



# House Action Reports

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## FY 2023 Omnibus Appropriations Agreement

This Fact Sheet describes the bipartisan agreement on HR 2617, FY 2023 Omnibus Appropriations Agreement.

The agreement provides \$1.627 trillion in FY 2023 discretionary spending for all 12 annual spending measures. It also includes \$47 billion in aid to Ukraine, \$38 billion in disaster and other spending. It includes numerous added provisions — including reforms to the Electoral Count Act and a ban on TikTok on government devices.

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# Section I

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## Background & Summary

Because Congress had not come close to enacted any of its 12 annual appropriations bills for FY 2023, which began on Oct. 1, lawmakers in September enacted stopgap FY 2023 funding (PL 117-180) to keep the government fully operating through Dec. 16.

Serious discussions between the two parties on reaching an agreement for a detailed, full-year spending package didn't begin until weeks after the November elections, once it became clear that Republicans had won the House majority for the next Congress and Democrats had maintained their Senate majority and also held on to their Georgia seat in a runoff election.

As in FY 2022, for FY 2023 there are no discretionary spending caps in place and congressional Democrats in developing FY 2023 spending bills had followed President Biden's lead and proposed a much higher increase in spending for non-defense programs than for defense. But also like FY 2022, there was bipartisan support for much higher defense spending than Biden proposed — partly because of growing worldwide threats but also this year because of high inflation over the past year.

Negotiators quickly came to agreement on a topline defense spending level, some \$47 billion higher than proposed by the president, but clashed over non-defense spending. Senate Republicans have called for total discretionary spending to be limited to the same level proposed by Biden, which because of the agreed-upon higher defense spending would necessarily reduce any increase for non-defense programs. Democrats, meanwhile, argued for parity, saying the percentage increase for non-defense spending should equal that for defense, which would raise topline spending above the president's proposal. Further complicating the negotiations was spending for VA health care, which is categorized as non-defense spending and will require a 22% increase to take care of U.S. veterans for FY 2023 — and therefore consume a large portion of the increase for non-defense spending.

With negotiations seemingly stalemated, Democratic leaders raised the specter of enacting a year-long CR (which the Pentagon and VA actively opposed, saying it would harm national security and the care of veterans). Democrats also, on their own, drafted a detailed omnibus bill they said would represent a compromise and could appeal to Republicans. Senate Republicans rejected both options, saying that if an overall agreement could not be reached the only option would be to extend the current CR into early next year and let the new Congress address FY 2023 funding.

### ***Recent Actions***

To give negotiators additional time to reach, Congress last week enacted a one-week extension of stopgap funding to keep the government operating through Friday, Dec. 23. And negotiators did finally reach agreement, posting the text of the 4,155-page omnibus early Tuesday morning.

House Republicans were not involved in the negotiations on the omnibus and oppose it, preferring that Congress simply extend stopgap funding into early next year where they will control the House and could press for cuts in spending.

Congressional leaders provided for the measure to be considered first by the Senate, although the chamber moved slower than expected as senators sought to modify the measure. This afternoon, the Senate finally passed the measure (HR 2617) by a 68-29 vote after adopting seven amendments, including those to provide lump-sum "catch-up" payments to 9/11 survivors, spouses and dependents; allow state and local governments to use COVID-19 relief funds for additional purposes; and allow the proceeds of property forfeited under Russia-related sanctions to be used to assist Ukraine.

### **Executive Summary of HR 2617**

The bipartisan full-year agreement consists of all 12 annual appropriations measures that provide a total of \$1.627 trillion in discretionary spending for FY 2023, according to CBO. It also includes \$47 billion in emergency supplemental aid to Ukraine, \$27 billion in emergency disaster aid, and \$11 billion in other emergency supplemental appropriations. The measure includes numerous added legislative provisions — including reforms to the Electoral Count Act, a prohibition on TikTok on government devices, and provisions to encourage retirement savings.

In addition to the funds provided by this omnibus appropriations measure, CBO notes that \$69.8 billion in emergency funding recently enacted through other legislation also is available for FY 2023, such from the Infrastructure Investment and Jobs Act (PL 117-58).

### ***FY 2023 Appropriations***

The agreement consists of all 12 FY 2023 appropriations bills that combined provide a total of \$1.627 trillion in discretionary spending for the fiscal year. Of the total, \$1,602 trillion represents base discretionary spending for the 12 spending measures, while \$20.1 billion in disaster funding, \$2.6 billion for wildfire suppression, and \$2.3 billion in

program integrity funding is subject to their own cap adjustments. (Some say the measure actually provides about \$1.7 trillion after factoring in certain discretionary spending that is not scored.)

Of the total for base discretionary spending, \$858 billion is for defense (budget function 050) programs and activities (10% more than FY 2022) and \$743.9 billion is for non-defense programs and activities (8% more).

The \$858 billion for defense for FY 2023 is equal to the level assumed in the FY 2023 Defense Authorization bill (HR 7776), which President Biden is expected to sign into law this week. Under budget function 050, the Defense Department (including intelligence agencies) and nuclear weapons activities of the Energy Department usually receives 95.5% of the discretionary funding. Other defense-related spending includes national security funding for the FBI, Coast Guard and other agencies.

Within the total appropriations provided by the agreement, \$15.3 billion is earmarked for 7,234 specific projects and activities (now known as "Community Project Funding"). In addition, the 12 spending bills continue the vast majority of policy riders that have been included in past appropriations acts, such as the Hyde amendment which prohibits the use of federal funding to pay for abortions except when the pregnancy would endanger the mother or in the case of rape or incest.

Under the measure, base FY 2023 funding is provided as follows:

- **Agriculture** — \$25.5 billion in net discretionary spending, \$355 million (1.4%) more than comparable FY 2022 funding
- **Commerce-Justice-Science** — \$82.4 billion in net discretionary spending, \$6.7 billion (9%) more than FY 2022.
- **Defense** — \$797.7 billion in net discretionary spending, \$69.3 billion (10%) more than FY 2022.
- **Energy-Water** — \$54.0 billion in net discretionary spending, \$1.1 billion (2%) more than FY 2022.
- **Financial Services** — \$27.6 billion in net discretionary, \$2.1 billion (8%) more than FY 2022.
- **Homeland Security** — \$60.7 billion in net discretionary spending, \$3.2 billion (6%) more than FY 2022.

- **Interior-Environment** — \$38.9 billion in net discretionary spending, \$850 million (2%) more than FY 2022.
- **Labor-HHS-Education** — \$207.4 billion in base net discretionary spending, \$10.4 billion (5.3%) more than FY 2022.
- **Legislative Branch** — \$6.9 billion in net discretionary spending, \$976 million (16%) more than FY 2022 funding.
- **Military Construction-VA** — \$154.2 billion in net discretionary spending, \$26.6 billion (21%) more than FY 2022.
- **State-Foreign Operations** — \$59.7 billion in base net discretionary funding, \$3.6 billion (6%) more than FY 2022.
- **Transportation-HUD** — \$87.3 billion in base discretionary spending, 8% more than FY 2022 (but \$164.9 billion in total resources including trust fund releases, 6% more than comparable FY 2022).

(Actual available discretionary spending available for each appropriations measure is usually higher, reflecting not only funding available under cap adjustments but also funding received through offsetting collections or offset by rescissions or other savings.)

### ***Emergency Ukraine-Disaster-Other Aid***

In addition to baseline funding provided through the 12 FY 2023 appropriations bills, the agreement provides about \$85.5 billion in supplemental appropriations in addition, including some \$47 billion in security, economic and humanitarian aid to Ukraine, \$27 billion to help recover from natural disasters in the United States, particularly Hurricanes Ian and Fiona, and \$11 billion for a multitude of non-defense federal programs and activities. These appropriations are designated as emergency funding and neither count against discretionary allocations nor have to be offset.

The \$47 billion for Ukraine aid includes about \$27 billion in military and security assistance and some \$19.9 billion in humanitarian and economic support. The measure also further raises the president's drawdown authority to send weapons and other U.S. military equipment to foreign nations to address emerging security threats, which has been used extensively to support Ukraine.

The \$27 billion in disaster aid is provided for a wide range of activities through numerous federal agencies — including \$5 billion for FEMA's disaster relief fund, \$5.1 billion for USDA-administered recovery and restoration efforts, \$1.5 billion for the Corps

of Engineers to repair damaged infrastructure, \$1.7 billion to help local communities repair water treatment facilities impacted by hurricanes, \$1.5 billion to compensate New Mexico residents harmed by wildfires caused by U.S. Forest Service prescribed burns that got out of control, and \$1 billion to improve the resilience of Puerto Rico's electric grid.

The remaining \$11 billion is provided for various other federal programs, including \$980 million to fund new science and regional development programs authorized by the 2022 CHIPS and Science Act (PL 117-167), \$3.5 billion for the Low Income Energy Assistance Program (LIHEAP), and \$3.6 billion for public housing assistance.

### ***Legislative Provisions***

The agreement also includes a wide variety of legislative provisions unrelated to appropriations, including the following:

- **Electoral Count Act** — Clarifies that the role of the vice president in overseeing the count of presidential electoral votes in Congress is simply "ministerial," and it raises to one-fifth of the members of each chamber the threshold for objections to a state's slate of electors.
- **Encourage Retirement Savings** — To make saving for retirement easier, requires employers to automatically enroll workers in certain retirement plans, provides a small business startup credit to help with administrative costs, and allows small employers to band together for better retirement plan options, among many provisions.
- **Health Care** — Includes numerous provisions, including those to increase Medicare reimbursements to physicians, extends certain Medicare and Medicaid authorities, and extends dozens of mental health programs, enhances certain authorities of the Food and Drug Administration.
- **TikTok Ban** — Bans the use of the social media application TikTok on federal government smart phones.
- **Pregnancy Accommodations** — Requires public employers and private employers with at least 15 employees to make reasonable accommodations to employees for known limitations related to pregnancy, childbirth or related medical conditions.

## Section II

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### Agriculture

This section describes the provisions of the agreement on HR 2617, Consolidated Appropriations Act for FY 2023, that provide full-year funding for the Agriculture Department, the Food and Drug Administration, and related federal agencies.

The agreement provides \$25.5 billion in net discretionary spending for FY 2023 — \$355 million (1.4%) more than comparable FY 2022 funding according to CBO — as well roughly \$216 billion in mandatory spending for programs such as food stamps, commodity supports, and crop insurance. Additionally, it authorizes up to \$57.5 billion in farm loans and rural development loans, 2% more than FY 2022.

The measure provides \$35.2 billion for farm and conservation programs, a 19% increase in funding. It increases funding for agricultural programs such as research, marketing, and food inspections by 4% (to \$8.4 billion), and for USDA rural housing and development programs by 3% (to \$4.1 billion). It also increases total funding for the Food and Drug Administration by 7%.

It provides \$189.1 billion for nutrition assistance programs (9% more than FY 2022), including \$154.9 billion in mandatory funding for the Supplemental Nutrition Assistance Program (SNAP; formerly known as food stamps), \$28.5 billion in mandatory funding for child nutrition programs, and \$6.0 billion in discretionary funding for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC).

The measure includes \$456 million in earmarks (now known as Community Project Funding) for 329 specified projects.

### **Agriculture, Farm Production & Conservation Programs**

The agreement provides \$35.2 billion for USDA farm and agriculture support programs, including mandatory funds to reimburse federal crop insurance and Commodity Credit Corporation (CCC) activities, as well as land conservation programs. The total is 19% more than FY 2022 and 18% more than requested.

The total includes a direct appropriation of \$249 million (4% more than FY 2022) for the Farm Production and Conservation Business Center, a centralized operations office that provides administrative support to USDA component agencies and programs in this mission area; another \$60 million is provided for the center by transfer from the CCC.

## **Corporations / Federal Crop Insurance**

The Commodity Credit Corporation (CCC) is a government-owned entity that largely exists on paper, and which is used to provide financing for most major USDA-administered commodity support programs, including marketing assistance loans, loan deficiency payments, and fixed (direct) payments to farmers. The CCC is authorized each year to receive appropriations to reimburse the previous fiscal year's "net realized losses," or any losses that the corporation cannot recoup or offset through other means. The amounts needed to reimburse the CCC vary widely from year to year, depending on crop market prices and other factors.

The agreement provides an estimated \$16.8 billion in mandatory funding (17% more than FY 2022 levels) to reimburse the CCC for expenditures incurred in previous fiscal years to finance farm price supports, export promotion, disposition of surplus commodities, and other programs.

The Federal Crop Insurance Corporation is another government-owned corporate entity which is administered by the Risk Management Agency and provides crop insurance protection to farmers and other agricultural producers. The measure provides \$15.4 billion (25% more than FY 2022) in mandatory funding for federal crop insurance programs. It also appropriates a separate \$67 million (7% more) in discretionary funds for the Risk Management Agency, plus an additional \$25 million to cover the increased cost of administrative and operating payments, which are made to private crop insurance agents and loan servicers that underwrite and administer USDA policies.

## **Farm Service Agency**

The Farm Service Agency (FSA) administers the major commodity programs financed by the CCC and several loan programs, including farm-operating and farm ownership loans. The measure provides a total of \$1.5 billion (4% more than FY 2022 but slightly less than requested) for FSA salaries and expenses, including a direct appropriation of \$1.2 billion and \$305 million in transfers from other program accounts.

In addition to loans, the total includes \$7 million for state mediation grants, \$500,000 for the estimated cost of the Dairy Indemnity Program, and \$4 million for a program that helps reimburse farmers and agricultural producers in Hawaii, Alaska, or U.S. insular territories for the extra costs of transporting commodities and supplies.



### ***FSA Farm Loans***

The agreement provides \$373 million for FSA-administered farm loans, of which \$305 million is transferred to the FSA for administrative expenses. That total also includes the requested \$47 million (25% less than FY 2022) for up-front subsidies, which would support an overall loan level of \$10.7 billion (3% more).

Specifically, the measure sets a total loan level of \$3.8 billion for farm-operating loans (slightly more than FY 2022), including \$2.1 billion in unsubsidized loan guarantees and \$1.6 billion in direct loans. For farm ownership loans, the loan level is set at \$6.6 billion — including \$3.1 billion in direct loans (\$300 million more than FY 2022) and \$3.5 billion in loan guarantees (equal to FY 2022).

The measure maintains FY 2022 loan levels for Indian tribe land acquisition (\$20 million), guaranteed conservation loans (\$150 million), and boll weevil eradication (\$60 million), while decreasing the authorization for emergency loans by 89% (a total of \$4 million). It also sets a \$61 million loan limit (equal to FY 2022) for a relending program established by the 2018 Farm Bill (PL 115-334) that provides loans to intermediary lenders to help resolve ownership and succession on farmland with multiple owners.

### **Conservation Programs**

The Natural Resources Conservation Service (NRCS) administers a number of conservation programs that help private landowners reduce erosion, improve soil and water quality and quantity, improve and conserve wetlands, and enhance fish and wildlife habitat. Most of these programs are authorized by various Farm Bills and receive mandatory funding through the Commodity Credit Corporation (CCC), while others receive discretionary funding through the annual appropriations process.

The measure provides \$1.0 billion for discretionary programs and activities, 3% more than FY 2022 but 12% less than requested. Within the total, \$918 million (4% more than FY 2022) is for NRCS conservation operations, \$75 million (25% less) is for the watershed and flood prevention operations program, and \$1 million (50% less) is for the watershed rehabilitation program. Unlike FY 2022, the measure provides dedicated funding for the Healthy Forests Reserve program (\$7 million) and the NRCS Office of Urban Agriculture (\$8.5 million); those programs previously received funding through the general conservation operations account.

## **Agricultural Research, Inspections, and Marketing**

The agreement provides a total of \$8.4 billion — 4% more than FY 2022 but 5% less than requested — for Agriculture Department farm inspection and food safety activities, farming and agricultural research and education, agricultural marketing, and departmental administration.

### **Safety & Inspection Activities**

#### ***Animal & Plant Health Inspection Service***

The Animal and Plant Health Inspection Service (APHIS) conducts inspection and quarantine activities to protect animals and plants from diseases and pests. The agreement provides \$1.2 billion for APHIS, 6% more than FY 2022 and 2% more than requested. Appropriators note the funding level provides targeted increases that will help address cotton pests, invasive species such as the spotted lanternfly, and chronic wasting disease, while enhancing the antimicrobial resistance efforts and veterinary disease testing capacity.

#### ***Food Safety & Inspection Service***

The measure provides \$1.2 billion (5% more than FY 2022 but 6% less than requested) for the Food Safety and Inspection Service, which enforces laws requiring meat and poultry products to be wholesome, unadulterated and properly packaged and labeled. Appropriators say this funding level will support more than 8,700 food safety inspector at more than 6,500 processing facilities across the country.

### **Agricultural Research & Education**

The agreement provides more than \$3.8 billion for agricultural research and education activities, 4% more than comparable FY 2022 funding but 6% less than requested. The total includes \$1 million for the Office of the USDA Chief Scientist to continue organizing and hiring management for the Agriculture Advanced Research and Development Authority (AGARDA) — a USDA research initiative modeled on the Defense Department's DARPA and authorized in 2018 to conduct advanced food science research.

It also includes \$211 million (11% more than FY 2022) for the National Agricultural Statistics Service, which conducts hundreds of surveys every year and prepares reports covering virtually every aspect of U.S. agriculture, and \$93 million (6% more) for the Economic Research Service (ERS), which conducts research programs to inform public and private decision-making on economic and policy issues involving food, farming, natural resources and rural development.

### ***Agricultural Research Service***

The Agricultural Research Service (ARS) conducts basic and applied research in a number of fields, including animal, plant, soil, water and air sciences; entomology; agricultural engineering; nutrition; consumer use; marketing; and eradication of narcotic-producing plants. The measure provides \$1.7 billion (7% more than FY 2022) for ARS operations and expenses and \$74 million for ARS buildings and facilities (42% less).

### ***National Institute of Food & Agriculture***

The measure appropriates \$1.7 billion for the National Institute of Food and Agriculture (NIFA), 4% more than FY 2022 but 7% less than requested. The institute works in partnership with universities to advance research, extension activities and higher education in the food, agricultural, human and environmental sciences.

Within the total, it provides \$1.1 billion (5% more than FY 2022) for NIFA's research and education activities, \$565 million for extension activities which support non-formal education and training for farmers and business owners (4% more), and \$42 million for integrated activities (4% more).

Separately from the regular appropriation, another \$5 million is provided for a NIFA pilot program to provide grants to nonprofit organizations for programs that create farming and ranching opportunities for veterans.

### ***Agricultural Marketing Service***

The agreement provides an operating total of \$1.8 billion (6% more than FY 2022 and 2% more than requested) for the Agricultural Marketing Services (AMS), which promotes the domestic and international marketing of U.S.-grown crops and commodities, establishes regulatory standards and testing for covered commodities, provides farmers with market and pricing information, and oversees marketing agreements and orders. The total includes including \$238 million (5% more) for marketing services (including \$25 million for the Dairy Business Innovation Initiative) and \$63 million in administrative expenses (which are fully offset by collected fees).

The total also includes \$1.5 billion in so-called Section 32 funds, which are derived from the previous year's customs duties and used by USDA for programs to support agricultural producers by purchasing surplus commodities not covered by other USDA farm support programs; these commodities are typically used to provide the food for USDA nutrition programs. Within the \$1.5 billion (which is treated as mandatory spending),

\$485 million is allocated to purchase so-called "entitlement commodities" for school lunch programs; \$198 million is for fresh fruit and vegetable purchases, and \$523 million is for estimated future needs.

A separate one-time appropriation of \$4 million is provided for the AMS to upgrade its equipment and facilities for grading and classifying cotton to help reduce delays for cotton growers.

### **Department Administration**

For Agriculture Department administration, the agreement appropriates \$511 million (6% less than FY 2022 and 21% less than requested), including \$65 million (19% more than FY 2022) for the Office of the Secretary; \$92 million (9% more) for the chief information officer, of which \$77 million is for cybersecurity; \$61 million (6% more) for the office of general counsel; and \$38 million (6% more) for the Civil Rights Office.

### **Rural Housing & Development**

The Agriculture Department administers a number of loan and grant programs to provide assistance in rural areas for single and multifamily housing, community facilities and infrastructure, and business development. The agreement provides a net total of \$4.1 billion for the department's rural development activities — 3% more than FY 2022 but 17% less than requested — and it authorizes a \$46.9 billion overall loan level for various rural development loans (1% more than both FY 2022 and the request).

Of the rural development total, \$801 million (7% more than FY 2022) is for salaries and expenses, including a direct appropriations of \$351 million (the remainder is provided via transfer from other rural development accounts).

#### ***Rural Housing Service***

The measure appropriates a total of \$2.3 billion for rural housing and community facility programs administered by the Rural Housing Service (9% more than FY 2022), and it supports a total loan level of \$35.1 billion (22% more).

Within the total, \$105 million is for up-front subsidies to support a total of \$31.8 billion (1% more than FY 2022) in loans for the Rural Housing Insurance Fund — including \$31.3 billion in loans and guarantees for single-family homes, \$400 million in loan guarantees for multi-family rental properties, \$70 million in rental housing loans, \$28 million in single-family home repair loans, and \$20 million for farm labor housing loans. The Rural Housing Insurance Fund also includes \$10 million for farm labor housing grants (equal to FY 2022).

The measure provides \$1.5 billion (3% more than FY 2022) for the Rental Assistance Program, under which payments are made to the owners of rental housing to cover the difference between the tenant's payment and the approved rental rate established for the unit. It also provides \$48 million (7% more) for rural housing vouchers, \$48 million (equal to FY 2022) for rural housing preservation grants, and \$32 million (equal to FY 2022) for mutual and self-help housing grants.

It allows for authorizes \$3.5 billion (equal to FY 2022) in direct community facility loans and loan guarantees, and provides \$325 million (46% more) for community facility grants and \$6 million (equal to FY 2022) for community development grants.

### ***Rural Business-Cooperative Service***

The Rural Business-Cooperative Service provides loans to businesses and cooperatives located in rural communities. The measure appropriates \$132 million (slightly more than FY 2022) for grants, subsidies, administration, and other activities, including the up-front credit subsidy to support up to \$1.9 billion in RBCS loans (28% higher than the FY 2022 loan limit).

Of that loan total, up to \$1.8 billion (44% more than FY 2022) in guaranteed business and industry loans could be made under the Rural Business Program, which is subsidized by a \$39 million appropriation. Other loan levels include \$25 million for a Rural Microentrepreneur Program, \$75 million for the Rural Economic Development Loans program, \$19 million for the Intermediary Relending Program Fund (which aims to improve economic conditions and create jobs in rural communities by providing 1% low-interest loans to local intermediaries that re-lend to businesses), and \$20 million for the Rural Energy for America Program.

For grants, the Rural Business Program could issue \$37 million in rural business development grants and \$2 million for rural innovation grants, while \$28 million in various grants could be issued under the Rural Cooperative Development program (all equal to FY 2022). The measure also includes \$6 million for rural Microentrepreneur grants and \$3 million for the Healthy Food Financing Initiative, which supports efforts to increase access to healthy food options in underserved rural communities.

### ***Rural Utilities Service***

The agreement appropriates \$1.1 billion (10% less) for the Rural Utilities Service (RUS), which provides funding and support services for electric, telephone, water and waste utilities. That would support a total authorized loan level of \$9.7 billion (1% more than FY 2022)

For rural water and waste disposal infrastructure, the measure supports up to \$1.5 billion in loans and loan guarantees (slightly more than FY 2022), while appropriating \$596 million for water grants and assistance (9% less than FY 2022). For rural electrification and telecommunications programs, it authorizes a loan level of up to \$8.2 billion (1% higher than the FY 2022 level) — including \$7.5 billion (a 1% increase) for rural electrification loans and rural energy efficiency loans and \$690 million (equal the FY 2022 level) in subsidized loans for telecommunications projects.

For the Rural Broadband Program, the measure supports up to \$15 million in direct loans (a 4% decrease) and it provides \$35 million for rural broadband grants and \$65 million (4% more) for grants to improve access to telemedicine and distance learning in rural areas. Another \$364 million is included for the ReConnect program, a pilot program created in 2018 that provides loans and grant funding to assist states, local and tribal governments, nonprofit corporations, or private companies deploy or upgrade broadband infrastructure in rural areas lacking access to adequate service.

## **Food & Nutrition Programs**

The agreement funds the Agriculture Department's domestic food assistance and nutrition programs, as well as international food aid programs.

### **Domestic Food Programs**

The measure provides a total of \$189.1 billion for domestic food assistance programs — 9% more than both FY 2022 and the administration's request — of which \$182.4 billion is scored as mandatory spending. The total includes \$189 million (11% more than FY 2022) in discretionary funding for the administration of nutrition programs.

#### ***Supplemental Nutrition Assistance Program***

The Agriculture Department estimates that in December 2021 (the most recent month with complete data) there were 41.7 million people enrolled in the Supplemental Nutrition Assistance Program (SNAP, formerly known as food stamps), which helps low-income people and families purchase food by means of electronic cards or paper vouchers that can be used in retail stores.

The agreement provides a total of \$153.9 billion in mandatory funding for SNAP, 10% more than FY 2022 and 11% more than initially requested. The total includes \$140.1 billion in SNAP benefits, \$7.2 billion for administrative costs, and \$3 billion in contingency funding. It also includes \$2.8 billion for Puerto Rico's Nutrition Assistance Program and \$162 million for food distribution programs on Indian Reservations.

### ***Child Nutrition Programs***

The measure appropriates \$28.5 billion (6% more than FY 2022 but slightly less than requested) in mandatory funding for various child nutrition programs that provide food to children in preschool, daycare, and elementary and secondary schools (as well as some adults with disabilities enrolled in qualifying care facilities). The largest accounts within the total are \$15.4 billion for the school lunch program, \$5.5 billion for the school breakfast program, and \$4.7 billion for the child- and adult-care food program.

The total also includes \$655 million for the Summer Meals Program, which provides access to food for children during the summer when schools are not in session; \$40 million for the Summer EBT demonstration program, which provides benefits to children who might not be reached by the Summer Meals program; \$30 million for grants to school districts to purchase school cafeteria equipment; \$20 million for the Team Nutrition initiative, a multi-disciplinary program for children to promote healthy eating and physical activity; and \$12 million for "farm to school" programs that improve access to local foods in eligible schools.

The agreement continues to prohibit the purchase of poultry products imported from China for use in Child Nutrition Programs.

### ***Women, Infants & Children***

The agreement appropriates \$6.0 billion in discretionary funding — equal to the FY 2022 level — for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC), which provides assistance to children up to 5 years of age and to pregnant, postpartum and breast-feeding women who are nutritionally at risk because of inadequate nutrition and income. House appropriators estimate that this funding will support benefits for more than 6.2 million women, infants, and children.

The measure also rescinds \$315 million in unobligated prior year WIC funding.

### ***Commodity Assistance Program Funding***

The measure appropriates \$458 million (4% more than FY 2022 but 1% less than requested) in discretionary funding for USDA commodity assistance programs, which provide foods purchased by USDA to vulnerable populations.

This total includes \$338 million (2% more than FY 2022) for the Commodity Supplemental Food Program which provides assistance to senior citizens; \$92 million (14% more) for the Emergency Food Assistance Program, or TEFAP, which provides foods to food banks and other nonprofit groups; and \$26 million (equal to FY 2022) for the Farmers Market Nutrition Program.

### **Foreign Aid/Commodity Export Programs**

The agreement appropriates \$2.2 billion for USDA foreign food aid and related programs — 1% more than both FY 2022 and the request.

The department's international programs are administered by the Foreign Agricultural Service (FAS), which helps maintain and expand foreign markets for U.S. agricultural products, develops special export programs, and works to secure international trade conditions that are favorable to U.S. products. The measure provides \$237 million (4% more than FY 2022) for FAS salaries and expenses, while another \$6 million is provided by transfer from the CCC.

It appropriates \$1.8 billion (slightly more than FY 2022) for Title II of the Food for Peace Program, which provides surplus agriculture commodities to developing nations to combat malnutrition and meet other emergency requirements. It also provides \$243 million (3% more than FY 2022) for the McGovern-Dole International Food for Education and Child Nutrition Program, which supports school meals and maternal and child nutrition projects in low-income, food-deficit countries that are committed to universal education.

### **FDA & Independent Agencies**

The agreement also funds two agriculture-related independent agencies: namely the U.S. Food and Drug Administration (FDA) and the Farm Credit Administration (FCA).

#### ***Food & Drug Administration***

The Food and Drug Administration (FDA), which is part of the Health and Human Services Department, regulates food, cosmetics, human and animal drugs, and medical devices. Funding for the FDA includes both direct appropriations and funding from user fees.

The agreement provides the FDA with a direct appropriation of \$3.5 billion and it assumes \$3.1 billion in user fees — thereby providing the FDA with a total of \$6.7 billion for operations and expenses in FY 2023 (8% more than FY 2022 but slightly less than



requested). Appropriators say this amount will provide targeted increases to address opioid addiction, medical supply chain issues, medical device cybersecurity, and improving inspections of foreign drug manufacturers.

Another \$13 million (equal to FY 2022) is provided for FDA buildings and facilities, as well as \$50 million (equal to FY 2022) for research on new drugs and medical devices, which is provided as a transfer from the FDA Innovation account under the 21st Century Cures Act (PL 114-225).

### ***Farm Credit Administration***

The measure imposes a limitation of \$89 million (5% more than FY 2022) on the expenses of the Farm Credit Administration, which provides credit and related services for all creditworthy and eligible persons in agriculture and rural America. These funds are fully derived from collected fees.

## **Other Funding Provisions**

Separately from regular bill accounts, the measure provides funding to support certain USDA offices, programs, and initiatives, several of which were authorized by the 2018 Farm Bill (PL 115-334). Those include \$4 million to provide outreach and training to socially disadvantaged farmers and ranchers, veteran farmers and ranchers, and beginning farmers and ranchers; \$3 million for a grant program to provide support and shelter to victims of domestic violence, stalking, or sexual assault who have pets or service animals, and to ensure safe accommodation for such animals; and \$4 million for a pilot program to help make milk and dairy products available to recipients of SNAP benefits.

It also provides \$15 million for the Institute for Rural Partnership program, which was authorized by the FY 2022 appropriations act (PL 117-103) and supports research on challenges facing rural areas. Three institutes were established in 2022 at the University of Vermont, Auburn University, and the University of Wisconsin.

Another \$5 million is appropriated to the Agriculture Department to test soil, water, or agricultural products for contamination by per- and polyfluoroalkyl substances (PFAS, also known as "forever chemicals" at the request of agricultural producers. The department may also use these funds, under conditions determined by the secretary, to assist producers affected by PFAS contamination with mitigation costs and to compensate farmers and ranchers for the value of PFAS contaminated crops, livestock, and other agricultural products.

### ***Funding Directives***

Within 180 days of enactment, the measure requires USDA to report to Congress on agricultural land owned, or partially owned, by the governments of China, Russia, Iran, or North Korea over the past decade, along with projections for foreign agricultural land ownership over the next decade based off of previous trends. The report must describe the potential impacts such foreign ownership would have on the American agricultural sector, food security, and rural economies.

The measure also continues language to ensure that industrial hemp can be transported, processed, sold and used within and outside the United States.

## Section III

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### Commerce-Justice-Science

This section describes the provisions of the agreement on HR 2617, Consolidated Appropriations Act for FY 2023, that provide full-year funding for the Commerce and Justice departments and federal science agencies.

The agreement provides a total of \$82.4 billion in base net discretionary spending for FY 2023 — \$6.7 billion (9%) more than comparable FY 2022 spending. It also includes some mandatory spending, including \$270 million for witness fees and \$133 million in public safety officer death benefits, and it rescinds \$1.3 billion in unobligated prior year spending.

It increases net funding for the Justice Department by 10%, providing increases for most federal law enforcement agencies near the 5% level — but boosts federal aid to state and local law enforcement agencies by 34%, including a 22% increase for Violence Against Women Act programs and a 30% increase for community policing programs. It includes \$25 million to support investigations into police misconduct, and \$15 million to investigate racially motivated cold cases.

For the Commerce Department it increases funding by 12% overall, including a 5% increase for the National Oceanic and Atmospheric Administration (NOAA) and a 10% increase for the Census Bureau. It provides a 33% increase for the Economic Development Agency (EDA), a 32% increase for the National Institutes of Standards and Technologies (NIST), and a 24% increase for the National Telecommunications and Information Administration (NTIA), in order to support new innovation programs authorized by the 2022 CHIPS and Science Act. The agreement increases NASA's funding by 4%, while baseline funding for the National Science Foundations (NSF) remains at FY 2022 levels (however, an additional \$700 million is provided in the Disaster Supplemental title to support new NSF research programs authorized by the CHIPS and Science Act).

(The measure also provides for the allocation in FY 2023 of emergency funding previously appropriated as part of the 2022 CHIPS and Science Act (PL 117-167) to bolster U.S. microprocessor manufacturing — specifically requiring \$8.4 billion in funding to be allocated to programs and agencies as detailed by tables in the agreement's Explanatory Statement.)

The measure includes \$944 million in earmarks (now known as "Community Project Funding") for 617 specified projects.

## Justice Department

The agreement provides a net total of \$38.6 billion for the Justice Department and its component agencies — \$3.3 billion (10%) more than comparable FY 2022 funding but 2% less than requested.

### Department Administration & Activities

The total for Justice includes \$145 million (14% more than FY 2022) for departmental administration, \$139 million for the department inspector general (18% more), and \$138 million (more than 2.5 times the FY 2022 amount) for Justice Information Sharing Technology programs that allow the department to coordinate IT infrastructure investments and ensure the cybersecurity of the department's IT supply chain.

It provides \$25 million for investigations and associated enforcement actions into possible patterns of misconduct by state and local police departments, including enforcing court-approved consent decrees that require law enforcement agencies to change their operations (Specifically, it provides \$10 million for the Civil Rights Division, \$10 million for U.S. Attorneys Offices, and \$5 million for the FBI).

### DOJ Legal Activities

For Justice Department legal activities, it provides \$4.1 billion (14% more than FY 2022), including \$2.6 billion (8% more) for U.S. Attorneys offices. Appropriators say this increase will allow the Justice Department to continue to prosecute cases related to the Jan. 6 attack on the U.S. Capitol and other domestic terrorism cases, threats to election workers, COVID-19 relief fraud, human and drug trafficking, and crimes against children.

The total includes \$1.1 billion (14% more than FY 2022) for the general legal activities account, which funds the department's Civil Division, Criminal Division, Civil Rights Division, Tax Division, Environment and Natural Resources Division, Office of the U.S. Solicitor General, and the Office of Legal Counsel. The total also includes \$225 million (17% more) for the department's Antitrust Division, of which \$190 million would be derived from offsetting fee collections (resulting in a net appropriation of \$35 million).

Another \$270 million is for fees and expenses of witnesses (scored as mandatory spending), \$25 million (19% more) is for salaries and expenses of the Community Relations Service, \$32 million (67% more) is for cases related to childhood vaccine injury, and \$255 million (2% more) is for the United States Trustee System Fund which helps administered bankruptcy cases (with \$269 million in fee collections resulting in a

\$14 million reduction in net appropriations). The measure also appropriates \$21 million (equal to FY 2022) from the DOJ Assets Forfeiture Fund to provide rewards to informants in federal drug cases, purchase evidence, or refit law enforcement vehicles.

The measure provides a total of \$15 million for activities and investigations under the 2016 Emmett Till Unsolved Civil Rights Crimes Reauthorization Act (PL 114-325), which allows DOJ and the FBI to review cold cases involving possible racially motivated homicides prior to 1980. Within the legal activities total, \$5 million is allocated for the Civil Rights Division while \$1.5 million is for the Community Relations Service (Another \$5 million under the Emmett Till Act is provided within the FBI total, while \$3.5 million is provided under state and local law enforcement assistance grants for local investigations.)

Separately from the legal activities total, the measure provides \$134 million for the department's National Security Division, 11% more than FY 2022.

### ***Immigration Judges***

The agreement provides \$860 million for administrative reviews and appeals of immigration cases by the Executive Office for Immigration Review (EOIR) — 13% more than FY 2022. Of that amount, \$4 million would be derived from fee collections for a net appropriation of \$856 million.

Appropriators direct EOIR to use the increase in funding to improve its technology systems and digitize its court records. Under the measure, \$29 million within the total is available for the Legal Orientation Program, which provides information regarding the immigration court process to individuals facing possible deportation proceeding.

### ***Federal Prison System***

The measure provides \$8.5 billion for the Bureau of Prisons — 5% more than FY 2022 and 4% more than requested. The vast majority of funds (\$8.4 billion, 7% more than FY 2022) are for salaries and expenses, while \$108 million (54% less) is for buildings and facilities.

According to appropriators, an increase of \$180 million is included within the total to help the bureau hire additional full-time correctional officers and reduce its overreliance on augmentation — i.e. the use of prison medical, custodial, and counseling staff as correctional officers. The measure directs the bureau to provide quarterly reports to Congress on the use of augmentation broken out by region, institution, and security level for each time such practice is employed.

The total also includes \$410 million for activities authorized by the 2019 First Step Act (PL 115-391) to provide programming for incarcerated individuals aimed at reducing recidivism. The measure requires the bureau to report to Congress on the impact of natural disasters and storm damage on the conditions at federal prison, and it directs the bureau to issue clear and consistent policies for responding to extreme weather events at all federal prisons.

Separately, within the total for the Justice Department's Inspector General's office, \$4 million is included to establish a team to provide direct oversight for the Bureau of Prisons.

Finally, the measure separately appropriates \$15 million for the U.S. Parole Commission, 2.5% more than FY 2022.

### **Federal Law Enforcement Agencies**

#### ***FBI***

The agreement appropriates a total of \$11.3 billion for the FBI — 5% more than both FY 2022 and the request.

For FBI salaries and expenses, it provides \$10.6 billion (8% more than FY 2022) for missions to counter terrorism, protect national security and meet cyber threats, as well as to investigate public corruption, organized crime, financial crimes, and human trafficking. Within this amount, \$2.0 billion is for FBI intelligence, \$4.3 billion is for counterintelligence and national security activities, and \$3.7 billion is for federal crimes and criminal enterprise investigations.

It includes \$125 million for FBI's National Instant Criminal Background Check System (NICS), and it provides funding for grants to help states improve their submissions into the NICS system (see State and Local Assistance, below).

Finally, the total appropriates \$652 million (3% more than FY 2022) for FBI construction to support modernization of facilities and allow the agency to address its highest priorities outside the national capital area. According to appropriators, the total includes \$590 million to fully support the FBI's 21st Century Facility plans, including plans for technological requirements.

The FBI total does not includes funds for a new FBI headquarters; rather, the Financial Services appropriations measure in the agreement provides \$375 million for the General Services Administration (GSA) to begin the process of establishing a new consolidated FBI headquarters.

### ***Other Federal Law Enforcement***

The agreement provides \$550 million (equal to FY 2022) for Interagency Crime and Drug Enforcement activities, and it funds other Justice Department law enforcement agencies as follows:

- **Drug Enforcement Administration** — \$3.1 billion for activities of the DEA (7% more than FY 2022), of which \$581 million (14% more) would be derived from the diversion control fund for DEA's Diversion Control Program to prevent controlled substances from being illegally diverted for illicit uses.
- **Bureau of Alcohol, Tobacco, Firearms & Explosives** — \$1.7 billion (14% more than FY 2022) for the ATF, including \$75 million in new construction funds for an ATF forensics laboratory. The measure continues to prohibit any functions, missions or activities of the ATF from being transferred to other federal agencies or departments, prohibits the ATF from restricting import applications for relic firearms, and prohibits federal agents from facilitating the transfer of an operable firearm to any individual associated with a drug cartel (the so-called "Fast and Furious" provision).
- **U.S. Marshals Service** — \$3.9 billion (4% more than FY 2022) for the agency, including \$1.7 billion for salaries and expenses, \$2.1 billion for federal prisoner detention, and \$18 million for construction.

### **State & Local Law Enforcement**

The agreement provides a net total of \$4.4 billion for state and local law enforcement programs — 33% more than FY 2022 but 15% less than requested — including funding for the Office on Violence Against Women, the Community Oriented Policing Services (COPS) program, and the Office of Justice Programs. It also authorizes the release of up to \$1.9 billion from the Crime Victims Fund to compensate victims of crimes.

### ***Office on Violence Against Women***

The measure provides \$700 million (22% more than the programmatic total for FY 2022) for state and local aid under the Violence Against Women Act, which appropriators note is the highest funding level for VAWA programs ever.

The total includes \$255 million in formula grants to combat violence against women, \$79 million for victim services, \$55 million for legal assistance, \$50 million for rural domestic violence and child abuse prevention, and \$50 million for grants to provide transitional housing assistance to victims of domestic violence or sexual assault. It also includes funding for several new programs authorized in 2022, including a program to provide trauma-informed investigative techniques to law enforcement (\$5 million) and a grant program to incentivize states to adopt laws that protect the rights of sexual assault survivors (\$10 million).

### ***Community Oriented Policing***

The measure provides \$663 million — 30% more than FY 2022 — for Community Oriented Policing Services (COPS) programs, which support local community policing efforts.

The total includes \$324 million for police department hiring grants, \$53 million for school safety programs, \$51 million for anti-drug task forces, and \$178 million for law enforcement technology, communications, and public safety equipment projects. It also includes \$45 million for various community policing initiatives, such as de-escalation and anti-bias training (\$16 million), co-responder behavior health crisis teams (\$11 million), and law enforcement accreditation (\$9 million).

### ***Office of Justice Programs***

The agreement provides \$3.1 billion (10% more than FY 2022) for Office of Justice Programs (OJP), which supports state and local law enforcement.

Within this total, \$400 million (11% more than FY 2022) is for juvenile justice programs, including \$107 million for Youth Mentoring Grants and \$105 million for missing and exploited children programs. Another \$77 million (10% more than FY 2022) is for OJP statistics and research programs, including \$42 million for justice statistics, \$7.5 million for research on domestic radicalization, and \$1.2 million for a study on school-based hate crimes.



The vast majority of the OJP total, \$2.4 billion (9% more than FY 2022), is for state and local grants and aid through the DOJ's Bureau of Justice Assistance — of which \$771 million is for the Byrne Justice Assistance Grant Program, a formula grant for state and local governments for law enforcement that is based on population size and crime rates.

In addition to Byrne grants, the measure funds the following Bureau of Justice Assistance programs:

- **Opioids** — \$445 million for programs to reduce opioid abuse under the 2016 Comprehensive Addiction and Recovery Act (PL 114-198), including \$190 million for the DOJ's comprehensive opioid abuse program, \$95 million for drug courts, and \$35 million for prescription drug and other controlled substance monitoring.
- **Testing Backlogs** — \$170 million for grants to help state and local law enforcement reduce DNA and other forensic testing backlogs, with an additional \$35 million for forensic science grants. The state and local assistance total also provides \$55 million for grant programs to help communities reduce backlogs of untested sexual assault kits.
- **Offender Reentry Programs** — \$125 million for programs under the 2007 Second Chance Act (PL 110-199) to help state and local governments and nonprofit organizations reduce recidivism and improve outcomes for people returning from prison.
- **School Safety** — \$82 million for grants under the 2018 STOP School Violence Act (PL 115-141) for evidence-based school safety programs. (A separate \$53 million for school safety grants is provided under the COPS Office.)
- **Background Checks & Gun Safety** — \$95 million for grants to states to upgrade criminal and mental health records for the FBI's National Instant Criminal Background Check System (NICS).
- **Community Relations** — \$120 million for community trust initiatives to improve police-community relations, including \$50 million for community violence prevention and \$35 million for body cameras.
- **Hate Crimes** — \$25 million for anti-Hate Crime prevention and prosecution grants, plus \$10 million to support community-led efforts to prevent hate crimes and another \$10 million to help state and local law enforcement collect and report data on hate crimes.

Finally, the total for Office of Justice Programs includes \$152 million for public safety officer benefits, including \$35 million (16% more than FY 2022) for disability and education benefits and \$133 million (9% more) for officer death benefits (which is mandatory spending).

## Commerce Department

The agreement provides a net total of \$11 billion for the Commerce Department — \$1.2 billion (11%) more than comparable FY 2022 funding but 5% less than requested. It provides \$179 million (22% more than FY 2022) for departmental administration, including \$35 million (17% more) for the Nonrecurring Expenses Account to support department-wide cybersecurity enhancements and system modernization and \$48 million for the department's inspector general.

Separately from the Commerce Department's baseline funding, the measure allocates funding previously appropriated as part of the 2022 CHIPS and Science Act (PL 117-167) to bolster U.S. microprocessor manufacturing. Specifically, it allocates \$7 billion to NIST — including \$5 billion for semiconductor manufacturing incentives and \$2 billion for research and development programs — and \$1.4 billion to NTIA to support the development of new technologies that enhance U.S. competitiveness in the 5G and successor wireless technology.

## NOAA

The measure appropriates a total of \$6.2 billion for the National Oceanic and Atmospheric Administration (NOAA) — 6% more than FY 2022 but 10% less than requested.

Most of the funding, \$4.5 billion (8% more than FY 2022), is for NOAA operations, research and facilities. Within NOAA operations, the measure provides an additional \$345 million for fisheries activities as a transfer from the Fishery Products and Research fund (financed by customs duties on seafood imports) and another \$23 million is derived from prior year unobligated balances — for a total programmatic NOAA operations funding level of \$4.8 billion.

The operations total includes \$1.2 billion for operations and activities of the National Weather Service (NWS); \$679 million for the National Ocean Service; \$1.1 billion for the National Marine Fisheries Service; \$661 million for the Office of Ocean and Atmospheric Research (OAR, including \$224 million for climate research); \$376 million for operation of NOAA's environmental satellite systems; \$329 million for marine and

aircraft operations; and \$414 million for administration and education. (According to Democratic appropriators, the NOAA operations account provides a total of \$224 million for climate research.)

The measure appropriates \$1.7 billion (1% less than FY 2022) for NOAA procurement, acquisition and construction (plus an additional \$13 million recovered from prior year funding), of which \$1.3 billion is allocated for new NOAA satellites and associated systems, \$109 million is for weather observation and processing systems, and \$132 million is for NOAA vessel and aircraft recapitalization and construction.

It provides \$65 million (equal to FY 2022) for the Pacific Coastal Salmon Recovery Fund and requires a 33% contribution match from states that receive funds for salmon conservation projects. It also provides the requested \$300 for fishery disaster assistance and \$349,000 for the Fishermen's Contingency Fund, which is funded by fees on oil and gas companies and is used to compensate U.S. commercial fishermen for damage or loss resulting from offshore oil and gas drilling.

Finally, the measure authorizes a loan limit of \$124 million for the Fisheries Financial Program Account, which provides long-term financing for fishing vessels, fishery facilities, and other fishery related expenses. Because this program typically generates a net positive return for the federal government, it does not require appropriated funds. Appropriators estimate the loan limit set by the agreement will generate \$19 million in funding that is used to offset other appropriations in the measure.

### ***NIST***

The agreement appropriates \$1.6 billion for the National Institute of Standards and Technology (NIST) — 32% more than FY 2022 and 11% more than requested. NIST and its affiliated manufacturing programs were reauthorized as part of the CHIPS and Science Act (PL 117-167).

The total includes \$953 million (12% more than FY 2022) to support core NIST scientific and technical research and services, such as cybersecurity, artificial intelligence, quantum computing, building standards and disaster resilience research, and research on greenhouse gases.

It also provides \$212 million in baseline funding for NIST's industrial technology services programs that provide training and technical assistance to U.S. manufacturers, including \$175 million (11% more than FY 2022) for the Manufacturing Extension Partnership (MEP) program and \$37 million (a 124% increase) for the Manufacturing USA network.

Finally, the measure provides \$462 million for construction of NIST research facilities, more than twice the FY 2022 level.

### ***EDA***

The measure appropriates \$498 million (33% more than FY 2022) for programs and activities of the Economic Development Administration (EDA). Of the total, \$430 million is for development programs, including \$122 million for EDA's public works program, \$40 million for economic adjustment assistance to regions experiencing adverse economic changes, \$14 million for trade adjustment assistance, and \$69 million for communities affected by the closure of a local coal mine, a nuclear power plant, or a biomass power plant.

The total also includes \$41 million for the Regional Technology Innovations Hubs Program which was authorized as part of the CHIPS and Science Act (PL 117-167) to support regional consortia that develop regional innovation strategies and provide training activities. Another \$41 million is provided within the total for the new Recompete Pilot Program, which provides regional technology and innovation grants for local and tribal governments, nonprofits, or economic development organizations in economically distressed areas that have low labor market participation.

### ***International Trade & Other Commerce Agencies***

The agreement provides \$625 million (10% more than FY 2022) for the International Trade Administration, of which \$12 million would be derived from fee collections (for a net appropriation of \$613 million). The total includes \$16 million to enforce anti-dumping and countervailing duty enforcement against China, while \$1.5 million is included to support the development of rural export centers.

It also provides \$191 million (36% more the FY 2022) for the Bureau of Industry and Security, which is responsible for overseeing numerous U.S. export controls. Appropriators say this funding increase will help BIS continue to enforce U.S. sanctions and export controls against Russia and Belarus.

The measure also funds the following Commerce agencies:

- **Patent & Trademark Office** — \$4.3 billion for the USPTO, all of which would be offset through fee collections. The total is 5% more than FY 2022.
- **Census Bureau** — \$1.5 billion (10% more than FY 2022) for the U.S. Census Bureau, including \$1.1 billion for periodic censuses, and \$300 million for current surveys and programs.

- **Bureau of Economic & Statistical Analysis** — \$130 million, 12% more than FY 2022.
- **NTIA** — \$62 million in baseline funding for the National Telecommunications and Information Administration, 24% more than FY 2022.
- **Minority Business Development Agency** — \$70 million (27% more than FY 2022), including \$21 million for business development centers. The agreement encourages the agency to allocate \$5 million for Native American business development programs and \$3 million for entrepreneurship programs at minority-serving educational institutions.

## Science

The agreement appropriates \$33.9 billion for federal science agencies — \$978 million (3%) more than FY 2022 but 7% less than requested. The total includes \$8 million (20% more than FY 2022) for the White House Office of Science and Technology Policy, and \$2.0 million (equal to FY 2022) for the National Space Council.

### NASA

The measure provides \$25.0 billion for NASA — 4% more than FY 2022 but 4% less than requested.

The total includes \$7.8 billion (2% more than FY 2022) for NASA's science account, including \$2.2 billion for Earth Science, \$3.2 billion for Planetary Science, and \$1.5 billion for Astrophysics. The total includes \$478 for the New Frontiers program, \$138 million to monitor near-earth objects, and \$25 million for space weather observation, and it fully supports the continued operation of the James Webb Space Telescope, according to appropriators.

The NASA total also includes \$7.5 billion (10% more than FY 2022) for Space Exploration, including funding to support the Artemis manned lunar missions, which recently completed its unmanned Artemis 1 test. The program includes \$1.4 billion for development of the Orion crew capsule, \$2.6 billion for the SLS rocket, \$1.5 billion for the development of lunar landing systems, and \$779 million for the Lunar Gateway space station. Currently, Artemis is scheduled to land a crewed mission on the lunar surface by the end of 2025.

The agreement withholds funding for NASA's Mobile Launcher 2 project until it reports to Congress and the GAO on its costs and timeframe.

It also provides \$4.3 billion (5% more than FY 2022) for NASA space operations including launch services and operation of the International Space Station, and \$1.2 billion (9% more) for space technology, including the development of new electric and nuclear spacecraft propulsion systems. Another \$935 million is provided for NASA Aeronautics research, a 6% funding increase that will support research on aircraft materials, fuel efficiency standards, and hypersonic flight.

Finally, the total includes \$3.1 billion (4% more than FY 2022) for NASA safety, security and mission services, \$47 million (89% less) for NASA construction and environmental compliance and restoration activities, and \$144 million (5% more) for Science Technology Engineering and Math (STEM) engagement programs.

### ***National Science Foundation***

The agreement appropriates \$8.8 billion in baseline funding for the National Science Foundation (NSF), only slightly more than FY 2022 levels and nearly 16% less than requested. However, another \$700 million in supplemental funding is provided to the foundation elsewhere in the measure, including funding to implement research and education initiatives authorized by the CHIPS and Science Act (PL 117-167; see Section XIV).

Within the baseline total, \$7.0 billion (2% less than FY 2022) is for research and related activities, including \$90 million for defense research. Within that amount, \$970 million is allocated for climate-related and clean energy research, \$686 million is for artificial intelligence research, and \$235 million is for quantum computing. The measure also fully funds the new Directorate for Technology, Innovation, and Partnerships, which was authorized by the CHIPS Act to help promote U.S. competitiveness in important research areas.

The NSF total also includes \$187 million (24% less than FY 2022) for major research equipment and NSF facilities construction, \$1.2 billion (15% more) for education and human resources programs, and \$448 million (12% more) for agency operations and award management.

## Other Agencies

The agreement also appropriates FY 2023 funding for the following independent agencies:

- **Legal Services Corporation** — \$560 million (15% more than FY 2022) to provide attorneys and legal aid to low-income individuals
- **Equal Employment Opportunity Commission** — \$455 million, 8% more than FY 2022.
- **International Trade Commission** — \$122 million, 11% more than FY 2022.
- **Office of the U.S. Trade Representative** — \$61 million, 9% more than FY 2022, plus an additional \$15 million from the Trade Enforcement Trust Fund.
- **Commission on Civil Rights** — \$14 million, 10% more than FY 2022. The commission, established by the Civil Rights Act of 1957, is an independent, bipartisan, fact-finding agency directed by eight part-time commissioners.
- **Marine Mammal Commission** — \$4.5 million, 7% more than FY 2022.
- **State Justice Institute** — \$7.6 million, 3% more than FY 2022.

## Other Provisions

The agreement continues a requirement that federal agencies review the supply chain risk for secure and sensitive IT systems before acquiring such systems. It requires agencies to develop a mitigation strategy for any identified risks, and to conduct an assessment of any risk of cyber-espionage or sabotage associated with the system.

It also continues to prohibit the use of appropriated funds to pay for an abortion, along with other long-standing policy provisions including the following:

- **Guantanamo Detainees** — Bars the use of funds to transfer detainees located at the U.S. Naval Station at Guantanamo Bay, Cuba, to the United States, or to build any facility in the United States to house such individuals.

- **Partnerships with China** — Forbids NASA to engage in bilateral activities with China or a Chinese-owned company, or to effectuate the hosting of official Chinese visitors at certain facilities under most conditions. It also requires the Commerce Department, NASA, and the NSF to issue quarterly reports on travel of their personnel to China.
- **Medical Marijuana** — Prohibits the Justice Department from using funds to prevent U.S. states and territories, including the District of Columbia, from implementing laws that authorize the use, distribution, possession, or cultivation of medical marijuana.



## Section IV

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### Defense

This section describes the provisions of the agreement on HR 2617, Consolidated Appropriations Act for FY 2023, that provide full-year funding for programs and activities of the Defense Department.

The agreement provides a total of \$797.7 billion in net discretionary funding for the Defense Department for FY 2023 — \$69.3 billion (10%) more than comparable FY 2022 funding and 5% more than requested (excluding emergency spending), according to appropriators.

Within the overall total provided for the Pentagon, \$278.1 billion is for operation and maintenance (8% more than FY 2022), \$172.7 billion is for personnel (4% more), \$162.2 billion is for procurement (12% more), \$139.8 billion is for research and development (17% more), and \$39.2 billion is for the Defense Health Program (5% more).

It provides approximately \$21 billion for various missile defense programs, \$45 billion for procurement of aircraft across the services (14% more than requested), and \$32.0 billion for major Navy ships (12% more than requested). And in response to Russia's invasion of Ukraine, it provides billions in assistance to Ukraine and U.S. allies and partners in the region (although the vast majority of that funding is provided in the Ukraine supplemental appropriations division of the agreement, and is not part of the total above).

The measure's total includes the requested \$52.8 billion to address higher inflation for acquisition programs, goods and services, and higher compensation costs, as well as an additional \$8 billion to address price escalation caused by higher-than-budgeted inflation — including \$3.7 billion for higher fuel costs, \$1.2 billion for the Basic Allowance for Housing; and \$809 million for increased utility costs.

It also provides for the allocation in FY 2023 of emergency funding appropriated as part of the 2022 CHIPS and Science Act to bolster U.S. microprocessor manufacturing — specifically requiring that \$400 million be allocated for microelectronics programs as detailed by a table in the agreement's Explanatory Statement..

The measure includes \$54 million in earmarks (now known as Community Project Funding) for 16 specified projects.

(For more detailed description of the programs noted below, see House Action Reports Fact Sheet No. 117-31, Dec. 19, 2022, Defense Authorization for FY 2023.)

## **Overseas Operations**

### ***Ukraine/Russia***

In response to Russia's invasion of Ukraine, the agreement provides \$47 billion in emergency supplemental funds for the Defense Department through the measure's Ukraine and Disaster Funding section (see Section XIV, Ukraine & Disaster Aid).

(That supplemental total includes \$9.0 billion to provide assistance to Ukraine's military through the Pentagon's existing Ukraine Security Assistance Initiative (established after the Russian takeover of Crimea in 2014), \$7 billion for U.S. European Command operations mission support, including the deployment of personnel to the region, and \$11.9 billion to replenish U.S. stocks of equipment sent to Ukraine through presidential drawdown authority.)

Within the regular Defense section of the agreement, the measure includes \$300 million for the Ukraine Security Assistance Initiative.

It provides \$350 million for allies and partners in the region, including \$225 million for the Baltic Security Initiative, \$35 million for Poland, \$30 million for Romania, \$20 million for Bulgaria, and \$40 million for Georgia.

It also provides funding in various accounts for the European Deterrence Initiative (formerly the European Reassurance Initiative), which was started by the Obama administration to bolster the defense of NATO allies after Russia's incursions in Crimea. The Initiative involves keeping some U.S. troops in countries along Russia's border, with funds also used for pre-positioned equipment, additional intelligence, surveillance and reconnaissance, training range capacity and capability, and partnership programs between the U.S. and its allies.

The agreement directs the Defense secretary to brief the House and Senate Appropriations Committees within 90 days of enactment on updates to the Baltic Security Initiative's multi-year strategy and spend plan.

### ***Pacific Deterrence Initiative***

The measure provides more than \$11 billion through various accounts for a Pacific Deterrence Initiative (PDI) to optimize the presence of U.S. forces in the region, strengthen and maintain bilateral and multilateral military exercises and training with U.S. allies, improve infrastructure, enhance the prepositioning of equipment and materiel, and build the defense and security capabilities, capacity, and cooperation of allies and partner nations.

The PDI was established by the FY 2021 Defense Authorization to counter China.

### ***Islamic State***

The agreement appropriates \$475 million for Iraqi, Kurdish, and other forces in Syria engaged in the fight against the Islamic State, \$67 million less than requested.

It continues the requirement that the Defense secretary ensure those forces are appropriately vetted and receive commitments from them to promote respect for human rights and the rule of law. And it prohibits the use of funds to establish permanent U.S. bases in Iraq or Afghanistan, or to exert U.S. control over Iraq or Syria oil resources.

It also directs the Defense secretary to consult with Congress prior to submitting any notification that includes detention facility fortification or construction, and it prohibits the use of funds for any other construction activity. The explanatory statement notes that the liberation of ISIS controlled territory has left the Syrian Democratic Forces (SDF) holding thousands of hardened foreign fighters and their families under challenging conditions. Accordingly, it directs the secretary to continue to engage with the SDF on these matters, including ensuring that detainees are afforded all protections due under the Geneva Conventions.

Finally, the measure includes aid to Jordan through the Defense Security Cooperation Agency for its fight against ISIS (see below). (Additional funding for Jordan is provided in the State-Foreign Operations section of the agreement.)

### ***Defense Security Cooperation Agency / Other Aid***

The agreement provides a total of \$2.5 billion for the Defense Security Cooperation Agency (DSCA). Up to \$500 million of DSCA funding may be used for assistance to Jordan in its fight against ISIS, including \$150 million to provide security along its border with Syria and Iraq.

The DSCA provides financial and technical assistance, transfer of defense material and training and services to allies, and promotes military-to-military contacts. It also coordinates global security cooperation programs and handles the Defense Department's Foreign Military Sales and Financing programs.

The agreement also provides an additional \$200 million to expand cooperation or improve the capabilities of U.S. allies and partners in Africa Command and Southern Command.

## **Missile Defense**

The agreement provides approximately \$21 billion for various missile defense programs, including European missile defense and cooperative programs with Israel. The total includes \$690 million for Ground-Based Midcourse Defense (GMD), \$293 million to accelerate hypersonic defense programs, and almost \$1 billion for trusted and secure microelectronics.

### ***Terminal Defense/THAAD***

The measure provides \$240 million for THAAD launchers and tooling and test equipment (\$165 million more than requested for 15 additional launchers), and \$195 million for terminal defense research and development.

Terminal High Altitude Area Defense (THAAD) is a rapidly deployable, ground based missile defense system with the capability to defend against short- and medium range ballistic missiles during their late midcourse and terminal phases. Demand for THAAD has grown as the Army tries to integrate it along with the Patriot anti-missile system as part of a larger regional missile defense architecture. THAAD systems are currently stationed in Guam and South Korea in response to North Korea's ballistic missile testing, and have been deployed to Israel and Romania.

### ***Aegis System***

The measure provides \$597 million for continued research and development of the Aegis ballistic-missile defense system, and \$510 million for Aegis procurement. It also includes \$670 million (\$332 million more than requested) for 14 additional SM-3 (Standard Missile) Block IIA interceptors, which are being co-developed with Japan.

Aegis is a mobile, deployable sea-based system that can destroy missiles both above and within the atmosphere and that can be forward-deployed. Under current plans, 41 specially equipped Aegis warships are supposed to be ready for ballistic-missile defense this year, including to help protect Europe and Japan.

### ***Next-Generation Interceptor Missile***

The agreement provides \$1.8 billion for the Next-Generation Interceptor (NGI), which is to be at the center of homeland missile defense as part of the ground-based midcourse defense system (GMD). The interceptor is expected to replace the Redesigned Kill Vehicle (RKV) program cancelled by the department in 2019 — but it is not expected to be ready until 2030.

### ***Israeli Cooperative Programs***

The measure appropriates the requested \$460 million for cooperative missile defense programs with Israel, including \$160 million for procurement and \$300 million for continued research and development.

Israel, partly with financial help from the United States, has been developing one of the world's most advanced missile defense systems — which includes counters to long-range missiles, long-range artillery rockets and short-range cruise missiles, and the "Iron Dome" defense against short-range projectiles fired from the Gaza Strip and southern Lebanon.

### ***Hawaii & Guam Defense***

The measure provides \$393 million for development of missile defense systems for the territory of Guam and \$80 million (double the request) for procurement.

It directs the Missile Defense Agency director, in consultation with the U.S. Indo-Pacific Command commander, to provide quarterly updates to the congressional defense committees on the status of the discrimination radar on Hawaii. It also requires quarterly updates on the architecture for the defense of Guam.

## **Space Force**

The FY 2020 Defense Authorization established a U.S. "Space Force" as a component within the Air Force Department, which like the Marine Corps within the Navy Department is led by a four-star commander.

The agreement provides an additional \$2.2 billion for space procurement, operation and maintenance, and research and development initiatives. This includes accelerating the development and fielding of resilient space capabilities by investing in a distributed space architecture and increased capability to track emerging threats such as hypersonic vehicles

It includes \$1.8 billion for procurement of seven launches within the National Security Space Launch program (a competition to develop a new family of medium- and heavy-lift launchers to perform missions currently conducted by the Delta, Atlas, Titan 2 and Titan 4 rockets).

### ***Missile Warning Satellites***

The agreement provides \$3.4 billion for the Next Generation Overhead Persistent Infrared (OPIR) system, which would be the first defendable missile warning satellite system. The Space Force is in the process of fielding the system, which is designed to replace Space Based Infrared Systems (SBIRS) satellites, and will be comprised of five missile-warning satellites in geosynchronous Earth orbit.

### ***GPS Satellites***

The Air Force is upgrading the 34 on-orbit satellites that constitute the worldwide Global Positioning System, and is also trying to develop advanced microchips with accelerometers, clocks and other features that can provide GPS-like capabilities without access to the signals from the GPS system now in orbit.

The measure appropriates \$617 million to procure new GPS III F satellites, and \$277 million for the operational control segment.

## **Aircraft**

The agreement appropriates \$39.5 billion for aircraft across the military services — 9% less than FY 2022 funding but 13% more than requested.

The total includes \$19.0 billion (\$2.2 billion more than requested) for Navy aircraft; \$22.2 billion (\$3.7 billion more) for Air Force planes; and \$3.8 billion (\$1.0 billion more) for Army aircraft.

### ***F-35 Joint Strike Fighter***

The measure provides the requested \$8.5 billion for procurement of 61 new F-35 Joint Strike Fighters, as well as \$2.1 billion for continued research and development on the aircraft. The total includes \$1.8 billion to restore 19 aircraft from previous contracts that were never provided.

### ***F/A-18 E/F Super Hornet***

The measure provides \$600 million in unrequested funds for new F/A-18E/F Super Hornet aircraft, and \$1.2 billion for modifications to existing planes. The F/A-18E/F fighter is the Navy's main fighter aircraft and was supposed to end production in 2017. But because of production delays in the Navy's carrier-based F-35C, the Navy has continued to buy new Super Hornets.

### ***Next-Generation Aircraft***

The agreement appropriates the requested \$4.8 billion for continued development and procurement of what is now called the Long-Range Strike-B (B-21) program, a stealth bomber capable of carrying nuclear weapons that could be flown by remote control.

It also provides \$1.7 billion for research and development of a next-generation fighter jet to replace the F-35 JSF after it ends production sometime around 2037.

### ***Other Aircraft***

The agreement also appropriates the following:

- **Aerial Refueling Tankers** — \$2.5 billion for 15 new KC-46A Pegasus aircraft, the Air Force's next-generation aerial refueling aircraft.
- **Presidential Aircraft** — \$148 million (\$345 million less than requested) to continue research and development of a new presidential aircraft to replace the current Air Force One by 2024.
- **C-130 Hercules Transport** — \$2.2 billion to procure 21 C-130 cargo aircraft, including 16 unrequested C-130J aircraft for the Air National Guard and five KC-130J aircraft.
- **F-15E/X Fighter** — \$2.3 billion for 24 new F-15EX fighter aircraft, the latest generation of F-15 aircraft that are mostly used by the Air National Guard.

- **V-22 Osprey** — \$500 million for five V-22 aircraft for the Marines.
- **E-2D Hawkeye** — \$1.2 billion for seven Navy E-2C Hawkeye aircraft, which provides long-range radar surveillance, command and control of fighter aircraft, communications relay and tactical data exchange. The total is \$400 million more than requested for two additional aircraft.

## Drones

Unmanned aerial vehicles (UAVs) or unmanned aerial systems (UASs) have been used extensively to provide firsthand reconnaissance and targeting of opposition forces without placing lives at risk. They proved particularly valuable in Afghanistan and elsewhere by identifying and tracking enemy targets and conducting missions too dangerous for manned aircraft, but are vulnerable to more sophisticated anti-aircraft fire by more technologically advanced opponents.

For other missions other systems are being developed, such as cheap, lightweight (as little as 5 ounces) micro or nano drones that will have the capacity to swarm over and within their targets — including in dense urban environments.

### *Reaper*

The agreement provides \$212 million for MQ-9 modifications (\$151 million more than requested), \$350 million in unrequested funding for 12 MQ-1s for the Army National Guard, and \$584 million for three Navy MQ-4s.

The department has sought to end production of the Reaper, which carries precision-guided bombs or Hellfire missiles and primarily engages in "hunter killer" missions.

### *Aircraft Carrier Refueling UAV*

The Navy's unmanned Carrier Based Aerial Refueling System (CBARS) program (designated the MQ-25 Stingray) is intended to provide automated aerial refueling of other carrier-based aircraft like the F-35, as well as possibly provide some intelligence, surveillance and reconnaissance capability.

The agreement provides \$697 million for four MQ-25s and \$254 million for continued unmanned carrier aviation research and development.



### ***Counter Drone Systems***

The agreement provides \$300 million for the counter unmanned aircraft system (C-sUAS).

Experts contend there is a growing need for development of counter unmanned aerial systems (cUAS), and that recent events in Syria, Iraq, and Djibouti highlight the increasing threat to U.S. military personnel, particularly in austere environments. Israeli scientists reportedly are using artificial intelligence and neural networks to develop a system to locate the operators of enemy drones and target them for retaliation.

### ***Global Hawk & U-2***

The Global Hawk is a high-altitude, long-endurance unmanned aerial reconnaissance aircraft that provides high-resolution, near-real-time imagery of large geographic areas. The program includes RQ-4A aircraft, as well as larger and more capable RQ-4Bs which are almost as large as a Boeing 737.

The agreement appropriates \$68 million for Air Force RQ-4 research and development, as well as \$82 million to refurbish manned U-2 aircraft to combat-ready status and \$20 million for U-2 research and development. The U-2 has superior sensors and the Air Force says it remains a cost-effective platform for signals intelligence and imagery collection.

## **Helicopters**

The agreement appropriates the following for the purchase or development of military helicopters:

- **UH-60 Blackhawk** — \$991 million (\$273 million more than requested ) for 35 new UH-60M multiuse Black Hawks for the Army and National Guard.
- **UH AH-64 Longbow Apache** — \$693 million, as requested, to upgrade 35 AH-64 Apache attack helicopters to the Longbow configuration (the Army's upgraded heavy-attack configuration).
- **CH-53K Super Stallion** — \$1.9 billion (\$200 million and two aircraft more than requested) for 12 new King Stallion heavy-lift transport helicopters for the Marine Corps to carry armored vehicles, equipment and personnel deep inland from a sea-based center of operations, as well as \$220 million for research and development.

- **HH-60W Whiskey** — \$1.2 billion (\$570 million and 10 more aircraft than requested) for 20 new 60-Whiskey combat rescue helicopters, which are used for medical evacuations, civil search-and-rescue, humanitarian aid, disaster relief, and insertion or extraction of combat forces.
- **CH-47 Chinook** — \$347 million (\$178 million more than requested) for new CH-47 Chinook troop transport helicopters.
- **Next Generation Aircraft** — \$1.1 billion in research and development funds for the Army's Future Long Range Assault Aircraft (FLRAA) and Future Attack Reconnaissance Aircraft (FARA).

### Navy Shipbuilding

The Navy currently has 296 deployable warships, including aircraft carriers, submarines and amphibious support ships, with about half deployed away from their home ports. It also has close to 170 support ships that are part of the Military Sealift Command and the Ready Reserve Force. The Defense Department says that eight to 10 new ships are needed each year to maintain the current fleet, and until last year the Navy envisioned a total of 355 manned ships by 2035.

The agreement provides \$32.0 billion to procure 11 Navy ships — \$4.0 billion more than requested — including the following:

- **New Attack Submarine** — \$6.5 billion, including advanced procurement funds for Virginia-class submarines.
- **New Ballistic Missile Submarine** — \$5.9 billion for long-lead components and advanced procurement for the new Columbia-class missile boat.
- **Aircraft Carriers** — \$2.5 billion for the new carrier program, and \$612 million for refueling overhauls of existing ships.
- **FFG Frigate** — \$1.1 billion for one FFG Frigate, which is a new class of multimission guided-missile frigates succeeding the troubled Littoral Combat Ship.
- **DDG-51 Destroyer** — \$6.9 billion for the next three DDG-51 vessels (\$2.2 billion more than requested for one additional ship).

- **Amphibious Ships** — \$645 million for two unrequested expeditionary fast transports, and \$445 million for Ship-to-Shore Connector hovercrafts (\$264 million more than requested for three additional ships).

Appropriators in their explanatory statement direct the Navy secretary to submit a report assessing the domestic source content of any procurements carried out as part of a Navy shipbuilding program, identifying critical components that are available from only one or a few suppliers in the United States.

## Combat Vehicles & Troop Protection

The Army over the past decade began the process of transforming itself into a more strategically responsive force as part of the department's effort to transform the U.S. military into a faster, lighter force, while still retaining its abilities to compete against other major powers.

The agreement's funding includes the following

- **Abrams Tanks** — \$1.2 billion (almost double the request) to upgrade 90 Abrams tanks to the M1A2 configuration, an upgraded, fully digitized 72-ton Abrams tank with night vision capabilities.
- **Joint Light Tactical Vehicle** — \$664 million for 1,528 new JLTVs for the Army. The vehicle is meant to replace the Humvee combat-support utility vehicle with a family of more survivable vehicles with greater payload.
- **Stryker** — \$891 million for Stryker Double V-hull upgrades and other modifications (\$220 million more than requested for 73 additional upgraded vehicles). The double V-shaped hull model better dissipates the force of roadside explosions.
- **Humvees** — \$109 million for additional antilock braking system and electronic stability control upgrades for Army Humvees, which have experienced a series of accidents in recent years.

## Munitions & Long-Range Missiles

The agreement appropriates \$16.1 billion for ammunition, missiles and various munitions across the military services, and also provides funding for continued development of new long-range missiles.

It also provides \$924 million to help defense contractors reinforce their infrastructure for building weapons and for shoring up stocks of certain munitions, including \$250 million to expand industrial capacity for weapons procurement and \$200 million specifically for Army ammunition plant modernization.

The explanatory statement directs the Army secretary to provide 45-day written notification to the congressional defense committees prior to approving civilian reductions in force that would result in an employment loss of 50 or more full-time employees at any Army organic industrial base facility.

### ***Long Range Precision Artillery***

The United States has been supplying Ukraine with the High Mobility Artillery Rocket System (HIMARS) to counteract Russian artillery. HIMARS is a light multiple rocket launcher mounted on a standard Army truck frame. The weapon has a range of close to 50 miles.

Meanwhile, Guided Multiple Launch Rocket Systems, or GMLRS, are a highly mobile artillery rocket system that offers the firepower of Multiple Launch Rocket System and the mobility of HIMARS launchers, with its targeting aided by the Global Positioning System.

The agreement appropriates \$156 million for 26 HIMARS systems, \$785 million for GMLRS, and \$218 million for modifications.

It also provides \$680 million for the self-propelled howitzer Paladin Integrated Management (PIM) program (\$187 million more than requested).

### ***Hypersonic Weapons***

Hypersonic weapons operate at exceptionally high speeds with high maneuverability, making them challenging to track and difficult to intercept. The department is developing an air-launched Hypersonic Conventional Strike Weapon (HCSW) for both fighter and bomber aircraft platforms, the Navy is developing a submarine-launched boost-glide weapon (the Conventional Prompt Strike, or CPS), while the Army is seeking a truck-launched model.

The measure provides \$1.2 billion for the Navy's CPS and \$249 million for the Army's Long Range Hypersonic Weapon. Other funding is provided elsewhere in the agreement.

### ***Long Range Stand Off Weapon***

The agreement provides \$929 million for development of the Long-Range Standoff Weapon (LRSO), a cruise-missile-like system, that is intended to replace the current arsenal of Air-Launched Cruise Missiles (which can carry both nuclear and conventional warheads). Concerns have been raised that potential adversaries have fielded large numbers of theater ballistic missiles and ground-launched land-attack cruise missiles, while the United States is prohibited from fielding such systems by the INF Treaty.

### ***Minuteman Modernization / Ground Based Strategic Deterrent***

The United States currently deploys more than 400 Minuteman intercontinental ballistic missiles, and under the current nuclear modernization program the Air Force plans to replace the Minuteman with the Ground Based Strategic Deterrent (GBSD) system. The agreement appropriates \$3.6 billion for continued research and development of the GBSD.

## **National Guard & Reserve**

The measure provides \$1.0 billion in unrequested funds for National Guard and Reserves procurement. The funds will allow Guard and Reserve components to procure high-priority equipment that may be used for both combat missions and their missions in support of state governors, as well as to ensure full interoperability with the active duty force.

It also provides \$373 million for Defense Production Act purchases.

## **Operation & Maintenance**

Operation and Maintenance (O&M) constitutes the largest segment of defense spending, accounting for more than one-third of total military expenditures. Although O&M — which includes funding for training, supplies and equipment maintenance — is considered the department's "readiness" account, it also includes funds for the Defense Department's administrative functions, environmental restoration, cooperative threat-reduction efforts, and humanitarian assistance.

The agreement provides a total of \$278.1 billion to operate and maintain U.S. forces and to maintain materials and facilities worldwide in FY 2023. The total is \$21.8 billion (8%) more than FY 2022 and \$6.8 billion (3%) more than requested.

The measure provides \$254 million for a "National Defense Stockpile Transaction Fund" to improve supply chains and for the acquisition and retention of certain critical materials, and \$686 million for upgrades to schools on military bases. It also requires the Defense secretary to provide a notification when a foreign base is open or closed

### ***Drug Interdiction***

The agreement provides \$971 million for drug interdiction activities of the U.S. military, \$115 million (13%) more than requested.

Within the total, \$200 million (double the request) is for National Guard counterdrug programs that work with state and local law enforcement within the United States, and \$130 million is for military drug demand reduction efforts, including drug testing.

### ***Nunn-Lugar***

The agreement provides \$352 million for the Cooperative Threat Reduction program, known as CTR or Nunn-Lugar, to assist in the continued denuclearization and demilitarization of the states of the former Soviet Union. The total is \$10 million more than requested, and includes \$235 million for a program to prevent biological weapons proliferation.

## **Military Personnel**

The agreement provides a total of \$172.7 billion for military personnel, including costs of pay, allowances, bonuses, survivor benefits and permanent change-of-station moves. The total is \$5.8 billion (4%) more than FY 2022 and \$1.2 million more than requested.

The measure increases both the Basic Allowance for Housing and the Basic Allowance for Subsistence by 11%, and it provides \$210 million to reduce food prices at commissaries.

### ***Force Levels & Military Pay Raise***

The measure funds a total of 1,316,944 active duty personnel in FY 2023 — 11,356 fewer than the president's request and 31,096 fewer than the FY 2022 level. The total includes 452,000 for the Army (33,000 fewer than FY 2022), 354,000 for the Navy (7,080 more), and 177,000 for the Marine Corps (1,500 less). The total also includes 325,344 for the Air Force (3,876 fewer) and 8,600 for the newly formed Space Force (most of whom were previously in the Air Force).

It also funds the president's request for 770,400 Guard and Reserve forces — 24,200 less than requested and 29,100 less than the FY 2022 level.

The agreement's funding supports an across-the-board 4.6% pay increase for military personnel, equal to the president's request. It also funds the extension of certain special pay and bonuses for active-duty and reserve personnel, as well as 100% of troop housing costs.

### ***Defense Department Dependent Schools***

The measure provides \$3.4 billion for Defense Department dependent schools, which now educate more than 100,000 military children each year. The total is 3% more than requested.

It also provides \$60 million in unrequested funds for Impact Aid, \$20 million for Impact Aid for children with disabilities, and \$15 million in Impact Aid for a large scale rebasing program. The Education Department's Impact Aid program provides supplementary funds to school districts nationwide in order to support the education of nearly 600,000 children of servicemembers.

### ***Sexual Harassment / Gender Advisors***

The measure provides \$479 million to implement the recommendations of the Independent Review Commission on Sexual Assault and \$47 million for the Special Victims' Counsel programs.

It prohibits the Pentagon from entering into contracts of more than \$1 million unless the contractor agrees that it will not require employees or independent contractors to use arbitration to resolve any complaint involving sexual assault or harassment. Contractors must also certify that each covered subcontractor agrees to do the same.

It also provides \$8.6 million for department gender advisor programs. The combatant command gender advisors attempt to incorporate gender and human security supporting information into campaign plans, security cooperation, exercises and training.

## **Defense Health Program**

The agreement appropriates \$39.2 billion for defense health care programs, 5% more than FY 2022 and 6% more than requested. The total includes \$18.6 billion for care in the private sector, \$9.9 billion for in-house care, and \$2.3 billion for information management.

The total also includes \$3.0 billion for research and development (\$2.1 billion more than requested) — including \$583 million in unrequested funds for cancer research and \$175 million in unrequested funds for traumatic brain injury (TBI) and psychological health research and development (see below).

### ***Cancer Research***

The agreement provides \$583 million in unrequested funds for cancer research. This includes \$150 million for research and treatment related to breast cancer, \$110 million for basic and clinical research on prostate cancer, \$50 million for kidney cancer research, \$45 million for ovarian cancer research, \$25 million for lung cancer research, \$15 million for pancreatic cancer research, and \$30 million for a new toxic exposures research program.

It provides \$130 million for a Peer-Reviewed Cancer Research Program that researches cancers not addressed under the department's current breast, prostate, ovarian and lung cancer research programs. The funds are for research in the following areas: bladder cancer, brain cancer, colorectal cancer, liver cancer, lymphoma, melanoma and other skin cancers, mesothelioma, pancreatic cancer, stomach cancer, listeria vaccine for cancer, and cancer in children, adolescents and young adults.

### ***Other Health Research***

The measure also funds the following activities: \$175 million for the peer reviewed psychological health and traumatic brain injury research program; \$30 million for peer-reviewed toxic exposure research programs; \$32 million for HIV/AIDS programs, including \$12 million for global HIV prevention efforts; \$7 million for tickborne disease research; \$40 million for ALS ("Lou Gehrig's disease") research; \$40 million for spinal cord research; \$15 million for autism research; \$15 million for Alzheimer's disease research; \$20 million for vision research and \$5 million for hearing restoration research; and \$12 million for reconstructive transplant research.

## **Environmental Provisions**

The agreement appropriates \$1.6 billion (\$522 million more than requested) to rectify contamination caused by past actions, ensure current compliance, and prepare a more environmentally sensitive military establishment for the future.

It also provides more than \$2 billion in clean energy and climate adaptation to protect facilities, readiness, and global security, and separately it provides the requested \$1.1 billion to destroy chemical agents and munitions.



## ***PFAS***

Much of the added funding is to clean up perfluorinated compounds (PFAS) that have seeped into water supplies on many military bases, including \$225 million for costs associated with PFAS cleanup, and \$20 million for study and assessment of health implications of PFAS contamination in drinking water.

The measure directs the department to provide a spend plan to the House and Senate Appropriations Committees for the additional funds within 90 days of enactment. It also directs the department to include a separate budget justification report on PFAS remediation and aqueous film forming foam removal and disposal activities in the operation and maintenance and environmental restoration accounts to the congressional defense committees no later than 30 days after the FY 2024 President's budget request is delivered to Congress. Finally, the measure requires the assistant secretary of Defense for energy installations and environment to publicly release the measured levels of contamination found at each installation.

## ***Hawaii Fuel Spill***

The measure provides \$1 billion for improvements to infrastructure and defueling of the Red Hill Bulk Fuel Storage Facility on Oahu.

In November 2021 a leak occurred that contaminated the local drinking water — forcing thousands of residents out of their homes and leaving many ill with nausea, vomiting and diarrhea. In March 2022, the Defense Department announced its intention to defuel and permanently close the facility.

## ***Agent Orange Cleanup***

The agreement provides \$15 million to the State Department for the Bien Hoa dioxin cleanup in Vietnam.

In 2018, the U.S. government agreed to an initial 5-year, \$183 million dioxin remediation effort at Bien Hoa Airbase Area in Danang, Vietnam. The base was the primary Agent Orange storage and handling site during the U.S.-Vietnam War and is the largest remaining dioxin hotspot in Vietnam.

## Other Defense Funding

The agreement appropriates \$170 million for international humanitarian assistance, 50% more than requested. Activities under the program include foreign disaster and emergency assistance relief, de-mining operations, and the provision of nonlethal supplies.

It provides \$194 million to the Office of Local Defense Community Cooperation to aid communities adversely affected by defense program changes, including base closures or realignments, base expansions, and contract or program cancellations. The total is \$85 million more than requested and includes \$50 million to assist communities in enhancing their infrastructure.

The measure also provides the following:

- **Civil-Military** — \$285 million (more than double the request) for civil-military programs that aim to improve the life skills and employment potential of youths who drop out of secondary school by providing military-based training from the Guard.
- **Radio/TV** — \$246 million for the Armed Forces Information Service, including funding for the Stars and Stripes newspaper.
- **Investigative Service** — \$791 million for the Investigative & Security Services.
- **Inspector General** — \$485 million for the Pentagon's Office of Inspector General.
- **Historically Black Colleges & Universities** — \$101 million (\$67 million more than requested) for science programs at historically black colleges and universities and other minority institutions.
- **Mobile Nuclear Reactor** — \$12 million to develop a mobile micro nuclear reactor.
- **International Sports Competitions** — \$10 million to support international sporting events.
- **Rename Confederate Sites** — \$1 million for the renaming of installations, facilities, roads and streets that bear the name of confederate leaders and officers.

- **Friendly Fire** — \$42 million for a Civilian Harm Mitigation and Response Action Plan.

### **Guantanamo & Other Funding Prohibitions**

The agreement continues statutory restrictions included in past Defense Appropriations acts — including on the transfer of detainees from the detention facility at the U.S. Naval Station, Guantanamo Bay, Cuba. Specifically, it restricts the transfer of Khalid Sheik Mohammad and others and prohibits the use of funds to close or realign Guantanamo or to modify facilities in the United States to house such prisoners.

It directs the Defense secretary to report within 60 days of enactment (and quarterly thereafter) on the current number of detainees at Guantanamo Bay, their legal status, a detailed description of all department costs associated with the facility during the last two fiscal years, and the status of funds for the current fiscal year.

#### ***Other Funding Bans***

The measure continues to prohibit the use of funds for the following: to provide aid to North Korea, unless specifically appropriated; for the Russian state-owned arms export agency Rosoboronexport; to develop a nuclear armed interceptor for use in a missile defense system; or to purchase from non-U.S. suppliers any supercomputers, foreign anchors, mooring chains, ball bearings or certain steel.

It also continues to bar the National Security Agency from targeting U.S. persons under authorities granted in the Foreign Intelligence Surveillance Act (FISA), and it prohibits the use of funds to support any activity conducted by or associated with the Wuhan Institute of Virology in China.

## Section V

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### Energy-Water

This section describes the provisions of the agreement on HR 2617, Consolidated Appropriations Act for FY 2023, that provide full-year funding for the Energy Department, Army Corps of Engineers, Bureau of Reclamation and related agencies.

The agreement provides \$54.0 billion in base net discretionary spending for FY 2023, \$1.1 billion (2%) more than FY 2022, according to CBO. The discretionary total includes \$31.4 billion in defense spending and \$22.6 billion in non-defense spending.

For the Energy Department, the measure provides \$46.5 billion in net discretionary funding (including the emergency funding) — \$1.7 billion (4%) more than FY 2022 — including \$17.1 billion for weapons activities (7.5% more than FY 2022), \$2.5 billion for nuclear nonproliferation activities (6% more), and \$7.0 billion for defense environmental cleanup activities (5% more).

The DOE total also includes \$15.3 billion for various energy programs, including \$8.1 billion (8% more than FY 2022) for science activities. Funding is also increased by 8% for energy efficiency and renewable energy research, by 26% for electricity technologies programs, by 8% for cybersecurity, energy security and emergency response programs, and by 8% for fossil energy and carbon management initiatives. It reduces funding for nuclear power development and research by 11%. For Advanced Research Projects Agency-Energy (ARPA-E), it increases funding by 5% — but it rejects the administration's request to fund a new ARPA-C program focused on climate programs.

It also provides \$8.7 billion for the Army Corps of Engineers (including emergency funding), 4% more than FY 2022, and it appropriates \$1.95 billion (\$30 million more) for activities of the Interior Department's Bureau of Reclamation.

(In addition to amounts provided by the agreement, for Energy-Water programs and activities it's estimated that for FY 2023 \$16.0 billion in emergency funding will be available from the 2021 bipartisan infrastructure law [PL 117-58]).

The measure includes \$1.3 billion in earmarks (now known as Community Project Funding) for 339 specified projects.

## Army Corps of Engineers

The Army of Engineers is responsible for civil flood control, navigation and ecosystem restoration projects. The House committee has noted that in addition to building and maintaining flood protection infrastructure that prevents almost \$12 in damage for every dollar spent, the corps maintains 1,067 harbors and 25,000 miles of commercial channels serving 40 states, which is critical to U.S. commerce and international economic competitiveness.

The agreement provides \$8.3 billion in regular appropriations for corps operations, investigations and construction activities for FY 2023 — \$13 million less than FY 2022 but \$1.8 billion more than requested. (The Ukraine & Disaster Aid supplemental appropriations division of the agreement provides an additional \$350 million in emergency funding for the corps.)

Under changes enacted in 2020 as part of the CARES Act and the 2020 Water Resources Development Act (PL 116-136 and PL 116-260, respectively), the budgetary treatment of the Harbor Maintenance Trust Fund was modified to exempt certain trust fund expenditures from discretionary budget caps. It's estimated that those budgetary rules apply to \$2.3 billion of Corps spending from the trust fund under the measure. Similarly, limits on discretionary spending do not apply to \$56 million provided for certain activities at donor ports and energy transfer ports under provisions of the 2014 WRDA law.

### *Operation & Maintenance*

The Operation and Maintenance account provides funding for the corps to clear and maintain U.S. harbors and inland waterways, including through dredging, and to operate and maintain lock and dam facilities around the country.

The agreement provides \$5.1 billion for waterway operation and maintenance for hundreds of specified projects, 11% more than FY 2022.

### *Water Project Construction*

The measure provides \$1.8 billion for general water project construction, 27% less than FY 2022 funding.

This account provides general construction funding for projects relating to navigation, flood and storm damage mitigation and aquatic ecosystem restoration that have been authorized by Congress and approved by the chief of the corps, and are identified in the explanatory statement accompanying the agreement.

Separately, the measure provides \$370 million for inland waterway projects on the Mississippi River and its tributaries, equal to FY 2022.

### ***Other Activities***

The agreement provides \$218 million for the corps' regulatory program, which oversees activities affecting U.S. waters (including wetlands) in accordance with various laws — including the 1899 Rivers and Harbors Appropriation Act, the Clean Water Act, and the 1972 Marine Protection, Research, and Sanctuaries Act. The amount provided is \$6 million more than FY 2022.

It appropriates \$400 million (33% more than FY 2022) for the continued cleanup of certain low-level radioactive materials and mixed wastes located at Energy Department sites that were contaminated during the nation's past efforts to develop atomic weapons.

It provides \$173 million (21% more than FY 2022) for general investigations, under which the corps conducts studies to determine the feasibility of constructing a water project. It also provides \$35 million (equal to FY 2022) for training programs to prepare for and respond to floods, hurricanes and other natural disasters.

## **Energy Department**

The agreement provides \$46.2 billion in regular funding for the Energy Department, \$1.4 billion (3%) increase over FY 2022 after factoring out a one-time rescission. (The Ukraine & Disaster Aid supplemental appropriations division of the agreement provides an additional \$300 million in emergency funding for DOE.)

Within the total provided for the department, almost half (\$22.2 billion) is for nuclear weapons activities conducted by the National Nuclear Security Administration (NNSA) — including nuclear weapons management and development, nonproliferation activities, and research on naval nuclear reactors. Another \$7.0 billion is for continued environmental cleanup of defense facilities where nuclear weapons activities were conducted as well as non-defense nuclear facilities. On the non-defense side, it provides \$15.3 billion for DOE science and energy programs.

## **DOE Military Nuclear Programs**

The National Nuclear Security Administration (NNSA) is a semiautonomous agency within the Energy Department that is responsible for the development, maintenance and disposal of U.S. nuclear weapons, and for preventing the proliferation of weapons of mass destruction. NNSA accounts include weapons activities, defense-oriented nuclear proliferation and naval reactors.

The agreement appropriates \$22.2 billion for the NNSA, 7% more than FY 2022 funding.

### ***Weapons Activities***

Within the NNSA total, the measure provides \$17.1 billion for nuclear weapons activities, 7.5% more than FY 2022.

The nuclear weapons total includes \$4.95 billion (7% more than FY 2022) for stockpile management work including maintenance, operations, surveillance, dismantlement, and weapon acquisition programs — including life extensions, modifications, and alterations.

It includes \$5.1 billion (76% more than FY 2022) for the NNSA's production modernization program to restore and modernize the capability to produce primaries, secondaries, and non-nuclear components; \$3.1 billion (8% more) for Stockpile Research, Technology, and Engineering to strengthen science-based stockpile stewardship capabilities to annually certify and assess the stockpile; and \$2.6 billion (33% less) for nuclear weapons infrastructure and operations — which includes \$798 million (9% more) for modernizing (recapitalizing) the nation's nuclear weapons infrastructure.

It also includes \$872 million (3% more than FY 2022) to ensure the security of NNSA sites and facilities, and \$446 million (10% more) for NNSA information technology and cybersecurity activities.

### ***Nuclear Nonproliferation Programs***

Nonproliferation programs seek to prevent the development and spread of nuclear weapons worldwide. Some of these programs are designed specifically to secure and decommission weaponry and technology of the former Soviet Union.

The agreement appropriates \$2.5 billion for NNSA defense nuclear nonproliferation activities, 6% more than FY 2022.

The total for non-proliferation includes \$533 million (just \$1 million more than FY 2022) for global material security programs and activities; \$231 million (25% more) for nonproliferation and arms control activities; \$768 million (5% more) for defense nuclear nonproliferation research and development; \$464 million (35% more) for material management and minimization activities; and \$470 million (27% more) for the department's nuclear counterterrorism and incident response program to respond to and mitigate nuclear and radiological incidents worldwide.

### ***Naval Reactors***

The agreement provides \$2.1 billion for the NNSA's naval reactor program, 8.5% more than FY 2022. The department's naval reactor program is responsible for all aspects of naval nuclear propulsion, including technology development, reactor operations, and disposal. It fully funds the requests to develop reactors for the Columbia class ballistic missile submarine (\$54 million) and to refuel the S8G prototype (\$20 million).

It includes \$746 million (16% more than FY 2022) for general naval reactors development, \$669 million (12.5% more) for reactor operations and infrastructure activities, and \$534 million (20% more) for construction projects, including \$477 million for the department's spent nuclear fuel handling recapitalization project.

### **DOE Environmental Cleanup Activities**

The agreement provides a total of \$8.3 billion for a variety of Energy Department programs focused on environmental cleanup of both former government sites as well as civilian nuclear sites. The total provided is 4.5% more than FY 2022.

The largest portion, \$7.0 billion (5% million more than FY 2022), is for the general defense environmental cleanup program, which focuses on the cleanup of contaminated areas, primarily at current and former Defense Department sites.

Within that amount, it provides \$2.7 billion for cleanup activities in and around the Hanford site in Washington state (\$1.0 billion for the Richland Operations Office and \$1.7 billion for the Office of River Protection); \$1.6 billion for the Savannah River site in South Carolina; \$458 million for the Idaho National Laboratory, \$505 million for the Oak Ridge Tennessee facility, \$459 million for the Waste Isolation Pilot Plant in New Mexico, and \$446 million for various National Laboratories and associated facilities.

Within the measure's funding for non-defense DOE activities, it provides \$359 million (7% more than FY 2022) for the cleanup and remediation of civilian nuclear sites, as well as \$879 million (2% more) from the Uranium Enrichment Decontamination and



Decommissioning Fund for the continued cleanup of non-defense gaseous diffusion plants at Portsmouth, Ohio; Paducah, Ky.; and Oak Ridge, Tenn. It appropriates \$586 million for Defense cleanup that is to be deposited into the Uranium Enrichment Decontamination and Decommissioning Fund.

### **DOE Energy Programs**

The agreement provides a total of \$15.3 billion for a variety of energy programs conducted by the Energy Department, including the department's science programs.

It funds the Advanced Research Projects Agency-Energy (ARPA-E) research program at \$470 million — 4% more than FY 2022. ARPA-E supports research and related projects attempting to rapidly develop energy technologies that are too risky to attract substantial private investment but are capable of significantly changing the energy sector to address energy-related economic and security challenges. ARPA-E support is usually provided through partnerships with universities that supply personnel and assist in project and research funding. Appropriators rejected the administration's request to create an ARPA-C program that would be focused on climate projects, saying such programs are consistent with the ARPA-E mission.

#### ***Science***

The agreement provides \$8.1 billion for the Energy Department's science account — 8% more than FY 2022. The account funds the department's work on basic energy research, nuclear physics, biological and environmental sciences, fusion and related endeavors.

The total includes \$1.1 billion for research on advanced scientific computing, including \$77 million for construction on the Exascale Computing Initiative. Exascale computers would exceed the existing generation of supercomputing power by 10,000% and provide computing power necessary to meet future national security, scientific and health care needs.

The science total also includes \$2.5 billion combined for basic energy sciences research (10% more than FY 2022) and related construction (4% less); \$1.2 billion for high energy physics research (8% more) and construction (11% more); \$805 million for nuclear physics research (11% more) and construction (150% more); \$763 million for fusion energy sciences research (7% more) and construction (equal to FY 2022); and \$281 million for science laboratories infrastructure support (3.5% less) and construction (4% less).

It also includes \$909 million (11% more) for biological and environmental research, and \$184 million (8% more) for safeguards and security.

### ***Energy Efficiency & Renewable Energy***

The agreement provides \$3.5 billion for the Energy Department's energy efficiency and renewable-energy account — \$260 million (8%) more than FY 2022.

Within the total, \$782 million (34% less than FY 2022) is for energy efficiency programs and activities, including advanced manufacturing (8% more), building technologies (8% more) and weatherization programs (equal funding). The measure includes \$27 million for a new Energy Future Grants Program.

The total also includes \$792 million (11% more than FY 2022) for renewable energy technology programs, providing increases for solar energy (10%), wind energy (16%) and water power (10%). It provides \$45 million for an initiative to better integrate renewable energy with the nation's electric grid.

Finally, it includes \$905 million (8% more than FY 2022) for sustainable transportation technologies, including vehicle technologies (8% more), bioenergy technologies (7% more) and hydrogen and fuel cell technologies (8% more).

### ***Fossil Energy & Carbon Management***

The measure provides \$890 million for fossil fuel and carbon management research and development activities, 8% more than FY 2022. Spending must prioritize activities and strategies that have the potential to significantly reduce emissions for each technology relevant to the applicable objective and the international commitments of the United States.

Within the total, \$460 million (10.5% more than FY 2022) is provided for carbon capture, utilization and storage (CCUS) and power system research and development. It increases funding for carbon capture technologies (by 36%), carbon utilization (72%), carbon storage (13%), and carbon dioxide removal technology activities (43%). It also includes \$54 million for mineral sustainability activities, up to \$6 million of which is for activities to enhance the security and stability of the rare earth element supply chain.

### ***Energy Security & Electric Grid***

The agreement includes funding to help secure the nation's energy infrastructure against natural hazards, to reduce the risks of (and impacts from) cybersecurity events, and to help restore energy infrastructure that is impacted.

It provides \$200 million for Energy Department cybersecurity, energy security and emergency response programs, 8% more than FY 2022. Within this total, \$125 million is for risk management technology and tools (4% less than FY 2022). It also provides

\$23 million funding for hazard response and energy delivery restoration and \$27 million for information sharing and partnerships between federal, state and local governments and the energy sector.

The broader electricity technologies program, meanwhile, would receive a 26% increase to \$350 million, including \$31 million for energy delivery grid operations technologies, while the existing transmission reliability and resilience activities account would receive \$34 million (31% more). The agreement keeps funding level for the existing resilient electricity distribution program, while increasing funding for transformer resilience and advanced components by 150%, but it reduces funding for energy storage research and construction programs by 21%.

The newly created Grid Deployment Office would receive \$59.5 million.

### ***Nuclear Energy***

The measure appropriates \$1.5 billion for the nuclear power development and research account, 11% less than FY 2022. However, when the \$300 million in emergency funding is added, the measure provides a total of \$1.8 billion for those activities — 7% more than FY 2022. The account funds multiple programs, including spacecraft propulsion systems, cancer treatment technology and reactor technologies.

The total includes \$322 million (\$2 million more than FY 2022) for fuel cycle research, \$259 million (\$2 million more) for reactor concept research, \$85 million (67% less) for the Advanced Reactors Demonstration Program, and \$346 million (7% less) for nuclear energy research infrastructure.

### ***Strategic Petroleum Reserve***

The agreement appropriates \$207 million for continued operations and maintenance of the Strategic Petroleum Reserve (SPR), 5% less FY 2022 funding.

It prohibits the department from establishing any new regional petroleum product reserves unless funding for such a proposed regional reserve is explicitly requested in advance in an annual budget submission and is approved by Congress.

Separately, the measure provides the requested \$13 million (5% less than FY 2022) for remaining activities related to naval petroleum and oil shale reserves, and it provides the requested \$7 million for the Northeast Home Heating Oil Reserve, 8% more than FY 2022. The heating oil reserve is intended to ensure that home heating oil supplies are available for northeastern states during times of very low inventories or significant threats to heating oil supplies.

### **Other DOE Activities**

The agreement provides \$135 million (5% more than FY 2022) for the Energy Information Agency, a quasi-independent agency in the Energy Department responsible for providing timely, objective, and accurate energy-related information to Congress, the executive branch, state governments, industry, and the public.

It provides \$547 million (13% more than FY 2022) for administrative expenses of the Energy Department, plus an additional \$40 million (equal to FY 2022) for administering Strategic Partnership Projects. (After miscellaneous revenues and transfers from certain defense activities are factored in, the measure provides a net appropriation of \$283 million for DOE administration). Separately, it provides \$86 million (10% more than FY 2022) for DOE's Inspector General.

It also appropriates \$75 million for Indian energy policy and programs for tribal energy development (29% more than FY 2022), of which \$45 million must be used to advance technical assistance, demonstration, and deployment of clean energy technologies (including solar and energy storage) for households and communities in tribal nations to improve energy reliability and resilience, and alleviate energy poverty. Separately, it provides \$4 million for the Tribal Energy Loan Guarantee Program (double FY 2022 funding).

### **Power Marketing Administration**

The agreement provides the requested net appropriation of \$110 million for regional power marketing administrations, 8% more than FY 2022.

The total includes a net \$99 million in funding for the Western Area Power Administration (WAPA) that serves 15 states, and a net \$11 million for the Southwestern Power Administration (SPA) that serves six states — where all but those amounts for each power administration's operations and maintenance budget would be covered through power sales and other income.

On a programmatic basis, the agreement provides \$1.2 billion (40% more than FY 2022) for WAPA operations and \$163 million for the SPA (29% more). In the case of the Southeastern Power Administration, which serves 11 states, power sales and other revenue would cover its entire \$101 million budget (37% more than FY 2022).

## **Bureau of Reclamation**

The Bureau of Reclamation within the Interior Department is charged with developing water supplies and reclaiming arid lands in the Western United States. The bureau is responsible for more than 475 dams and 337 reservoirs, and supplies water to 31 million people and 10 million acres of farmland in 17 western states. It also supplies hydroelectric power and is the second largest supplier of hydropower behind the Army of Engineers.

The measure provides \$1.9 billion for activities of the Bureau of Reclamation, \$30 million (2%) more than FY 2022 and 36% more than requested.

Most of the total, \$1.8 billion (2% more than FY 2022), is for activities that support the development, construction, management and restoration of water and related natural resources.

### ***Ecosystem Restoration Activities***

The agreement provides the requested \$46 million (19% less than FY 2022) for the Central Valley Project Restoration Fund. The fund was established to provide money from project beneficiaries for habitat restoration, improvement and acquisition in the Central Valley Project area in California. Funds are derived from a collection of revenue sources, including voluntary water transfers and tiered water pricing, as well as mitigation and restoration payment collections.

It also provides \$33 million (equal to FY 2022) for the California Bay-Delta Ecosystem Restoration account, which funds the federal share of restoration activities being developed for the San Francisco Bay/Sacramento-San Joaquin Delta by a federal-state partnership.

## **Central Utah Project**

The agreement appropriates \$23 million (equal to FY 2022) for continued work on the Central Utah Project, a large Interior Department water infrastructure project designed to provide irrigation and municipal water and to restore wildlife habitats.

The total includes \$16.5 million for project construction, and \$5 million for transfer to the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission.

## **Independent Agencies**

### ***Nuclear Regulatory Commission***

The measure provides \$911 million for salaries and expenses of the Nuclear Regulatory Commission (NRC), 4% more than FY 2022 funding. Most of the commission's funding would be offset by receipts from user fees paid by nuclear utilities and other entities regulated by the commission. It is assumed the commission would receive \$777 million from such receipts, resulting in a net appropriation of \$137 million. The NRC's inspector general, meanwhile, would receive \$16 million, all but \$3 million of which would be offset by agency revenues.

### ***Federal Energy Regulatory Commission***

The agreement provides the requested \$508 million for the Federal Energy Regulatory Commission, 9% more than FY 2022. All of the commission's funding would be offset by fees paid by regulated energy companies and providers, resulting in no net appropriation.

### ***Other Agencies & Regional Commissions***

The measure appropriates \$200 million for the Appalachian Regional Commission, 80% less than FY 2022. Of the total, \$13 million is directed to address the substance abuse crises in the region, \$15 million is directed towards high-speed broadband deployment in distressed counties within the Central Appalachian region that have been most negatively impacted by the downturn in the coal industry, and \$15 million is for economically distressed counties within the North Central and Northern Appalachian regions.

Finally, the measure provides \$40 million (14% more than FY 2022) for the Northern Border Regional Commission, \$30 million (equal to FY 2022) for the Delta Regional Authority, and \$17 million (12.5% more) for the Denali Commission.

## Section VI

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### Financial Services

This section describes the provisions of the agreement on HR 2617, Consolidated Appropriations Act for FY 2023, that provide full-year funding for the Treasury department and IRS, the federal courts and White House, and various independent federal agencies.

The agreement provides \$27.6 billion in base net discretionary funding according to CBO (8% more than the comparable FY 2022 level) as well as \$143 million subject to the discretionary cap adjustment for disaster spending. It also includes more than \$21.8 billion in mandatory funding, including salaries for federal judges and contributions for federal employee retirement benefits.

The measure decreases funding for the IRS by 2%, while increasing funding for the rest of the Treasury Department by 10%. It also increases funding for the federal court system by 7% and for the Executive Office of the President by 12%. It increases the federal payment to the District of Columbia by 2%.

It provides a 13% increase for the Office of Personnel Management (OPM) and a 7% increase for building construction, repairs, and operations at the General Services Administration (GSA), including funding for a new FBI headquarters. It also increases funding for a number of independent federal agencies, including the Small Business Administration (18%), the Federal Trade Commission (14%), the Securities and Exchange Commission (11%), the Consumer Product Safety Commission (10%), the National Archives and Records Administration (3%), and the Federal Communications Commission (2%),

The measure includes \$230 million in earmarks (now known as Community Project Funding) for 246 specified projects.

### Treasury Department/IRS

The measure provides a total of \$14.2 billion for Treasury programs and activities — \$99 million (1%) less than FY 2022 and 12% less than requested. It also rescinds \$150 million from the Treasury Forfeiture Fund, which is used to offset spending elsewhere in the agreement.

## Internal Revenue Service

The vast majority (87%) of funding provided to the Treasury Department goes to the IRS, which would receive \$12.3 billion — 2% less than FY 2022 and 13% less than requested. While funding for most IRS activities is equal to FY 2022, the measure provides no funding for IRS business systems modernization; appropriators note in the past two years Congress has provided the IRS with more than \$6.2 billion for IT infrastructure modernization as part of the American Rescue Plan Act (PL 117-2) and the Inflation Reduction Act (PL 117-169). (Republicans have also objected to the \$80 billion provided by the IRA over 10 years to hire IRS personnel.)

The measure provides \$2.8 billion for IRS taxpayer services, including forms and publications, tax return processing, advocacy and services to assist taxpayers. Another \$5.4 billion is provided for IRS enforcement activities, including the examination of tax returns, settling taxpayer appeals regarding their returns, monitoring employee pension plans, reviewing the tax-exempt status of organizations, and collecting unpaid taxes. Finally, the total includes \$4.1 billion for IRS operations support, including shared service support related to facilities services, rent payments, printing, postage, security, strategic planning, communications and liaison, finance, human resources, research, information technology and telecommunications.

### *IRS Policy Provisions*

The measure continues a number of provisions that restrict IRS activities, including those that prohibit the targeting of groups for regulatory scrutiny based on their ideological belief or of individuals for exercising their First Amendment rights.

It also continues to prohibit the Treasury or IRS from using funds to issue any rules on the definition of tax-exempt social welfare organizations, also known as Section 501c(4) organizations. (Some government accountability activists argue that current IRS reporting requirements effectively allow individuals to use these groups to donate "dark money" for political purposes without having to disclose their personal information to the IRS).

## Other Treasury Offices

The agreement funds various offices within the Treasury Department that deal with a variety of issues, including U.S. finances and debt, imposing financial sanctions against entities, and promoting economic development, as follows:

- **Bureau of the Fiscal Service** — \$372 million for the Bureau of the Fiscal Service (5% more than FY 2022). The office was established in 2012 and performs the accounting, borrowing, collections, payments



and shared services functions of the federal government. It collects most of the non-tax debt owed to the federal government and is responsible for all public debt operations and for promoting the sale of U.S. securities.

- **Terrorism Office** — \$216 million for the Office of Terrorism and Financial Intelligence, an 11% increase that appropriators say will help enforce U.S. financial sanctions, including ones against Russia. The office enforces economic and financial sanctions against terrorist groups, drug traffickers, and rogue nations and provides intelligence and counterintelligence services for the department, including analysis of terrorist financing.
- **FinCEN** — \$190 million for the Financial Crimes Enforcement Network (18% more than 2022), which supports federal, State, local, and international law enforcement agency investigations into money laundering and other financial crimes, and is responsible for implementing anti-money laundering allegations. The agreement directs FinCEN to update its investment adviser rule to help reduce the ability of money launderers to hide their illicit funds through the use of hedge funds.
- **Alcohol/Tobacco/Trade** — \$149 million for the Alcohol and Tobacco Tax and Trade Bureau (16% more than FY 2022). The bureau enforces laws to regulate lawful activities relating to alcohol products and tobacco.
- **Foreign Investment/CFIUS** — \$21 million (5% more than FY 2022) for the CFIUS fund, though this amount is expected to be fully offset by collected filing fees, resulting in no net appropriation. The fund was established in 2018 to support certain activities of the Committee on Foreign Investment in the United States, which coordinates federal policy on foreign investment in the United States and monitors its impact.
- **CDFI Fund** — \$324 million (10% more than FY 2022 but 2% less than requested) for the Community Development Financial Institutions Fund. The fund provides grants, loans, equity investments and technical assistance on a competitive basis to new and existing CDFIs such as community development banks, community development credit unions, and housing and micro-enterprise loan funds that support lending in underserved communities. Within the total, \$196 million is for financial and technical assistance grants, \$25 million is for Native

Initiatives, \$24 million is for healthy food financing initiatives, and \$35 million is for the Bank Enterprise Award program to support financial institutions in underserved communities.

Finally, the measure limits the total of new obligations and liabilities of the U.S. Mint at \$50 million in FY 2023. The Mint, which manufactures coins and safeguards deposits of monetary metals is not funded through appropriations but through a fund financed by the sale of coins.

### **Treasury Administration & Other Activities**

The agreement appropriates a total of \$833 million for Treasury Departmental Offices (including the terrorism office, CFIUS, and offices of inspectors general), of which \$274 million is for general departmental salaries and expenses (13% more than FY 2022) and \$11 million is for capital investments (82% more). It also includes \$100 million for the department's Cybersecurity Enhancement Account — a 25% increase that lawmakers say will help the department protect itself from cyberattacks.

The measure continues several policy provisions from previous years, such as a prohibition on using funds to redesign the One Dollar bill and a prohibition on consolidating the U.S. Mint (which produces coins) and the Bureau of Engraving and Printing (which produces paper currency) without the approval of Congress. Unlike the House-passed measure, the agreement does not include language to prohibit Treasury from penalizing a bank or other institution that provides financial services to legitimate cannabis-related businesses that operate under a state or local law.

#### ***Inspectors General***

The agreement provides \$48 million for the Treasury Department's Inspector General (16% more than FY 2022), and a separate \$174 million for the Treasury Inspector General for Tax Administration (TIGTA; equal to FY 2022) which conducts audits and investigations to assess the operations and programs of the IRS. It also provides \$9 million for the Special Inspector General for the Troubled Asset Relief Program (TARP), 44% less than FY 2022 as TARP continues to wind down; this office was created by the 2008 Emergency Economic Stabilization Act (PL 110-343) to coordinate the audits and investigations of Treasury assets under TARP.

Finally, it provides \$12 million for the Inspector General for Pandemic Recovery (an \$8 million increase), which was established by the 2020 CARES Act (PL 116-136) to oversee how COVID-19 related relief funds have been allocated and spent.

## Judiciary

The agreement provides \$8.9 billion for the operation of the federal court system, including salaries of support personnel and other expenses of the federal judiciary — including \$420 million in mandatory spending for the salaries of Supreme Court justices and other federal judges. The total is 7% more than FY 2022 but 1% less than requested.

### *Supreme Court*

The measure provides \$112 million for the salaries and expenses of the Supreme Court (including \$2.9 million for the Justices' salaries), 5% more than FY 2022. A separate \$29 million (more than double FY 2022) is provided for care of the Supreme Court building and grounds, which are supervised by the Architect of the Capitol.

It also authorizes a student loan repayment and education assistance program to help improve the recruitment and retention of critical Supreme Court employees and police officers.

### *Federal Courts & Judicial Services*

The agreement appropriates \$6.3 billion (5% more than FY 2022) for U.S. Courts of Appeals, U.S. District Courts, Bankruptcy Courts, Federal Claims Court, as well as probation and pretrial services. Included in that total is \$412 million in mandatory spending for the salaries of judges and bankruptcy judges.

Separately, it provides a 7% increase for the U.S. Court of Appeals for the Federal Circuit (\$40 million for FY 2023, including \$3.4 million for mandatory judges' salaries) and a 4% increase for the U.S. Court of International Trade (\$24 million for FY 2023, including \$2.3 million for judges' salaries). It also provides \$1.4 billion for defender services (3% more than FY 2022), \$58 million for mandatory juror fees (79% more than FY 2022), and \$750 million for court security (6% more; in addition to \$113 million already provided for FY 2023 by the September continuing resolution, PL 117-180).

The measure extends certain temporary federal judgeships in ten federal court districts and it continues a pilot program for the U.S. Marshals Service to provide security at federal courthouses. It also codifies the U.S. Sentencing Commission's participation in the federal employees' retirement system.

### ***Other Judicial Operations***

The measure provides \$102 million (4% more than FY 2022) for the Administrative Office of the U.S. Courts, which provides administrative and management support to U.S. courts; \$34 million (15% more) for the Federal Judicial Center, which improves the management of federal judicial dockets and court administration; and \$22 million (also 5 % more) for the U.S. Sentencing Commission, which reviews and revises sentencing guidelines and practices for the federal criminal justice system.

### **White House / Executive Office of the President**

The agreement appropriates \$878 million for the White House and the Executive Office of the President — 12% more than FY 2022 and 3% more than requested.

#### ***The President & White House Operations***

The measure provides \$234 million for the White House, 14% more than FY 2022 and 2% more than requested. Within that total, \$78 million (20% more than FY 2022) is for core White House staff and administrative services that directly support the president (the president's \$450,000 salary is provided elsewhere as a separate mandatory expense). It also includes \$115 million (8% more) for general administrative services to the overall Executive Office of the President, including financial, personnel, library, information management and general office services — of which \$7 million may be used by the White House and other EOP agencies to pay interns.

The measure includes \$18 million (9% more than FY 2022) for operating expenses of the White House residence, including \$2.5 million for White House repair and restoration activities. It also provides \$18 million (43% more) for the staffs of the National Security Council and Homeland Security Council, and \$5 million (19% more) for the president's Council of Economic Advisers.

Separately, the measure provides \$6.3 million for the Vice President's office and staff (24% more than FY 2022), of which \$321,000 is for the operating expenses of the vice president's residence.

#### ***Office of Management & Budget***

The agreement provides \$128 million for the Office of Management and Budget (OMB), 10% more than FY 2022. OMB assists the president in the discharge of budgetary, economic, management and other executive responsibilities.

### ***National Cyber Director***

The total includes the requested \$22 million for the Office of National Cyber Director, which was established by the FY 2021 Defense Authorization Act to coordinate and implement a national cybersecurity policy and strategy. While the office received no funding as part of the FY 2022 appropriations measure, \$21 million was included for the office as part of the Infrastructure Investment and Jobs Act (PL 117-58).

### ***Drug Control Programs***

The measure appropriates a total of \$471 million for the Office of National Drug Control Policy (ONDCP), which is responsible for developing policies, objectives and priorities for the National Drug Control Program. The total is 5% more than both FY 2022 and the request.

Within the total, \$302 million (2% more than FY 2022) is for the High Intensity Drug Trafficking Areas (HIDTA) Program, which provides assistance to federal, state and local law enforcement units operating in areas that are most adversely affected by drug trafficking and have been designated as high-traffic areas. It also provides \$137 million (3% more than FY 2022) for other federal drug control programs — including \$109 million for the drug free communities program, \$19 million for anti-doping activities, and \$5.2 million for grants to help communities fight prescription drug abuse.

## **Other Federal Agencies**

The agreement funds a wide range of other federal agencies, including the Office of Personnel Management, the General Services Administration (GSA), the Small Business Administration, the Securities and Exchange Commission, and the Federal Communications Commission.

### ***General Services Administration***

GSA operations are funded primarily through the Federal Buildings Fund, which derives most of its revenue from rents paid to the GSA by federal agencies. The GSA then uses funds from the Building Fund to pay for the construction and repair of federal buildings, the rent for private buildings that house federal agencies, and for various building operation and maintenance activities. GSA also receives funding from other sources, including direct appropriations.

The agreement estimates that the Federal Buildings Fund will receive \$10.5 billion in rental income, and it provides for the release of \$10.0 billion of that amount for building repairs and alterations, installment payments, rent, and building operations and maintenance (7% more than FY 2022 but 7% less than requested). The \$476 million difference between the fund's income and expenses allowed is scored as savings and offsets spending elsewhere in the measure.

Spending from the Federal Buildings Fund would be used for rental of private space to house federal agencies (\$5.6 billion, 2% less than FY 2022), building operations (\$3.0 billion, 7% more), construction and acquisition (\$808 million, a \$508 million increase), and building repairs and alterations (\$662 million, 14% more) — including \$245 million for major repairs and alterations and \$19 million for "special emphasis" projects to increase security at U.S. courthouses.

The construction and acquisition total includes \$253 million for the new DHS headquarters at St. Elisabeth's, and \$154 million for construction of three new federal courthouses in Connecticut, Florida, and Tennessee.

In addition to amounts from the Federal Buildings Fund, the measure directly appropriates \$362 million for other GSA operations, accounts, and activities. That includes \$71 million (4% more than FY 2022) for the Office of Government-Wide Policy, which establishes guidelines and conducts evaluations; \$75 million (8% more) for the GSA inspector general's office; \$54 million (4% more) for GSA's Operating Expenses account; \$5 million for the pensions and related expenses of former presidents; and \$50 million for technology modernization.

Unlike the House-passed version of the bill, the agreement does not provide the \$300 million requested by the administration to begin procuring electric vehicles for the federal vehicle fleet.

### ***New FBI Headquarters***

GSA's total for construction and acquisition includes \$375 million to begin the process of establishing a new consolidated FBI headquarters at one of three previously approved sites in the National Capital Region.

In selecting the site for the FBI headquarters, the GSA must conduct separate and detailed consultations with individuals representing the each site in Maryland and Virginia to "further consider perspectives related to mission requirements, sustainable siting and equity, and evaluate the viability of the GSA's Site Selection Criteria."

### ***Office of Personnel Management***

The Office of Personnel Management (OPM) is responsible for management of federal human resources policy and oversight of the merit civil service system. It is also responsible for administering the retirement, health benefits and life insurance programs affecting most federal employees, retired federal employees and their survivors. The measure provides \$386 million for OPM's salaries and expenses (14% more than FY 2022 but 7% less than requested), as well as \$36 million for OPM's inspector general (13% more).

### ***Small Business Administration***

The agreement provides \$1.2 billion for the Small Business Administration (SBA, 18% more than FY 2022), of which \$143 million represents a budget cap adjustment for additional disaster loan funding

Of the total, \$320 million (10% more than FY 2022) is for the SBA Entrepreneurial Development Programs (EDP), including Small Business Development Centers (\$140 million), Women's Business Centers (\$27 million), the State Trade Expansion Program (STEP, \$20 million), Veterans Outreach (\$17 million) and the SCORE mentorship program (\$17 million). It also includes \$41 million for technical assistance under the SBA Microloan program and \$3 million for an SBA pilot program to provide grants to help small businesses improve their cybersecurity.

The measure authorizes a total loan limit of \$35 billion for the SBA 7(a) loan guarantee program, and it provides \$171 million for the administrative costs of various SBA loan programs, including \$6 million in subsidies for the SBA microloan program. Another \$179 million is provided for the administrative costs of SBA disaster loans, of which \$143 million is available through a budget cap adjustment for major disasters.

Finally, it includes \$326 million for expenses and employee salaries (17% more than FY 2022), while an additional \$180 million is provided in the total for small business development initiatives.

### ***Securities & Exchange Commission***

The primary mission of the Securities and exchange Commission (SEC) is to protect investors, maintain the integrity of the securities markets and ensure that adequate information on the capital markets is made available to market participants and policymakers.

The agreement provides \$2.2 billion for the SEC (11% more than FY 2022), of which \$2.1 billion is for SEC expenses and salaries. The remainder includes \$57 million for a replacement lease for the commission's D.C. headquarters, and \$3.4 million for a replacement lease for the San Francisco regional office. All SEC funding is offset by fees and collections, resulting in no net appropriation.

Unlike the House-passed bill, the agreement continues to prohibit the SEC from issuing a rule to require publicly traded companies to disclose political contributions, contributions to tax exempt organizations, or dues paid to trade associations.

### ***Federal Communications Commission***

The measure provides \$390 million for operations of the Federal Communications Commission (FCC), 2% more than FY 2022. All of the FCC's funding would be derived from offsetting collections.

### ***Federal Trade Commission***

The mission of the Federal Trade Commission (FTC) is to enforce a variety of federal antitrust and consumer protection laws. Appropriations for both the Antitrust Division of the Department of Justice and the FTC are partially financed with Hart-Scott-Rodino Act pre-merger filing fees. The FTC's appropriation is also partially offset by Do-Not-Call registry fees.

The agreement provides \$430 million for the FTC, 14% more than FY 2022. It is estimated that \$210 million of that amount would be offset by collected fees, for a net direct appropriation of \$220 million. It prohibits the FTC from completing a draft report on the marketing of certain foods to children.

### ***National Archives & Records Administration***

The National Archives and Records Administration (NARA) is responsible for management of the federal government's archives and records, services to the public, operation of presidential libraries, review for declassification of classified security information, and the preservation, storage and management of digital federal records.

The measure provides \$490 million for NARA — 3% more than FY 2022 and 9% more than requested. That total includes \$427 million for operating expenses (a 10% increase), \$72 million for repairs and restoration (a 69% decrease), and \$12 million for the National Historical Publications and Records Commission Grants program (71% more). Another \$23 million is included for historical preservation initiatives.



### ***U.S. Postal Service***

The U.S. Postal Service is a self-financed, semi-autonomous entity whose operations are funded primarily through postage rates paid by consumers. Congress, however, each year provides funds to the Postal Service to cover the costs of revenue forgone on free and reduced-rate mail for the blind and overseas voters.

The agreement provides \$50 million in such payments for the Postal Service Fund (4% less than FY 2022), as well as \$271 million for the Postal Service's inspector general (3% more). The measure continues to direct USPS to issue semipostal charity stamps, which are sold above their postal value to raise funds for international wildlife conservation and research into Alzheimer's disease.

Unlike prior appropriations bills, the measure provides no funding for the Postal Regulatory Commission, a separate government agency that maintains USPS ratemaking systems, measures its performance, and conducts oversight and enforcement actions. The 2022 Postal Service Reform Act (PL 117–108) removed the commission's budget from the annual appropriations process.

The agreement also rejects House language requiring the Postal Service to launch a pilot program to provide limited financial services at post offices.

### ***Other Independent Agencies***

Funding for other independent agencies is provided as follows:

- **Federal Election Commission** — \$82 million (10% more than FY 2022) for administering the disclosure of campaign finance information and enforcing limitations on contributions and expenditures.
- **Election Assistance Commission** — \$103 million for the EAC (8% more than FY 2022), including \$75 million for election security grants for states. The total also includes \$1 million for the Help America Vote College Program, which encourages college students to participate as poll workers.
- **Commodity Futures Trading Commission** — \$365 million for the CFTC (4% less than comparable FY 2022 levels). Appropriations for the CFTC for FY 2022 were included in the Agriculture portion of the FY 2022 omnibus.

- **Consumer Product Safety Commission** — \$152 million for the CPSC (10% more than FY 2022). The independent federal regulatory agency is responsible for reducing the risk of injury associated with consumer products. The CPSC total includes \$2 million for pool safety grants, and it continues to prohibit the agency from implementing new safety standards for off-road recreational vehicles until after the National Academy of Sciences completes a study on these vehicles.
- **Merit Systems Protection Board** — \$52 million (8% more than FY 2022) for activities of the board in maintaining the Civil Service merit system.
- **Federal Labor Relations Authority** — \$29 million (7% more than FY 2022) for the agency that serves as a neutral arbiter in the labor activities of the federal workforce.
- **Office of Government Ethics** — \$25 million (28% more than FY 2022) for the office that oversees executive branch policies to prevent conflicts of interest and to ensure high ethical standards.
- **Office of Special Counsel** — \$32 million (5% more than FY 2022) for investigations into federal employee allegations of prohibited practices, providing a channel for whistle-blowers and enforcing the Hatch Act.
- **Selective Service System** — \$32 million (9% more than FY 2022) for activities of the service to continue its draft registration activities.
- **U.S. Tax Court** — \$57 million for activities of the Tax Court (1% less than FY 2022).
- **Public Buildings Reform Board** — \$4 million for the board (11% more than FY 2022), which was established by the 2016 Federal Assets Sale & Transfer Act (PL 114-287) to identify opportunities for the federal government to reduce its inventory of underutilized property.

Unlike the House-passed bill, the agreement does not provide funding to establish a Commission on Federal Naming and Displays to identify and publish a list of federal monuments, statues, public artworks, historical markers, and property names owned by the federal government or located on federal property that are inconsistent with the values of diversity, equity, and inclusion.

## **Mandatory Items & Policy Provisions**

The agreement provides for a total of \$21.4 billion in additional mandatory spending for accounts where authorizing language requires the payment of funds. These mandatory funds include payments for federal employee and retiree health benefits, the civil service retirement and disability fund, federal employee life insurance benefits, and judicial retirement funds, as well as \$450,000 for the president's salary.

### ***Policy Provisions***

The measure continues language that halts automatic statutory pay increases for the Vice President and other senior political appointees that would otherwise occur, as well as other provisions that have been included in past appropriations laws — such as a requirement that all federal computers purchased with the bill's funds block the viewing of pornography.

Other prohibitions include a ban on the funding of abortions under federal employee health benefit plans or through multi-state qualified health plans negotiated by OPM that are offered under the 2010 health care law (exceptions are provided where the life of the mother would be endangered, or if the pregnancy is the result of rape or incest).

Unlike the House-passed bill, the agreement does not allow federal agencies to employ "Dreamers" (U.S. residents that came into the country as children without proper immigration status) who hold employment authorizations under the Deferred Action for Childhood Arrivals (DACA) program. It also continues to prohibit federal agencies from requiring businesses soliciting a federal contract to disclose their political contributions or expenditures.

## **District of Columbia**

The agreement provides \$792 million in federal payments to the District of Columbia for FY 2023 — \$16 million (2%) more than FY 2022 and \$18 million (2%) more than requested.

Within the total, it provides \$291 million for the D.C. court system (13% more than FY 2022), including \$15 million for the D.C. Court of Appeals and \$141 million for the Superior Court. It separately provides \$285 million (1% less) for D.C. Court Services and Offender Supervision Agency, \$46 million (equal to FY 2022) for defender services in D.C. courts, and \$54 million (2% more) for the District's Public Defender Service.

For D.C. education, it provides \$53 million for the school improvement account, under which scholarships are provided for low-income youth to attend private schools, and \$40 million to help college-bound District residents offset out-of-state college tuition costs. Another \$600,000 is provided for tuition assistance for D.C. National Guard members. All are equal to FY 2022 levels.

The measure also provides \$4 million for HIV/AIDS Prevention activities, and \$8 million to the D.C. Water and Sewer Authority to continue implementation of a long-term development plan, on the condition that the authority provide a 100% matching payment. Finally, it provides \$30 million for D.C. emergency planning and security costs.

Unlike the House-passed bill, the agreement continues provisions from previous years' bills that prohibit the D.C. government from using federally provided funds to establish clean needle exchange programs, prohibit D.C. from using funds to legalize marijuana use, and prohibit D.C. from using any funds to provide abortion, except in certain cases. It also requires D.C.'s chief financial officer to certify that no federal funds are being used to implement a 2016 law which legalized assisted suicide for District residents with terminal illnesses; appropriators note that using federal funds for this program would violate federal law.

## Section VII

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### Homeland Security

This section describes the provisions of the agreement on HR 2617, Consolidated Appropriations Act for FY 2023, that provide full-year funding for programs and activities of the Homeland Security Department.

The agreement provides \$86.5 billion in discretionary resources for the Homeland Security Department according to Democratic appropriators — including more than \$5.4 billion financed through offsetting collections and \$19.95 billion subject to the discretionary cap adjustment for disaster spending. When excluding offsetting collections and major disaster funding, the base net discretionary total for Homeland Security is \$60.7 billion — \$3.2 billion (6%) more than the comparable FY 2022 level, according to CBO. The measure also includes \$2.0 billion in mandatory spending.

Exclusive of fee-funded programs, the measure provides \$16.7 billion for Customs and Border Protection (12% more than FY 2022) and \$8.4 billion for Immigration and Customs Enforcement (ICE; 2% more), although it separately provides an additional \$1.9 billion to those and other agencies for border management.. For ICE it increases funding for immigration enforcement and removal activities by \$6 million, while providing 3% more for homeland security investigations.

It provides \$9.3 billion for the Transportation Security Administration (9% more than FY 2022) with a 11.5% increase for passenger screening and 5% more for screening air cargo, and \$11.6 billion in discretionary funding for the Coast Guard (1% more) with 6% more for operations but 18% less for procurement and construction. FEMA would receive \$25.7 billion, of which \$19.95 billion (6% more) is disaster relief funding, while FEMA grants to states and local governments increases by 7%.

It also increases funding for the Secret Service (8% more), Cybersecurity and Infrastructure Security Agency (12%), Science and Technology Directorate (2%). Compared to FY 2022, funding is reduced for U.S. Citizenship and Immigration Services (by 34%) and for the Countering Weapons of Mass Destruction Office (5%).

The measure includes \$319 million in earmarks (now known as Community Project Funding) for 186 specified projects.

## **Security, Enforcement & Investigations**

The agreement provides a total of \$48.9 billion in net discretionary funding for security, enforcement and investigation activities of the Homeland Security Department — including for Customs and Border Protection (CBP), Immigration and Customs Enforcement (ICE), the Transportation Security Administration (TSA), the Coast Guard, and the Secret Service.

That total net discretionary spending is \$3.2 billion (7%) more than comparable FY 2022 funding. An additional \$3.05 billion in discretionary spending for those activities is offset by certain offsetting collections (\$537 million less than FY 2022), while \$2.6 billion would be spent for various fee-funded programs. It provides \$2.0 billion in mandatory funding for Coast Guard retirement pay.

Separately, outside of the measure's security, enforcement and investigations title, the agreement appropriates an additional \$1.9 billion for border management activities.

Similarly, it provides a separate \$309 million to compensate for a pandemic-caused reduction in customs and immigration user fees that are expected to be collected.

### **Customs & Border Protection**

The measure appropriates a total of \$16.7 billion for Customs and Border Protection (including \$213 million through offsetting collections) — \$1.8 billion (12%) more than FY 2022. However, the measure separately provides an additional \$1.4 billion (part of the additional \$1.9 billion) to CBP for border management activities, including border enforcement and customs activities.

In addition, another \$2.0 billion would be spent by CBP through fee-funded programs.

### ***Border Security***

The agreement appropriates \$6.4 billion for CBP border security operations, 24% more than FY 2022 (excluding the \$1.4 billion in additional funding that would be available).

The measure's total includes \$5.4 billion (25% more than FY 2022) for operations of the U.S. Border Patrol, \$836 million (15% more) for assets and support, and \$119 million (72 % more) for training and development.

Amounts provided include \$31 million for new body worn cameras and video recording equipment at border patrol stations, and separately the measure provides \$60 million for Border Patrol hiring and contractors, retention and relocation incentives, and contract support, including 125 new CBP officers, 250 technicians and 250 support staff, and \$88 million to increase CBP's personnel capacity at the border between ports of entry.

It provides \$582 million (2% less than FY 2022) for CBP procurement, construction and improvements activities — including \$230 million (17% less) for border security assets and infrastructure.

The procurement and construction total, which also finances customs activities, also includes \$93 million (28% more than FY 2022) for new aircraft and sensors, \$30 million for border technology, \$70 million for non-intrusive inspection systems, and \$7 million for port of entry technology.

### ***Other CBP Activities***

The agreement provides \$5.5 billion for CBP's trade and travel operations, 5% more than FY 2022. Within that total, \$3.5 billion (5% more) is for CBP's domestic operations, \$158 million (3% more) is for its international operations, and \$1.0 billion (1% less) is for assets and support.

It provides \$1.6 billion (11% more than FY 2022) for CBP's Integrated Operations activities, including air and marine operations, intelligence and international affairs. Actual CBP air and marine operations would receive \$377 million (10% more), while funding for assets and support for those operations would receive \$578 million (0.5% more) and general support for CBP integrated operations would receive \$417 million (28% more).

The measure also provides \$2.2 billion for general CBP mission support, 8% more than FY 2022.

### ***Fee-Funded Activities***

In addition to the amounts appropriated in the measure, CBP is expected to spend \$2.0 billion (24% more than FY 2022) on a number of fee-funded programs.

Those include \$643 million (63% more than FY 2022) for immigration inspections, \$532 million (48% more) for passenger inspections, and \$417 million (22% less) for inspections by the Animal and Plant Health Inspection Service.

As noted earlier, the measure separately appropriates \$309 million to compensate for pandemic-related reductions in expected customs and immigration fee revenue so those activities can be fully funded for FY 2023.

### **Immigration & Customs Enforcement**

The agreement appropriates a total \$8.4 billion for Immigration and Customs Enforcement (ICE) — \$161 million (2%) more than FY 2022. Another \$380 million (equal to FY 2022) would be spent for several fee-funded programs, raising total ICE funding for FY 2023 to \$8.8 billion.

Separately, it appropriates another \$340 million for ICE (as part of the additional \$1.9 billion for border management) to be used for ICE non-detention border management activities.

#### ***Immigration Enforcement***

The total includes \$4.2 billion for immigration enforcement and removal activities, \$6 million more than FY 2022.

Within that amount, \$2.9 billion (\$6 million more than FY 2022) is for ICE's custody operations and it includes \$12 million to accelerate the agency's efforts to provide body cameras to ICE agents.

It provides \$149 million for ICE's fugitive operations and \$289 million for ICE's criminal alien program (both equal to FY 2022 funding). The criminal alien program would support the addition of new communities to the 287(g) program, through which ICE works with state and local law enforcement to identify criminal aliens.

The agreement prohibits pregnant women from being placed in restraints, except in extraordinary circumstances, and requires ICE to terminate contracts with detention facilities if they fail two consecutive inspections; ICE's office of professional responsibility would be required to inspect those facilities more frequently. It also requires that members of Congress be granted access to ICE detention facilities.

#### ***Other ICE Activities***

The agreement appropriates \$2.3 billion (3% more than FY 2022) for ICE homeland security investigations. ICE's Homeland Security Investigations (HSI) unit is responsible for disrupting and dismantling transnational criminal threats facing the United States. HSI special agents also conduct national security investigations targeting violations of the nation's customs and immigration laws.



Within the total, \$2.0 billion is for domestic investigations, 3% more than FY 2022. High-priority mission areas include activities at the Child Exploitation Unit at the Cyber Crime Center and Operation Angel Watch; commercial fraud and intellectual property rights enforcement; anti-proliferation; gangs and transnational criminal organizations; cybercrimes investigations; and anti-terrorism activities. That total also includes \$199 million (2% more than FY 2022) for foreign investigations through offices in 46 countries and \$105 million (3% more) for intelligence.

The measure also provides \$1.5 billion (4% more than FY 2022) for general ICE mission support, \$402 million (16% more) for legal proceedings and \$23 million (56% less) for procurement and construction.

### ***Fee-Funded Activities***

In addition to the amounts appropriated in the measure, ICE is expected to spend \$380 million (equal to FY 2022) on several fee-funded programs.

Those include \$135 million for immigration inspections and \$187 million for student exchange and visitor services, both equal to FY 2022.

### **Transportation Security Administration**

The agreement appropriates \$9.3 billion for the Transportation Security Administration (\$2.8 billion to be derived through offsetting collections) — \$836 million (10%) more than FY 2022. In addition, another \$256 million would be available through fee-funded programs (of which \$250 million is mandatory funding).

### ***Aviation Screening***

The bulk of TSA funding is for aviation screening activities, for which \$6.4 billion is provided — 11.5% more than FY 2022. Of that total, \$2.5 billion (18% less than FY 2022) would be provided as an offsetting collection through aviation passenger screening fees.

Within amounts provided for aviation screening, \$4.2 billion (14% more than FY 2022) is for TSA's screener workforce, \$246 million (6% more) is for the screening partnership program, and \$252 million (3% more) is for screener training and related activities.

The total for aviation screening also includes \$538 million (2% more than FY 2022) for screening technology maintenance, \$810 million (12% more) for airport management, and \$133 million (5% more) for privatized screening through the Secure Flight program.

### ***Other TSA Security Activities***

The measure provides \$735 million (2% less than FY 2022) for federal air marshals and \$21 million (2% more) for the Federal Flight Deck Officer and Flight Crew Training program, which allows pilots to voluntarily carry firearms for the purpose of defending the flight deck against 9/11-style attacks. It provides \$120 million (5% more) for screening air cargo, and \$260 million (5% more) for TSA's aviation regulatory activities.

It provides \$88 million (5% more than FY 2022) for intelligence activities and operation of the Transportation Security Operations Center, and \$155 million (3% more) for TSA's surface transportation security programs.

It also provides \$1.0 billion (4% more than FY 2022) for general TSA mission support activities, \$142 million (12% less) for TSA procurement and construction activities, and \$33.5 million (6% less) for TSA research and development activities.

Finally, an additional \$350 million in offsetting collections (\$100 million more than FY 2022) is expected to be available for various TSA "vetting fee" activities, including for issuing Transportation Worker Identification Cards (TWICs) and for TSA's airline passenger PreCheck program.

### **Coast Guard**

The agreement provides a total of \$13.7 billion for the Coast Guard — which is one of the nation's five armed services but also has non-military responsibilities — including \$11.6 billion in discretionary spending and \$2.0 billion in mandatory spending for Coast Guard retirement pay. The discretionary total is \$140 million (1%) more than FY 2022 and 1% more than requested.

#### ***Coast Guard Operations***

Of the discretionary total, \$9.7 billion is for Coast Guard operating expenses accounts — \$538 million (6%) more than FY 2022.

The measure provides \$5.05 billion for military personnel costs (5% more than FY 2022), \$426 million for mission support (4% more), and \$4.2 billion for Coast Guard field operations (including \$3.1 billion for surface, air and shore operations and \$1.2 billion for command, control and communications).

***Procurement, Construction & Other Activities***

The measure provides \$1.7 billion for Coast Guard procurement, construction and improvement programs — 18% less than FY 2022 but 1% more than requested.

Of the total, \$917.5 million (17% less than FY 2022) is for ships, including \$60 million for a National Security Cutter, \$543 million for an offshore patrol cutter, \$62 million for a fast response cutter, \$77 million for a waterways commerce cutter, and \$47 million for a polar security cutter (along with \$15 million for polar sustainment).

It provides \$238 million (47% less than FY 2022) for various aircraft accounts, including \$167 million to sustain MH-60T multimission helicopters and \$50 million for HC-27J conversion and sustainment.

It also provides \$99 million (19% less than FY 2022) for other equipment acquisitions, and \$415 million (17% more) for shore facilities and aids to navigation including housing for Coast Guard families.

**Secret Service**

The agreement appropriates \$2.8 billion for the Secret Service — \$210 million (8%) more than FY 2022 and 4% more than requested.

The total includes \$1.2 billion (10% more than FY 2022) for Secret Service protection activities, including \$908 million (5% more) for protecting persons and facilities, \$82.5 million (6% less) for protective countermeasures, and \$95 million (27% more) for protective intelligence.

It includes \$827 million (8% more) for Secret Service field operations, including for investigating the following: currency counterfeiting; financial crimes such as access device fraud, financial institution fraud, identity theft, and computer fraud; and computer-based attacks on financial, banking, and telecommunications infrastructure. Of the total, \$68.5 million (59% more) is for computer forensics training and \$6 million (equal to FY 2022) is for investigations related to missing and exploited children.

The measure provides \$610 million (1% more than FY 2022) for general mission support, and \$84 million (53% more) for procurement and construction activities.

It also provides \$3 million through FEMA's federal assistance account to reimburse state and local law enforcement for extraordinary costs related to protection activities directly and demonstrably associated with a residence of the president that is designated for protection by the Secret Service.

## **FEMA / National Protection Directorate**

The agreement provides a total of \$28.6 billion for Homeland Security Department activities focused on national protection, preparedness, response and recovery, including the Federal Emergency Management Agency (FEMA) and the department's National Protection and Programs Directorate.

The total provided (which includes \$259 million in offsetting collections) is \$1.85 billion (7%) more than FY 2022.

### **FEMA**

The agreement provides \$25.7 billion for FEMA (including \$259 million in offsetting collections), including \$5.5 billion in regular appropriations and \$19.95 billion designated as disaster relief funding under the separate disaster relief cap (each 6% more than FY 2022).

The total includes \$1.4 billion for general FEMA operations and support, 11% more than FY 2022. Within that amount, \$222 million (5% more) is for preparedness and protection activities and \$71 million (16% more) is for mitigation activities. It also provides \$284 million for response and recovery activities (\$18 million more than FY 2022), including \$38 million for the Urban Search and Rescue Response System. It includes \$586 million (1% more) for general FEMA mission support.

For FEMA procurement and construction activities it provides \$241 million, 14% more than FY 2022 funding.

The measure requires the GAO to review FEMA's role in the response to the COVID-19 pandemic.

### ***FEMA Disaster Relief***

The measure provides a total of \$19.95 billion (6% more than FY 2022) for FEMA's Disaster Relief Fund, which is used to cover disaster assistance programs and to coordinate the federal response to presidentially declared disasters, including assistance to state and local governments.

### ***FEMA Grants & Other Aid***

The agreement provides a total of \$3.9 billion (7% more than FY 2022) for FEMA grants and aid to states and local governments, of which \$3.6 billion (7% more) is for grants and \$316 million (8% more) is for education, training and other activities.

The grant funding includes \$520 million (19% less than FY 2022) for state homeland security grants, \$615 million (17% less) for urban area security grants, \$105 million (equal funding) for public transportation security grants, \$100 million (equal to FY 2022) for port security grants, \$130 million (also equal to FY 2022) for Emergency Food and Shelter Grants, and \$56 million for a next generation warning system to alert the public of potential disasters (40% more).

It also includes \$360 million for firefighter assistance grants, as well as \$360 million for fire and emergency response (SAFER) staffing grants (both equal to FY 2022).

The \$316 million for FEMA education, training and exercises aid includes \$101 million (equal to FY 2022) for the National Domestic Preparedness Consortium and \$58 million (9% more) for the U.S. Fire Administration.

### ***National Flood Insurance & Flood Mapping***

The measure provides \$225 million for the National Flood Insurance Fund (5% more than FY 2022), all of which is offset through the collection of insurance premiums.

The fund supports the National Flood Insurance Program (NFIP), which provides federal flood insurance for properties located in flood-prone areas where the community has voluntarily agreed to institute flood plain management and land use control measures that minimize the risk of flooding and mitigate potential flood damage. Of the total provided, \$206.5 million is for flood plain management and mapping and \$18.5 million is for mission support.

The total for FEMA grants also includes \$313 million (13.5% more than FY 2022) for grants to states for flood hazard mapping and risk analysis.

### **CISA**

The agreement provides a total \$2.9 billion for the Cybersecurity and Infrastructure Security Agency — \$313 million (12%) more than FY 2022. The agency focuses on activities to enhance the security and resilience of U.S. infrastructure against terrorist attacks, cyber events, natural disasters, and other large-scale incidents.

The total includes \$2.35 billion (18% more than FY 2022) for CISA operations and support, including \$883 million (30% more) for CISA cybersecurity operations (including 37% more for threat hunting and 4.5% more for vulnerability management), \$153 million (2% more) for infrastructure assessments and security, and \$137 million (\$2 million less) for emergency communications activities.

It also includes \$550 million (7% less than FY 2022) for procurement, construction and improvement activities, including \$454 million (2% less) for those related to cybersecurity, and \$13 million (slightly more than FY 2022) for next generation networks priority services.

## **Other Homeland Activities**

### ***U.S. Citizenship & Immigration Services***

U.S. Citizenship and Immigration Services (USCIS) is responsible for the immigration services and benefit functions that were handled by the Immigration and Naturalization Services before creation of the Homeland Security Department.

For FY 2022, a total of \$5.8 billion would be available for USCIS, of which \$5.6 billion would be derived from fees charged by the agency. The total available for the agency is \$598 million less than FY 2022 — with \$133 million to meet the refugee admissions goal of 125,000 for the fiscal year.

The agreement supports the administration's request to reorganize the agency's accounts. It provides \$1.0 billion for district operations, \$552 million for service center operations, and \$373 million for asylum, refugee and international operations. The measure prohibits USCIS from granting any immigration benefit unless that individual has completed and passed a background check.

### ***Science & Technology Directorate***

The agreement appropriates \$901 million for the department's Science and Technology Directorate, 2% more than FY 2022. The office is responsible for promoting the development and deployment of cutting-edge technologies and new capabilities to improve homeland security, such as the development of countermeasures to terrorist threats, including those involving weapons of mass destruction.

Of the total, \$461 million (15% less than FY 2022) is for research, development and innovation, including \$53.5 million (18% less) for university programs.

The total also includes \$127.5 million for operation and support of laboratory facilities (3% more than FY 2022), which would prevent the closure of three laboratories operated by the directorate — the National Urban Security Technology Laboratory, the Chemical Security Analysis Center, and the National Biodefense Analysis and Countermeasures Center.

### ***Countering Weapons of Mass Destruction***

The agreement appropriates \$431 million for the Countering Weapons of Mass Destruction Office, 5% less than FY 2022. The office is responsible for coordinating the department's efforts to develop a global nuclear detection architecture, as well as a domestic system to detect attempts to bring nuclear and radiological material into the United States.

The total includes \$65 million for research and development activities, including \$39 million (12% more than FY 2022) for transformational research and development and \$26 million (17% less) for detection capability development.

It also includes \$75 million (2% less than FY 2022) for procurement and construction activities, including \$66 million (23% less) for large scale detection systems and \$9 million (39% less) for human portable radiation/nuclear detection systems.

### ***Federal Law Enforcement Training Center***

The measure appropriates \$407 million for salaries and expenses of Federal Law Enforcement Training Centers, 14% more than FY 2022.

Of the total, \$322.5 million (11% more than FY 2022) is for training and \$52 million (56% more) is for construction and facility improvements.

### ***Departmental Management***

The measure appropriates \$5.1 billion for general Homeland Security Department operations, \$541 million (12%) more than FY 2022 (of which \$2.1 billion would come from offsetting collections).

The total includes \$384 million (42% more than FY 2022) for the Office of the Secretary and Executive Management, \$2.1 billion (3% more) for the department's management directorate, \$317 million (6% more than FY 2022) for intelligence, analysis and operations coordination, and \$215 million (5% more) for the department's Office of Inspector General — which must report to Congress within 30 days regarding the Secret Service's failure to provide certain information to the IG.

The management directorate total includes \$1.7 billion (6.5% more than FY 2022) for operations and support for various offices — including \$631 million (2% less) for the Chief Information Officer and \$266 million (18% more) for Biometric Identity Management. The directorate total also includes \$325 million (34% less) for procurement, constructions and improvements and \$2.1 billion (28% more) for the Federal Protective Service.

Appropriators in the agreement's accompanying explanatory material require DHS to report to Congress within 180 days on how the department may procure additional items from domestic sources and bolster the domestic supply chain for items related to national security.



## Section VIII

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### Interior-Environment

This section describes the provisions of the agreement on HR 2617, Consolidated Appropriations Act for FY 2023, that provide full-year funding for EPA, the Interior Department, Forest Service, and related agencies.

The agreement provides \$38.9 billion in base net discretionary spending (2% more than FY 2022) as well as \$2.55 billion for fighting wildfires subject to its own cap adjustment, according to CBO. It also allocates \$1.9 billion for projects within National Parks and Public Land Legacy Restoration Fund and \$900 million for projects within the Land and Water Conservation Fund (both mandatory funding), and it provides a \$5.1 billion advance appropriation for FY 2024 for the Indian Health Service.

The measure increases EPA funding by 6% to \$10.1 billion, with most accounts being increased. It boosts EPA enforcement by 16.5% (including an 8.5% increase for environmental justice programs) while increasing funding for EPA geographic programs by 16% (including a 6% increase for the Great Lakes Initiative). Funding for Superfund hazardous-waste cleanup and enforcement activities is increased by 4% and 7%, respectively, while EPA national priorities research is increased by 19%.

For the Interior Department it provides a total of \$15.1 billion (including wildfire funding), 4% more than comparable FY 2022 funding. It increases funding for the National Park Service by 6%, for the Bureau of Land Management by 6%, for the Fish and Wildlife Service by 8%, and for the U.S. Geological Survey by 7%.

It provides a total of \$7.1 billion for the U.S. Forest Service, of which \$3.9 billion is for core (non-wildfire) Forest Service activities (6% more than FY 2022) — including 7% more for state and private forestry activities. For fighting wildfires, it provides a combined \$4.2 billion in Forest Service and Interior Department funding, \$1.3 billion less than FY 2022. And for American Indian programs, it provides \$3.95 billion (8% more) for activities of the Interior Department's Bureau of Indian Affairs, as well as \$7.0 billion (5% more) for activities of the Indian Health Service within the Health and Human Services Department in FY 2023.

(In addition to amounts provided by the agreement, for Interior-Environment programs and activities it's estimated that for FY 2023 \$13.5 billion in emergency funding will be available from the 2021 bipartisan infrastructure law [PL 117-58], including \$11.8 billion for EPA.)

The measure includes \$1.6 billion in earmarks (now known as Community Project Funding) for 855 specified projects.

### **Environmental Protection Agency**

The agreement provides \$10.1 billion for EPA for FY 2023 — \$576 million (6%) more than FY 2022 but 15% less than requested.

The measure increases funding for most EPA programs, although not to the levels sought by the administration, including Superfund cleanups and state and tribal assistance grants.

#### ***EPA Enforcement & Environmental Management Activities***

The agreement appropriates \$3.3 billion for EPA environmental programs and management accounts, through which EPA performs its general environmental oversight activities — \$322 million (11%) more than FY 2022 but almost 13% less than requested.

Within the total, it increases funding for numerous EPA enforcement and associated activities, providing the following: \$391 million (16.5% more than FY 2022) for EPA enforcement actions; \$113 million (9% more) for EPA's compliance activities; \$312 million (7% more) for clean air activities; \$127 million (5.5% more) for EPA activities under the Resource Conservation and Recovery Act; and \$124 million (13% more) for water-related activities to protect human health. It provides \$235 million for EPA water quality protection activities (8.5% more).

The \$391 million for EPA enforcement includes \$102 million (8.5% more than FY 2022 levels) for environmental justice programs as the agency laid out in its "EJ 2020 Action Agenda".

The enforcement and environmental management total also provides \$133 million (10% more than FY 2022) for legal, science, regulatory and economic reviews; \$118 million (20% more) for EPA's toxics risk review and prevention activities, and \$120 million (9% more) for EPA's pesticide licensing activities.

And it provides a total of \$682 million (16% more) for EPA geographic programs that fund environmental restoration and preservation initiatives for specified areas, including \$368 million (6% more) for the Great Lakes Restoration Initiative, \$92 million (5% more) for the Chesapeake Bay initiative, \$54.5 million (127% more) for the San Francisco Bay, and \$25 million (25% more) for Lake Champlain.

### ***EPA Grant Programs***

EPA oversees numerous grant and funding programs that offer assistance to states, Native American tribes and municipal governments for environment-related infrastructure and cleanup projects, or for specific categories of projects, such as air quality management, brownfields cleanup and wetland programs.

The agreement provides \$4.5 billion for these EPA state and tribal assistance grants — \$129 million (3%) more than FY 2022.

For infrastructure assistance grants, it provides a total of \$3.3 billion, 2.5% more than FY 2022. Included in this total is \$1.6 billion for the Clean Water State Revolving Fund and \$1.1 billion for the Drinking Water State Revolving Fund, both equal to FY 2022.

Within those two totals, \$863 million of the Clean Water State Revolving Fund and \$609 million of the Drinking Water State Revolving Fund is earmarked for specified drinking water, waste water, storm water, and water quality protection projects.

The infrastructure assistance grant total also includes \$7 million for wildfire smoke preparedness to provide grants to assess, prevent, control, or abate wildfire smoke hazards in community buildings (including schools).

For EPA categorical grants, the measure provides a total of \$1.2 billion, 6% more than FY 2022. Minor increases are provided for most programs, with the measure providing \$237 million for state and local air quality management grants, \$105 million for hazardous waste financial assistance, \$122 million for public water system supervision grants, and \$14 million for pesticide program implementation grants. Funding is provided for Brownfields grants (\$47 million), wetlands program development grants (\$15 million), and tribal air quality management grants (\$16 million).

### ***WIFIA Program***

The measure provides \$76 million for the Water Infrastructure Finance and Innovation Act (WIFIA) program, which helps finance long-term, low-cost supplemental loans for the construction of regionally and nationally significant water infrastructure projects. The total is 9% more than provided for FY 2022.

Within the total, \$8 million could be used to cover administrative expenses of the program and the remaining \$68 million would be used to subsidize direct loans.

### ***Superfund***

The agreement provides \$1.3 billion for EPA's Hazardous Substance Superfund — \$50 million (4%) more than FY 2022.

Of the total, \$848 million is for hazardous-waste site cleanup activities (4% more than FY 2022) with all cleanup-related accounts being funded above FY 2022 levels.

The Superfund total also includes \$195 million (7% more than FY 2022) for EPA Superfund enforcement activities and \$136 million (1% more) for operations and administration of the program. That enforcement total includes \$6 million for environmental justice programs.

Separately, it provides \$93 million for activities associated with the cleanup of underground storage tanks through the Leaking Underground Storage Tank (LUST) Trust Fund, a small increase over FY 2022 levels.

### ***Science & Technology***

The measure appropriates \$802 million for EPA's science and technology programs — \$52 million (7%) more than FY 2022.

Within the total, it provides \$145 million (8% more than FY 2022) for the clean air program, \$15.5 million (11% more) for enforcement activities, and \$37 million (3% more) for homeland security activities.

For EPA research, the agreement provides \$31 million for national priorities research (170% more than FY 2022). All other research programs receive smaller increases — with \$100 million for air and energy issues research (5% more), \$132 million for chemical safety and sustainability (4% more), \$116 million for safe and sustainable water resources (3% more), and \$138 million for sustainable and healthy communities (3.5% more).

## **Interior Department**

The agreement provides a total of \$15.1 billion for the Interior Department and related agencies — including \$14.7 billion in discretionary funding and \$340 million for fighting wildfires under a separate wildland fire suppression cap adjustment. It also includes \$64 million in mandatory funding. The discretionary total is \$574 million (4%) more than FY 2022 (excluding the wildfire cap adjustment) but \$1.4 billion (9%) less than requested.

In addition to the measure's discretionary funding, the agreement provides for the allocation of the full \$900 million now permanently available from the Land and Water Conservation Fund as mandatory spending for recreation and conservation activities as a result of enactment of the Great American Outdoors Act (PL 116-152) in 2020.

It also allocates \$1.9 billion from the National Parks and Public Land Legacy Restoration Fund as authorized by the Great American Outdoors Act to address the maintenance and repair backlog on public lands, with a majority (\$1.3 billion) targeted towards National Park Service needs.

### **Major Interior Agencies & Bureaus**

#### ***National Park Service***

The agreement appropriates \$3.5 billion for the National Park Service — \$210 million (6%) more than FY 2022 but 4% less than requested.

The vast majority, \$2.9 billion, is for operation and maintenance of national parks, 6% more than FY 2022. Included in that amount is \$939 million (3% more) for facility operations and maintenance, \$308 million (7% more) for visitor services, and \$420 million (10% more) for resource stewardship.

The total also includes \$240 million (6% more than FY 2022) for Park Service construction projects. Of that amount, \$127 million (1% less) is for specific projects detailed in the Park Service's budget.

It provides \$92.5 million (10% more than FY 2022) for national recreation and preservation activities and \$205 million (6% more) for Historic Preservation Fund activities. Of the historic preservation total, \$62 million (8% more) is for state historic preservation offices, \$30 million (9% more) is for competitive grants, and \$10 million (equal to FY 2022) is for the Park Service to assist states in preparing for the upcoming Semisesquicentennial celebration — which can be used to support the restoration of sites that are already designated on the National Register of Historic Places and that honor the 250th anniversary of the country's founding, including Revolutionary War monuments.

Separately, the measure provides \$15 million (equal to FY 2022) for the Centennial Challenge to fund joint public-private infrastructure investments in honor of the National Park Service's centennial.

Of the \$900 million in mandatory spending provided from the Land and Water Conservation Fund pursuant to the 2020 Great American Outdoors Act, the measure allocates \$462 million for the National Park Service for FY 2023 — including \$66 million for land acquisitions (with amounts specified for 17 individual acquisitions) and \$336 million for grants to states (of which \$200 million is for state conservation grants and \$125 million is for outdoor recreation legacy grants).

And of the \$1.9 billion from the National Parks and Public Land Legacy Restoration Fund, \$1.33 billion is for deferred maintenance projects at more than 20 specified national parks, historic sites, recreation areas, and other sites.

### ***Bureau of Land Management***

The measure appropriates \$1.5 billion in discretionary funding for the Bureau of Land Management (BLM) — \$83 million (6%) more than FY 2022. It also includes \$36 million in mandatory spending.

The vast majority of the BLM total, \$1.4 billion (7% more than FY 2022), is for land management activities on BLM lands, including \$234 million (8% more) for energy and mineral activities, \$163 million (4% more) for oil and gas, \$17 million (3% more) for coal mining, and \$41 million (32% more) for renewable energy.

The land management total also includes \$155 million (14% more than FY 2022) for resource protection and maintenance, \$207 million (5% more) for wildlife and fisheries management, \$75 million (5% less) for recreation management, and \$148 million (8% more) for wild horse and burro management.

Outside of the land management total, the measure provides \$120 million (3% more than FY 2022) for BLM management of certain lands in Oregon known as Oregon and California grant lands.

Of the \$900 million in mandatory spending provided from the Land and Water Conservation Fund pursuant to the 2020 Great American Outdoors Act, the measure allocates \$70 million for BLM for FY 2023 — of which \$28 million is for land acquisitions (with amounts specified for 8 individual acquisitions) and \$20.5 million is for recreational access. And of the \$1.9 billion from the Restoration Fund, \$95 million is for deferred maintenance projects at more than a dozen BLM districts.

### ***U.S. Fish & Wildlife Service***

The agreement provides a total of \$1.8 billion for the U.S. Fish and Wildlife Service (FWS) — \$128 million (8%) more than FY 2022.

The vast majority, \$1.56 billion (7% more than FY 2022), is for FWS resource management activities, including management of critical habitat, fisheries and endangered species.

That resource management funding includes \$542 million (4% more than FY 2022) for operating the National Wildlife Refuge System (including \$261 million for wildlife and habitat management), \$74 million (4% more) for habitat conservation, and \$54 million (8.5% more) for migratory bird management.

It includes \$242 million (9% more than FY 2022) for fish and aquatic conservation activities, of which \$76 million (6% more) is to operate the national fish hatchery system. The agreement prohibits the termination or closure of any national fish hatchery, and no hatchery could be downsized or terminated without advance consultation with affected states. It also includes \$31 million to stop the spread of Asian carp into the Great Lakes, and \$3.5 million to prevent the spread of quagga and zebra mussels in the West.

Outside of resource management, the measure provides \$21 million (5% more than FY 2022) for the Multinational Species Conservation Fund — which provides technical and financial assistance to local communities, wildlife authorities, and non-governmental organizations in foreign countries for on-the-ground conservation work to protect African and Asian elephants, rhinoceroses, tigers, great apes, and marine turtles, and their habitats.

Of the \$900 million in mandatory spending from the Land and Water Conservation Fund, the measure allocates \$147 million for the Fish and Wildlife Service for FY 2023 — of which \$114 million is for land acquisitions (with amounts specified for 23 individual acquisitions) and \$33 million is for Cooperative Endangered Species Fund activities financed by the LWCF. And of the \$1.9 billion from the Restoration Fund, \$95 million is for deferred maintenance projects at 19 specified wildlife refuges and other sites.

### ***U.S. Geological Survey***

The agreement appropriates \$1.5 billion to the U.S. Geological Survey, the federal government's largest earth-science research agency — \$103 million (7%) more than FY 2022.

Within the total, \$307 million (10.5% more than FY 2022) is for various USGS ecosystems studies and activities (including \$63 million, 22% more, for national and regional climate adaptation science centers) and \$304 million (6% more) is for USGS water resources activities (including \$115 million, 3.5% more, for the agency's groundwater and streamflow information program). USGS is the primary source of data on the nation's surface and ground water resources.

It provides \$285 million (8% more than FY 2022) for core USGS science programs, of which \$116 million is for land imaging activities (including \$92 million for satellite operations) and \$94 million (7% more) is for the agency's National Geospatial Program.

It also provides \$201 million (8% more than FY 2022) for USGS natural hazards programs, including \$38 million (13% more) for the volcano hazards program and \$93 million (3% more) for the earthquake hazards program. It requires that \$29 million be used for continued development and expansion of the ShakeAlert West Coast earthquake early warning (EEW) system so it is completed by 2025.

### **Interior Department Regulatory Agencies**

#### ***Bureau of Ocean Energy Management***

The Bureau of Ocean Energy Management (BOEM) is the primary authority for permitting offshore energy exploration and extraction activities.

The measure provides \$220 million for BOEM activities, 6% more than FY 2022. Approximately \$35 million of the funding is assumed to be provided through fees and receipts collected on oil and natural gas leases on the outer continental shelf, resulting in a net appropriation of \$183 million.

#### ***Bureau of Safety & Environmental Enforcement***

The Bureau of Safety and Environmental Enforcement (BSEE) is responsible for enforcing offshore environmental regulations as they relate to energy extraction and exploration. BSEE is also responsible for oil spill research and response plan development.

The measure provides \$214 million for core BSEE activities in FY 2023, 4% more than FY 2022. It also provides \$15 million for BSEE oil spill research activities, equal to FY 2022. About \$57 million is assumed to be provided through lease payments and fees, resulting in a net total appropriation of \$157 million.



### ***Office of Surface Mining, Reclamation & Enforcement***

The Office of Surface Mining, Reclamation and Enforcement regulates surface coal mining operations to ensure that the environment is protected during those operations and that the land is adequately reclaimed once mining is completed.

The agreement provides \$290 million for activities of the office, 8% more than FY 2022.

Of the total, \$169 million for is state grants under the Abandoned Mine Reclamation Fund. It also provides \$17 million (47% more) for environmental restoration activities from the Abandoned Mine Reclamation Fund, and it appropriates \$89 million (2% more) for environmental protection grants and activities.

### **Other Interior Activities**

The measure also funds several other activities within the Interior Department (including for fighting wildfires and for certain American Indian programs, both of which are discussed in other sections below).

### ***Payments in Lieu of Taxes Program***

The Payments in Lieu of Taxes (PILT) program provides federal payments to local governments that have large tracts of federal land that can't be locally taxed, in order to help those governments carry out vital services such as firefighting and police protection, as well as construction of public schools and roads. First authorized in 1976, the program usually makes annual payments of mandatory funding for tax-exempt federal lands administered by the BLM, the National Park Service, the U.S. Fish and Wildlife Service, the U.S. Forest Service and for federal water projects and some military installations.

The measure provides "such sums as may be necessary" for the PILT program, which are estimated to provide a total of \$535 million for FY 2023.

Certain purchased and donated lands administered by the Fish and Wildlife Service are not eligible for the mandatory PILT program, however, while still being required by separate statute for revenue sharing to local governments. The agreement therefore appropriates \$13 million to the National Wildlife Refuge Fund to cover revenue-sharing PILT shortfalls.

### ***Office of Insular Affairs***

The measure provides \$129 million to the Office of Insular Affairs, 6% more than FY 2022. Of that total, \$28 million is mandatory funding.

The Office of Insular Affairs administers U.S. responsibilities with respect to its four territories — Guam, American Samoa, the U.S. Virgin Islands and the Commonwealth of the Northern Mariana Islands — as well as the three freely associated states (the Federated States of Micronesia, the Republic of the Marshall Islands and the Republic of Palau) and provides certain assistance.

### **U.S. Forest Service & Wildfire Funding**

The Agriculture Department's U.S. Forest Service manages 193 million acres of national forests and grasslands in 44 states and Puerto Rico. The National Forest System includes 155 national forests, 20 national grasslands, 20 national recreation areas, a national tallgrass prairie, and six national monuments. Forest Service lands are managed for multiple uses, including timber production, recreation, wilderness, minerals, grazing, fish and wildlife habitat management, and soil and water conservation.

The agreement provides a total of \$7.1 billion for the U.S. Forest Service, \$746 million (9.5%) less than FY 2022. Close to half the funding for the Forest Service, however, is for fighting wildfires (see below).

#### ***Core Forest Service Activities***

The measure provides \$3.9 billion for core (non-wildfire) Forest Service activities — \$223 million (6%) more than FY 2022.

Within the total for core Forest Service activities, \$2.0 billion (6% more than FY 2022) is for operation and maintenance of the national forest system, of which the vast majority (\$1.5 billion) is for salaries and expenses. The forest system total also includes \$207 million (10% more) for hazardous fuels reduction activities, \$40 million (5% more) for forest products management, \$55 million (45% more) for recreation, heritage and wilderness activities, \$32 million (7% more) for vegetation and watershed management, \$24 million (9% more) for wildlife and fish habitat management, \$14.5 million (4% more) for minerals and geology management, and \$6 million (9% more) for grazing management.

For state and private forestry activities, the measure provides \$338 million (7% more than FY 2022), which includes \$89 million (6% more) for cooperative forestry and \$50 million (4% more) for forest health management.

It provides \$307 million (4% more) for Forest and Rangeland research, and \$158 million (1% less) for capital improvements and maintenance, and \$1.15 billion (8% more) for other general Forest Service operational expenses.

Of the \$900 million in mandatory spending from the Land and Water Conservation Fund, the measure allocates \$203 million for the U.S. Forest Service for FY 2023 — of which \$124 million is for federal land acquisitions (including recreational access) and \$78 million is for Forest Legacy Program activities. Of the \$1.9 billion from the Restoration Fund, \$286 million is for deferred maintenance projects at more than 100 units of the National Forest System.

### ***Forest Service / Interior Department Wildfire Funding***

The measure provides a total of \$4.2 billion for fighting wildfires, including \$1.0 billion in Interior Department funding and \$3.2 billion in Forest Service funding. Of those amounts, \$330 million of the Interior wildfire funding and \$2.2 billion in Forest Service wildfire funding is covered by the measure's \$2.55 billion fire suppression cap adjustment and does not count towards the base cap on discretionary spending.

The total for wildfires is \$2.55 billion less than FY 2022.

The total includes \$446 million for wildland fire preparedness (\$32 million Forest Service and \$382 million Interior) — but no funding for base wildland fire suppression operations (\$1.4 billion was provided in FY 2022). A total of \$2.55 billion for suppression activities (i.e., the funding under the cap adjustment) is placed in reserve until needed to fight wildfires.

The total also includes \$282 million in Interior funding for other operations — including \$247 million for fuels management and \$20 million for burned area rehabilitation.

### **Native American Programs**

The agreement increases funding for the American Indian programs administered by the Interior Department and Health and Human Services (HHS) Department.

### ***Bureaus of Indian Affairs & Indian Education***

The measure appropriates \$3.95 billion for the operation of American Indian programs administered by the Bureau of Indian Affairs (BIA) and the Bureau of Indian Education within the Interior Department, including social services, education, employment development, law enforcement and natural resources development. The total provided is \$299 million (8%) more than FY 2022.

The Bureau of Indian Affairs delivers services to about 1.9 million American Indians and Alaska Natives, including the operation of 183 schools and the administration of 55 million acres of land held in trust for individuals or tribes.

Under the measure, the Bureau of Indian Education would receive \$1.4 billion, of which \$1.1 billion (11% more than FY 2022) is for the operation of Indian education programs and \$268 million (1% more than FY 2022) is for school and facilities construction, repair and improvements. In addition, of the \$1.9 billion from the Restoration Fund, \$95 million is for deferred maintenance projects at four Bureau of Education schools.

It provides \$111 million (2% more) for the Interior Department's Office of Special Trustee for American Indians, which is responsible for managing the approximately 55 million surface acres of land, 57 million acres of subsurface mineral interests, and approximately \$5.5 billion held in trust by the federal government on behalf of American Indians, Alaska Natives, and federally recognized Indian Tribes.

For the Bureau of Indian Affairs (BIA) the measure provides \$2.4 billion (8% more), of which \$1.9 billion (5% more) is for the operation of Indian programs — including \$369 million (4% more) for tribal government support, \$580 million (6% more) for public safety and justice, \$167 million (2% more) for welfare and other social services, and \$333 million (10% more) for natural resources management activities.

The BIA total also provides \$153 million (4% more than FY 2022) for BIA construction activities, including \$31 million (6% more) for community and economic development and \$52 million (8% more) for public safety and justice construction.

### ***Indian Health Service***

The Indian Health Service (IHS) within the Health and Human Services Department (HHS) provides health care to American Indians through 28 hospitals, 61 health care centers and 34 health stations. Through contracts with IHS, tribes operate 17 additional hospitals, 249 health centers, six school health centers, 70 health stations and 164 Alaska village clinics.

The agreement provides \$6.96 billion for the Indian Health Service or FY 2023 — \$327 million (5%) more than FY 2022. It also provides \$5.1 billion in advance appropriations for the service for FY 2024.

The FY 2023 total includes \$4.4 billion (5% more than FY 2022) for clinical services, including \$2.5 billion (4% more) for the operation of hospitals and health clinics, \$248 million (5% more) for dental services, \$127 million (4% more) for mental health, and \$266 million (3% more) for alcohol and substance abuse care. The clinical care total also includes \$218 million for the IHS's electronic health record system, 50% more than the FY 2022 level.

It provides \$203 million for IHS preventive health programs, including \$111 million (8% more) for public health nursing, \$65 million (2% more) for community health representatives, and \$24 million (5% more) for health education.

The IHS total also includes \$959 million (2% more than FY 2022) for maintenance, construction and support of Indian Health facilities, including \$261 million (1% more than FY 2022) for health care facilities construction and \$197 million (1% less) for construction of associated sanitation facilities.

In the explanatory material, the committee says it remains deeply concerned about reports of sexual abuse at IHS operated facilities and wants the agency to take prompt action on any new allegations, and to update Congress on implementation of recommendations to prevent sexual abuse.

## Other Agencies

The agreement provides \$85 million (6% more than FY 2022) for the Agency for Toxic Substances and Disease Registry within HHS, and it provides \$83 million (1% more) for the National Institute of Environmental Health Sciences within the National Institutes of Health.

It appropriates \$4.7 million (11% more than FY 2022) for the White House's Council on Environmental Quality and Office of Environmental Quality.

It also provides the following:

- **Smithsonian** — \$1.1 billion for the Smithsonian Institution (\$82 million, or 8%, more than FY 2022), including \$10 million for the new Museum of the American Latino and \$10 million for its new American Women's History Museum.

- **NEA & NEH** — \$207 million each for the National Endowment for the Arts and the National Endowment for the Humanities, each \$27 million (15%) more than FY 2022.
- **National Gallery of Art** — \$209 million for the National Gallery, \$29 million (16%) more than FY 2022.
- **Kennedy Center** — \$45 million for the John F. Kennedy Center for the Performing Arts (12% more than FY 2022).
- **Holocaust Museum** — \$65 million for the U.S. Holocaust Memorial Museum, 4% more than FY 2022.
- **U.S. Commissions** — \$1 million for the World War I Centennial Commission as it completes its work after the memorial's opening last year, and \$15 million for the U.S. Semisesquicentennial Commission to help the nation in 2026 celebrate 250 years since its founding.

## Section IX

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### Labor-HHS-Education

This section describes the provisions of the agreement on HR 2617, Consolidated Appropriations Act for FY 2023, that provide full-year funding for the programs and activities of the Labor, Health and Human Services (HHS), and Education departments, and related agencies.

The agreement provides \$207.4 billion in base net discretionary spending as well as \$2.3 billion for program integrity initiatives subject to its own cap adjustment, for a total of \$209.7 billion in scored discretionary spending, according to CBO. The base discretionary level is \$10.4 billion (5.3%) more than the comparable FY 2022 discretionary level. The measure also rescinds a total of \$15.9 billion in previously appropriated funds.

It also provides \$1.2 trillion in mandatory funding for FY 2023 for Medicaid grants to states, Social Security Supplemental Security Income benefit payments, and other purposes — \$75.5 billion (7%) more than FY 2022.

(Total funding available for FY 2023 includes \$24.8 billion in discretionary funding and \$185.8 billion in mandatory funding provided in prior appropriations acts. The measure includes a total of \$242.8 billion in advance funding for future years: \$24.9 billion in discretionary funding and \$217.9 billion in mandatory funding.)

For HHS the measure increases discretionary funding by 9% to \$120.7 billion, providing \$47.5 billion (5.6% more than FY 2022) for programs and activities of the National Institutes of Health and \$50.5 billion (3.5% more) for the Administration for Families and Children. CDC funding is increased by 3.6%, the Health Resources and Services Administration by 10%, and the Substance Abuse and Mental Health Services Administration by 15%. It increases funding for the Strategic National Stockpile by 14% and for the Biomedical Advanced Research and Development Authority (BARDA) by 28%.

Discretionary funding for the Education Department would increase by 4% to \$79.6 billion, including \$18.4 billion (5% more than FY 2022) for Title I grants to local school districts. It increases funding for career, technical and adult education programs by 5%, for higher education programs to strengthen colleges that serve certain minority populations by 18%, and for federal student aid programs by a relatively small net amount — but it increases the maximum Pell grant award by \$500 to \$7,395.

It provides \$13.8 billion in discretionary funding for the Labor Department, 5% more than FY 2022. Of that total, \$11.0 billion (5% more) is for programs and activities of the Employment and Training Administration, including a 21% increase for apprenticeship programs, and \$1.8 billion (3% more) is for worker protection agencies. It increases funding for veteran employment and training programs and activities by 3%.

The measure includes \$2.68 billion in earmarks (now known as "Community Project Funding") for 2,133 specified projects.

## **Health and Human Services Department**

The agreement provides \$120.7 billion in discretionary spending for FY 2023 for programs and activities of the Health and Human Services (HHS) Department, according to the committee — \$9.9 billion (9%) more than FY 2022.

It also provides more than \$1.2 trillion in mandatory funding for FY 2023 (including advance funding from previous years) for items such as Medicaid grants to states and payments to health care trust funds. It rescinds \$650 million from the nonrecurring expenses fund, as well as \$14.6 billion from the Child Enrollment contingency fund.

The measure continues to include the so-called "Hyde amendment" that prohibits the use of federal funds to pay for abortions except when the pregnancy would endanger the mother or in the case of rape or incest, and the so-called "Weldon amendment" that prohibits the government from discriminating against an entity if it refuses to provide, cover, pay for or refer for abortions.

### **Public Health Service Programs**

The agreement provides \$74.3 billion for programs and activities of HHS Public Health Service agencies for FY 2023 — including the Centers for Disease Control (CDC), National Institutes of Health (NIH), Health Resources and Services Administration (HRSA), and Substance Abuse and Mental Health Services Administration (SAMHSA).

The public health service total is \$5.1 billion (7%) more than the comparable FY 2022 total, but 8% less than requested.

### ***National Institutes of Health***

The agreement appropriates \$47.5 billion for the National Institutes of Health (NIH) — \$2.5 billion (5.6%) more than FY 2022 but 5.5% less than requested.



Within the NIH total, it provides \$4.4 billion (4% more than FY 2022) for the National Institute on Aging; \$7.3 billion (6% more) for the National Cancer Institute, \$2.8 billion (8% more) for the National Institute of Neurological Disorders and Stroke, \$1.7 billion (4% more) for the National Institute of Child Health and Human Development, \$4.0 billion (4.5% more) for the National Heart, Lung and Blood Institute, \$2.4 billion for the National Institute of Diabetes and Digestive and Kidney Diseases (4% more; which includes \$141 million in mandatory spending); and \$6.6 billion (4% more) for the National Institute of Allergy and Infectious Diseases, of which \$270 million is for research on a universal influenza vaccine.

It also provides \$2.3 billion (5% more than FY 2022) for the National Institute of Mental Health (of which \$225 million is from the Cures Act), and \$1.7 billion (4% more) for the National Institute on Drugs and Addiction.

### ***Centers for Disease Control & Prevention***

The agreement provides \$9.2 billion for activities of the Centers for Disease Control and Prevention (CDC), 9% more than FY 2022 but 14% less than requested.

It provides \$919 million (6% more than FY 2022) for CDC immunization and respiratory disease activities. An additional \$350 million is provide for public health infrastructure and capacity needs.

It also provides \$751 million (8% more) for emerging and zoonotic infectious diseases; \$754 million (16% more) for public health scientific services; and \$893 million (7% more) for CDC's global health activities.

The CDC total also includes \$1.4 billion (7% more than FY 2022) for chronic disease prevention and health promotion activities; \$1.4 billion (3% more) for CDC's HIV/AIDS, viral hepatitis, sexually transmitted diseases and tuberculosis prevention activities (including \$220 million for the Domestic HIV Initiative to reduce new HIV infections by 90% by 2030); \$761 million (6.5% more) for Injury Prevention and Control, including \$505 million for opioid overdose prevention and surveillance; and \$363 million (3% more) for CDC's National Institute for Occupational Safety and Health.

### ***Health Resources & Services Administration***

The agreement provides \$9.7 billion for programs and activities of HHS's Health Resources and Services Administration (HRSA) — \$852 million (10%) more than FY 2022 and 11% more than requested.

The total includes \$5.9 billion (2% more than FY 2022) for community health centers (\$4.0 billion in mandatory funding), \$352 million (6% more) for HRSA rural health programs, and \$1.4 billion (7% more) for programs aimed at addressing shortages of health professionals.

It provides \$1.2 billion (12% more) for HRSA maternal and child health programs, \$2.6 billion (3% more) for Ryan White HIV/AIDS programs, \$286 million (equal to FY 2022) for Title X family planning programs, and \$164 million (5% more) for HRSA's program management account.

### ***Substance Abuse & Mental Health Services Administration***

The agreement provides \$7.5 billion for programs and activities of the Substance Abuse and Mental Health Services Administration (SAMHSA), \$970 million (15%) more than FY 2022 but 27% less than requested.

The total includes \$4.2 billion (5% more than FY 2022) for substance use services, including \$2.0 billion for substance use prevention and treatment block grants to states and \$1.6 billion for state opioid response grants.

For SAMHSA mental health programs the measure provides \$2.8 billion (34% more than FY 2022) — including \$1.0 billion (17% more) for community block grants, \$130 million (4% more) for children's mental health services, \$94 million (15% more) for the child traumatic stress initiative, and \$385 million (22% more) for certified community behavioral health clinics.

### **Centers for Medicare & Medicaid Services**

The Centers for Medicaid and Medicare Services (CMS) oversees those two entitlement programs and also is responsible for administering portions of the 2010 health care overhaul (ACA; PL 111-148 and PL 111-152). All of its funding is mandatory spending or comes from the Medicare Trust Fund.

The agreement provides a total of \$3.7 billion from the Medicare Trust Fund for CMS management activities, equal to FY 2022.

It also provides \$893 million (2% more than FY 2022) from the Medicare Trust Fund for health care fraud and abuse control activities carried out by CMS, the HHS Inspector General, and the Justice Department, of which \$576 million is part of the measure's program integrity cap adjustment.

### ***Medicare & Medicaid***

The agreement provides a total of \$533.1 billion in mandatory funding (including advance funds from last year) for grants to states for the joint federal-state Medicaid program, \$15.7 billion (3%) more than comparable FY 2022 funding. (It provides \$197.6 billion in advance mandatory funding for FY 2024.)

That state grant total for FY 2023 includes \$503.8 billion (3% more than FY 2022) for the federal share for Medicaid benefits, \$23.6 billion for state and local administration of the program, and \$5.6 billion for vaccines for children.

The measure also provides \$548.1 billion (12% more than FY 2022) in mandatory funding for payments to Medicare's trust funds for various programs and purposes in FY 2023, including \$434.3 billion for supplemental medical insurance (13% more).

### **Families & Children / LIHEAP**

The agreement provides for a total of \$50.5 billion to be available for programs and activities of HHS's Administration for Children & Families (ACF) — \$1.7 billion (3.6%) more than FY 2022 and 0.2% more than requested. Of the total, \$35.0 billion (8% more) is discretionary funding, according to appropriators.

### ***Head Start / Family Services***

Within the total, \$14.6 billion (9% more than FY 2022) is for various children and family services programs, including \$12.0 billion (9% more) for the Head Start program.

It provides \$315 million (9% more than FY 2022) for preschool development grants, as well as \$105 million (11% more) for child abuse state grants, \$125 million for runaway and homeless youth (4% more), and \$269 million (equal to FY 2022) for child welfare services.

It also provides \$804 million (2% more than FY 2022) for community services block grants and \$240 million (20% more) for family violence prevention and services.

### ***Child Care & Development Block Grant***

The measure provides \$8.0 billion for the child care and development block grant, 30% more than FY 2022. Those grants gives states, territories and tribes funding to provide direct financial aid to low-income working families and families taking classes or training so that the adults can access child care; the grants can also be used to improve the quality of child care for all children.

***Refugee & Entrant Assistance***

The agreement provides \$8.2 billion in new funding for HHS refugee and entrant assistance programs, 8% less than FY 2022. The total includes \$1.8 billion in emergency funding appropriated in the September continuing resolution (PL 117-180).

The total available for FY 2023 includes \$5.5 billion for shelter and associated services for unaccompanied children who cross the U.S. border. A total of \$8.0 billion was provided for those purposes in FY 2022.

The total also includes \$564 million (equal to FY 2022) for transitional and medical services for refugees and others who enter the United States, and \$307 million (equal to FY 2022) for refugee support services.

***Mandatory Family/Children Programs***

The agreement provides \$4.2 billion in mandatory funding for FY 2023 (including advance funding from prior years) for state child-support enforcement programs to help promote safe and stable families (0.2% less than comparable FY 2022 funding). (It provides \$1.3 billion in advance funding for FY 2024 for this support.)

It provides \$10.8 billion in mandatory funding (including advance funding from prior years) for foster care and adoption assistance programs — including \$6.2 billion (6% more than FY 2022) for foster care, \$4.1 billion for adoption assistance (10% more), and \$345 million (36% more) for guardianship programs. (It provides \$3.2 billion in advance funding for such activities for FY 2024.)

It also provides \$1.7 billion in mandatory funding (equal to FY 2022) for the Title XX social services block grant program.

***LIHEAP***

The measure provides \$2.5 billion for the Low-Income Home Energy Assistance Program (LIHEAP), \$1.3 billion (34%) more than FY 2022. The total includes \$1.0 billion in emergency funding appropriated in the September continuing resolution (PL 117-180). Program funds are distributed entirely through formula grants.

(The measure's Ukraine-Disaster supplemental division provides an additional \$3.5 billion for LIHEAP.)

### **Administration for Community Living**

The measure provides \$2.6 billion for HHS's Administration for Community Living — \$220 million (9%) more than FY 2022. ACL coordinates the efforts of the Administration on Aging, the Administration on Intellectual and Developmental Disabilities and the HHS Office on Disability to increase access to community supports and to focus attention and resources on the needs of older individuals and people with disabilities throughout their lifespan.

The total includes \$1.7 billion (8% more than FY 2022) in grants to states for programs that serve aging individuals and individuals with disabilities — including \$1.1 billion (10% more) for nutrition programs and \$410 million (3% more) for home and community-based supportive services.

### **Office of the Secretary**

The agreement provides a total of \$7.0 billion for programs and activities of HHS' Office of the Secretary — \$1.1 billion (20%) more than FY 2022 and 23% more than requested.

The total includes \$602 million (5% more than FY 2022) for general departmental management and \$87 million (6% more) for HHS's office of inspector general.

It provides \$35 million for the sexual risk avoidance program (equal to FY 2022), \$101 million (equal to FY 2022) for community grants to prevent teen pregnancy and \$44 million (16% more) for the Office on Women's Health.

It also includes \$1.5 billion within the HHS Office of the Secretary to establish the Advanced Research Projects Agency for Health (ARPA-H).

### ***Public Health & Social Services Emergency Fund***

The agreement provides a total of \$3.3 billion for the Public Health and Social Services Emergency Fund — \$482 million (17%) more than FY 2022. The fund supports a comprehensive program to prepare for and respond to the health and medical consequences of public health emergencies, including bioterrorism, and it also supports HHS cybersecurity efforts.

Included in the total is \$335 million (12% more than FY 2022) for pandemic flu preparedness, \$820 million (5% more) for Project Bioshield, \$965 million (14% more) for the Strategic National Stockpile, and \$950 million (28% more) for the Biomedical Advanced Research and Development Authority.

It also includes \$305 million (3% more) for hospital preparedness cooperative agreements, and \$97 million (29% more) for the national disaster medical system.

## **Education Department**

The agreement provides \$79.6 billion in discretionary funding for programs and activities of the Education Department for FY 2023 according to appropriators — \$3.2 billion (4%) more than FY 2022. It also provides \$3.9 billion in mandatory funding for vocational rehabilitation state grants.

### **K-12 Programs**

#### ***Title I Grants / Education for the Disadvantaged***

The agreement provides \$18.4 billion for Title I Education Grants and associated programs (including advance funding from previous years) — \$850 million (5%) more than comparable FY 2022 funding but 10% less than requested. (It provides \$10.8 billion in advance funding for FY 2024.)

More than one-quarter of the total, \$5.7 billion, is for basic grants to local school districts.

#### ***Impact Aid***

The measure provides \$1.6 billion (4% more than FY 2022) for Impact Aid grants to school districts with military installations to support the education of children of U.S. servicemembers as well as schools with students who live on Native American land.

#### ***School Improvement & Safe School Programs***

The agreement provides \$5.8 billion for a variety of school improvement programs (including advance funding from previous years), 4% more than FY 2022. (It provides \$1.7 billion in advance funding for FY 2024.)

Within the total for FY 2023, \$1.3 billion (3% more than FY 2022) is for 21st Century Community Learning Centers, \$1.4 billion (8% more) is for student support and academic enrichment programs, and \$2.2 billion (1% more) is for state grants to support effective instruction.

The total also includes \$390 million (equal to FY 2022) for state education performance assessments, \$215 million (10% more) for rural education, and \$129 million (13% more) for education of homeless children and youth.

Separately, the agreement provides \$457 million (27% more than FY 2022) for Safe Schools and Citizenship Education programs. Of this amount, \$216 million (7% more) is for School Safety National Activities, \$150 million (double FY 2022) is for full-service community schools, and \$91 million (7% more) is for Promise Neighborhoods.

### ***Innovation & Improvement Programs***

The agreement provides \$1.5 billion for a variety of programs intended to foster innovation and educational improvement, 12% more than FY 2022.

The total includes \$440 million (equal to FY 2022) for grants for charter schools, \$139 million (12% more) for magnet schools, and \$173 million (equal) for teacher incentive grants. It also includes \$284 million (21% more) for the Education Innovation and Research (EIR) program.

### ***Indian Education***

The agreement provides \$195 million for Indian Education programs, 3% more than FY 2022.

Of that total, \$110 million (0.5% more) is for grants to local education agencies to improve primary and secondary school programs that serve Native American students, including preschool children, and \$72 million (3% more) is for special federal programs for Indian children and national activities.

### ***Special Education & English Language Acquisition***

The agreement provides a total of \$15.5 billion (6% more than FY 2022) for special education programs for FY 2023 (including advance funding from prior years) — of which \$14.2 billion (6% more) is for special education grants to states. (The measure provides \$9.3 billion in advance funding for FY 2024.)

It provides a total of \$890 million for English language grants to states, 7% more than FY 2022.

## **Higher Education & Financial Aid**

The agreement provides \$24.6 billion for student financial aid programs, primarily for Pell Grants — \$35 million more than FY 2022.

Specifically, it provides \$22.5 billion in discretionary funding for Pell Grants and it increases the maximum Pell Grant by \$500 for FY 2023 to \$7,395. The measure rescinds \$360 million of unobligated Pell funds and \$75 million of mandatory Pell funding. (The rescission of mandatory funding exactly offsets the increase in the maximum Pell Grant.)

The total for student financial aid also includes \$1.2 billion (2% more than FY 2022) for federal work-study grants and \$910 million (2% more) for supplemental educational opportunity grants. The measure also provides \$2.0 billion (equal) to administer student aid programs.

### ***Higher Ed Programs***

For other higher education programs, the agreement provides a total of \$3.5 billion — \$532 million (18%) more than FY 2022. That total includes \$1.0 billion (15% more) for a variety of programs intended to strengthen colleges that serve certain minority populations, including \$228 million (25% more) for Hispanic Serving Institutions and \$396 million (9% more) for Historically Black College and Universities (HBCUs). Separately it provides \$21 million (1% more) for the HBCU Capital Financing Program for repair and renovation of facilities at HBCUs, and \$354 million (3% more) for Howard University in Washington, D.C.

The higher education total also includes \$1.2 billion (5% more) for TRIO programs that help low-income and first-generation college students plan, prepare for and succeed in college, as well as \$388 million (3% more) for the GEAR UP program that provides grants to provide students with skills, encouragement and scholarships to pursue postsecondary education.

### **Adult Career & Technical Training / Rehabilitation**

The agreement provides \$2.2 billion (5% more than FY 2022) for career, technical and adult education programs for FY 2023 (including previously appropriated amounts). (It provides \$791 million in advance appropriations for FY 2024.)

Of the total for FY 2023, \$1.4 billion (4% more than FY 2022) is for basic grants to states and \$729 million (4% more) is for state grants for adult education activities such as literacy education.

### ***Rehabilitation***

The measure provides a total of \$4.1 billion (6% more than FY 2022) for rehabilitation services — including \$3.9 billion in mandatory spending for vocational rehabilitation state grants.



The rehabilitation total also includes \$33 million (equal to FY 2022) for independent living services for older blind individuals and \$19 million (5.5% more) for the Helen Keller National Center for Deaf/Blind Youth and Adults. Separately, the measure provides \$43 million (7.5% more) for the American Printing House for the Blind, \$92.5 million (4.5% more) for the National Technical Institute for the Deaf, and \$165 million (13% more) for Gallaudet University in Washington, D.C.

### ***Other Activities***

The agreement provides \$808 million (10% more than FY 2022) for the Institute of Education Sciences to support education research, statistics, dissemination, evaluation and assessment activities.

It also provides \$634 million for management activities of the Education Department, 7% more than FY 2022. Within that total, \$420 million (8% more) is for salaries and expenses, \$140 million (3% more) is for the Office of Civil Rights, and \$67.5 million (5% more) is for the department's Inspector General.

## **Labor Department**

The agreement provides \$13.8 billion in discretionary spending for programs and activities of the Labor Department in FY 2023 (including advance appropriations from prior years) — \$652 million (5%) more than FY 2022 according to appropriators.

### **Employment & Training Administration**

The measure provides a total of \$11.0 billion for programs and activities of the Employment and Training Administration — \$501 million (5%) more than FY 2022 but 5% less than requested.

### ***Training & Employment Services***

The total includes \$4.1 billion (6% more than FY 2022) for programs that provide job training skills and assistance to youth and adults, as well as to dislocated workers.

Of that funding, \$2.9 billion is for grants to states — including \$886 million (2% more than FY 2022) for adult employment and training programs, \$948 million (2% more) for youth training programs, and \$1.1 billion (2% more) for dislocated worker assistance.

Another \$1.2 billion (17% more than FY 2022) is for national programs — including \$326 million (8% more) for dislocated worker assistance, \$115 million (13% more) for the reintegration of ex-offenders, \$97 million (2% more) for migrant- and seasonal-worker programs, \$105 million (6% more) for YouthBuild activities, and \$285 million (21% more) for apprenticeship programs.

### ***Job Corps & Older Americans***

The agreement provides \$1.8 billion (0.6% more than FY 2022) for the Job Corps, the nationwide network of residential facilities that provide training, job placement and support services to at-risk young adults.

And separately, it provides \$405 million (equal to FY 2022) for community service employment for older Americans.

### ***Unemployment Insurance & Employment Services***

The measure provides \$3.1 billion to fund State Unemployment Insurance and Employment Service Operations activities, 10% more than FY 2022.

The total includes \$2.75 billion (6% more than FY 2022) to support state operations of unemployment insurance programs, \$117 million (equal to FY 2022) for state re-employment eligibility assessments, and \$258 million (almost double FY 2022) for assessments under the program integrity cap adjustment.

The total also includes \$680 million (0.7% more than FY 2022) for employment service grants to states and \$63 million (equal) for One-Stop Career Centers. It includes \$84 million for foreign labor certification activities — \$61 million (3% more) for federal administration and \$23 million (10% more) for grants to states.

### **Worker Protection Agencies**

The agreement appropriates \$632 million (3% more than FY 2022) for the Occupational Safety and Health Administration (OSHA) — including \$243 million for federal enforcement activities (3% more) and \$120 million for state programs (6% more), \$21 million (8% more) for safety and health standards, and \$22.5 million (5% more) for whistleblower enforcement.

It provides \$388 million (1% more) for administration, salaries and expenses of the Mine Safety and Health Administration (MSHA), including \$266 million for mine safety and health enforcement.

It provides \$260 million (4% more) for the department's wage and hour division (WHD), \$111 million (2% more) for the Office of Federal Contract Compliance Programs, and \$49 million (6% more) for the Office of Labor Management Standards.

### **Departmental Management / Other Labor Programs & Agencies**

The agreement provides \$392 million for salaries and other general administrative expenses at the Labor Department, 7% more than FY 2022. Within that total \$116 million (9% more) is for International Labor Affairs and \$23 million (28% more) is for the Women's Bureau.

Separately, it provides \$34 million (21% more than FY 2022) for modernization of the department's information technology, and \$97 million (7% more) for the department's Inspector General.

It also provides the following for other Labor Department agencies and activities:

- **Workforce Innovation and Opportunity Act** — \$5.9 billion (4% more than FY 2022) for programs and activities under WIOA.
- **Veteran Employment and Training** — \$335 million (3% more) for the department's veteran employment and training activities.
- **Bureau of Labor Statistics** — \$698 million (1% more) for the BLS.
- **Employee Benefits Security Administration** — \$191 million (3% more) for the EBSA.
- **Pension Benefits Guaranty Corporation** — \$473 million (equal to FY 2022) for administrative expenses of the PBGC.

### ***Worker Compensation Programs***

The agreement provides a total of \$879 million in mandatory funding for various workers' compensation programs administered by the Labor Department, 9% more than FY 2022.

These programs include the Black Lung Disability Trust Fund (\$395 million for benefit payments, 19% more than FY 2022); special benefit payments for disabled coal miners (\$47 million, 7% more); the Energy Employees Occupational Illness Compensation Fund (\$65 million, 2% more); and federal employee compensation benefits (\$250 million, 2% more).

## **Related Agencies**

### ***Corporation for National & Community Service***

The agreement appropriates \$1.3 billion for the Corporation for National and Community Service, including for AmeriCorps and the Volunteers in Service to America (VISTA) program — 14% more than FY 2022.

The total includes \$635 million for several national and community service programs, including \$557 million (19% more than FY 2022) for AmeriCorps which addresses community needs in education, public safety, health and the environment.

It provides \$103 million (3% more) for the VISTA program, which provides capacity building for small, community-based organizations that combat poverty; its members establish and expand housing, employment, health and economic development programs.

It also provides \$237 million (3% more) for the Senior Volunteers Corps, a collection of programs to connect older individuals with opportunities to contribute their skills and expertise to community projects and organizations. The programs include foster grandparents and senior companions.

### ***Corporation for Public Broadcasting***

As is traditionally done for the Corporation for Public Broadcasting, the measure provides only two-year advance funding for the CPB, in this case providing \$535 million for FY 2025.

CPB funding for FY 2023 (\$475 million) was provided by the FY 2021 appropriations law, and the FY 2022 appropriations law provided \$525 million that will be available for FY 2024.

The measure also provides \$60 million (triple the FY 2022 level) for public television interconnection systems in FY 2023.

### ***Social Security Supplemental Security Income (SSI) Program***

The agreement provides for the Social Security Administration to use \$64.2 billion in FY 2023 from the Social Security Trust Fund (including prior advance appropriations) for the Supplemental Security Income (SSI) Program — including \$59.2 billion (2% less) in payments to SSI beneficiaries and \$4.8 billion (5% more) to administer the program.

That total also includes \$124 million (40% less than FY 2022) for beneficiary services and \$86 million (equal) for research and demonstration activities. The measure provides a \$15.8 billion advance appropriation for the program for FY 2024.

The measure also allows for the use of \$8.9 billion from the trust fund for Social Security administrative expenses in FY 2023, and it provides \$1.8 billion for program integrity activities (4% more than FY 2022), including \$1.5 billion under the measure's program integrity cap adjustment.

### ***National Labor Relations Board & Other Agencies***

The agreement appropriates \$299 million (9% more than FY 2022) for the National Labor Relations Board (NLRB), and it increases funding for most other related agencies.

Specifically, it increases funding for the Federal Mine Safety and Health Review Commission and the National Mediation Board by 3%; for the Institute of Museum and Library Services and the National Council on Disability by 10%; and for the Federal Mediation and Conciliation Service by 7%; for the Occupational Safety and Health Review Commission by 13%; and for the Medicare Payment Advisory Commission (MedPAC) by 4%.

## Section X

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### Legislative Branch

This section describes the provisions of the agreement on HR 2617, Consolidated Appropriations Act for FY 2023, that provide full-year funding for the legislative branch.

The agreement provides a total of \$6.9 billion in net discretionary spending for operations of the House of Representatives and the Senate, joint House-Senate items, and various legislative branch entities such as the Capitol Police and Library of Congress. The discretionary total is \$976 million (16%) more than comparable FY 2022 funding.

It provides \$1.8 billion (8% more than FY 2022) for operations of the House — including 5% more for members' offices and 34% more in funding for House interns — as well as \$1.2 billion (5% more) for Senate operations. The measure continues a freeze on pay for members of Congress.

Appropriators note these funding increases will provide House and Senate offices with the resources to pay their staffers a living wage for the D.C. metro area, roughly \$45,000 each year.

The measure also increases funding for associated Legislative Branch entities, providing \$743 million for the U.S. Capitol Police (22% more than FY 2022), \$1.4 billion (70% more) for the Architect of the Capitol, \$875 million (4% more) for the Library of Congress, and \$846 million (12% more) for the Government Accountability Office (GAO). It provides a 4% increase for the Government Publishing Office (GPO), and a 5% increase for the Congressional Budget Office (CBO).

The agreement includes large increases in funding for Capitol security and protecting members of Congress, and it directs the Capitol Police to determine the security needs necessary to ensure the reopening of the Capitol campus to the public to pre-COVID levels.

### House Operations

The agreement appropriates a total of \$1.8 billion for operations of the House of Representatives for FY 2023 — 8% more than FY 2022. Appropriators say the measure's funding increase will help Congressional offices hire and retain talented and diverse employees and support a more diverse pool of interns.

### ***Leadership Offices***

The measure provides a total of \$37 million for Democratic and Republican leadership offices and party caucuses, 5% more than FY 2022.

For the majority leadership, the measure provides \$10.5 million for the Speaker of the House, \$3.7 million for the majority leader, and \$3.1 million for the majority whip. It provides \$10.5 million for the minority leader and \$2.8 million for the minority whip.

It also provides \$3.0 million for both the House Democratic Caucus and the House Republican Conference.

### ***Members & Committees***

The measure appropriates \$810 million for members' representational allowances, 5% more than FY 2022. This account funds each member's staff salaries, office expenses and official mail costs. (The measure contains no funds for members' salaries, which are paid out of a permanent appropriation for the compensation of members). It provides that unspent amounts remaining in members' accounts must be used for deficit or debt reduction.

For House committee salaries and expenses, the agreement provides \$212 million (8% more) — including \$31 million for the House Appropriations Committee and \$181 million for all other House committees staffs.

### ***Paid Internships***

The agreement appropriates \$24 million to pay interns in House offices (34% more than FY 2022), including \$586,000 for interns in leadership offices and \$3.1 million for committee interns. According to appropriators, this funding level would provide \$46,800 per Member office for interns, an increase of \$11,800 per office from FY 2022.

The measure also establishes a House Intern Resources Office (located within the Office of the House Chief Administrative Office) to provide training and support services for interns, and assist interns locate housing and professional development opportunities.

### ***Other House Expenses***

The measure appropriates a total of \$324 million (12% more than FY 2022) for functions performed by various House officers and employees, including \$41 million (12% more) for the Clerk of the House, \$212 million (10% more) for the chief administrative officer, \$13 million (6% more) for the Office of Legislative Counsel, and \$3.5 million (17%

more ) for the House's Office of Diversity and Inclusion. It includes \$39 million (40% more) for the Office of the Sergeant at Arms, including \$4.7 million for members' residential security and \$2.7 million for district office security.

Separately, it provides \$431 million (8% more than FY 2022) for House allowances and expenses, accounts that fund supplies, administrative costs, federal tort claims, official mail and the government's share of retirement, health care and unemployment compensation payments for House employees. The vast majority (\$387 million; 8% more) is for the government's contributions for employee benefits, while \$9.7 million (4% more) is for the Green and Gold Congressional Aide Program, which provides paid House fellowships for wounded and/or disabled veterans and family members of servicemen and servicewomen who die in the line of duty.

The measure directs the House Chief Administrative Officer to develop a childcare subsidy program for House staffers, and it expands the authorities of the House Student Loan Repayment Program to cover educational assistance and professional development courses for currently employed staffers.

Finally, the measure provides \$10 million (four times the FY 2022 level) for the House Modernization Initiatives Account to implement recommendations made by the Select Committee on the Modernization of Congress, including \$1.4 million for efforts to better maintain records on lobbyists.

## **Senate Operations**

The agreement appropriates \$1.2 billion for Senate operations, 5% more than the FY 2022 level. According to appropriators, the measure provides sufficient funding for each Senate office to provide a minimum annual salary of \$45,000 for all full-time staff.

The measure provides \$259 million (8% more than FY 2022) for Senate operations and salaries — including \$109 million for the Office of the Sergeant at Arms and the Doorkeeper, \$29 million for the Office of the Secretary of the Senate, \$6.2 million for the offices of the majority and minority leaders, \$3.9 million for the offices of the majority and minority whips, and \$18 million for the Appropriations Committee. It also provides \$77 million for agency contributions.

For contingent expenses of the Senate, the measure appropriates a total of \$882 million (4% more than FY 2022). The total includes \$146 million (7% more) for Senate inquiries and investigations and \$512 million (5% more) for senators' office staffs and expenses, of which \$7 million is to pay Senate interns. Unspent amounts remaining in senator's accounts



would be used for deficit or debt reduction. The total also includes \$172 million (13% more) for the Sergeant at Arms and Doorkeeper of the Senate, and an additional \$6.3 million for a new Sergeant at Arms Fellowship program.

The agreement includes \$6.3 million to establish fellowship programs for veterans and Gold Star families. It also funds efforts to modernize and harden the Senate's cybersecurity and provides increased funding to support the physical security of Senators and staff.

Separately, it provides \$8.2 million (11% more than FY 2022) for the Senate Legislative Counsel and \$1.4 million (4% more) for the Senate Legal Counsel.

### **Joint House-Senate Items**

The agreement appropriates a total of \$23 million for certain items jointly operated by the House and Senate, 3.5% more than FY 2022.

Within the total, the Joint Committee on Taxation receives \$12.9 million (5% more than FY 2022) and the Joint Economic Committee \$4.3 million (equal to FY 2022). Another \$1.7 million (6% more) is provided for the Office of Congressional Accessibility Services, which coordinates services for individuals with disabilities, including members of Congress, staff, and visitors, in the Capitol complex.

#### ***Office of the Attending Physician***

The measure provides \$4.2 million (3% more than FY 2022) for the Office of the Attending Physician for medical supplies, equipment, expenses and allowances. And separately, it provides an additional \$5 million (equal to FY 2022) to for Capitol Complex Health and Safety programs, including COVID-19 testing.

### **Capitol Police**

The agreement appropriates a total of \$735 million for the Capitol Police — \$22% more than FY 2022. Appropriators note the increase is to provide additional security to members of Congress in response to a significant increase in threats.

The total provides \$542 million (16% more than FY 2022) for salaries and benefits, of which no more than \$69 million could be used for officer overtime work in FY 2022. The amount includes \$9.5 million for member protection programs, including security programs for Congressional leadership as well as visiting dignitaries, while another \$2 million is for the department to provide security to members outside the Capitol Complex in the greater D.C. area as warranted by risk-based analysis. Appropriators say the funding will allow for a Capitol Police Force of up to 2,126 sworn officers and 567 civilian employees.

The total also includes \$193 million (44% more than FY 2022) for general operating expenses of the Capitol Police, including \$6 million for member protection activities.

### ***Police Directives***

The agreement directs the Capitol Police, within 30 days of enactment, to report to Congress on a plan to reopen the Capitol Building to the public. The report must include security requirements, Capitol Police staffing requirements, additional duty requirements, and other resources needed to reopen the Capitol to its pre-pandemic posture, while factoring in any additional requirements resulting from the Jan. 6 attack on the Capitol and increasing threats against Members of Congress.

According to House appropriators, the measure also provides resources to support a body-worn camera program and de-escalation and racial bias training for Capitol Police officers.

## **Architect of the Capitol**

The measure appropriates \$1.3 million (70% more than FY 2022) for the Architect of the Capitol (AOC) for continued maintenance, operation, development and preservation of the Capitol complex.

Within the total, \$81 million (90% more than FY 2022) is provided for operations and maintenance of the Capitol building, \$28 million (8% more) is for the Capitol Visitor Center, and \$16 million is for care and improvement of the Capitol grounds (7% less).

It provides \$146 million (5% more than FY 2022) for general operations and construction, \$184 million (125% more) for Senate office buildings, and a net total of \$122 million (40% less) for House office buildings — of which \$41 million is for continued restoration and renovation work on the Cannon Office Building.

### ***Associated Facilities***

The AOC total also includes \$403 million (more than five times FY 2022) for Capitol Police buildings and grounds, and to support significant enhancements to the physical security of the Capitol Complex as a result of the security recommendations made after the Jan. 6, 2021, attack on the Capitol. It also includes \$144 million (123% more) for Library of Congress buildings and grounds — including \$51 million for the Module 7 storage project — and \$24 million (4% less) for the Botanic Garden.

It provides \$177 million (42% more) for the Capitol power plant, of which \$10 million would come from offsetting collections).

The appropriators encourage the Architect to continue to find ways to increase the resilience and efficiency of the Capitol complex through the installation of energy efficient technologies that aim to make the Capitol complex more resilient and energy independent, and direct the AOC to brief Congress on cost differences between conventional and low-carbon or zero emissions alternatives for the Capitol campus. The measure also requires the Architect to brief Congress on the installation of electric vehicle charging stations across the Capitol complex.

## **Congressional Agencies**

### ***Government Accountability Office***

The agreement provides \$846 million for activities of the Government Accountability Office (GAO), 12% more than FY 2022. The measure's funding is partially offset by the collection of \$57 million in reimbursements for conducting financial audits of government corporations and rental of space in the GAO building.

### ***Library of Congress***

The agreement provides \$875 million (4% more than FY 2022) for activities of the Library of Congress, of which \$47 million is offset by collected receipts and other balances (for a net discretionary total of \$829 million for the library).

The total includes \$583 million (6% more) for library salaries and expense. According to appropriators, these funds will provide resources to modernize the handling of the Library's collections, strengthen IT planning and project management, enhance educational programs, and ensure the safety and security of the Library's collections. It includes \$1.1 million to hire new personnel as part of the Visitor Engagement Program.

It provides \$101 million (3% more) for activities of the U.S. Copyright Office within the Library, and allows the office to spend \$44 million of the receipts it collects and \$3 million in prior year unobligated balances (thereby reducing the office's net appropriation to \$54 million). It also provides \$59 million (4% less) for the National Library Service for the Blind and Print Disabled, a free national reading program for blind and physically handicapped residents of the United States and U.S. citizens living abroad.

Finally, the library total includes \$134 million (4% more than FY 2022) for the Congressional Research Service (CRS), including \$1 million for a Legal Education Forum to provide continuing education on legal fundamentals to CRS employees without a law degree.

### ***Government Publishing Office***

The measure appropriates \$130 million for operations of the Government Publishing Office (GPO), 5% more than FY 2022.

Of the total provided, \$83 million (5% more) is for the printing and binding of specific congressional documents — including bills, committee reports, hearing transcripts, committee prints, the Congressional Record and other such documents. It also provides \$35 million (4% more) for other public printing activities, and allows GPO's business operations revolving fund to receive \$12 million (2% more).

### ***CBO & Other Offices***

The agreement appropriates \$63 million (4% more than FY 2022) for the Congressional Budget Office (CBO) for FY 2023.

It also provides the following:

- **Office of Congressional Workplace Rights** — \$8 million (7% more than FY 2022) for the OCWR (known as the Office of Compliance before 2018), which is responsible for ensuring congressional compliance with various labor and employment laws and administers the existing dispute resolution process for cases of harassment or discrimination.
- **Congressional Office for International Leadership** — \$6 million for the office (equal to FY 2022). COIL, formerly known as the Open World Leadership Center, brings emerging leaders from countries in the former Soviet Union to "experience American democracy and civil society in action." COIL programs with Russia and Belarus remain suspended following the Russian invasion of Ukraine in February, while appropriators encourage COIL to reinstate programming and partnerships in Ukraine as soon as is safely possible.
- **John C. Stennis Center for Public Service Training and Development** — \$430,000 for the center, equal to FY 2022.

## Pay Freeze & Other Provisions

The agreement continue to freeze the pay of members of Congress, thereby preventing a statutory pay increase from occurring. A freeze on lawmakers' salaries has been in place since 2010.

### *Legislative Branch Funding Restrictions*

The measure continues certain restrictions that have been included in recent Legislative Branch Appropriations Acts, including the following:

- **Plastic Waste** — Directs Legislative Branch agencies and offices to coordinate with food service providers to eliminate or reduce waste from single-use plastics, including plastic drinking straws.
- **Telecom Equipment** — Prohibits the acquisition of telecommunications equipment produced by Chinese technology companies Huawei or ZTE, or any other systems designed as "high-impact" or "moderate-impact" as defined by the National Institution of Standards and Technology.
- **Pornography** — Requires all federal computers purchased with these funds to block the viewing of pornography.

## Section XI

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### **Military Construction & Veterans Affairs**

This section describes the provisions of the agreement on HR 2617, Consolidated Appropriations Act for FY 2023, that provide full-year funding for military construction and for programs and activities of the Veterans Affairs (VA) Department.

The agreement provides a total of \$154.2 billion in net discretionary spending for FY 2023 for military construction, VA medical programs and other programs and related agencies, according to appropriators, as well as \$168.5 billion in mandatory funding for VA pensions and other benefits — thereby providing a total of \$322.7 billion for the year. The discretionary total is \$26.6 billion (21%) more than FY 2022.

Total funding available for FY 2023 includes \$272.3 billion in advance VA funding for FY 2023 provided by prior-year appropriations laws; the agreement includes \$283.5 billion in advance VA appropriations for FY 2024 (\$128.1 billion discretionary and \$155.4 billion mandatory).

For military construction, the measure provides a net total of \$19.0 billion — \$4.1 billion (28%) more than FY 2022 — including 33% more than FY 2022 for core military construction activities, 40% more for family housing, and 2% more for NATO security investments. It includes \$4.0 billion for projects not requested in the president's budget.

For the VA for FY 2023 it provides a net total of \$303.3 billion (13% more than FY 2022) including \$134.7 billion in discretionary funding for health care and other services (\$22.5 billion, or 20%, more) and \$168.6 billion (7% more) in mandatory spending for veterans pensions and benefits. The discretionary total includes \$119.7 billion for VA health care programs (22% more), including a 20% increase for core VA medical services, 22% more for medical care provided to veterans by private health care professionals outside of the VA's medical network (i.e., "community care"), and 4% more for medical, rehabilitative and prosthetic research.

It also includes \$5.0 billion in mandatory funding for the Cost of War Toxic Exposures Fund established by the 2022 Honoring Our PACT Act (PL 117-168).

The measure includes \$2.15 billion in earmarks (now known as Community Project Funding) for 142 specified projects.

## **Military Construction**

The agreement provides a total of \$19.0 billion for military construction projects in FY 2023 — \$4.1 billion (28%) more than FY 2022 and \$6.8 billion (56%) more than requested.

Military construction accounts provide funds for new construction, construction improvements, planning and design, and host nation support. Projects funded by these accounts include facilities for operations, training, maintenance, research and development, supply, medical care and force protection, as well as housing, utilities infrastructure and land acquisition.

### ***Core Military Construction***

The agreement appropriates \$13.0 billion for core military construction activities — \$3.2 billion (33%) more than FY 2022 and 27% more than requested.

It provides \$11.1 billion for construction activities for the active military services, 37% more than FY 2022. Within that total it provides \$1.6 billion (48% more than FY 2022) for the Army; \$4.3 billion (64% more) for the Navy and Marine Corps; \$2.6 billion (19% more) for the Air Force; and \$2.6 billion (19% more) for defensewide projects.

For National Guard and Reserve components it provides a total of \$1.1 billion for construction activities (14% more than 2022), but only the Army National Guard and the Army Reserve receive funding increases.

### ***Family Housing***

The agreement appropriates a total of \$2.0 billion for family and military personnel housing — \$563 million (40%) more than FY 2022 and 1.5% more than requested.

Within that total, it provides \$169 million (69% more than FY 2022) for Army housing construction and \$446 million (14% more) for operation and maintenance; \$337 million (triple FY 2022) for Navy and Marine Corps construction and \$378 million (6% more) for operation and maintenance; \$233 million (more than double) for Air Force construction and \$365 million (12% more) for operations and maintenance; and \$50 million (0.7% more) for defensewide housing operation and maintenance.

It also includes the requested \$494,000 for the unaccompanied housing improvement fund (equal to FY 2022), and \$6 million (6% more than FY 2022) for the Family Housing Improvement fund to address mold, vermin and lead in military family housing.

### ***Unrequested Projects***

The measure provides an additional \$2.6 billion for military construction projects that were not included as part of the president's official budget request, but which were in each military service's "unfunded priority list" — although the measure requires that an expenditure plan for the projects be approved by Congress before the funds could be obligated and spent.

It also includes an additional \$1.4 billion in unrequested funds to complete projects that are near completion and need additional funding.

### ***Other Military Construction Funding***

The agreement provides \$25 million in unrequested funds for Navy/Marine Corps water treatment and distribution infrastructure (about half the comparable FY 2022 level), and it provides \$10 million for the Air National Guard, for planning and design for construction at future foreign military training sites.

The measure's total for core military construction (above) includes \$220 million for the North Atlantic Treaty Organization Security Investment Program, \$4 million (2%) more than FY 2022. The program funds infrastructure projects that improve NATO readiness, including support for forward deployed and reinforcing forces.

The core military construction total also includes \$575 million for continued activities under the 1990 and 2005 base realignment and closure (BRAC) rounds — 8% more than FY 2022. Funding for both the 1990 and 2005 BRAC accounts are provided in a single line item.

## **Veterans Programs**

The VA provides health care for 9.2 million veteran enrollees; disability compensation benefits to 5.5 million veterans and 482,000 survivors; pension benefits for an estimated 276,000 veterans and survivors; life insurance for more than 5.5 million veterans, servicemembers and their families; educational assistance for nearly 900,000 trainees; and interment services in national cemeteries for an estimated 130,000 veterans and eligible family members. The department employs more than 425,000 people, making it one of the largest federal employers.



The agreement provides a net total of \$303.3 billion for the VA for FY 2023 — 13% more than FY 2022 — including \$134.7 billion in discretionary funding for health care and other services and \$168.6 billion in mandatory spending for veterans pensions and benefits. The discretionary VA total is \$22.5 billion (20%) more than FY 2022, while the mandatory total is \$11.5 billion (7%) more.

Of the total for FY 2023, \$272.3 billion represents advance discretionary and mandatory appropriations for FY 2023 that were provided by prior-year appropriations laws. The measure provides \$283.5 billion in advance appropriations for FY 2024 — \$128.1 billion in discretionary funding for VA's medical accounts and \$155.4 billion for mandatory VA benefits.

### **Veterans Health Programs**

The VA operates the largest federal medical care delivery system in the United States. It will treat an estimated 7.3 million patients in 2023 in its 145 hospitals, 124 residential rehabilitation programs, 135 nursing homes, 300 Vet Centers, 83 mobile Vet Centers and 740 outpatient clinics.

The agreement provides a total of \$119.7 billion in discretionary funding for health care programs of the Veterans Health Administration (VHA) in FY 2023 — 22% more than comparable FY 2022 funding. Another \$3.9 billion for VA health care would be provided from reimbursements that the VA collects from veterans and other insurers (so-called medical care cost recovery collections) for non-service-connected care that the VA provides to veterans (15% more than FY 2022 collections).

(The total for FY 2023 includes \$111.3 billion in advance FY 2023 appropriations from prior years and \$8.4 billion in regular appropriations. For FY 2024, the measure provides \$128.1 billion in advance appropriations for VA health care accounts.)

The measure also provides \$5.0 billion in new mandatory funds for the Cost of War Toxic Exposures Fund, which was established this year to support costs related to providing veterans and their families the benefits and care associated with the eligibility expansions included in the Honoring our Promise to Address Comprehensive Toxics (PACT) Act of 2022 (PL 117-168).

### ***Medical Services***

The medical services account provides funding for medical services to eligible veterans and beneficiaries in VA medical centers, outpatient clinics, contract hospitals, state homes and outpatient programs on a fee basis.

The agreement provides a total of \$70.6 billion for VA medical services for FY 2023 — 20% more than FY 2022. (Of that total, \$261 million is new appropriations provided by the measure and \$70.3 billion is advance funding from prior-year appropriations. The measure includes \$74.0 billion advance in appropriations for FY 2024.)

Within the total provided for FY 2023, \$13.9 billion is for mental health programs, of which \$498 million is for suicide prevention outreach. Another \$2.7 billion is for programs to prevent veteran homelessness; \$663 million is for opioid prevention programs; \$183 million is for substance use disorder programs; and \$86 million is for Whole Health Initiatives.

The Medical Care Collections Fund (MCCF) receives reimbursements from veterans and other insurers for non-service connected care that the VA provides to veterans — with the funds then used for VA medical care and services. The measure estimates that in FY 2023, a total of \$3.9 billion will be collected and available for use by the VA.

### ***Community Care***

The measure provides \$28.5 billion for FY 2023 for the medical community care account, 22% more than FY 2022. (Of that total, \$4.3 billion is new appropriations in the measure and \$24.2 billion is advance funding from prior-year appropriations. The measure includes \$33.0 billion in advance appropriations for FY 2024.)

Another \$785 million would be available for medical community care and VA medical services in FY 2023 via a transfer from the Medical Care Collections Fund, \$162 million (26%) more than the comparable transfer made for FY 2022.

### ***Other Health Care***

The agreement provides \$8.6 billion for the operation and maintenance of VA medical facilities in FY 2023 — 28% more than FY 2022. (Of that total, \$1.5 billion is new appropriations in the measure and \$7.1 billion is advance funding from prior-year appropriations. The measure includes \$8.8 billion in advance appropriations for FY 2024.)

It provides a total of \$11.1 billion for VA medical support and compliance activities, 32% more than FY 2022. (Of that total, \$1.4 billion is new appropriations and \$9.7 billion is advance funding from prior-year appropriations. The measure includes a \$12.3 billion advance appropriation for FY 2024.)

The measure provides for the transfer of \$361 million in VA medical funding (including MCCF monies) to the Joint Defense-Veterans Affairs Medical Facility Demonstration Fund to operate combined DOD-VA medical facilities.

Finally, it appropriates \$916 million for FY 2023 for medical, rehabilitative and prosthetic research, 4% more than FY 2022.

### **Veterans Benefits Administration**

The agreement provides a total of \$167.7 billion for the Veteran's Benefit Administration for FY 2023, 4% more than FY 2022.

Of total VBA mandatory funding, \$161.0 billion is provided through prior-year advance mandatory appropriations; the measure includes a \$155.4 billion advance mandatory appropriation for FY 2024 for VA benefits.

### ***Veterans Compensation & Pensions***

This account provides funds for service-connected compensation payments to 6 million veterans, survivors and dependents, and pension payments for more than 276,000 veterans and survivors. It provides educational assistance for nearly 900,000 individuals and interment services for an estimated 130,000 veterans and family members.

The agreement provides \$152.0 billion for veterans service-connected compensation benefits and pensions for FY 2023 — 9% more than 2022 funding.

(All of that funding is provided through advance appropriations from prior spending acts; the measure includes \$146.8 billion in advance mandatory funding for such benefits and pensions for FY 2024.)

### ***Readjustment Benefits***

The measure provides \$8.9 billion for veterans readjustment benefits for FY 2023, 40% less than FY 2022.

Funding in this account provides education and training assistance to veterans and service personnel; vocational rehabilitation; special housing and transportation grants to certain disabled veterans; and educational assistance to eligible dependents of deceased and seriously disabled veterans, as well as dependents of servicemembers who were captured or are missing in action. More than 80% of the funds support the Post-9/11 GI bill.

(The entire amount provided for FY 2023 is advance funding from prior appropriations. The measure includes \$8.5 billion in advance mandatory funding for such benefits for FY 2024.)

### ***Veterans Insurance & Indemnities***

The agreement provides \$110 million in mandatory funding (20% less than FY 2022) to finance veterans insurance programs for certain veterans of World War I, World War II and the Korean War, as well as veterans mortgage life insurance for those veterans who have a grant for specially adapted housing.

(The entire amount is advance appropriations from prior spending acts. The measure includes \$121 million in advance mandatory funding for the programs for FY 2024.)

### ***VA Housing Benefit Program***

The measure provides \$282 million in discretionary funding for administrative expenses under the VA Home Loan Guaranty program (23% more than FY 2022), and it provides \$2.5 billion in mandatory funding for the credit subsidy to support VA home loan guarantees (9% less than FY 2022).

It sets a \$500,000 cap on direct loans for specially adapted housing.

## **VA Department Administration**

The agreement provides a total of \$10.8 billion for general VA administrative and other expenses — 3% more than FY 2022 but less than 1% less than requested. Within that total, \$433 million (8% more than FY 2022) is for general administration of the VA Department and \$273 million is for the Office of the Inspector General (14% more).

The total includes the requested \$5.8 billion for VA information technology (19% more than FY 2022), as well as \$1.8 billion for continued development and implementation of the new VA electronic health record (30% less).

It includes \$1.4 billion (10% less than FY 2022) for major modernization projects and the alteration and improvement of VA facilities where the project is estimated to cost \$20 million or more, and \$626 million (13% more) for "minor" projects estimated to cost below that threshold. It includes \$150 million for construction of state extended care facilities, triple the FY 2022 level.

The measure also provides \$430 million (9% more than FY 2022) for VA's National Cemetery Administration and \$50 million (3% more) for grants for the construction of veterans cemeteries.

It provides \$285 million for the Board of Veterans Appeals, 25% more than FY 2022.

### **Related Agencies**

In addition to funding military construction and the VA, the agreement provides funding to four other agencies and accounts.

#### ***Arlington National Cemetery***

The Army secretary is responsible for the administration, operation and maintenance of Arlington National Cemetery and the Soldiers' and Airmen's Home National Cemetery.

The agreement provides the requested \$156 million for the two cemeteries for FY 2023 — 32% less than FY 2022. Of that total, \$93 million is for salaries and expenses (7% more than FY 2022) and \$62.5 million is for construction (less than half the amount provided in FY 2022).

#### ***Court of Appeals for Veterans Claims***

The measure provides \$47 million for the U.S. Court of Appeals for Veterans' Claims, 12% more than 2022.

The court reviews appeals from claimants seeking review of a benefit denial by the VA. It has the authority to overturn findings of fact, regulations and interpretations of law.

#### ***Armed Forces Retirement Home***

The Armed Forces Retirement Home consists of two retirement communities: one in Washington, D.C., and the other in Gulfport, Miss.

The measure provides \$152 million for the Armed Forces Retirement Home — nearly double the FY 2022 level — including \$77 million in first-time funding for major construction.

Until the last decade, retirement home expenses were covered entirely from a dedicated trust fund, but general appropriations are now needed to support the trust fund. Of the \$75 million provided by the agreement for core retirement home activities (i.e., excluding funding for major construction), \$25 million would be provided to the trust fund

from the general fund of the Treasury. Similarly, the \$77 million provided by the agreement for major construction would be provided to the trust fund from the general fund of the Treasury.

***American Battle Monuments Commission***

The agreement provides \$87.5 million for salaries and expenses of the American Battle Monuments Commission, equal to FY 2022.

The commission administers and maintains cemeteries and war memorials located overseas and in the United States to commemorate the sacrifices of those who lost their lives in combat since World War I. It maintains 25 cemetery memorials and 26 monuments, memorials and markers.

## Section XII

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### State-Foreign Operations

This section describes the provisions of the agreement on HR 2617, Consolidated Appropriations Act for FY 2023, that provide full-year funding for the State Department and U.S. international aid programs.

The agreement appropriates a total of \$59.7 billion in base net discretionary funding for foreign operations and the State Department in FY 2023 — \$3.6 million (6%) more than comparable FY 2022 funding, according to CBO.

The measure includes increases in funding for international development and public health, with other accounts largely remain at FY 2022 levels. Specifically, it provides \$20.5 billion (6% more than FY 2022) for U.S. bilateral economic assistance to foreign nations and \$2.8 billion (17% more) for aid to foreign nations through international organizations and banks, according to appropriators. It provides flat funding of \$8.9 billion for international security assistance to nations.

Within those totals, \$10.6 billion (7% more than FY 2022) is for global health programs, including \$6.4 billion to combat HIV/AIDS (of which \$6.0 billion is for the President's Emergency Plan for AIDS Relief, or PEPFAR). It includes \$4.4 billion for the general Development Assistance account and \$4.3 billion for the Economic Support Fund (both of which fund a wide range of activities, including direct aid to nations). Direct aid includes \$3.3 billion for Israel, \$1.7 billion for Jordan, \$1.4 billion for Egypt, and \$225 million for Palestinians in the West Bank and Gaza.

The measure provides \$17.4 billion (1% more) for the operational costs of the State Department and related agencies in foreign nations along with diplomatic efforts to enhance global peace and stability, and \$2.1 billion (13% more) for the operational costs of the U.S. Agency for International Development (USAID), including to administer U.S. foreign aid and global health programs.

(The measure in the Ukraine supplemental appropriations division of the agreement also includes funding to support the Ukrainian people and defend global democracy in the wake of Russia's attack on Ukraine — providing humanitarian, economic and other assistance for Ukraine and countries affected by the situation in Ukraine. See Section XV)

Unlike most other appropriations measures in the agreement, the State-Foreign Operations measure includes no earmarks.

## Security Assistance

The measure includes a total of \$8.9 billion for international security assistance to nations — \$39 million more than FY 2022 funding and \$61 million (1%) less than requested.

That total includes \$1.4 billion (equal to FY 2022) for international narcotics control and law enforcement programs and activities, \$461 million for voluntary contributions to international peacekeeping operations (see "Peacekeeping," below), \$921 million (2% more) for international nonproliferation, anti-terror and demining efforts, and \$113 million (equal to FY 2022) for the International Military Education and Training program (IMET). IMET is part of the overall U.S. security assistance program; through it the U.S. government provides training to military students and soldiers from foreign armies.

It provides \$6.1 billion for the Foreign Military Financing Program, under which aid is provided to other nations including Israel, Egypt and now Taiwan (see Bilateral Aid, below).

The agreement also provides other security-related funding through various other accounts, including a total of \$135 million for a Prevention and Stabilization Fund established by the 2019 Global Fragility Act to try and prevent violence and conflict that can become a breeding ground for terrorism. The secretary of State, within 45 days of enactment and every 90 days thereafter until Sept. 30, 2023, must submit a consolidated report to Congress containing updated information on obligations and expenditures of the fund on a country and program basis.

## Aid to Specific Nations

The agreement provides aid to a wide range of specified nations — including aid from programs in the Bilateral Economic Assistance title of the measure and the Foreign Military Financing Program in the International Security Assistance title.

### *Russian Aggression*

The measure continues language from prior years that restricts assistance to any country that recognizes the Russian annexation of Crimea or any other territory in Ukraine. It also provides counter-drug aid, as well as funds to counter the influence of Russian media in the region.



It includes \$300 million (2% more than FY 2022) for the Countering Russian Influence Fund, which aids countries in Europe and Eurasia in enhancing the capacity of their security forces, including the modernization of NATO partners. The funds may also be used by the Baltic states for cyber and democracy programs to counter Russian influence and aggression. The total includes \$150 million for military aid, \$50 million for International Narcotics Control and Law Enforcement, and \$95 million for economic aid — including funds to strengthen democracy and civil society in Central Europe, including for transparency, independent media, rule of law, minority rights, and programs to combat anti-Semitism.

It also provides \$132 million (equal to FY 2022) for Georgia and it restricts assistance to any country that recognizes the independence of, or establishes diplomatic relations with, the Russian-occupied Georgian territories of Abkhazia and Tskhinvali Region/South Ossetia. The Assad regime in Syria recognized such territories in May 2018.

### *Israel*

The agreement provides \$3.3 billion in military assistance for Israel. All of the funds are in the form of military financing grants through the Foreign Military Financing program, and must be provided to Israel as cash grants within 30 days of enactment. Of the total, \$785 million could be used for purchases or research and development in Israel; the remainder must be spent on U.S. goods and services.

The measure requires the secretary of State to report on instances of anti-Israel bias at the United Nations, including identification of the agencies and entities where such bias has been demonstrated in the past. It also extends loan guarantees until 2028.

### *Egypt*

The measure appropriates \$1.4 billion in aid for Egypt, including \$1.3 billion for military grants through the Foreign Military Financing program and \$125 million in economic assistance. The economic aid includes \$40 million for higher education, including \$15 million for scholarships at not-for-profit institutions for Egyptian students with high financial need.

It withholds \$225 million of the military aid until the secretary of State certifies that Egypt has taken steps to advance democracy and human rights in Egypt, and withholds an additional \$95 million until the Egyptian government releases political prisoners and provides detainees with due process. Some of the restricted funds could be released if the secretary certifies doing so is in U.S. national security interests.

### ***Palestinians***

U.S. assistance to the Palestinians has fluctuated considerably over the past decade and a half, largely due to the forcible takeover of the Gaza Strip in June 2007 by the militant group Hamas. After that, U.S. aid to the Palestinian Authority (PA) government in the West Bank headed by President Mahmoud Abbas increased, but has been subject to numerous restrictions and oversight requirements because of concerns that U.S. funds might be diverted to Palestinian terrorist groups like Hamas.

The agreement provides at least \$225 million for the humanitarian and development needs of the Palestinian people in the West Bank and Gaza Strip.

It also includes \$75 million for the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) for food assistance to vulnerable Palestinians in the West Bank and Gaza in response to rising food and transport costs and \$50 million for the new Nita M. Lowey Middle East Partnership for Peace Fund, which authorizes people-to-people exchanges and economic partnerships between Israelis and Palestinians.

### ***Jordan***

The measure provides at least \$1.65 billion (equal to FY 2022) for Jordan, including \$1.2 billion in general economic support assistance and \$425 million in military aid. In February 2018, the United States and Jordan signed a memo of understanding to give Amman at least \$1.275 billion a year annually over five years.

Jordan is host to hundreds of thousands of Syrian refugees in addition to more than 2 million Palestinian refugees who have been in the country for decades. Additional humanitarian aid for Syrian refugees in Jordan is provided through other accounts in this measure; the Defense Appropriations measure also includes funding for Jordan to fight the Islamic State and secure its border.

### ***Counter China***

The agreement provides more than \$1.8 billion to promote a free and open Indo-Pacific region and help counter the growing influence of China in developing countries, according to appropriators.

The total includes at least \$325 million in various accounts for the Countering Chinese Influence Fund, including development assistance and funds to counter Chinese disinformation.

It prohibits the use of funds to support projects associated with China's Belt and Road Initiative or any dual-use infrastructure projects of China, including certain telecommunications projects that could adversely effect U.S. national security. It also restricts the export of U.S. satellites to China.

The measure prohibits the use of funds from supporting work performed by EcoHealth Alliance in China. New York City-based nonprofit EcoHealth Alliance has been accused of redirecting funds from the National Institutes of Health to the Wuhan Institute of Virology in Wuhan, China, for bat coronavirus research; many believe COVID-19 originated in that lab. The Defense Department reportedly has provided funding to EcoHealth for research on countering biological weapons through the Defense Threat Reduction Agency.

Finally, the measure also provides funds from the Foreign Military Financing Program to support loans and loan guarantees of up to \$2 billion a year for Taiwan. Some lawmakers had advocated for the aid be provided in the form of grants.

### ***Colombia***

The agreement provides \$487 million for Colombia, 3% more than FY 2022. The total includes anti-drug and economic support aid, as well as at least \$38 million for rule of law and human rights activities and \$40 million to enhance security in rural municipalities with high coca production or levels of illicit activities.

The measure includes conditions on assistance to ensure the Colombian government is maintaining its commitment to promote human rights, including ensuring the Colombian government is holding accountable those who committed illegal acts against protesters in 2020 and 2021. It also prohibits funds from being used to support the Revolutionary Armed Forces of Colombia (FARC), which has concluded a peace agreement with the Colombian government.

### ***Other Bilateral Aid***

The measure also includes the following aid to individual countries or regions.

- **Iraq** — \$48 million under Nonproliferation, Anti-terrorism, Demining and Related Programs; \$10 million for scholarships; and \$1 million under International Military Education and Training.
- **Venezuela** — \$50 million to address the crisis in Venezuela, including bilateral democracy assistance for Venezuela and funding to support the long-term needs of countries in the region hosting Venezuelans refugees.

- **Caribbean** — At least \$82 million for the Caribbean Basin Security Initiative; at least \$12 million for strengthening the region's resilience to natural disaster; and at least \$12 million to promote inclusive economic growth in the region.

## Central American Migrants

The Obama Administration launched the U.S. Strategy for Engagement in Central America to promote stability and economic development, particularly in the "Northern Triangle" countries of El Salvador, Guatemala and Honduras. The Trump Administration maintained the Strategy but placed more emphasis on preventing illegal immigration, combating transnational crime, and generating export and investment opportunities for U.S. businesses, according to the Congressional Research Service (CRS).

After criticizing the lack of cooperation of certain Central American governments in helping to stem the flow of migrants to the United States, the Trump White House in early 2019 ordered the suspension of previously enacted aid to El Salvador, Guatemala and Honduras — although much of the aid was restored later that year after those countries pledged to reduce the number of asylum seekers heading to the U.S. border.

The agreement provides funds from a variety of accounts to fund the Strategy, including funding to implement a prevention and response strategy focused on border security and the reintegration of migrants, as well as the causes of migration. Funds could also be used to support families, counter gangs and drug cartels, and professionalize police forces in those nations.

The total includes \$62 million to combat corruption; \$70 million to address violence against women and girls; \$100 million to promote locally-led development in El Salvador, Guatemala, and Honduras; and funds to support a new Central America Youth Empowerment Program to engage youth in the region. However, 60% of such aid to the governments of El Salvador, Guatemala and Honduras would be withheld until it is certified that they have met certain requirements related to governance, corruption and human rights.

## Health Programs

The agreement provides a total of \$10.6 billion for global health programs, \$731 billion (7%) more than FY 2022, of which \$4.2 billion would be provided through the US Agency for International Development (USAID).

The measure includes \$900 million (\$200 million more than FY 2022), to support global health security programs to build the capacity of countries to prevent, detect, and respond to infectious disease outbreaks.

### ***HIV/AIDS Prevention***

The United States supports efforts to fight AIDS and related diseases through two major global programs created in 2003: the Global Fund to Fight AIDS, Tuberculosis and Malaria; and a U.S. program called the President's Emergency Plan for AIDS Relief (PEPFAR) initiated by President George W. Bush. Since that time, the United States has contributed more than half of all international funds for global HIV/AIDS prevention and treatment programs, including approximately 33% of the Global Fund's resources alone.

In 2003, only 50,000 Africans received anti-retroviral drugs; today, close to 12 million are receiving anti-retroviral treatment. PEPFAR programs have trained nearly 220,000 new health care workers to deliver HIV and other health services, while 85.5 million people received HIV testing and counseling. PEPFAR programs also care for more than 6.4 million orphans and vulnerable children, while over 2 million babies born to HIV-positive mothers have been born HIV-free.

The measure's total for global health programs includes \$6.3 billion to combat HIV/AIDS, including \$6.4 billion for PEPFAR (of which \$2.0 billion is for the Global Fund) and \$330 million for USAID's HIV/AIDS programs. The PEPFAR total is \$440 million more than FY 2022.

### ***Maternal & Child Health***

The global health total also includes \$910 million for various programs and activities to promote the health of mothers and children in less developed nations — including \$290 million for the GAVI Alliance, a fund that provides vaccines in the world's poorest countries.

The measure includes \$395 million for tuberculosis programs (6% more than FY 2022); \$775 million for malaria programs; and \$85 million (13% more) for programs to combat polio in South Asia, where the disease is not yet eradicated.

## **Abortion / International Family Planning**

Within the total for global health programs, the agreement provides \$575 million for family planning, equal to FY 2022.

The measure does not repeal the so-called Helms Amendment, which bans foreign aid from being spent on abortions. It also continues the so-called Tiahrt Amendment, which ensures that family-planning programs are voluntary, and the so-called Kemp-Kasten Amendment that prohibits funds to organizations that the president determines support coercive abortion or involuntary sterilization. In addition, it prohibits the use of funds to lobby for or against abortion.

The measure provides \$32.5 million (equal to FY 2022) for the U.N. Population Fund (UNFPA), and prohibits such funds from being used in China. That funding is subject to Kemp-Kasten restrictions and may not be provided if the president determines the UNFPA supports or participates in the management of a program of coercive abortion or involuntary sterilization. (Critics of UNFPA have long claimed that the fund supports such programs in China.)

### **Humanitarian Assistance**

The agreement provides a total of \$6.8 billion for humanitarian assistance through the measure's Migration & Refugee Assistance, U.S. Emergency Refugee & Migration Assistance, and International Disaster Assistance accounts.

(An additional \$2.5 billion in humanitarian and refugee assistance and \$13.4 billion in economic support is provided as part of the agreement's \$45 billion in emergency supplemental aid to Ukraine and America's NATO allies in response to Russia's invasion of Ukraine.)

The measure provides \$3.9 billion for international disaster assistance, and \$2.9 billion for international migration and refugee assistance through regular accounts, both equal to FY 2022. Those programs fund the U.S. response to humanitarian crises resulting from armed conflict in Africa, the Middle East, South Asia and South America.

### **State Department Operations & Related Agencies**

The agreement provides a total of \$17.4 billion for the operational costs of the State Department and related agencies in 190 countries, as well as diplomatic efforts to enhance peace and stability around the globe — 1% more than FY 2022.

Within the total, \$5.8 billion is for embassy security, equal to FY 2022. The funding will address needs at more than 275 diplomatic and consular facilities overseas (including facility upgrades and security personnel) and support more than 3,100 regional security officers and 40,000 guards to provide perimeter security and access control at U.S. diplomatic facilities.

Separately, the agreement appropriates \$2.1 billion for operations of the U.S. Agency for International Development (USAID), including administration of U.S. foreign aid and global health programs — \$108 million (5%) more than FY 2022.

The measure supports diversity, equity and inclusions strategies within the diplomatic and development workforce, including \$18 million for paid internships at the State Department and an additional \$20 million for USAID to implement the goals and objectives of the agency's new strategy on diversity, equity, and inclusion.

It also includes \$2 million to support the activities of a new Ambassador-at-Large for the Arctic Region, prohibits the use of funds to pay for private email accounts or servers, and requires the State Department and USAID to ensure that all departing employees turn over all official communications before they leave.

### ***Environment***

The agreement provides a total of \$2.0 billion to address global warming and other environmental issues, including \$385 million for biodiversity efforts, equal to FY 2022.

The total includes \$185 million for sustainable landscapes, \$125 million to combat wildlife trafficking, \$270 million for adaptation programs, and \$260 million for clean energy programs (all equal to FY 2022).

The measure does not include the administration's request of \$1.6 billion for the Green Climate Fund, a new multilateral effort to help developing countries develop and implement adaptation and mitigation practices that counter climate change.

### ***International Organizations***

The agreement includes \$1.4 billion for assessed contributions for membership in international organizations, not including assessed peacekeeping dues, and \$508 million in voluntary contributions to other international organizations through the Office of the President.

In addition to the United Nations and its affiliates, organizations for which contributions are assessed include the North Atlantic Treaty Organization, Pan American Health Organization, the Organization of American States and other inter-American organizations, the International Atomic Energy Agency, and the International War Crimes Tribunals for the former Yugoslavia.

### ***Education & Cultural Exchange Programs***

The agreement provides \$778 million (3% more than FY 2022) for State Department education and cultural exchange programs, including \$288 million for Fulbright student and scholar exchanges in over 160 countries and \$115 million for the Citizen Exchange Program.

According to appropriators, it also provides \$970 million for basic education programs to improve the quality of and access to equitable education, as well as funding for higher education programs, including new partnerships between U.S. and foreign institutions. That total is 2% above FY 2022. It includes \$160 million for multilateral partnerships in education.

### ***Democracy Programs***

The measure provides a total of \$2.9 billion for programs and activities to promote democracy in other nations, \$300 million (9%) more than FY 2022.

The total includes \$315 million (2% less than FY 2022) for the National Endowment for Democracy, and \$356 million for the Democracy Fund.

### ***International Broadcasting***

The agreement provides \$875 million (3% more than the FY 2022 level) for international broadcasting operations, such as Voice of America, Radio Free Europe and Middle East Television, including Al-Hurra and Radio Sawa.

It also includes \$91 million to promote internet freedom, as well as funding to counter the growing influence and disinformation of China and Russia.

### ***Afghan Special Immigrant Visa (SIV) Program***

The agreement extends through 2024 the Afghan Special Immigrant Visa (SIV) program, which resettles Afghan interpreters who worked with U.S. forces. It also adds 4,000 visas to the program and includes authority and direction for the secretary of State to use funds to eliminate processing backlogs and expedite the adjudication of SIV cases.

Over 70,000 Afghans were evacuated from Kabul in August 2021. Many are now in the United States on "humanitarian parole" for up to two years. The administration also has extended temporary protected status to Afghans in the United States. Since neither



provide a path to permanent legal residency, advocates are pushing for provisions to allow the Afghans to apply for green cards. But opponents claim proper vetting procedures have yet to be instituted.

### ***Other Activities***

The agreement also provides the following:

- **Peacekeeping** — \$1.5 billion for assessed international peacekeeping activities, 36% less than requested. The measure directs the secretary of State to work with the UN to reduce the UN's reliance on Russian military equipment, and report within 90 days of enactment on steps to achieve such outcome. International peacekeeping activities are currently ongoing in the Middle East, South Asia, Central and East Africa, Haiti, Western Sahara and the Balkans. It also provides, through international security aid accounts, \$460 million for voluntary contributions to international peacekeeping operations, roughly equal to FY 2022.
- **Peace Corps** — \$431 million for the Peace Corps, \$20 million more than FY 2022.
- **LGBTQI+** — \$25 million for the Global Equality Fund (\$10 million more than FY 2022), \$25 million for the Protection of LGBTQI+ Persons (\$15 million more), and \$500,000 for the Special Envoy for the Human Rights of LGBTQI+ Persons.
- **Gender Equality** — \$200 million for the Gender Equity and Equality Action Fund, \$50 million to support women's leadership, \$250 million to prevent and respond to gender-based violence, and \$150 million to support the Women, Peace and Security Strategy.
- **Religious Freedom** — \$20 million for programs on religious freedom, \$9 million for the Ambassador-at-Large for International Religious Freedom, and \$3.5 million for the U.S. Commission on International Religious Freedom.
- **Disabled** — \$5 million to foster disability rights around the globe.

## Development Banks

The agreement funds several international and U.S. institutions that help finance projects that promote economic development in other nations, particularly developing nations, including the following:

- **World Bank** —\$2.3 billion (\$303 million more than FY 2022) for the World Bank Group, including \$125 million for the bank's clean technology fund.
- **Other International Financial Institutions** — \$44 million for the Asian Development Fund, \$226 million for the African Development Bank, and \$43 million for the International Fund for Agricultural Development.
- **Millennium Challenge Corporation** — \$930 million for the Millennium Challenge program, 2% more than FY 2022. The U.S. development program provides aid to countries that meet certain standards — including attacking corruption, respecting human rights, adhering to the rule of law, investing in health and education, encouraging economic freedom, and maintaining sound budget policies.
- **U.S. International Development Finance Corporation** — \$1 billion for the U.S. government development bank that has assumed the activities of the former Overseas Private Investment Corporation, of which \$412 million would be financed by offsetting collections. The total is \$302 million more than the FY 2022 level to support administrative expenses for increased personnel to manage the DFC's expanding portfolio, including its monitoring and evaluation requirements.

## Other Provisions

The agreement also includes the following:

- **Organized Crime** — Provides \$68 million to combat international organized crime.
- **UNICEF** — Provides \$147 million in voluntary contributions for the U.N. Children's Fund (UNICEF), including \$5 million to combat female genital mutilation.

- **Wildlife Trafficking** — Provides \$125 million to combat wildlife poaching and trafficking, including funds to combat rhinoceros poaching.
- **Racism & Anti-Semitism** — Provides \$1.5 million for the State Department's Office to Combat and Monitor Anti-Semitism.
- **UNESCO** — Supports the United States rejoining UNESCO, by providing the administration the waiver authority required to resume U.S. funding for the organization.
- **Parking Fines** — Reduces aid to any country whose diplomatic personnel have unpaid parking fines in the District of Columbia and New York City by 110% of the total amount owed to the two cities.

## Section XIII

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### Transportation-HUD

This section describes the provisions of the agreement on HR 2617, Consolidated Appropriations Act for FY 2023, that provide full-year funding for transportation, infrastructure and low-income housing assistance programs.

The agreement provides a total of \$164.9 billion in budgetary resources for the Transportation and Housing and Urban Development (HUD) departments and related agencies for FY 2023, according to appropriators.

That total includes \$87.3 billion in base discretionary spending, \$6.3 billion (8%) more than FY 2022. It also provides for the release of \$77.6 billion in obligations from the highway and aviation trust funds (\$1.6 billion more than FY 2022) consistent with the 2021 bipartisan infrastructure law.

The measure provides a total of \$106.3 billion in budgetary resources for the Transportation Department (including both discretionary spending and obligations from transportation trust funds), 3% more than FY 2022. It slightly increases funding for most agencies and programs, including the Federal Railroad Administration (by 2%), the Federal Transit Administration (4%), and for the discretionary national infrastructure investments program (RAISE grants; by 3%). It decreases funding for the Maritime Administration by 28%.

For the Housing and Urban Development Department it provides \$58.2 billion in total funding, according to appropriators — 8% more than FY 2022. It slightly increases funding for Section 8 tenant-based rental assistance (0.8% more) and barely decreases project-based rental assistance. Some smaller public housing programs fare much better: funding for tenant protection vouchers for displaced families is tripled, vouchers and renewals for the nonelderly disabled is increased by 32%, and funding for HUD's self-sufficiency programs is increased by 10%. Overall funding for the Office of Community Planning and Development is increased by 42% with funding for community development activities increased by 73%.

The measure includes \$5.6 billion in earmarks (now known as "Community Project Funding") for 2,389 specified projects.

(In addition to amounts provided by the agreement, it's estimated that for FY 2023 \$36.8 billion in emergency funding will be available for the Transportation Department from the 2021 bipartisan infrastructure law [PL 117-58].)

## **Transportation Department**

The agreement provides a net total of \$106.3 billion for programs and activities of the Transportation Department — including \$77.6 billion that can be obligated from federal transportation trust funds consistent with authorities in the bipartisan Infrastructure Investment and Jobs Act (PL 117-58). The total available for the department is \$3.4 billion (3%) more than comparable FY 2022 funding and 2% more than requested.

### **Federal Highway Administration**

The agreement provides \$62.9 billion for programs and activities of the Federal Highway Administration (FHWA) — \$2.3 billion (4%) more than FY 2022 and \$3.4 billion (6%) more than requested.

(It's estimated that \$9.5 billion from the 2021 infrastructure law will also be available for highway infrastructure programs in FY 2023.)

### ***Highway Programs***

The measure allows up to \$58.8 billion in funding obligations from the Highway Trust Fund for federal-aid highway programs, \$1.3 billion (2%) more than FY 2022. Another \$739 million (equal to FY 2022) in contract authority that is exempt from the obligation limit also would be available — thereby providing a total program level of \$59.5 billion for the regular federal-aid highway program in FY 2023, most of which is distributed by formula.

It also appropriates \$3.4 billion from the general fund of the Treasury (\$973 million, or 40%, more than FY 2022) for certain highway infrastructure programs that would be distributed through a combination of formula and discretionary awards.

### ***National Infrastructure (RAISE) Grants***

The agreement appropriates \$800 million for National Infrastructure RAISE grants (previously called BUILD or TIGER grants) that are made on a discretionary basis by the Transportation secretary, 3% more than FY 2022.

## **Mass Transit**

The agreement provides a total of \$17.0 billion for programs and activities of the Federal Transit Administration (FTA) — \$710 million (4%) more than FY 2022. The total includes \$13.6 billion in funding obligations from the Mass Transit Account of the Highway Trust Fund and an appropriation of \$3.3 billion (15% more) from the general fund of the Treasury.

(It's estimated that \$4.3 billion from the 2021 infrastructure law will also be available for FTA programs for FY 2023, including \$1.6 billion for Capital Investment Grants and \$2.1 billion for transit infrastructure grants.)

### ***Transit Formula & Appropriated Grants***

The measure allows up to \$13.6 billion in funding obligations from the Mass Transit Account of the Highway Trust Fund for various transit formula grant programs (2% more than FY 2022). Formula grant programs funded under this account include urbanized area formula grants, bus and bus facility formula grants, state of good repair grants, formula grants for rural areas, and mobility for seniors and persons with disabilities.

It also appropriates a separate \$542 million (8% more than FY 2022) from the general fund of the Treasury for transit infrastructure grants.

### ***Capital Investment Grants***

The agreement appropriates \$2.2 billion (2% less than FY 2022) for Capital Investment Grants to build or improve rail and other fixed-guideway transit systems. However, it separately appropriates an additional \$425 million for Capital Investment Grants.

Within that total, \$1.8 billion is for "new start" projects, \$100 million is for core capacity projects, \$215 million is for "small starts" projects, and \$100 million is for the expedited project delivery project program.

The measure rescinds \$140 million of Capital Investment Grant funding from FY 2020, but re-appropriates those funds for FY 2023.

### ***Washington Metro System***

The measure appropriates \$150 million for grants to the Washington Metropolitan Area Transportation Authority (Metro) to address safety deficiencies and maintain the capital's subway system. The amount provided is equal to both FY 2022 and the request.

## **Federal Aviation Administration**

The agreement provides \$19.0 billion for programs and activities of the Federal Aviation Administration (FAA), 3% more than FY 2022. The total includes \$3.35 billion in obligations from the Airport and Airway Trust Fund for airport grants.

(It's estimated that \$5.0 billion from the 2021 infrastructure law will also be available for FAA programs for FY 2023, including \$3.0 billion for airport infrastructure grants, \$1.0 billion for an airport terminal program, and \$1.0 billion for the FAA Facilities and Equipment program.)

### ***FAA Operations / Grants to Airports***

The measure provides \$11.9 billion for FAA operations, \$501 million (4%) more than FY 2022.

Within the FAA operations total, \$8.8 billion (4% more than FY 2022) is for air traffic control operations, \$1.6 billion (6% more) is for aviation safety activities, \$66 million (2.5% more) is for continued implementation of the NextGen air traffic control system, \$153 million (9% more) is for security and hazardous materials safety, and \$38 million (17% more) is for commercial space transportation activities (to help ensure public safety, the FAA licenses all commercial space launches and reentries, as well as the operation of commercial launch and reentry sites).

For the Airport Improvement Program (AIP), it allows up to \$3.35 billion (equal to FY 2022) to be obligated from the Airport and Airway Trust Fund for federal grants-in-aid for airport planning, construction and development.

It also provides an additional \$559 million in unrequested funding from the general fund of the Treasury for grants for high priority airport construction projects, 0.8% more than comparable FY 2022 funding.

### ***Facilities & Equipment / R&D***

The agreement appropriates \$2.9 billion (2% more than FY 2022) from the Airport and Airway Trust Fund for the FAA's facilities and equipment program.

For the FAA's long-term research, engineering and development program, it appropriates \$255 million (3% more than FY 2022) from the aviation trust fund.

### ***Essential Air Service & Payments to Air Carriers***

The agreement appropriates \$122 million to the Transportation Secretary's Office for the Essential Air Service (EAS) program. The amount appropriated is 5% more than FY 2022.

It also provides \$355 million in payments to air carriers from the Airport & Airway Trust Fund, 1% more than FY 2022.

### **Railroads / Amtrak**

The agreement provides \$3.4 billion for the Federal Railroad Administration (FRA), \$79 million (2%) more than FY 2022, of which \$2.5 billion is for Amtrak. In addition to administering grants for Amtrak, the FRA regulates rail safety, administers railroad assistance programs and conducts research and development.

(It's estimated that \$13.2 billion from the 2021 infrastructure law will also be available for FRA programs for FY 2023, including \$4.4 billion for Amtrak, \$7.2 billion for the Intercity Passenger Rail program, and \$1.0 billion for the rail infrastructure and safety improvements.)

### ***Amtrak Funding***

The measure provides \$2.5 billion for Amtrak (formally the National Railroad Passenger Corporation), \$122 million (5%) more than FY 2022 but \$547 million (18%) less than requested.

Of that total, \$1.3 billion (44% more than FY 2022) is for Amtrak's Northeast Corridor operations, and \$1.2 billion (15% less) is for Amtrak's National Network.

### ***Other Railroad Activities***

For core activities of the Federal Railroad Administration, the measure provides \$294 million, including \$250 million (4% more than FY 2022) for FRA operations and safety activities and \$44 million (2% more) for railroad research and development

It also appropriates \$100 million (equal to FY 2022) for the federal-state partnership for intercity passenger rail, and \$535 million (14% less) for grants under the Consolidated Rail Infrastructure and Safety Improvement (CRISI) program. However, it separately provides an additional \$25 million for CRISI grants.



## **Commercial Vehicle & Highway Safety**

### ***National Highway Traffic Safety Administration***

The agreement provides a total of \$1.2 billion for NHTSA activities, \$35 million (3%) more than FY 2022. The total includes \$992 million from the Highway Trust Fund and \$210 million (5% more) in general appropriations.

Of the trust fund money, \$795 million (3% more than FY 2022) is provided for various grant programs — including \$371 million for highway safety grants, \$347 million for national priority safety programs, and \$38 million for high-visibility enforcement.

It provides a total of \$407 million (4% more than FY 2022) for NHTSA operations and research, of which \$197 million comes from the Highway Trust Fund.

(It's estimated that \$322 million from the 2021 infrastructure law will also be available for NHTSA programs and activities for FY 2023.)

### ***Federal Motor Carrier Safety Administration***

The measure provides \$874 million (2% more than FY 2022) for FMCSA, which oversees federal truck and bus safety enforcement programs. All of the funding would be appropriated from the Highway Trust Fund.

The total includes \$368 million (2% more than FY 2022) for Motor Carrier Safety Operations and Programs, and \$506 million (2% more) for Motor Carrier Safety Grants.

(It's estimated that \$135 million from the 2021 infrastructure law will also be available for FMCSA programs and activities for FY 2023.)

## **Maritime Administration**

The agreement provides a total of \$896 million for programs and activities of the Maritime Administration (MarAd) — 28% less than FY 2022 but 7% more than requested.

Within the total provided, \$318 million is for MarAd's maritime security program, \$10 million is for the cable security fleet program, and \$60 million is for the tanker security program (all equal to FY 2022).

The measure also provides \$212 million (9% less than FY 2022) for port infrastructure development and \$20 million (equal to FY 2022) for aid to small shipyards. And finally, it provides \$213 million (24% more) for MarAd operations and training, and \$121 million (less than one-third of the FY 2022 funding level) for state maritime academy operations.

(It's estimated that \$450 million from the 2021 infrastructure law will also be available for MarAd's port infrastructure development program for FY 2023.)

### **Pipeline & Hazardous Materials Safety Administration**

The agreement provides a total of \$319 million for programs and activities of the Pipeline & Hazardous Materials Safety Administration (PHMSA), 4% more than FY 2022.

Within the total, \$30 million is for operational expenses (3% more than FY 2022), \$71 million (6% more) is for hazardous-materials safety activities, and \$28 million (equal to FY 2022) is for emergency preparedness grants. It provides \$190 million (4% more) for continued enforcement of federal pipeline safety regulations and grants to support state pipeline safety programs, with the funding to come from several dedicated trust funds.

(It's estimated that \$200 million from the 2021 infrastructure law will also be available for PHMSA's natural gas distribution infrastructure safety and modernization program for FY 2023.)

### **Office of the Secretary**

The agreement provides a total \$1.5 billion for activities of the Office of the Secretary of Transportation, of which \$1.3 billion is for RAISE infrastructure grants, payments to air carriers from the Airport & Airway Trust Fund, and EAS payments (as described above).

(It's estimated that \$3.8 billion from the 2021 infrastructure law will also be available to the Transportation secretary for FY 2023, including \$2.5 billion for RAISE National Infrastructure Investment grants and \$1 billion for Safe Streets and Roads for All program grants.)

For departmental administration, the measure provides \$171 million (21% more than FY 2022) for general salaries and expenses, with many offices getting sizeable increases — including the Office of Public Affairs and Public Engagement (58% more), the Office of the Chief Information Officer (48% more), and the Office of the Under Secretary of Transportation for Policy (34% more).

It also provides \$505 million (21% more than FY 2022) for the department's Working Capital Fund and \$48 million (22% more) for cybersecurity initiatives.

## Housing & Community Development

The agreement provides almost \$60.2 billion in net funding for programs and activities of the Housing and Urban Development Department (HUD) for FY 2023 — \$6.5 billion (12%) more than FY 2022 but \$1.4 billion (2%) less than requested.

The Federal Housing Administration (FHA) and Ginnie Mae also collect certain payments and fees that are scored as offsetting receipts that are used by appropriators to provide funding for programs and activities and that are not counted toward the measure's discretionary spending cap. Appropriators project that together, FHA and Ginnie Mae for FY 2023 would collect almost \$10.2 billion in offsetting receipts that are used to fund other programs under the measure.

### *Public & Indian Housing Programs*

The agreement appropriates \$37.7 billion for HUD public and Indian housing programs for FY 2023 — \$334 million (0.8%) more than FY 2022 but 11% less than requested.

Within that total, \$27.6 billion (0.8% more than FY 2022) is for tenant-based rental assistance under the Section 8 program. (The total for Section 8 vouchers includes \$4.0 billion in advance appropriations included in last year's spending measure; the agreement provides a similar \$4.0 billion advance appropriation for FY 2024.)

Of the amounts provided for Section 8 Tenant-Based Assistance, \$23.7 billion (1% less than FY 2022) is for the renewal of expiring Section 8 vouchers. It also includes \$337 million (more than triple FY 2022) for tenant protection vouchers for families displaced from project-based units as a result of relocation or renovation, \$607 million (32% more) for Section 811 mainstream vouchers and renewals for the nonelderly disabled to find housing, \$30 million (equal to FY 2022) for additional family unification vouchers, and \$50 million (equal to FY 2022) for additional vouchers for vulnerable veteran households. It provides \$50 million (one-quarter the FY 2022 level) for additional vouchers to reduce homelessness among families with children, the unsheltered, veterans and survivors of domestic violence. Finally, \$2.8 billion (15% more than FY 2022) is for the administrative fees of local public housing authorities.

The total for public and Indian housing also includes \$8.5 billion (0.7% more than FY 2022) for the Public Housing Fund, which finances both capital and operating expenses.

The measure provides \$350 million (equal to FY 2022) for HUD's Choice Neighborhood program, and \$175 million (10% more) for self-sufficiency programs.

It also provides \$937 million (2% more than FY 2022) for Native American Housing block grants, most of which (\$787 million) is for formula grants. It provides \$22 million for Native Hawaiian Housing block grants, equal to FY 2022.

### ***Other Major Housing Programs***

The agreement provides \$15.4 billion for other major housing programs administered by HUD's Office of Housing — 0.3% more than FY 2022 but 7% less than requested.

The vast majority (\$13.9 billion, \$2 million less than FY 2022) is for Section 8 project-based rental assistance where assistance is tied to a property, rather than an individual.

Of that funding, \$13.6 billion (\$10 million more than FY 2022) is for the renewal of expiring contracts and \$343 million (3% less) is for contract administrators. (The total includes \$400 million in advance appropriations included in last year's spending measure; the agreement provides a similar \$400 million advance appropriation for FY 2024.)

The total for other major housing programs also includes \$1.1 billion (4% more than FY 2022) for the Section 202 housing program for the elderly. And it provides \$360 million (2% more) for the Section 811 program, which provides capital grants for supportive housing for individuals with disabilities, as well as project-based rental assistance for such units.

Finally, it appropriates almost \$58 million for housing counseling assistance, equal to FY 2022.

### ***Community Planning & Development Programs***

The agreement provides \$14.3 billion for programs under HUD's Office of Community Planning and Development — \$4.2 billion (42%) more than FY 2022 and 46% more than requested.

Within that total, \$8.4 billion (73% more than FY 2022) is for community development activities financed by HUD's Community Development Fund, through which money is provided to state and local governments as well as other entities — primarily through formula Community Development Block Grants (CDBG). CDBG formula grants would receive \$3.3 billion, equal to FY 2022 — although \$2.0 billion was provided through the September continuing resolution (PL 117-180).

The total also includes \$1.5 billion (equal to FY 2022) for the HOME Investments Partnership program, and \$3.6 billion (13% more) for HUD homeless-assistance programs.

It provides \$499 million (11% more than FY 2022) for the Housing Opportunities for Persons with AIDS program, and \$63 million (equal to FY 2022) for the Self-Help and Assisted Homeownership Program (SHOP) account.

Finally, it includes \$225 million for a new competitive grant program to help preserve and expand manufactured housing and manufactured home communities (often called mobile home parks) where millions of lower income individuals and families live.

### ***Federal Housing Administration***

The Federal Housing Administration (FHA) promotes the issuance of home loans by providing federal mortgage insurance on loans made by approved lenders. As in the past, the FHA's income from insurance premiums exceeds its expenses, resulting in a "negative subsidy" that is used to offset appropriations made by the measure for other programs. The agreement estimates that FHA will raise \$8.1 billion in net receipts for FY 2023, which is used under the measure to offset other appropriations for budget scoring purposes.

The Mutual Mortgage Insurance Program account covers FHA's unsubsidized mortgage insurance programs, primarily the single-family-home mortgage program and the cooperative-housing insurance program, which provides mortgages for certain cooperative housing projects. The measure permits the FHA to guarantee up to \$400 billion (equal to FY 2022) in loans and to offer up to \$1 million in direct loans. It appropriates \$150 million for administrative expenses, equal to FY 2022.

The FHA General and Special Risk Program Account funds a wide variety of special purpose single-family and multifamily mortgage insurance programs, including those for riskier properties. The measure limits guarantee loan commitments to \$35 billion (17% more than FY 2022) and allows the program to offer up to \$1 million in direct loans.

### ***Government National Mortgage Association***

The Government National Mortgage Association, also known as Ginnie Mae, guarantees investors the timely payment of principal and interest on securities that are backed by federally insured or federally guaranteed mortgage loans, including those issued by the FHA or the Veterans Affairs Department.

The agreement limits to \$900 billion the guarantee commitments that may be made by Ginnie Mae (equal to FY 2022) and it provides \$40 million for administrative expenses. The measure estimates that Ginnie Mae will generate \$2.1 billion in net receipts, which is used by the measure to offset other appropriations.

### ***Other HUD Activities***

The agreement appropriates \$97 million (10% more than FY 2022) for HUD's fair housing programs and activities, and \$11 million (1% more) for HUD's Healthy Homes and Lead Hazard Control program.

It provides a total of \$1.7 billion for HUD management and administrative expenses, including \$660 million (9% more than FY 2022) for general administrative support offices and \$1.1 billion (9% more) for HUD's various program offices (such as the Public and Indian Housing office, and the Community Planning and Development office). Separately it provides \$375 million (16% more) for HUD information technology activities, and \$145 million (equal) for research and technology activities carried out by HUD's Policy Development and Research Office.

Finally, it provides \$146 million for the Office of the Inspector General, 4% more than FY 2022.

### **Related Agencies & Other Provisions**

The agreement funds numerous independent agencies, including the following:

- **Neighborhood Reinvestment Corporation** — \$170 million for the corporation (2% more than FY 2022).
- **National Transportation Safety Board** — \$129 million for the NTSB (7% more).
- **Surface Transportation Board** — \$41 million for salaries and expenses of the board (6% more).
- **Federal Maritime Commission** — \$38 million for the FMC (16% more).

## Section XIV

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### Ukraine, Disaster Relief & Other Supplemental Appropriations

This section describes the provisions of the agreement on HR 2617, Consolidated Appropriations Act for FY 2023, that provide military assistance to Ukraine and supports emergency funding for disaster relief.

The agreement provides about \$85.5 billion in supplemental appropriations, including some \$47 billion in security, economic and humanitarian aid to Ukraine, \$27 billion to help recover from natural disasters in the United States, particularly Hurricanes Ian and Fiona, and \$11 billion for a multitude of non-defense federal programs and activities.

According to appropriators, the \$47 billion in Ukraine aid includes about \$27 billion in military and security assistance (including almost \$20 billion in authorities and associated funding to arm and equip Ukraine and NATO allies to counter Russian aggression) and some \$19.9 billion in humanitarian and economic support. About \$28 billion of the total would go through the Defense Department, with the State Department responsible for administering \$16 billion. The measure also further raises the president's drawdown authority to send weapons and other U.S. military equipment to foreign nations to address emerging security threats, which has been used extensively to support Ukraine.

The \$27 billion in disaster aid is provided for a wide range of activities through numerous federal agencies — including \$5 billion for FEMA's disaster relief fund, \$5.1 billion for USDA-administered recovery and restoration efforts, \$1.5 billion for the Corps of Engineers to repair damaged infrastructure, \$1.7 billion to help local communities repair water treatment facilities impacted by hurricanes, \$1.5 billion to compensate New Mexico residents harmed by wildfires caused by U.S. Forest Service prescribed burns that got out of control, and \$1 billion to improve the resilience of Puerto Rico's electric grid.

The remaining \$11 billion is provided for various other federal programs, including \$980 million to fund new science and regional development programs authorized by the 2022 CHIPS and Science Act (PL 117-167), \$3.5 billion for the Low Income Energy Assistance Program (LIHEAP), and \$3.6 billion for public housing assistance.

Under the measure, the appropriations provided are designated as emergency funding and neither count against discretionary allocations nor have to be offset. (Additional funding for Ukraine and countries affected by the Russian invasion is also provided through regular appropriations measures in the agreement.)

## Ukraine Aid

The United States has been providing security assistance to Ukraine to help it preserve its territorial integrity and secure its borders since 2014, when Russia first invaded its neighbor and annexed Crimea. Russia's all-out military assault on Ukraine in February under orders from Russian President Vladimir Putin triggered the greatest military crisis in Europe since the Cold War and prompted the U.S. government to accelerate military aid to Kyiv — including through the president's emergency authority under existing law to provide military weapons and equipment from U.S. defense stocks to foreign nations to address emerging security threats.

To date this year, Congress has appropriated more than \$66 billion in response to Russia's invasion in February, including humanitarian aid, economic assistance, and military aid — including \$13.6 billion in March, \$40.1 billion in May, and \$12.3 billion in September (PL 117-103, PL 117-128 and PL 117-180, respectively). Of the total appropriated, almost \$28 billion was for security assistance, according to the Congressional Research Service (CRS). The Biden administration in November requested an additional \$37.7 billion in Ukraine aid, including \$15 billion in new security assistance.

The funding for Ukraine security assistance has supported a variety of programs and activities, including \$14.05 billion to replenish Defense Department stocks of weapons and equipment being drawn down and transferred to Ukraine through presidential drawdown authority (since mid-2021, a total of \$12 billion in weapon and equipment transfers to Ukraine have to-date been approved through 27 drawdowns), \$9.3 billion for security aid through the Pentagon's Ukraine Security Assistance Initiative which was created after Russia's 2014 invasion of Crimea to help train, equip and support Ukraine's military, and \$4.65 billion in Foreign Military Financing aid for Ukraine and neighboring nations to obtain weapons and training.

The U.S. military aid being provided to Ukraine has expanded dramatically from mostly defensive articles and weapons to heavier and more lethal offensive weapons — including High Mobility Artillery Rocket Systems (HIMARS, truck-mounted rockets that can hit targets up to 40 miles away); M777 howitzers, Switchblade drones, helicopters, armored personnel carriers and tanks, and advanced mid- to long-range air defense systems. On Dec. 22 the Biden administration authorized the transfer of Patriot anti-missile systems to help Ukraine defend against Russian missile and drone strikes against Ukraine's energy and electrical infrastructure. NATO allies and members of the European Union have also been providing military aid to Ukraine, which CRS estimates totals more than \$13 billion.



### ***Military Aid***

To further support Ukraine militarily, the agreement provides \$9.0 billion in aid for training, equipment, weapons, logistics support, supplies and services, salaries and stipends, sustainment, and intelligence support to Ukraine's military through the Pentagon's existing Ukraine Security Assistance Initiative.

It provides \$7.0 billion for U.S. European Command operations mission support, the deployment of U.S. personnel to the region, and intelligence support to Ukraine.

It provides \$11.9 billion to replenish U.S. stocks of weapons and equipment sent to Ukraine through presidential drawdowns, and raises to \$14.5 billion the president's authority to send weapons and other U.S. military equipment to foreign nations to address security threats.

Military-related aid to Ukraine also includes the following:

- **Munitions Production** — \$687 million to accelerate U.S. munitions production capacity at Army ammunition plants, to help provide additional munitions to Ukraine.
- **Ukraine Border Security** — \$300 million to support the Ukrainian police and border guards' efforts to protect civilians, rescue victims of Russia's persistent attacks against civilian infrastructure and cities, and defend Ukraine's sovereign territory.
- **Nuclear Proliferation** — \$126 million for the National Nuclear Security Administration to prepare for and respond to potential nuclear and radiological incidents in Ukraine.
- **Mine Clearance** — \$105 million for the clearance of landmines and other explosive remnants of war to protect civilians and troops and allow for Ukrainian citizens to return to areas liberated from Russian control.
- **Cybersecurity** — \$50 million to address cybersecurity threats emanating from Russia and other malign actors.

### ***Humanitarian & Economic Aid***

The agreement provides approximately \$13 billion in economic assistance to stabilize the economy and spur economic recovery in Ukraine, and to address dire energy supply shortfalls.

It provides \$2.5 billion to address humanitarian needs in Ukraine, and support refugees from Ukraine and other vulnerable populations and communities that have been affected by the war.

The total also includes the following:

- **Resettlement** — \$2.4 billion for DHS for resettlement and other support services, including emergency housing, English language classes, job training, and case management, for Ukrainian arrivals and refugees.
- **Food Security** — \$300 million for food security to address the food supply crisis affecting vulnerable populations in Ukraine, mitigate the global fertilizer shortage, and build agricultural capacity and resilience to shocks.
- **Development Aid** — \$166 million for USAID to respond to the situation in Ukraine.

Finally, the measure provides \$300 million for nuclear energy technology activities to promote U.S. energy independence and reduce reliance on foreign energy sources.

### ***Oversight of Ukraine Funds***

The agreement requires the Defense Department to provide accountability reports to Congress regarding U.S. weapons provided to Ukraine, in particular end-use monitoring that can confirm the weapons are delivered and used by Ukraine as intended by the United States.

It also requires recurring reporting to Congress that detail the security aid provided to Ukraine, including a comprehensive list of the defense articles and services provided to Ukraine and the associated authority and funding used to provide such articles and services.

The measure provides \$27 million to Defense and State Departments inspectors general, as well as GAO and USAID, to conduct thorough oversight of the appropriated funds.

## **Disaster Relief**

The agreement provides roughly \$27 billion in emergency funding for disaster relief, recovery, and preparedness efforts, according to appropriators.

Funding is provided to multiple federal agencies to aid in recovery from various natural disasters, including wildfires, earthquakes, and hurricanes — in particular Hurricane Fiona which hit Puerto Rico and Hurricane Ian which struck the Florida Gulf coast.

It provides \$1 billion to the Energy Department to support activities to improve the resilience of Puerto Rico's electric grid against future natural disasters, as well as \$520 million to the department's Western Area Power Administration to purchase electricity to meet demand, in response to drought-caused reductions in hydroelectric power.

### ***General Disaster Aid & Economic Recovery***

The measure provides \$5 billion for the Federal Emergency Management Agency's (FEMA) disaster relief fund for general disaster assistance.

It provides \$3 billion for disaster relief grants under the Housing and Urban Development Department's Community Development Block Grant (CDBG) program to help local communities with long-term recovery and rebuilding of housing and community infrastructure following disasters.

It provides \$1.7 billion to EPA for its clean and safe water revolving funds to help local communities repair water treatment facilities impacted by hurricanes and other natural disasters. Within the total, \$600 million is intended to address the drinking water crisis in Jackson, Miss.

It also provides an additional \$858 million for the Small Business Administration's Disaster Loan Program, as well as \$500 million to the Commerce Department's Economic Development Administration (EDA) to support long-term economic recovery in areas affected by major disasters in 2021 and 2022.

### ***Agriculture & Rural Communities***

The agreement includes \$5.1 billion to the Agriculture Department (not including funding for the U.S. Forest Service, see below) for disaster recovery and restoration. The total provides \$3.7 billion for direct disaster relief to farmers and other agriculture producers whose crops were destroyed or damaged due to extreme weather events, including \$495 million set aside for livestock losses caused by drought or wildfires.

Another \$375 million is provided for disaster recovery through USDA's rural development programs, including \$60 million for home repairs, \$50 million for repairs to rural community facilities, and \$265 million for repairs to water and wastewater systems in disaster-affected areas.

### ***Defense Department***

The agreement includes \$106 million for maintenance and repairs at military facilities in Florida, Georgia, North Carolina, Virginia, and Puerto Rico damaged by Hurricane Fiona and Hurricane Ian. Specifically, it provides \$83 million for the Navy, \$17 million for the Army National Guard, and \$6.7 million for the Army Reserve. Another \$41 million in emergency construction funding is provided to the Navy and the Marine Corps for hurricane recovery.

It also provides \$1.5 billion for the U.S. Army Corps of Engineers to repair civil infrastructure damaged by recent natural disasters and for projects to reduce future flooding risk. It includes \$519 million for flood control projects and \$377 million for maintenance.

### ***Public Health & Social Services***

The agreement includes \$748 million in disaster relief funding for the Health and Human Services Department. It provides \$100 million for the Child Care and Development Block Grant program to support child care services and repairs to childcare facilities in disaster areas, while another \$408 million is for Children and Families Services Programs to support the recovery of social services, child welfare services, and Head Start programs in impacted areas.

Another \$129 million is provided to HHS public health emergency fund, including \$65 million for repairs at community health centers, \$24 million to replenish emergency medical supply stockpiles depleted during recent emergencies, \$22 million for post-disaster mental health services, and \$392 million for repairs to damaged Food and Drug Administration facilities.

It also includes \$86 million for the Centers for Disease Control and Prevention (CDC) to reduce the spread of disease outbreaks in disaster-affected areas, while \$25 million is appropriated to the National Institutes of Health to reimburse research projects in impact areas.

Finally, it provides \$20 million to the Legal Services Corporation for emergency legal assistance to survivors of hurricanes, floods, wildfires, and other disasters in 2022.

### ***Wildfires & Public Lands***

The measure provides \$1.5 billion for the Hermit's Peak/Calf Canyon Fire Assistance Program, which provides compensation to New Mexico residents affected by the fires, that were caused by prescribed burning planned by the U.S. Forest Service that grew out of control.

Between the Interior Department and the Forest Service, it provides \$2.0 billion for wildfire suppression and management activities: \$504 million for the Interior Department and \$1.5 billion for the Forest Service.

It provides \$1.5 billion for the National Parks Service for disaster recovery, \$247 million to repair damaged U.S. Fish and Wildlife facilities, \$47 million for the Bureau of Indian Affairs, and \$90 million for the Bureau of Indian Education. It also provides \$510 million for disaster recovery efforts by the U.S. Forest Service, including \$210 million to respond to the effects of natural disasters within the National Forest System and \$148 million for recovery efforts on state and private forest lands.

Finally, it provides \$925 million to USDA's National Resources Conservation Service for emergency watershed protection, and \$27 million to the Farm Service Agency to administer the Emergency Forest Restoration Program.

### ***Other Federal Agencies & Facilities***

The measure provides \$1.0 billion to the Transportation Department for disaster recovery, including \$803 million for the Federal Highway Administration to fund the repair of storm-damaged roads and bridges, and \$214 million for the Federal Transit Administration to support disaster-affected public transit systems.

It also provides the following:

- **Coast Guard** — \$155 million for the Coast Guard to repair or replace facilities and equipment damaged by hurricanes in 2022.
- **Science Agencies** — \$189 million for NASA to repair or replace damaged facilities; \$328 million for the National Oceanic and Atmospheric Administration (NOAA) to acquire new hurricane hunter aircraft and \$300 million for fisheries disaster assistance; \$40 million for the National Institute of Standards and Technology (NIST) to develop building standards to help improve resilience against future natural disasters; \$2.5 million for the National Science Foundation to repair damaged research facilities and scientific equipment; and \$41 million for the U.S. Geological Survey for damaged facilities and equipment.
- **Federal Buildings** — \$37 million for the General Services Administration (GSA) for repairs to federal buildings damaged by Hurricane Ian.

## Other Supplemental Funding

The agreement also provides about \$11 billion in emergency supplemental funding for programs and activities that are usually financed through the regular 12 annual spending bills.

This additional spending includes \$3.6 billion for public housing assistance administered by the Housing and Urban Development Department (including \$2.7 billion for tenant-based rental assistance), and \$3.5 billion for the Low Income Home Energy Assistance Program (LIHEAP) program administered by the Health and Human Services Department.

### *Promote Science Innovation*

The measure appropriates \$980 million for new regional innovation and research programs as authorized earlier this year by the 2022 CHIPS and Science Act (PL 117-167).

Within that total, \$618 million is for the Economic Development Administration to support new regional development programs authorized by the CHIPS and Science Act — \$549 million for the Regional Technology Innovations Hubs Program to support the development of regional innovation strategies, and \$159 million for the new Recompete Pilot Program, which provides regional technology and innovation grants for local and tribal governments, nonprofits, or economic development organizations in economically distressed areas that have low labor market participation.

The total also includes \$27 million for two Commerce Department industrial manufacturing programs to support new activities authorized by that law, the Manufacturing Extension Program (\$13 million) and the Manufacturing USA program (\$14 million).

Finally, it provides \$335 million for the National Science Foundation, including \$210 million for research and \$125 million for science education and workforce development programs.

### *Other Emergency Funding*

Other emergency supplemental funding includes the following:

- **Agriculture Department** — \$173 million for agricultural research facilities, rural housing, and rural water programs.

- **NOAA Activities** — \$171 million for NOAA operations and procurement.
- **Federal Prisons** — \$182 million for Bureau of Prisons facilities.
- **Science Agencies** — \$367 million for NASA construction and \$700 million for the National Science Foundation.

Finally, the measure provides \$309 million in emergency funding for the Homeland Security Department for customs and immigration inspection services at ports of entry, along with \$125 million for Agriculture Department agricultural quarantine and inspection activities.

Those activities are typically funded by user fees, but the disruptions to international travel and global supply chains since the COVID-19 pandemic have left these accounts unable to meet their obligations

## **Section XV**

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### **Electoral Count Act & Other Provisions**

This section highlights some of the provisions of the agreement on HR 2617, Consolidated Appropriations Act for FY 2023, that constitute a wide variety of legislation that was added to the omnibus package.

Because of the massive size and broad scope of the 4,155-page measure, and Congress' relatively quick consideration, House Action Reports is unable to provide detailed descriptions of the many provisions added to the measure. This section of the Fact Sheet will be updated in coming weeks to more comprehensively describe the non-appropriations provisions.

#### **Update Electoral Count Act**

This bill makes numerous modifications to the 1887 Electoral Count Act to help prevent it from being exploited to overturn the will of the voters in future presidential elections.

Among its provisions, it clarifies that the role of the vice president in overseeing the count of presidential electoral votes in Congress is simply "ministerial," and it raises to one-fifth of the members of each chamber the threshold for objections to a state's slate of electors. Currently, only one member of the House and one member of the Senate can trigger an objection. It also allows the General Services Administration to provide presidential transition assistance to two candidates until it can make an ascertainment as to the presumptive winner of a presidential election.

#### **Retirement Provisions**

The agreement includes provisions intended to make saving for retirement easier. It requires employers to automatically enroll workers in certain retirement plans at defined minimum percentages and provides a small business startup credit to help with administrative costs.

It allows small employers to band together for better retirement plan options, make matching contributions for student loan repayments, and incentivize small employers to make military spouses eligible for retirement plans much earlier. It also allows employers to provide immediate financial incentives for employees to join retirement plans and requires employers to allow long-term, part-time workers to participate in plans.



The measure modifies the saver's match so that it is automatically deposited into a retirement plan rather than provided as a tax credit. It increases the age at which plan participants are required to take distributions and increases the catch-up limit for plan contributions after a certain age. It also allows penalty-free withdrawals from retirement plans for emergency expenses, federally declared disasters, domestic abuse survivors, and for births or adoptions. Finally, it allows private-sector firefighters to take earlier distributions without a penalty and allows a surviving spouse to be treated as an employee for the purposes of required minimum distributions.

## **Health Care**

### ***Medicare, Medicaid & CHIP***

The agreement provides a 2.5% pay increase for 2023 and 1.25% for 2024 for providers paid through the Medicare Physician Fee Schedule. It extends for one year, through 2023, a bonus for accountable care organizations, but decreases the bonus to 3.5%. It also waives the 4% pay-as-you-go cuts to Medicare that were triggered by the 2021 COVID-19 relief package (PL 117-2).

It extends through the end of 2024 expanded access to telehealth under Medicare and a rule that allows high-deductible health plans to offer participants telehealth appointments before they have met their deductible. It extends waivers that allow hospitals to treat certain patients from their homes and extends certain home health rural add-on payments through the end of 2023.

It provides Medicare Part B coverage of compression garments for the treatment of lymphedema and modifies Medicare to ensure that it provides better access to mental health therapy. It also authorizes oral antiviral drugs to be covered under Medicare Part D through the end of 2024.

The agreement authorizes Children's Health Insurance Program (CHIP) funding for an additional two years, through FY 2029. It extends for five years, through FY 2027, the higher 76% federal match for Medicaid funding for Puerto Rico, and makes permanent the higher 83% federal match for Medicaid funding for American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the U.S. Virgin Islands.

Under the measure, Medicaid and CHIP will cover enrolled children for 12 continuous months, without the need to continue to demonstrate eligibility. It also makes permanent state authority to offer 12 months of postpartum coverage, and allows

incarcerated youth to gain access to mental health screenings, diagnostics, and case management services prior to release to assist with access to care and treatment during that critical transition period.

Finally, it extends the "money follows the person" rebalancing demonstration and the Medicaid protections against spousal impoverishment through FY 2027, and it requires that managed care organizations maintain accurate, updated and searchable health care provider directories.

### ***Mental Health***

The measure reauthorizes 32 programs that support Americans' mental health prevention and crisis care and substance use recovery needs, expands access to medication assisted treatment, supports the integration of care and workforce capacity and training, and establishes new programs and services including a national maternal mental health hotline and task force.

It reauthorizes the National Suicide Prevention Lifeline Program, the Community Mental Health Service Block Grants, and the renamed Substance Use and Prevention, Treatment, and Recovery Block Grants. The agreement also includes grant funding to support the maternal mental programs, establishes a maternal mental health hotline and a related task force. It also extends mental health parity to state and local government workers and bolsters the mental health and substance use disorder workforce through increased capacity and training, together with providing Medicare Part B coverage of mental health counselor and therapist services.

The agreement eliminates a requirement that limits the number of medical practitioners who can prescribe medication-assisted treatment for opioid use disorder and requires health care providers to complete a training requirement on identifying and treating patients with substance use disorders.

Finally, it extends the classification of fentanyl-related substances as Schedule 1 drugs through 2024. The classification is set to expire Dec. 31.

### ***FDA***

The agreement requires the Federal Drug Administration (FDA) to set testing standards for talc to ensure it is not contaminated with asbestos. It strengthens the FDA's ability to regulate the safety of cosmetics and personal care products by establishing good manufacturing practices, requiring manufacturers to report adverse events, requiring

manufacturing facilities to be registered, requiring cosmetic product labels to list fragrance allergens and contact information to report adverse event reports, and by providing the FDA with mandatory recall authority.

It modifies the accelerated approval program to better ensure the safety and efficacy of drugs and biologics that are approved through this pathway, modifies other aspects of drug approval with the intent of promoting competition through generic and biosimilar drugs, and modifies clinical trials to help improve the diversity of participants.

The measure modifies the FDA review of medical devices to allow for the simultaneous submission of a drug and a device and to streamline certification of certain foreign devices. In addition, newly submitted cyber devices must meet specified cybersecurity requirements.

It defines infant formula as a critical foods and requires the FDA to establish an Office of Critical Foods to coordinate all FDA activities related to critical foods. It shortens the pre-market submission requirement to address shortages of infant formula and requires the FDA to discuss approaches for harmonizing infant formula requirements with other nations.

It also includes provisions to improve the FDA's inspection, including by establishing an unannounced foreign facility inspection pilot program, and it reauthorizes through FY 2027 a number of FDA programs that were not reauthorized with FDA user fees earlier this year.

### ***Drug Provisions***

The agreement modifies the FDA's review process for interchangeable biosimilars; the provisions is intended to more quickly provide competitors for drugs and thereby bring down the price of medications.

It requires drug manufacturers to share information with the FDA regarding when their biologic drugs are coming off the market. It also prevents brand-name drug manufacturers from using specifically timed labeling changes to block the entry of generic drugs onto the market.

### ***Other Health Care Provisions***

The measure also:

- **Medical Residency** — Creates 200 new medical residency positions, including for addiction medicine, at teaching hospitals.

- **Healthcare Workforce** — Encourages investments in the next generation of healthcare workers through grants and public health loan forgiveness.
- **ARPA** — Establishes the Advanced Research Projects Agency — Health (ARPA-H) — an advance research entity that will accelerate innovation in health and medicine by investing in novel, broadly applicable, high-risk, high-reward research projects.
- **Maternal Visits** — Reauthorizes the Maternal Infant and Early Childhood Home Visiting Program for five years, through FY 2027.
- **Strategic Stockpile** — Improves the Strategic National Stockpile to ensure critical pandemic supplies are operational, resilient, and ready to deploy in times of need.
- **CDC Director** — Requires the Senate confirm the Centers for Disease Control and Prevention director.

## Veterans

The agreement contains a large number of veterans affairs provisions, including several that were included in standalone legislation previously considered by the House.

It includes language to make it easier for veterans to access mental health care and counseling programs, obtain flexible nursing home care, and apply for VA benefits, including disability, housing, and educational benefits. It also directs the VA to improve recordkeeping, and authorizes VA-supported medical research and programs aimed at reducing veteran homelessness.

## Miscellaneous Provisions

### *Ban TikTok*

The agreement bans the use of the social media application TikTok on federal government smart phones, given concerns that Chinese security laws may allow the Beijing-based parent company to potentially use the popular video-sharing app to influence American users or control their devices.

### ***Air Transportation Provisions***

The agreement allows for the certification of Boeing 737 MAX planes without the previously mandated updated safety alert system. However, Boeing must receive FAA approval for the MAX's other safety enhancements and brief Congress quarterly on safety updates.

It requires federal departments to create a national aviation plan for communicable disease outbreaks, and establishes a pilot program to provide grants for the development and deployment of infrastructure to facilitate advanced air mobility operations.

### ***Worker Protections***

The agreement requires public employers and private employers with at least 15 employees to make reasonable accommodations to employees for known limitations related to pregnancy, childbirth or related medical conditions, unless the employer demonstrates that such accommodations would impose an undue hardship on their operations.

It prohibits employers from denying employment opportunities to or retaliating against such employees based on the need to provide accommodations, and prohibits employers from requiring such employees to take paid or unpaid leave if reasonable accommodations can be provided or to accept any accommodation other than a reasonable accommodation arrived at through an interactive process between the employer and employee.

It also provides legal remedies for employees denied reasonable accommodations, including rights to compensatory damages, lost pay and reasonable attorney fees, and it requires the Equal Employment Opportunity Commission, within two years of enactment, to issue regulations to carry out these provisions, including to provide examples of reasonable accommodations for pregnant workers. These provisions take effect 180 days after enactment.

The measure also expands requirements for employers to provide breaks and a private location for employees to pump breast milk and allows employees to seek restitution for violations of such requirements. It includes certain exemptions for air, rail and motorcoach service operators.

***World Trade Center Health Program***

The agreement provides \$1 billion to establish a supplemental fund for activities of the World Trade Center Health Program and establishes a research cohort to conduct future studies on the health and educational impacts on youth of exposure to airborne toxins or any other hazard resulting from the 9/11 attacks.

As an offset, it reduces authorized funding for the Health and Human Services Department's prevention and public health fund for FY 2026 through FY 2029.

***Financial Services***

The measure provides new incentives for whistleblowers to report on money laundering. It also modifies certain securities laws to prohibit foreign companies whose accounting firms don't comply with U.S. oversight requirements to be publicly traded on U.S. securities markets.

Finally, it extends the authorization for the National Flood Insurance Program through the end of FY 2023.

***Compensation for Victims of Terrorism***

The agreement authorizes the Justice Department to issue lump-sum "catch-up" payments to 9/11 survivors, spouses, and dependents who are eligible for claims from the Victims of State Sponsored Terrorism Fund. It appropriates such sums as necessary for the 9/11 payments and, as an offset, rescind \$5.9 billion in unspent coronavirus relief funds for the small business Paycheck Protection Program and aviation payroll support.

It also expands the fund to include victims of the 1983 Beirut barracks bombing in Lebanon and 1996 Khobar Towers bombing in Saudi Arabia.

***Repurposing COVID Funding***

The agreement permits state and local governments to use certain COVID-19 relief funds for new categories of spending, including for natural disasters and infrastructure projects. Specifically, recipients are allowed to use COVID-relief funds for emergency relief from natural disasters and associated negative economic impacts of natural disasters.

It also extends for two-and-a-half years, until Dec. 31, 2026, the time by which these funds may be used for infrastructure projects as provided in the Infrastructure and Jobs Act (PL 117-58).

### ***Russian Sanctions***

The measure authorizes the Justice Department to transfer the proceeds of any property seized under Russia-related sanctions to the State Department, which would use the funds to provide additional foreign assistance to Ukraine. It requires the Justice Department to notify Congress within 15 days of any transfers.

### ***Nutrition Programs***

The agreement permanently authorizes the Summer EBT program, which provides an EBT card (similar to the SNAP program) to help low-income students purchase meals during summer vacation; this program was initially established in response to COVID-19 pandemic when the summer meals program was unable to provide meals in congregate settings. The measure also grants flexibility to alternative summer meals programs that allow meals to be provided via grab and go, mobile delivery, or backpack options.

### ***Other Provisions***

The measure also:

- **E-Verify** — Extends, through FY 2023, the e-Verify program, a program for "non-minister religious workers", and the "Conrad 30" program, which allows rural healthcare workers access to the United States.
- **H2-B Visas** — Permits the Homeland Security Department to issue H2-B visas beyond the caps for low-skilled workers in FY 2023.
- **Air Traffic Controllers** — Eliminates the retirement penalty for retired-federal air traffic controllers who work at federal contract towers (a public-private partnership for air traffic control services) after the mandated retirement age of 56.
- **Consumer Product Safety** — Includes several consumer protection measures including requiring the Consumer Product Safety Commission to develop a safety standards for clothing storage units to protect children from tip-over injuries and death and requires online marketplaces (such as Amazon or EBay) to collect and verify certain contact and financial information from third-party sellers on their platforms whose transactions and related revenues exceed specified thresholds.

- **Merger Filing Fees** — Modifies the structure and amounts of filing fees for mergers that must be paid by parties to corporate merger transactions and updates the information required in the premerger notifications that must be filed to include information about any foreign state support.
- **Land Conveyances** — Permits the conveyance of several tracts of land between the federal government and state and private landowners, designates for inclusion of study several rivers into the Wild Scenic and River program, and creates the New Philadelphia National Heritage Site and the Rosie the Riveter/World War II Home Front National Park as units of the National Park Service, and approves the location in Washington for a commemorative work honoring journalists who sacrificed their lives in service of a free press.
- **Carbon Credits** — Establishes a program to help farmers, ranchers, and foresters participate in carbon credits markets.
- **CFTC Whistleblowers** — Extends special funding for a Commodity Futures Trading Commission (CFTC) whistleblower outreach program.
- **Pesticide Labeling** — Establishes new registration and labeling requirements for pesticides.