institute of Food and Agriculture, Research and Education Activities" in the report accompanying this Act: *Provided*, That funds for research grants for 1994 institutions, education grants for 1890 institutions, Hispanic serving institutions education grants, capacity building for non-land-grant colleges of agriculture, the agriculture and food research initiative, veterinary medicine loan repayment, multicultural scholars, graduate fellowship and institution challenge grants, grants management systems, tribal colleges education equity grants, and scholarships at 1890 institutions shall remain available until expended: *Provided further*, That each institution eligible to receive funds under the Evans-Allen program receives no less than \$1,000,000: *Provided further*, That funds for education grants for Alaska Native and Native Hawaiian-serving institutions be made available to individual eligible institutions or consortia of eligible institutions with funds awarded equally to each of the States of Alaska and Hawaii: *Provided further*, That funds for providing grants for food and agricultural sciences for Alaska Native and Native Hawaiian-Serving institutions and for Insular Areas shall remain available until September 30, 2024: *Provided further*, That funds for education grants for 1890 institutions shall be made available to institutions eligible to receive funds under 7 U.S.C. 3221 and 3222: *Provided further*, That not more than 5 percent of the amounts made available by this or any other Act to carry out the Agriculture and Food Research Initiative under 7 U.S.C. 3157 may be retained by the Secretary of Agriculture to pay administrative costs incurred by the Secretary in carrying out that authority.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

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

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, the Northern Marianas, and American Samoa, \$567,410,000 which shall be for the purposes, and in the amounts, specified in the table titled "National Institute of Food and Agriculture, Extension Activities" in the report accompanying this Act: *Provided*, That funds for extension services at 1994 institutions and for facility improvements at 1890 institutions shall remain available until expended: *Provided further*, That institutions eligible to receive funds under 7 U.S.C. 3221 for cooperative extension receive no less than \$1,000,000: *Provided further*, That funds for cooperative extension under sections 3(b) and (c) of the Smith-Lever Act (7 U.S.C. 343(b) and (c)) and section 208(c) of Public Law 93-471 shall be available for retirement and employees' compensation costs for extension agents.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension grants programs, including necessary administrative expenses, \$41,500,000, which shall be for the purposes, and in the amounts, specified in the table titled "National Institute of Food and Agriculture, Integrated Activities" in the report accompanying this Act: *Provided*, That funds for the Food and Agriculture Defense Initiative shall remain available until September 30, 2024: *Provided further*, That notwithstanding any other provision of law, indirect costs shall not be charged against any Extension Implementation Program Area grant awarded under the Crop Protection/Pest Management Program (7 U.S.C. 7626).

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary expenses of the Office of the Under Secretary for Marketing and Regulatory Programs, \$1,617,000: *Provided*, That funds made available by this Act to an agency in the Marketing and Regulatory Programs mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Animal and Plant Health Inspection Service, including up to \$30,000 for representation allowances and for expenses pursuant to the Foreign Service Act of 1980 (22 U.S.C. 4085), \$1,185,967,000 of which up to \$14,276,000 shall be for the purposes, and in the amounts, specified for this account in the table titled "Congressionally Directed Spending" in the report accompanying this Act; of which \$514,000, to remain available until expended, shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds ("contingency fund") to the extent necessary to meet emergency conditions; of which \$15,450,000, to remain available until expended, shall be used for the cotton pests program, including for cost share purposes or for debt retirement for active eradication zones; of which \$39,183,000, to remain available until expended, shall be for Animal Health Technical Services; of which \$4,096,000 shall be for activities under the authority of the Horse Protection Act of 1970, as amended (15 U.S.C. 1831); of which \$64,930,000, to re-

main available until expended, shall be used to support avian health; of which \$4,251,000, to remain available until expended, shall be for information technology infrastructure; of which \$217,904,000, to remain available until expended, shall be for specialty crop pests, of which \$8,500,000, to remain available until September 30, 2025, shall be for one-time control and management and associated activities directly related to the multiple-agency response to citrus greening; of which, \$13,986,000, to remain available until expended, shall be for field crop and rangeland ecosystem pests; of which \$21,567,000, to remain available until expended, shall be for zoonotic disease management; of which \$48,067,000, to remain available until expended, shall be for emergency preparedness and response; of which \$62,562,000, to remain available until expended, shall be for tree and wood pests; of which \$6,500,000, to remain available until expended, shall be for the National Veterinary Stockpile; of which up to \$1,500,000, to remain available until expended, shall be for the scrapie program for indemnities; of which \$2,500,000, to remain available until expended, shall be for the wildlife damage management program for aviation safety: *Provided*, That of amounts available under this heading for wildlife services methods development, \$1,000,000 shall remain available until expended: *Provided further*, That of amounts available under this heading for the screwworm program, \$4,990,000 shall remain available until expended; of which \$24,527,000, to remain available until expended, shall be used to carry out the science program and transition activities for the National Bio and Agro-defense Facility located in Manhattan, Kansas: *Provided further*, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: *Provided further*, That this appropriation shall be available for the purchase, replacement, operation, and maintenance of aircraft: *Provided further*, That in addition, in emergencies which threaten any segment of the agricultural production industry of the United States, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with sections 10411 and 10417 of the Animal Health Protection Act (7 U.S.C. 8310 and 8316) and sections 431 and 442 of the Plant Protection Act (7 U.S.C. 7751 and 7772), and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: *Provided further*, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 2024, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be reimbursed to this account, to remain available until expended, without further appropria-

tion, for providing such assistance, goods, or services.

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 2268a, \$3,175,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses of the Agricultural Marketing Service, \$229,891,000, of which \$7,500,000 shall be available for the purposes of section 12306 of Public Law 113-79, and of which \$1,000,000 shall be available for the purposes of section 779 of division A of Public Law 117-103: *Provided*, That of the amounts made available under this heading, \$15,000,000, to remain available until expended, shall be to carry out section 12513 of Public Law 115-334, of which \$14,000,000 shall be for dairy business innovation initiatives established in Public Law 116-6 and the Secretary shall take measures to ensure an equal distribution of funds between these three regional innovation initiatives: *Provided further*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

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

LIMITATION ON ADMINISTRATIVE EXPENSES

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

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

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

PAYMENTS TO STATES AND POSSESSIONS

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

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

Not to exceed \$55,000,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: *Provided*, That if grain export activities require additional supervision and oversight,

or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

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

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed \$10,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$1,205,009,000; and in addition, \$1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1327 of the Food, Agriculture, Conservation and Trade Act of 1990 (7 U.S.C. 138f): *Provided*, That funds provided for the Public Health Data Communication Infrastructure system shall remain available until expended: *Provided further*, That no fewer than 148 full-time equivalent positions shall be employed during fiscal year 2024 for purposes dedicated solely to inspections and enforcement related to the Humane Methods of Slaughter Act (7 U.S.C. 1901 et seq.): *Provided further*, That the Food Safety and Inspection Service shall continue implementation of section 11016 of Public Law 110-246 as further clarified by the amendments made in section 12106 of Public Law 113-79: *Provided further*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

TITLE II

FARM PRODUCTION AND CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FARM PRODUCTION AND CONSERVATION

For necessary expenses of the Office of the Under Secretary for Farm Production and Conservation, \$1,727,000: *Provided*, That funds made available by this Act to an agency in the Farm Production and Conservation mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

FARM PRODUCTION AND CONSERVATION BUSINESS CENTER

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farm Production and Conservation Business Center, \$249,684,000, of which \$1,000,000 shall be for the implementation of section 773 of Public Law 117-328: *Provided*, That \$60,228,000 of amounts appropriated for the current fiscal year pursuant to section 1241(a) of the Farm Security and Rural Investment Act of 1985 (16 U.S.C. 3841(a)) shall be transferred to and merged with this account.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farm Service Agency, \$1,215,307,000, of which not less than \$15,000,000 shall be for the hiring of new employees to fill vacancies and anticipated vacancies at Farm Service Agency county offices and farm loan officers and shall be

available until September 30, 2025: *Provided*, That not more than 50 percent of the funding made available under this heading for information technology related to farm program delivery may be obligated until the Secretary submits to the Committees on Appropriations of both Houses of Congress, and receives written or electronic notification of receipt from such Committees of, a plan for expenditure that (1) identifies for each project/investment over \$25,000 (a) the functional and performance capabilities to be delivered and the mission benefits to be realized, (b) the estimated lifecycle cost for the entirety of the project/investment, including estimates for development as well as maintenance and operations, and (c) key milestones to be met; (2) demonstrates that each project/investment is, (a) consistent with the Farm Service Agency Information Technology Roadmap, (b) being managed in accordance with applicable lifecycle management policies and guidance, and (c) subject to the applicable Department's capital planning and investment control requirements; and (3) has been reviewed by the Government Accountability Office and approved by the Committees on Appropriations of both Houses of Congress: *Provided further*, That the agency shall submit a report by the end of the fourth quarter of fiscal year 2024 to the Committees on Appropriations and the Government Accountability Office, that identifies for each project/investment that is operational (a) current performance against key indicators of customer satisfaction, (b) current performance of service level agreements or other technical metrics, (c) current performance against a pre-established cost baseline, (d) a detailed breakdown of current and planned spending on operational enhancements or upgrades, and (e) an assessment of whether the investment continues to meet business needs as intended as well as alternatives to the investment: *Provided further*, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: *Provided further*, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: *Provided further*, That of the amount appropriated under this heading, \$696,594,000 shall be made available to county offices, to remain available until expended: *Provided further*, That, notwithstanding the preceding proviso, any funds made available to county offices in the current fiscal year that the Administrator of the Farm Service Agency deems to exceed or not meet the amount needed for the county offices may be transferred to or from the Farm Service Agency for necessary expenses: *Provided further*, That none of the funds available to the Farm Service Agency shall be used to close Farm Service Agency county offices: *Provided further*, That none of the funds available to the Farm Service Agency shall be used to permanently relocate county based employees that would result in an office with two or fewer employees without prior notification and approval of the Committees on Appropriations of both Houses of Congress.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101-5106), \$7,000,000: *Provided*, That the Secretary of Agriculture may determine that United States territories and Federally recognized Indian tribes are "States" for the purposes of Subtitle A of such Act.

GRASSROOTS SOURCE WATER PROTECTION PROGRAM

For necessary expenses to carry out well-head or groundwater protection activities

under section 12400 of the Food Security Act of 1985 (16 U.S.C. 3839bb-2), \$7,500,000, to remain available until expended.

DAIRY INDEMNITY PROGRAM
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, such sums as may be necessary, to remain available until expended: *Provided*, That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106-387, 114 Stat. 1549A-12).

GEOGRAPHICALLY DISADVANTAGED FARMERS AND RANCHERS

For necessary expenses to carry out direct reimbursement payments to geographically disadvantaged farmers and ranchers under section 1621 of the Food Conservation, and Energy Act of 2008 (7 U.S.C. 8792), \$4,000,000, to remain available until expended.

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, emergency loans (7 U.S.C. 1961 et seq.), Indian tribe land acquisition loans (25 U.S.C. 5136), boll weevil loans (7 U.S.C. 1989), guaranteed conservation loans (7 U.S.C. 1924 et seq.), relending program (7 U.S.C. 1936c), and Indian highly fractionated land loans (25 U.S.C. 5136) to be available from funds in the Agricultural Credit Insurance Fund, as follows: \$3,500,000,000 for guaranteed farm ownership loans and \$3,100,000,000 for farm ownership direct loans; \$2,118,491,000 for unsubsidized guaranteed operating loans and \$1,633,000,000 for direct operating loans; emergency loans, \$37,667,000; Indian tribe land acquisition loans, \$20,000,000; guaranteed conservation loans, \$150,000,000; relending program, \$61,426,000; Indian highly fractionated land loans, \$5,000,000; and for boll weevil eradication program loans, \$60,000,000: *Provided*, That the Secretary shall deem the pink bollworm to be a boll weevil for the purpose of boll weevil eradication program loans.

For the cost of direct and guaranteed loans and grants, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: \$3,507,000 for emergency loans, to remain available until expended; and \$27,598,000 for direct farm operating loans, \$1,483,000 for unsubsidized guaranteed farm operating loans, \$19,368,000 for the relending program, \$1,577,000 for Indian highly fractionated land loans, and \$258,000 for boll weevil eradication program loans.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$341,871,000: *Provided*, That of this amount, \$321,621,000 shall be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership, operating and conservation direct loans and guaranteed loans may be transferred among these programs: *Provided*, That the Committees on Appropriations of both Houses of Congress are notified at least 15 days in advance of any transfer.

RISK MANAGEMENT AGENCY
SALARIES AND EXPENSES

For necessary expenses of the Risk Management Agency, \$66,870,000: *Provided*, That

\$1,000,000 of the amount appropriated under this heading in this Act shall be available for compliance and integrity activities required under section 516(b)(2)(C) of the Federal Crop Insurance Act of 1938 (7 U.S.C. 1516(b)(2)(C)), and shall be in addition to amounts otherwise provided for such purpose: *Provided further*, That not to exceed \$1,000 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

NATURAL RESOURCES CONSERVATION SERVICE
CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed \$100 pursuant to the Act of August 3, 1956 (7 U.S.C. 2268a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, \$922,151,000, to remain available until September 30, 2025: *Provided*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed \$250,000: *Provided further*, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a.

WATERSHED AND FLOOD PREVENTION
OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to surveys and investigations, engineering operations, works of improvement, and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001–1005 and 1007–1009) and in accordance with the provisions of laws relating to the activities of the Department, \$90,405,000, to remain available until expended, of which up to \$20,405,000 shall be for the purposes, and in the amounts, specified for this account in the table titled “Congressionally Directed Spending” in the report accompanying this Act: *Provided*, That for funds provided by this Act or any other prior Act, the limitation regarding the size of the watershed or subwatershed exceeding two hundred and fifty thousand acres in which such activities can be undertaken shall only apply for activities undertaken for the primary purpose of flood prevention (including structural and land treatment measures): *Provided further*, That of the amounts made available under this heading, \$5,000,000 shall be allocated to projects and activities that can commence promptly following enactment; that address regional priorities for flood prevention, agricultural water management, inefficient irrigation systems, fish and wildlife habitat, or watershed protection; or that address authorized ongoing projects under the authorities of section 13 of the Flood Control Act of December 22, 1944 (Public Law 78–534) with a primary purpose of watershed protection by preventing floodwater damage and stabilizing stream channels, tributaries, and banks to reduce erosion and sediment transport: *Provided further*, That of

the amounts made available under this heading, \$10,000,000 shall be allocated to irrigation modernization projects and activities located in Western states that increase fish or wildlife habitat, reduce drought impact, improve water quality or instream flow, or provide off-channel renewable energy production.

WATERSHED REHABILITATION PROGRAM

Under the authorities of section 14 of the Watershed Protection and Flood Prevention Act, \$2,000,000 is provided.

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act (7 U.S.C. 1516), such sums as may be necessary, to remain available until expended.

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES
(INCLUDING TRANSFERS OF FUNDS)

For the current fiscal year, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a–11): *Provided*, That of the funds available to the Commodity Credit Corporation under section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i) for the conduct of its business with the Foreign Agricultural Service, up to \$5,000,000 may be transferred to and used by the Foreign Agricultural Service for information resource management activities of the Foreign Agricultural Service that are not related to Commodity Credit Corporation business: *Provided further*, That the Secretary shall notify the Committees on Appropriations of the House and Senate in writing 15 days prior to the obligation or commitment of any emergency funds from the Commodity Credit Corporation.

HAZARDOUS WASTE MANAGEMENT
(LIMITATION ON EXPENSES)

For the current fiscal year, the Commodity Credit Corporation shall not expend more than \$15,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9607(g)), and section 6001 of the Solid Waste Disposal Act (42 U.S.C. 6961).

TITLE III

RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL
DEVELOPMENT

For necessary expenses of the Office of the Under Secretary for Rural Development, \$1,620,000: *Provided*, That funds made available by this Act to an agency in the Rural Development mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

RURAL DEVELOPMENT
SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of

Rural Development programs, including activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; \$351,087,000: *Provided*, That of the amount made available under this heading, up to \$3,000,000, to remain available until September 30, 2025, shall be for the Rural Partners Network activities of the Department of Agriculture, and may be transferred to other agencies of the Department for such purpose, consistent with the missions and authorities of such agencies: *Provided further*, That of the amount made available under this heading, no less than \$100,000,000, to remain available until expended, shall be used for information technology expenses: *Provided further*, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support Rural Development programs: *Provided further*, That in addition to any other funds appropriated for purposes authorized by section 502(i) of the Housing Act of 1949 (42 U.S.C. 1472(i)), any amounts collected under such section, as amended by this Act, will immediately be credited to this account and will remain available until expended for such purposes.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM
ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: \$850,000,000 shall be for direct loans, \$7,500,000 shall be for a Single Family Housing Relending demonstration program for Native American Tribes; and \$30,000,000,000, which shall remain available until September 30, 2025 shall be for unsubsidized guaranteed loans; \$28,000,000 for section 504 housing repair loans; \$60,000,000 for section 515 rental housing; \$400,000,000 for section 538 guaranteed multi-family housing loans; \$10,000,000 for credit sales of single family housing acquired property; \$5,000,000 for section 523 self-help housing land development loans; and \$5,000,000 for section 524 site development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, \$62,637,000 shall be for direct loans; Single Family Housing Relending demonstration program for Native American Tribes, \$3,432,000; section 504 housing repair loans, \$4,858,000; section 523 self-help housing land development loans, \$637,000; section 524 site development loans, \$477,000; and repair, rehabilitation, and new construction of section 515 rental housing, \$20,988,000, to remain available until expended: *Provided*, That to support the loan program level for section 538 guaranteed loans made available under this heading the Secretary may charge or adjust any fees to cover the projected cost of such loan guarantees pursuant to the provisions of the Credit Reform Act of 1990 (2 U.S.C. 661 et seq.), and the interest on such loans may not be subsidized: *Provided further*, That applicants in communities that have a current rural area waiver under section 541 of the Housing Act of 1949 (42 U.S.C. 1490q) shall be treated as living in a rural area for purposes of section 502 guaranteed loans provided under this heading: *Provided further*, That of the amounts available under this paragraph for section 502 direct loans, no less than \$5,000,000 shall be available for direct loans for individuals whose homes will be built pursuant to a program funded with a mutual and self-help housing grant authorized by section 523 of the Housing Act of 1949

until June 1, 2024: *Provided further*, That the Secretary shall implement provisions to provide incentives to nonprofit organizations and public housing authorities to facilitate the acquisition of Rural Housing Service (RHS) multifamily housing properties by such nonprofit organizations and public housing authorities that commit to keep such properties in the RHS multifamily housing program for a period of time as determined by the Secretary, with such incentives to include, but not be limited to, the following: allow such nonprofit entities and public housing authorities to earn a Return on Investment on their own resources to include proceeds from low income housing tax credit syndication, own contributions, grants, and developer loans at favorable rates and terms, invested in a deal; and allow reimbursement of organizational costs associated with owner's oversight of asset referred to as "Asset Management Fee" of up to \$7,500 per property.

In addition, for the cost of direct loans and grants, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, \$35,000,000, to remain available until expended, for a demonstration program for the preservation and revitalization of the sections 514, 515, and 516 multi-family rental housing properties to restructure existing USDA multi-family housing loans, as the Secretary deems appropriate, expressly for the purposes of ensuring the project has sufficient resources to preserve the project for the purpose of providing safe and affordable housing for low-income residents and farm laborers including reducing or eliminating interest; deferring loan payments, subordinating, reducing or re-amortizing loan debt; and other financial assistance including advances, payments and incentives (including the ability of owners to obtain reasonable returns on investment) required by the Secretary: *Provided*, That the Secretary shall, as part of the preservation and revitalization agreement, obtain a restrictive use agreement consistent with the terms of the restructuring.

In addition, for the cost of direct loans, grants, and contracts, as authorized by sections 514 and 516 of the Housing Act of 1949 (42 U.S.C. 1484, 1486), \$18,703,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$412,254,000 shall be paid to the appropriation for "Rural Development, Salaries and Expenses".

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) of the Housing Act of 1949 or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, \$1,608,000,000, and in addition such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: *Provided*, That amounts made available under this heading shall be available for renewal of rental assistance agreements for a maximum of 15,000 units where the Secretary determines that a maturing loan for a project cannot reasonably be restructured with another USDA loan or modification and the project was operating with rental assistance under section 521 of the Housing Act of 1949: *Provided further*, That the Secretary may enter into rental assistance contracts in maturing properties with existing rental assistance agreements not-

withstanding any provision of section 521 of the Housing Act of 1949, for a term of at least 10 years but not more than 20 years: *Provided further*, That any agreement to enter into a rental assistance contract under section 521 of the Housing Act of 1949 for a maturing property shall obligate the owner to continue to maintain the project as decent, safe, and sanitary housing and to operate the development in accordance with the Housing Act of 1949, except that initial rents shall be based on the budget-based needs of the project: *Provided further*, That annual rent adjustments shall be based on the lesser of (1) the budget-based needs of the project, or (2) the operating cost adjustment factor as a payment standard as provided under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note): *Provided further*, That rental assistance agreements entered into or renewed during the current fiscal year shall be funded for a one year period: *Provided further*, That upon request by an owner under section 514 or 515 of the Act, the Secretary may renew the rental assistance agreement for a period of 20 years or until the term of such loan has expired, subject to annual appropriations: *Provided further*, That rental assistance agreements entered into or renewed during the current fiscal year shall be funded for a one-year period: *Provided further*, That upon request by an owner of a project financed by an existing loan under section 514 or 515 of the Act, the Secretary may renew the rental assistance agreement for a period of 20 years or until the term of such loan has expired, subject to annual appropriations: *Provided further*, That any unexpended balances remaining at the end of such one-year agreements may be transferred and used for purposes of any debt reduction, maintenance, repair, or rehabilitation of any existing projects; preservation; and rental assistance activities authorized under title V of the Act: *Provided further*, That rental assistance provided under agreements entered into prior to fiscal year 2024 for a farm labor multi-family housing project financed under section 514 or 516 of the Act may not be recaptured for use in another project until such assistance has remained unused for a period of six consecutive months, if such project has a waiting list of tenants seeking such assistance or the project has rental assistance eligible tenants who are not receiving such assistance: *Provided further*, That such recaptured rental assistance shall, to the extent practicable, be applied to another farm labor multi-family housing project financed under section 514 or 516 of the Act: *Provided further*, That except as provided in the tenth proviso under this heading and notwithstanding any other provision of the Act, the Secretary may recapture rental assistance provided under agreements entered into prior to fiscal year 2024 for a project that the Secretary determines no longer needs rental assistance and use such recaptured funds for current needs.

RURAL HOUSING VOUCHER ACCOUNT

For the rural housing voucher program as authorized under section 542 of the Housing Act of 1949, but notwithstanding subsection (b) of such section, \$48,000,000, to remain available until expended: *Provided*, That the funds made available under this heading shall be available for rural housing vouchers to any low-income household (including those not receiving rental assistance) residing in a property financed with a section 515 loan which has been prepaid or otherwise paid off after September 30, 2005: *Provided further*, That the amount of such voucher shall be the difference between comparable market rent for the section 515 unit and the tenant paid rent for such unit: *Provided fur-*

ther, That funds made available for such vouchers shall be subject to the availability of annual appropriations: *Provided further*, That the Secretary shall, to the maximum extent practicable, administer such vouchers with current regulations and administrative guidance applicable to section 8 housing vouchers administered by the Secretary of the Department of Housing and Urban Development: *Provided further*, That in addition to any other available funds, the Secretary may expend not more than \$1,000,000 total, from the program funds made available under this heading, for administrative expenses for activities funded under this heading.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), \$32,000,000, to remain available until expended.

RURAL HOUSING ASSISTANCE GRANTS

For grants for very low-income housing repair and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, and 1490m, \$48,000,000, to remain available until expended.

RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, \$2,800,000,000 for direct loans and \$650,000,000 for guaranteed loans.

For the cost of direct loans, loan guarantees and grants, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, for rural community facilities programs as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, \$253,134,000, to remain available until expended, of which up to \$205,134,000 shall be for the purposes, and in the amounts, specified for this account in the table titled "Congressionally Directed Spending" in the report accompanying this Act: *Provided*, That \$6,000,000 of the amount appropriated under this heading shall be available for a Rural Community Development Initiative: *Provided further*, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations, low-income rural communities, and Federally Recognized Native American Tribes to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: *Provided further*, That such funds shall be made available to qualified private, nonprofit and public intermediary organizations proposing to carry out a program of financial and technical assistance: *Provided further*, That such intermediary organizations shall provide matching funds from other sources, including Federal funds for related activities, in an amount not less than funds provided: *Provided further*, That any unobligated balances from prior year appropriations under this heading for the cost of direct loans, loan guarantees and grants, including amounts deobligated or cancelled, may be made available to cover the subsidy costs for direct loans and or loan guarantees under this heading in this fiscal year: *Provided further*, That no amounts may be made available pursuant to the preceding proviso from amounts that were designated by the Congress as an emergency requirement pursuant to a Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, or that were specified in the

table titled “Congressionally Directed Spending” in the report accompanying this Act: *Provided further*, That \$10,000,000 of the amount appropriated under this heading shall be available for community facilities grants to tribal colleges, as authorized by section 306(a)(19) of such Act: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

RURAL BUSINESS—COOPERATIVE SERVICE
RURAL BUSINESS PROGRAM ACCOUNT

For the cost of loan guarantees and grants, for the rural business development programs authorized by section 310B and described in subsections (a), (c), (f) and (g) of section 310B of the Consolidated Farm and Rural Development Act, \$77,728,000, to remain available until expended: *Provided*, That of the amount appropriated under this heading, not to exceed \$500,000 shall be made available for one grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development and \$12,000,000 shall be for grants to the Delta Regional Authority (7 U.S.C. 2009aa et seq.), the Northern Border Regional Commission (40 U.S.C. 15101 et seq.), the Southwest Border Regional Commission (40 U.S.C. 15301 et seq.), and the Appalachian Regional Commission (40 U.S.C. 14101 et seq.) for any Rural Community Advancement Program purpose as described in section 381E(d) of the Consolidated Farm and Rural Development Act, of which not more than 5 percent may be used for administrative expenses: *Provided further*, That \$4,000,000 of the amount appropriated under this heading shall be for business grants to benefit Federally Recognized Native American Tribes, including \$250,000 for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to funds made available under this heading.

INTERMEDIARY RELENDING PROGRAM FUND
ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the principal amount of direct loans, as authorized by the Intermediary Relending Program Fund Account (7 U.S.C. 1936b), \$18,889,000.

For the cost of direct loans, \$5,733,000, as authorized by the Intermediary Relending Program Fund Account (7 U.S.C. 1936b), of which \$573,000 shall be available through June 30, 2024, for Federally Recognized Native American Tribes; and of which \$1,147,000 shall be available through June 30, 2024, for Mississippi Delta Region counties (as determined in accordance with Public Law 100–460): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, for administrative expenses to carry out the direct loan programs, \$4,468,000 shall be paid to the appropriation for “Rural Development, Salaries and Expenses”.

RURAL ECONOMIC DEVELOPMENT LOANS
PROGRAM ACCOUNT

For the principal amount of direct loans, as authorized under section 313B(a) of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, \$75,000,000.

The cost of grants authorized under section 313B(a) of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects shall not exceed \$15,000,000.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), \$28,300,000, of which \$3,500,000 shall be for cooperative agreements for the appropriate technology transfer for rural areas program: *Provided*, That not to exceed \$3,000,000 shall be for grants for cooperative development centers, individual cooperatives, or groups of cooperatives that serve socially disadvantaged groups and a majority of the boards of directors or governing boards of which are comprised of individuals who are members of socially disadvantaged groups; and of which \$16,000,000, to remain available until expended, shall be for value-added agricultural product market development grants, as authorized by section 210A of the Agricultural Marketing Act of 1946, of which \$3,000,000, to remain available until expended, shall be for Agriculture Innovation Centers authorized pursuant to section 6402 of Public Law 107–171.

RURAL MICROENTREPRENEUR ASSISTANCE
PROGRAM

For the principal amount of direct loans as authorized by section 379E of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008s), \$20,000,000.

For the cost of loans and grants, \$6,000,000 under the same terms and conditions as authorized by section 379E of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008s).

RURAL ENERGY FOR AMERICA PROGRAM

For the principal amount of loan guarantees, under the same terms and conditions as authorized by section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107), \$50,000,000.

HEALTHY FOOD FINANCING INITIATIVE

For the cost of loans and grants that is consistent with section 243 of subtitle D of title II of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6953), as added by section 4206 of the Agricultural Act of 2014, for necessary expenses of the Secretary to support projects that provide access to healthy food in underserved areas, to create and preserve quality jobs, and to revitalize low-income communities, \$1,000,000, to remain available until expended: *Provided*, That such costs of loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

RURAL UTILITIES SERVICE

RURAL WATER AND WASTE DISPOSAL PROGRAM
ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by section 306 and described in section 381E(d)(2) of the Consolidated Farm and Rural Development Act, as follows: \$880,000,000 for direct loans; and \$50,000,000 for guaranteed loans.

For the cost of direct loans, loan guarantees and grants, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, for rural water, waste water, waste disposal, and solid waste management programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B and described in sections 306C(a)(2), 306D, 306E, and 381E(d)(2) of the Consolidated Farm and Rural Development Act, \$671,560,000, to remain available until expended, of which not to exceed \$1,000,000 shall be available for the rural utilities program described in section 306(a)(2)(B) of such Act, and of which not to exceed \$5,000,000 shall be available for the rural utilities program described in section 306E of such Act: *Provided*, That not to

exceed \$10,000,000 of the amount appropriated under this heading shall be for grants authorized by section 306A(i)(2) of the Consolidated Farm and Rural Development Act in addition to funding authorized by section 306A(i)(1) of such Act: *Provided further*, That \$70,000,000 of the amount appropriated under this heading shall be for loans and grants including water and waste disposal systems grants authorized by section 306C(a)(2)(B) and section 306D of the Consolidated Farm and Rural Development Act, and Federally Recognized Native American Tribes authorized by 306C(a)(1) of such Act, and the Department of Hawaiian Home Lands (of the State of Hawaii): *Provided further*, That funding provided for section 306D of the Consolidated Farm and Rural Development Act may be provided to a consortium formed pursuant to section 325 of Public Law 105–83: *Provided further*, That not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by the State of Alaska for training and technical assistance programs and not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by a consortium formed pursuant to section 325 of Public Law 105–83 for training and technical assistance programs: *Provided further*, That not to exceed \$37,500,000 of the amount appropriated under this heading shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, unless the Secretary makes a determination of extreme need, of which \$8,500,000 shall be made available for a grant to a qualified nonprofit multi-State regional technical assistance organization, with experience in working with small communities on water and waste water problems, the principal purpose of such grant shall be to assist rural communities with populations of 3,300 or less, in improving the planning, financing, development, operation, and management of water and waste water systems, and of which not less than \$800,000 shall be for a qualified national Native American organization to provide technical assistance for rural water systems for tribal communities: *Provided further*, That not to exceed \$25,000,000 of the amount appropriated under this heading shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: *Provided further*, That not to exceed \$4,000,000 of the amounts made available under this heading shall be for solid waste management grants: *Provided further*, That not to exceed \$8,085,000 of the amounts appropriated under this heading shall be available as the Secretary deems appropriate for water and waste direct one percent loans for distressed communities: *Provided further*, That if the Secretary determines that any portion of the amount made available for one percent loans is not needed for such loans, the Secretary may use such amounts for grants authorized by section 306(a)(2) of the Consolidated Farm and Rural Development Act: *Provided further*, That if any funds made available for the direct loan subsidy costs remain unobligated after July 31, 2024, such unobligated balances may be used for grant programs funded under this heading: *Provided further*, That \$10,000,000 of the amount appropriated under this heading shall be transferred to, and merged with, the Rural Utilities Service, High Energy Cost Grants Account to provide grants authorized under section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a): *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT
(INCLUDING TRANSFER OF FUNDS)

The principal amount of loans and loan guarantees as authorized by sections 4, 305, 306, 313A, and 317 of the Rural Electrification Act of 1936 (7 U.S.C. 904, 935, 936, 940c–1, and 940g) shall be made as follows: guaranteed rural electric loans made pursuant to section 306 of that Act, \$2,167,000,000; cost of money direct loans made pursuant to sections 4, notwithstanding the one-eighth of one percent in 4(c)(2), and 317, notwithstanding 317(c), of that Act, \$4,333,000,000; guaranteed underwriting loans pursuant to section 313A of that Act, \$900,000,000; and for cost-of-money rural telecommunications loans made pursuant to section 305(d)(2) of that Act, \$690,000,000: *Provided*, That up to \$2,000,000,000 shall be used for the construction, acquisition, design, engineering or improvement of fossil-fueled electric generating plants (whether new or existing) that utilize carbon subsurface utilization and storage systems.

For the cost of direct loans as authorized by section 305(d)(2) of the Rural Electrification Act of 1936 (7 U.S.C. 935(d)(2)), including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, cost of money rural telecommunications loans, \$7,176,000.

In addition, \$10,734,000 to remain available until expended, to carry out section 6407 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107a): *Provided*, That the energy efficiency measures supported by the funding in this paragraph shall contribute in a demonstrable way to the reduction of greenhouse gases.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$33,270,000, which shall be paid to the appropriation for “Rural Development, Salaries and Expenses”.

DISTANCE LEARNING, TELEMEDICINE, AND
BROADBAND PROGRAM

For grants for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq., \$62,721,000, to remain available until expended, of which up to \$2,721,000 shall be for the purposes, and in the amounts, specified for this account in the table titled “Congressionally Directed Spending” in the report accompanying this Act: *Provided*, That \$3,000,000 shall be made available for grants authorized by section 379G of the Consolidated Farm and Rural Development Act: *Provided further*, That funding provided under this heading for grants under section 379G of the Consolidated Farm and Rural Development Act may only be provided to entities that meet all of the eligibility criteria for a consortium as established by this section.

For the cost to continue a broadband loan and grant pilot program established by section 779 of division A of the Consolidated Appropriations Act, 2018 (Public Law 115–141) under the Rural Electrification Act of 1936, as amended (7 U.S.C. 901 et seq.), \$98,000,000, to remain available until expended: *Provided*, That the Secretary may award grants described in section 601(a) of the Rural Electrification Act of 1936, as amended (7 U.S.C. 950bb(a)) for the purposes of carrying out such pilot program: *Provided further*, That the cost of direct loans shall be defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That at least 90 percent of the households to be served by a project receiving a loan or grant under the pilot program shall be in a rural area without sufficient access to broadband: *Provided further*, That for purposes of such pilot program, a rural area without sufficient access to broadband shall be defined as twenty-five megabits per second downstream and three

megabits per second upstream: *Provided further*, That to the extent possible, projects receiving funds provided under the pilot program must build out service to at least one hundred megabits per second downstream, and twenty megabits per second upstream: *Provided further*, That an entity to which a loan or grant is made under the pilot program shall not use the loan or grant to overbuild or duplicate broadband service in a service area by any entity that has received a broadband loan from the Rural Utilities Service unless such service is not provided sufficient access to broadband at the minimum service threshold: *Provided further*, That not more than four percent of the funds made available in this paragraph can be used for administrative costs to carry out the pilot program and up to three percent of funds made available in this paragraph may be available for technical assistance and predevelopment planning activities to support the most rural communities: *Provided further*, That the Rural Utilities Service is directed to expedite program delivery methods that would implement this paragraph: *Provided further*, That for purposes of this paragraph, the Secretary shall adhere to the notice, reporting and service area assessment requirements set forth in section 701 of the Rural Electrification Act (7 U.S.C. 950cc).

In addition, \$35,000,000, to remain available until expended, for the Community Connect Grant Program authorized by 7 U.S.C. 950bb–3.

TITLE IV
DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD,
NUTRITION, AND CONSUMER SERVICES

For necessary expenses of the Office of the Under Secretary for Food, Nutrition, and Consumer Services, \$1,376,000: *Provided*, That funds made available by this Act to an agency in the Food, Nutrition and Consumer Services mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS
(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; \$32,032,897,000 to remain available through September 30, 2025, of which such sums as are made available under section 14222(b)(1) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246), as amended by this Act, shall be merged with and available for the same time period and purposes as provided herein: *Provided*, That of the total amount available, \$20,162,000 shall be available to carry out section 19 of the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.): *Provided further*, That of the total amount available, \$21,876,000 shall be available to carry out studies and evaluations and shall remain available until expended: *Provided further*, That of the total amount available, \$10,000,000 shall remain available until expended to carry out section 18(g) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769(g)): *Provided further*, That notwithstanding section 18(g)(3)(C) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769(g)(3)(c)), the total grant amount provided to a farm to school grant recipient in fiscal year 2024 shall not exceed \$500,000: *Provided further*, That of the total amount available, \$20,000,000 shall be available to provide competitive grants to State agencies for subgrants to local educational agencies and schools to purchase the equipment, with a value of greater than \$1,000, needed to

serve healthier meals, improve food safety, and to help support the establishment, maintenance, or expansion of the school breakfast program: *Provided further*, That of the total amount available, \$2,000,000 shall remain available until expended to carry out activities authorized under subsections (a)(2) and (e)(2) of section 21 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769b–1(a)(2) and (e)(2)): *Provided further*, That section 26(d) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769g(d)) is amended in the first sentence by striking “2010 through 2024” and inserting “2010 through 2025”: *Provided further*, That section 9(h)(3) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(h)(3)) is amended in the first sentence by striking “For fiscal year 2023” and inserting “For fiscal year 2024”: *Provided further*, That section 9(h)(4) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(h)(4)) is amended in the first sentence by striking “For fiscal year 2023” and inserting “For fiscal year 2024”.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM
FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), \$6,300,000,000, to remain available through September 30, 2025: *Provided*, That notwithstanding section 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(10)), not less than \$90,000,000 shall be used for breastfeeding peer counselors and other related activities, and \$14,000,000 shall be used for infrastructure: *Provided further*, That the Secretary shall use funds made available under this heading to increase the amount of a cash-value voucher for women and children participants to an amount recommended by the National Academies of Science, Engineering and Medicine and adjusted for inflation: *Provided further*, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: *Provided further*, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act: *Provided further*, That upon termination of a federally mandated vendor moratorium and subject to terms and conditions established by the Secretary, the Secretary may waive the requirement at 7 CFR 246.12(g)(6) at the request of a State agency.

SUPPLEMENTAL NUTRITION ASSISTANCE
PROGRAM

For necessary expenses to carry out the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), \$122,141,239,000, of which \$3,000,000,000, to remain available through September 30, 2026, shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: *Provided*, That funds provided herein shall be expended in accordance with section 16 of the Food and Nutrition Act of 2008: *Provided further*, That of the funds made available under this heading, \$998,000 may be used to provide nutrition education services to State agencies and Federally Recognized Tribes participating in the Food Distribution Program on Indian Reservations: *Provided further*, That of the funds made available under this heading, \$5,000,000, to remain available until September 30, 2025, shall be used to carry out section 4003(b) of Public Law 115–334 relating to demonstration projects for tribal organizations: *Provided further*, That of the funds made available under this heading, \$3,000,000

shall be used to carry out section 4208 of Public Law 115-334: *Provided further*, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: *Provided further*, That funds made available for Employment and Training under this heading shall remain available through September 30, 2025: *Provided further*, That funds made available under this heading for section 28(d)(1), section 4(b), and section 27(a) of the Food and Nutrition Act of 2008 shall remain available through September 30, 2025: *Provided further*, That none of the funds made available under this heading may be obligated or expended in contravention of section 213A of the Immigration and Nationality Act (8 U.S.C. 1183A): *Provided further*, That funds made available under this heading may be used to enter into contracts and employ staff to conduct studies, evaluations, or to conduct activities related to program integrity provided that such activities are authorized by the Food and Nutrition Act of 2008.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out disaster assistance and the Commodity Supplemental Food Program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note); the Emergency Food Assistance Act of 1983; special assistance for the nuclear affected islands, as authorized by section 103(f)(2) of the Compact of Free Association Amendments Act of 2003 (Public Law 108-188); and the Farmers' Market Nutrition Program, as authorized by section 17(m) of the Child Nutrition Act of 1966, \$501,070,000, to remain available through September 30, 2025: *Provided*, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: *Provided further*, That notwithstanding any other provision of law, effective with funds made available in fiscal year 2024 to support the Seniors Farmers' Market Nutrition Program, as authorized by section 4402 of the Farm Security and Rural Investment Act of 2002, such funds shall remain available through September 30, 2025: *Provided further*, That of the funds made available under section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)), the Secretary may use up to 20 percent for costs associated with the distribution of commodities.

NUTRITION PROGRAMS ADMINISTRATION

For necessary administrative expenses of the Food and Nutrition Service for carrying out any domestic nutrition assistance program, \$184,348,000: *Provided*, That of the funds provided herein, \$2,000,000 shall be used for the purposes of section 4404 of Public Law 107-171, as amended by section 4401 of Public Law 110-246.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR TRADE AND FOREIGN AGRICULTURAL AFFAIRS

For necessary expenses of the Office of the Under Secretary for Trade and Foreign Agricultural Affairs, \$932,000: *Provided*, That funds made available by this Act to any agency in the Trade and Foreign Agricultural Affairs mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

OFFICE OF CODEX ALIMENTARIUS

For necessary expenses of the Office of Codex Alimentarius, \$4,922,000, including not to exceed \$40,000 for official reception and representation expenses.

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including not to exceed \$250,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$237,330,000, of which no more than 6 percent shall remain available until September 30, 2025, for overseas operations to include the payment of locally employed staff: *Provided*, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development: *Provided further*, That funds made available for middle-income country training programs, funds made available for the Borlaug International Agricultural Science and Technology Fellowship program, and up to \$2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service, shall remain available until expended.

FOOD FOR PEACE TITLE II GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Food for Peace Act (Public Law 83-480), for commodities supplied in connection with dispositions abroad under title II of said Act, \$1,800,000,000, to remain available until expended.

MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM GRANTS

For necessary expenses to carry out the provisions of section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o-1), \$248,331,000, to remain available until expended: *Provided*, That the Commodity Credit Corporation is authorized to provide the services, facilities, and authorities for the purpose of implementing such section, subject to reimbursement from amounts provided herein: *Provided further*, That of the amount made available under this heading, not more than 10 percent, but not less than \$24,800,000, shall remain available until expended to purchase agricultural commodities as described in subsection 3107(a)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o-1(a)(2)).

COMMODITY CREDIT CORPORATION EXPORT (LOANS) CREDIT GUARANTEE PROGRAM ACCOUNT (INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's Export Guarantee Program, GSM 102 and GSM 103, \$6,063,000, to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, which shall be transferred to and merged with the appropriation for "Foreign Agricultural Service, Salaries and Expenses".

TITLE VI

RELATED AGENCY AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Food and Drug Administration, including hire and pur-

chase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92-313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; in addition to amounts appropriated to the FDA Innovation Account, for carrying out the activities described in section 1002(b)(4) of the 21st Century Cures Act (Public Law 114-255); for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed \$25,000; and notwithstanding section 521 of Public Law 107-188; \$6,625,030,000: *Provided*, That of the amount provided under this heading, \$1,336,525,000 shall be derived from prescription drug user fees authorized by 21 U.S.C. 379h, and shall be credited to this account and remain available until expended; \$331,273,000 shall be derived from medical device user fees authorized by 21 U.S.C. 379j, and shall be credited to this account and remain available until expended; \$594,150,000 shall be derived from human generic drug user fees authorized by 21 U.S.C. 379j-42, and shall be credited to this account and remain available until expended; \$42,432,000 shall be derived from biosimilar biological product user fees authorized by 21 U.S.C. 379j-52, and shall be credited to this account and remain available until expended; \$33,500,000 shall be derived from animal drug user fees authorized by 21 U.S.C. 379j-12, and shall be credited to this account and remain available until expended; \$25,000,000 shall be derived from generic new animal drug user fees authorized by 21 U.S.C. 379j-21, and shall be credited to this account and remain available until expended; \$712,000,000 shall be derived from tobacco product user fees authorized by 21 U.S.C. 387s, and shall be credited to this account and remain available until expended: *Provided further*, That in addition to and notwithstanding any other provision under this heading, amounts collected for prescription drug user fees, medical device user fees, human generic drug user fees, biosimilar biological product user fees, animal drug user fees, and generic new animal drug user fees that exceed the respective fiscal year 2024 limitations are appropriated and shall be credited to this account and remain available until expended: *Provided further*, That fees derived from prescription drug, medical device, human generic drug, biosimilar biological product, animal drug, and generic new animal drug assessments for fiscal year 2024, including any such fees collected prior to fiscal year 2024 but credited for fiscal year 2024, shall be subject to the fiscal year 2024 limitations: *Provided further*, That the Secretary may accept payment during fiscal year 2024 of user fees specified under this heading and authorized for fiscal year 2025, prior to the due date for such fees, and that amounts of such fees assessed for fiscal year 2025 for which the Secretary accepts payment in fiscal year 2024 shall not be included in amounts under this heading: *Provided further*, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: *Provided further*, That of the total amount appropriated: (1) \$1,198,263,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs, of which no less than \$15,000,000 shall be used for inspections of foreign seafood manufacturers and field examinations of imported seafood; (2) \$2,326,206,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs, of which no less than \$10,000,000 shall be for pilots to increase unannounced foreign inspections and

shall remain available until expended; (3) \$497,700,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) \$286,633,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) \$739,543,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) \$77,388,000 shall be for the National Center for Toxicological Research; (7) \$679,965,000 shall be for the Center for Tobacco Products and for related field activities in the Office of Regulatory Affairs; (8) \$217,357,000 shall be for Rent and Related activities, of which \$56,411,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent; (9) \$244,587,000 shall be for payments to the General Services Administration for rent; and (10) \$357,388,000 shall be for other activities, including the Office of the Commissioner of Food and Drugs, the Office of Food Policy and Response, the Office of Operations, the Office of the Chief Scientist, and central services for these offices: *Provided further*, That not to exceed \$25,000 of this amount shall be for official reception and representation expenses, not otherwise provided for, as determined by the Commissioner: *Provided further*, That any transfer of funds pursuant to, and for the administration of, section 770(n) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379dd(n)) shall only be from amounts made available under this heading for other activities and shall not exceed \$2,000,000: *Provided further*, That of the amounts that are made available under this heading for “other activities”, and that are not derived from user fees, \$1,500,000 shall be transferred to and merged with the appropriation for “Department of Health and Human Services—Office of Inspector General” for oversight of the programs and operations of the Food and Drug Administration and shall be in addition to funds otherwise made available for oversight of the Food and Drug Administration: *Provided further*, That funds may be transferred from one specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

In addition, mammography user fees authorized by 42 U.S.C. 263b, export certification user fees authorized by 21 U.S.C. 381, priority review user fees authorized by 21 U.S.C. 360n and 360ff, food and feed recall fees, food reinspection fees, and voluntary qualified importer program fees authorized by 21 U.S.C. 379j–31, outsourcing facility fees authorized by 21 U.S.C. 379j–62, prescription drug wholesale distributor licensing and inspection fees authorized by 21 U.S.C. 353(e)(3), third-party logistics provider licensing and inspection fees authorized by 21 U.S.C. 360eee–3(c)(1), third-party auditor fees authorized by 21 U.S.C. 384d(c)(8), medical countermeasure priority review voucher user fees authorized by 21 U.S.C. 360bbb–4a, and fees relating to over-the-counter monograph drugs authorized by 21 U.S.C. 379j–72 shall be credited to this account, to remain available until expended.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, demolition, and purchase of fixed equipment or facilities or used by the Food and Drug Administration, where not otherwise provided, \$12,788,000, to remain available until expended.

FDA INNOVATION ACCOUNT, CURES ACT (INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the purposes described under section 1002(b)(4) of

the 21st Century Cures Act, in addition to amounts available for such purposes under the heading “Salaries and Expenses”, \$50,000,000, to remain available until expended: *Provided*, That amounts appropriated in this paragraph are appropriated pursuant to section 1002(b)(3) of the 21st Century Cures Act, are to be derived from amounts transferred under section 1002(b)(2)(A) of such Act, and may be transferred by the Commissioner of Food and Drugs to the appropriation for “Department of Health and Human Services Food and Drug Administration Salaries and Expenses” solely for the purposes provided in such Act: *Provided further*, That upon a determination by the Commissioner that funds transferred pursuant to the previous proviso are not necessary for the purposes provided, such amounts may be transferred back to the account: *Provided further*, That such transfer authority is in addition to any other transfer authority provided by law.

INDEPENDENT AGENCY

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$94,300,000 (from assessments collected from farm credit institutions, including the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: *Provided*, That this limitation shall not apply to expenses associated with receiverships: *Provided further*, That the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress: *Provided further*, That the purposes of section 3.7(b)(2)(A)(i) of the Farm Credit Act of 1971 (12 U.S.C. 2128(b)(2)(A)(i)), the Farm Credit Administration may exempt, an amount in its sole discretion, from the application of the limitation provided in that clause of export loans described in the clause guaranteed or insured in a manner other than described in subclause (II) of the clause.

TITLE VII

GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

SEC. 701. The Secretary may use any appropriations made available to the Department of Agriculture in this Act to purchase new passenger motor vehicles, in addition to specific appropriations for this purpose, so long as the total number of vehicles purchased in fiscal year 2024 does not exceed the number of vehicles owned or leased in fiscal year 2018: *Provided*, That, prior to purchasing additional motor vehicles, the Secretary must determine that such vehicles are necessary for transportation safety, to reduce operational costs, and for the protection of life, property, and public safety: *Provided further*, That the Secretary may not increase the Department of Agriculture’s fleet above the 2018 level unless the Secretary notifies in writing, and receives approval from, the Committees on Appropriations of both Houses of Congress within 30 days of the notification.

SEC. 702. Notwithstanding any other provision of this Act, the Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or any other available unobligated discretionary balances that are remaining available of the Department of Agriculture to the Working Capital Fund for the acquisition of property, plant and equipment and for the improvement, delivery, and implementation of Department financial, and administrative information technology services, and other support systems necessary for the delivery of financial, administrative, and information technology services, including cloud adop-

tion and migration, of primary benefit to the agencies of the Department of Agriculture, such transferred funds to remain available until expended: *Provided*, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior approval of the agency administrator: *Provided further*, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That none of the funds appropriated by this Act or made available to the Department’s Working Capital Fund shall be available for obligation or expenditure to make any changes to the Department’s National Finance Center without written notification to and prior approval of the Committees on Appropriations of both Houses of Congress as required by section 716 of this Act: *Provided further*, That none of the funds appropriated by this Act or made available to the Department’s Working Capital Fund shall be available for obligation or expenditure to initiate, plan, develop, implement, or make any changes to remove or relocate any systems, missions, personnel, or functions of the offices of the Chief Financial Officer and the Chief Information Officer, co-located with or from the National Finance Center prior to written notification to and prior approval of the Committee on Appropriations of both Houses of Congress and in accordance with the requirements of section 716 of this Act: *Provided further*, That the National Finance Center Information Technology Services Division personnel and data center management responsibilities, and control of any functions, missions, and systems for current and future human resources management and integrated personnel and payroll systems (PPS) and functions provided by the Chief Financial Officer and the Chief Information Officer shall remain in the National Finance Center and under the management responsibility and administrative control of the National Finance Center: *Provided further*, That the Secretary of Agriculture and the offices of the Chief Financial Officer shall actively market to existing and new Departments and other government agencies National Finance Center shared services including, but not limited to, payroll, financial management, and human capital shared services and allow the National Finance Center to perform technology upgrades: *Provided further*, That of annual income amounts in the Working Capital Fund of the Department of Agriculture attributable to the amounts in excess of the true costs of the shared services provided by the National Finance Center and budgeted for the National Finance Center, the Secretary shall reserve not more than 4 percent for the replacement or acquisition of capital equipment, including equipment for the improvement, delivery, and implementation of financial, administrative, and information technology services, and other systems of the National Finance Center or to pay any unforeseen, extraordinary cost of the National Finance Center: *Provided further*, That none of the amounts reserved shall be available for obligation unless the Secretary submits written notification of the obligation to the Committees on Appropriations of both Houses of Congress: *Provided further*, That the limitations on the obligation of funds pending notification to Congressional Committees shall not apply to any obligation that, as determined by the Secretary, is necessary to respond to a declared state of emergency that significantly impacts the operations of the National Finance Center; or to evacuate employees of the National Finance Center to a safe haven

to continue operations of the National Finance Center.

SEC. 703. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 704. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 705. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year for the following accounts: the Rural Development Loan Fund program account, the Rural Electrification and Telecommunication Loans program account, and the Rural Housing Insurance Fund program account.

SEC. 706. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: *Provided*, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That notwithstanding section 11319 of title 40, United States Code, none of the funds available to the Department of Agriculture for information technology shall be obligated for projects, contracts, or other agreements over \$25,000 prior to receipt of written approval by the Chief Information Officer: *Provided further*, That the Chief Information Officer may authorize an agency to obligate funds without written approval from the Chief Information Officer for projects, contracts, or other agreements up to \$250,000 based upon the performance of an agency measured against the performance plan requirements described in the explanatory statement accompanying Public Law 113-235.

SEC. 707. Funds made available under section 524(b) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year.

SEC. 708. Notwithstanding any other provision of law, any former Rural Utilities Service borrower that has repaid or prepaid an insured, direct or guaranteed loan under the Rural Electrification Act of 1936, or any not-for-profit utility that is eligible to receive an insured or direct loan under such Act, shall be eligible for assistance under section 313B(a) of such Act in the same manner as a borrower under such Act.

SEC. 709. Except as otherwise specifically provided by law, not more than \$20,000,000 in unobligated balances from appropriations made available for salaries and expenses in this Act for the Farm Service Agency shall remain available through September 30, 2025, for information technology expenses.

SEC. 710. None of the funds appropriated or otherwise made available by this Act may be used for first-class travel by the employees of agencies funded by this Act in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 711. In the case of each program established or amended by the Agricultural Act of 2014 (Public Law 113-79) or by a successor to that Act, other than by title I or subtitle A of title III of such Act, or programs for which indefinite amounts were provided in that Act, that is authorized or required to be carried out using funds of the Commodity Credit Corporation—

(1) such funds shall be available for salaries and related administrative expenses, including technical assistance, associated with the implementation of the program, without regard to the limitation on the total amount of allotments and fund transfers contained in section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i); and

(2) the use of such funds for such purpose shall not be considered to be a fund transfer or allotment for purposes of applying the limitation on the total amount of allotments and fund transfers contained in such section.

SEC. 712. Of the funds made available by this Act, not more than \$2,900,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

SEC. 713. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

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

SEC. 714. Notwithstanding subsection (b) of section 14222 of Public Law 110-246 (7 U.S.C. 612c-6; in this section referred to as “section 14222”), none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out a program under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c; in this section referred to as “section 32”) in excess of \$1,573,666,000 (exclusive of carryover appropriations from prior fiscal years), as follows: Child Nutrition Programs Entitlement Commodities—\$485,000,000; State Option Contracts—\$5,000,000; Removal of Defective Commodities—\$2,500,000; Administration of section 32 Commodity Purchases—\$37,178,000: *Provided*, That, of the total funds made available in the matter preceding this proviso that remain unobligated on October 1, 2024, such unobligated balances shall carryover into fiscal year 2025 and shall remain available until expended for any of the purposes of section 32, except that any such carryover funds used in accordance with clause (3) of section 32 may not exceed \$350,000,000 and may not be obligated until the Secretary of Agriculture provides written notification of the expenditures to the Committees on Appropriations of both Houses of Congress at least two weeks in advance: *Provided further*, That, with the exception of any available carryover funds authorized in any prior appropriations Act to be used for the purposes of clause (3) of section 32, none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries or expenses of any employee of the Department of Agriculture to carry out clause (3) of section 32.

SEC. 715. None of the funds appropriated by this or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's budget submission to the Congress for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the budget unless such budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2024 appropriations Act.

SEC. 716. (a) None of the funds provided by this Act, or provided by previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming, transfer of funds, or reimbursements as authorized by the Economy Act, or in the case of the Department of Agriculture, through use of the authority provided by section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or section 8 of Public Law 89-106 (7 U.S.C. 2263), that—

- (1) creates new programs;
 - (2) eliminates a program, project, or activity;
 - (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;
 - (4) relocates an office or employees;
 - (5) reorganizes offices, programs, or activities; or
 - (6) contracts out or privatizes any functions or activities presently performed by Federal employees;
- unless the Secretary of Agriculture or the Secretary of Health and Human Services (as the case may be) notifies in writing and receives approval from the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming of such funds or the use of such authority.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming or use of the authorities referred to in subsection (a) involving funds in excess of \$500,000 or 10 percent, whichever is less, that—

- (1) augments existing programs, projects, or activities;
- (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Secretary of Agriculture or the Secretary of Health and Human Services (as the case may be) notifies in writing and receives approval from the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming or transfer of such funds or the use of such authority.

(c) The Secretary of Agriculture or the Secretary of Health and Human Services shall notify in writing and receive approval from the Committees on Appropriations of both Houses of Congress before implementing any program or activity not carried out during the previous fiscal year unless the program or activity is funded by this Act or specifically funded by any other Act.

(d) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for—

(1) modifying major capital investments funding levels, including information technology systems, that involves increasing or decreasing funds in the current fiscal year for the individual investment in excess of \$500,000 or 10 percent of the total cost, whichever is less;

(2) realigning or reorganizing new, current, or vacant positions or agency activities or functions to establish a center, office, branch, or similar entity with ten or more personnel; or

(3) carrying out activities or functions that were not described in the budget request; unless the agencies funded by this Act notify, in writing, the Committees on Appropriations of both Houses of Congress at least 30 days in advance of using the funds for these purposes.

(e) As described in this section, no funds may be used for any activities unless the Secretary of Agriculture or the Secretary of Health and Human Services receives from the Committee on Appropriations of both Houses of Congress written or electronic mail confirmation of receipt of the notification as required in this section.

SEC. 717. Notwithstanding section 310B(g)(5) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(g)(5)), the Secretary may assess a one-time fee for any guaranteed business and industry loan in an amount that does not exceed 4 percent of the guaranteed principal portion of the loan.

SEC. 718. None of the funds appropriated or otherwise made available to the Department of Agriculture, the Food and Drug Administration or the Farm Credit Administration shall be used to transmit or otherwise make available reports, questions, or responses to questions that are a result of information requested for the appropriations hearing process to any non-Department of Agriculture, non-Department of Health and Human Services, or non-Farm Credit Administration employee.

SEC. 719. Unless otherwise authorized by existing law, none of the funds provided in this Act, may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 720. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act or any other Act to any other agency or office of the Department for more than 60 days in a fiscal year unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 721. Not later than 30 days after the date of enactment of this Act, the Secretary of Agriculture, the Commissioner of the Food and Drug Administration and the

Chairman of the Farm Credit Administration shall submit to the Committees on Appropriations of both Houses of Congress a detailed spending plan by program, project, and activity for all the funds made available under this Act including appropriated user fees, as defined in the report accompanying this Act.

SEC. 722. None of the funds made available by this Act may be used to propose, promulgate, or implement any rule, or take any other action with respect to, allowing or requiring information intended for a prescribing health care professional, in the case of a drug or biological product subject to section 503(b)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)), to be distributed to such professional electronically (in lieu of in paper form) unless and until a Federal law is enacted to allow or require such distribution.

SEC. 723. For the purposes of determining eligibility or level of program assistance for Rural Housing Service programs the Secretary shall not include incarcerated prison populations.

SEC. 724. For loans and loan guarantees that do not require budget authority and the program level has been established in this Act, the Secretary of Agriculture may increase the program level for such loans and loan guarantees by not more than 25 percent: *Provided*, That prior to the Secretary implementing such an increase, the Secretary notifies, in writing, the Committees on Appropriations of both Houses of Congress at least 15 days in advance.

SEC. 725. None of the credit card refunds or rebates transferred to the Working Capital Fund pursuant to section 729 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2002 (7 U.S.C. 2235a; Public Law 107-76) shall be available for obligation without written notification to, and the prior approval of, the Committees on Appropriations of both Houses of Congress: *Provided*, That the refunds or rebates so transferred shall be available for obligation only for the acquisition of property, plant and equipment, including equipment for the improvement, delivery, and implementation of Departmental financial management, information technology, and other support systems necessary for the delivery of financial, administrative, and information technology services, including cloud adoption and migration, of primary benefit to the agencies of the Department of Agriculture.

SEC. 726. None of the funds made available by this Act may be used to implement, administer, or enforce the “variety” requirements of the final rule entitled “Enhancing Retailer Standards in the Supplemental Nutrition Assistance Program (SNAP)” published by the Department of Agriculture in the Federal Register on December 15, 2016 (81 Fed. Reg. 90675) until the Secretary of Agriculture amends the definition of the term “variety” as defined in section 278.1(b)(1)(ii)(C) of title 7, Code of Federal Regulations, and “variety” as applied in the definition of the term “staple food” as defined in section 271.2 of title 7, Code of Federal Regulations, to increase the number of items that qualify as acceptable varieties in each staple food category so that the total number of such items in each staple food category exceeds the number of such items in each staple food category included in the final rule as published on December 15, 2016: *Provided*, That until the Secretary promulgates such regulatory amendments, the Secretary shall apply the requirements regarding acceptable varieties and breadth of stock to Supplemental Nutrition Assistance Program retailers that were in effect on the day before the date of the enactment of the Agricultural Act of 2014 (Public Law 113-79).

SEC. 727. In carrying out subsection (h) of section 502 of the Housing Act of 1949 (42 U.S.C. 1472), the Secretary of Agriculture shall have the same authority with respect to loans guaranteed under such section and eligible lenders for such loans as the Secretary has under subsections (h) and (j) of section 538 of such Act (42 U.S.C. 1490p-2) with respect to loans guaranteed under such section 538 and eligible lenders for such loans.

SEC. 728. None of the funds appropriated or otherwise made available by this Act shall be available for the United States Department of Agriculture to propose, finalize or implement any regulation that would promulgate new user fees pursuant to 31 U.S.C. 9701 after the date of the enactment of this Act.

SEC. 729. Of the unobligated balances from amounts made available for the Broadband Treasury Rate Loan program, authorized in section 601 of the Rural Electrification Act of 1936 (7 U.S.C. 950bb), \$9,156,000 are hereby permanently cancelled: *Provided*, That no amounts shall be cancelled from amounts that were designated by the Congress as an emergency or disaster relief requirement pursuant to the concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 730. Notwithstanding any provision of law that regulates the calculation and payment of overtime and holiday pay for FSIS inspectors, the Secretary may charge establishments subject to the inspection requirements of the Poultry Products Inspection Act, 21 U.S.C. 451 et seq., the Federal Meat Inspection Act, 21 U.S.C. 601 et seq., and the Egg Products Inspection Act, 21 U.S.C. 1031 et seq., for the cost of inspection services provided outside of an establishment's approved inspection shifts, and for inspection services provided on Federal holidays: *Provided*, That any sums charged pursuant to this paragraph shall be deemed as overtime pay or holiday pay under section 1001(d) of the American Rescue Plan Act of 2021 (Public Law 117-2, 135 Stat. 242): *Provided further*, That sums received by the Secretary under this paragraph shall, in addition to other available funds, remain available until expended to the Secretary without further appropriation for the purpose of funding all costs associated with FSIS inspections.

SEC. 731. (a) The Secretary of Agriculture shall—

(1) conduct audits in a manner that evaluates the following factors in the country or region being audited, as applicable—

- (A) veterinary control and oversight;
- (B) disease history and vaccination practices;
- (C) livestock demographics and traceability;
- (D) epidemiological separation from potential sources of infection;
- (E) surveillance practices;
- (F) diagnostic laboratory capabilities; and
- (G) emergency preparedness and response; and

(2) promptly make publicly available the final reports of any audits or reviews conducted pursuant to paragraph (1).

(b) This section shall be applied in a manner consistent with United States obligations under its international trade agreements.

SEC. 732. Of the unobligated balances from amounts made available in prior Acts for the rural housing voucher program authorized by section 542 of the Housing Act of 1949, (42 U.S.C. 1471 et seq.), as amended, \$3,000,000 are hereby permanently cancelled: *Provided*, That no amounts shall be cancelled from

amounts that were designated by the Congress as an emergency or disaster relief requirement pursuant to the concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 733. Of the unobligated balances from amounts made available in prior Acts under the heading “Rural Cooperative Development Grants” for Agriculture Innovation Centers authorized by section 6402 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1632b), as amended, \$8,000,000 are hereby permanently cancelled: *Provided*, That no amounts shall be cancelled from amounts that were designated by the Congress as an emergency or disaster relief requirement pursuant to the concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 734. (a)(1) No Federal funds made available for this fiscal year for the rural water, waste water, waste disposal, and solid waste management programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926 et seq.) shall be used for a project for the construction, alteration, maintenance, or repair of a public water or wastewater system unless all of the iron and steel products used in the project are produced in the United States.

(2) In this section, the term “iron and steel products” means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.

(b) Subsection (a) shall not apply in any case or category of cases in which the Secretary of Agriculture (in this section referred to as the “Secretary”) or the designee of the Secretary finds that—

(1) applying subsection (a) would be inconsistent with the public interest;

(2) iron and steel products are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or

(3) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

(c) If the Secretary or the designee receives a request for a waiver under this section, the Secretary or the designee shall make available to the public on an informal basis a copy of the request and information available to the Secretary or the designee concerning the request, and shall allow for informal public input on the request for at least 15 days prior to making a finding based on the request. The Secretary or the designee shall make the request and accompanying information available by electronic means, including on the official public Internet Web site of the Department.

(d) This section shall be applied in a manner consistent with United States obligations under international agreements.

(e) The Secretary may retain up to 0.25 percent of the funds appropriated in this Act for “Rural Utilities Service—Rural Water and Waste Disposal Program Account” for carrying out the provisions described in subsection (a)(1) for management and oversight of the requirements of this section.

(f) Subsection (a) shall not apply with respect to a project for which the engineering plans and specifications include use of iron and steel products otherwise prohibited by such subsection if the plans and specifications have received required approvals from State agencies prior to the date of enactment of this Act.

(g) For purposes of this section, the terms “United States” and “State” shall include

each of the several States, the District of Columbia, and each Federally recognized Indian Tribe.

SEC. 735. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 736. Of the total amounts made available by this Act for direct loans and grants under the following headings: “Rural Housing Service—Rural Housing Insurance Fund Program Account”; “Rural Housing Service—Mutual and Self-Help Housing Grants”; “Rural Housing Service—Rural Housing Assistance Grants”; “Rural Housing Service—Rural Community Facilities Program Account”; “Rural Business-Cooperative Service—Rural Business Program Account”; “Rural Business-Cooperative Service—Rural Economic Development Loans Program Account”; “Rural Business-Cooperative Service—Rural Cooperative Development Grants”; “Rural Business-Cooperative Service—Rural Microentrepreneur Assistance Program”; “Rural Utilities Service—Rural Water and Waste Disposal Program Account”; “Rural Utilities Service—Rural Electrification and Telecommunications Loans Program Account”; and “Rural Utilities Service—Distance Learning, Telemedicine, and Broadband Program”, to the maximum extent feasible, at least 10 percent of the funds shall be allocated for assistance in persistent poverty counties under this section, including, notwithstanding any other provision regarding population limits, any county seat of such a persistent poverty county that has a population that does not exceed the authorized population limit by more than 10 percent: *Provided*, That for purposes of this section, the term “persistent poverty counties” means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses, and 2007–2011 American Community Survey 5-year average, or any territory or possession of the United States: *Provided further*, That with respect to specific activities for which program levels have been made available by this Act that are not supported by budget authority, the requirements of this section shall be applied to such program level.

SEC. 737. None of the funds made available by this Act may be used to notify a sponsor or otherwise acknowledge receipt of a submission for an exemption for investigational use of a drug or biological product under section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)) or section 351(a)(3) of the Public Health Service Act (42 U.S.C. 262(a)(3)) in research in which a human embryo is intentionally created or modified to include a heritable genetic modification. Any such submission shall be deemed to have not been received by the Secretary, and the exemption may not go into effect.

SEC. 738. None of the funds made available by this or any other Act may be used to enforce the final rule promulgated by the Food and Drug Administration entitled “Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption”, and published on November 27, 2015, with respect to the regulation of entities that grow, harvest, pack, or hold wine grapes, hops, pulse crops, or almonds.

SEC. 739. There is hereby appropriated \$3,000,000, to remain available until September 30, 2025, for a pilot program for the National Institute of Food and Agriculture to provide grants to nonprofit organizations for programs and services to establish and

enhance farming and ranching opportunities for military veterans.

SEC. 740. For school years 2023–2024 and 2024–2025, none of the funds made available by this Act may be used to implement or enforce the matter following the first comma in the second sentence of footnote (c) of section 220.8(c) of title 7, Code of Federal Regulations, with respect to the substitution of vegetables for fruits under the school breakfast program established under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773).

SEC. 741. None of the funds made available by this Act or any other Act may be used—

(1) in contravention of section 7606 of the Agricultural Act of 2014 (7 U.S.C. 5940), subtitle G of the Agricultural Marketing Act of 1946, or section 10114 of the Agriculture Improvement Act of 2018; or

(2) to prohibit the transportation, processing, sale, or use of hemp, or seeds of such plant, that is grown or cultivated in accordance with section 7606 of the Agricultural Act of 2014 or subtitle G of the Agricultural Marketing Act of 1946, within or outside the State in which the hemp is grown or cultivated.

SEC. 742. The Secretary of Agriculture may waive the matching funds requirement under section 412(g) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632(g)).

SEC. 743. There is hereby appropriated \$2,000,000, to remain available until expended, for a pilot program for the Secretary to provide grants to qualified non-profit organizations and public housing authorities to provide technical assistance, including financial and legal services, to RHS multi-family housing borrowers to facilitate the acquisition of RHS multi-family housing properties in areas where the Secretary determines a risk of loss of affordable housing, by non-profit housing organizations and public housing authorities as authorized by law that commit to keep such properties in the RHS multi-family housing program for a period of time as determined by the Secretary.

SEC. 744. Of the unobligated balances from amounts made available in prior Acts under the heading “Rural Housing Assistance Grants” for housing repair grants authorized by section 504 of the Housing Act of 1949 (42 U.S.C. 1474), as amended, \$30,000,000 are hereby permanently cancelled: *Provided*, That no amounts shall be cancelled from amounts that were designated by the Congress as an emergency or disaster relief requirement pursuant to the concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 745. Of the unobligated balances of the amounts made available for fiscal year 2022 for the “National Institute of Food and Agriculture—Research and Extension Activities”, \$307,526,000 are hereby rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 746. Funds made available under title II of the Food for Peace Act (7 U.S.C. 1721 et seq.) may only be used to provide assistance to recipient nations if adequate monitoring and controls, as determined by the Administrator, are in place to ensure that emergency food aid is received by the intended beneficiaries in areas affected by food shortages and not diverted for unauthorized or inappropriate purposes.

SEC. 747. None of the funds made available by this Act may be used to procure raw or processed poultry products imported into the United States from the People’s Republic of China for use in the school lunch program

under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), the Child and Adult Care Food Program under section 17 of such Act (42 U.S.C. 1766), the Summer Food Service Program for Children under section 13 of such Act (42 U.S.C. 1761), or the school breakfast program under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.).

SEC. 748. For school year 2024–2025, only a school food authority that had a negative balance in the nonprofit school food service account as of June 30, 2023, shall be required to establish a price for paid lunches in accordance with section 12(p) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760(p)).

SEC. 749. Any funds made available by this or any other Act that the Secretary withholds pursuant to section 1668(g)(2) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5921(g)(2)), as amended, shall be available for grants for biotechnology risk assessment research: *Provided*, That the Secretary may transfer such funds among appropriations of the Department of Agriculture for purposes of making such grants.

SEC. 750. Notwithstanding any other provision of law, no funds available to the Department of Agriculture may be used to move any staff office or any agency from the mission area in which it was located on August 1, 2018, to any other mission area or office within the Department in the absence of the enactment of specific legislation affirming such move.

SEC. 751. The Secretary, acting through the Chief of the Natural Resources Conservation Service, may use funds appropriated under this Act or any other Act for the Watershed and Flood Prevention Operations Program and the Watershed Rehabilitation Program carried out pursuant to the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001 et seq.), and for the Emergency Watershed Protection Program carried out pursuant to section 403 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203) to provide technical services for such programs pursuant to section 1252(a)(1) of the Food Security Act of 1985 (16 U.S.C. 3851(a)(1)), notwithstanding subsection (c) of such section.

SEC. 752. In administering the pilot program established by section 779 of division A of the Consolidated Appropriations Act, 2018 (Public Law 115–141), the Secretary of Agriculture may, for purposes of determining entities eligible to receive assistance, consider those communities which are “Areas Rural in Character”: *Provided*, That not more than 10 percent of the funds made available under the heading “Distance Learning, Telemedicine, and Broadband Program” for the purposes of the pilot program established by section 779 of Public Law 115–141 may be used for this purpose.

SEC. 753. In addition to amounts otherwise made available by this Act and notwithstanding the last sentence of 16 U.S.C. 1310, there is appropriated \$2,000,000, to remain available until expended, to implement non-renewable agreements on eligible lands, including flooded agricultural lands, as determined by the Secretary, under the Water Bank Act (16 U.S.C. 1301–1311).

SEC. 754. Out of amounts appropriated to the Food and Drug Administration under title VI, the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, shall, not later than September 30, 2024, and following the review required under Executive Order No. 12866 (5 U.S.C. 601 note; relating to regulatory planning and review), issue advice revising the advice provided in the notice of availability entitled “Advice About Eating Fish, From the Environmental Protection Agency and

Food and Drug Administration; Revised Fish Advice; Availability” (82 Fed. Reg. 6571 (January 19, 2017)), in a manner that is consistent with nutrition science recognized by the Food and Drug Administration on the net effects of seafood consumption.

SEC. 755. There is hereby appropriated \$2,000,000, to remain available until expended, to carry out section 2103 of Public Law 115–334: *Provided*, That the Secretary shall prioritize the wetland compliance needs of areas with significant numbers of individual wetlands, wetland acres, and conservation compliance requests.

SEC. 756. Notwithstanding any other provision of law, the acceptable market name of any engineered animal approved prior to the effective date of the National Bioengineered Food Disclosure Standard (February 19, 2019) shall include the words “genetically engineered” prior to the existing acceptable market name.

SEC. 757. The Secretary shall set aside for Rural Economic Area Partnership (REAP) Zones, until August 15, 2024, an amount of funds made available in title III under the headings of Rural Housing Insurance Fund Program Account, Mutual and Self-Help Housing Grants, Rural Housing Assistance Grants, Rural Community Facilities Program Account, Rural Business Program Account, Rural Development Loan Fund Program Account, and Rural Water and Waste Disposal Program Account, equal to the amount obligated in REAP Zones with respect to funds provided under such headings in the most recent fiscal year any such funds were obligated under such headings for REAP Zones, excluding the funding provided through any Congressionally Directed Spending/Community Project Funding.

SEC. 758. There is hereby appropriated \$500,000 to carry out the duties of the working group established under section 770 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2019 (Public Law 116–6; 133 Stat. 89).

SEC. 759. For an additional amount for the Office of the Secretary, \$9,000,000, to remain available until expended, to continue the Institute for Rural Partnerships as established in section 778 of Public Law 117–103: *Provided*, That the Institute for Rural Partnerships shall continue to dedicate resources to researching the causes and conditions of challenges facing rural areas, and develop community partnerships to address such challenges: *Provided further*, That administrative or other fees shall not exceed one percent: *Provided further*, That such partnership shall coordinate and publish an annual report.

SEC. 760. Funds made available in the Consolidated Appropriations Act, 2018 (Public Law 115–141) for the “Rural Community Facilities Program Account” under section 306 of the Consolidated Farm and Rural Development Act, 7 U.S.C. 1926, for the principal amount of direct loans are to remain available through fiscal year 2028 for the liquidation of valid obligations incurred in fiscal year 2018.

SEC. 761. Section 523 of the Housing Act of 1949 (42 U.S.C. 1490c) is amended in subsection (b)(1)(B) by striking “two years” and inserting “five years”.

SEC. 762. Section 524 of the Housing Act of 1949 (42 U.S.C. 1490d) is amended in subsection (a)(1) by striking “two years” and inserting “five years”.

SEC. 763. Section 592 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11408a) is amended—

(1) in the section heading by striking “FMHA” and inserting “USDA”;

(2) in subsection (a), by, in the matter preceding paragraph (1), striking “program and nonprogram”; and

(3) by striking subsection (b) and inserting the following:

“(b) PRIORITY.—The priority uses of inventory property under this section shall be given priority equal to or higher than the disposition of such property in accordance with priorities determined by the Secretary as necessary to protect the best interests of the Federal Government.”.

SEC. 764. Section 363 of the Multifamily Mortgage Foreclosure Act of 1981 (12 U.S.C. 3702) is amended at paragraph (10) by inserting after “Secretary of Housing Urban Development” the following: “and the Secretary of Agriculture”.

SEC. 765. There is hereby appropriated \$3,000,000, to remain available until September 30, 2025, for a Bison Production and Marketing Grant Program that the Agricultural Marketing Service shall develop and maintain: *Provided*, That this program shall be similar, as determined by the Secretary, to the Sheep Production and Marketing Grant Program the Department of Agriculture currently maintains pursuant to section 209(c) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1627a(c)), and shall prioritize grants to national non-profits and federally chartered Tribal organizations that have expertise in bison production or marketing.

SEC. 766. Notwithstanding the Agricultural Marketing Act of 1946 (7 U.S.C. 1622 et seq.) and 9 CFR part 352, the Committee provides an additional \$700,000 to the USDA Food Safety and Inspection Service to cover voluntary meat inspection fees for the slaughtering or processing of bison/buffalo at Native American owned establishments or establishments operating on tribal lands.

SEC. 767. Of the unobligated balances available to the Department of Agriculture for the Rural Water Operation Program under the heading “Natural Resources Conservation Service—Watershed and Flood Prevention Operations” from prior appropriations Acts, \$20,000,000 is hereby rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 768. If services performed by APHIS employees are determined by the Administrator of the Animal and Plant Health Inspection Service to be in response to an animal disease outbreak, any premium pay that is funded, either directly or through reimbursement, shall be exempted from the aggregate of basic pay and premium pay calculated under section 5547 of title 5, United States Code, and any other provision of law limiting the aggregate amount of premium pay payable on a biweekly or calendar year basis: *Provided*, That this section shall take effect as if enacted on January 1, 2023.

SEC. 769. None of the funds appropriated or otherwise made available by this or any other Act may be used by the Food Safety and Inspection Service to take any action that would result in the permanent relocation, demotion, or termination of any Supervisory Public Health Veterinarian (SPHV), solely as result of the creation of the District Veterinary Medical Officer position, prior to completing a 1010 package and cost-benefit analysis, and briefing the Committees on Appropriations of both Houses of Congress.

SEC. 770. None of the funds appropriated or otherwise made available by this or any other Act may be used to purchase, deploy, or train third parties on the use of M–44 sodium cyanide ejector devices (“M–44s”), including any components or parts, or sodium fluoroacetate (“Compound 1080”), except for activities directly related to the removal of M–44s that have been placed on Federal, Tribal, State and private land.

SEC. 771. Notwithstanding section 521(a)(1)(B) of the Housing Act of 1949 (42 U.S.C. 1490a(a)(1)(B)), for loans made under section 502 (42 U.S.C. 1472), the Secretary of Agriculture may provide the borrower with assistance in the form of credits so as to reduce the effective interest rate to a rate not less than 2 per centum per annum for such periods of time as the Secretary may determine for applicants described in section 521(a)(1)(A) (42 U.S.C. 1490a(a)(1)(A)) if without such assistance such applicants could not afford the dwelling or make payments on the indebtedness of the rental or cooperative housing.

SEC. 772. Any rule-making, notice or guidance of or regarding USDA Proposed Rule (Child Nutrition Programs: Revisions to Meal Patterns Consistent With the 2020 Dietary Guidelines for Americans; RIN 0584-AE88) shall allow and provide meal reimbursement for (or “low fat or fat free”) flavored milk in National School Lunch Program and School Breakfast Program for grades Kindergarten through 12th grade and in Child and Adult Care Food Program for participants 5 years of age and older, and for any other program complying with the meal pattern requirements covered in such final rule.

SEC. 773. Weekly sodium limits that may be included in any rule-making, notice or guidance of or regarding USDA Proposed Rule (Child Nutrition Programs: Revisions to Meal Patterns Consistent With the 2020 Dietary Guidelines for Americans; RIN 0584-AE88) shall exclude sodium used for food safety and functional purposes in cheese-making, as determined by the Secretary, in consultation with FDA. Sodium limits will not take effect until the Secretary determines the amounts which shall be excluded.

SEC. 774. Notwithstanding section 521(a)(1)(B) of the Housing Act of 1949 (42 U.S.C. 1490a(a)(1)(B)), for loans made under section 502 (42 U.S.C. 1472), the Secretary of Agriculture may provide the borrower with assistance in the form of credits so as to reduce the effective interest rate to a rate not less than 2 per centum per annum for such periods of time as the Secretary may determine for applicants described in section 521(a)(1)(A) (42 U.S.C. 1490a(a)(1)(A)) if without such assistance such applicants could not afford the dwelling or make payments on the indebtedness of the rental or cooperative housing.

SEC. 775. Section 542(b)(2) of the Housing Act, (42 U.S.C. 1490r), is amended by striking “5,000” and inserting “10,000”.

SEC. 776. None of the funds made available by this Act may be used to pay the salaries or expenses of personnel—

(1) to inspect horses under section 3 of the Federal Meat Inspection Act (21 U.S.C. 603);

(2) to inspect horses under section 903 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 1901 note; Public Law 104-127); or

(3) to implement or enforce section 352.19 of title 9, Code of Federal Regulations (or a successor regulation).

This division may be cited as the “Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2024”.

DIVISION C—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2024

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2024, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, \$191,295,000: *Provided*, That of the sums appropriated under this heading—

(1) \$3,770,000 shall be available for the immediate Office of the Secretary;

(2) \$1,370,000 shall be available for the immediate Office of the Deputy Secretary;

(3) \$32,272,000 shall be available for the Office of the General Counsel;

(4) \$20,064,000 shall be available for the Office of the Under Secretary of Transportation for Policy, of which \$2,000,000 is for the Office for Multimodal Freight Infrastructure and Policy: *Provided*, That the Secretary must obtain reprogramming approval from the House and Senate Committees on Appropriations under section 405 of this Act prior to executing the authorities of section 118(g)(2)–(3) of title 49, United States Code;

(5) \$22,724,000 shall be available for the Office of the Assistant Secretary for Budget and Programs;

(6) \$7,138,000,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs;

(7) \$43,284,000 shall be available for the Office of the Assistant Secretary for Administration;

(8) \$6,244,000 shall be available for the Office of Public Affairs and Public Engagement;

(9) \$2,515,000 shall be available for the Office of the Executive Secretariat;

(10) \$16,506,000 shall be available for the Office of Intelligence, Security, and Emergency Response;

(11) \$33,879,000 shall be available for the Office of the Chief Information Officer; and

(12) \$1,529,000 shall be available for the Office of Tribal Government Affairs:

Provided further, That the Secretary of Transportation (referred to in this title as the “Secretary”) is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 7 percent by all such transfers: *Provided further*, That notice of any change in funding greater than 7 percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That not to exceed \$70,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: *Provided further*, That notwithstanding any other provision of law, there may be credited to this appropriation up to \$2,500,000 in funds received in user fees.

RESEARCH AND TECHNOLOGY

For necessary expenses related to the Office of the Assistant Secretary for Research and Technology, \$51,358,000, of which \$35,745,000 shall remain available until expended: *Provided*, That of such amounts that are available until expended, \$14,750,000 shall be for necessary expenses of the Advanced Research Projects Agency—Infrastructure (ARPA-I) as authorized by section 119 of title 49, United States Code: *Provided further*, That within the funds made available under the previous proviso, not less than \$8,000,000 shall be available for research on durability, resiliency, and sustainability of bridges and other infrastructure and shall be directed to an accredited university of higher education in the northeast United States that has experience leading a regional University Transportation Center and a proven record of developing, patenting, deploying, and commercializing innovative composite mate-

rials and technologies for bridge and other transportation applications, as well as conducting research and developing prototypes using very large-scale polymer-based additive manufacturing: *Provided further*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training: *Provided further*, That any reference in law, regulation, judicial proceedings, or elsewhere to the Research and Innovative Technology Administration shall continue to be deemed to be a reference to the Office of the Assistant Secretary for Research and Technology of the Department of Transportation.

NATIONAL INFRASTRUCTURE INVESTMENTS (INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out a local and regional project assistance grant program under section 6702 of title 49, United States Code, \$800,000,000, to remain available until expended: *Provided*, That section 6702(f)(2) of title 49, United States Code, shall not apply to amounts made available under this heading in this Act: *Provided further*, That of the amounts made available under this heading in this Act, not less than \$20,000,000 shall be awarded to projects in historically disadvantaged communities or areas of persistent poverty as defined under section 6702(a)(1) of title 49, United States Code: *Provided further*, That section 6702(g) of title 49, United States Code, shall not apply to amounts made available under this heading in this Act: *Provided further*, That of the amounts made available under this heading in this Act, not less than 5 percent shall be made available for the planning, preparation, or design of eligible projects: *Provided further*, That grants awarded under this heading in this Act for eligible projects for planning, preparation, or design shall not be subject to a minimum grant size: *Provided further*, That in distributing amounts made available under this heading in this Act, the Secretary shall take such measures so as to ensure an equitable geographic distribution of funds, an appropriate balance in addressing the needs of urban and rural areas, including Tribal areas, and the investment in a variety of transportation modes: *Provided further*, That section 6702(c)(2)(C) of title 49, United States Code, shall not apply to amounts made available under this heading in this Act: *Provided further*, That a grant award under this heading in this Act shall be not greater than \$45,000,000: *Provided further*, That section 6702(c)(3) of title 49, United States Code, shall not apply to amounts made available under this heading in this Act: *Provided further*, That not more than 15 percent of the amounts made available under this heading in this Act may be awarded to projects in a single State: *Provided further*, That for amounts made available under this heading in this Act, the Secretary shall give priority to projects that require a contribution of Federal funds in order to complete an overall financing package: *Provided further*, That section 6702(f)(1) of title 49, United States Code, shall not apply to amounts made available under this heading in this Act: *Provided further*, That of the amounts awarded under this heading in this Act, not more than 50 percent shall be allocated for eligible projects located in rural areas and not more than 50 percent shall be allocated for eligible projects located in urbanized areas: *Provided further*, That for the purpose of determining if an award for planning, preparation, or design under this heading in this Act is an urban award, the project location is the location of the project being planned, prepared, or designed: *Provided further*, That the Secretary may retain up to 2

percent of the amounts made available under this heading in this Act, and may transfer portions of such amounts to the Administrators of the Federal Aviation Administration, the Federal Highway Administration, the Federal Transit Administration, the Federal Railroad Administration and the Maritime Administration to fund the award and oversight of grants and credit assistance made under the program authorized under section 6702 of title 49, United States Code: *Provided further*, That for amounts made available under this heading in this Act, the Secretary shall consider and award projects based solely on the selection criteria as identified under section 6702(d)(3) and (d)(4) of title 49, United States Code.

NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU

For necessary expenses of the National Surface Transportation and Innovative Finance Bureau as authorized by 49 U.S.C. 116, \$9,558,000, to remain available until expended: *Provided*, That the Secretary may collect and spend fees, as authorized by title 23, United States Code, to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal Government of servicing such credit instruments: *Provided further*, That such fees are available until expended to pay for such costs: *Provided further*, That such amounts are in addition to other amounts made available for such purposes and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code.

RURAL AND TRIBAL INFRASTRUCTURE ADVANCEMENT

For necessary expenses to carry out rural and Tribal infrastructure advancement as authorized in section 21205 of Public Law 117-58, \$25,000,000, to remain available until September 30, 2026: *Provided*, That the Secretary may enter into cooperative agreements with philanthropic entities, non-profit organizations, other Federal agencies, State or local governments and their agencies, Indian Tribes, or other technical assistance providers, to provide such technical assistance, planning, and capacity building to State, local, or Tribal governments, United States territories, metropolitan planning organizations, transit agencies, or other political subdivisions of State or local governments.

RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM

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

FINANCIAL MANAGEMENT CAPITAL

For necessary expenses for upgrading and enhancing the Department of Transportation's financial systems and re-engineering business processes, \$5,000,000, to remain available through September 30, 2025.

CYBER SECURITY INITIATIVES

For necessary expenses for cyber security initiatives, including necessary upgrades to network and information technology infrastructure, improvement of identity management and authentication capabilities, securing and protecting data, implementation of Federal cyber security initiatives, and implementation of enhanced security controls on agency computers and mobile devices, \$49,000,000, to remain available until September 30, 2025.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, \$18,228,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, \$24,069,000, to remain available until expended: *Provided*, That of such amount, \$5,436,000 shall be for necessary expenses of the Interagency Infrastructure Permitting Improvement Center (IIPIC): *Provided further*, That there may be transferred to this appropriation, to remain available until expended, amounts transferred from other Federal agencies for expenses incurred under this heading for IIPIC activities not related to transportation infrastructure: *Provided further*, That the tools and analysis developed by the IIPIC shall be available to other Federal agencies for the permitting and review of major infrastructure projects not related to transportation only to the extent that other Federal agencies provide funding to the Department in accordance with the preceding proviso: *Provided further*, That of the amounts made available under this heading, \$3,443,000 shall be made available for the purposes, and in amounts, specified for Congressionally Directed Spending in the table entitled "Congressionally Directed Spending" included in the report accompanying this Act.

WORKING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed \$522,165,000, shall be paid from appropriations made available to the Department of Transportation: *Provided*, That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further*, That the limitation in the preceding proviso on operating expenses shall not apply to entities external to the Department of Transportation or for funds provided in Public Law 117-58: *Provided further*, That no funds made available by this Act to an agency of the Department shall be transferred to the Working Capital Fund without majority approval of the Working Capital Fund Steering Committee and approval of the Secretary: *Provided further*, That no assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND OUTREACH

For necessary expenses for small and disadvantaged business utilization and outreach activities, \$5,330,000, to remain available until September 30, 2025: *Provided*, That notwithstanding section 332 of title 49, United States Code, such amounts may be used for business opportunities related to any mode of transportation: *Provided further*, That appropriations made available under this heading shall be available for any purpose consistent with prior year appropriations that were made available under the heading "Office of the Secretary—Minority Business Resource Center Program".

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

In addition to funds made available from any other source to carry out the essential air service program under sections 41731 through 41742 of title 49, United States Code, \$348,554,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: *Provided*, That in determining between or among carriers com-

peting to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers: *Provided further*, That basic essential air service minimum requirements shall not include the 15-passenger capacity requirement under section 41732(b)(3) of title 49, United States Code: *Provided further*, That amounts authorized to be distributed for the essential air service program under section 41742(b) of title 49, United States Code, shall be made available immediately from amounts otherwise provided to the Administrator of the Federal Aviation Administration: *Provided further*, That the Administrator may reimburse such amounts from fees credited to the account established under section 45303 of title 49, United States Code: *Provided further*, That, notwithstanding section 41733 of title 49, United States Code, for fiscal year 2024, the requirements established under subparagraphs (B) and (C) of section 41731(a)(1) of title 49, United States Code, and the subsidy cap established by section 332 of the Department of Transportation and Related Agencies Appropriations Act, 2000, shall not apply to maintain eligibility under section 41731 of title 49, United States Code.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF TRANSPORTATION

(INCLUDING RESCISSIONS)

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. None of the funds made available by this Act to the Department of Transportation may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the operating administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for congressional notification.

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

SEC. 103. In addition to authority provided by section 327 of title 49, United States Code, the Department's Working Capital Fund is authorized to provide partial or full payments in advance and accept subsequent reimbursements from all Federal agencies from available funds for transit benefit distribution services that are necessary to carry out the Federal transit pass transportation fringe benefit program under Executive Order No. 13150 and section 3049 of SAFETEA-LU (5 U.S.C. 7905 note): *Provided*, That the Department shall maintain a reasonable operating reserve in the Working Capital Fund, to be expended in advance to provide uninterrupted transit benefits to Government employees: *Provided further*, That such reserve shall not exceed 1 month of benefits payable and may be used only for the purpose of providing for the continuation of transit benefits: *Provided further*, That the Working Capital Fund shall be fully reimbursed by each customer agency from available funds for the actual cost of the transit benefit.

SEC. 104. Receipts collected in the Department's Working Capital Fund, as authorized by section 327 of title 49, United States Code, for unused transit and van pool benefits, in an amount not to exceed 10 percent of fiscal year 2023 collections, shall be available until expended in the Department's Working Capital Fund to provide contractual services in support of section 189 of this Act: *Provided*, That obligations in fiscal year 2024 of such collections shall not exceed \$1,000,000.

SEC. 105. None of the funds in this title may be obligated or expended for retention or senior executive bonuses for an employee of the Department of Transportation without the prior written approval of the Assistant Secretary for Administration.

SEC. 106. In addition to authority provided by section 327 of title 49, United States Code, the Department's Administrative Working Capital Fund is hereby authorized to transfer information technology equipment, software, and systems from Departmental sources or other entities and collect and maintain a reserve at rates which will return full cost of transferred assets.

SEC. 107. None of the funds provided in this Act to the Department of Transportation may be used to provide credit assistance unless not less than 3 days before any application approval to provide credit assistance under sections 603 and 604 of title 23, United States Code, the Secretary provides notification in writing to the following committees: the House and Senate Committees on Appropriations; the Committee on Environment and Public Works and the Committee on Banking, Housing and Urban Affairs of the Senate; and the Committee on Transportation and Infrastructure of the House of Representatives: *Provided*, That such notification shall include, but not be limited to, the name of the project sponsor; a description of the project; whether credit assistance will be provided as a direct loan, loan guarantee, or line of credit; and the amount of credit assistance.

SEC. 108. (a) Amounts made available to the Secretary of Transportation or the Department of Transportation's operating administrations in this Act for the costs of award, administration, or oversight of financial assistance under the programs identified in subsection (c) may be transferred to the account identified in section 801 of division J of Public Law 117-58, to remain available until expended, for the necessary expenses of award, administration, or oversight of any financial assistance programs in the Department of Transportation.

(b) Amounts transferred under the authority in this section are available in addition to amounts otherwise available for such purpose.

(c) The program from which funds made available under this Act may be transferred under subsection (a) are—

(1) the local and regional project assistance program under section 6702 of title 49, United States Code; and

(2) the university transportation centers program under section 5505 of title 49, United States Code.

SEC. 109. Of the amounts made available under the heading "National Infrastructure Investments", up to \$75,000,000 shall be available—

(1) First, to fully fund the projects at the amounts for which they applied under section 109B of the Consolidated Appropriations Act, 2023 (division L of Public Law 117-328) and were not fully funded; and

(2) Second, to fund highway infrastructure projects for which the initial grant agreement was executed between January 14, 2021 and February 14, 2021 for awards made from the National Infrastructure Investments program under title I of division G of the Consolidated Appropriations Act, 2019 (Public Law 116-6): *Provided*, That sponsors of projects eligible for funds made available under subsection shall provide sufficient written justification describing, at a minimum, the current project cost estimate, why the project cannot be completed with the obligated grant amount, and any other relevant information, as determined by the Secretary: *Provided further*, That funds made available under this subsection shall be allo-

cated to projects eligible to receive funding under this section in order of the date the grant agreements were initially executed: *Provided further*, That the allocation under the previous proviso will be for the amounts necessary to cover increases to eligible project costs since the grant was obligated, based on the information provided: *Provided further*, That section 200.204 of title 2, Code of Federal Regulations, shall not apply to amounts made available under this section: *Provided further*, That the amounts made available under this section shall not be subject to limitations under section 6702(c) of title 49, United States Code: *Provided further*, That the amounts made available under this section shall not be part of the Federal share of total project costs under section 6702(e)(1) of title 49, United States Code: *Provided further*, That section 6702(f) of title 49, United States Code, shall not apply to amounts made available under this section: *Provided further*, That the Office of the Secretary of Transportation shall provide the amounts allocated to projects under this section no later than 120 days after the date the sufficient written justifications required under this section have been submitted.

SEC. 109A. Of the unobligated balances of funds made available for "Railroad Rehabilitation and Improvement Financing Program" in section 109 of division L of Public Law 117-103, \$8,973,000 are hereby permanently rescinded.

SEC. 109B. For amounts provided for this fiscal year and prior fiscal years, section 24112(c)(2)(B) of Public Law 117-58 shall be applied by substituting "30 percent" for "40 percent".

FEDERAL AVIATION ADMINISTRATION OPERATIONS (AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, the lease or purchase of passenger motor vehicles for replacement only, \$12,740,627,000, to remain available until September 30, 2025, of which \$12,103,596,000 to be derived from the Airport and Airway Trust Fund: *Provided*, That of the amounts made available under this heading—

(1) not less than \$1,745,532,000 shall be available for aviation safety activities;

(2) \$9,444,828,000 shall be available for air traffic organization activities;

(3) \$42,018,000 shall be available for commercial space transportation activities;

(4) \$949,376,000 shall be available for finance and management activities;

(5) \$70,097,000 shall be available for NextGen and operations planning activities;

(6) \$163,951,000 shall be available for security and hazardous materials safety activities; and

(7) \$324,825,000 shall be available for staff offices:

Provided further, That not to exceed 5 percent of any budget activity, except for aviation safety budget activity, may be transferred to any budget activity under this heading: *Provided further*, That no transfer may increase or decrease any appropriation under this heading by more than 5 percent: *Provided further*, That any transfer in excess of 5 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That

not later than 60 days after the submission of the budget request, the Administrator of the Federal Aviation Administration shall transmit to Congress an annual update to the report submitted to Congress in December 2004 pursuant to section 221 of the Vision 100-Century of Aviation Reauthorization Act (49 U.S.C. 40101 note): *Provided further*, That the amounts made available under this heading shall be reduced by \$100,000 for each day after 60 days after the submission of the budget request that such report has not been transmitted to Congress: *Provided further*, That not later than 60 days after the submission of the budget request, the Administrator shall transmit to Congress a companion report that describes a comprehensive strategy for staffing, hiring, and training flight standards and aircraft certification staff in a format similar to the one utilized for the controller staffing plan, including stated attrition estimates and numerical hiring goals by fiscal year: *Provided further*, That the amounts made available under this heading shall be reduced by \$100,000 for each day after the date that is 60 days after the submission of the budget request that such report has not been submitted to Congress: *Provided further*, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: *Provided further*, That none of the funds made available by this Act shall be available for new applicants for the second career training program: *Provided further*, That none of the funds made available by this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: *Provided further*, That there may be credited to this appropriation, as offsetting collections, funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further*, That of the amounts made available under this heading, not less than \$194,000,000 shall be used to fund direct operations of the current air traffic control towers in the contract tower program, including the contract tower cost share program, and any airport that is currently qualified or that will qualify for the program during the fiscal year: *Provided further*, That none of the funds made available by this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund: *Provided further*, That none of the funds appropriated or otherwise made available by this Act or any other Act may be used to eliminate the Contract Weather Observers program at any airport.

FACILITIES AND EQUIPMENT (AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of national airspace systems and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for

officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds made available under this heading, including aircraft for aviation regulation and certification; to be derived from the Airport and Airway Trust Fund, \$3,429,000,000, of which \$635,000,000 is for personnel and related expenses and shall remain available until September 30, 2025, \$2,692,000,000 shall remain available until September 30, 2026, and \$102,000,000 is for terminal facilities and shall remain available until September 30, 2028: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment, improvement, and modernization of national airspace systems: *Provided further*, That not later than 60 days after submission of the budget request, the Secretary of Transportation shall transmit to the Congress an investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2025 through 2029, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget: *Provided further*, That section 405 of this Act shall apply to amounts made available under this heading in title VIII of the Infrastructure Investments and Jobs Appropriations Act (division J of Public Law 117-58): *Provided further*, That the amounts in the table entitled “Allocation of Funds for FAA Facilities and Equipment from the Infrastructure Investment and Jobs Act—Fiscal Year 2024” in the report accompanying this Act shall be the baseline for application of reprogramming and transfer authorities for the current fiscal year pursuant to paragraph (7) of such section 405 for amounts referred to in the preceding proviso: *Provided further*, That, notwithstanding paragraphs (5) and (6) of such section 405, unless prior approval is received from the House and Senate Committees on Appropriations, not to exceed 10 percent of any funding level specified for projects and activities in the table referred to in the preceding proviso may be transferred to any other funding level specified for projects and activities in such table and no transfer of such funding levels may increase or decrease any funding level in such table by more than 10 percent: *Provided further*, That of the amounts made available under this heading for terminal facilities, \$15,000,000 shall be made available for the purposes, and in amounts, specified for Congressionally Directed Spending in the table entitled “Congressionally Directed Spending” included in the report accompanying this Act: *Provided further*, That, of the amounts made available under this heading in this Act, \$469,000,000 is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, ENGINEERING, AND DEVELOPMENT
(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, \$260,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2026: *Provided*, That there may be credited to this appropriation as offsetting collections, funds received from States, counties, municipalities, other public authorities, and private

sources, which shall be available for expenses incurred for research, engineering, and development: *Provided further*, That amounts made available under this heading shall be used in accordance with the report accompanying this Act: *Provided further*, That not to exceed 10 percent of any funding level specified under this heading in the report accompanying this Act may be transferred to any other funding level specified under this heading in the report accompanying this Act: *Provided further*, That no transfer may increase or decrease any funding level by more than 10 percent: *Provided further*, That any transfer in excess of 10 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

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

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, \$3,350,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That none of the amounts made available under this heading shall be available for the planning or execution of programs the obligations for which are in excess of \$3,350,000,000, in fiscal year 2024, notwithstanding section 47117(g) of title 49, United States Code: *Provided further*, That none of the amounts made available under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: *Provided further*, That notwithstanding section 47109(a) of title 49, United States Code, the Government's share of allowable project costs under paragraph (2) of such section for subgrants or paragraph (3) of such section shall be 95 percent for a project at other than a large or medium hub airport that is a successive phase of a multi-phased construction project for which the project sponsor received a grant in fiscal year 2011 for the construction project: *Provided further*, That notwithstanding any other provision of law, of amounts limited under this heading, not less than \$157,475,000 shall be available for administration, \$15,000,000 shall be available for the Airport Cooperative Research Program, \$41,801,000 shall be available for Airport Technology Research, and \$10,000,000, to remain available until expended, shall be available and transferred to “Office of the Secretary, Salaries and Expenses” to carry out the Small Community Air Service Development Program: *Provided further*, That in addition to airports eligible under section 41743 of title 49, United States Code, such program may include the participation of an airport that serves a community or consortium that is not larger than a small hub airport, according to FAA hub classifications effective at the time the Office of the Secretary issues a request for proposals.

GRANTS-IN-AID FOR AIRPORTS

For an additional amount for “Grants-In-Aid for Airports”, to enable the Secretary of Transportation to make grants for projects as authorized by subchapter 1 of chapter 471 and subchapter 1 of chapter 475 of title 49, United States Code, \$500,728,000, to remain available through September 30, 2026: *Provided*, That amounts made available under this heading shall be derived from the general fund, and such funds shall not be subject to apportionment formulas, special apportionment categories, or minimum percentages under chapter 471 of title 49, United States Code: *Provided further*, That of the sums appropriated under this heading—

(1) \$200,728,000 shall be made available for the purposes, and in amounts, specified for Congressionally Directed Spending in the table entitled “Congressionally Directed Spending” included in the report accompanying this Act: *Provided*, That funds made available under this section shall not be subject to or considered under section 47115(j)(3)(B) of title 49, United States Code;

(2) up to \$300,000,000 shall be made available to the Secretary to distribute as discretionary grants to airports, of which not less than \$25,000,000 shall be made available to any commercial service airport, notwithstanding the requirement for the airport to be located in an air quality nonattainment or maintenance area or to be able to receive emission credits in section 47102(3)(K) and 47102(3)(L) of title 49, United States Code, for work necessary to construct or modify airport facilities to provide low-emission fuel systems, gate electrification, other related air quality improvements, acquisition of airport-owned vehicles or ground support equipment with low-emission technology; and

(3) not less than \$3,000,000 shall be made available for two remaining projects under section 190 of the FAA Reauthorization Act of 2018 (Public Law 115-254): *Provided*, That, notwithstanding subsection (j)(2) of section 190 of the FAA Reauthorization Act of 2018 (Public Law 115-254), such grants shall be made available for conducting testing activities in support of studying the effectiveness of existing federally funded sound insulation in residential areas located within the 65 DNL noise contour of a large-hub airport that will facilitate future environmental mitigation projects in these areas: *Provided further*, That, with respect to a project funded under the previous proviso, the allowable project cost for such project shall be calculated without consideration of any costs that were previously paid by the Government:

Provided further, That the Secretary may make discretionary grants to primary airports for airport-owned infrastructure required for the on-airport distribution or storage of sustainable aviation fuels that achieve at least a 50 percent reduction in lifecycle greenhouse gas emissions, using a methodology determined by the Secretary, including, but not limited to, on-airport construction or expansion of pipelines, rail lines and spurs, loading and off-loading facilities, blending facilities, and storage tanks: *Provided further*, That the Secretary may make discretionary grants with funds made available under this heading to primary or non-primary airports for the acquisition or construction costs related to airport-owned, revenue-producing aeronautical fuel farms and fueling systems, including mobile systems, that the Secretary determines will promote the use of unleaded or sustainable aviation fuels on a non-exclusive basis: *Provided further*, That the Secretary may make discretionary grants for airport development improvements of primary runways, taxiways, and aprons necessary at a nonhub, small hub,

medium hub, or large hub airport to increase operational resilience for the purpose of resuming commercial service flight operations following flooding, high water, hurricane, storm surge, tidal wave, tornado, tsunami, wind driven water, or winter storms: *Provided further*, That the amounts made available under this heading shall not be subject to any limitation on obligations for the Grants-in-Aid for Airports program set forth in any Act: *Provided further*, That the Administrator of the Federal Aviation Administration may retain up to 0.5 percent of the amounts made available under this heading to fund the award and oversight by the Administrator of grants made under this heading.

ADMINISTRATIVE PROVISIONS—FEDERAL
AVIATION ADMINISTRATION
(INCLUDING RESCISSIONS)

SEC. 110. None of the funds made available by this Act may be used to compensate in excess of 600 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2024.

SEC. 111. None of the funds made available by this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: *Provided*, That the prohibition on the use of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on “below-market” rates for these items or to grant assurances that require airport sponsors to provide land without cost to the Federal Aviation Administration for air traffic control facilities.

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

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

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

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

SEC. 116. Notwithstanding any other provision of law, none of the funds made available under this Act or any prior Act may be used to implement or to continue to implement any limitation on the ability of any owner or operator of a private aircraft to obtain, upon a request to the Administrator of the Federal Aviation Administration, a blocking of that owner's or operator's aircraft registration number, Mode S transponder code, flight identification, call sign, or similar identifying information from any ground

based display to the public that would allow the real-time or near real-time flight tracking of that aircraft's movements, except data made available to a Government agency, for the noncommercial flights of that owner or operator.

SEC. 117. None of the funds made available by this Act shall be available for salaries and expenses of more than nine political and Presidential appointees in the Federal Aviation Administration.

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

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

SEC. 119A. None of the funds made available by or limited by this Act may be used to change weight restrictions or prior permission rules at Teterboro airport in Teterboro, New Jersey.

SEC. 119B. None of the funds made available by this Act may be used by the Administrator of the Federal Aviation Administration to withhold from consideration and approval any new application for participation in the Contract Tower Program, or for reevaluation of Cost-share Program participants so long as the Federal Aviation Administration has received an application from the airport, and so long as the Administrator determines such tower is eligible using the factors set forth in Federal Aviation Administration published establishment criteria.

SEC. 119C. None of the funds made available by this Act may be used to open, close, redesignate as a lesser office, or reorganize a regional office, the aeronautical center, or the technical center unless the Administrator submits a request for the reprogramming of funds under section 405 of this Act.

SEC. 119D. The Federal Aviation Administration Administrative Services Franchise Fund may be reimbursed after performance or paid in advance from funds available to the Federal Aviation Administration and other Federal agencies for which the Fund performs services.

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

(1) during the period of time beginning on October 5, 2018 and ending on December 31, 2021; or

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

SEC. 119F. Of the unobligated balances available to the Federal Aviation Administration, the following funds are hereby permanently rescinded:

(1) \$1,590,528.89 from funds made available for “Federal Aviation Administration—Facilities and Equipment”, which were to remain available until expended, by title I of Public Law 104–50; and

(2) \$2,878.02 from funds made available for “Federal Aviation Administration—Facilities and Equipment” by chapter 10, division B, of Public Law 108–324.

SEC. 119G. None of the funds made available in this or any other Act shall be used to facilitate the assignment of individuals from a private-sector organization to the FAA to serve on a temporary basis.

FEDERAL HIGHWAY ADMINISTRATION
LIMITATION ON ADMINISTRATIVE EXPENSES
(HIGHWAY TRUST FUND)
(INCLUDING TRANSFER OF FUNDS)

Not to exceed \$483,551,671 together with advances and reimbursements received by the Federal Highway Administration, shall be obligated for necessary expenses for administration and operation of the Federal Highway Administration: *Provided*, That in addition, \$3,248,000 shall be transferred to the Appalachian Regional Commission in accordance with section 104(a) of title 23, United States Code.

FEDERAL-AID HIGHWAYS
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

Funds available for the implementation or execution of authorized Federal-aid highway and highway safety construction programs shall not exceed total obligations of \$60,095,782,888 for fiscal year 2024: *Provided*, That the limitation on obligations under this heading shall only apply to contract authority authorized from the Highway Trust Fund (other than the Mass Transit Account), unless otherwise specified in law.

(LIQUIDATION OF CONTRACT AUTHORIZATION)
(HIGHWAY TRUST FUND)

For the payment of obligations incurred in carrying out authorized Federal-aid highway and highway safety construction programs, \$60,792,659,888 shall be derived from the Highway Trust Fund (other than the Mass Transit Account), to remain available until expended.

HIGHWAY INFRASTRUCTURE PROGRAMS
(INCLUDING TRANSFER OF FUNDS)

There is hereby appropriated to the Secretary \$2,046,738,000: *Provided*, That the funds made available under this heading shall be derived from the general fund, shall be in addition to any funds provided for fiscal year 2024 in this or any other Act for: (1) “Federal-aid Highways” under chapter 1 of title 23, United States Code; (2) the Appalachian Development Highway System as authorized under section 1069(y) of Public Law 102–240; (3) the nationally significant Federal lands and Tribal projects program under section 1123 of the FAST Act, as amended (23 U.S.C. 201 note); (4) the Northern Border Regional Commission (40 U.S.C. 15101 et seq.); or (5) the Denali Commission, and shall not affect the distribution or amount of funds provided in any other Act: *Provided further*, That, except for the funds made available under this heading for the Northern Border Regional Commission and the Denali Commission, section 11101(e) of Public Law 117–58 shall apply to funds made available under this heading: *Provided further*, That unless otherwise specified, amounts made available under this heading shall be available until September 30, 2027, and shall not be subject to any limitation on obligations for Federal-aid highways or highway safety construction programs set forth in any Act making annual appropriations: *Provided further*, That of the sums appropriated under this heading—

(1) \$701,738,000 shall be for the purposes, and in the amounts, specified for Congressionally Directed Spending in the table entitled “Congressionally Directed Spending” included in the report accompanying this Act: *Provided*, That, except as otherwise provided under this heading, the funds made available under this paragraph shall be administered as if apportioned under chapter 1

of title 23, United States Code: *Provided further*, That funds made available under this paragraph that are used for Tribal projects shall be administered as if allocated under chapter 2 of title 23, United States Code, except that the set-asides described in subparagraph (C) of section 202(b)(3) of title 23, United States Code, and subsections (a)(6), (c), and (e) of section 202 of such title, and section 1123(h)(1) of MAP-21 (as amended by Public Law 117-58), shall not apply to such funds;

(2) \$100,000,000 shall be for necessary expenses for construction of the Appalachian Development Highway System, as authorized under section 1069(y) of Public Law 102-240: *Provided*, That for the purposes of funds made available under this paragraph, the term “Appalachian State” means a State that contains 1 or more counties (including any political subdivision located within the area) in the Appalachian region as defined in section 14102(a) of title 40, United States Code: *Provided further*, That funds made available under this heading for construction of the Appalachian Development Highway System shall remain available until expended: *Provided further*, That, except as provided in the following proviso, funds made available under this heading for construction of the Appalachian Development Highway System shall be administered as if apportioned under chapter 1 of title 23, United States Code: *Provided further*, That a project carried out with funds made available under this heading for construction of the Appalachian Development Highway System shall be carried out in the same manner as a project under section 14501 of title 40, United States Code: *Provided further*, That subject to the following proviso, funds made available under this heading for construction of the Appalachian Development Highway System shall be apportioned to Appalachian States according to the percentages derived from the 2012 Appalachian Development Highway System Cost-to-Complete Estimate, adopted in Appalachian Regional Commission Resolution Number 736, and confirmed as each Appalachian State’s relative share of the estimated remaining need to complete the Appalachian Development Highway System, adjusted to exclude those corridors that such States have no current plans to complete, as reported in the 2013 Appalachian Development Highway System Completion Report, unless those States have modified and assigned a higher priority for completion of an Appalachian Development Highway System corridor, as reported in the 2020 Appalachian Development Highway System Future Outlook: *Provided further*, That the Secretary shall adjust apportionments made under the preceding proviso so that no Appalachian State shall be apportioned an amount in excess of 30 percent of the amount made available for construction of the Appalachian Development Highway System under this heading: *Provided further*, That the Secretary shall consult with the Appalachian Regional Commission in making adjustments under the preceding two provisos: *Provided further*, That the Federal share of the costs for which an expenditure is made for construction of the Appalachian Development Highway System under this heading shall be up to 100 percent;

(3) \$10,000,000 shall be for the nationally significant Federal lands and Tribal projects program under section 1123 of the FAST Act (23 U.S.C. 201 note);

(4) \$10,000,000 shall be transferred to the Northern Border Regional Commission (40 U.S.C. 15101 et seq.) to make grants, in addition to amounts otherwise made available to the Northern Border Regional Commission for such purpose, to carry out pilot projects that demonstrate the capabilities of wood-

based infrastructure projects: *Provided*, That a grant made with funds made available under this paragraph shall be administered in the same manner as a grant made under subtitle V of title 40, United States Code;

(5) \$5,000,000 shall be transferred to the Denali Commission for activities eligible under section 307(e) of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105-277): *Provided*, That funds made available under this paragraph shall not be subject to section 311 of such Act: *Provided further*, That except as otherwise provided under section 307(e) of such Act or this heading, funds made available under this paragraph shall be administered as if directly appropriated to the Denali Commission and subject to applicable provisions of such Act, including the requirement in section 307(e) of such Act that the local community provides a 10 percent non-Federal match in the form of any necessary land or planning and design funds: *Provided further*, That such funds shall be available until expended: *Provided further*, That the Federal share of the costs for which an expenditure is made with funds transferred under this paragraph shall be up to 90 percent;

(6) \$15,000,000 shall be transferred to the Denali Commission to carry out the Denali Access System Program under section 309 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105-277): *Provided*, That a transfer under this paragraph shall not be subject to section 311 of such Act: *Provided further*, That except as otherwise provided under this heading, funds made available under this paragraph shall be administered as if directly appropriated to the Denali Commission and subject to applicable provisions of such Act: *Provided further*, That funds made available under this paragraph shall not be subject to section 309(j)(2) of such Act: *Provided further*, That funds made available under this paragraph shall be available until expended: *Provided further*, That the Federal share of the costs for which an expenditure is made with funds transferred under this paragraph shall be up to 100 percent;

(7) \$12,000,000 shall be for the regional infrastructure accelerator demonstration program authorized under section 1441 of the FAST Act (23 U.S.C. 601 note): *Provided*, That for funds made available under this paragraph, the Federal share of the costs shall be, at the option of the recipient, up to 100 percent;

(8) \$45,000,000 shall be for the active transportation infrastructure investment program under section 11529 of the Infrastructure Investment and Jobs Act (23 U.S.C. 217 note): *Provided*, That except as otherwise provided under such section or this heading, the funds made available under this paragraph shall be administered as if apportioned under chapter 1 of title 23, United States Code: *Provided further*, That funds made available under this paragraph shall remain available until expended;

(9) \$3,000,000 shall be to carry out the Pollinator-Friendly Practices on Roadsides and Highway Rights-of-Way Program under section 332 of title 23, United States Code;

(10) \$1,145,000,000 shall be for a bridge replacement and rehabilitation program: *Provided*, That, for the purposes of funds made available under this paragraph, the term “State” means any of the 50 States or the District of Columbia and the term “qualifying State” means any State in which the percentage of total deck area of bridges classified as in poor condition in such State is at least 5 percent or in which the percentage of total bridges classified as in poor condition in such State is at least 5 percent: *Provided further*, That, of the funds made available under this paragraph, the Secretary shall re-

serve \$6,000,000 for each State that does not meet the definition of a qualifying State: *Provided further*, That, after making the reservations under the preceding proviso, the Secretary shall distribute the remaining funds made available under this paragraph to each qualifying State by the proportion that the percentage of total deck area of bridges classified as in poor condition in such qualifying State bears to the sum of the percentages of total deck area of bridges classified as in poor condition in all qualifying States: *Provided further*, That, of the funds made available under this paragraph—

(A) no qualifying State shall receive more than \$60,000,000;

(B) each State shall receive an amount not less than \$6,000,000; and

(C) after calculating the distribution of funds pursuant to the preceding proviso, any amount in excess of \$60,000,000 shall be redistributed equally among each State that does not meet the Definition of a qualifying State:

Provided further, That the funds made available under this paragraph shall be used for highway bridge replacement or rehabilitation projects on public roads: *Provided further*, That for purposes of this paragraph, the Secretary shall calculate the percentages of total deck area of bridges (including the percentages of total deck area classified as in poor condition) and the percentages of total bridge counts (including the percentages of total bridges classified as in poor condition) based on the National Bridge Inventory as of December 31, 2018: *Provided further*, That, except as otherwise provided under this heading, the funds made available under this paragraph shall be administered as if apportioned under chapter 1 of title 23, United States Code.

ADMINISTRATIVE PROVISIONS—FEDERAL
HIGHWAY ADMINISTRATION
(INCLUDING RESCISSIONS)
(INCLUDING TRANSFER OF FUNDS)

SEC. 120. (a) For fiscal year 2024, the Secretary of Transportation shall—

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

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

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

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

(A) made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highway and highway safety construction programs for previous fiscal years the funds for which are allocated by the Secretary (or apportioned by the Secretary under section 202 or 204 of title 23, United States Code); and

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

(3) determine the proportion that—

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

(B) the total of the sums authorized to be appropriated for the Federal-aid highway and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (11) of subsection (b) and sums authorized to be appropriated for section 119 of title 23, United States Code, equal to the amount referred to in subsection (b)(12) for such fiscal year), less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under authorized Federal-aid highway and highway safety construction programs, or apportioned by the Secretary under section 202 or 204 of title 23, United States Code, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for such fiscal year; and

(5) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highway and highway safety construction programs that are apportioned by the Secretary under title 23, United States Code (other than the amounts apportioned for the National Highway Performance Program in section 119 of title 23, United States Code, that are exempt from the limitation under subsection (b)(12) and the amounts apportioned under sections 202 and 204 of that title) in the proportion that—

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

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to all States for such fiscal year.

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

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

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

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

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

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);

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

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

(9) Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only to the extent that the obligation authority has not lapsed or been used;

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

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

(12) section 119 of title 23, United States Code (but, for each of fiscal years 2013 through 2024, only in an amount equal to \$639,000,000).

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall, after August 1 of such fiscal year—

(1) revise a distribution of the obligation limitation made available under subsection (a) if an amount distributed cannot be obligated during that fiscal year; and

(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 144 (as in effect on the day before the date of enactment of Public Law 112-141) and 104 of title 23, United States Code.

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

(1) IN GENERAL.—Except as provided in paragraph (2), the obligation limitation for Federal-aid highways shall apply to contract authority for transportation research programs carried out under—

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

(B) title VI of the Fixing America's Surface Transportation Act; and

(C) title III of division A of the Infrastructure Investment and Jobs Act (Public Law 117-58).

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

(A) remain available for a period of 4 fiscal years; and

(B) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

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

(A) are authorized to be appropriated for such fiscal year for Federal-aid highway programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for such fiscal year because of the imposition of any obligation limitation for such fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (a)(5).

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

SEC. 121. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to chapter 63 of title 49, United States Code, may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses.

SEC. 122. Not less than 15 days prior to waiving, under his or her statutory authority, any Buy America requirement for Federal-aid highways projects, the Secretary of Transportation shall make an informal public notice and comment opportunity on the intent to issue such waiver and the reasons therefor: *Provided*, That the Secretary shall post on a website any waivers granted under the Buy America requirements.

SEC. 123. None of the funds made available in this Act may be used to make a grant for a project under section 117 of title 23, United

States Code, unless the Secretary, at least 60 days before making a grant under that section, provides written notification to the House and Senate Committees on Appropriations of the proposed grant, including an evaluation and justification for the project and the amount of the proposed grant award.

SEC. 124. (a) A State or territory, as defined in section 165 of title 23, United States Code, may use for any project eligible under section 133(b) of title 23 or section 165 of title 23 and located within the boundary of the State or territory any earmarked amount, and any associated obligation limitation: *Provided*, That the Department of Transportation for the State or territory for which the earmarked amount was originally designated or directed notifies the Secretary of its intent to use its authority under this section and submits an annual report to the Secretary identifying the projects to which the funding would be applied. Notwithstanding the original period of availability of funds to be obligated under this section, such funds and associated obligation limitation shall remain available for obligation for a period of 3 fiscal years after the fiscal year in which the Secretary is notified. The Federal share of the cost of a project carried out with funds made available under this section shall be the same as associated with the earmark.

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

(1) congressionally directed spending, as defined in rule XLIV of the Standing Rules of the Senate, identified in a prior law, report, or joint explanatory statement, which was authorized to be appropriated or appropriated more than 10 fiscal years prior to the current fiscal year, and administered by the Federal Highway Administration; or

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

(c) The authority under subsection (a) shall be applied to projects within the same general geographic area within 25 miles for which the funding was designated.

(d) The Secretary shall submit consolidated reports of the information provided by the States and territories annually to the House and Senate Committees on Appropriations.

SEC. 125. (a) Of the unallocated and unobligated balances available to the Federal Highway Administration, the following funds are hereby permanently rescinded, subject to subsections (b) and (c), from the following accounts and programs in the specified amounts:

(1) \$33,437,074.13 from funds available in the “Surface Transportation Priorities” account (69 X 0538) (other than funds made available for projects in Kentucky, Maine, Mississippi, or West Virginia);

(2) \$1,839,129.40 from funds available in the “Delta Regional Transportation Development Program” account (69 X 0551);

(3) \$11,064,579.57 from funds available in the “Appalachian Development Highway System” account (69 X 0640);

(4) \$9,264.22 from funds available in the “Highway Beautification” account (69 X 0540);

(5) \$1,375,400 from funds available in the “State Infrastructure Banks” account (69 X 0549);

(6) \$90,435 from funds available in the “Railroad-Highway Crossings Demonstration Projects” account (69 X 0557);

(7) \$5,211,248.53 from funds available in the “Interstate Transfer Grants—Highway” account (69 X 0560);

(8) \$133,231.12 from funds available in the “Kentucky Bridge Project” account (69 X 0572);

(9) \$2,887.56 from funds available in the “Highway Demonstration Project—Preliminary Engineering” account (69 X 0583);

(10) \$149,083.06 from funds available in the “Highway Demonstration Projects” account (69 X 0598);

(11) \$68,438.40 from funds available in the “Miscellaneous Highway Projects” account (69 X 0641);

(b) No amounts may be cancelled under subsection (a) from any funds for which a State exercised its authority under section 125 of division L of Public Law 114–113, section 422 of division K of Public Law 115–31, section 126 of division L of Public Law 115–141, section 125 of division G of Public Law 116–6, section 125 of division H of Public Law 116–94, section 124 of division L of Public Law 116–260, section 124 of division L of Public Law 117–103, or section 124 of division L of Public Law 117–328.

(c) No amounts may be cancelled under subsection (a) from any amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 126. (a) Notwithstanding any other provision of law, of the funds described in subsection (b)—

(1) \$20,000,000 shall be made available to the Secretary to carry out the national scenic byways program under section 162 of title 23, United States Code: *Provided*, That, except as otherwise provided under this section, the funds made available under this paragraph shall be administered as if apportioned under chapter 1 of title 23, United States Code: *Provided further*, That section 11101(e) of Public Law 117–58 shall apply to funds made available under this paragraph;

(2) \$30,000,000 shall be made available to the Secretary to carry out the nationally significant Federal lands and Tribal projects program under section 1123 of the FAST Act (23 U.S.C. 201 note); and

(3) \$150,000,000 shall be made available to the Secretary for competitive awards for activities eligible under section 176(d)(4) of title 23, United States Code, of which \$125,000,000 shall be for such activities eligible under subparagraph (A) of such section and \$25,000,000 shall be for such activities eligible under subparagraph (C) of such section: *Provided*, That, except as otherwise provided under this section, the funds made available under this paragraph shall be administered as if apportioned under chapter 1 of title 23, United States Code: *Provided further*, That, except as otherwise provided under this section, funds made available under this paragraph shall be administered as if made available to carry out section 176(d) of such title: *Provided further*, That, for purposes of the calculation under section 176(d)(5)(G)(ii) of such title, amounts made available under this paragraph shall be included in the calculation of the total amount provided for fiscal year 2024 under section 176(d) of such title: *Provided further*, That for purposes of applying the set-asides under section 176(d)(5)(H)(ii) and (iii) of such title, amounts made available under this paragraph for competitive awards for activities eligible under sections 176(d)(4)(A) and 176(d)(4)(C) of such title shall be included in the calculation of the amounts made available to carry out section 176(d) of such title for fiscal year 2024: *Provided further*, That, the Secretary may retain not more than a total of 5 percent of the amounts made available under this paragraph to carry out this paragraph and to review applications for grants under this paragraph, and may transfer portions of the funds retained under this proviso to the

relevant Administrators to fund the award and oversight of grants provided under this paragraph: *Provided further*, That a project assisted with funds made available under this paragraph shall be treated as a project on a Federal-aid highway: *Provided further*, That section 11101(e) of Public Law 117–58 shall apply to funds made available under this paragraph.

(b) Funds described in this subsection are any funds that—

(1) are unobligated on the date of enactment of this Act; and

(2) were made available for credit assistance under—

(A) the transportation infrastructure finance and innovation program under subchapter II of chapter 1 of title 23, United States Code, as in effect prior to August 10, 2005; or

(B) the transportation infrastructure finance and innovation program under chapter 6 of title 23, United States Code.

(c) Funds made available under subsection (a) shall—

(1) be subject to the obligation limitation for Federal-aid highway and highway safety construction programs; and

(2) unless otherwise specified under this section, be available until September 30, 2027.

SEC. 127. Section 127 of title 23, United States Code, is amended by inserting at the end the following:

“(x) CERTAIN AGRICULTURAL VEHICLES IN THE STATE OF MISSISSIPPI.—

“(1) IN GENERAL.—The State of Mississippi may allow, by special permit, the operation of a covered agricultural vehicle on the Interstate System in the State of Mississippi if such vehicle does not exceed—

“(A) a gross vehicle weight of 88,000 pounds; and

“(B) 110 percent of the maximum weight on any axle or axle group described in subsection (a)(2), including any enforcement tolerance.

“(2) COVERED AGRICULTURAL VEHICLE DEFINED.—In this subsection, the term ‘covered agricultural vehicle’ means a vehicle that is transporting unprocessed agricultural crops used for food, feed or fiber, or raw or unfinished forest products, including logs, pulpwood, biomass or wood chips.

“(y) OPERATION OF CERTAIN VEHICLES IN WEST VIRGINIA.—

“(1) IN GENERAL.—The State of West Virginia may allow, by special permit, the operation of a vehicle that is transporting materials and equipment on the Interstate System in the State of West Virginia if such vehicle does not exceed 110 percent of the maximum weight on any axle or axle group described in subsection (a)(2), including any enforcement tolerance, provided the remaining gross vehicle weight requirements of subsection (a) are met.

“(2) DEFINITION.—In this subsection, the term ‘materials and equipment’ means materials and equipment that are used on a project eligible under this chapter.”.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

For payment of obligations incurred in the implementation, execution and administration of motor carrier safety operations and programs pursuant to section 3111 of title 49, United States Code, as amended by the Infrastructure Investment and Jobs Act (Public Law 117–58), \$346,000,000, to be derived

from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended: *Provided*, That funds available for implementation, execution, or administration of motor carrier safety operations and programs authorized under title 49, United States Code, shall not exceed total obligations of \$435,000,000, for “Motor Carrier Safety Operations and Programs” for fiscal year 2024, of which \$60,000,000 is to be transferred and made available from prior year unobligated contract authority provided for Motor Carrier Safety Grants or Motor Carrier Safety Operations and Programs in the current or prior appropriations or authorization Acts: *Provided further*, That of the sums appropriated under this heading:

(1) \$14,073,000, to remain available for obligation until September 30, 2026, is for the research and technology program;

(2) not less than \$99,099,000, to remain available for obligation until September 30, 2026, is for development, modernization, enhancement, and continued operation and maintenance of information technology and information management; and

(3) not less than \$24,000,000, to remain available for obligation until expended, is for a study of the causal factors of fatal medium-duty truck crashes: *Provided*, That the activities funded by the previous proviso may be accomplished through direct expenditure, direct research activities, grants, cooperative agreements, contracts, intra- or inter agency agreements, or other agreements with public organizations: *Provided further*, That such amounts, payments, and obligation limitation as may be necessary to carry out the study of the causal factors of fatal medium duty truck crashes may be transferred and credited to appropriate accounts of other participating Federal agencies.

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out sections 31102, 31103, 31104, and 31313 of title 49, United States Code, \$516,300,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That funds available for the implementation or execution of motor carrier safety programs shall not exceed total obligations of \$516,300,000 in fiscal year 2024 for “Motor Carrier Safety Grants”: *Provided further*, That of the amounts made available under this heading—

(1) \$406,500,000, to remain available for obligation until September 30, 2025, shall be for the motor carrier safety assistance program;

(2) \$43,500,000, to remain available for obligation until September 30, 2025, shall be for the commercial driver’s license program implementation program;

(3) \$60,000,000, to remain available for obligation until September 30, 2025, shall be for the high priority program;

(4) \$1,300,000, to remain available for obligation until September 30, 2025, shall be for the commercial motor vehicle operators grant program; and

(5) \$5,000,000, to remain available for obligation until September 30, 2025, shall be for the commercial motor vehicle enforcement training and support grant program.

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

SEC. 130. The Federal Motor Carrier Safety Administration shall send notice of section 385.308 of title 49, Code of Federal Regulations, violations by certified mail, registered

mail, or another manner of delivery, which records the receipt of the notice by the persons responsible for the violations.

SEC. 131. None of the funds appropriated or otherwise made available to the Department of Transportation by this Act or any other Act may be obligated or expended to implement, administer, or enforce the requirements of section 31137 of title 49, United States Code, or any regulation issued by the Secretary pursuant to such section, with respect to the use of electronic logging devices by operators of commercial motor vehicles, as defined in section 31132(1) of such title, transporting livestock as defined in section 602 of the Emergency Livestock Feed Assistance Act of 1988 (7 U.S.C. 1471) or insects.

SEC. 132. None of the funds made available by this or any other Act may be used to require the use of inward facing cameras or require a motor carrier to register an apprenticeship program with the Department of Labor as a condition for participation in the Safe Driver Apprenticeship Pilot Program.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety, authorized under chapter 301 and part C of subtitle VI of title 49, United States Code, \$222,000,000, to remain available through September 30, 2025.

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of section 403 of title 23, United States Code, including behavioral research on Automated Driving Systems and Advanced Driver Assistance Systems and improving consumer responses to safety recalls, section 25024 of the Infrastructure Investment and Jobs Act (Public Law 117-58), and chapter 303 of title 49, United States Code, \$201,200,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2024, are in excess of \$201,200,000: *Provided further*, That of the sums appropriated under this heading—

(1) \$194,000,000 shall be for programs authorized under section 403 of title 23, United States Code, including behavioral research on Automated Driving Systems and Advanced Driver Assistance Systems and improving consumer responses to safety recalls, and section 25024 of the Infrastructure Investment and Jobs Act (Public Law 117-58); and

(2) \$7,200,000 shall be for the National Driver Register authorized under chapter 303 of title 49, United States Code: *Provided further*, That within the \$201,200,000 obligation limitation for operations and research, \$57,500,000 shall remain available until September 30, 2025, and shall be in addition to the amount of any limitation imposed on obligations for future years: *Provided further*, That amounts for behavioral research on Automated Driving Systems and Advanced Driver Assistance Systems and improving consumer responses to safety recalls are in addition to any other funds provided for those purposes for fiscal year 2024 in this Act.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out provisions of sections 402, 404,

and 405 of title 23, United States Code, and grant administration expenses under chapter 4 of title 23, United States Code, to remain available until expended, \$813,300,800, to be derived from the Highway Trust Fund (other than the Mass Transit Account): *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs for which the total obligations in fiscal year 2024 are in excess of \$813,300,800 for programs authorized under sections 402, 404, and 405 of title 23, United States Code, and grant administration expenses under chapter 4 of title 23, United States Code: *Provided further*, That of the sums appropriated under this heading—

(1) \$378,400,000 shall be for “Highway Safety Programs” under section 402 of title 23, United States Code;

(2) \$353,500,000 shall be for “National Priority Safety Programs” under section 405 of title 23, United States Code;

(3) \$40,300,000 shall be for the “High Visibility Enforcement Program” under section 404 of title 23, United States Code; and

(4) \$41,100,800 shall be for grant administrative expenses under chapter 4 of title 23, United States Code:

Provided further, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local or private buildings or structures: *Provided further*, That not to exceed \$500,000 of the funds made available for “National Priority Safety Programs” under section 405 of title 23, United States Code, for “Impaired Driving Countermeasures” (as described in subsection (d) of that section) shall be available for technical assistance to the States: *Provided further*, That with respect to the “Transfers” provision under section 405(a)(8) of title 23, United States Code, any amounts transferred to increase the amounts made available under section 402 shall include the obligation authority for such amounts: *Provided further*, That the Administrator shall notify the House and Senate Committees on Appropriations of any exercise of the authority granted under the preceding proviso or under section 405(a)(8) of title 23, United States Code, within 5 days.

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

SEC. 140. An additional \$130,000 shall be made available to the National Highway Traffic Safety Administration, out of the amount limited for section 402 of title 23, United States Code, to pay for travel and related expenses for State management reviews and to pay for core competency development training and related expenses for highway safety staff.

SEC. 141. The limitations on obligations for the programs of the National Highway Traffic Safety Administration set in this Act shall not apply to obligations for which obligation authority was made available in previous public laws but only to the extent that the obligation authority has not lapsed or been used.

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

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, \$267,799,000, of which \$25,000,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, \$59,000,000, to remain available until expended: *Provided*, That of the amounts provided under this

heading, up to \$3,000,000 shall be available pursuant to section 20108(d) of title 49, United States Code, for the construction, alteration, and repair of buildings and improvements at the Transportation Technology Center.

FEDERAL-STATE PARTNERSHIP FOR INTERCITY PASSENGER RAIL

For necessary expenses related to Federal-State Partnership for Intercity Passenger Rail grants as authorized by section 24911 of title 49, United States Code, \$100,000,000, to remain available until expended: *Provided*, That the Secretary may withhold up to 2 percent of the amounts made available under this heading in this Act for the costs of award and project management oversight of grants carried out under title 49, United States Code.

CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses related to Consolidated Rail Infrastructure and Safety Improvements grants, as authorized by section 22907 of title 49, United States Code, \$572,861,000, to remain available until expended: *Provided*, That of the amounts made available under this heading in this Act—

(1) \$72,861,000 shall be made available for the purposes, and in amounts, specified for Congressionally Directed Spending in the table entitled “Congressionally Directed Spending” included in the report accompanying this Act: *Provided further*, That requirements under subsections (g) and (l) of section 22907 of title 49, United States Code, shall not apply to the preceding proviso: *Provided further*, That any remaining funds available after the distribution of the Congressionally Directed Spending described in this paragraph shall be available to the Secretary to distribute as discretionary grants under this heading; and

(2) not less than \$5,000,000 shall be available for workforce development and training activities as authorized under section 22907(c)(13) of title 49, United States Code:

Provided further, That for amounts made available under this heading in this Act, eligible projects under section 22907(c)(8) of title 49, United States Code, shall also include railroad systems planning (including the preparation of regional intercity passenger rail plans and State Rail Plans) and railroad project development activities (including railroad project planning, preliminary engineering, design, environmental analysis, feasibility studies, and the development and analysis of project alternatives): *Provided further*, That section 22905(f) of title 49, United States Code, shall not apply to amounts made available under this heading in this Act for projects that implement or sustain positive train control systems otherwise eligible under section 22907(c)(1) of title 49, United States Code: *Provided further*, That amounts made available under this heading in this Act for projects selected for commuter rail passenger transportation may be transferred by the Secretary, after selection, to the appropriate agencies to be administered in accordance with chapter 53 of title 49, United States Code: *Provided further*, That for amounts made available under this heading in this Act, eligible recipients under section 22907(b)(7) of title 49, United States Code, shall include any holding company of a Class II railroad or Class III railroad (as those terms are defined in section 20102 of title 49, United States Code): *Provided further*, That section 22907(e)(1)(A) of title 49, United States Code, shall not apply to amounts made available under this heading in this Act: *Provided further*, That section 22907(e)(1)(A) of title 49, United States Code,

shall not apply to amounts made available under this heading in previous fiscal years if such funds are announced in a notice of funding opportunity that includes funds made available under this heading in this Act: *Provided further*, That the preceding proviso shall not apply to funds made available under this heading in the Infrastructure Investment and Jobs Act (division J of Public Law 117-58): *Provided further*, That unobligated balances remaining after 6 years from the date of enactment of this Act may be used for any eligible project under section 22907(c) of title 49, United States Code: *Provided further*, That the Secretary may withhold up to 2 percent of the amounts made available under this heading in this Act for the costs of award and project management oversight of grants carried out under title 49, United States Code.

NORTHEAST CORRIDOR GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for activities associated with the Northeast Corridor as authorized by section 22101(a) of the Infrastructure Investment and Jobs Act (Public Law 117-58), \$1,141,442,000, to remain available until expended: *Provided*, That the Secretary may retain up to one-half of 1 percent of the amounts made available under both this heading in this Act and the “National Network Grants to the National Railroad Passenger Corporation” heading in this Act to fund the costs of project management and oversight of activities authorized by section 22101(c) of the Infrastructure Investment and Jobs Act (Public Law 117-58): *Provided further*, That in addition to the project management oversight funds authorized under section 22101(c) of the Infrastructure Investment and Jobs Act (Public Law 117-58), the Secretary may retain up to an additional \$5,000,000 of the amounts made available under this heading in this Act to fund expenses associated with the Northeast Corridor Commission established under section 24905 of title 49, United States Code.

NATIONAL NETWORK GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for activities associated with the National Network as authorized by section 22101(b) of the Infrastructure Investment and Jobs Act (division B of Public Law 117-58), \$1,313,033,000, to remain available until expended: *Provided*, That the Secretary may retain up to an additional \$3,000,000 of the funds provided under this heading in this Act to fund expenses associated with the State-Supported Route Committee established under section 24712 of title 49, United States Code: *Provided further*, That none of the funds provided under this heading in this Act shall be used by Amtrak to give notice under subsection (a) or (c) of section 24706 of title 49, United States Code, with respect to long-distance routes (as defined in section 24102 of title 49, United States Code) on which Amtrak is the sole operator on a host railroad's line and a positive train control system is not required by law or regulation, or, except in an emergency or during maintenance or construction outages impacting such routes, to otherwise discontinue, reduce the frequency of, suspend, or substantially alter the route of rail service on any portion of such route operated in fiscal year 2018, including implementation of service permitted by section 24305(a)(3)(A) of title 49, United States Code, in lieu of rail service: *Provided further*, That the National Railroad Passenger Corporation may use up to \$66,000,000 of the amounts made available under this heading in this Act for corridor

development activities as authorized by section 22101(h) of division B of Public Law 117-58.

ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION (INCLUDING RESCISSIONS) (INCLUDING TRANSFER OF FUNDS)

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

SEC. 151. The amounts made available to the Secretary or to the Federal Railroad Administration for the costs of award, administration, and project management oversight of financial assistance which are administered by the Federal Railroad Administration, in this and prior Acts, may be transferred to the Federal Railroad Administration's “Financial Assistance Oversight and Technical Assistance” account for the necessary expenses to support the award, administration, project management oversight, and technical assistance of financial assistance administered by the Federal Railroad Administration, in the same manner as appropriated for in this and prior Acts: *Provided*, That this section shall not apply to amounts that were previously designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 152. Of the unobligated balances of funds remaining from—

(1) “Northeast Corridor Improvement Program” account totaling \$126,348 appropriated by Public Law 114-113 is hereby permanently rescinded;

(2) “Railroad Safety Grants” account totaling \$81,257.66 appropriated by Public Law 113-235 is hereby permanently rescinded;

(3) “Capital Assistance for High Speed Rail Corridors and Intercity Passenger Rail Service” account totaling \$53,118,096.83 appropriated by Public Law 111-117 is hereby permanently rescinded;

(4) “Next Generation High-Speed Rail” account totaling \$94.94 appropriated by Public Law 108-447 is hereby permanently rescinded; and

(5) “Grants to the National Railroad Passenger Corporation” account totaling \$678.16 appropriated by Public Law 108-447.

SEC. 153. None of the funds made available to the National Railroad Passenger Corporation may be used to fund any overtime costs in excess of \$35,000 for any individual employee: *Provided*, That the President of Amtrak may waive the cap set in the preceding proviso for specific employees when the President of Amtrak determines such a cap poses a risk to the safety and operational efficiency of the system: *Provided further*, That the President of Amtrak shall report to the House and Senate Committees on Appropriations no later than 60 days after the date of enactment of this Act, a summary of all overtime payments incurred by Amtrak for 2023 and the 3 prior calendar years: *Provided further*, That such summary shall include the total number of employees that received waivers and the total overtime payments Amtrak paid to employees receiving waivers for each month for 2023 and for the 3 prior calendar years.

SEC. 154. It is the sense of Congress that—

(1) long-distance passenger rail routes provide much-needed transportation access for 4,700,000 riders in 325 communities in 40 States and are particularly important in rural areas; and

(2) long-distance passenger rail routes and services should be sustained to ensure connectivity throughout the National Net-

work (as defined in section 24102 of title 49, United States Code).

FEDERAL TRANSIT ADMINISTRATION TRANSIT FORMULA GRANTS (LIQUIDATION OF CONTRACT AUTHORIZATION) (LIMITATION ON OBLIGATIONS) (HIGHWAY TRUST FUND)

For payment of obligations incurred in the Federal Public Transportation Assistance Program in this account, and for payment of obligations incurred in carrying out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5329(e)(6), 5334, 5335, 5337, 5339, and 5340, section 20005(b) of Public Law 112-141, and section 3006(b) of Public Law 114-94, \$13,990,000,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended: *Provided*, That funds available for the implementation or execution of programs authorized under 49 U.S.C. 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5329(e)(6), 5334, 5335, 5337, 5339, and 5340, section 20005(b) of Public Law 112-141, and section 3006(b) of Public Law 114-94, shall not exceed total obligations of \$13,990,000,000 in fiscal year 2024.

TRANSIT INFRASTRUCTURE GRANTS

For an additional amount for buses and bus facilities grants under section 5339(b) of title 49, United States Code, low or no emission grants under section 5339(c) of such title, ferry boats grants under section 5307(h) of such title, bus testing facilities under section 5318 of such title, accelerating innovative mobility initiative grants under section 5312 of such title, accelerating the adoption of zero emission buses under section 5312 of such title, Congressionally Directed Spending for projects and activities eligible under chapter 53 of such title, and ferry service for rural communities under section 71103 of division G of Public Law 117-58, \$268,261,000, to remain available until expended: *Provided*, That of the sums provided under this heading in this Act—

(1) \$80,000,000 shall be available for buses and bus facilities competitive grants as authorized under section 5339(b) of such title;

(2) \$46,000,000 shall be available for the low or no emission grants as authorized under section 5339(c) of such title: *Provided*, That the minimum grant award shall be not less than \$750,000;

(3) \$20,000,000 shall be available for ferry boat grants as authorized under section 5307(h) of such title: *Provided*, That of the amounts provided under this paragraph, no less than \$5,000,000 shall be available for low or zero emission ferries or ferries using electric battery or fuel cell components and the infrastructure to support such ferries;

(4) \$2,000,000 shall be available for the operation and maintenance of the bus testing facilities selected under section 5318 of such title;

(5) \$82,247,000 shall be available for the purposes, and in amounts, specified for Congressionally Directed Spending in the table entitled “Congressionally Directed Spending” included in the report accompanying this Act: *Provided*, That unless otherwise specified, applicable requirements under chapter 53 of title 49, United States Code, shall apply to amounts made available in this paragraph, except that the Federal share of the costs for a project in this paragraph shall be in an amount equal to 80 percent of the net costs of the project, unless the Secretary approves a higher maximum Federal share of the net costs of the project consistent with administration of similar projects funded under chapter 53 of title 49, United States Code;

(6) \$23,014,000 shall be available for ferry service for rural communities under section 71103 of division G of Public Law 117-58: *Provided*, That for amounts made available in

this paragraph, notwithstanding section 71103(a)(2)(B), eligible service shall include passenger ferry service that serves at least two rural areas with a single segment over 15 miles between the two rural areas and is not otherwise eligible under section 5307(h) of title 49, United States Code: *Provided further*, That entities that provide eligible service pursuant to the preceding proviso may use amounts made available in this paragraph for public transportation capital projects to support any ferry service between two rural areas: *Provided further*, That entities eligible for amounts made available in this paragraph shall only provide ferry service to rural areas;

(7) \$10,000,000 shall be for the accelerating innovative mobility initiative as authorized under section 5312 of title 49, United States Code: *Provided*, That such amounts shall be available for competitive grants or demonstration projects that improve mobility and operational effectiveness, enhance the rider experience, create innovative service delivery models, or develop integrated payment solutions in order to help disseminate proven innovation mobility practices throughout the public transportation industry; and

(8) \$5,000,000 shall be available to support technical assistance, research, demonstration, or deployment activities or projects to accelerate the adoption of zero emission buses in public transit as authorized under section 5312 of title 49, United States Code: *Provided further*, That amounts made available under this heading in this Act shall be derived from the general fund: *Provided further*, That amounts made available under this heading in this Act shall not be subject to any limitation on obligations for transit programs set forth in this or any other Act.

TECHNICAL ASSISTANCE AND TRAINING

For necessary expenses to carry out section 5314 of title 49, United States Code, \$7,500,000, to remain available until September 30, 2025: *Provided*, That the assistance provided under this heading does not duplicate the activities of section 5311(b) or section 5312 of title 49, United States Code: *Provided further*, That amounts made available under this heading are in addition to any other amounts made available for such purposes: *Provided further*, That amounts made available under this heading shall not be subject to any limitation on obligations set forth in this or any other Act.

CAPITAL INVESTMENT GRANTS

For necessary expenses to carry out fixed guideway capital investment grants under section 5309 of title 49, United States Code, and section 3005(b) of the Fixing America's Surface Transportation Act (Public Law 114-94), \$2,450,000,000, to remain available until expended: *Provided*, That of the sums appropriated under this heading in this Act—

(1) \$1,910,000,000 shall be available for projects authorized under section 5309(d) of title 49, United States Code;

(2) up to \$100,000,000 shall be available for projects authorized under section 5309(e) of title 49, United States Code;

(3) \$340,000,000 shall be available for projects authorized under section 5309(h) of title 49, United States Code; and

(4) up to \$100,000,000 shall be available for projects authorized under section 3005(b) of the Fixing America's Surface Transportation Act:

Provided further, That the Secretary shall continue to administer the capital investment grants program in accordance with the procedural and substantive requirements of section 5309 of title 49, United States Code, and of section 3005(b) of the Fixing America's Surface Transportation Act: *Provided further*, That projects that receive a grant agreement

under the Expedited Project Delivery for Capital Investment Grants Pilot Program under section 3005(b) of the Fixing America's Surface Transportation Act shall be deemed eligible for funding provided for projects under section 5309 of title 49, United States Code, without further evaluation or rating under such section: *Provided further*, That such funding shall not exceed the Federal share under section 3005(b): *Provided further*, That funds allocated to any project during fiscal years 2015, 2016, or 2017 pursuant to section 5309 of title 49, United States Code, shall remain allocated to that project through fiscal year 2024: *Provided further*, That upon submission to the Congress of the fiscal year 2025 President's budget, the Secretary of Transportation shall transmit to Congress the annual report on capital investment grants, including proposed allocations for fiscal year 2025.

GRANTS TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

For grants to the Washington Metropolitan Area Transit Authority as authorized under section 601 of division B of the Passenger Rail Investment and Improvement Act of 2008 (Public Law 110-432), \$150,000,000, to remain available until expended: *Provided*, That the Secretary of Transportation shall approve grants for capital and preventive maintenance expenditures for the Washington Metropolitan Area Transit Authority only after receiving and reviewing a request for each specific project: *Provided further*, That the Secretary shall determine that the Washington Metropolitan Area Transit Authority has placed the highest priority on those investments that will improve the safety of the system before approving such grants.

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION (INCLUDING RESCISSION) (INCLUDING TRANSFER OF FUNDS)

SEC. 160. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 161. Notwithstanding any other provision of law, funds appropriated or limited by this Act under the heading “Capital Investment Grants” of the Federal Transit Administration for projects specified in this Act not obligated by September 30, 2027, and other recoveries, shall be directed to projects eligible to use the funds for the purposes for which they were originally provided.

SEC. 162. Notwithstanding any other provision of law, any funds appropriated before October 1, 2023, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure, may be transferred to and administered under the most recent appropriation heading for any such section.

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

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

SEC. 165. Of the unobligated balances made available before October 1, 2013 for “Transit Research” in Treasury Account 69-X-1137, \$581,046 is hereby permanently rescinded.

SEC. 166. (a) Of the unobligated balances made available for the “Clean Fuels Grant Program” under section 5308 of title 49, United States Code, \$4,009,637 shall be transferred to and administered under section 5339(c) of title 49, United States Code.

(b) Of the unobligated balances made available for the “Rural Transportation Accessibility Incentive Program” under section 3038 of Public Law 105-178, \$4,072,214 shall be transferred to and administered under section 5311 of title 49, United States Code.

(c) Of the unobligated balances made available for the “Alternatives Analysis Program” under section 5339 of title 49, United States Code, \$1,975,409 shall be transferred to and administered under section 5305 of title 49, United States Code.

(d) Of the unobligated balances made available for “Alternative Transportation in Parks and Public Lands” under section 5320 of title 49, United States Code, \$2,148,414 shall be transferred to and administered under section 5311 of title 49, United States Code.

(e) Of the unobligated balances made available for “Job Access and Reverse Commute Formula Grants” under section 5316 of title 49, United States Code, \$45,187,599 shall be available for competitive grants to eligible entities to assist areas of persistent poverty as defined under section 6702(a)(1) of title 49, United States Code, or historically disadvantaged communities, for the same purposes for which amounts were provided for grants to areas of persistent poverty under the heading “Federal Transit Administration—Transit Infrastructure Grants” in the Consolidated Appropriations Act, 2022 (Public Law 117-103).

(f) Of the unobligated balances made available for “New Freedom” under section 5317 of title 49, United States Code, \$40,536,306 shall be transferred and administered under section 5310 of title 49, United States Code.

(g) Of the unobligated balances made available for “Bus Capital” under section 5039 of title 49, United States Code, \$81,863,444 shall be transferred and administered under section 5339 of title 49, United States Code.

SEC. 167. (a) Funds obligated in fiscal year 2024 for grants under sections 5310 and 5311 of title 49, United States Code, may be used for up to 100 percent of the eligible net costs of a project, notwithstanding subsection (d) of section 5310 and subsection (g) of section 5311 of such title.

(b) Notwithstanding section 5339(b)(6)(B) of title 49, United States Code, the Federal share of the costs for which an amount is provided in this Act to a federally recognized Indian Tribe for activities carried out under section 5339(b) of title 49, United States Code, may be, at the option of such Indian Tribe, up to 100 percent.

(c) Notwithstanding section 5339(c)(7)(A) of title 49, United States Code, the Federal share of the costs for which an amount is provided in this Act to a federally recognized Indian Tribe for activities carried out under section 5339(c) of title 49, United States Code, may be, at the option of such Indian Tribe, up to 100 percent.

SEC. 168. Section 5323 of title 49, United States Code, is amended in subsection (q)—

(1) in the matter preceding paragraph (1), by striking “CORRIDOR PRESERVATION” and inserting “REAL PROPERTY INTERESTS”;

(2) in paragraph (1)—

(A) by striking “right-of-way” each time it appears and inserting “real property interests”; and

(B) by inserting “acquired” after “may use the”; and

(3) in paragraph (2), by striking “Right-of-way” and inserting “Real property interests”.

GREAT LAKES ST. LAWRENCE SEAWAY
DEVELOPMENT CORPORATION

The Great Lakes St. Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE
(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses to conduct the operations, maintenance, and capital infrastructure activities on portions of the St. Lawrence Seaway owned, operated, and maintained by the Great Lakes St. Lawrence Seaway Development Corporation, \$40,288,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to section 210 of the Water Resources Development Act of 1986 (33 U.S.C. 2238): *Provided*, That of the amounts made available under this heading, not less than \$16,300,000 shall be for the seaway infrastructure program.

MARITIME ADMINISTRATION
MARITIME SECURITY PROGRAM

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

CABLE SECURITY FLEET

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

TANKER SECURITY PROGRAM

For Tanker Security Fleet payments, as authorized under section 53406 of title 46, United States Code, \$120,000,000, to remain available until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, \$283,546,000: *Provided*, That of the sums appropriated under this heading—

(1) \$103,500,000 shall remain available until September 30, 2025, for the operations of the United States Merchant Marine Academy;

(2) \$22,000,000 shall remain available until expended for facilities maintenance and repair, and equipment, at the United States Merchant Marine Academy;

(3) \$70,000,000 shall remain available until expended for capital improvements at the United States Merchant Marine Academy;

(4) \$7,500,000 shall remain available until September 30, 2025, for the Maritime Environmental and Technical Assistance program authorized under section 50307 of title 46, United States Code; and

(5) \$10,000,000 shall remain available until expended, for the United States Marine Highway Program to make grants for the purposes authorized under section 55601 of title 46, United States Code:

Provided further, That the Administrator of the Maritime Administration shall transmit to the House and Senate Committees on Appropriations the annual report on sexual assault and sexual harassment at the United States Merchant Marine Academy as required pursuant to section 3510 of the National Defense Authorization Act for fiscal year 2017 (46 U.S.C. 51318): *Provided further*, That available balances under this heading for the Short Sea Transportation Program or America's Marine Highway Program (now

known as the United States Marine Highway Program) from prior year recoveries shall be available to carry out activities authorized under section 55601 of title 46, United States Code.

STATE MARITIME ACADEMY OPERATIONS

For necessary expenses of operations, support, and training activities for State Maritime Academies, \$131,000,000: *Provided*, That of the sums appropriated under this heading—

(1) \$22,000,000 shall remain available until expended for maintenance, repair, and life extension of training ships at the State Maritime Academies;

(2) \$91,800,000 shall remain available until expended for the National Security Multi-Mission Vessel Program, including funds for construction, planning, administration, and design of school ships and, as determined by the Secretary, necessary expenses to design, plan, construct infrastructure, and purchase equipment necessary to berth such ships, of which up to \$8,900,000 may be used for expenses related to the oversight and management of school ships to include the purchase of equipment and the repair and maintenance of training vessels: *Provided*, That such funds may be used to reimburse State Maritime Academies for costs incurred prior to the date of enactment of this Act;

(3) \$2,400,000 shall remain available until September 30, 2028, for the Student Incentive Program;

(4) \$8,800,000 shall remain available until expended for training ship fuel assistance; and

(5) \$6,000,000 shall remain available until September 30, 2025, for direct payments for State Maritime Academies.

ASSISTANCE TO SMALL SHIPYARDS

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

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, \$6,021,000, to remain available until expended.

MARITIME GUARANTEED LOAN (TITLE XI)
PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, \$103,020,000, of which \$100,000,000 shall remain available until expended: *Provided*, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That not to exceed \$3,020,000 shall be for administrative expenses to carry out the guaranteed loan program, which shall be transferred to and merged with the appropriations for "Maritime Administration—Operations and Training".

PORT INFRASTRUCTURE DEVELOPMENT
PROGRAM

To make grants to improve port facilities as authorized under section 54301 of title 46, United States Code, \$213,000,000, to remain available until expended: *Provided*, That projects eligible for amounts made available under this heading in this Act shall be projects for coastal seaports, inland river ports, or Great Lakes ports: *Provided further*, That of the amounts made available under this heading in this Act, not less than \$188,000,000 shall be for coastal seaports or Great Lakes ports: *Provided further*, That the requirements under section 3501(a)(9) of the National Defense Authorization Act for Fiscal Year 2023 (Public Law 117-263) shall apply to amounts made available under this head-

ing in this Act: *Provided further*, That for grants awarded under this heading in this Act, the minimum grant size shall be \$1,000,000: *Provided further*, That for amounts made available under this heading in this Act, the requirement under section 54301(a)(6)(A)(ii) of title 46, United States Code, shall not apply to projects located in noncontiguous States or territories.

ADMINISTRATIVE PROVISION—MARITIME
ADMINISTRATION

SEC. 170. Notwithstanding any other provision of this Act, in addition to any existing authority, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration: *Provided*, That payments received therefor shall be credited to the appropriation charged with the cost thereof and shall remain available until expended: *Provided further*, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be deposited into the Treasury as miscellaneous receipts.

PIPELINE AND HAZARDOUS MATERIALS SAFETY
ADMINISTRATION

OPERATIONAL EXPENSES

For necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration, \$31,681,000, of which \$4,500,000 shall remain available until September 30, 2026.

HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, \$74,556,000, of which \$12,070,000 shall remain available until September 30, 2026, of which \$1,000,000 shall be made available for carrying out section 5107(i) of title 49, United States Code: *Provided*, That up to \$800,000 in fees collected under section 5108(g) of title 49, United States Code, shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to carry out a pipeline safety program, as authorized by section 60107 of title 49, United States Code, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990 (Public Law 101-380), \$226,228,000, to remain available until September 30, 2026, of which \$30,000,000 shall be derived from the Oil Spill Liability Trust Fund; of which \$188,828,000 shall be derived from the Pipeline Safety Fund; of which \$400,000 shall be derived from the fees collected under section 60303 of title 49, United States Code, and deposited in the Liquefied Natural Gas Siting Account for compliance reviews of liquefied natural gas facilities; and of which \$7,000,000 shall be derived from fees collected under section 60302 of title 49, United States Code, and deposited in the Underground Natural Gas Storage Facility Safety Account for the purpose of carrying out section 60141 of title 49, United States Code: *Provided*, That not less than \$1,058,000 of the amounts made available under this heading shall be for the One-Call State grant program: *Provided further*, That

any amounts made available under this heading in this Act or in prior Acts for research contracts, grants, cooperative agreements or research other transactions agreements (“OTAs”) shall require written notification to the House and Senate Committees on Appropriations not less than 3 full business days before such research contracts, grants, cooperative agreements, or research OTAs are announced by the Department of Transportation: *Provided further*, That the Secretary shall transmit to the House and Senate Committees on Appropriations the report on pipeline safety testing enhancement as required pursuant to section 105 of the Protecting our Infrastructure of Pipelines and Enhancing Safety Act of 2020 (division R of Public Law 116-260): *Provided further*, That the Secretary may obligate amounts made available under this heading to engineer, erect, alter, and repair buildings or make any other public improvements for research facilities at the Transportation Technology Center after the Secretary submits an updated research plan and the report in the preceding proviso to the House and Senate Committees on Appropriations and after such plan and report in the preceding proviso are approved by the House and Senate Committees on Appropriations.

EMERGENCY PREPAREDNESS GRANTS
(LIMITATION ON OBLIGATIONS)
(EMERGENCY PREPAREDNESS FUND)

For expenses necessary to carry out the Emergency Preparedness Grants program, not more than \$46,825,000 shall remain available until September 30, 2026, from amounts made available by section 5116(h) and subsections (b) and (c) of section 5128 of title 49, United States Code: *Provided*, That notwithstanding section 5116(h)(4) of title 49, United States Code, not more than 4 percent of the amounts made available from this account shall be available to pay the administrative costs of carrying out sections 5116, 5107(e), and 5108(g)(2) of title 49, United States Code: *Provided further*, That notwithstanding subsections (b) and (c) of section 5128 of title 49, United States Code, and the limitation on obligations provided under this heading, prior year recoveries recognized in the current year shall be available to develop and deliver hazardous materials emergency response training for emergency responders, including response activities for the transportation of crude oil, ethanol, flammable liquids, and other hazardous commodities by rail, consistent with National Fire Protection Association standards, and to make such training available through an electronic format: *Provided further*, That the prior year recoveries made available under this heading shall also be available to carry out sections 5116(a)(1)(C), 5116(h), 5116(i), 5116(j), and 5107(e) of title 49, United States Code.

OFFICE OF INSPECTOR GENERAL
SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, \$116,452,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App.), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department of Transportation.

GENERAL PROVISIONS—DEPARTMENT OF
TRANSPORTATION

SEC. 180. (a) During the current fiscal year, applicable appropriations to the Department of Transportation shall be available for

maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code.

(b) During the current fiscal year, applicable appropriations to the Department and its operating administrations shall be available for the purchase, maintenance, operation, and deployment of unmanned aircraft systems that advance the missions of the Department of Transportation or an operating administration of the Department of Transportation.

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

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

SEC. 182. (a) No recipient of amounts made available by this Act shall disseminate personal information (as defined in section 2725(3) of title 18, United States Code) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in section 2725(1) of title 18, United States Code, except as provided in section 2721 of title 18, United States Code, for a use permitted under section 2721 of title 18, United States Code.

(b) Notwithstanding subsection (a), the Secretary shall not withhold amounts made available by this Act for any grantee if a State is in noncompliance with this provision.

SEC. 183. None of the funds made available by this Act shall be available for salaries and expenses of more than 125 political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 184. Funds received by the Federal Highway Administration and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration’s “Federal-Aid Highways” account and to the Federal Railroad Administration’s “Safety and Operations” account, except for State rail safety inspectors participating in training pursuant to section 20105 of title 49, United States Code.

SEC. 185. None of the funds made available by this Act or in title VIII of division J of Public Law 117-58 to the Department of Transportation may be used to make a loan, loan guarantee, line of credit, letter of intent, federally funded cooperative agreement, full funding grant agreement, or discretionary grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project competitively selected to receive any discretionary grant award, letter of intent, loan commitment, loan guarantee commitment, line of credit commitment, federally funded cooperative agreement, or full funding grant agreement is announced by the Department or its operating administrations: *Provided*, That the Secretary of Transportation shall provide the House and Senate Committees on Appropriations with a comprehensive list of

all such loans, loan guarantees, lines of credit, letters of intent, federally funded cooperative agreements, full funding grant agreements, and discretionary grants prior to the notification required under the preceding proviso: *Provided further*, That the Secretary gives concurrent notification to the House and Senate Committees on Appropriations for any “quick release” of funds from the emergency relief program: *Provided further*, That no notification shall involve funds that are not available for obligation.

SEC. 186. Rebates, refunds, incentive payments, minor fees, and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to organizational units of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 187. Notwithstanding any other provision of law, if any funds provided by or limited by this Act are subject to a reprogramming action that requires notice to be provided to the House and Senate Committees on Appropriations, transmission of such reprogramming notice shall be provided solely to the House and Senate Committees on Appropriations, and such reprogramming action shall be approved or denied solely by the House and Senate Committees on Appropriations: *Provided*, That the Secretary of Transportation may provide notice to other congressional committees of the action of the House and Senate Committees on Appropriations on such reprogramming but not sooner than 30 days after the date on which the reprogramming action has been approved or denied by the House and Senate Committees on Appropriations.

SEC. 188. Funds appropriated by this Act to the operating administrations may be obligated for the Office of the Secretary for the costs related to assessments or reimbursable agreements only when such amounts are for the costs of goods and services that are purchased to provide a direct benefit to the applicable operating administration or administrations.

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

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

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

(2) that the grant recipient will include appropriate provisions in its bid document ensuring that the contractor does not displace any of its existing employees in order to satisfy such hiring preference; and

(3) that any increase in the cost of labor, training, or delays resulting from the use of

such hiring preference does not delay or displace any transportation project in the applicable Statewide Transportation Improvement Program or Transportation Improvement Program.

SEC. 191. The Secretary of Transportation shall coordinate with the Secretary of Homeland Security to ensure that best practices for Industrial Control Systems Procurement are up-to-date and shall ensure that systems procured with funds provided under this title were procured using such practices.

This title may be cited as the “Department of Transportation Appropriations Act, 2024”.

TITLE II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MANAGEMENT AND ADMINISTRATION

EXECUTIVE OFFICES

For necessary salaries and expenses for Executive Offices, which shall be comprised of the offices of the Secretary, Deputy Secretary, Adjudicatory Services, Congressional and Intergovernmental Relations, Public Affairs, Small and Disadvantaged Business Utilization, and the Center for Faith-Based and Neighborhood Partnerships, \$19,400,000, to remain available until September 30, 2025: *Provided*, That not to exceed \$25,000 of the amount made available under this heading shall be available to the Secretary of Housing and Urban Development (referred to in this title as “the Secretary”) for official reception and representation expenses as the Secretary may determine.

ADMINISTRATIVE SUPPORT OFFICES

For necessary salaries and expenses for Administrative Support Offices, \$698,200,000, to remain available until September 30, 2025: *Provided*, That of the sums appropriated under this heading—

(1) \$95,200,000 shall be available for the Office of the Chief Financial Officer;

(2) \$127,400,000 shall be available for the Office of the General Counsel, of which not less than \$21,700,000 shall be for the Departmental Enforcement Center;

(3) \$241,800,000 shall be available for the Office of Administration;

(4) \$55,800,000 shall be available for the Office of the Chief Human Capital Officer;

(5) \$32,400,000 shall be available for the Office of the Chief Procurement Officer;

(6) \$68,300,000 shall be available for the Office of Field Policy and Management;

(7) \$4,900,000 shall be available for the Office of Departmental Equal Employment Opportunity; and

(8) \$72,400,000 shall be available for the Office of the Chief Information Officer:

Provided further, That funds made available under this heading may be used for necessary administrative and non-administrative expenses of the Department, not otherwise provided for, including purchase of uniforms, or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code: *Provided further*, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that directly support program activities funded in this title: *Provided further*, That the Secretary shall provide the House and Senate Committees on Appropriations quarterly written notification regarding the status of pending congressional reports: *Provided further*, That the Secretary shall provide in electronic form all signed reports required by Congress.

PROGRAM OFFICES

For necessary salaries and expenses for Program Offices, \$1,114,100,000, to remain

available until September 30, 2025: *Provided*, That of the sums appropriated under this heading—

(1) \$288,500,000 shall be available for the Office of Public and Indian Housing;

(2) \$170,500,000 shall be available for the Office of Community Planning and Development;

(3) \$497,000,000 shall be available for the Office of Housing;

(4) \$44,000,000 shall be available for the Office of Policy Development and Research;

(5) \$102,900,000 shall be available for the Office of Fair Housing and Equal Opportunity; and

(6) \$11,200,000 shall be available for the Office of Lead Hazard Control and Healthy Homes.

WORKING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

For the working capital fund for the Department of Housing and Urban Development (referred to in this paragraph as the “Fund”), pursuant, in part, to section 7(f) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(f)), amounts transferred, including reimbursements pursuant to section 7(f), to the Fund under this heading shall be available only for Federal shared services used by offices and agencies of the Department, and for any such portion of any office or agency’s printing, records management, space renovation, furniture, or supply services the Secretary has determined shall be provided through the Fund, and the operational expenses of the Fund: *Provided*, That amounts within the Fund shall not be available to provide services not specifically authorized under this heading: *Provided further*, That upon a determination by the Secretary that any other service (or portion thereof) authorized under this heading shall be provided through the Fund, amounts made available in this title for salaries and expenses under the headings “Executive Offices”, “Administrative Support Offices”, “Program Offices”, and “Government National Mortgage Association”, for such services shall be transferred to the Fund, to remain available until expended: *Provided further*, That the Secretary shall notify the House and Senate Committees on Appropriations of its plans for executing such transfers at least 15 days in advance of such transfers.

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) (in this title “the Act”), not otherwise provided for, \$27,737,961,000, to remain available until expended, which shall be available on October 1, 2023 (in addition to the \$4,000,000,000 previously appropriated under this heading that shall be available on October 1, 2023), and \$4,000,000,000, to remain available until expended, which shall be available on October 1, 2024: *Provided*, That of the sums appropriated under this heading—

(1) \$27,765,512,000 shall be available for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act) and including renewal of other special purpose incremental vouchers: *Provided*, That notwithstanding any other provision of law, from amounts provided under this paragraph and any carryover, the Secretary for the calendar year 2024 funding cycle shall provide renewal funding for each public housing agency based on validated voucher management system (VMS) leasing and cost data for the prior calendar year and by applying an inflation fac-

tor as established by the Secretary, by notice published in the Federal Register, and by making any necessary adjustments for the costs associated with the first-time renewal of vouchers under this paragraph including tenant protection and Choice Neighborhoods vouchers: *Provided further*, That none of the funds provided under this paragraph may be used to fund a total number of unit months under lease which exceeds a public housing agency’s authorized level of units under contract, except for public housing agencies participating in the Moving to Work (MTW) demonstration, which are instead governed in accordance with the requirements of the MTW demonstration program or their MTW agreements, if any: *Provided further*, That the Secretary shall, to the extent necessary to stay within the amount specified under this paragraph (except as otherwise modified under this paragraph), prorate each public housing agency’s allocation otherwise established pursuant to this paragraph: *Provided further*, That except as provided in the following provisos, the entire amount specified under this paragraph (except as otherwise modified under this paragraph) shall be obligated to the public housing agencies based on the allocation and pro rata method described above, and the Secretary shall notify public housing agencies of their annual budget by the latter of 60 days after enactment of this Act or March 1, 2024: *Provided further*, That the Secretary may extend the notification period only after the House and Senate Committees on Appropriations are notified at least 10 business days in advance of the extension: *Provided further*, That public housing agencies participating in the MTW demonstration shall be funded in accordance with the requirements of the MTW demonstration program or their MTW agreements, if any, and shall be subject to the same pro rata adjustments under the preceding provisos: *Provided further*, That the Secretary may offset public housing agencies’ calendar year 2024 allocations based on the excess amounts of public housing agencies’ net restricted assets accounts, including HUD-held programmatic reserves (in accordance with VMS data in calendar year 2023 that is verifiable and complete), as determined by the Secretary: *Provided further*, That public housing agencies participating in the MTW demonstration shall also be subject to the offset, as determined by the Secretary, excluding amounts subject to the single fund budget authority provisions of their MTW agreements, from the agencies’ calendar year 2024 MTW funding allocation: *Provided further*, That the Secretary shall use any offset referred to in the preceding two provisos throughout the calendar year to prevent the termination of rental assistance for families as the result of insufficient funding, as determined by the Secretary, and to avoid or reduce the proration of renewal funding allocations: *Provided further*, That up to \$200,000,000 shall be available only:

(A) for adjustments in the allocations for public housing agencies, after application for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in renewal costs of vouchers resulting from unforeseen circumstances or from portability under section 8(r) of the Act;

(B) for vouchers that were not in use during the previous 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act, or an adjustment for a funding obligation not yet expended in the previous calendar year for a MTW-eligible activity to develop affordable housing for an agency added to the MTW

demonstration under the expansion authority provided in section 239 of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2016 (division L of Public Law 114–113);

(C) for adjustments for costs associated with HUD–Veterans Affairs Supportive Housing (HUD–VASH) vouchers;

(D) for public housing agencies that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required to terminate rental assistance for families as a result of insufficient funding;

(E) for adjustments in the allocations for public housing agencies that—

(i) are leasing a lower-than-average percentage of their authorized vouchers,

(ii) have low amounts of budget authority in their net restricted assets accounts and HUD-held programmatic reserves, relative to other agencies, and

(iii) are not participating in the Moving to Work demonstration, to enable such agencies to lease more vouchers;

(F) for withheld payments in accordance with section 8(o)(8)(A)(ii) of the Act for months in the previous calendar year that were subsequently paid by the public housing agency after the agency's actual costs were validated; and

(G) for public housing agencies that have experienced increased costs or loss of units in an area for which the President declared a disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.):

Provided further, That the Secretary shall allocate amounts under the preceding proviso based on need, as determined by the Secretary: *Provided further*, That the Secretary may establish a demonstration program to continue through fiscal year 2027 at up to 8 public housing agencies in difficult rental markets, as determined by the Secretary, for the purpose of testing whether the provision of additional assistance to facilitate leasing increases the ability of families participating in the program to lease a unit: *Provided further*, That amounts made available under this paragraph in this and prior Acts to public housing agencies participating in such demonstration program shall be available for making utility and security deposit assistance payments (including last month's rent) and other costs consistent with the terms of the demonstration, in addition to the purposes for which such funds were appropriated and obligated and in addition to amounts for administrative and other expenses otherwise available for such payments and costs: *Provided further*, That any such utility or security deposit payments returned to the public housing agency, including any interest earned while such amounts were held by the owner, shall be available only for future housing assistance payment expenses (including eligible uses during the term of the demonstration): *Provided further*, That of the amounts provided under this paragraph, \$5,289,210,000 is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985;

(2) \$445,000,000 shall be available for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to section 18 of the Act, conversion of section 23 projects to assistance under section 8, relocation of witnesses (including victims of violent crimes) in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, Choice Neighbor-

hood vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance or for project-based assistance to prevent the displacement of unassisted elderly tenants currently residing in section 202 properties financed between 1959 and 1974 that are refinanced pursuant to Public Law 106–569, as amended, or under the authority as provided under this Act: *Provided*, That when a public housing development is submitted for demolition or disposition under section 18 of the Act, the Secretary may provide section 8 rental assistance when the units pose an imminent health and safety risk to residents: *Provided further*, That the Secretary may provide section 8 rental assistance from amounts made available under this paragraph for units assisted under a project-based subsidy contract funded under the “Project-Based Rental Assistance” heading under this title where the owner has received a Notice of Default and the units pose an imminent health and safety risk to residents: *Provided further*, That of the amounts made available under this paragraph, no less than \$5,000,000 may be available to provide tenant protection assistance, not otherwise provided under this paragraph, to residents residing in low vacancy areas and who may have to pay rents greater than 30 percent of household income, as the result of: (A) the maturity of a HUD-insured, HUD-held or section 202 loan that requires the permission of the Secretary prior to loan prepayment; (B) the expiration of a rental assistance contract for which the tenants are not eligible for enhanced voucher or tenant protection assistance under existing law; or (C) the expiration of affordability restrictions accompanying a mortgage or preservation program administered by the Secretary: *Provided further*, That such tenant protection assistance made available under the preceding proviso may be provided under the authority of section 8(t) or section 8(o)(13) of the Act: *Provided further*, That any tenant protection voucher made available from amounts under this paragraph shall not be reissued by any public housing agency, except the replacement vouchers as defined by the Secretary by notice, when the initial family that received any such voucher no longer receives such voucher, and the authority for any public housing agency to issue any such voucher shall cease to exist: *Provided further*, That the Secretary may only provide replacement vouchers for units that were occupied within the previous 24 months that cease to be available as assisted housing, subject only to the availability of funds;

(3) \$2,781,449,000 shall be available for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to \$30,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, including fees associated with section 8 tenant protection rental assistance, the administration of disaster related vouchers, HUD–VASH vouchers, and other special purpose incremental vouchers: *Provided*, That no less than \$2,751,449,000 of the amount provided in this paragraph shall be allocated to public housing agencies for the calendar year 2024 funding cycle based on section 8(q) of the Act (and related Appropriation Act provisions) as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105–276): *Provided further*, That if the amounts made available under this paragraph are insufficient to pay the amounts determined under the preceding proviso, the Secretary may decrease the amounts allocated to agencies by a uniform percentage applicable to all agen-

cies receiving funding under this paragraph or may, to the extent necessary to provide full payment of amounts determined under the preceding proviso, utilize unobligated balances, including recaptures and carry-over, remaining from funds appropriated under this heading from prior fiscal years, excluding special purpose vouchers, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That all public housing agencies participating in the MTW demonstration shall be funded in accordance with the requirements of the MTW demonstration program or their MTW agreements, if any, and shall be subject to the same uniform percentage decrease as under the preceding proviso: *Provided further*, That amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities;

(4) \$686,000,000 shall be available for the renewal of tenant-based assistance contracts under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), including necessary administrative expenses: *Provided*, That administrative and other expenses of public housing agencies in administering the special purpose vouchers in this paragraph shall be funded under the same terms and be subject to the same pro rata reduction as the percent decrease for administrative and other expenses to public housing agencies under paragraph (3) of this heading: *Provided further*, That up to \$10,000,000 shall be available only—

(A) for adjustments in the allocation for public housing agencies, after applications for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in Mainstream renewal costs resulting from unforeseen circumstances; and

(B) for public housing agencies that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required to terminate the rental assistance for Mainstream families as a result of insufficient funding:

Provided further, That the Secretary shall allocate amounts under the preceding proviso based on need, as determined by the Secretary: *Provided further*, That upon turnover, section 811 special purpose vouchers funded under this heading in this or prior Acts, or under any other heading in prior Acts, shall be provided to non-elderly persons with disabilities;

(5) of the amounts provided under paragraph (1), up to \$7,500,000 shall be available for rental assistance and associated administrative fees for Tribal HUD–VASH to serve Native American veterans that are homeless or at-risk of homelessness living on or near a reservation or other Indian areas: *Provided*, That such amount shall be made available for renewal grants to recipients that received assistance under prior Acts under the Tribal HUD–VASH program: *Provided further*, That the Secretary shall be authorized to specify criteria for renewal grants, including data on the utilization of assistance reported by grant recipients: *Provided further*, That such assistance shall be administered in accordance with program requirements under the Native American Housing Assistance and Self-Determination Act of 1996 and modeled after the HUD–VASH program: *Provided further*, That the Secretary shall be authorized to waive, or specify alternative requirements for any provision of any statute or regulation that the Secretary administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, non-discrimination, labor standards, and the environment), upon a finding by the Secretary

that any such waivers or alternative requirements are necessary for the effective delivery and administration of such assistance: *Provided further*, That grant recipients shall report to the Secretary on utilization of such rental assistance and other program data, as prescribed by the Secretary: *Provided further*, That the Secretary may reallocate, as determined by the Secretary, amounts returned or recaptured from awards under the Tribal HUD-VASH program under prior Acts to existing recipients under the Tribal HUD-VASH program;

(6) \$30,000,000 shall be available for incremental rental voucher assistance for use through a supported housing program administered in conjunction with the Department of Veterans Affairs as authorized under section 8(o)(19) of the United States Housing Act of 1937: *Provided*, That the Secretary of Housing and Urban Development shall make such funding available, notwithstanding section 203 (competition provision) of this title, to public housing agencies that partner with eligible VA Medical Centers or other entities as designated by the Secretary of the Department of Veterans Affairs, based on geographical need for such assistance as identified by the Secretary of the Department of Veterans Affairs, public housing agency administrative performance, and other factors as specified by the Secretary of Housing and Urban Development in consultation with the Secretary of the Department of Veterans Affairs: *Provided further*, That the Secretary of Housing and Urban Development may waive, or specify alternative requirements for (in consultation with the Secretary of the Department of Veterans Affairs), any provision of any statute or regulation that the Secretary of Housing and Urban Development administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such voucher assistance: *Provided further*, That assistance made available under this paragraph shall continue to remain available for homeless veterans upon turn-over: *Provided further*, That of the total amount made available under this paragraph, up to \$10,000,000 may be for additional fees established by and allocated pursuant to a method determined by the Secretary for administrative and other expenses (including those eligible activities defined by notice to facilitate leasing, such as security deposit assistance and costs related to the retention and support of participating owners) of public housing agencies in administering HUD-VASH vouchers;

(7) \$30,000,000 shall be available for the family unification program as authorized under section 8(x) of the Act: *Provided*, That the amounts made available under this paragraph are provided as follows:

(A) \$5,000,000 shall be available for new incremental voucher assistance, which shall continue to remain available for family unification upon turnover; and

(B) \$25,000,000 shall be available for new incremental voucher assistance to assist eligible youth as defined by such section 8(x)(2)(B) of the Act, which shall continue to remain available for such eligible youth upon turnover: *Provided*, That such amounts shall be available on a noncompetitive basis to public housing agencies that partner with public child welfare agencies to identify such eligible youth, that request such assistance to timely assist such eligible youth, and that meet any other criteria as specified by the Secretary: *Provided further*, That the Secretary shall review utilization of such assistance and assistance originating from appro-

priations made available for youth under this heading in any prior Act that the Secretary made available on a noncompetitive basis, at an interval to be determined by the Secretary, and unutilized voucher assistance that is no longer needed based on such review shall be recaptured by the Secretary and reallocated pursuant to the preceding proviso:

Provided further, That any public housing agency administering new incremental voucher assistance originating from appropriations made available for the family unification program under this heading in this or any prior Act that the Secretary made available on a competitive basis that determines it no longer has an identified need for such assistance upon turnover shall notify the Secretary, and the Secretary shall recapture such assistance from the agency and reallocate it to any other public housing agency or agencies based on need for voucher assistance in connection with such specified program or eligible youth, as applicable; and

(8) the Secretary shall separately track all special purpose vouchers funded under this heading.

HOUSING CERTIFICATE FUND (INCLUDING RESCISSIONS)

Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading “Annual Contributions for Assisted Housing” and the heading “Project-Based Rental Assistance”, for fiscal year 2024 and prior years may be used for renewal of or amendments to section 8 project-based contracts and for performance-based contract administrators, notwithstanding the purposes for which such funds were appropriated: *Provided*, That any obligated balances of contract authority from fiscal year 1974 and prior fiscal years that have been terminated shall be rescinded: *Provided further*, That amounts heretofore recaptured, or recaptured during the current fiscal year, from section 8 project-based contracts from source years fiscal year 1975 through fiscal year 1987 are hereby rescinded, and an amount of additional new budget authority, equivalent to the amount rescinded is hereby appropriated, to remain available until expended, for the purposes set forth under this heading, in addition to amounts otherwise available.

PUBLIC HOUSING FUND

For 2024 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)) (the “Act”), and to carry out capital and management activities for public housing agencies, as authorized under section 9(d) of the Act (42 U.S.C. 1437g(d)), \$8,875,000,000, to remain available until September 30, 2027: *Provided*, That of the sums appropriated under this heading—

(1) \$5,530,000,000 shall be available for the Secretary to allocate pursuant to the Operating Fund formula at part 990 of title 24, Code of Federal Regulations, for 2024 payments;

(2) \$35,000,000 shall be available for the Secretary to allocate pursuant to a need-based application process notwithstanding section 203 of this title and not subject to such Operating Fund formula to public housing agencies that experience, or are at risk of, financial shortfalls, as determined by the Secretary: *Provided*, That after all such shortfall needs are met, the Secretary may distribute any remaining funds to all public housing agencies on a pro-rata basis pursuant to such Operating Fund formula;

(3) \$3,200,000,000 shall be available for the Secretary to allocate pursuant to the Capital

Fund formula at section 905.400 of title 24, Code of Federal Regulations: *Provided*, That for funds provided under this paragraph, the limitation in section 9(g)(1) of the Act shall be 25 percent: *Provided further*, That the Secretary may waive the limitation in the preceding proviso to allow public housing agencies to fund activities authorized under section 9(e)(1)(C) of the Act: *Provided further*, That the Secretary shall notify public housing agencies requesting waivers under the preceding proviso if the request is approved or denied within 14 days of submitting the request: *Provided further*, That from the funds made available under this paragraph, the Secretary shall provide bonus awards in fiscal year 2024 to public housing agencies that are designated high performers: *Provided further*, That the Department shall notify public housing agencies of their formula allocation within 60 days of enactment of this Act;

(4) \$30,000,000 shall be available for the Secretary to make grants, notwithstanding section 203 of this title, to public housing agencies for emergency capital needs, including safety and security measures necessary to address crime and drug-related activity, as well as needs resulting from unforeseen or unpreventable emergencies and natural disasters excluding Presidentially declared emergencies and natural disasters under the Robert T. Stafford Disaster Relief and Emergency Act (42 U.S.C. 5121 et seq.) occurring in fiscal year 2024: *Provided*, That of the amount made available under this paragraph, not less than \$10,000,000 shall be for safety and security measures: *Provided further*, That in addition to the amount in the preceding proviso for such safety and security measures, any amounts that remain available, after all applications received on or before September 30, 2025, for emergency capital needs have been processed, shall be allocated to public housing agencies for such safety and security measures;

(5) \$65,000,000 shall be available for competitive grants to public housing agencies to evaluate and reduce residential health hazards in public housing, including lead-based paint (by carrying out the activities of risk assessments, abatement, and interim controls, as those terms are defined in section 1004 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851b)), carbon monoxide, mold, radon, and fire safety: *Provided*, That not less than \$25,000,000 of the amounts provided under this paragraph shall be awarded for evaluating and reducing lead-based paint hazards: *Provided further*, That for purposes of environmental review, a grant under this paragraph shall be considered funds for projects or activities under title I of the Act for purposes of section 26 of the Act (42 U.S.C. 1437x) and shall be subject to the regulations implementing such section; and

(6) \$15,000,000 shall be available to support the costs of administrative and judicial receiverships and for competitive grants to PHAs in receivership, designated troubled or substandard, or otherwise at risk, as determined by the Secretary, for costs associated with public housing asset improvement, in addition to other amounts for that purpose provided under any heading under this title: *Provided further*, That notwithstanding any other provision of law or regulation, during fiscal year 2024, the Secretary of Housing and Urban Development may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) of the Act regarding the extension of the time periods under such section: *Provided further*, That for purposes of such section 9(j), the term “obligate” means, with respect to amounts, that

the amounts are subject to a binding agreement that will result in outlays, immediately or in the future.

ASSISTED HOUSING INSPECTIONS AND RISK ASSESSMENTS

For the Department's inspection and assessment programs, including travel, training, and program support contracts, \$50,000,000 to remain available until September 30, 2025: *Provided*, That unobligated balances, including recaptures and carryover, remaining from funds appropriated under the heading "Public Housing Fund" to support ongoing public housing financial and physical assessment activities shall be available for the purposes authorized under this heading in addition to the purposes for which such funds originally were appropriated.

CHOICE NEIGHBORHOODS INITIATIVE

For competitive grants under the Choice Neighborhoods Initiative (subject to section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v) (the "Act")) unless otherwise specified under this heading), for transformation, rehabilitation, and replacement housing needs of both public and HUD-assisted housing and to transform neighborhoods of poverty into functioning, sustainable, mixed-income neighborhoods with appropriate services, schools, public assets, transportation, and access to jobs, \$150,000,000, to remain available until September 30, 2028: *Provided*, That grant funds may be used for resident and community services, community development, and affordable housing needs in the community, and for conversion of vacant or foreclosed properties to affordable housing: *Provided further*, That the use of amounts made available under this heading shall not be deemed to be for public housing, notwithstanding section 3(b)(1) of the Act: *Provided further*, That grantees shall commit to an additional period of affordability determined by the Secretary of not fewer than 20 years: *Provided further*, That grantees shall provide a match in State, local, other Federal, or private funds: *Provided further*, That grantees may include local governments, Tribal entities, public housing agencies, and nonprofit organizations: *Provided further*, That for-profit developers may apply jointly with a public entity: *Provided further*, That for purposes of environmental review, a grantee shall be treated as a public housing agency under section 26 of the Act (42 U.S.C. 1437x), and grants made with amounts available under this heading shall be subject to the regulations issued by the Secretary to implement such section: *Provided further*, That of the amounts made available under this heading, not less than \$75,000,000 shall be awarded to public housing agencies: *Provided further*, That such grantees shall create partnerships with other local organizations, including assisted housing owners, service agencies, and resident organizations: *Provided further*, That the Secretary shall consult with the Secretaries of Education, Labor, Transportation, Health and Human Services, Agriculture, and Commerce, the Attorney General, and the Administrator of the Environmental Protection Agency to coordinate and leverage other appropriate Federal resources: *Provided further*, That not more than \$10,000,000 of the amounts made available under this heading may be provided as grants to undertake comprehensive local planning with input from residents and the community: *Provided further*, That none of the funds made available under this heading may be obligated for main street housing grants under section 24(n) of the Act (42 U.S.C. 1437v(n)): *Provided further*, That unobligated balances, including recaptures, remaining from amounts made available under the heading "Revitalization of Severely Distressed Pub-

lic Housing (HOPE VI)" in fiscal year 2011 and prior fiscal years may be used for purposes under this heading, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That the Secretary shall make grant awards not later than 1 year after the date of enactment of this Act in such amounts that the Secretary determines: *Provided further*, That notwithstanding section 24(o) of the Act (42 U.S.C. 1437v(o)), the Secretary may, until September 30, 2024, obligate any available unobligated balances made available under this heading in this or any prior Act.

SELF-SUFFICIENCY PROGRAMS

For activities and assistance related to Self-Sufficiency Programs, to remain available until September 30, 2027, \$198,000,000: *Provided*, That of the sums appropriated under this heading—

(1) \$140,500,000 shall be available for the Family Self-Sufficiency program to support family self-sufficiency coordinators under section 23 of the United States Housing Act of 1937 (42 U.S.C. 1437u), to promote the development of local strategies to coordinate the use of assistance under sections 8 and 9 of such Act with public and private resources, and enable eligible families to achieve economic independence and self-sufficiency;

(2) \$42,500,000 shall be available for the Resident Opportunity and Self-Sufficiency program to provide for supportive services, service coordinators, and congregate services as authorized by section 34 of the United States Housing Act of 1937 (42 U.S.C. 1437z-6) and the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.); and

(3) \$15,000,000 shall be available for a Jobs-Plus Initiative, modeled after the Jobs-Plus demonstration: *Provided*, That funding provided under this paragraph shall be available for competitive grants to partnerships between public housing authorities, local workforce investment boards established under section 107 of the Workforce Innovation and Opportunity Act of 2014 (29 U.S.C. 3122), and other agencies and organizations that provide support to help public housing residents obtain employment and increase earnings: *Provided further*, That applicants must demonstrate the ability to provide services to residents, partner with workforce investment boards, and leverage service dollars: *Provided further*, That the Secretary may allow public housing agencies to request exemptions from rent and income limitation requirements under sections 3 and 6 of the United States Housing Act of 1937 (42 U.S.C. 1437a, 1437d), as necessary to implement the Jobs-Plus program, on such terms and conditions as the Secretary may approve upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective implementation of the Jobs-Plus Initiative as a voluntary program for residents: *Provided further*, That the Secretary shall publish by notice in the Federal Register any waivers or alternative requirements pursuant to the preceding proviso no later than 10 days before the effective date of such notice.

NATIVE AMERICAN PROGRAMS

For activities and assistance authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (in this heading "NAHASDA") (25 U.S.C. 4111 et seq.), title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) with respect to Indian tribes, and related training and technical assistance, \$1,081,625,000, to remain available until September 30, 2028: *Provided*, That of the sums appropriated under this heading—

(1) \$848,625,000 shall be available for the Native American Housing Block Grants pro-

gram, as authorized under title I of NAHASDA: *Provided*, That, notwithstanding NAHASDA, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race census data and with the need component based on multi-race census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: *Provided further*, That the Secretary shall notify grantees of their formula allocation not later than 60 days after the date of enactment of this Act;

(2) \$150,000,000 shall be available for competitive grants under the Native American Housing Block Grants program, as authorized under title I of NAHASDA: *Provided*, That the Secretary shall obligate such amount for competitive grants to eligible recipients authorized under NAHASDA that apply for funds: *Provided further*, That in awarding amounts made available in this paragraph, the Secretary shall consider need and administrative capacity, and shall give priority to projects that will spur construction and rehabilitation of housing: *Provided further*, That a grant funded pursuant to this paragraph shall be in an amount not greater than \$10,000,000: *Provided further*, That any amounts transferred for the necessary costs of administering and overseeing the obligation and expenditure of such additional amounts in prior Acts may also be used for the necessary costs of administering and overseeing such additional amount;

(3) \$1,000,000 shall be available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: *Provided*, That such costs, including the cost of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a): *Provided further*, That amounts made available in this and prior Acts for the cost of such guaranteed notes and other obligations that are unobligated, including recaptures and carryover, shall be available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed \$50,000,000, to remain available until September 30, 2025;

(4) \$75,000,000 shall be available for grants to Indian tribes for carrying out the Indian Community Development Block Grant program under title I of the Housing and Community Development Act of 1974, notwithstanding section 106(a)(1) of such Act, of which, notwithstanding any other provision of law (including section 203 of this Act), not more than \$5,000,000 may be used for emergencies that constitute imminent threats to health and safety: *Provided*, That not to exceed 20 percent of any grant made with amounts made available in this paragraph shall be expended for planning and management development and administration; and

(5) \$7,000,000, in addition to amounts otherwise available for such purpose, shall be available for providing training and technical assistance to Indian tribes, Indian housing authorities, and tribally designated housing entities, to support the inspection of Indian housing units, for contract expertise, and for training and technical assistance related to amounts made available under this heading and other headings in this Act for the needs of Native American families and Indian country: *Provided*, That of the amounts made available in this paragraph, not less than \$2,000,000 shall be for a national organization as authorized under section 703 of NAHASDA (25 U.S.C. 4212): *Provided further*, That amounts made available in this paragraph may be used, contracted, or competed as determined by the Secretary: *Provided further*, That notwithstanding chapter

63 of title 31, United States Code (commonly known as the Federal Grant and Cooperative Agreements Act of 1977), the amounts made available in this paragraph may be used by the Secretary to enter into cooperative agreements with public and private organizations, agencies, institutions, and other technical assistance providers to support the administration of negotiated rulemaking under section 106 of NAHASDA (25 U.S.C. 4116), the administration of the allocation formula under section 302 of NAHASDA (25 U.S.C. 4152), and the administration of performance tracking and reporting under section 407 of NAHASDA (25 U.S.C. 4167).

INDIAN HOUSING LOAN GUARANTEE FUND
PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-13a), \$905,700, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a): *Provided further*, That amounts made available in this and prior Acts for the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-13a), that are unobligated, including recaptures and carryover, shall be available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$1,400,000,000, to remain available until September 30, 2025.

NATIVE HAWAIIAN HOUSING BLOCK GRANT

For the Native Hawaiian Housing Block Grant program, as authorized under title VIII of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4221 et seq.), \$22,300,000, to remain available until September 30, 2028: *Provided*, That notwithstanding section 812(b) of such Act, the Department of Hawaiian Home Lands may not invest grant amounts made available under this heading in investment securities and other obligations: *Provided further*, That amounts made available under this heading in this and prior fiscal years may be used to provide rental assistance to eligible Native Hawaiian families both on and off the Hawaiian Home Lands, notwithstanding any other provision of law: *Provided further*, That up to \$1,000,000 of the amounts made available under this heading may be for training and technical assistance related to amounts made available under this heading and other headings in this Act for the needs of Native Hawaiians and the Department of Hawaiian Home Lands.

NATIVE HAWAIIAN HOUSING LOAN GUARANTEE
FUND PROGRAM ACCOUNT

New commitments to guarantee loans, as authorized by section 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-13b), any part of which is to be guaranteed, shall not exceed \$28,000,000 in total loan principal, to remain available until September 30, 2025: *Provided*, That the Secretary may enter into commitments to guarantee loans used for refinancing.

COMMUNITY PLANNING AND DEVELOPMENT
HOUSING OPPORTUNITIES FOR PERSONS WITH
AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), \$505,000,000, to remain available until September 30, 2027: *Provided*, That the Secretary shall renew or replace all expiring contracts for permanent supportive housing that initially were funded under section 854(c)(5) of such Act from funds made available under this heading in fiscal year 2010 and prior fiscal years that

meet all program requirements before awarding funds for new contracts under such section: *Provided further*, That the process for submitting amendments and approving replacement contracts shall be established by the Secretary in a notice: *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

COMMUNITY DEVELOPMENT FUND

For assistance to States and units of general local government, and other entities, for economic and community development activities, and other purposes, \$4,491,483,000, to remain available until September 30, 2027: *Provided*, That of the sums appropriated under this heading—

(1) \$3,300,000,000 shall be available for carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301 et seq.) (in this heading “the Act”): *Provided*, That not to exceed 20 percent of any grant made with funds made available under this paragraph shall be expended for planning and management development and administration: *Provided further*, That a metropolitan city, urban county, unit of general local government, or insular area that directly or indirectly receives funds under this paragraph may not sell, trade, or otherwise transfer all or any portion of such funds to another such entity in exchange for any other funds, credits, or non-Federal considerations, but shall use such funds for activities eligible under title I of the Act: *Provided further*, That notwithstanding section 105(e)(1) of the Act, no funds made available under this paragraph may be provided to a for-profit entity for an economic development project under section 105(a)(17) unless such project has been evaluated and selected in accordance with guidelines required under subsection (e)(2) of section 105;

(2) \$100,000,000 shall be available for the Secretary to award grants on a competitive basis to State and local governments, metropolitan planning organizations, and multi-jurisdictional entities for additional activities under title I of the Act for the identification and removal of barriers to affordable housing production and preservation: *Provided*, That eligible uses of such grants include activities to further develop, evaluate, and implement housing policy plans, improve housing strategies, and facilitate affordable housing production and preservation: *Provided further*, That the Secretary shall prioritize applicants that are able to (A) demonstrate progress and a commitment to overcoming local barriers to facilitate the increase in affordable housing production and preservation; and (B) demonstrate an acute need for housing affordable to households with incomes below 100 percent of the area median income: *Provided further*, That funds allocated for such grants shall not adversely affect the amount of any formula assistance received by a jurisdiction under paragraph (1) of this heading: *Provided further*, That in administering such amounts the Secretary may waive or specify alternative requirements for any provision of such title I except for requirements related to fair housing, nondiscrimination, labor standards, the environment, and requirements that activities benefit persons of low- and moderate-income, upon a finding that any such waivers or alternative requirements are necessary to expedite or facilitate the use of such amounts;

(3) \$30,000,000 shall be available for activities authorized under section 8071 of the SUPPORT for Patients and Communities Act (Public Law 115-271): *Provided*, That funds allocated pursuant to this paragraph

shall not adversely affect the amount of any formula assistance received by a State under paragraph (1) of this heading: *Provided further*, That the Secretary shall allocate the funds for such activities based on the notice establishing the funding formula published in 84 FR 16027 (April 17, 2019) except that the formula shall use age-adjusted rates of drug overdose deaths for 2021 based on data from the Centers for Disease Control and Prevention; and

(4) \$1,061,483,000 shall be available for grants for the Economic Development Initiative (EDI) for the purposes, and in amounts, specified for Congressionally Directed Spending in the table entitled “Congressionally Directed Spending” included in the report accompanying this Act: *Provided*, That eligible expenses of such grants in this and prior Acts may include administrative, planning, operations and maintenance, and other costs: *Provided further*, That such grants for the EDI shall be available for reimbursement of otherwise eligible expenses incurred on or after the date of enactment of this Act and prior to the date of grant execution: *Provided further*, That none of the amounts made available under this paragraph for grants for the EDI shall be used for reimbursement of expenses incurred prior to the date of enactment of this Act: *Provided further*, That grants for the EDI authorized under this heading in the Department of Housing and Urban Development Appropriations Act, 2022 (Public Law 117-103) shall also be available hereafter for reimbursement of otherwise eligible expenses (including those eligible expenses identified in the first proviso of this paragraph) incurred on or after the date of enactment of such Act and prior to the date of grant execution, and shall hereafter not be subject to the second proviso under such heading in such Act:

Provided further, That for amounts made available under paragraphs (1) and (3), the Secretary shall notify grantees of their formula allocation within 60 days of enactment of this Act.

COMMUNITY DEVELOPMENT LOAN GUARANTEES
PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a), during fiscal year 2024, commitments to guarantee loans under section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5308), any part of which is guaranteed, shall not exceed a total principal amount of \$400,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in subsection (k) of such section 108: *Provided*, That the Secretary shall collect fees from borrowers, notwithstanding subsection (m) of such section 108, to result in a credit subsidy cost of zero for guaranteeing such loans, and any such fees shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: *Provided further*, That such commitment authority funded by fees may be used to guarantee, or make commitments to guarantee, notes or other obligations issued by any State on behalf of non-entitlement communities in the State in accordance with the requirements of such section 108: *Provided further*, That any State receiving such a guarantee or commitment under the preceding proviso shall distribute all funds subject to such guarantee to the units of general local government in non-entitlement areas that received the commitment.

HOME INVESTMENT PARTNERSHIPS PROGRAM

For the HOME Investment Partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended (42 U.S.C. 12721 et seq.), \$1,500,000,000, to remain available until

September 30, 2027: *Provided*, That the Department shall notify grantees of their formula allocations within 60 days after enactment of this Act: *Provided further*, That section 218(g) of such Act (42 U.S.C. 12748(g)) shall not apply with respect to the right of a jurisdiction to draw funds from its HOME Investment Trust Fund that otherwise expired or would expire in any calendar year from 2018 through 2026 under that section: *Provided further*, That section 231(b) of such Act (42 U.S.C. 12771(b)) shall not apply to any uninvested funds that otherwise were deducted or would be deducted from the line of credit in the participating jurisdiction's HOME Investment Trust Fund in any calendar year from 2018 through 2026 under that section.

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996 (42 U.S.C. 12805 note), and for related activities and assistance, \$61,500,000, to remain available until September 30, 2026: *Provided*, That of the sums appropriated under this heading—

(1) \$13,500,000 shall be available for the Self-Help Homeownership Opportunity Program as authorized under such section 11;

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

(3) \$6,000,000 shall be available for capacity building by national rural housing organizations having experience assessing national rural conditions and providing financing, training, technical assistance, information, and research to local nonprofit organizations, local governments, and Indian Tribes serving high need rural communities.

HOMELESS ASSISTANCE GRANTS

For assistance under title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.), and for related activities and assistance, \$3,908,000,000, to remain available until September 30, 2026: *Provided*, That of the sums appropriated under this heading—

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

(2) \$3,401,000,000 shall be available for the Continuum of Care program authorized under subtitle C of such title IV (42 U.S.C. 11381 et seq.) and the Rural Housing Stability Assistance programs authorized under subtitle D of such title IV (42 U.S.C. 11408): *Provided*, That the Secretary shall prioritize funding under the Continuum of Care program to continuums of care that have demonstrated a capacity to reallocate funding from lower performing projects to higher performing projects: *Provided further*, That the Secretary may make reasonable adjustments to renewal amounts to enable renewal projects to operate at substantially the same levels, including cost-of-living adjustments for supportive services from the prior grant: *Provided further*, That the Secretary shall provide incentives to create projects that co-

ordinate with housing providers and healthcare organizations to provide permanent supportive housing and rapid re-housing services: *Provided further*, That of the amounts made available for the Continuum of Care program under this paragraph, \$25,000,000 shall be for additional non-renewable grants to improve coordination and establish partnerships between or among housing providers, homeless services providers, healthcare organizations, and government entities to address housing-related supportive services needs or improve access to health services for chronically homeless individuals and other homeless individuals: *Provided further*, That amounts in the previous proviso may be awarded only to applicants that identify significant available resources that could be leveraged to assist people transitioning from homelessness to permanent community-based housing: *Provided further*, That the Secretary may establish by notice an alternative maximum amount for administrative costs related to the requirements described in sections 402(f)(1) and 402(f)(2) of subtitle A of such title IV of no more than 5 percent or \$50,000, whichever is greater, notwithstanding the 3 percent limitation in section 423(a)(10) of such subtitle C: *Provided further*, That of the amounts made available for the Continuum of Care program under this paragraph, \$52,000,000 shall be for grants for new rapid re-housing projects and supportive service projects providing coordinated entry, and for eligible activities that the Secretary determines to be critical in order to assist survivors of domestic violence, dating violence, sexual assault, or stalking, except that the Secretary may make additional grants for such projects and purposes from amounts made available for such Continuum of Care program: *Provided further*, That amounts made available for the Continuum of Care program under this paragraph and any remaining unobligated balances under this heading in prior Acts may be used to competitively or non-competitively renew or replace grants for youth homeless demonstration projects under the Continuum of Care program, notwithstanding any conflict with the requirements of the Continuum of Care program;

(3) \$10,000,000 shall be available for the national homeless data analysis project: *Provided*, That notwithstanding the provisions of the Federal Grant and Cooperative Agreements Act of 1977 (31 U.S.C. 6301-6308), the amounts made available under this paragraph and any remaining unobligated balances under this heading for such purposes in prior Acts may be used by the Secretary to enter into cooperative agreements with such entities as may be determined by the Secretary, including public and private organizations, agencies, and institutions;

(4) \$107,000,000 shall be available to implement projects to demonstrate how a comprehensive approach to serving homeless youth, age 24 and under, in up to 25 communities with a priority for communities with substantial rural populations in up to eight locations, can dramatically reduce youth homelessness: *Provided*, That of the amount made available under this paragraph, not less than \$25,000,000 shall be for youth homelessness system improvement grants to support communities, including but not limited to the communities assisted under the matter preceding this proviso, in establishing and implementing a response system for youth homelessness, or for improving their existing system: *Provided further*, That of the amount made available under this paragraph, up to \$10,000,000 shall be to provide technical assistance to communities, including but not limited to the communities assisted in the preceding proviso and the matter preceding such proviso, on improving sys-

tem responses to youth homelessness, and collection, analysis, use, and reporting of data and performance measures under the comprehensive approaches to serve homeless youth, in addition to and in coordination with other technical assistance funds provided under this title: *Provided further*, That the Secretary may use up to 10 percent of the amount made available under the preceding proviso to build the capacity of current technical assistance providers or to train new technical assistance providers with verifiable prior experience with systems and programs for youth experiencing homelessness; and

(5) \$100,000,000 shall be available for one-time awards under the Continuum of Care program for new construction, acquisition, or rehabilitation of new permanent supportive housing, of which not more than 20 percent of such awards may be used for other Continuum of Care eligible activities associated with such projects and not more than 10 percent of such awards may be used for project administration: *Provided*, That these amounts shall be awarded on a competitive basis, based on need and other factors to be determined by the Secretary, including incentives to establish projects that coordinate with housing providers, healthcare organizations and social service providers: *Provided further*, That not less than \$35,000,000 shall be awarded to applicants for projects within States with populations less than 2,500,000, except that if such amount is undersubscribed any remaining amounts may be awarded to qualified applicants for projects in any State: *Provided further*, That the grants for ongoing costs associated with such projects shall be eligible for renewal under the Continuum of Care program subject to the same terms and conditions as other renewal applicants:

Provided further, That youth aged 24 and under seeking assistance under this heading shall not be required to provide third party documentation to establish their eligibility under subsection (a) or (b) of section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302) to receive services: *Provided further*, That unaccompanied youth aged 24 and under or families headed by youth aged 24 and under who are living in unsafe situations may be served by youth-serving providers funded under this heading: *Provided further*, That persons eligible under section 103(a)(5) of the McKinney-Vento Homeless Assistance Act may be served by any project funded under this heading to provide both transitional housing and rapid re-housing: *Provided further*, That for all matching funds requirements applicable to funds made available under this heading for this fiscal year and prior fiscal years, a grantee may use (or could have used) as a source of match funds other funds administered by the Secretary and other Federal agencies unless there is (or was) a specific statutory prohibition on any such use of any such funds: *Provided further*, That none of the funds made available under this heading shall be available to provide funding for new projects, except for projects created through reallocation, unless the Secretary determines that the continuum of care has demonstrated that projects are evaluated and ranked based on the degree to which they improve the continuum of care's system performance: *Provided further*, That any unobligated amounts remaining from funds made available under this heading in fiscal year 2012 and prior years for project-based rental assistance for rehabilitation projects with 10-year grant terms may be used for purposes under this heading, notwithstanding the purposes for which such funds were appropriated: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from

funds transferred to or appropriated under this heading in fiscal year 2019 or prior years, except for rental assistance amounts that were recaptured and made available until expended, shall be available for the current purposes authorized under this heading in addition to the purposes for which such funds originally were appropriated.

HOUSING PROGRAMS

PROJECT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) (“the Act”), not otherwise provided for, \$15,390,924,000, to remain available until expended, shall be available on October 1, 2023 (in addition to the \$400,000,000 previously appropriated under this heading that became available October 1, 2023), and \$400,000,000, to remain available until expended, shall be available on October 1, 2024: *Provided*, That the amounts made available under this heading shall be available for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11401), for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this heading: *Provided further*, That of the total amounts provided under this heading, not to exceed \$448,000,000 shall be available for performance-based contract administrators for section 8 project-based assistance, for carrying out 42 U.S.C. 1437(f): *Provided further*, That the Secretary may also use such amounts in the preceding proviso for performance-based contract administrators for the administration of: interest reduction payments pursuant to section 236(a) of the National Housing Act (12 U.S.C. 1715z-1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z-1(f)(2)); project rental assistance contracts for the elderly under section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q); project rental assistance contracts for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)); project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86-372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86-372; 73 Stat. 667): *Provided further*, That amounts recaptured under this heading, the heading “Annual Contributions for Assisted Housing”, or the heading “Housing Certificate Fund”, may be used for renewals of or amendments to section 8 project-based contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That, notwithstanding any other provision of law, upon the request of the Secretary, project funds that are held in residual receipts accounts for any project subject to a section 8 project-based Housing Assistance Payments contract that authorizes the Department or a housing finance agency to require that surplus project funds be deposited in an interest-bearing residual receipts account and that are in excess of an amount to

be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until expended: *Provided further*, That amounts deposited pursuant to the preceding proviso shall be available in addition to the amount otherwise provided by this heading for uses authorized under this heading: *Provided further*, That of the total amounts provided under this heading, \$32,924,000 shall be available for rent adjustments as authorized by section 515(d) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note): *Provided further*, That of the amounts made available under this heading, \$5,081,790,000 is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

HOUSING FOR THE ELDERLY

For capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959 (12 U.S.C. 1701q), for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 5-year term, for senior preservation rental assistance contracts, including renewals, as authorized by section 811(e) of the American Homeownership and Economic Opportunity Act of 2000 (12 U.S.C. 1701q note), and for supportive services associated with the housing, \$1,075,000,000, to remain available until September 30, 2027: *Provided*, That of the amount made available under this heading, up to \$120,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects: *Provided further*, That any funding for existing service coordinators under the preceding proviso shall be provided within 120 days of enactment of this Act: *Provided further*, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: *Provided further*, That upon request of the Secretary, project funds that are held in residual receipts accounts for any project subject to a section 202 project rental assistance contract, and that upon termination of such contract are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to remain available until September 30, 2027: *Provided further*, That amounts deposited in this account pursuant to the preceding proviso shall be available, in addition to the amounts otherwise provided by this heading, for the purposes authorized under this heading: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading shall be available for the current purposes authorized under this heading in addition to the purposes for which such funds originally were appropriated: *Provided further*, That for the purposes of the preceding proviso the Secretary may waive, or specify alternative requirements for, any provision of section 202 of the Housing Act of 1959 (12 U.S.C. 1701q) in order to facilitate the development of such units, except for requirements related to fair housing, nondiscrimination, labor standards, and the environment: *Provided further*, That of the total amount made available under this heading, up to \$6,000,000 shall be used by the Secretary to support preservation transactions of housing for the elderly originally developed with a capital advance and assisted by a project

rental assistance contract under the provisions of section 202(c) of the Housing Act of 1959.

HOUSING FOR PERSONS WITH DISABILITIES

For capital advances, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act, for project assistance contracts pursuant to subsection (h) of section 202 of the Housing Act of 1959, as added by section 205(a) of the Housing and Community Development Amendments of 1978 (Public Law 95-557; 92 Stat. 2090), including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 5-year term, for project rental assistance to State housing finance agencies and other appropriate entities as authorized under section 811(b)(3) of the Cranston-Gonzalez National Affordable Housing Act, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, \$360,000,000, to remain available until September 30, 2027: *Provided*, That, upon the request of the Secretary, project funds that are held in residual receipts accounts for any project subject to a section 811 project rental assistance contract, and that upon termination of such contract are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to remain available until September 30, 2027: *Provided further*, That amounts deposited in this account pursuant to the preceding proviso shall be available in addition to the amounts otherwise provided by this heading for the purposes authorized under this heading: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading shall be used for the current purposes authorized under this heading in addition to the purposes for which such funds originally were appropriated.

HOUSING COUNSELING ASSISTANCE

For contracts, grants, and other assistance excluding loans, as authorized under section 106 of the Housing and Urban Development Act of 1968, as amended, \$57,500,000, to remain available until September 30, 2025, including up to \$4,500,000 for administrative contract services: *Provided*, That funds shall be used for providing counseling and advice to tenants and homeowners, both current and prospective, with respect to property maintenance, financial management or literacy, and such other matters as may be appropriate to assist them in improving their housing conditions, meeting their financial needs, and fulfilling the responsibilities of tenancy or homeownership; for program administration; and for housing counselor training: *Provided further*, That for purposes of awarding grants from amounts provided under this heading, the Secretary may enter into multiyear agreements, as appropriate, subject to the availability of annual appropriations.

PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), up to \$14,000,000, to remain available until expended, of which \$14,000,000 shall be derived from the Manufactured Housing Fees Trust Fund (established under section 620(e) of such Act (42 U.S.C. 5419(e))): *Provided*, That not to exceed the

total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: *Provided further*, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2024 so as to result in a final fiscal year 2024 appropriation from the general fund estimated at zero, and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2024 appropriation: *Provided further*, That for the dispute resolution and installation programs, the Secretary may assess and collect fees from any program participant: *Provided further*, That such collections shall be deposited into the Trust Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620 of such Act, for necessary expenses of such Act: *Provided further*, That, notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services.

FEDERAL HOUSING ADMINISTRATION
MUTUAL MORTGAGE INSURANCE PROGRAM
ACCOUNT

New commitments to guarantee single family loans insured under the Mutual Mortgage Insurance Fund shall not exceed \$400,000,000,000, to remain available until September 30, 2025: *Provided*, That during fiscal year 2024, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed \$1,000,000: *Provided further*, That the foregoing amount in the preceding proviso shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund: *Provided further*, That for administrative contract expenses of the Federal Housing Administration, \$150,000,000, to remain available until September 30, 2025: *Provided further*, That to the extent guaranteed loan commitments exceed \$200,000,000,000 on or before April 1, 2024, an additional \$1,400 for administrative contract expenses shall be available for each \$1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below \$1,000,000), but in no case shall funds made available by this proviso exceed \$30,000,000: *Provided further*, That notwithstanding the limitation in the first sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z-20(g)), during fiscal year 2024 the Secretary may insure and enter into new commitments to insure mortgages under section 255 of the National Housing Act only to the extent that the net credit subsidy cost for such insurance does not exceed zero.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

New commitments to guarantee loans insured under the General and Special Risk Insurance Funds, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z-3 and 1735c), shall not exceed \$35,000,000,000 in total loan principal, any part of which is to be guaranteed, to remain available until September 30, 2025: *Provided*, That during fiscal year 2024, gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed \$1,000,000, which shall be for loans to nonprofit and governmental entities in connection with the sale of single family

real properties owned by the Secretary and formerly insured under such Act.

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

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed \$900,000,000,000, to remain available until September 30, 2025: *Provided*, That \$54,000,000, to remain available until September 30, 2025, shall be for necessary salaries and expenses of the Government National Mortgage Association: *Provided further*, That to the extent that guaranteed loan commitments exceed \$155,000,000,000 on or before April 1, 2024, an additional \$100 for necessary salaries and expenses shall be available until expended for each \$1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below \$1,000,000), but in no case shall funds made available by this proviso exceed \$3,000,000: *Provided further*, That receipts from Commitment and Multiclass fees collected pursuant to title III of the National Housing Act (12 U.S.C. 1716 et seq.) shall be credited as offsetting collections to this account.

POLICY DEVELOPMENT AND RESEARCH
RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z-1 et seq.), including carrying out the functions of the Secretary of Housing and Urban Development under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, and for technical assistance, \$125,400,000, to remain available until September 30, 2025: *Provided*, That with respect to amounts made available under this heading, notwithstanding section 203 of this title, the Secretary may enter into cooperative agreements with philanthropic entities, other Federal agencies, State or local governments and their agencies, Indian Tribes, tribally designated housing entities, colleges or universities, or international organizations for research projects: *Provided further*, That with respect to the preceding proviso, such partners to the cooperative agreements shall contribute at least a 50 percent match toward the cost of the project: *Provided further*, That for non-competitive agreements entered into in accordance with the preceding two provisos, the Secretary shall comply with section 2(b) of the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282, 31 U.S.C. note) in lieu of compliance with section 102(a)(4)(C) of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545(a)(4)(C)) with respect to documentation of award decisions: *Provided further*, That prior to obligation of technical assistance funding, the Secretary shall submit a plan to the House and Senate Committees on Appropriations on how the Secretary will allocate funding for this activity at least 30 days prior to obligation: *Provided further*, That none of the funds provided under this heading may be available for the doctoral dissertation research grant program: *Provided further*, That an additional \$20,000,000, to remain available until September 30, 2026, shall be for competitive grants to nonprofit or governmental entities to provide legal assistance (including assistance related to pre-trial activities, trial activities, post-trial activities and alternative dispute resolution) at no cost to eligible low-income tenants at risk of or subject to eviction: *Provided fur-*

ther, That in awarding grants under the preceding proviso, the Secretary shall give preference to applicants that include a marketing strategy for residents of areas with high rates of eviction, have experience providing no-cost legal assistance to low-income individuals, including those with limited English proficiency or disabilities, and have sufficient capacity to administer such assistance: *Provided further*, That the Secretary shall ensure, to the extent practicable, that the proportion of eligible tenants living in rural areas who will receive legal assistance with grant funds made available under this heading is not less than the overall proportion of eligible tenants who live in rural areas.

FAIR HOUSING AND EQUAL OPPORTUNITY
FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.), and section 561 of the Housing and Community Development Act of 1987 (42 U.S.C. 3616a), \$86,355,000, to remain available until September 30, 2025: *Provided*, That notwithstanding section 3302 of title 31, United States Code, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to develop on-line courses and provide such training: *Provided further*, That none of the funds made available under this heading may be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant, or loan: *Provided further*, That of the funds made available under this heading, \$1,355,000 shall be available to the Secretary for the creation and promotion of translated materials and other programs that support the assistance of persons with limited English proficiency in utilizing the services provided by the Department of Housing and Urban Development.

OFFICE OF LEAD HAZARD CONTROL AND
HEALTHY HOMES

LEAD HAZARD REDUCTION

(INCLUDING TRANSFER OF FUNDS)

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4852), the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z-1 and 1701z-2), and for related activities and assistance, \$350,000,000, to remain available until September 30, 2026: *Provided*, That the amounts made available under this heading are provided as follows—

(1) \$245,000,000 shall be for the award of grants pursuant to such section 1011, of which not less than \$105,000,000 shall be provided to areas with the highest lead-based paint abatement needs;

(2) \$105,000,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970, which shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards, and mitigating housing-related health and safety hazards in housing of low-income families, of which—

(A) \$5,000,000 shall be for the implementation of projects in communities that are served by both the Healthy Homes Initiative and the Department of Energy weatherization programs to demonstrate whether the coordination of Healthy Homes remediation activities with weatherization activities achieves cost savings and better outcomes in improving the safety and quality of homes; and

(B) \$30,000,000 shall be for grants to experienced non-profit organizations, States, local governments, or public housing agencies for safety and functional home modification repairs and renovations to meet the needs of low-income seniors to enable them to remain in their primary residence: *Provided*, That of the total amount made available under this subparagraph no less than \$10,000,000 shall be available to meet such needs in communities with substantial rural populations; and

(3) Up to \$2,000,000 in total of the amounts made available under paragraph (2) may be transferred to the heading "Research and Technology" for the purposes of conducting research and studies and for use in accordance with the provisos under that heading for non-competitive agreements:

Provided further, That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of law that further the purposes of such Act, a grant under the Healthy Homes Initiative, or the Lead Technical Studies program, or other demonstrations or programs under this heading or under prior appropriations Acts for such purposes under this heading, or under the heading "Housing for the Elderly" under prior Appropriations Acts, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: *Provided further*, That each applicant for a grant or cooperative agreement under this heading shall certify adequate capacity that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a notice of funding opportunity: *Provided further*, That amounts made available under this heading, except for amounts in paragraph (2)(B) for home modification repairs and renovations, in this or prior appropriations Acts, still remaining available, may be used for any purpose under this heading notwithstanding the purpose for which such amounts were appropriated if a program competition is undersubscribed and there are other program competitions under this heading that are oversubscribed.

INFORMATION TECHNOLOGY FUND

For Department-wide and program-specific information technology systems and infrastructure, \$374,750,000, to remain available until September 30, 2026, of which up to \$23,950,000 shall be for development, modernization, and enhancement projects, including planning for such projects: *Provided*, That not later than 30 days after the end of each quarter, the Secretary shall brief the House and Senate Committees on Appropriations on all information technology modernization efforts as required by the report accompanying this Act.

OFFICE OF INSPECTOR GENERAL

For necessary salaries and expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, \$152,924,000: *Provided*, That the Inspector General shall have independent authority over all personnel issues within this office.

GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (INCLUDING RESCISSIONS) (INCLUDING TRANSFER OF FUNDS)

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437f note) shall be rescinded or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to

the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

SEC. 202. None of the funds made available by this Act may be used to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a nonfrivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 203. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title II of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545).

SEC. 204. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811-1).

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

SEC. 206. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for 2024 for such corporation or agency except as hereinafter provided: *Provided*, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 207. The Secretary shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget

information to these Committees upon request.

SEC. 208. None of the funds made available by this title may be used for an audit of the Government National Mortgage Association that makes applicable requirements under the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

SEC. 209. (a) Notwithstanding any other provision of law, subject to the conditions listed under this section, for fiscal years 2024 and 2025, the Secretary of Housing and Urban Development may authorize the transfer of some or all project-based assistance, debt held or insured by the Secretary and statutorily required low-income and very low-income use restrictions if any, associated with one or more multifamily housing project or projects to another multifamily housing project or projects.

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

(c) The transfer authorized in subsection (a) is subject to the following conditions:

(1) NUMBER AND BEDROOM SIZE OF UNITS.—

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

(B) For unoccupied units in the transferring project: The Secretary may authorize a reduction in the number of dwelling units in the receiving project or projects to allow for a reconfiguration of bedroom sizes to meet current market demands, as determined by the Secretary and provided there is no increase in the project-based assistance budget authority.

(2) The transferring project shall, as determined by the Secretary, be either physically obsolete or economically nonviable, or be reasonably expected to become economically nonviable when complying with State or Federal requirements for community integration and reduced concentration of individuals with disabilities.

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

(4) The owner or mortgage of the transferring project shall notify and consult with the tenants residing in the transferring project and provide a certification of approval by all appropriate local governmental officials.

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

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

(7) If either the transferring project or the receiving project or projects meets the condition specified in subsection (d)(2)(A), any lien on the receiving project resulting from additional financing obtained by the owner shall be subordinate to any FHA-insured mortgage lien transferred to, or placed on, such project by the Secretary, except that the Secretary may waive this requirement upon determination that such a waiver is necessary to facilitate the financing of acquisition, construction, and/or rehabilitation of the receiving project or projects.

(8) If the transferring project meets the requirements of subsection (d)(2), the owner or mortgagor of the receiving project or projects shall execute and record either a continuation of the existing use agreement or a new use agreement for the project where, in either case, any use restrictions in such agreement are of no lesser duration than the existing use restrictions.

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

(d) For purposes of this section—

(1) the terms “low-income” and “very low-income” shall have the meanings provided by the statute and/or regulations governing the program under which the project is insured or assisted;

(2) the term “multifamily housing project” means housing that meets one of the following conditions—

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

(B) housing that has project-based assistance attached to the structure including projects undergoing mark to market debt restructuring under the Multifamily Assisted Housing Reform and Affordability Housing Act;

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

(D) housing that is assisted under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q), as such section existed before the enactment of the Cranston-Gonzales National Affordable Housing Act;

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

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

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

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

(B) assistance for housing constructed or substantially rehabilitated pursuant to assistance provided under section 8(b)(2) of such Act (as such section existed immediately before October 1, 1983);

(C) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s);

(D) interest reduction payments under section 236 and/or additional assistance payments under section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z–1);

(E) assistance payments made under section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q(c)(2)); and

(F) assistance payments made under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2));

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

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

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

(e) RESEARCH REPORT.—The Secretary shall conduct an evaluation of the transfer authority under this section, including the

effect of such transfers on the operational efficiency, contract rents, physical and financial conditions, and long-term preservation of the affected properties.

SEC. 210. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—

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

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child;

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

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

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

(b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition and any other required fees and charges) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or from an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except for a person over the age of 23 with dependent children.

SEC. 211. The funds made available for Native Alaskans under paragraph (1) under the heading “Native American Programs” in title II of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005, and only such recipients shall be eligible to apply for funds made available under paragraph (2) of such heading.

SEC. 212. Notwithstanding any other provision of law, in fiscal year 2024, in managing and disposing of any multifamily property that is owned or has a mortgage held by the Secretary of Housing and Urban Development, and during the process of foreclosure on any property with a contract for rental assistance payments under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) or any other Federal programs, the Secretary shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 and other programs that are attached to any dwelling units in the property. To the extent the Secretary determines, in consultation with the tenants and the local government that such a multifamily property owned or having a mortgage held by the Secretary is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (in this section “MAHRAA”) (42 U.S.C. 1437f note), and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental

assistance. The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect prior to foreclosure, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other available remedies, such as partial abatements or receivership. After disposition of any multifamily property described in this section, the contract and allowable rent levels on such properties shall be subject to the requirements under section 524 of MAHRAA.

SEC. 213. Public housing agencies that own and operate 400 or fewer public housing units may elect to be exempt from any asset management requirement imposed by the Secretary in connection with the operating fund rule: *Provided*, That an agency seeking a discontinuance of a reduction of subsidy under the operating fund formula shall not be exempt from asset management requirements.

SEC. 214. With respect to the use of amounts provided in this Act and in future Acts for the operation, capital improvement, and management of public housing as authorized by sections 9(d) and 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(d), (e)), the Secretary shall not impose any requirement or guideline relating to asset management that restricts or limits in any way the use of capital funds for central office costs pursuant to paragraph (1) or (2) of section 9(g) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): *Provided*, That a public housing agency may not use capital funds authorized under section 9(d) for activities that are eligible under section 9(e) for assistance with amounts from the operating fund in excess of the amounts permitted under paragraph (1) or (2) of section 9(g).

SEC. 215. No official or employee of the Department of Housing and Urban Development shall be designated as an allotment holder unless the Office of the Chief Financial Officer has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives. The Chief Financial Officer shall ensure that there is a trained allotment holder for each HUD appropriation under the accounts “Executive Offices”, “Administrative Support Offices”, “Program Offices”, “Government National Mortgage Association—Guarantees of Mortgage-Backed Securities Loan Guarantee Program Account”, and “Office of Inspector General” within the Department of Housing and Urban Development.

SEC. 216. The Secretary shall, for fiscal year 2024, notify the public through the Federal Register and other means, as determined appropriate, of the issuance of a notice of the availability of assistance or notice of funding opportunity (NOFO) for any program or discretionary fund administered by the Secretary that is to be competitively awarded. Notwithstanding any other provision of law, for fiscal year 2024, the Secretary may make the NOFO available only on the Internet at the appropriate Government website or through other electronic media, as determined by the Secretary.

SEC. 217. Payment of attorney fees in program-related litigation shall be paid from the individual program office and Office of General Counsel salaries and expenses appropriations.

SEC. 218. The Secretary is authorized to transfer up to 10 percent or \$5,000,000, whichever is less, of funds appropriated for any office under the headings “Administrative Support Offices” or “Program Offices” to any other such office under such headings: *Provided*, That no appropriation for any such

office under such headings shall be increased or decreased by more than 10 percent or \$5,000,000, whichever is less, without prior written approval of the House and Senate Committees on Appropriations: *Provided further*, That the Secretary shall provide notification to such Committees 3 business days in advance of any such transfers under this section up to 10 percent or \$5,000,000, whichever is less.

SEC. 219. (a) Any entity receiving housing assistance payments shall maintain decent, safe, and sanitary conditions, as determined by the Secretary, and comply with any standards under applicable State or local laws, rules, ordinances, or regulations relating to the physical condition of any property covered under a housing assistance payment contract.

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

(1) receives a failing score under the Uniform Physical Condition Standards (UPCS) or successor standard; or

(2) fails to certify in writing to the Secretary within 3 days that all Exigent Health and Safety deficiencies, or those deficiencies requiring correction within 24 hours, identified by the inspector at the project have been corrected.

Such requirements shall apply to insured and noninsured projects with assistance attached to the units under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), but shall not apply to such units assisted under section 8(o)(13) of such Act (42 U.S.C. 1437f(o)(13)) or to public housing units assisted with capital or operating funds under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g).

(c)(1) Within 15 days of the issuance of the Real Estate Assessment Center (“REAC”) inspection, the Secretary shall provide the owner with a Notice of Default with a specified timetable, determined by the Secretary, for correcting all deficiencies. The Secretary shall provide a copy of the Notice of Default to the tenants, the local government, any mortgagees, and any contract administrator. If the owner’s appeal results in a passing score, the Secretary may withdraw the Notice of Default.

(2) At the end of the time period for correcting all deficiencies specified in the Notice of Default, if the owner fails to fully correct such deficiencies, the Secretary may—

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

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

(C) abate the section 8 contract, including partial abatement, as determined by the Secretary, until all deficiencies have been corrected;

(D) pursue transfer of the project to an owner, approved by the Secretary under established procedures, who will be obligated to promptly make all required repairs and to accept renewal of the assistance contract if such renewal is offered;

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

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

(G) seek judicial appointment of a receiver to manage the property and cure all project deficiencies or seek a judicial order of spe-

cific performance requiring the owner to cure all project deficiencies;

(H) work with the owner, lender, or other related party to stabilize the property in an attempt to preserve the property through compliance, transfer of ownership, or an infusion of capital provided by a third-party that requires time to effectuate; or

(I) take any other regulatory or contractual remedies available as deemed necessary and appropriate by the Secretary.

(d) The Secretary shall take appropriate steps to ensure that project-based contracts remain in effect, subject to the exercise of contractual abatement remedies to assist relocation of tenants for major threats to health and safety after written notice to the affected tenants. To the extent the Secretary determines, in consultation with the tenants and the local government, that the property is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of—

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

(2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance.

(e) The Secretary shall report semi-annually on all properties covered by this section that are assessed through the Real Estate Assessment Center and have failing physical inspection scores or have received an unsatisfactory management and occupancy review within the past 36 months. The report shall include—

(1) identification of the enforcement actions being taken to address such conditions, including imposition of civil money penalties and termination of subsidies, and identification of properties that have such conditions multiple times;

(2) identification of actions that the Department of Housing and Urban Development is taking to protect tenants of such identified properties; and

(3) any administrative or legislative recommendations to further improve the living conditions at properties covered under a housing assistance payment contract.

The first report shall be submitted to the Senate and House Committees on Appropriations not later than 30 days after the enactment of this Act, and the second report shall be submitted within 180 days of the transmittal of the first report.

SEC. 220. None of the funds made available by this Act, or any other Act, for purposes authorized under section 8 (only with respect to the tenant-based rental assistance program) and section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), may be used by any public housing agency for any amount of salary, including bonuses, for the chief executive officer of which, or any other official or employee of which, that exceeds the annual rate of basic pay payable for a position at level IV of the Executive Schedule at any time during any public housing agency fiscal year 2024.

SEC. 221. None of the funds made available by this Act and provided to the Department of Housing and Urban Development may be used to make a grant award unless the Secretary notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project, State, locality, housing authority, Tribe, nonprofit organization, or other entity selected to receive a grant award is announced by the Department or its offices: *Provided*, That such

notification shall list each grant award by State and congressional district.

SEC. 222. None of the funds made available in this Act shall be used by the Federal Housing Administration, the Government National Mortgage Association, or the Department of Housing and Urban Development to insure, securitize, or establish a Federal guarantee of any mortgage or mortgage backed security that refinances or otherwise replaces a mortgage that has been subject to eminent domain condemnation or seizure, by a State, municipality, or any other political subdivision of a State.

SEC. 223. None of the funds made available by this Act may be used to terminate the status of a unit of general local government as a metropolitan city (as defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302)) with respect to grants under section 106 of such Act (42 U.S.C. 5306).

SEC. 224. Amounts made available by this Act that are appropriated, allocated, advanced on a reimbursable basis, or transferred to the Office of Policy Development and Research of the Department of Housing and Urban Development and functions thereof, for research, evaluation, or statistical purposes, and that are unexpended at the time of completion of a contract, grant, or cooperative agreement, may be deobligated and shall immediately become available and may be reobligated in that fiscal year or the subsequent fiscal year for the research, evaluation, or statistical purposes for which the amounts are made available to that Office subject to reprogramming requirements in section 405 of this Act.

SEC. 225. None of the funds provided in this Act or any other Act may be used for awards, including performance, special act, or spot, for any employee of the Department of Housing and Urban Development subject to administrative discipline (including suspension from work), in this fiscal year, but this prohibition shall not be effective prior to the effective date of any such administrative discipline or after any final decision overturning such discipline.

SEC. 226. With respect to grant amounts awarded under the heading “Homeless Assistance Grants” for fiscal years 2015 through 2024 for the Continuum of Care (CoC) program as authorized under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act, costs paid by program income of grant recipients may count toward meeting the recipient’s matching requirements, provided the costs are eligible CoC costs that supplement the recipient’s CoC program.

SEC. 227. (a) From amounts made available under this title under the heading “Homeless Assistance Grants”, the Secretary may award 1-year transition grants to recipients of funds for activities under subtitle C of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.) to transition from one Continuum of Care program component to another.

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

SEC. 228. The Promise Zone designations and Promise Zone Designation Agreements entered into pursuant to such designations, made by the Secretary in prior fiscal years, shall remain in effect in accordance with the terms and conditions of such agreements.

SEC. 229. None of the amounts made available in this Act may be used to consider Family Self-Sufficiency performance measures or performance scores in determining funding awards for programs receiving Family Self-Sufficiency program coordinator funding provided in this Act.

SEC. 230. Any public housing agency designated as a Moving to Work agency pursuant to section 239 of division L of Public Law

114-113 (42 U.S.C. 1437f note; 129 Stat. 2897) may, upon such designation, use funds (except for special purpose funding, including special purpose vouchers) previously allocated to any such public housing agency under section 8 or 9 of the United States Housing Act of 1937, including any reserve funds held by the public housing agency or funds held by the Department of Housing and Urban Development, pursuant to the authority for use of section 8 or 9 funding provided under such section and section 204 of title II of the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 1996 (Public Law 104-134; 110 Stat. 1321-28), notwithstanding the purposes for which such funds were appropriated.

SEC. 231. None of the amounts made available by this Act may be used to prohibit any public housing agency under receivership or the direction of a Federal monitor from applying for, receiving, or using funds made available under the heading “Public Housing Fund” for competitive grants to evaluate and reduce lead-based paint hazards in this Act or that remain available and not awarded from prior Acts, or be used to prohibit a public housing agency from using such funds to carry out any required work pursuant to a settlement agreement, consent decree, voluntary agreement, or similar document for a violation of the Lead Safe Housing or Lead Disclosure Rules.

SEC. 232. (a) Funds previously made available in the Consolidated Appropriations Act, 2017 (Public Law 115-31) for the “Choice Neighborhoods Initiative” that were available for obligation through fiscal year 2019 are to remain available through fiscal year 2025 for the liquidation of valid obligations incurred in fiscal years 2017 through 2019.

(b) Funds previously made available in the Consolidated Appropriations Act, 2018 (Public Law 115-141) for the “Choice Neighborhoods Initiative” that were available for obligation through fiscal year 2020 are to remain available through fiscal year 2026 for the liquidation of valid obligations incurred in fiscal years 2018 through 2020.

(c) Funds previously made available in the Consolidated Appropriations Act, 2019 (Public Law 116-6) for the “Choice Neighborhoods Initiative” that were available for obligation through fiscal year 2021 are to remain available through fiscal year 2027 for the liquidation of valid obligations incurred in fiscal years 2019 through 2021.

(d) Funds previously made available in the Further Consolidated Appropriations Act, 2020 (Public Law 116-94) for the “Choice Neighborhoods Initiative” that were available for obligation through fiscal year 2022 are to remain available through fiscal year 2028 for the liquidation of valid obligations incurred in fiscal years 2020 through 2022.

(e) Funds previously made available in the Consolidated Appropriations Act, 2021 (Public Law 116-260) for the “Choice Neighborhoods Initiative” that were available for obligation through fiscal year 2023 are to remain available through fiscal year 2029 for the liquidation of valid obligations incurred in fiscal years 2021 through 2023.

SEC. 233. None of the funds made available by this Act may be used by the Department of Housing and Urban Development to direct a grantee to undertake specific changes to existing zoning laws as part of carrying out the final rule entitled “Affirmatively Furthering Fair Housing” (80 Fed. Reg. 42272 (July 16, 2015)) or the notice entitled “Affirmatively Furthering Fair Housing Assessment Tool” (79 Fed. Reg. 57949 (September 26, 2014)).

SEC. 234. For fiscal year 2024, if the Secretary determines or has determined, for any prior formula grant allocation administered

by the Secretary through the Offices of Public and Indian Housing, Community Planning and Development, or Housing, that a recipient received an allocation greater than the amount such recipient should have received for a formula allocation cycle pursuant to applicable statutes and regulations, the Secretary may adjust for any such funding error in the next applicable formula allocation cycle by (a) offsetting each such recipient's formula allocation (if eligible for a formula allocation in the next applicable formula allocation cycle) by the amount of any such funding error, and (b) reallocating any available balances that are attributable to the offset to the recipient or recipients that would have been allocated additional funds in the formula allocation cycle in which any such error occurred (if such recipient or recipients are eligible for a formula allocation in the next applicable formula allocation cycle) in an amount proportionate to such recipient's eligibility under the next applicable formula allocation cycle: *Provided*, That all offsets and reallocations from such available balances shall be recorded against funds available for the next applicable formula allocation cycle: *Provided further*, That the term “next applicable formula allocation cycle” means the first formula allocation cycle for a program that is reasonably available for correction following such a Secretarial determination: *Provided further*, That if, upon request by a recipient and giving consideration to all Federal resources available to the recipient for the same grant purposes, the Secretary determines that the offset in the next applicable formula allocation cycle would critically impair the recipient's ability to accomplish the purpose of the formula grant, the Secretary may adjust for the funding error across two or more formula allocation cycles.

SEC. 235. The Secretary may transfer from amounts made available for salaries and expenses under this title (excluding amounts made available under the heading “Office of Inspector General”) up to \$500,000 from each office to the heading “Information Technology Fund” for information technology needs, including for additional development, modernization, and enhancement, to remain available until September 30, 2025: *Provided*, That the total amount of such transfers shall not exceed \$5,000,000: *Provided further*, That this transfer authority shall not be used to fund information technology projects or activities that have known out-year development, modernization, or enhancement costs in excess of \$500,000: *Provided further*, That the Secretary shall provide notification to the House and Senate Committees on Appropriations no fewer than three business days in advance of any such transfer.

SEC. 236. (a) Funds previously made available in the Consolidated Appropriations Act, 2017 (Public Law 115-31) for “Lead Hazard Reduction” that were available for obligation through fiscal year 2018 are to remain available through fiscal year 2025 for the liquidation of valid obligations incurred in fiscal years 2017 through 2018.

(b) Funds previously made available in the Consolidated Appropriations Act, 2018 (Public Law 115-141) for “Lead Hazard Reduction” that were available for obligation through fiscal year 2019 are to remain available through fiscal year 2026 for the liquidation of valid obligations incurred in fiscal years 2018 through 2019.

SEC. 237. The Secretary shall comply with all process requirements, including public notice and comment, when seeking to revise any annual contributions contract.

SEC. 238. (a) Of the unobligated balances remaining from amounts made available under the heading “Lead Hazard Reduction” in title II of division L of the Consolidated Ap-

propriations Act, 2022 (Public Law 117-103), \$65,000,000 is hereby rescinded, which shall be applied to the funds remaining available for activities under paragraph (1) under such heading (excluding amounts for areas with the highest lead-based paint abatement needs).

(b) Of the unobligated balances remaining from amounts made available under the heading “Lead Hazard Reduction” in title II of division L of the Consolidated Appropriations Act, 2022 (Public Law 117-103) and in title II of division L of the Consolidated Appropriations Act, 2023 (Public Law 117-328), \$49,400,000 is hereby rescinded, which shall be applied to the funds remaining available for activities under paragraph (5) under such headings.

(c) Of the unobligated balances remaining from amounts made available under the heading “Public Housing Fund” in title II of division L of the Consolidated Appropriations Act, 2023 (Public Law 117-328), \$20,000,000 is hereby rescinded, which shall be applied to the funds remaining available for activities under paragraph (7) under such heading.

(d) Any unobligated balances (including any unobligated balances of contract authority) as of the date of enactment of this Act included under Treasury Appropriation Fund Symbols 86 X 0129, 86 X 0148, 86 X 0197, 86 X 0314, 86 X 0315, 86 X 0324, 86 X 0402, 86 X 4058 and 86 X 8093 are hereby rescinded.

SEC. 239. The language under the heading “Rental Assistance Demonstration” in the Department of Housing and Urban Development Appropriations Act, 2012 (title II of division C of Public Law 112-55), as most recently amended by Public Law 117-103, is further amended—

(1) in the initial undesignated matter, by striking “and ‘Public Housing Operating Fund’” and inserting “, ‘Public Housing Operating Fund’, and ‘Public Housing Fund’”;

(2) in the second proviso, by striking “2024” and inserting “2030”;

(3) by striking the fourth proviso, and inserting the following new provisos: “*Provided further*, That at properties with assistance under section 9 of the Act requesting to partially convert such assistance, and where an event under section 18 of the Act occurs that results in the eligibility for tenant protection vouchers under section 8(o) of the Act, the Secretary may convert the tenant protection voucher assistance to assistance under a project-based subsidy contract under section 8 of the Act, which shall be eligible for renewal under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997, or assistance under section 8(o)(13) of the Act, so long as the property meets any additional requirements established by the Secretary to facilitate conversion: *Provided further*, That to facilitate the conversion of assistance under the previous proviso, the Secretary may transfer an amount equal to the total amount that would have been allocated for tenant protection voucher assistance for properties that have requested such conversions from amounts made available for tenant protection voucher assistance under the heading ‘Tenant-Based Rental Assistance’ to the heading ‘Project-Based Rental Assistance’: *Provided further*, That at properties with assistance previously converted hereunder to assistance under the heading ‘Project Based Rental Assistance,’ which are also separately assisted under section 8(o)(13) of the Act, the Secretary may, with the consent of the public housing agency and owner, terminate such project-based subsidy contracts and immediately enter into one new project-based subsidy contract under section 8 of the Act, which shall be eligible for renewal under section 524 of the Multifamily Assisted Housing

Reform and Affordability Act of 1997, subject to the requirement that any residents assisted under section 8(o)(13) of the Act at the time of such termination of such project-based subsidy contract shall retain all rights accrued under section 8(o)(13)(E) of the Act under the new project-based subsidy contract and section 8(o)(13)(F)(iv) of the Act shall not apply: *Provided further*, That to carry out the previous proviso, the Secretary may transfer from the heading ‘Tenant-Based Rental Assistance’ to the heading ‘Project-Based Rental Assistance’ an amount equal to the amounts associated with such terminating contract under section 8(o)(13) of the Act.”;

(4) in the thirteenth proviso, as reordered above, by—

(A) inserting “‘Public Housing Fund’, ‘Self-Sufficiency Programs’, ‘Family Self-Sufficiency’” following “‘Public Housing Operating Fund’”; and

(B) inserting “or the ongoing availability of services for residents” after “effective conversion of assistance under the demonstration”;

(5) after the twenty-third proviso, as reordered above, by inserting the following proviso: “*Provided further*, That owners of properties with a senior preservation rental assistance contract under section 811 of the American Homeownership and Economic Opportunity Act of 2000 (12 U.S.C. 1701q note), shall be eligible, subject to requirements established by the Secretary as necessary to facilitate the conversion of assistance while maintaining the affordability period and the designation of the property as serving elderly families, and tenant consultation procedures, for conversion of assistance available for such assistance contracts to assistance under a long-term project-based subsidy contract under section 8 of the Act.”;

(6) in the twenty-eighth proviso, as reordered above, by inserting “, section 811 of the American Homeownership and Economic Opportunity Act of 2000,” after “Housing Act of 1959”; and

(7) in the thirty-third proviso, as reordered above, by striking “any section 202 project rental assistance contract or section 811 project rental assistance contract conversions” and inserting “the conversion of assistance from section 202(c)(2) of the Housing Act of 1959, section 811 of the American Homeownership and Economic Opportunity Act of 2000, or section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act”.

SEC. 240. There is hereby established in the Treasury of the United States a fund to be known as the “Department of Housing and Urban Development Nonrecurring Expenses Fund” (the Fund); *Provided*, That unobligated balances of expired discretionary funds appropriated for this or any succeeding fiscal year from the General Fund of the Treasury to the Department of Housing and Urban Development by this or any other Act may be transferred (not later than the end of the fifth fiscal year after the last fiscal year for which such funds are available for the purposes for which they were appropriated) into the Fund: *Provided further*, That amounts deposited in the Fund shall be available until expended, in addition to such other funds as may be available for such purposes, for capital needs of the Department, including facilities infrastructure and information technology infrastructure, subject to approval by the Office of Management and Budget: *Provided further*, That amounts in the Fund may be obligated only after the House and Senate Committees on Appropriations are notified at least 15 days in advance of the planned use of funds.

SEC. 241. Amounts made available for the Office of Housing under the heading “Pro-

gram Offices” in this and prior Acts shall also be available, without additional competition, for cooperative agreements with Participating Administrative Entities that have been selected under section 513(b) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) (MAHRAA) to provide direct support, including carrying out due diligence and underwriting functions for owners and for technical assistance activities, on conditions established by the Secretary for small properties and owners converting assistance under the First Component or the Second Component under the heading “Rental Assistance Demonstration” in the Department of Housing and Urban Development Appropriations Act, 2012 (title II of division C of Public Law 112–55).

SEC. 242. Of the amounts made available for the Office of Policy Development and Research under the heading “Program Offices”, up to \$3,500,000, to remain available until September 30, 2026, may be transferred to the heading “Information Technology Fund” to be available for the needs of the Chief Data Officer, in addition to amounts otherwise available, including for additional development, modernization, and enhancement: *Provided*, That the Secretary shall notify the House and Senate Committees on Appropriations no fewer than three business days in advance of any such transfer.

SEC. 243. For fiscal year 2024, the costs of any rent incentives as authorized pursuant to waivers or alternative requirements of the Jobs-Plus initiative as described under the heading “Self-Sufficiency Programs” shall not be charged against the competitive grant amounts made available under such heading: *Provided*, That the amount of any forgone increases in tenant rent payments due to the implementation of such rent incentives shall be factored into the public housing agency’s general operating fund eligibility pursuant to the formula under the heading “Public Housing Fund”: *Provided further*, That the amount of any foregone increases in tenant rent payments due to the implementation of such rent incentives implemented on behalf of residents of a project with assistance converted from public housing to project-based rental assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) or assistance under section 8(o)(13) of such Act under the heading “Rental Assistance Demonstration” in the Department of Housing and Urban Development Appropriations Act, 2012 (title II of division C of Public Law 112–55), as amended (42 U.S.C. 1437f note) shall be factored into (A) housing assistance payments made pursuant to project-based subsidy contracts provided under the heading “Project-Based Rental Assistance”; and (B) housing assistance payments made by public housing agencies pursuant to project-based assistance contracts under section 8(o)(13) of such Act, with these costs being renewed under the heading “Tenant-Based Rental Assistance”.

SEC. 244. (a) With respect to the funds made available for the Continuum of Care program authorized under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.) under the heading “Homeless Assistance Grants” in this and prior Acts and under section 231 of the Department of Housing and Urban Development Appropriations Act, 2020 (42 U.S.C. 11364a)—

(1) title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.) shall not apply to applications by or awards for projects to be carried out—

(A) on or off reservation or trust lands for awards made to Indian tribes or tribally designated housing entities; or

(B) on reservation or trust lands for awards made to eligible entities as defined in sec-

tion 401 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360);

(2) Indian tribes and tribally designated housing entities shall also be eligible to administer permanent housing rental assistance under section 423(g) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11383(g)).

(b) With respect to funds made available for the Continuum of Care program authorized under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.) under the heading “Homeless Assistance Grants” in this title or under section 231 of the Department of Housing and Urban Development Appropriations Act, 2020 (42 U.S.C. 11364a)—

(1) applications for projects to be carried out on reservations or trust land shall contain a certification of consistency with an approved Indian housing plan developed under section 102 of the Native American Housing Assistance and Self-Determination Act (NAHASDA) (25 U.S.C. 4112), notwithstanding section 106 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12706) and section 403 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11361);

(2) Indian tribes and tribally designated housing entities that are recipients of awards for projects on reservations or trust land shall certify that they are following an approved housing plan developed under section 102 of NAHASDA (25 U.S.C. 4112); and

(3) a collaborative applicant for a Continuum of Care whose geographic area includes only reservation and trust land is not required to meet the requirement in section 402(f)(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360a(f)(2)).

SEC. 245. (a) Section 184(a) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a(a)) is amended to read as follows:

“(a) **AUTHORITY.**—To provide access to sources of private financing to Indian families, Indian housing authorities, and Indian tribes, who otherwise could not acquire housing financing because of the unique legal status of Indian lands and the unique nature of tribal economies; and to expand homeownership opportunities to Indian families, Indian housing authorities and Indian tribes on fee simple lands, the Secretary may guarantee not to exceed 100 percent of the unpaid principal and interest due on any loan eligible under subsection (b) made to an Indian family, Indian housing authority, or Indian tribe on trust land and fee simple land.”.

(b) Section 184(b)(2) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a(b)(2)) is amended to read as follows:

“(2) **ELIGIBLE HOUSING.**—The loan shall be used to construct, acquire, refinance, or rehabilitate 1- to 4-family dwellings that are standard housing.”.

(c) Section 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13b) is amended—

(1) in subsection (b), by inserting “, and to expand homeownership opportunities to Native Hawaiian families who are eligible to receive a homestead under the Hawaiian Homes Commission Act, 1920 (42 Stat. 108) on fee simple lands in the State of Hawaii” after “markets”; and

(2) in subsection (c), by striking paragraph (2) and inserting the following:

“(2) **ELIGIBLE HOUSING.**—The loan shall be used to construct, acquire, refinance, or rehabilitate 1- to 4-family dwellings that are standard housing.”.

SEC. 246. (a) Section 184(b)(5)(A) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a(b)(5)(A)) is amended to read as follows:

“(5) TERMS.—The loan shall—

“(A) be made for a term not exceeding 30 years; except, as determined by the Secretary, when there is a loan modification under subsection (h)(1)(B), the loan shall not exceed 40 years;”.

(b) Section 184A(c)(5)(A) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13b(c)(5)(A)) is amended to read as follows:

“(5) TERMS.—The loan shall—

“(A) be made for a term not exceeding 30 years; except, as determined by the Secretary, when there is a loan modification under subsection (i)(1)(B) the term of the loan shall not exceed 40 years;”.

SEC. 247. Section 105 of the Housing and Community Development Act of 1974 (42 U.S.C. 5305) is amended by adding at the end the following new subsection:

“(j) SPECIAL ACTIVITIES BY INDIAN TRIBES.—Indian tribes receiving grants under section 5306(a)(1) of this title (section 106(a)(1) of this Act) shall be authorized to carry out activities described in subsection (a)(15) directly.”.

SEC. 248. Section 184A(c) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13b(c)) is amended by adding at the end the following new paragraph:

“(6) PROHIBITION ON PACE PRIMING.—Notwithstanding any other provision of law, no property with a loan guaranteed under this section shall be subject to a new residential Property Assessed Clean Energy (PACE or R-PACE) loan or equivalent financing without the PACE loan or equivalent financing provider obtaining prior written consent from the Secretary, subject to such terms and conditions as the Secretary may prescribe. Any new residential PACE or R-PACE loan or equivalent financing that is entered into by a PACE Provider absent such consent shall be deemed void ab initio and the PACE Provider shall bear all costs associated with the transactions with no recourse against the borrower resulting from the PACE transaction, including all costs incurred by any holder of a guaranteed loan or the Secretary in obtaining good and marketable title.”.

SEC. 249. Section 184(b) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a(b)) is amended by adding at the end the following new paragraph:

“(6) PROHIBITION ON PACE PRIMING.—Notwithstanding any other provision of law, no property with a loan guaranteed under this section, shall be subject to a new residential Property Assessed Clean Energy (PACE or R-PACE) loan or equivalent financing without the PACE loan or equivalent financing provider obtaining prior written consent from the Secretary, subject to such terms and conditions as the Secretary may prescribe. Any new residential PACE or R-PACE loan or equivalent financing that is entered into by a PACE Provider absent such consent shall be deemed void ab initio and the PACE Provider shall bear all costs associated with the transactions with no recourse against the borrower resulting from the PACE transaction, including all costs incurred by any holder of a guaranteed loan or the Secretary in obtaining good and marketable title.”.

SEC. 250. Title V of the National Housing Act (12 U.S.C. 1731a et seq.) is amended by adding at the end the following new section:

“SEC. 543. PROHIBITION ON PACE PRIMING.

“Notwithstanding any other provision of law, including section 208 of this Act, no 1 to 4 unit property with a mortgage insured, guaranteed, made, or held by the Secretary after the date of enactment of this section, shall be subject to a new residential Property Assessed Clean Energy (PACE or R-PACE) loan or equivalent financing without the PACE loan or equivalent financing pro-

vider obtaining prior written consent from the Secretary, subject to such terms and conditions as the Secretary may prescribe. Any new PACE or R-PACE loan or equivalent financing that is entered into by a PACE provider absent such consent shall be deemed void ab initio and the PACE provider shall bear all costs associated with the transactions with no recourse against the homeowner resulting from the PACE transaction, including all costs incurred by any holder of an insured or guaranteed mortgage or the Secretary in obtaining good and marketable title.”.

SEC. 251. Notwithstanding section 3(b)(6) of the United States Housing Act of 1937 (the Act) and chapter 63 of title 31, United States Code, amounts made available to the Secretary in this or any prior Act under the headings “Project-Based Rental Assistance” or “Housing Certificate Fund” for performance-based contract administrators to carry out section 8 of the Act (42 U.S.C. 1437f), as implemented by the Secretary in chapter VIII of title 24, Code of Federal Regulations, may be awarded through a Notice of Funding Opportunity (NOFO) not subject to procurement laws or regulations: *Provided*, That such awards shall be deemed for all purposes to be cooperative agreements: *Provided further*, That for purposes of such NOFO, eligible applicants are public housing agencies as defined by section 3(b)(6)(A) of the Act and nonprofits of such agencies when operating outside of the State or territory in which such agency is established, notwithstanding any provisions of such section 8(b) to the contrary: *Provided further*, That the Secretary shall award one cooperative agreement for each State or territory, except that the Secretary may award more than one agreement for a State or territory if the population of such State or territory exceeds 35,000,000: *Provided further*, That any cooperative agreements issued by the Secretary shall, at minimum, assign the rights and responsibilities as provided in section 8 of the Act: *Provided further*, That the Secretary shall assign such rights and responsibilities to the furthest extent possible to ensure effective and efficient program oversight and monitoring: *Provided further*, That when selecting a performance-based contract administrator, the Secretary shall provide a preference to applicants that have demonstrated experience with properties receiving project-based assistance, experience in multifamily housing preservation, addressing the concerns of low-income tenants, making assistance payments to owners, and performing the other functions assigned to a public housing agency under section 8(b) of the Act: *Provided further*, That if no qualified applicant applies under NOFO, the Secretary may utilize a procurement contract subject to all procurement laws and regulations to assist in carrying out section 8 of the Act: *Provided further*, That the Secretary shall provide for incentive-based fees as part of such awards.

SEC. 252. Section 239 of division L of the Consolidated Appropriations Act, 2016 is amended by striking “2028” and inserting “2043”.

SEC. 253. For fiscal years 2024 and 2025, the Secretary may issue a 2-year notification of funding opportunity, including any alternative procedures or requirements as may be necessary to allocate future appropriations in the second year, for the award of amounts made available for the Continuum of Care program under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.), notwithstanding any conflict with the requirements of the Continuum of Care program.

SEC. 254. The Secretary may, upon a finding that a waiver or alternative requirement is necessary for the effective delivery and ad-

ministration of funds made available for new incremental voucher assistance or renewals for the Mainstream program and the family unification program (including the Foster Youth to Independence program) in this and prior Acts, waive or specify alternative requirements, other than requirements related to tenant rights and protections, rent setting, fair housing, nondiscrimination, labor standards, and the environment, for—

(1) section 8(o)(6)(A) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(6)(A)) and regulatory provisions related to the administration of waiting lists, local preferences, and the initial term and extensions of tenant-based vouchers; and

(2) section 8(x)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437f(x)(2)) regarding the timing of referral of youth leaving foster care.

This title may be cited as the “Department of Housing and Urban Development Appropriations Act, 2024”.

**TITLE III
RELATED AGENCIES
ACCESS BOARD**

SALARIES AND EXPENSES

For expenses necessary for the Access Board, as authorized by section 502 of the Rehabilitation Act of 1973 (29 U.S.C. 792), \$9,955,000: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 46107), including services as authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles as authorized by section 1343(b) of title 31, United States Code; and uniforms or allowances therefore, as authorized by sections 5901 and 5902 of title 5, United States Code, \$43,720,000, of which \$2,000,000 shall remain available until September 30, 2025: *Provided*, That not to exceed \$3,500 shall be for official reception and representation expenses.

**NATIONAL RAILROAD PASSENGER CORPORATION
OFFICE OF INSPECTOR GENERAL**

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General for the National Railroad Passenger Corporation to carry out the provisions of the Inspector General Act of 1978 (5 U.S.C. App. 3), \$29,240,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in such Act, to investigate allegations of fraud, including false statements to the Government under section 1001 of title 18, United States Code, by any person or entity that is subject to regulation by the National Railroad Passenger Corporation: *Provided further*, That the Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, subject to the applicable laws and regulations that govern the obtaining of such services within the National Railroad Passenger Corporation: *Provided further*, That the Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General, subject to the applicable laws and regulations that govern such selections, appointments, and employment within the National Railroad Passenger Corporation: *Provided further*, That concurrent with the President's budget request for fiscal year

2025, the Inspector General shall submit to the House and Senate Committees on Appropriations a budget request for fiscal year 2025 in similar format and substance to budget requests submitted by executive agencies of the Federal Government.

NATIONAL TRANSPORTATION SAFETY BOARD
SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by section 3109 of title 5, United States Code, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS-15; uniforms, or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code, \$134,300,000, of which not to exceed \$2,000 may be used for official reception and representation expenses: *Provided*, That the amounts made available to the National Transportation Safety Board in this Act include amounts necessary to make lease payments on an obligation incurred in fiscal year 2001 for a capital lease.

NEIGHBORHOOD REINVESTMENT CORPORATION
PAYMENT TO THE NEIGHBORHOOD
REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), \$168,000,000: *Provided*, That an additional \$2,000,000, to remain available until September 30, 2027, shall be for the promotion and development of shared equity housing models.

SURFACE TRANSPORTATION BOARD
SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by section 3109 of title 5, United States Code, \$47,452,000: *Provided*, That, notwithstanding any other provision of law, not to exceed \$1,250,000 from fees established by the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: *Provided further*, That the amounts made available under this heading from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2024, to result in a final appropriation from the general fund estimated at not more than \$46,202,000.

UNITED STATES INTERAGENCY COUNCIL ON
HOMELESSNESS
OPERATING EXPENSES

For necessary expenses, including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code, of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, \$4,300,000.

TITLE IV

GENERAL PROVISIONS—THIS ACT

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

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

SEC. 403. The expenditure of any appropriation under this Act for any consulting serv-

ice through a procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

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

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

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

(5) is offensive to, or designed to change, participants’ personal values or lifestyle outside the workplace.

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

SEC. 405. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2024, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates a new program;

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

(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress;

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

(5) augments existing programs, projects, or activities in excess of \$5,000,000 or 10 percent, whichever is less;

(6) reduces existing programs, projects, or activities by \$5,000,000 or 10 percent, whichever is less; or

(7) creates, reorganizes, or restructures a branch, division, office, bureau, board, commission, agency, administration, or department different from the budget justifications submitted to the Committees on Appropriations or the report accompanying this Act, whichever is more detailed, unless prior approval is received from the House and Senate Committees on Appropriations:

Provided, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the Senate and of the House of Representatives to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That the report shall include—

(A) a table for each appropriation with a separate column to display the prior year enacted level, the President’s budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(B) a delineation in the table for each appropriation and its respective prior year en-

acted level by object class and program, project, and activity as detailed in this Act, the table in the report accompanying this Act, accompanying reports of the House and Senate Committee on Appropriations, or in the budget appendix for the respective appropriations, whichever is more detailed, and shall apply to all items for which a dollar amount is specified and to all programs for which new budget (obligational) authority is provided, as well as to discretionary grants and discretionary grant allocations; and

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

SEC. 406. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2024 from appropriations made available for salaries and expenses for fiscal year 2024 in this Act, shall remain available through September 30, 2025 for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the House and Senate Committees on Appropriations for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines under section 405 of this Act.

SEC. 407. No funds in this Act may be used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use: *Provided*, That for purposes of this section, public use shall not be construed to include economic development that primarily benefits private entities: *Provided further*, That any use of funds for mass transit, railroad, airport, seaport or highway projects, as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water-related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfields as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Public Law 107–118) shall be considered a public use for purposes of eminent domain.

SEC. 408. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

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

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

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

SEC. 412. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of a single agency or department of the United States Government, who are stationed in the United States, at any single international conference unless the relevant Secretary reports to the House and Senate Committees on Appropriations at least 5

days in advance that such attendance is important to the national interest: *Provided*, That for purposes of this section the term “international conference” shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

SEC. 413. None of the funds appropriated or otherwise made available under this Act may be used by the Surface Transportation Board to charge or collect any filing fee for rate or practice complaints filed with the Board in an amount in excess of the amount authorized for district court civil suit filing fees under section 1914 of title 28, United States Code.

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

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

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

(b) A department or agency covered by this section shall provide its Inspector General with access to all such records, documents, and other materials in a timely manner.

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

(d) Each Inspector General covered by this section shall report to the Committees on Appropriations of the House of Representatives and the Senate within 5 calendar days any failures to comply with this requirement.

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

SEC. 417. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his or her period of active military or naval service, and has within 90 days after his or her release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his or her former position and has been certified by the Office of Personnel

Management as still qualified to perform the duties of his or her former position and has not been restored thereto.

SEC. 418. (a) None of the funds made available by this Act may be used to approve a new foreign air carrier permit under sections 41301 through 41305 of title 49, United States Code, or exemption application under section 40109 of that title of an air carrier already holding an air operators certificate issued by a country that is party to the U.S.-E.U.-Iceland-Norway Air Transport Agreement where such approval would contravene United States law or Article 17 bis of the U.S.-E.U.-Iceland-Norway Air Transport Agreement.

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

SEC. 419. None of the funds made available by this Act to the Department of Transportation may be used in contravention of section 306108 of title 54, United States Code.

SEC. 420. In the table of projects entitled “Community Project Funding/Congressionally Directed Spending” included in the explanatory statement that accompanied the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2023 (division L of Public Law 117-328) the item relating to “B-360 Educational Campus” is deemed to be amended by striking “I Am Mentality, Inc.” and inserting “B-360 Baltimore, Inc.”.

SEC. 421. Each amount designated in this Act by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

This division may be cited as the “Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2024”.

AUTHORITY FOR COMMITTEES TO MEET

Mr. SCHUMER. Madam President, I have five requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph S(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, September 7, 2023, at 10 a.m., to conduct a hearing.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, September 7, 2023, at 10 a.m., to conduct a hearing.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet

during the session of the Senate on Thursday, September 7, 2023, at 10 a.m., to conduct a hearing.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Thursday, September 7, 2023, at 10 a.m., to conduct a hearing on nominations.

SUBCOMMITTEE ON WESTERN HEMISPHERE, TRANSNATIONAL CRIME, CIVILIAN SECURITY, DEMOCRACY, HUMAN RIGHTS, AND GLOBAL WOMEN’S ISSUES

The Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women’s Issues of the Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, September 7, 2023, at 10:30 a.m., to conduct a hearing.

PRIVILEGES OF THE FLOOR

Mr. CRUZ. Madam President, I ask unanimous consent that Joel Coito, a Coast Guard fellow at the Senate Commerce, Science, and Transportation Committee, be granted floor privileges for the remainder of Congress.

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

The PRESIDING OFFICER. The senior Senator from Maryland.

EXPANDING ACCESS TO CAPITAL FOR RURAL JOB CREATORS ACT

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S. 294, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 294) to amend the Securities Exchange Act of 1934 to expand access to capital for rural-area small businesses, and for other purposes.

There being no objection, the committee was discharged and the Senate proceeded to consider the bill.

Mr. CARDIN. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The bill (S. 294) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 294

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Expanding Access to Capital for Rural Job Creators Act”.

SEC. 2. ACCESS TO CAPITAL FOR RURAL-AREA SMALL BUSINESSES.

Section 4(j) of the Securities Exchange Act of 1934 (15 U.S.C. 78d(j)) is amended—

(1) in paragraph (4)(C), by inserting “rural-area small businesses,” after “women-owned small businesses,”; and

(2) in paragraph (6)(B)(iii), by inserting “rural-area small businesses,” after “women-owned small businesses,”.

AMENDING THE FEDERAL ELECTION CAMPAIGN ACT OF 1971 TO EXTEND THE ADMINISTRATIVE FINE PROGRAM FOR CERTAIN REPORTING VIOLATIONS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2747, introduced by Senators KLOBUCHAR and FISCHER.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2747) to amend the Federal Election Campaign Act of 1971 to extend the Administrative Fine Program for certain reporting violations.

There being no objection, the Senate proceeded to consider the bill.

Mr. CARDIN. Mr. President, I ask that the bill be considered read three times.

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

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

Mr. CARDIN. Mr. President, I know of no further debate on the bill.

The PRESIDING OFFICER. If there is no further debate, and the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 2747) was passed, as follows:

S. 2747

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

SECTION 1. EXTENSION OF ADMINISTRATIVE FINE PROGRAM.

Section 309(a)(4)(C)(v) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30109(a)(4)(C)(v)) is amended by striking “December 31, 2023” and inserting “December 31, 2033”.

Mr. CARDIN. Mr. President, I further ask that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

Mr. CARDIN. I yield the floor.

NOMINATION OF TANYA J. BRADSHER

Mr. GRASSLEY. Mr. President, I have just learned that the majority leader has filed for cloture on the nomination of Ms. Tanya Bradsher to be Deputy Secretary at the Department of Veterans Affairs. In addition to my remarks on the Senate floor on July 18, I would like to provide more context to my decision to oppose her nomination, especially in light of new information that has come to my attention.

Ms. Bradsher, if confirmed, would be second in command at a deeply trou-

bled agency. Both the VA and Ms. Bradsher in her current role as chief of staff have shown repeated indifference to congressional oversight. Records show that she played a key role in the VA's deficient response to my investigation of VA corruption that I launched in 2021. Another of my investigations has revealed that she also failed to secure sensitive veterans' health information, PII, and whistleblower information in the VA's correspondence system, VA Integrated Enterprise Workflow Solution, also called VIEWS, which is under her direct authority. My oversight has shown that VIEWS exposes veterans' private and sensitive information to thousands of VA employees, only a small number of whom are authorized to see it. The VA and Ms. Bradsher provided misleading information about that as well, which I will discuss here.

If confirmed, Ms. Bradsher would be in charge of the VA's effort to modernize veterans' electronic health records. This involves the healthcare records of millions of veterans, which obviously contain huge amounts of sensitive information. Ms. Bradsher's failures on privacy issues as chief of staff and her lack of transparency to the Veterans Affairs Committee show that we can't trust her to secure this sensitive information or to take the lead and address Agency failures, of which VA has many.

As part of Ms. Bradsher's committee proceedings, she responded to questions for the record about veterans' medical records stored in the VIEWS correspondence system at the VA. Ms. Bradsher provided misleading and often contradictory answers to Senators' questions. When asked about veterans' medical records exposed in VIEWS, she responded that the VIEWS system doesn't “handle” medical records. This was deeply misleading, as my staff had already verified that sensitive medical records are stored in VIEWS, and often exposed improperly for thousands of VA employees to see. Ranking Member MORAN, unconvinced, pressed her about her answer. She then admitted that these health records are indeed stored in VIEWS as part of VA correspondence. Either she didn't know this on the first round of questions or she intentionally misled the committee. Both of these are disqualifying for a nominee to this position.

And Ms. Bradsher's remaining answers were no better. When asked whether she knew anyone who may have been harassed, doxed, or who may have had any negative consequences from their information being exposed in VIEWS, she answered that she didn't. That is astonishing given the fact that one of the internal whistleblowers approached her office just last year complaining of exactly that. This whistleblower told Ms. Bradsher's deputy that she had been harassed and feared for her safety. Both I and members of the committee had reminded Ms. Bradsher of that correspondence

before she answered. Yet she apparently hadn't even bothered to review it before answering questions. She also repeatedly dodged responsibility for her failures and provided no plan at all to secure veterans' and whistleblower PII already exposed in VIEWS. We shouldn't reward a nominee and the VA for their inattention, neglect, and lack of candor.

When whistleblowers last year informed the Office of Special Counsel—OSC—about these VIEWS privacy flaws, OSC found a “substantial likelihood of wrongdoing” related to potential violation of Federal privacy laws. On August 2, 2022, OSC directed VA to investigate and report back within 60 days. The VA, however, continued to ask for extensions, which led to the report being released only recently, during the August recess.

That report should stop this nomination in its tracks. It reveals that even as Ms. Bradsher and the VA attempted to deny and downplay the serious matters I brought to the attention of the Senate Veterans Affairs Committee, the VA had already determined internally that these allegations were true. And not only are they true, but the VA's internal report shows they were even worse than I thought. The VA now admits that more than a hundred more employees have improper access to sensitive data in the VIEWS system than they originally represented. And the report revealed that the VA knew since at least July 2019 that these data privacy issues existed for “a massive number of cases [in VIEWS] that were improperly marked ‘not sensitive,’” a full 3 years before whistleblowers reached out to Ms. Bradsher's office last July. This was, therefore, a known issue when Ms. Bradsher took office. Not once did Ms. Bradsher in responding to members of the Senate Veterans Affairs Committee even bother to mention these significant facts, nor apparently did she lift a finger to take care of these issues in the 16 months she was in office before the whistleblowers spoke out to her deputy last year.

The VA's report further calls Ms. Bradsher's candor into question. It seems to directly contradict Ms. Bradsher's answers to questions for the record in her committee proceedings. For example, in response to Senator BLACKBURN, Ms. Bradsher claimed that, “the VIEWS system has controls in place to protect personal and sensitive information . . . system access is logged. Audits also are done to make sure information on the VIEWS system is accessed appropriately.” Yet the VA's report to OSC specifically noted regarding VIEWS that, “there is no program of auditing or detection in place . . . to log when a user views whistleblower identities and sensitive personal information without authority.” It looks like Ms. Bradsher has some explaining to do.

Democrats on the committee likewise failed in their duty to get to the truth of this matter. They didn't accept the whistleblowers' offer to speak

with them and answer questions about the allegations they raised with Ms. Bradsher's office and reported to OSC. Given the VA's record on whistleblower retaliation, those brave folks risked their jobs and livelihoods to come forward. But there was one job the committee wasn't willing to risk: Ms. Bradsher's promotion to Deputy Secretary. Rather than exercising its solemn constitutional duty to properly vet a Presidential nominee, the committee's majority instead took the VA's word on the matter and voted the nominee out without duly investigating, days before a report that ended up providing highly relevant information about the VA's data privacy failures on her watch. The full Senate shouldn't make an even worse mistake by confirming the nominee after the VA's report verified the allegations I brought to this body's attention.

Even before Ms. Bradsher's committee hearing was held, the VA had already admitted to OSC that the VIEWS allegations raised by whistleblowers to Ms. Bradsher's office last year were true. It is not all in our imagination, as VA tried to mislead the U.S. Senate into thinking. The VA admitted as much in its own letter to OSC on May 26 of this year, before Ms. Bradsher's VA Committee hearing, stating that the VA's OSC-ordered investigation at the outset of its investigation had already "fully substantiated" allegations whistleblowers raised that, "VA officials are violating the Privacy Act of 1974 and the provisions of VA Directive 6502 and VA Handbook 6500 by improperly storing the personally identifiable information of whistleblowers, employees, and veterans in the Veterans Affairs Integrated Enterprise Workflow Solution (VIEWS) system of records because such sensitive information is not marked as sensitive and is therefore accessible to all VA employees that have access to VIEWS." In other words, VA admitted that it violated Federal privacy laws related to VIEWS by not securing sensitive data, but Ms. Bradsher withheld this key fact from the committee when questioned, and the VA insinuated otherwise in its last-minute misleading memo circulated by the committee majority on the eve of her committee rubberstamp.

Despite their legal obligation to be candid with Congress and not to omit material facts from their statements to this body, this deeply misleading memo to members of the Senate Veterans Affairs Committee right before their vote on Ms. Bradsher failed to even address the VA's preliminary findings, and it misled the committee by minimizing data security issues in VIEWS. The VA memo claimed that, "[the Committee minority staff's conclusion] that thousands of VIEWS files are not being properly treated as sensitive is misguided." The VA's report, however, specifically stated that, "[c]onsidering that over 200,000 [VIEWS] cases were created over the

past three calendar years alone, and the rate at which the presence of sensitive personal information can be found in cases, the 'Not Sensitive' cases containing sensitive personal information before remediation actions were implemented is easily estimated to have been in the multi-thousands at the time the whistleblowers came forward with the allegations."

The memo also implied that a search of VIEWS conducted by the committee's Republican staff as part of their investigation, which turned up "countless" records responsive to the term "whistleblower," didn't "show[] that files with the names of whistleblowers were not treated as sensitive," again ignoring the fact that they had already confirmed to OSC that VIEWS files did expose the personally identifiable information of whistleblowers. The VA report, dated July 21, notes that even at that time, 2 weeks after the minority's search, key whistleblower terms when searched still returned, "cases and files containing significant whistleblower identification and sensitive personal information," although to a "significantly lesser degree" than before. This contradicts the VA's implication in its misleading memo before Ms. Bradsher's committee vote that private whistleblower information did not come up at all when searched for.

Accordingly, the VA's memo to the committee in advance of the Bradsher vote was not only misleading, but it was also arguably obstructive conduct meant to deceive and frustrate the Congress from knowing the full set of facts in this matter. Such conduct is indefensible. But the Democrat majority blindly and irresponsibly accepted it.

Moreover, these more significant changes that the VA points to in the VIEWS system were made at the eleventh hour, only in response to significant Senate attention and public criticism. The VA's report noted that, "changes applied to VIEWS CCM in July 2023 significantly reduced the accessibility of whistleblower identities and sensitive personal information contained in archived and active cases." Note carefully, July of this year, well after Ms. Bradsher's committee hearing. That they have made changes years after finding out about the problem and only after having their nominee embarrassed in a very public way illustrates problems of honesty and transparency that are illustrations of deeper systemic problems in the VA and its present culture of cover-up.

And that is just the tip of the iceberg with this nominee and this Agency. Ms. Bradsher has failed to accept responsibility for her demonstrated failure to secure veterans' private data and attempted to deflect her responsibility by pointing to the OSC-ordered investigation. She has never explained why she would need to wait for that investigation to be complete, a full year, before complying with Federal privacy laws and securing any veterans' data

she could as soon as possible. She likewise has never explained why she did nothing in the year-and-a-half before whistleblowers approached her office, despite the VA being aware of veterans' personal data being unlawfully exposed. As I said in my floor speech on July 18, this obfuscation is yet another sign that Ms. Bradsher is a "business as usual" nominee for the VA. Our veterans deserve better.

Now to the other objection I have to this nomination. Ms. Bradsher also played a key role in the VA's stonewalling of my investigation into VA corruption. Documents obtained through the Freedom of Information Act—FOIA—by third parties show that Ms. Bradsher helped lead the VA's response to my inquiry launched in April 2021 into the conflicts of interest of a senior VA official, Ms. Charmain Bogue. Under Ms. Bradsher's leadership, the VA waited nearly nine months and until I had sent four letters demanding a response, before even answering. Even then, in late December 2021, it refused to answer any of my questions, citing Inspector General Missal's ongoing investigation.

Well, that investigation ended early last year. The VA still hasn't answered those questions, despite repeated requests. Congress has a right and constitutional responsibility to independently investigate to determine how these conflicts were allowed to exist and why the VA berated the internal whistleblower who brought it to the Agency's attention rather than providing praise for exposing government wrongdoing. This is especially important given the fact that the inspector general didn't have the chance to finish his investigation due to Ms. Bogue's resignation from VA so she didn't have to cooperate and provide answers that may have implicated her in a criminal conflict of interest.

I have inquired about other issues as well in this ongoing and largely one-sided correspondence with VA. This includes whistleblower retaliation, potential failure to secure information about a publicly traded company that may have enabled insider trading, and, most recently, allegations of contract irregularities, with senior officials who resigned under ethical cloud receiving tens of millions of dollars in lucrative VA contracts. The VA has failed to answer dozens of questions on these matters, and they will be in hot water with this Senator from Iowa until they do.

I will oppose this nominee due to the well-documented stiff-arm she has given Congress, her failure to protect sensitive veteran information, and her penchant for providing misleading information to the Senate. I urge the Senate to reject this nomination not only because of the nominee's clear inability to get the job done the right way, but to also send a message to the VA that it must put veterans first.

The PRESIDING OFFICER. The Senator from Oklahoma.

BORDER SECURITY

Mr. LANKFORD. Mr. President, many Americans may not know and many in this Senate Chamber may not know that this week we actually passed a milestone on immigration in the United States. This week, less than 3 years into President Biden's term, we have now had more people illegally cross the border in the less than 3 years under the Biden administration than we had under the 8 years of the Obama administration and the 4 years of the Trump administration.

If you count both terms of the Obama administration and the Trump administration, that was 6 million people who illegally crossed the border. Under this President, in less than 3 years—not 12, in less than 3—we have now had more than 6 million people illegally cross the border.

We had a hearing this week with DHS folks to be able to talk about what in the world is going on. We met not with the policymakers because the policymakers won't meet with us; we met with the folks who are on the line to say: What is the process; how are things actually working; what steps are actually taken; and then what happens from here.

I also had the opportunity to be able to look at some of the budget issues and other things that are coming up, which I will explain later, but I wanted to be able to walk through where we really are right now and what is really happening at the border because since the expiration of title 42, in the days that followed that in May, the administration announced: Look, the numbers are dramatically down. And for a month, the numbers were down some, but then they popped right back up, so much so that the Washington Post last week had a headline that read the highest number of illegal family crossings in the history of the country was in August of this year.

Most folks turned away. They heard the administration say: Look, the numbers went down, and so they looked away from what is happening at the border, but our numbers are at the highest ever. And the complication of how they are actually being treated is the highest ever.

So let me walk you through some of the things that came up in the hearing that I want to be able to walk through on this because when you cross the board illegally at this point, there are lots of options there, and the options are designed by the Department of Homeland Security and by the White House not to deter people from crossing the border but to facilitate a more rapid crossing. So there are multiple processes that have been set up that are entirely new.

Let me give you one. If you come to a port of entry, you can now, before you get to a port of entry on the southern border, actually check in ahead of time to make your process of checking in faster. It is an app that you can get on your phone called the CBP One app.

If you download that app, you fill out the form where you are from, then when you get to the border, you will be expedited through the process at the port of entry and released into the country. If you are one of those folks who have filled out the app and have gone through, you will be quickly screened. According to the testimony that we heard yesterday, 90 percent of those folks are released almost immediately into the country, and within 30 days they have a work permit.

Now, these are not folks who have applied for a visa. These are not the folks who have gone through the H-1B or H-2B or any of those processes. These are not folks who have actually gone through the formal process of getting a work permit. These are folks who have come from all over the world, have filled out an app right before they came across the border, and then they were facilitated right into the country.

If you think these are folks who are coming in from Guatemala, Honduras, and Mexico, more than 150 countries have crossed the border this year. And I will walk through some of those numbers in just a moment.

One option that you have to be quickly expedited into the country without seeking prior approval is just to fill out the app ahead of time and then your paperwork is done and you are across the border even faster when you get here.

The second option is you actually don't fill out the form. You just show up at the port of entry and say: I didn't fill it out ahead of time. The response at that point is: It will take you a little bit longer to process—several hours more time to be able to go through and fill the things out. You will still be released. You will still be given what is called parole into the country. You will still be given a work permit within 30 days to be in the country, not because you applied for a work permit early or went through the legal process, not because you are any of the tens of thousands of people all over the world who want to work in the United States so they legally approach the issue; these are folks who just crossed at a port of entry, either filling it out ahead of time or just filling it out when you get there, quickly expedited, unlimited numbers.

Third group. The third group are the folks who actually come between the ports of entry. These are the folks who didn't cross. These are folks who came through the open desert or swam across the river in the Rio Grande. These are the folks who crossed, got into the country. Some of them bolted and ran from Border Patrol. Some of them turned themselves in. It just kind of depends on where they are. These individuals—not between the ports of entry, haven't done anything ahead of time—they are treated much more different. These individuals are actually picked up between the ports of entry, taken to a Border Patrol station where they process their paperwork. They fill

out all the information, and then they release them into the country.

But the consequence is because they didn't come in a port of entry, it is going to take them 2 months to get a work permit—2 months—not 1 month.

So let me review. If you come in at a port of entry, no matter who you are and no matter where you are from, they will check and see if you are on a terror watch list, and if you are not on the terror watch list, then they are just going to allow you in.

They will set up a court hearing. Whether you cross between the ports of entry or whether you cross at the port of entry, they will set up a court hearing for you to be able to plead for asylum or to be able to ask for your parole extension or whatever that may be or what they call a change of status.

Let's review some of the court hearing dates here to be able to walk through where we are. If you come between the port of entry and you ask for asylum as soon as you cross the border and you are caught somewhere in the desert and you say: I want to plead asylum. I have fear and had to leave my country, they will line up a hearing after you are released into the country. Let's say you want to go to New York City. You can go anywhere you want to. You say: I want to go New York City, and that is where I want to land. Over 100,000 people recently have asked to go to New York City. So they transfer you to go to New York City.

Right now, they will set up the next hearing date for you. Let me look at the list here. The next hearing date for you to get a hearing on your asylum claim and your notice to appear is in October of 2032—October of 2032. That is the next open hearing date that they have available.

So let me run this past you. Right now, on our southern border as of this exact instant, some people are checking in, and they are getting parole. Within 30 days, they are released to be able to get into the country with a work permit. They are traveling anywhere they want to in the country. We have no background for these individuals, and they are told to check into a hearing 9 years from now.

Anybody want to guess how many folks are going to show up at that hearing 9 years from now?

I mentioned before, many of these individuals are not from Central America. In fact, just this year—just this year—we have had 15,000 people who have illegally crossed the border, many in the open desert area, from China.

When I talk to the folks from the Oklahoma Bureau of Narcotics at home, they tell me most of the criminal organizations that are growing illegal marijuana and facilitating drug trafficking in my State are Chinese nationals who have illegally crossed the border. They are partnering with Mexican cartels and Chinese criminal organizations to be able to do business and drug trafficking in my State. Those folks crossed between ports of entry,

were checked in at a Border Patrol station, were waved into my country, and are now running criminal operations in my State—15,000 Chinese nationals just this year.

We are right at 10,000 citizens of Mauritania who have illegally crossed our border this year, whom we know of. Bonus points for anyone in this room who can point out Mauritania without looking it up on a map right now. There are 10,000 who have come in. By the way, Mauritania is a fast-growing area in West Africa, and al-Qaida is quickly accelerating in that area. We had 10,000 individuals who are from Mauritania come into our country just this year across the southern border. We have exactly no criminal information exchanged with Mauritania. We have no idea of these individuals—if they have committed crimes in their own country or why they left. We have no information about them.

With this area that is, literally, a hotbed for al-Qaida, we have facilitated, through this process set up by the White House, 10,000 individuals into our country. Media reported this week that an ISIS affiliate has been working with cartels in Mexico to facilitate citizens of Uzbekistan into our country across the border from Mexico. Those individuals have crossed into our country and, under this process, were released, and we currently don't know where they are.

Now, can someone explain to me why an ISIS affiliate is working with Uzbekistan citizens to be able to traffic them across our southern border into the United States, and under the current policies of this administration, they are being released into the country unsupervised?

Yesterday, at the hearing, I asked several simple questions, because I have heard over and over again of some individuals who are being released into the country who are given what is an alternative to detention. That is a phone—it is not really a phone. It is a device—a GPS device—that is able to track their whereabouts. That sounds great to say we have got some sort of tracking device on these individuals who are released into the country except, when I do a follow-up question to say, “How long are they awaiting their hearings?” and the answer is “somewhere between 5 and 10 years” awaiting the hearing. How long do they have the tracking device? The answer is “130 days.” They are tracked for the first 130 days. Then they turn that in. And after that, we have no idea where they are, and we have no idea what they are doing. But we gave them work permits, and we released them into the country, and they are anywhere they want to go at this point.

Interestingly enough, if you are an individual right now anywhere in the world and you want to work in the greatest country in the world—that is the United States—and you have got a family member here—or whatever it may be—who can line up a job for you

here and you are going to apply for one of our work visas, if you want to go through the process to apply for one of our work visas, it will take you months to years to get it or you could just cross the border in the desert, cross the river, enter at a port of entry, or maybe even fill out a form ahead of time, and you will have unlimited work permits immediately. Within 30 to 60 days, you will be given that, and you can land anywhere you want to in the United States—unchecked, unfettered, no background check, no criminal history for any individual.

Listen, I am a huge proponent of legal immigration. Our Nation was built on legal immigration. It is one of the moments that I love as a U.S. Senator, and that is to go to naturalization ceremonies and be a part of watching individuals literally raise their right hands, denounce the countries they were born in, and become citizens of the United States. It is an absolutely beautiful experience to be able to watch literally new Americans be born right in front of you.

As I traveled around my State in August, not a single person said to me—not one—that they were opposed to legal immigration, but I had person after person of all political perspectives—right, left, center—who said to me, this makes them nervous. Six million people in less than 3 years of which we know almost nothing about are currently in our country, going anywhere they want to, and doing whatever they want to because this administration is not focused on deterring people from coming into the country illegally; it is focused on speeding up the process of people coming into the country illegally.

This needs to stop. This body has to have a serious conversation about defining “asylum” because this administration is abusing the word “asylum.” They are making it mean something no one has ever made it mean. We need to clarify what the word “asylum” means so this administration can't abuse that “asylum” definition, and no future administration can do that.

We need to increase the number of legal visas that we have as a nation so that people who want to come work can come work in this great country and can be a part of our economy, but we will know who they are, and we will know that they have been vetted. It is very different than this process.

May I remind you—and people in this room know—that many of the folks who cross the border show up with no paperwork at all—at all. In fact, it is very common for a Chinese citizen, when they show up, to show up with a photocopy of a passport, not the actual passport. They show up with a photocopy of the passport and say: This is me. And we have no idea if that is actually their passport photo, their details, or how that photocopy has been doctored.

Other folks show up with no birth certificates, no passports, no ID of any

type. They just say a name, and they say a country. And they have been told by the Department of Homeland Security to just write down the new name, to write down the country they tell you, to process them into the country, and hand them this new ID, and they can travel anywhere in the country they want to go.

We have lost our mind. That is not what it is supposed to be like to do immigration in the United States.

So what do we need to do about it?

We need to fix the definition of “asylum.” I need colleagues on both sides of the aisle to actually talk to this administration and say: Why is the Democratic Party becoming the party of illegal activity? This needs to be fixed so that we are back to being a party about legal activity, not celebrating what is illegal.

The third thing is we have got to fix a budget request. In the next few weeks, we are going to be dealing with a continuing resolution that will extend the budget to make sure the government stays open. I don't like government shutdowns. In fact, I have a nonpartisan bill that many Members of this body are on right now that ends government shutdowns. Government shutdowns do not help us as a nation. So I want to see an end to government shutdowns even if that is a threat hanging out there. There is a practical, nonpartisan way to do that; and Democrats, Republicans, and Independents are all on that bill right now. I will talk about that sometime next week.

But there has been a request from the White House in the meantime to say: Extend this. Also, add this little piece giving us flexibility on border funding. I want to just read this to you. It is the request that the White House has made for the border.

They made this request. They want flexibility for operations and support in this and any other act so that they can use funds at community-based residential facilities—which they don't define—to provide services and support to refugees, asylum seekers, or other migrants, including the provision of medical care, treatment, legal orientation, programming, access to counsel, educational services, repatriation planning, counseling, referrals for social services, and other “related” programs.

What does this mean?

What they are asking is to be able to take DHS funds currently used right now and, for the first time ever, be able to give legal counsel to every person who crosses the border.

They also want to give housing to every person who crosses the border—that is, community-based residential facilities. They want to be able to provide housing and to provide medical care for every person who crosses the border. Now, we already provide emergency medical care—we are a humanitarian nation—but this is open-ended to whatever it may be. It is open-ended

for housing. It is open-ended for medical care. It is open-ended for educational care, and it is open-ended for legal counsel.

This is a huge shift this administration is looking for. They are not only looking for a way to facilitate more people to come in; they are looking for flexibility to take DHS dollars, which were allocated to prevent people from illegally crossing the border—to actually use those, instead, to help those who have illegally crossed the border have housing, long-term medical care, long-term educational issues, additional legal expenses—on and on and on. This is entirely new. This is not one just to slip into a bill. This is a huge change.

I am not opposed to immigration. I am opposed to illegal crossings, and I am opposed to whatever it takes to move people fast across the border to get into the interior of the country. It is not what we are supposed to do. For national security reasons, for the state of our economy, let's do immigration right. Let's honor what we have been as a nation and continue to welcome people from all over the world, but let's do it the legal way.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

MILITARY PROMOTIONS

Mr. LEE. Mr. President, the American people are sharply divided on some issues. One of those issues is abortion. One group of people has a different idea about when human life begins and is worth protecting. It needs to be protected under law. It is difficult to reconcile the views of those who are in sharp contrast with each other given that one group thinks that human life begins earlier—much earlier—than the other group.

As difficult as it can be to reconcile those competing viewpoints where Americans are so sharply divided, there is an issue related to abortion on which Americans are overwhelmingly and refreshingly united; that is, because both sides tend to recognize that a number of Americans are uncomfortable with abortion to the extent that we are, Americans overwhelmingly agree, with a vast supermajority being in agreement, that the Federal Government should not use U.S. taxpayer funds for abortions.

To that end, Congress has passed laws providing just that. One specific law deals specifically with the U.S. Department of Defense. Codified in 10 U.S.C., section 1093, the statute, which has been on the books for decades, says that you may not use Department of Defense funding or facilities for abortions.

Well, late last year, a rumor started circulating to the effect that the U.S. Department of Defense was considering adopting policies that would fund abortion travels, specifically allowing military personnel seeking abortions in a

neighboring State or in a different State than where they were living or stationed to receive 3 weeks of paid leave time and compensated travel—air travel or otherwise—lodging accommodations, a per diem, et cetera, specifically to have an abortion.

My friend and colleague, the distinguished senior Senator from the State of Alabama, Senator TUBERVILLE, was concerned about this. In his sitting on the Armed Services Committee in the Senate, which he does, he visited with Defense Secretary Lloyd Austin and expressed his concerns about this rumored policy.

He said: You shouldn't do this. This is inconsistent with the spirit, if not also the letter, of 10 U.S.C., section 1093. If you do this, there will be consequences, including, among other things, that I, Senator TUBERVILLE, will be forced into a position in which I will delay the confirmations of flag officer military promotions.

Regrettably, a couple of months later, Secretary Austin, in completely ignoring Federal law, in completely ignoring what Senator TUBERVILLE had told him, proceeded with the policy anyway. By so doing, he made a decision to openly flout Federal law. The sole purpose of this policy is to try to find an all-too-cute, way-too-tricky route around what Federal law requires, flatly inconsistent with the spirit, if not also the letter, of the Federal law.

Since then, there has been debate on this on the Senate floor. Words have been exchanged. People have strong views about this approach. But make no mistake, all Senator TUBERVILLE is doing is saying that in the past, I, along with every other Senator, typically moved Heaven and Earth to expedite the confirmation of these military promotions to allow them to occur quickly. Most of them are not controversial.

That is the norm, but these things require unanimous consent. And there is something about unanimous consent: It requires, as the name implies, actual unanimity, meaning any one Senator can raise an objection that makes expedited confirmation not possible. This doesn't stop the confirmation; all it does is require additional steps to be taken. It takes more time.

Yesterday, we had a statement—a statement that was unfortunate, a statement that brings me to the Senate floor today—a statement made by Secretary Carlos Del Toro, the Secretary of the U.S. Navy. Secretary Del Toro, with whom I have worked on other matters in the past and for whom I have had great respect, made a very unfortunate and inappropriate statement. Here is what he said:

I would have never imagined that one of our own senators would actually be aiding and abetting communists and other autocratic regimes around the world.

This statement, to be clear, was talking only about Senator TUBERVILLE saying: In light of this policy, which I

believe is incompatible with Federal law, I am not going to facilitate the expedited confirmation of the nominees in question.

That is all he said. Yet, for that, he was accused by the Secretary of the U.S. Navy of “aiding and abetting communists and other autocratic regimes around the world.” This is strange. This is unacceptable. And this body should emphatically, unambiguously reject the ad hominem attack against Senator TUBERVILLE by Secretary Del Toro.

Look, I get it. Sometimes passions are inflamed. Sometimes people feel really strongly about things. I hope and expect Secretary Del Toro will see the error of this and retract and apologize for this statement because he has essentially accused a Member of our body, a distinguished friend to the United States, to the people of Alabama, and to me personally, of treason, of directly jeopardizing the security of the United States and putting it at risk by aiding and abetting communist and other autocratic regimes around the world.

Personal attacks against Members of Congress or other people based on policy views, policy disagreements—here, procedural, strategic disagreements—certainly violate the high standard of decorum that has long been honored and is typically held and exhibited by the leadership of the U.S. Armed Forces.

Look, there are important things to consider when you evaluate this policy, this policy designed to flout Federal law.

We have three branches of government. One branch, where we work, makes the law. The executive branch, where the Pentagon exists and the White House exists and all the executive branch Agencies exist—they are there to enforce the law. Then you have the judicial branch across the street, headed by the Supreme Court, which interprets the law when people disagree as to the law's meaning. We are the only branch that gets to make the law.

The very, very first operative provision, the first clause of the first section of the first article of the Constitution—Article I, Section 1, Clause 1—makes clear that “all legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.”

Article I, Section 7 makes clear—even clearer—how this works. You cannot make a Federal law without passing the same legislation through the House and through the Senate—identical language—and then submitting that to the President—presenting it, as we say—for signature, veto, or acquiescence.

If you don't follow the formula of Article I, Section 7, you have not made a Federal law. Once a Federal law is made, it cannot be changed or unmade

without going through that same process. But here, the Department of Defense seems not to have gotten the memo, and by "the memo," I mean the U.S. Constitution.

This oath of office that I have right here, this is an oath of office that is a prerequisite. It is required of all those elected or appointed to civil service or uniform service, that they have to take before assuming their duties in question. Here is what it says:

I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

That is codified in Federal law, adopted by Congress in 5 U.S.C., section 3331.

Look, by swearing to support and uphold the Constitution, as this oath requires, as is required to do under Federal statute, anyone taking this oath understands that our Constitution expressly, explicitly, unambiguously, and exclusively empowers Congress to make the laws. Only Congress has law-making power. Only Congress may change the law. Only Congress may repeal the law. The other branches can't do that.

Now, the outrage from Secretary Del Toro and, I would add, from some other Pentagon officials, including but not limited to Defense Secretary Lloyd Austin, sort of has a tendency to make it appear as though they have written a new oath, as it were.

So when we look at this, we can imagine perhaps what they might be thinking. Whether they have gone to the trouble of rewriting it in this fashion or not, essentially what they have done is to come up with President Biden's own Pentagon-specific oath of office. It is as though they are saying: I do solemnly swear (or affirm) that I will make all laws that I determine are necessary and proper; that I will bear true faith and allegiance to the same laws that I have decided to make within the executive branch; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will legislate from the E-Ring of the Pentagon, which I am about to enter. So help me God.

That, of course, is not the real oath. That oath, of course, is an abomination, and it is an affront to this body, to the other Chamber of Congress, and to the Constitution itself. This is an oath that rejects the Constitution. It empowers unelected and unaccountable officials—officials who have never been elected to make laws—as supreme law-makers.

Secretary Austin and the civilian leadership of the service branches want us to believe that the sky is falling and that the falling sky has been prompted to fall by Senator TUBERVILLE and that Senator TUBERVILLE himself is some-

how empowering communist and other autocratic regimes throughout the world, imperiling and endangering the United States. These are not just fighting words; these are words tantamount to an accusation of treason—words that are unfounded; words made with knowledge of their falsity or reckless disregard for their truthfulness; words that disregard what is actually happening here. These are not appropriate. These are way over the line.

In reality, if this is where truly aiding and abetting communist and other autocratic regimes were concerned, if that is really what we were facing, if that is really where we were and American national security was being imperiled in the manner and to the degree these people have suggested, including and especially Secretary Del Toro, we would be looking at a very different outcome here. If they really believed this—which they do not, and we know they don't believe it because if we were in that situation, there are only one, two, maybe three possible outcomes at that moment: either the Department of Defense would ideally just suspend its attempt to circumvent Federal law and end its abortion travel policy—if they suspended this right now, either indefinitely or until such time as they could change the law to do what they want to do, that is the fastest way to do that. And I have it on good authority that Senator TUBERVILLE would release his hold immediately and that these people could move forward very, very quickly on an expedited basis.

If they want these people confirmed, that is all they have to do—suspend that policy. I am willing to bet—I am not even a betting man, but I would bet here anyway—he would lift it. He would lift it today.

Option No. 2, possibility No. 2: Senator SCHUMER and the Senate Democrats—if we really were in that environment where national security were being imperiled and we were strengthening the hands of hostile regimes all over the world because of Senator TUBERVILLE; if that is really where we were just because he was requiring the whole process rather than expedited consideration of these nominees, well, then Senator SCHUMER and the Senate Democrats would take the time to bring these nominees up for a vote on the floor.

You see, there are procedures by which we can bring them to the floor even with a hold. A hold is not a death knell. It is not a veto. All it says is "I am not going to give my consent." Every Member of the United States has to consent to expedite consideration. They could still do it, but they are not.

So one of those two outcomes or some variation of them—that is what we would be facing. But, instead, what are we looking at? Well, just the day before yesterday, the Senate held its first vote in 40 days, and it appears very, very likely that within just an hour or two, maybe three, the Senate will be recessing for the weekend and

not voting again until Monday. So we have the ability to move nominees forward. Senator SCHUMER and the Senate Democrats have the ability to put them on the calendar. It would just take some additional steps. It takes time. But they are not doing it. They are not budging. Why? Because they know their words aren't true. They know their spewing of invective, unfair, defamatory accusations relates to facts that they don't even believe because if they believed them, we would be in a very different procedural posture.

Look, whether you agree or not agree with Senator TUBERVILLE's strategic decision here, whether you as a U.S. Senator or as an onlooker would have made the same decision—regardless of how you come down on that, regardless of where you are on the position of abortion or government funding for abortion, Senator TUBERVILLE is well within his rights. These are rights that each individual Senator holds and owns uniquely, personal to them. This is consistent with his assignment on the Senate Armed Services Committee. He is doing the job the way he believes he should do his job in a manner consistent with how the voters in the great State of Alabama feel.

So we have and we respect these rules, and we have respected them for centuries. Respecting the rules and the institution requires us to respect those with whom we disagree when it comes to procedural decisions like this one. We need to respect them not just in spite of a disagreement but especially in the face of a disagreement if we are going to uphold these rules, which have lasted for centuries and helped propel this body to the status that I hope it can live up to more completely, as the world's greatest deliberative legislative body.

Yet it is interesting. To show that we really are not in this place where we would be if they took these things seriously, just yesterday, Senator SCHUMER, the Senate majority leader himself, commented, when asked about or in reference to his own refusal to put the confirmation of C.Q. Brown to be the Chairman of the Joint Chiefs of Staff on the Senate floor for a vote—here is what he said:

This is a problem created by Republicans, and it's up to them to solve it. . . . We're not going to shift the burden to Democrats when this is a Republican-caused problem.

This is nuts. What he is saying here is that, yeah, in the past, we would have expected to vote on the confirmation of the Chairman of the Joint Chiefs of Staff. In fact, in the 12½ years I have served in this body, I think we have voted on the Chairman of the Joint Chiefs of Staff individually and not as part of some massive, en bloc confirmation package. Yet he is not even willing to move the Chairman of the Joint Chiefs of Staff. It is not even that long of a process to get this person on the calendar. He is not willing even to do that. Why? Well, he told us

why—because he is having too much fun blaming Republicans for it. He holds the tools to get people confirmed. He is not willing to move them. He is not willing to budge an inch.

Look, while Americans may disagree on the legality of abortion, and they do, there has long been this overwhelming, bipartisan, supermajority understanding first and foremost among the American people at large—and there has until very lately even been that bipartisan, overwhelming, supermajority consensus among Federal elected lawmakers—that Americans are against tacitly supporting abortion with their taxpayers dollars.

The last time I read the Constitution, I noticed that, as I noted earlier, it is Congress that makes the laws, not the Department of Defense. Senator TUBERVILLE is right to oppose this egregious policy, and he is well within his rights as a Member of the U.S. Senate to take this position. We should commend his courage and applaud his dedication to upholding his oath of office, his commitment to the Constitution, standing for those who cannot stand, let alone speak, for themselves.

Even if you don't agree with Senator TUBERVILLE on abortion or on Federal funding for abortion or on his particular use of this particular procedural remedy, you should at least respect it. If you can't respect him and show respect for his decision, you are showing disrespect for this institution, for its rules, and for our governing documents, including the Constitution, and for the entity, the customs and traditions that have helped preserve our unique form of constitutional representative government in America.

Let this message to Secretary Austin and Secretary Del Toro be clear: If you want to make laws, run for Congress. You can't legislate from the E-Ring of the Pentagon. Until then, stand down and leave the lawmaking to the lawmakers.

ADJOURNMENT UNTIL MONDAY,
SEPTEMBER 11, 2023, AT 3 P.M.

The PRESIDING OFFICER (Mr. FETTERMAN). Under the previous order, the Senate stands adjourned until Monday, September 11, 2023, at 3 p.m.

Thereupon, the Senate, at 4:17 p.m., adjourned until Monday, September 11, 2023, at 3 p.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF TRANSPORTATION

MICHAEL G. WHITAKER, OF VERMONT, TO BE ADMINISTRATOR OF THE FEDERAL AVIATION ADMINISTRATION FOR THE TERM OF FIVE YEARS, VICE STEPHEN M. DICKSON, RESIGNED.

DEPARTMENT OF JUSTICE

CHRISTOPHER CHARLES FONZONE, OF PENNSYLVANIA, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE CHRISTOPHER H. SCHROEDER, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

JOANNE M. WHITLOCK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

FREDDY R. ORELLANA

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ANGELA M. ALLMER
MARK W. BALES
MARIA F. COSTA
RHONDA L. GOMEZ
SHUNA L. HAMMONDSTHOMAS
LASHANDA D. JONES
TARREN L. KINGSLEY
ROBERT G. LONG III
AIMEE E. MANION
BRAD M. MASSEY
TINA M. MBATHA
MICHAEL T. MCNULTY
MARK L. OAKLEY
JOSEPH P. PULAFICO
CLARE B. ROMERO
PATRICK H. SMITH
JOHN M. SNEDEGAR
ALTON A. STEWART
SKIPPER K. STEWART
STEPHANIE D. TEZENOROSSYON
COTY D. WADE
BARBARA J. WEBSTER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

CHARLES S. BENNER
PATRICIA A. BROWN
ROBERT A. DENT
RICHARD G. EMLER
BRIAN S. FISHER
JEREMY D. FRIX
CHRISTY L. GAMBILL
STEPHEN R. HONEYCUTT
BRIAN P. JACQUOT
SEAN C. KENNY
JOHN J. KNIGHT, JR.
THOMAS L. LARKIN
GLENN LITMAN
GARY W. LOUDEN
ROBYN L. MASON
MARK J. NEUMANN
CURTIS S. NIELSON
KEVIN A. ONAN
RYAN A. ONEAL
REUBEN D. RIEKE, JR.
RICHARD R. ROBIN
JERRY L. STORK, JR.
KIMBERLY A. THOME
DAN M. TZIZIK
JONATHAN R. VANHORN
PAUL T. VAUGHN
EDUARDO M. VAZQUEZ
LARRY T. WILSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

APOLLA A. BENITO
MARTIN R. DACUNHA
CHRISTIAN J. DEAN
CHRISTINA R. DEAN
DENA R. DIETZLER
THOMAS A. DUCI
CHE C. EISSINGER
ELIZABETH A. FOOTT
STEVEN A. GIENAPP
WESLEY L. HALL
MICHELLE E. HINOJOSA
BRADLEY M. JOHNSON
KYLE O. LYTHGOE
SHARON K. MCCARTY
SEAN M. MCCLEARY
GEORGE W. MCCOMMON
SILTINARET Z. MILES
JAMES H. MORAN, JR.
VALERIE L. PETROSKY
EDWARD H. PITTS, JR.
MONIQUE C. RUSSELL
HAJJA R. SAHIDSANOH
JOEL A. SMITH
RYAN E. SWAFFORD
CHRISTINA L. TAYLOR
CHERYL J. WACHENHEIM
BRIAN L. WHEELER
LESLIE E. WOLF
SEO Y. YANG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MARVIN W. ASHFORD, JR.
MICHAEL W. BERNEKING
MARCUS K. BLACKBURN

AARON C. BRINKMAN
STEPHEN A. COLE
BRIAN G. CUDDY
MARK E. DEMUTH
MARY DIGIULIO
KIM D. EDHEGARD
CHAD P. EDWARDS
JASON L. EGGERS
MICHAEL A. GARBEE
JACOB GERZENSSTEIN
MATTHEW D. HANSON
SUZANNE K. HARRIS
SEYED JALALI
PAUL M. JOHNSON
JOSEPH S. K. KUSHI
BRIAN P. LEVY
DANIEL MALLESCKE
JOHN M. MONTMINY
LUIS A. MORENO
KATHERINE G. MULLIGAN
DARIUSZ G. MYDLARZ
DANIEL V. OLEARY III
RAEHEL E. PACHECO
ZAAL H. PAYMASTER
JASON R. PICKETT
DONALD G. POLK
AARON M. PROFFITT
WILLIETTE M. ROBERTSON
PABLO SANCHEZBARRANCO
KATHLEEN E. SHARP
CHRISTOPHER D. SMELSER
PAUL A. STEPHENS
BRENT B. WARREN
KARL F. WODRICH
MATTHEW B. WOODS IV

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

CHRISTINE C. ANCAJAS
EDDIE A. ARROYOFERRER
JOEL A. BACHMAN
JASON M. BJERKETVEDT
KENNETH D. CARNEIRO
JAE W. CHUNG
STAFFORD G. CONLEY, JR.
YONGSOK DO
ELI G. EDMUNDS
DANIEL D. ESCALANTE
CHRISTOPHER A. FAUVER
GUSTAVO A. GONZALEZ
MATTHEW H. MANEELY
WILLIAM C. MANKE
JONATHAN L. MIMS
EDWARD N. MORSE
DEREK A. RENFROE
DOMINICK G. ROARKANNUNZIATO
BRIAN E. RODGERS
LEVI L. SCHANTZ
MICHAEL P. SULLIVAN
AARON C. TAFF
BLAKE D. THOMAS
WESLEY F. TILLMANN
BRIAN L. TUTTLE
ERIC G. UNKENHOLZ
MARK A. VANZANT
JENNIFER R. WATERMAN
KIRK A. YEGERLEHNER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 7064:

To be major

JESSICA M. ALARCON
EMMA K. ALAYON
BRIAN P. ALBRIGHT
MARI ALLEN
CHRISTAL L. ANGELOTTI
CAROLINA E. BARDALES
ROBERT D. BARNES
RICHARD F. BAUMANN, JR.
STEVEN M. BENAVIDES
KAYLA J. BENTON
LEONARDO X. BERMUDEZ
LESLIE A. BITTENBINDER
LAUREN E. BLAKE
MARIE D. BOONE
ERIC X. BRACAMONTE
MACKENZIE E. BREWER
CHELSEA K. BRINSON
MEGAN A. BUEHLERBRAZAS
CARLY A. BUGLINO
EDGAR E. CALITO
KRISTEN M. CALO
CHRISTOPHER CASTANO
JONATHAN K. CHANG
SAMUEL A. CHASE
RYAN W. CHICOINE
JUYUN CHO
KARIN J. GLUEVER
JACY P. CORRELL
AUDREANNA L. CRISTOWILLIAMS
KELLY R. DECLER
RAJESH DEVKOTA
JESSICA C. DIRKS
BRENT C. DUFFIELD
JOHNPAUL D. DUGYON
HEATHER C. EGGERT
KATRINA A. N. FARRELL
ARGELIA N. FELIXCAMACHO
ARIANNA C. FLOWERS
TIMOTHY P. FOGARTY
ADAM C. FRICKER

RAMESH N. GAUTAM
JESSICA R. GELTMACHER
SHANNON R. GLANTON
MARISSA M. GRACIA
MEREDITH C. HASKINS
CHELSEA M. HASSELL
SETH L. HEMKER
THOMAS A. HUBBARD
JENNIFER L. HUNT
JORDAN W. JONES
ROBERT A. KALICH
MARGARET M. P. KEATING
MIHYE KIM
SAMANTHA D. LEHMANN
CIDANTHONY V. LIGGAYU
BAILEY J. LOTT
ZACHARY K. MABRY
MERCEDES H. MAISEL
REBECCA L. MARINESCU
TRAVIS A. MARSHALL
TINA K. MASK
DEVIN C. MCDAVID
SUSAN MCGEE
VICTORIA A. MCMULLAN
MARIEL O. MENGES
TENESHA L. MIDDLETON
MARK A. MIRANDA
NATALIE N. MONTOYA
MATTHEW S. MOORE
AMBER R. MORTONCHISM
CATHERINE I. MUNRO
BOBBI J. MURRAY
LANCE M. MURRAY
MICHELLE S. NAPPER
MOSES K. NDICHU
TIMOTHY J. NEWHOUSE
ALYSON A. OCHS
EVELYN S. OCONNOR
IFESONYE E. OKWUCHI
REBECCA M. ORTEGA
WINFORD PALMA
JONATHAN A. PALMER
SAMUEL T. PANKONEN
KARI A. RICHARDSON
NICHOLAS C. RISCASSI
RACHEL M. RISCASSI
ASHLEY M. ROBERTSON
JUAN F. RODRIGUEZ
ETHAN S. ROGERS
DENNIS P. ROMUAR
SUMMER R. ROUSH
ELIZABETH C. SALCIDO
SHANE R. SANCHEZ
LUKE M. SCIPIONI
JESSICA L. SEXTON
KATIE A. SILVA
JAZMIN A. SIMPSON
JESSICA D. SIMPSON
SONIA L. SINGH
CATHERINE B. SISON
ARIAN J. SNYDER
MICHAEL A. SOUCIER
KATHERINE M. SPEAK
CHRISTINA L. SUEVER
CAROLINE A. SUNKLE
LESLEY A. TARONGOY
ERIC S. TEEMER
KERRI P. THORNTON
DEBRA A. TULANOWSKI
KENT C. TURNER
GARRY L. WILLIAMS, JR.
ELIZABETH M. YEAROUS
RANDY L. YORK
SCOTT G. YOUNG
0002901370

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 7064:

To be major

OLUMUYIWA G. ADESOYE
SANDRA ANANE
COLE P. ANDERSON
ELI M. ARNOLD
JUANETTA A. ASAREWASSOW
ANTHONY J. AUGUSTINE
ROMIA M. BAGGS
RONETTE M. BAILEY
PATRICK S. BAKER
MARQUITA S. BARR
JENNIFER A. BARRY
CHAD J. BEACH
JACOB R. BELL
TRAVIS J. BELRAJADIC
RICHARD A. BETTIS
ETHAN L. BETTIS
VICTORIA A. BLACKWOOD
BLAIR E. BOLER
JUSTIN A. BOYD
MATTHEW C. BRIM
BRIANNA M. BROWN
SAMUEL L. BROWN II
MEGHAN O. BRYANT
TERRI A. BUCHINSKI
APRICA S. BULLOCK
JACOB S. BURNS
JULIUS E. CABATIC
GARY M. CAGLE
ELIZABETH A. N. CANAHUI
CORINA M. CARDENAS
JESSE CAZAUX
PAUL A. CHAMBROVICH
ALBERT CHEN
HUGHES K. CHOY
TIMOTHY CHUNG

EMMANUEL T. COBB
TYLER D. CONNELL
DANNY C. COOPER
BLAKE C. CORBITT
SAMUEL L. COTTON
KAITLIN R. CUGNO
CODY M. CURIN
CHASE B. CURTIS
KYLER R. DABOLT
ANGELA N. DAY
JOSIAH D. K. DECASTA
NATHAN D. DEDERMAN
DAVID S. DENLINGER
MATTHEW C. DIEMER
CONOR P. DOLAN
ISAAC L. DOWNS
SASKIA G. DULA
IAN P. DUNN
DEANNA K. DURBIN
JOHN J. EADS
EVA G. ECK
JUSTIN R. FELIX
SHANE G. FERRELL
JOSEPH J. FORTE
VICTOR D. GAINES III
SHANECE L. GAITHER
MIGUEL F. GARCIA
EBONI S. GASAWAY
TYLER W. GIFFORD
YESENIA E. GILFRANCO
EAMON S. GRAHAM
WILLIAM A. GREEN
JOSHUA J. GREENE
PHILLIP T. GREENLEAF
DILLON T. GROVER
JOSHUA H. GURR
MICHAEL V. HALL
SHELBY L. HAMERNICK
JACOB R. HAND
KIMBERLY A. HANRAHANHAVERN
KYLE S. HANSON
STACIE A. HARBER
KRYSTLE A. HARM
KENNETH R. HARRIS III
SUZUME S. HENDRICKSON
LOGAN T. HENRY
LAUREN D. HERZOG
DAVID J. HILDEN
DIEPTHUY T. HO
RYAN M. HOLLIST
TIMOTHY S. HORSEMAN
JESSICA M. HUGHES
MICHAEL T. HUMPHREY
DIXON IRIZARRYNEGRO
LANDON B. JONES
RACHELL L. JONES
WESLEY S. JONES
TAE Y. KIM
JULIA M. KING
JACOB K. KJAR
ALEXANDER L. KOLB
WILLIAM J. KOWALLIS
CAMERON R. KUNKDL
KARRI E. KYPRIANES
CHRISTOPHER J. LAWLESS
ASHLEY E. LEBAUPE
SANGWOO S. LEE
PAUL A. LENHART
DARRYL R. LESUEUR
PATRICK C. LEWIS
JEREMIAH K. LO
HERMAN C. LOCKHART II
IVAN LOPEZ
DENNY L. LORENZO
TIMOTHY R. LOWMAN
MARJORIE A. LUTZ
SYBIL D. MALLONEE
MELISSA A. MARCELLIFLINT
VICTORIA M. P. MARTIN
RAMON E. MARTINEZMIURA
BRANDI D. MARTONE
ALEXANDER L. MAY
CHARLES A. MAZAL
MICHAEL P. MCALLISTER
KYLE P. MCCLURE
RILEY E. MCCORMICK
DANIELLE E. MCDERMOTT
BETH P. MCMAHON
GERARD J. MESSMER
RAYMOND H. MEYER, JR.
RAYMOND M. MILLER
FELIPE R. MORALES III
BRANDIN R. MORELAND
KYLIE S. MUNOZ
LUCAS A. MUSSEAU
CONRAD M. MWANYIKY
THOMAS K. MWIBANDA
JESSICA M. NANZER
KRISTINA R. NAUCK
KAISHA M. NESMITH
WILLIAM H. NEUMEIER
JAMES P. NEWSOME II
JUSTIN T. V. NGUYEN, JR.
IKEMEFULA J. NWANGBURUKA
ANDREW D. OBELGONER
PAUL K. OSEI
KYLE R. PACENCIA
NIRAV P. PATEL
THOMAS J. PEPPER
JACOB C. PINION
CHRISTOPHER L. POWELL
KAROLINA K. PRZEGIENIA
DONNELL M. RABY
LANCEE W. RANGLES
TRENT J. REECE
JOSHUA T. REEVES
EDWARD J. RICHTER

BRITTANY E. RIDGE
AMANDA R. RIOS
LUIS D. RIVAS
DANIELLE L. ROBBINS
ASHLEY R. ROBERTS
BRANDON M. ROBERTS
KYLEE A. ROBERTS
BRIAN K. ROBINETTE
DILLON O. ROBINETTE
JULIO C. RODRIGUEZ
DON L. ROOKS
RAFAEL Y. SALAS
HARRISON A. SARPONG
MAGGIE L. SCHAD
DARIN L. SCHWARTZMANN
DEREK C. SCOZZAFAVA
JOMARPETER D. SERINEO
SYHISHA R. SHIPMAN
PHILIP A. SHNEIDMAN
NATHAN A. SILSBY
KEVIN D. SIMMONS
PEYTON M. SIMPSON
SHANE E. SMITHEE
CHRISTOPHER A. STAFF
DUSTIN A. THOMAS
TRAVIS S. THOMPSON
WES M. TOMOKANE
BENJAMIN J. TRACHIK
JOHN K. VALLERY
SARAH J. VANDERZANDEN
JOSE E. VELASQUEZ, JR.
MILA A. VERNER
BROOKES A. WARREN
COLLIN P. WELCH
BENJAMIN M. WHEATLEY
AARON A. WOLCOTT
MATTHEW D. WRIGHT
KEVIN N. ZANDER
ZHENG W. ZOU

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 7064:

To be major

RICHARD T. AHLSTROM
KATHLEEN S. ALLEN
BENJAMIN W. ALLUMBAUGH
CATRINNA R. AMORELLI
DEREK B. ANDERSON
ARIC B. AUSTIN
LUCAS C. BAUER
MATTHEW J. BETKE
ANDREW M. BORDELON
MATTHEW E. BORGES
NICHOLAS G. BOUGHTON
CHRISTOPHER W. BOYER
BRIAN J. CASTON
NICHOLAS P. CHAPUT
SAMUEL T. CHEEK
BRIAN A. CLEVER
JOHN M. COMMERFORD
KERRY M. DAVIDSON
ERIN L. FETZER
RICHARD L. GIBSON
DAVID J. GOLDEN
PETER GUARACI
LAUREN W. HALL
ERIC D. HARLEMAN
ALLISON M. HART
JOSEPH A. HATHCOCK
MICHELE L. HOBBSBY
AIMEE N. JACOBS
CALEB O. JOHNSON
CHRISTOPHER H. JULIAN
SHINJE KANO
STEPHEN A. KARAGOSIAN
VICTORIA LANCASTER
PASCAL H. LANGE
TRENT H. LARSEN
FRANCIS M. LICURSI
ANDRAE O. LLORENS
JOHN H. LONG
LAURENCIO C. LOPEZ
ALIXANDRA M. MACKAY
MATTHEW G. MCCARTY
DAVID E. MCDOWELL
CHRISTOPHER T. MCMAHON
STEPHANIE E. MENO
MADELINE K. MERRIAM
JOSHUA W. MILBY
MATTHEW A. MORISETTE
JESSICA A. MORLEY
KEVIN M. MYRSKI
MONIQUE M. NAPOLITANO
ANDREA R. NYKIEL
JARED R. NYKIEL
JEREMIE P. OLLISO
DARRELL C. OWENS
RICHARD D. PALOMINO
JOSHUA PARDO
GREGORY H. PELCAK
AMANDA K. PRITT
RILEY K. QUAN
JOSHUA D. RANGLES
SAMANTHA J. RIGBY
RACHEL C. RODRIGUEZ
CALVIN A. ROWE
CASSIEJO S. SAGGUS
TANNER A. SANTARELLI
JUSTIN A. SCHAFER
CORTNEY M. SCHOONOVER
RENEE A. SERELL
NAN T. SHIH
KELLY R. SMITH
TIFFANY L. STARK

JACQUELINE M. TAMAYO
REMEDIOS M. TIMODONDOYANO
ADAM R. TODD
DEREK H. WAHL
BROOKE L. WITHERS
KELLY A. WOOD
0003107099
0002535729

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES ARMY
VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS
624 AND 7064:

To be major

TAYLOR A. ALTON
JOHN F. BRANDSMA
HAYLEY M. BRUTON
ABBEY F. CALVO
CYNTHIA D. EDGERTON
SAMUEL D. EMMERICH
WENDY L. EVANS
IAN D. FRYE
KERRI T. HAIDER
ANGELA K. JACKSON
ANNA Y. JIANG
CASSIE J. LOTHERY
PATRICK J. MCFADDEN
MARY K. MCLEAN
LAURA A. NELSONPARR
WENDY E. PARKER
MARY M. N. PICO
RACHEL M. POLLARD
ANDREW G. SAHOL
ASHLYNN G. TURNER
BRENT R. VONSCHAUMBURG
SARAH M. WAIBELWARNER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES ARMY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

MATTHEW W. P. BURGOON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES ARMY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

TYLER J. BRADLEY

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

CRYSTAL R. AANDAH
SANTIAGO A. ABADAM II
STEPHANIE A. ADAMS
STEPHEN K. AFFUL
BETSY L. ALBERS
NGUYET N. ALLBAUGH
RACHEL D. ALLNUTT
DIANA V. AN
ADAM L. ARROGANTE
JONATHAN M. AUKEMAN
COURTNEY J. BAILEY
SELINA D. BANDY
RAMNEL E. BARCENAS
SUNNY C. BARTHOLOMEW
NICHOLE D. BENSON
TOMMIE R. BIRGE
SHEREE L. BLACKWELL
RACHEL A. BRADSHAW
CHARLENE S. BREW
CARYN A. BRIDICK
AARON S. BRAGLEY
JONATHAN R. CARMACK
CHRISTINA W. CARTER
ROGER G. CASON
VALENTIN CHAPA III
MARK S. CRIDER
TATIANA CROSBY
EMILY N. CROWELL
LESLIE A. DALEY
ALAWAH C. DAVIS
DIANE L. DAVIS
ADA C. DEE
ERICA M. DIAMOND
WILBERT C. DIXON III
KAREN E. DOWNER
BRIAN C. DUENAS
ANTHONY P. DURAN, JR.
DANNY J. EASON, JR.
ADAM R. EATON
SARA R. EDMONDSON
NICHOLAS W. EIGHMY
CHRISTINA P. ELROD
KELLY L. ELSEA
COREY M. FANCHER
ANUEL FELIPE
ERIC J. FOSTER
JENNIFER T. FRANCIS
KEITH J. FREEMAN
ALVIN G. GARCIA
JOHN D. GARDNER
APRIL A. GILBRECH
CARLA J. GRAHAM
LOUIS H. GRAHAM III
LATARYA D. GULLEY
KEVIN T. GUTIERREZ
TIFFANY L. HARRIMAN
MICHAEL L. HEIMES
NANCY G. HELFRICH
NARDA P. HEYWOOD

CHRISTINE D. HIGGINS
SHARON M. HOFF
JUANITA T. HOPKINS
JASMYNE C. IRIZARRY
AMANDA M. JACK
JAMES F. JEFF III
SAMANTHA J. JENNINGS
CHRISTOPHER A. JOHNSON
JOSHUA E. JONES
WENDY S. JONET
THOMAS R. KASTER
MEGAN L. KING
ANGELITA S. KISENA
GARY O. G. LACCAY
HENRY J. LANG
JOSHUA T. LANGE
QUINN C. LEEPER
NNEOMA A. LEWIS
JENNIFER H. LORAN
KONSTANCE C. MACKIE
LINDSEY J. MANKO
CYNTHIA P. MATTERS
ALEXIS K. MCDERMOTT
KARA MCDOWELL
TRACI J. MCKINNON
DANILO R. MENDOZA, JR.
JESSICA A. MILLER
NATALIE M. MILLS
KELLY P. MINOR
MEGAN K. MOODY
TALITHA R. MOTON
RHYS A. PARKER
JEAN A. PATTERSON
RENEE M. QUEZADA
TY M. QUINN
JERICHO H. RAMIREZ
KRISTEL D. RAMSAY
MARY K. REYNA
KELLY P. RICKETTS
FRANCISCO G. RIOJAS
WILLIAM A. ROBERTSON
JEFFREY S. SAMUELS
BRANDON J. SARTAIN
MEGEN J. SCOTT
RACHEL I. SEHNERT
JOSEPH J. SHANNON
SHANNON B. SMITH
ANGELA G. SPRUILL
JENNIFER D. SQUAZZA
CHRISTOPHER E. STEADMAN
DOMINICK B. STELLY
LIZA STONE
TRAVIS W. STOREY
CHRISTOPHER O. SUTHERLAND
KAMI R. TABOR
ADAM M. TAYLOR
MARYPAT A. TOBOLA
BEVERLY J. TORRES
LINDSAY M. TOUCHETTE
JOEL P. TRAUSSCH
CLAIRE M. P. VIDRINE
FAGWENLANITA R. WALKER
NICHOLAS J. WALKER
STEPHANIE E. WALLACE
LYNETTE M. WATERFIELD
KEITH A. WEST
JESSICA L. B. WHELPLEY
CAITLIN M. WORKMAN
BRITTANY B. YANG
JAIME M. YORK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

SARAH A. AGUERO
WILLIAM B. BURROUGHS
AUBREY D. CHARPENTIER
LAUREN M. CHERRY
NAKKU CHUNG
STEPHANIE L. CIRONE
JOHN T. COLE
BRIAN D. CORCORAN
JARROD R. FRANKS
CANDACE M. HOLMES
CHRISTOPHER H. HUTTON
ELIZABETH K. KIESSLING
JESSICA E. KONINGISOR
ANDREA M. LOGAN
KEVIN M. LOUGHMAN
JACOB E. MEUSCH
ANDREW J. MOORE
INGRID E. PAIGE
THERESA D. POINDEXTER
DENISE L. ROMEO
JASPREET K. SAINI
ALEXANDRA M. STORMER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

TEMITOPE O. AYENI
LETICIA D. J. BANKER
BENJAMIN J. BARRUS
DALE M. BAUMBACH, JR.
MANUEL H. BELTRAN
AMANDA E. BERG
RICHARD J. BLY
AMANDA F. BOUDREAUX
AMANDA P. BRADFORD
LAUREN C. BROWN
DAVID J. CAVALLARIO
ALLISON A. CLARK
HUNTER R. COATES

LEONARDA M. DEGUZMAN
JOHN C. DELANO
AMANDA N. DILLINGER
JEFFREY J. DIXON
JACQUELINE M. EVANS
MICHAEL D. EVANS
AMANDA A. GARDNER
KRISTAL S. GLAZE
WILLIAM L. GRISHAM
NICHOLAS P. GUZMAN
GREGORY A. HALOL
GARRET T. HAND
ERICA R. HARRIS
KYLEIGH B. HUPFL
ERIC J. INFANTE
ERIKA M. KAHEAKUENHADA
ANNA C. KELLER
KRISTEN M. KOCHANSKI
KARLA L. T. KRASNOSELSKY
JOSEPH F. LABARBERA
MICHELLE H. LANE
RYAN T. LARSON
WILLIAM K. LAWSON, JR.
JAKE S. LEHMAN
AMANDA F. LIPPERT
STEPHANIE M. LONG
KARL M. MATLAGE
MICHELLE C. MILLER
JEFFERSON M. MOODY
JOHN C. NORTH
ANDREW S. OLSON
REBECCA L. PAVLICEK
JOHN J. PICCONE
RAYMOND POSEY, JR.
ADAM M. PRESTON
JAYPEE A. PUNZAL
AMANDA J. RANDLES
REBECCA C. RAUSA
MARK A. RIEBEL
KAIA T. ROBINSON
ARTHUR C. ROSETTE
ROBERT A. RUSSELL
TRISTA J. RYNO
KATHLEEN M. SAUL
ROBIN M. SCHUBAUER
CHRISTOPHER J. SOWERS
KEVIN R. STEPHENS, JR.
LINDSEY A. STOIL
DIANA T. TRANYU
DAVID P. VARNEY
CHRISTOPHER WASHINGTON
SHEVONNE K. WELLS
GREGORY A. WOLFLEY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

BROOKE T. AHLSTROM
BENJAMIN P. ARCHER
WILLIAM B. ARDEN
DANIELLE P. BERKOWITZ
WILLIAM S. BLACKMORE
MATHEW R. BURDICK
KRISTAL H. BURNS
DAVID P. BURR
JUSTIN J. P. CARL
ALAN H. S. CHEN
KATHLEEN B. CHIDO
JEFFREY M. CLARK
DIANA K. COLE
KATIANA CRUET
MICHAEL C. DEFAZIO
NOEL E. DICKENS
JESSICA R. DILLON
KURT A. ERIKSSON
JULLANA C. FILA
ERIC H. FREDERIKSEN
BRANDON L. GEDDES
ALLEN G. GUNN
ASHLEY N. HARLEY
AMIE M. HEIM
LINDSEY M. HENDERSON
RYAN A. HERSHEY
CRAIG E. HOFFERBER
CATHERINE E. HOPKINS
JOHN S. JENISTA
PHILLIP A. JENKINS
WILSON S. JING
TYLER R. JOHANSEN
IAN J. KAEMMER
ANDREW R. KNOFCCZYNSKI
ANDREW J. KNUDSON
CHRISTIAN P. LARES
KALEN Y. P. LEE
DANIELLE M. MARQUIS
TORI A. MAYWALT
EZRA I. MERRITT
MARYCATHERINE M. MOHR
RUSSELL L. NEAL
JONATHAN B. NEGRON
CHRISTOPHER R. ORTIZ
INGA M. OSHEA
OMEED A. REZAIETTRABADI
STEPHANIE L. ROADARMEL
MARK D. RYAN
JOHANNES N. SEYWERD
SABRINA J. SINCERESOMBIE
BENJAMIN L. STALLER
JENNIFER C. STEIGERWALD
BRENT A. TIBBET
JOHN H. UPTON III
TRAVIS J. VERTOLLI
GEOFFREY L. WARD
MICHAEL K. YANG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

MIGUEL M. ALAMPAY
DAVID R. ANDRES
MICHAEL R. AUSTIN
CRISTINA J. BACHO
WILLIAM E. BARBER
NICOLE J. BEHM
ANDREW S. BERNHARDSON
JASON M. BOWIE
BENJAMIN J. BRIGGS
ALYSON J. BRINKER
SUSAN A. BULLARD
CARLOS H. CASAMALHUAPA
CAITLIN O. CRUZ
CHRIS A. CRUZ
GREGORY R. CZAJA
CHRISTOPHER A. DAVIS
MARY A. DECOTEAU
DANIEL J. DESANTIS
NICHOLAS W. DIGEORGE
SARAH M. DOLAN
JACOB L. N. DUONG
LAUREN K. DUTTON
THEODORA C. DWORAK
ROBERT S. EBERLY
SHAMIS FALLAH
ROBERT L. FENEQUITO
CHRISTOPHER W. FERGUSON
LAURA M. FLUKE
BRIAN S. FORD
MELISSA R. GARCIA
JASON M. GARTON
JAIME P. GASTWIRT
ASHTON H. GOLDMAN
DANIEL W. GRIFFIN
FELIPE H. GRIMALDO
CHARLES L. GROOMES IV
JUAN D. GUERRA
DARREN M. C. HALL
JOYCE N. HALL
MATTHEW T. HALL
DAVID M. HARRIS
KYLE M. HARVEY
CORY F. JANNEY
JEPHTHA T. JOHNSON
CHRISTIE A. JOYA
MEGAN E. KACHUR
RICHARD A. KEMP
BRIAN J. KENNERLEY
KARL M. KINGRY
CHASE A. KISSLING
ERIC J. KOCH
KRISTA K. KOCH
ADRIAN B. KORDUBA
FRANCISCO C. KORTMAN
SEBASTIAN W. LARA
CATHERINE L. LARNED
DEREK T. LARSON
PAUL R. LEWIS II
ERIC M. LUEHRS
TIMOTHY K. LYNNCH
HORACE G. MATTHEWS
NICHOLAS J. MICHOLES
CESAR R. MOJICAVAZQUEZ
MIGUEL A. MONTTOYAVILLAGOMEZ
JOHN B. MOORE
JOHN W. MORRISON, JR.
PAUL A. MOULLET
RYAN C. MYERS
MATTHEW D. NEALEIGH
KARI A. NEAMANDCHENEY
MARIA L. NIEVES
ROBERT J. OLEJNIK
ERIC A. PASMAN
PHILIP D. PETERSON
GIBRAN J. PIERLUISSJOVET
DOUGLAS M. POKORNY
KATY M. REICHLIN
CHRISTOPHER H. RENNINGER
CATHERINE L. RIDINGS
SHAYNA C. RIVARD
NICHOLAS J. ROHRHOFF
BENJAMIN J. ROPER
FRANCES L. ROSARIO
PHILIP A. ROTHBERG
DANIEL P. SANFORD
ALIYE Z. SANOU
ROBERT C. SCALISE
STACEY S. SCHMIEDECKE
ISAAC E. SCHWARTZ
SAJEEWAN M. SEALES
EDMUND J. SIEBEL
SEAN M. SIMMONS
KEVIN B. SMITH
KRISTEN D. SMITH
JOANNE D. SO
KIMBERLY M. SPAHN
SHARON K. STORTZ
TESHOME M. TAFES
BRIAN E. TAYLOR
JUSTIN R. TAYLOR
CRAIG A. THOMAS
KATIE L. TOPPING
ANNA M. TORGESON
BRIAN D. TRAN
JUSTIN R. TURESON
JAN M. VANGENT
MATTHEW C. VASQUEZ
SEAN M. S. WADE
JOHN D. WAGNER
SCOTT A. WALLACE
TRAVIS L. WALLER

ANDREW L. WARD
RUSSELL P. WIER
KENNETH R. WILLAERT
PETER B. WILLETT
VAN A. WILLIS
JESSICA R. WINTERS
KATHRYN R. WOLF
ASHLEY L. ZANDER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

DERRICK ABSON
MANUEL A. AGUILAR
WAYNE F. J. BADSTUEBNER
JOSHUA T. BROOME
JESUS R. CAMARENA
SCOTT M. CASSIN
ROBERT J. COMRIE
GREGORY A. CORLETTE
ARMANDO R. CUAJUNCO
ROBERT A. DILKS
MATTHEW S. ELLIOTT
ALFREDO GRANADOSANGEL
JOHNATHAN R. GREENFIELD
DONALD K. HAM
KENNETH R. JACKSON, JR.
CASSANDRA N. KARO
SHAWN C. KELLY
DAVID KING, JR.
MORGAN D. KIRKPATRICK
ANTHONY B. MADRID
JEREMIAH J. MAHAN
JULIAN A. MARTINEZ
TONEY R. MASON
JEREMY W. MAYFIELD
YOEL E. MEJADIAZ
DANILO R. MENDOZA
JON P. MORRISON
WILLIAM H. NASSAU
MARLON PADILLA
VICTORINO L. PALILEO
STEPHEN D. PEREZ
ESTELLA E. RAINS
SAMUEL K. RENFROW
KENT A. ROSEMAN
DANIEL A. SILVA
BRIAN A. SKIRVIN
MICHAEL SMITH
BRIAN R. SORGE
BRENT I. SPICER
KATE H. SZLAMAS
ADAM N. TELLEZ
ANTONIO D. THOMPSON
HUGH TRAN
ANNEL TREVINO
SHARIKA S. TUCKER
HARLEY O. WALL
ADRIANE I. WHITEHEAD
MARK R. WITHERSPOON
RODERICK A. YARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

GERARDO A. ARBULUBARANDIARAN
TRAVIS R. BACHORSKI
KENNETH V. BRADLEY
TABITHA M. CALLOWAY
JOHN M. CLANCY
DAVID E. CROSS
JAMICHAEL T. CRUMP
JASON A. DEETS
MARK J. DIEGO
ALEXANDRIA M. DYER
JASON A. FEDIDA
ELIOT J. FIASCHI
DAVID E. FLAKE, JR.
ANTHONY L. GONZALES
DIANNA GOSHA
LANELLE E. HAWTHORNE
JESSE D. IZDEPSKI
JAMES C. LACOUR, JR.
JUSTIN T. LADRIG
JESSE J. LINDSEY
CHUKWULOZIA P. OKOBI, JR.
AJIBADE D. OLATOKUNBO
SHEENA S. PHILLIPS
JONATHAN D. RAMIREZ
JOSE F. RAMIREZ
JAMES A. RESPRESS III
RANDALL P. RHUDE, JR.
JASON SCHWARTZ
ABOUBAKRINE SENE
RAYMOND L. SMITH
MICHAEL A. SMOOT
DAVID A. TEJEDA
ERICH V. VILLWOCK
RAFFAEL T. WOODS
MARIANOGERARD Y. ZAMORA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

BRADLEY A. ALBERS
BRADLEY J. AMELSBURG
HERBERT E. BALTRIP
LORDNELL U. BAPTISTE, JR.
ADAM D. BARNETT
JARED S. CHAMBERS
TED A. COLLETTE
KENNETH W. DECKER

PHILIP M. DELLAVENTURA
STEPHEN M. DYER
JOHN P. FISH
STEPHEN D. GALLANT
STEVE O. GRACIEN
RICHARD L. HAYS II
GREGORY C. HILBERT
SUNNIE L. HOLT
HARED N. HYDER
IAN M. JARVIS
JOHN R. JEFFRIES
ADAM J. LOVERN
CORY S. MARUDAS
MICHAEL P. MAYNARD
JOHN R. MILEHAM
BRIAN E. MOORE
KEVIN D. OLSON
DAVID L. RATLIFF, JR.
NATHANIEL K. ROESLER
JOHN SLATTERY
JOSEPH S. SMITH
ARNOLD G. STREAT III
ESTEVEN TELLY
DARREL L. THOMASSON
SAMUEL D. TOMLIN
MICHAEL G. TUCKER
JOAQUIN J. WELDON
CHRISTOPHER W. WHITE
DANIEL J. WILKINS
RICHARD A. WRISTEN
JARED A. YEARY
SEAN E. ZETOONEY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

JOSHUA J. AUSTRING
WINSTON R. BENJAMIN
NINA BURUCANATION
SCOTT C. CADMUS
SALVATORE R. CATALANO
SEAN M. COX
PATRICK J. CREMIN
WILLIAM A. DAVENPORT
THOMAS M. DEARMON
JOSHUA B. DEITRICK
JUAN J. GARCIALALINDO
WILLIAM R. GARSKE
MARK V. HALOG
JONATHAN D. HEARN
JASON D. HOPPOCK
DOUGLAS A. LAROCK II
NATALIA F. LUCHETTI
GEOFFREY W. MARSHALL
LUIS E. MARTINEZ
LIER A. MAYBETHBARRIOS
JASON J. MITCHELL
MICHAEL R. MITCHELL
BENJAMIN J. MOORE
JOSE J. OJEDARIVERA
JARED H. QUINN
CONSTANTINE T. RAMOS
JAMES C. REISEN
ERIC S. RIDER
DAVID A. ROOT II
ALCIDES SANCHEZ, JR.
DONALD M. SCHMIDT
KENNY J. SEVENELLO
BRIAN J. SHOUSE
NICHOLAS M. TOOLSIERAM
REDD J. TRINIDAD
TYLER B. VIDAS
NATHAN R. WELCH
CHRIS L. WILSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

KRISTOFFER M. S. ABONAL
DANIEL R. BALCH
ANTON BALSROW
TYLER J. BARKER
ANDREW T. BARR
MATTHEW G. BENNETT
JARREL C. BOYCE
JUSTIN M. BROWN
ROGER J. BROWN
MARCUS D. BUNNELL
PATRICK M. CARTER
SARA F. CHARAVALLE
MATTHEW C. CLAUSEN
BRETT R. COLLINS
CHADWICH M. COOPER
JAMES G. COURT
ANDREW J. CUNHA
JOSEPH A. DEAVEN
ZACHARY T. DELAPENA
BENJAMIN E. N. DERATHE
ANDREW C. DICKSEY
ZACHARY W. EAST
PETER K. EUBANKS
ALEX J. FALTEN
TIMOTHY J. FERGUSON
ALEC S. GEILFUSS
THOMAS P. GOERING, JR.
GREGORY M. HANSEN
CALLIE R. HEISNER
BENJAMIN H. HERNANDEZ
LELAND C. HERTIG
WILLIAM R. HEWITT
LAUREN M. HICKEY
JONATHAN J. HILZINGER
JULIA M. HUBER

MATTHEW G. HUETSON
BRYNMOR W. HUGHES
WILLIAM F. HYDE, JR.
BRIA A. JONES
BOOKER C. KAMINSKE
LORI H. KIM
STEVEN P. KNOPF
SAUNGWON KO
JOSHUA C. KUFFEL
LEE G. KUNTZ
LOGAN W. LAPORTE
CHRISTOPHER A. LAY
KATRINA R. LAYGO
CHANGYOUNG LEE
LINCOLN P. LIESEMEYER
ERIC E. LONGABAUGH
KRYSTAL S. LOWERY
TYLER S. MANUEL
GREGORY J. MARKIW
ASHLEIGH G. MARTZ
ZACHARY R. MCCLEESE
MARK MCGUIRE
SEAN M. MCNEIL
IAN G. MEMMI
MICHAEL J. MILLER
ZACCARY R. MILLS
SAM S. MORRIS
JOHN P. MORRISSEY
MILES M. OBRIEN IV
COLBY C. PEREZ
ANTHONY T. REID
ADAM S. ROSS
ADAM L. SCHALK
THOMAS D. SHARRON
JAMES R. SMITH
DAVID A. SOLOMON
SETH A. STEBER
JOHN P. STEEL
CHRISTIAN D. STRONG
LUCAS L. SULLIVAN
BRANDON J. THOMPSON
JOSHUA M. TOOMER
PATRICK J. P. TREPPA
KRISTIN E. VANBOXTTEL
FELINO J. VASQUEZ III
PATRICK R. WALSH
DURAN R. WARD
RAYMOND C. WETTSTEIN
BROOKE E. WILLIAMS
BARON H. WINDHAM III
DALLAS W. WOODWARD
KENNETH N. WOOTEN
BRIAN B. YOO
MATTHEW B. ZINGER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

STEFANI AHSANOV
ALEC A. BACON
WILLIAM D. BEHR
BRANDI N. BENNETT
AMANDA M. BRIGGS
KATHLEEN L. CASEY
NATHAN C. COUTERET
CHRISTOPHER A. CROWDER
TIARA L. CUMMINS
KEYAWNA M. DANAI
STEPHEN W. DANIELL
JOHN B. DEANOV
DANIEL J. DEMARCO
HARRISON K. ENGLISH
ALEXANDER M. EVANS
MATTHEW J. FOWLER
EVARISTO A. GARZA
SARAH F. GEORGE
BRANDON L. GETTYS
DOMINIQUE R. GOMES
MARGARET L. GRAVES
MICHAEL K. GREEN
JEFFERY A. GUSTAFSON
PETER L. HAMRYSZAK, JR.
JUSTIN C. HAZLETT
JOHN M. HIGSMITH
JOCK L. HILLERY
KENNY L. HO
ROBERT R. HORTALEZA
DENISHA D. HUGHES
KRISTOFFER R. JONES
ROOYA K. KHAN
PHILIP J. KULDELL
BRITTANY L. LAIRD
MARSHALL LIU
JUSTIN M. LOMIS
TOMMY J. MADERA
MATTHEW S. MARTIN
ANGELIQUE MASTELLER
NICHOLAS E. MASUCCI
KYLE G. MCCAULEY
CRAIG L. MCKNIGHT
AMANDA K. MEAD
DANIEL T. MINNICK
MICHAEL W. MURRAY
JOSHUA P. NACH
ASHLEY C. PERRY
JAMES R. PETTIGREW
EDDY PHOUTHABOUN
XAVIER L. PIERCE
MELISSA A. PIFER
ZACHARY T. REED
ROBERT G. ROGERS
BRENT A. SACKS
ANDREW M. SANTAMARIA
AHMED A. S. SHAMMA
JAMERRA S. TURNER

STEVEN M. WALSH
CHANTEL M. WHITE
CRAIG D. WHITE
JARED T. WILLIAMS
MARSHALL K. WILLIAMS, JR.
ROBERT S. WILLIAMS
NINA R. WILLIS
STEVEN L. WRIGHT
GERTIAN KHAPA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

MOHAMMAD K. BAHADAR
WILLIAM L. BAKER
EDWIN A. BEAUFOND
MICHAEL G. BENTON
TOFIK BENYAMINOV
MATTHEW R. DRING
SPENCER L. EWING
ROBERT C. FUENTES
CHRISTA D. KAMON
THOMAS P. KASMER
JOEL T. MARTINEZ
SARAH J. MITCHELL
TRAVOLL D. PAYNE
BRANDON T. VITTON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

LUKE R. BADEN
GREGORY I. BASIOR

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

SARAH E. BEEMILLER
RYAN S. BLEYLE
SIERRA M. BOLLINGER
LAWRENCE CEN
THOMAS L. CROCKETT III
GRANT D. ELLIS
JASON M. ENTERLINE
SAVANNAH R. J. GRECO
WILLIAM G. GRIFFIN
DANIEL R. KILMARTIN
CHI K. MAXEY
NICOLE D. MOUNTAIN
RYAN M. MUNION
CHARLES E. MURMAN II
ANTHONY D. PROCHILLO
KEEFE W. RAFFERTY
COLLEEN M. WILMINGTON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

CHARLES A. ALLEN
JAMES K. ANDERSON
SARAH A. BEHM
BENJAMIN S. BOLTON
ZACHARY F. BORCHARDT
DUSTIN D. CHAPMAN
MICHAEL L. COHEN
CRYSTAL M. CORNINE
LYANA D. CORTES
DIANE S. COWLING
APRIL M. CROAN
CHAD C. DEHARTCHUCK
ADRIAN A. DELANEY, JR.
ERIAN J. DERENBECKER
MATTHEW R. B. DOWDEN
THOMAS G. ECONOMIDIS
ANTON C. EKMAN
DUSTIN D. ELLIS
THEODORE B. FALK
CASEY L. FRENCH
NICHOLAS R. GARNER
CONNOR R. GEER
JAMES G. GOOD
COREY O. GREY
GENE E. GRIFFIN
DEBORA L. HARMSSEN
ADRIAN B. HARRIS
SUNNY D. HARRISMCIVER
TAKASHI HEMMI
DONALD E. HENNIG
IVIE M. HICKS
JAMIE N. HUGGINS
CARMEN A. JOHNSON
JEREMIAH D. JOHNSON
ISAIAH J. JONES
VIKRAM K. KANTH
TINA KIEU
ANTHONY W. KING
CALVIN A. MCCULLOUGH
CURT METZGER
ASHTON T. MILLER
ANDREW T. MINIKUS
EMILY L. MOORE
MARTIN V. NGUYEN
ANTHONY PEREZ
NICHOLAS A. PIAZZESE
JARED M. POLAK
DEAN W. PORTER
BRANDON M. QUICK
KRYSTIN N. RAMIREZ
RYAN J. RIELLY
JARED L. RISH

MERIEL T. ROBINSON
JAMAR J. SALTERS
ERIC J. SANTORELLI
AYESHA S. SHABAZZWOODS
JOHN E. SLAPPY, JR.
ANDREW J. SLIGAR
JASON P. STEIN
JOSEPH J. SZEKELY III
CORY W. THORNTON
MATTHEW J. THORP
CHARMAINE A. TOMLINSON
KENNEDY G. TROTTER
SHANE T. TUTTLE
LEANN N. UPTON
BRYAN C. VANBLAIR
PETER A. VIZZINI
CURTIS L. WIDEMAN II
JOHNATHAN L. WILLIAMS
MICHAEL R. WILLIAMS
DANNY L. ZEPEDA
MARTIN A. ZUBER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

ERIN M. BACON
KRISTEN M. BRINKLEY
ERIC V. FIELDING
CHRISTINA M. LEYTON
IAN L. LOMIS
JOHNPAUL MULLIGAN
CHRISTOPHER H. ROGENESS
CAROLINE A. WEACHTER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

DAVIS J. ANDERSON
SETH T. CLARKE
GABRIELLE DIMAAPI
TAIJA J. GRIFFIN
EMILY A. JUDSTRA
SPENCER E. MARION
RACHEL A. MAUL
JAMIE E. MORONEY
DANIELLE E. MOSER
STUART B. PHILLIPS
MICHAEL J. VALANIA
ADAGRAY A. WILLIS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

MEGAN E. JAMISON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

NATHANIEL B. ALEXANDER
BLAKE T. DAVIS
DORSEY R. EK
MATTHEW P. LUNATI
CARL A. NUNZIATO
KATHERINE B. ROSS
DAVID A. SAMAHA
BANSARI SARKAR

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

VON H. FERNANDES

CONFIRMATIONS

Executive nominations confirmed by
the Senate September 7, 2023:

FEDERAL COMMUNICATIONS COMMISSION

ANNA M. GOMEZ, OF VIRGINIA, TO BE A MEMBER OF
THE FEDERAL COMMUNICATIONS COMMISSION FOR A
TERM OF FIVE YEARS FROM JULY 1, 2021.

FEDERAL RESERVE SYSTEM

ADRIANA DEBORA KUGLER, OF MARYLAND, TO BE A
MEMBER OF THE BOARD OF GOVERNORS OF THE FED-
ERAL RESERVE SYSTEM FOR THE UNEXPIRED TERM OF
FOURTEEN YEARS FROM FEBRUARY 1, 2012.

WITHDRAWAL

Executive Message transmitted by
the President to the Senate on Sep-
tember 7, 2023 withdrawing from fur-
ther Senate consideration the fol-
lowing nomination:

JEFFREY MATTHEW MAROOTIAN, OF THE DISTRICT OF
COLUMBIA, TO BE AN ASSISTANT SECRETARY OF EN-
ERGY (ENERGY EFFICIENCY AND RENEWABLE ENERGY),
VICE DANIEL SIMMONS, WHICH WAS SENT TO THE SEN-
ATE ON JANUARY 23, 2023.