

Calendar No. 84

118TH CONGRESS
1ST SESSION**H. R. 3746**

IN THE SENATE OF THE UNITED STATES

MAY 31 (legislative day, MAY 30), 2023

Received and read the first time

MAY 31, 2023

Read the second time and placed on the calendar

AN ACT

To provide for a responsible increase to the debt ceiling.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fiscal Responsibility
5 Act of 2023”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

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- Sec. 321. Builder Act.
- Sec. 322. Interregional Transfer Capability Determination Study.
- Sec. 323. Permitting streamlining for energy storage.
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DIVISION D—INCREASE IN DEBT LIMIT

- Sec. 401. Temporary extension of public debt limit.

1 SEC. 3. REFERENCES.

2 Except as expressly provided otherwise, any reference
3 to “this Act” contained in any division of this Act shall
4 be treated as referring only to the provisions of that divi-
5 sion.

1 **DIVISION A—LIMIT FEDERAL**
2 **SPENDING**
3 **TITLE I—DISCRETIONARY**
4 **SPENDING LIMITS FOR DIS-**
5 **CRETIONARY CATEGORY**

6 **SEC. 101. DISCRETIONARY SPENDING LIMITS.**

7 (a) IN GENERAL.—Section 251(c) of the Balanced
8 Budget and Emergency Deficit Control Act of 1985 (2
9 U.S.C. 901(c)) is amended—

10 (1) in paragraph (7)(B), by striking “and” at
11 the end; and

12 (2) by inserting after paragraph (8) the fol-
13 lowing:

14 “(9) for fiscal year 2024—

15 “(A) for the revised security category,
16 \$886,349,000,000 in new budget authority; and

17 “(B) for the revised nonsecurity category;
18 \$703,651,000,000 in new budget authority; and

19 “(10) for fiscal year 2025—

20 “(A) for the revised security category,
21 \$895,212,000,000 in new budget authority; and

22 “(B) for the revised nonsecurity category;
23 \$710,688,000,000 in new budget authority;”.

24 (b) CONFORMING AMENDMENTS TO ADJUST-
25 MENTS.—

1 (1) CONTINUING DISABILITY REVIEWS AND
2 REDERMINATIONS.—Section 251(b)(2)(B)(i) of the
3 Balanced Budget and Emergency Deficit Control
4 Act of 1985 is amended—

5 (A) in subclause (IX), by striking “and” at
6 the end;

7 (B) in subclause (X), by striking the pe-
8 riod and inserting a semicolon; and

9 (C) by inserting after subclause (X) the
10 following:

11 “(XI) for fiscal year 2024,
12 \$1,578,000,000 in additional new budget
13 authority; and

14 “(XII) for fiscal year 2025,
15 \$1,630,000,000 in additional new budget
16 authority.”.

17 (2) HEALTH CARE FRAUD AND ABUSE CON-
18 TROL.—Section 251(b)(2)(C)(i) of such Act is
19 amended—

20 (A) in subclause (IX), by striking “and” at
21 the end;

22 (B) in subclause (X), by striking the pe-
23 riod and inserting a semicolon; and

24 (C) by inserting after subclause (X) the
25 following:

1 “(XI) for fiscal year 2024,
2 \$604,000,000 in additional new budget au-
3 thority; and

4 “(XII) for fiscal year 2025,
5 \$630,000,000 in additional new budget au-
6 thority.”.

7 (3) DISASTER FUNDING.—Section
8 251(b)(2)(D)(i) of such Act is amended—

9 (A) in the matter preceding subclause (I),
10 by striking “for fiscal years 2012 through
11 2021” and inserting “for fiscal years 2024 and
12 2025”; and

13 (B) by amending subclause (II) to read as
14 follows:

15 “(II) notwithstanding clause (iv),
16 five percent of the total appropria-
17 tions provided in the previous 10
18 years, net of any rescissions of budget
19 authority enacted in the same period,
20 with respect to amounts provided for
21 major disasters declared pursuant to
22 the Robert T. Stafford Disaster Relief
23 and Emergency Assistance Act (42
24 U.S.C. 5121 et seq.) and designated

1 by the Congress in statute as an
2 emergency; and”.

3 (4) REEMPLOYMENT SERVICES AND ELIGI-
4 BILITY ASSESSMENTS.—Section 251(b)(2)(E)(i) of
5 such Act is amended—

6 (A) in subclause (III), by striking “and” at
7 the end;

8 (B) in subclause (IV), by striking the pe-
9 riod and inserting a semicolon; and

10 (C) by inserting after subclause (IV) the
11 following:

12 “(V) for fiscal year 2024,
13 \$265,000,000 in additional new budg-
14 et authority; and

15 “(VI) for fiscal year 2025,
16 \$271,000,000 in additional new budg-
17 et authority.”.

18 (c) CONFORMING AMENDMENTS RELATING TO SE-
19 QUESTRATION REPORTS.—Section 254 of the Balanced
20 Budget and Emergency Deficit Control Act of 1985 (2
21 U.S.C. 904) is amended—

22 (1) in subsection (c)(2), by striking “2021” and
23 inserting “2025”; and

24 (2) in subsection (f)(2)(A), by striking “2021”
25 and inserting “2025”.

1 (d) APPROPRIATION FOR COST OF WAR TOXIC EXPO-
2 SURES FUND.—In addition to amounts otherwise available
3 for such purposes, there are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for in-
5 vestment in the delivery of veterans’ health care associated
6 with exposure to environmental hazards, the expenses inci-
7 dent to the delivery of veterans’ health care and benefits
8 associated with exposure to environmental hazards, and
9 medical and other research relating to exposure to envi-
10 ronmental hazards, as authorized by section 324 of title
11 38, United States Code—

12 (1) \$20,268,000,000, which shall become avail-
13 able on October 1, 2023, and shall remain available
14 until September 30, 2028; and

15 (2) \$24,455,000,000, which shall become avail-
16 able on October 1, 2024, and shall remain available
17 until September 30, 2029.

18 (e) APPROPRIATION FOR DEPARTMENT OF COM-
19 MERCE NONRECURRING EXPENSES FUND.—

20 (1) IN GENERAL.—In addition to amounts oth-
21 erwise available, there is appropriated to the Depart-
22 ment of Commerce Nonrecurring Expenses Fund for
23 fiscal year 2023, out of any money in the Treasury
24 not otherwise appropriated, \$22,000,000,000, to re-
25 main available until expended, of which—

1 (A) \$11,000,000,000 is to carry out pro-
2 grams related to Government efficiencies in fis-
3 cal year 2024; and

4 (B) \$11,000,000,000 is to carry out pro-
5 grams related to Government efficiencies in fis-
6 cal year 2025.

7 (2) LIMITATION ON TRANSFER.—Funds pro-
8 vided by paragraph (1) shall not be subject to any
9 transfer authority provided by law.

10 (3) REPORT REQUIREMENTS.—Reporting re-
11 quirements in section 111(a) of division B of Public
12 Law 116–93 shall apply to funds provided by para-
13 graph (1).

14 (4) STATUTORY PAYGO SCORECARDS.—The
15 budgetary effects of this subsection shall not be en-
16 tered on either PAYGO scorecard maintained pursu-
17 ant to section 4(d) of the Statutory Pay As-You-Go
18 Act of 2010.

19 (5) SENATE PAYGO SCORECARDS.—The budg-
20 etary effects of this subsection and each succeeding
21 division shall not be entered on any PAYGO score-
22 card maintained for purposes of section 4106 of H.
23 Con. Res. 71 (115th Congress).

24 (6) CLASSIFICATION OF BUDGETARY EF-
25 FECTS.—Notwithstanding Rule 3 of the Budget

1 Scorekeeping Guidelines set forth in the joint ex-
2 planatory statement of the committee of conference
3 accompanying Conference Report 105–217 and sec-
4 tion 250(c)(7) and (c)(8) of the Balanced Budget
5 and Emergency Deficit Control Act of 1985, the
6 budgetary effects of this subsection shall be esti-
7 mated for purposes of section 251 of such Act and
8 as appropriations for discretionary accounts for pur-
9 poses of the allocation to the Committee on Appro-
10 priations pursuant to section 302(a) of the Congres-
11 sional Budget Act of 1974 and the concurrent reso-
12 lution on the budget.

13 (f) **ADDITIONAL SPENDING LIMITS.**—For purposes
14 of section 302(a)(5) of the Congressional Budget and Im-
15 poundment Control Act of 1974, in the following applica-
16 ble fiscal years, the following discretionary spending limits
17 shall apply:

18 (1) Fiscal year 2026, \$1,621,959,000,000.

19 (2) Fiscal year 2027, \$1,638,179,000,000.

20 (3) Fiscal year 2028, \$1,654,560,000,000.

21 (4) Fiscal year 2029, \$1,671,106,000,000.

1 **SEC. 102. SPECIAL ADJUSTMENTS FOR FISCAL YEARS 2024**
2 **AND 2025.**

3 Section 251 of the Balanced Budget and Emergency
4 Deficit Control Act of 1985 is amended by adding at the
5 end the following:

6 “(d) REVISED DISCRETIONARY SPENDING LIMITS
7 FOR FISCAL YEAR 2024.—

8 “(1) IN GENERAL.—Subject to paragraph (3),
9 if on or after January 1, 2024, there is in effect an
10 Act making continuing appropriations for part of
11 fiscal year 2024 for any discretionary budget ac-
12 count, the discretionary spending limits specified in
13 subsection (c)(9) for fiscal year 2024 shall be ad-
14 justed in the final sequestration report, in accord-
15 ance with paragraph (2), as follows:

16 “(A) For the revised security category, the
17 amount that is equal to the total budget au-
18 thority for such category for base funding, as
19 published in the Congressional Budget Office
20 cost estimate for the applicable appropriations
21 Acts for the preceding fiscal year (table 1–S of
22 H.R. 2617, published on December 21, 2022),
23 reduced by one percent.

24 “(B) For the revised non-security category,
25 the amount that is equal to the total budget au-
26 thority for such category for base funding as

1 published in the Congressional Budget Office
2 cost estimate for the applicable appropriations
3 Acts for the preceding fiscal year (table 1–S of
4 H.R. 2617, published on December 21, 2022),
5 reduced by one percent.

6 “(2) FINAL REPORT; SEQUESTRATION
7 ORDER.—If the conditions specified in paragraph (1)
8 are met during fiscal year 2024, the final sequestra-
9 tion report for such fiscal year pursuant to section
10 254(f)(1) and any order pursuant to section
11 254(f)(5) shall be issued on the earlier of—

12 “(A) 10 days, not including weekends and
13 holidays, for the Congressional Budget Office
14 and 15 days, not including weekends and holi-
15 days, for the Office of Management and Budget
16 and the President, after the enactment into law
17 of annual full-year appropriations for all budget
18 accounts that normally receive such annual ap-
19 propriations (or the enactment of the applicable
20 full-year appropriations Acts without any provi-
21 sion for such accounts); or

22 “(B) April 30, 2024.

23 “(3) REVERSAL.—If, after January 1, 2024,
24 there are enacted into law each of the full year dis-
25 cretionary appropriation Acts, then the adjustment

1 to the applicable discretionary spending limits in
2 paragraph (1) shall have no force or effect, and the
3 discretionary spending limits for the revised security
4 category and revised nonsecurity category for the
5 applicable fiscal year shall be such limits as in effect
6 on December 31 of the applicable fiscal year.

7 “(e) REVISED DISCRETIONARY SPENDING LIMITS
8 FOR FISCAL YEAR 2025.—

9 “(1) IN GENERAL.—Subject to paragraph (3),
10 if on or after January 1, 2025, there is in effect an
11 Act making continuing appropriations for part of
12 fiscal year 2025 for any discretionary budget ac-
13 count, the discretionary spending limits specified in
14 subsection (c)(10) for fiscal year 2025 shall be ad-
15 justed in the final sequestration report, in accord-
16 ance with paragraph (2), as follows:

17 “(A) for the revised security category, the
18 amount calculated for such category in section
19 (d)(1)(A); and

20 “(B) for the revised non-security category,
21 the amount calculated for each category in sec-
22 tion (d)(1)(B).

23 “(2) FINAL REPORT; SEQUESTRATION
24 ORDER.—If the conditions specified in paragraph (1)
25 are met during fiscal year 2025, the final sequestra-

1 tion report for such fiscal year pursuant to section
2 254(f)(1) and any order pursuant to section
3 254(f)(5) shall be issued on the earlier of—

4 “(A) 10 days, not including weekends and
5 holidays, for the Congressional Budget Office,
6 and 15 days, not including weekends and holi-
7 days, for the Office of Management and Budget
8 and the President, after the enactment into law
9 of annual full-year appropriations for all budget
10 accounts that normally receive such annual ap-
11 propriations (or the enactment of the applicable
12 full-year appropriations Acts without any provi-
13 sion for such accounts); or

14 “(B) April 30, 2025.

15 “(3) REVERSAL.—If, after January 1, 2025,
16 there are enacted into law each of the full year dis-
17 cretionary appropriation Acts, then the adjustment
18 to the applicable discretionary spending limits in
19 paragraph (1) shall have no force or effect, and the
20 discretionary spending limits for the revised security
21 category and revised nonsecurity category for the
22 applicable fiscal year shall be such limits as in effect
23 on December 31 of the applicable fiscal year.”.

1 **SEC. 103. BUDGETARY TREATMENT OF PREVIOUSLY EN-**
2 **ACTED EMERGENCY REQUIREMENTS.**

3 (a) IN GENERAL.—Notwithstanding section 905(c) of
4 division J of Public Law 117–58 and section 23005(c) of
5 division B of Public Law 117–159, Rule 3 of the Budget
6 Scorekeeping Guidelines set forth in the joint explanatory
7 statement of the committee of conference accompanying
8 Conference Report 105–217, and sections 250(c)(7) and
9 (c)(8) of the Balanced Budget and Emergency Deficit
10 Control Act of 1985, the budgetary effects for any fiscal
11 year for the amounts specified in subsection (b) shall not
12 count for purposes of section 251 of such Act.

13 (b) AMOUNTS.—The amounts specified in this sub-
14 section are—

15 (1) amounts designated by the Congress as
16 being for an emergency requirement pursuant to sec-
17 tion 4001(a)(1) and section 4001(b) of S. Con. Res.
18 14 (117th Congress), the concurrent resolution on
19 the budget for fiscal year 2022, in division B of the
20 Bipartisan Safer Communities Act (Public Law
21 117–159);

22 (2) amounts designated by the Congress as an
23 emergency requirement pursuant to section 251(b)
24 of the Balanced Budget and Emergency Deficit Con-
25 trol Act of 1985 in division J of the Infrastructure
26 Investment and Jobs Act (Public Law 117–58); and

1 (3) amounts designated by the Congress as
2 being for an emergency requirement pursuant to sec-
3 tion 4001(a)(1) and section 4001(b) of S. Con. Res.
4 14 (117th Congress), the concurrent resolution on
5 the budget for fiscal year 2022, and section 1(e) of
6 H. Res. 1151 (117th Congress) in section 443(b) in
7 division G of the Consolidated Appropriations Act,
8 2023 (Public Law 117–328).

9 **TITLE II—BUDGET ENFORCE-**
10 **MENT IN THE HOUSE OF REP-**
11 **RESENTATIVES**

12 **SEC. 111. AUTHORITY FOR FISCAL YEAR 2024 BUDGET RES-**
13 **OLUTION IN THE HOUSE OF REPRESENTA-**
14 **TIVES.**

15 (a) FISCAL YEAR 2024.—For the purpose of enforce-
16 ing the Congressional Budget Act of 1974 for fiscal year
17 2024, the allocations, aggregates, and levels provided for
18 in subsection (b) shall apply in the House of Representa-
19 tives in the same manner as for a concurrent resolution
20 on the budget for fiscal year 2024 with appropriate budg-
21 etary levels for fiscal year 2024 and for fiscal years 2025
22 through 2033.

23 (b) COMMITTEE ALLOCATIONS, AGGREGATES, AND
24 LEVELS.—In the House of Representatives, the Chair of
25 the Committee on the Budget shall submit a statement

1 for publication in the Congressional Record as soon as
2 practicable containing—

3 (1) for the Committee on Appropriations, com-
4 mittee allocations for fiscal year 2024 consistent
5 with discretionary spending limits set forth in sec-
6 tion 251(c)(9) of the Balanced Budget and Emer-
7 gency Deficit Control Act of 1985, as added by this
8 Act, and the outlays flowing therefrom, and com-
9 mittee allocations for fiscal year 2024 for current
10 law mandatory budget authority and outlays, for the
11 purpose of enforcing section 302 of the Congres-
12 sional Budget Act of 1974;

13 (2) for all committees of the House of Rep-
14 resentatives other than the Committee on Appropria-
15 tions, committee allocations for fiscal year 2024 and
16 for the period of fiscal years 2025 through 2033
17 consistent with the most recent baseline of the Con-
18 gressional Budget Office, as adjusted, to the extent
19 practicable, for the budgetary effects of any provi-
20 sion of law enacted during the period beginning on
21 the date such baseline is issued and ending on the
22 date of submission of such statement, for the pur-
23 pose of enforcing section 302 of the Congressional
24 Budget Act of 1974;

1 (3) aggregate spending levels for fiscal year
2 2024 in accordance with the allocations established
3 under paragraphs (1) and (2), for the purpose of en-
4 forcing section 311 of the Congressional Budget Act
5 of 1974; and

6 (4) aggregate revenue levels for fiscal year 2024
7 and for the period of fiscal years 2025 through 2033
8 consistent with the most recent baseline of the Con-
9 gressional Budget Office, as adjusted, to the extent
10 practicable, for the budgetary effects of any provi-
11 sion of law enacted during the period beginning on
12 the date such baseline is issued and ending on the
13 date of submission of such statement, for the pur-
14 pose of enforcing section 311 of the Congressional
15 Budget Act of 1974.

16 (c) ADJUSTMENTS.—The Chair of the Committee on
17 the Budget of the House of Representatives may adjust
18 the allocations, aggregates, and other budgetary levels in-
19 cluded in the statement referred to in subsection (b)—

20 (1) to reflect changes resulting from the Con-
21 gressional Budget Office’s updates to its baseline for
22 fiscal years 2024 through 2033; or

23 (2) for any bill, joint resolution, amendment, or
24 conference report by the amounts provided in such
25 measure if such measure would not increase the def-

1 (3) for fiscal year 2025, under the heading “**IN-**
2 **DIAN HEALTH ACCOUNTS IDENTIFIED FOR AD-**
3 **VANCE APPROPRIATIONS**” in an aggregate
4 amount not to exceed the total budget authority pro-
5 vided for such accounts for fiscal year 2024 in bills
6 or joint resolutions making appropriations for fiscal
7 year 2024.

8 (c) DEFINITION.—The term “advance appropriation”
9 means any new discretionary budget authority provided in
10 a general appropriation bill or bill or joint resolution con-
11 tinuing appropriations for fiscal year 2024, or any amend-
12 ment thereto or conference report thereon, that first be-
13 comes available following fiscal year 2024.

14 (d) EXPIRATION.—The preceding subsections of this
15 section shall expire if a concurrent resolution on the budg-
16 et for fiscal year 2024 is agreed to by the Senate and
17 the House of Representatives pursuant to section 301 of
18 the Congressional Budget Act of 1974.

19 **SEC. 113. EXERCISE OF RULEMAKING POWERS.**

20 This title is enacted by the House of Representa-
21 tives—

22 (1) as an exercise of the rulemaking power of
23 the House, and as such shall be considered as part
24 of the rules of the House, and such rules shall su-

1 persede other rules only to the extent that it is in-
2 consistent therewith; and

3 (2) with full recognition of the constitutional
4 right of the House to change such rules (so far as
5 relating to the House) at any time, in the same
6 manner, and to the same extent as in the case of
7 any other rule of the House.

8 **TITLE III—BUDGET**
9 **ENFORCEMENT IN THE SENATE**

10 **SEC. 121. AUTHORITY FOR FISCAL YEAR 2024 BUDGET RES-**
11 **OLUTION IN THE SENATE.**

12 (a) FISCAL YEAR 2024.—For the purpose of enforce-
13 ing the Congressional Budget Act of 1974 (2 U.S.C. 621
14 et seq.) and enforcing budgetary points of order in prior
15 concurrent resolutions on the budget, the allocations, ag-
16 gregates, and levels provided for in subsection (b) shall
17 apply in the Senate in the same manner as for a concur-
18 rent resolution on the budget for fiscal year 2024 with
19 appropriate budgetary levels for fiscal year 2024 and for
20 fiscal years 2025 through 2033.

21 (b) COMMITTEE ALLOCATIONS, AGGREGATES, AND
22 LEVELS.—The Chairman of the Committee on the Budget
23 of the Senate shall submit a statement for publication in
24 the Congressional Record as soon as practicable after the
25 date of enactment of this Act that includes—

1 (1) for the Committee on Appropriations of the
2 Senate, committee allocations for fiscal year 2024
3 consistent with the discretionary spending limits set
4 forth in section 251(c) of the Balanced Budget and
5 Emergency Deficit Control Act of 1985, as amended
6 by this Act, and the outlays flowing therefrom, for
7 the purpose of enforcing section 302 of the Congres-
8 sional Budget Act of 1974;

9 (2) for all committees other than the Com-
10 mittee on Appropriations, committee allocations for
11 fiscal years 2024, 2024 through 2028, and 2024
12 through 2033, consistent with the May 2023 base-
13 line of the Congressional Budget Office, as adjusted
14 for the budgetary effects of any provision of law en-
15 acted during the period beginning on the date such
16 baseline was issued and ending on the date of sub-
17 mission of such statement, for the purpose of enfore-
18 ing section 302 of the Congressional Budget Act of
19 1974 (2 U.S.C. 633);

20 (3) aggregate spending levels for fiscal year
21 2024 in accordance with the allocations established
22 under paragraphs (1) and (2), for the purpose of en-
23 forcing section 311 of the Congressional Budget Act
24 of 1974 (2 U.S.C. 642);

1 (4) aggregate revenue levels for fiscal years
2 2024, 2024 through 2028, and 2024 through 2033,
3 consistent with the May 2023 baseline of the Con-
4 gressional Budget Office, as adjusted for the budg-
5 etary effects of any provision of law enacted during
6 the period beginning on the date such baseline was
7 issued and ending on the date of submission of such
8 statement, for the purpose of enforcing section 311
9 of the Congressional Budget Act of 1974 (2 U.S.C.
10 642);

11 (5) levels of Social Security revenues and out-
12 lays for fiscal years 2024, 2024 through 2028, and
13 2024 through 2033, consistent with the May 2023
14 baseline of the Congressional Budget Office, as ad-
15 justed for the budgetary effects of any provision of
16 law enacted during the period beginning on the date
17 such baseline was issued and ending on the date of
18 submission of such statement, for the purpose of en-
19 forcing sections 302 and 311 of the Congressional
20 Budget Act of 1974 (2 U.S.C. 633, 642); and

21 (6) a statement under the heading “Accounts
22 Identified for Advance Appropriations” for the pur-
23 pose of enforcing section 123 of this title.

24 (c) **ADDITIONAL MATTER.**—The statement referred
25 to in subsection (b) may also include for fiscal year 2024

1 the deficit-neutral reserve fund in section 3003 of S. Con.
2 Res. 14 (117th Congress), the concurrent resolution on
3 the budget for fiscal year 2022, updated by 2 fiscal years.

4 (d) EXPIRATION.—This section shall expire if a con-
5 current resolution on the budget for fiscal year 2024 is
6 agreed to by the Senate and the House of Representatives
7 pursuant to section 301 of the Congressional Budget Act
8 of 1974 (2 U.S.C. 632).

9 **SEC. 122. AUTHORITY FOR FISCAL YEAR 2025 BUDGET RES-**
10 **OLUTION IN THE SENATE.**

11 (a) FISCAL YEAR 2025.—For the purpose of enforce-
12 ing the Congressional Budget Act of 1974 (2 U.S.C. 621
13 et seq.), after April 15, 2024, and enforcing budgetary
14 points of order in prior concurrent resolutions on the
15 budget, the allocations, aggregates, and levels provided for
16 in subsection (b) shall apply in the Senate in the same
17 manner as for a concurrent resolution on the budget for
18 fiscal year 2025 with appropriate budgetary levels for fis-
19 cal year 2025 and for fiscal years 2026 through 2034.

20 (b) COMMITTEE ALLOCATIONS, AGGREGATES, AND
21 LEVELS.—After April 15, 2024, but not later than May
22 15, 2024, the Chairman of the Committee on the Budget
23 of the Senate shall submit a statement for publication in
24 the Congressional Record that includes—

1 (1) for the Committee on Appropriations of the
2 Senate, committee allocations for fiscal year 2025
3 consistent with the discretionary spending limits set
4 forth in section 251(c) of the Balanced Budget and
5 Emergency Deficit Control Act of 1985, as amended
6 by this Act, and the outlays flowing therefrom, for
7 the purpose of enforcing section 302 of the Congres-
8 sional Budget Act of 1974 (2 U.S.C. 633);

9 (2) for all committees other than the Com-
10 mittee on Appropriations, committee allocations for
11 fiscal years 2025, 2025 through 2029, and 2025
12 through 2034 consistent with the most recent base-
13 line of the Congressional Budget Office, as adjusted
14 for the budgetary effects of any provision of law en-
15 acted during the period beginning on the date such
16 baseline is issued and ending on the date of submis-
17 sion of such statement, for the purpose of enforcing
18 section 302 of the Congressional Budget Act of
19 1974 (2 U.S.C. 633);

20 (3) aggregate spending levels for fiscal year
21 2025 in accordance with the allocations established
22 under paragraphs (1) and (2), for the purpose of en-
23 forcing section 311 of the Congressional Budget Act
24 of 1974 (2 U.S.C. 642);

1 (4) aggregate revenue levels for fiscal years
2 2025, 2025 through 2029, and 2025 through 2034
3 consistent with the most recent baseline of the Con-
4 gressional Budget Office, as adjusted for the budg-
5 etary effects of any provision of law enacted during
6 the period beginning on the date such baseline is
7 issued and ending on the date of submission of such
8 statement, for the purpose of enforcing section 311
9 of the Congressional Budget Act of 1974 (2 U.S.C.
10 642);

11 (5) levels of Social Security revenues and out-
12 lays for fiscal years 2025, 2025 through 2029, and
13 2025 through 2034 consistent with the most recent
14 baseline of the Congressional Budget Office, as ad-
15 justed for the budgetary effects of any provision of
16 law enacted during the period beginning on the date
17 such baseline is issued and ending on the date of
18 submission of such statement, for the purpose of en-
19 forcing sections 302 and 311 of the Congressional
20 Budget Act of 1974 (2 U.S.C. 633, 642); and

21 (6) a statement under the heading “Accounts
22 Identified for Advance Appropriations” for the pur-
23 pose of enforcing section 123 of this title.

24 (c) ADDITIONAL MATTER.—The statement referred
25 to in subsection (b) may also include for fiscal year 2025

1 the deficit-neutral reserve fund in section 3003 of S. Con.
2 Res. 14 (117th Congress), the concurrent resolution on
3 the budget for fiscal year 2022, updated by 3 fiscal years.

4 (d) EXPIRATION.—This section shall expire if a con-
5 current resolution on the budget for fiscal year 2025 is
6 agreed to by the Senate and the House of Representatives
7 pursuant to section 301 of the Congressional Budget Act
8 of 1974 (2 U.S.C. 632).

9 **SEC. 123. LIMITATION ON ADVANCE APPROPRIATIONS IN**
10 **THE SENATE.**

11 (a) POINT OF ORDER AGAINST ADVANCE APPRO-
12 PRIATIONS IN THE SENATE.—

13 (1) IN GENERAL.—

14 (A) POINT OF ORDER.—Except as pro-
15 vided in paragraph (2), it shall not be in order
16 in the Senate to consider any bill, joint resolu-
17 tion, motion, amendment, amendment between
18 the Houses, or conference report that would
19 provide an advance appropriation for a discre-
20 tionary account.

21 (B) DEFINITION.—In this subsection, the
22 term “advance appropriation” means any new
23 budget authority provided in a bill or joint reso-
24 lution making appropriations for fiscal year
25 2024 that first becomes available for any fiscal

1 year after 2024 or any new budget authority
2 provided in a bill or joint resolution making ap-
3 propriations for fiscal year 2025 that first be-
4 comes available for any fiscal year after 2025.

5 (2) EXCEPTIONS.—Advance appropriations may
6 be provided—

7 (A) for fiscal years 2025 and 2026, for
8 programs, projects, activities, or accounts iden-
9 tified in a statement submitted to the Congres-
10 sional Record by the Chairman of the Com-
11 mittee on the Budget of the Senate under the
12 heading “Accounts Identified for Advance Ap-
13 propriations” in an aggregate amount not to
14 exceed \$28,852,000,000 in new budget author-
15 ity in each fiscal year;

16 (B) for the Corporation for Public Broad-
17 casting;

18 (C) for the Department of Veterans Affairs
19 for the Medical Services, Medical Support and
20 Compliance, Veterans Medical Community
21 Care, and Medical Facilities accounts of the
22 Veterans Health Administration; and

23 (D) for the Department of Health and
24 Human Services for the Indian Health Services
25 and Indian Health Facilities accounts—

1 (i) for fiscal year 2025, in an amount
2 that is not more than the amount provided
3 for fiscal year 2024 in a bill or joint reso-
4 lution making appropriations for fiscal
5 year 2023 or 2024 for programs, projects,
6 and activities that are not prohibited from
7 using amounts provided for fiscal year
8 2024 in a bill or joint resolution making
9 appropriations for fiscal year 2023; and

10 (ii) for fiscal year 2026, in an amount
11 that is not more than the amount provided
12 for fiscal year 2025 in a bill or joint reso-
13 lution making appropriations for fiscal
14 year 2024 or 2025 for programs, projects,
15 and activities that are not prohibited from
16 using amounts provided for fiscal year
17 2025 in a bill or joint resolution making
18 appropriations for fiscal year 2024.

19 (3) SUPERMAJORITY WAIVER AND APPEAL.—

20 (A) WAIVER.—In the Senate, paragraph
21 (1) may be waived or suspended only by an af-
22 firmative vote of three-fifths of the Members,
23 duly chosen and sworn.

24 (B) APPEAL.—An affirmative vote of
25 three-fifths of the Members of the Senate, duly

1 chosen and sworn, shall be required to sustain
2 an appeal of the ruling of the Chair on a point
3 of order raised under paragraph (1).

4 (4) FORM OF POINT OF ORDER.—A point of
5 order under paragraph (1) may be raised by a Sen-
6 ator as provided in section 313(e) of the Congres-
7 sional Budget Act of 1974 (2 U.S.C. 644(e)).

8 (5) CONFERENCE REPORTS.—When the Senate
9 is considering a conference report on, or an amend-
10 ment between the Houses in relation to, a bill or
11 joint resolution, upon a point of order being made
12 by any Senator pursuant to this subsection, and
13 such point of order being sustained, such material
14 contained in such conference report or amendment
15 between the Houses shall be stricken, and the Sen-
16 ate shall proceed to consider the question of whether
17 the Senate shall recede from its amendment and
18 concur with a further amendment, or concur in the
19 House amendment with a further amendment, as
20 the case may be, which further amendment shall
21 consist of only that portion of the conference report
22 or House amendment, as the case may be, not so
23 stricken. Any such motion in the Senate shall be de-
24 batable. In any case in which such point of order is
25 sustained against a conference report (or Senate

1 amendment derived from such conference report by
2 operation of this paragraph), no further amendment
3 shall be in order.

4 (b) EXPIRATION.—Subsection (a) shall terminate on
5 the date on which a concurrent resolution on the budget
6 for fiscal year 2024 or for fiscal year 2025 is agreed to
7 by the Senate and House of Representatives pursuant to
8 section 301 of the Congressional Budget Act of 1974 (2
9 U.S.C. 632).

10 **SEC. 124. EXERCISE OF RULEMAKING POWERS.**

11 This title is enacted by the Senate—

12 (1) as an exercise of the rulemaking power of
13 the Senate, and as such shall be considered as part
14 of the rules of the Senate, and such rules shall su-
15 persede other rules only to the extent that it is in-
16 consistent therewith; and

17 (2) with full recognition of the constitutional
18 right of the Senate to change such rules (so far as
19 relating to the Senate) at any time, in the same
20 manner, and to the same extent as in the case of
21 any other rule of the Senate.

1 **DIVISION B—SAVE TAXPAYER**
2 **DOLLARS**

3 **TITLE I—RESCISSION OF UNOBLIGATED**
4 **FUNDS**

5 SEC. 1. Each rescission made by this title shall be
6 applied to the unobligated balances for each applicable ap-
7 propriation as of the date of enactment of this title.

8 SEC. 2. The unobligated balances from the following
9 appropriations, in the following amounts and subject to
10 the conditions specified below, are hereby permanently re-
11 scinded:

12 (1) All of the unobligated balances of funds
13 made available under the heading “Public Health
14 and Social Services Emergency Fund” in title III of
15 division A of Public Law 116–123, including any
16 funds transferred from such heading that remain
17 unobligated, with the exception of \$59,000,000.

18 (2) All of the unobligated balances of funds
19 made available under the heading “Public Health
20 and Social Services Emergency Fund” in title V of
21 division A of Public Law 116–127, including any
22 funds transferred from such heading that remain
23 unobligated.

24 (3) All of the unobligated balances of funds
25 made available under the heading “Public Health

1 and Social Services Emergency Fund” in title VIII
2 of division B of Public Law 116–136, including any
3 funds transferred from such heading that remain
4 unobligated, with the exception of \$2,127,000,000
5 and—

6 (A) any funds that were transferred and
7 merged with the Covered Countermeasure Proc-
8 ess Fund authorized by section 319F–4 of the
9 Public Health Service Act; and

10 (B) any funds that were transferred and
11 merged with funds made available under the
12 heading “Office of the Secretary—Office of In-
13 spector General” pursuant to section 18113 of
14 title VIII of division B of Public Law 116–136.

15 (4) All of the unobligated balances of funds
16 made available in the first paragraph under the
17 heading “Public Health and Social Services Emer-
18 gency Fund” in title I of division B of Public Law
19 116–139, including any funds transferred from such
20 heading that remain unobligated, with the exception
21 of \$300,000,000, which shall remain available for
22 necessary expenses for program administration and
23 oversight.

24 (5) All of the unobligated balances of funds
25 made available in the second paragraph under the

1 heading “Public Health and Social Services Emer-
2 gency Fund” in title I of division B of Public Law
3 116–139, including any funds transferred from such
4 heading that remain unobligated, with the exception
5 of \$243,000,000 and any funds that were trans-
6 ferred and merged with funds made available under
7 the heading “Office of the Secretary—Office of In-
8 spector General” pursuant to section 103 of title I
9 of division B of Public Law 116–139.

10 (6) All of the unobligated balances of funds
11 made available under the heading “Public Health
12 and Social Services Emergency Fund” in title III of
13 division M of Public Law 116–260, including any
14 funds transferred from such heading that remain
15 unobligated, with the exception of \$205,000,000.

16 (7) All of the unobligated balances of funds
17 made available under the heading “Centers for Dis-
18 ease Control and Prevention—CDC—Wide Activities
19 and Program Support” in title III of division A of
20 Public Law 116–123, including any funds trans-
21 ferred from such heading that remain unobligated,
22 with the exception of \$195,000,000 and any funds
23 that were transferred and merged with the Infec-
24 tious Diseases Rapid Response Reserve Fund estab-

1 lished by section 231 of division B of Public Law
2 115–245.

3 (8) All of the unobligated balances of funds
4 made available under the heading “Centers for Dis-
5 ease Control and Prevention—CDC—Wide Activities
6 and Program Support” in title VIII of division B of
7 Public Law 116–136, including any funds trans-
8 ferred from such heading that remain unobligated,
9 with the exception of \$446,000,000 and any funds
10 that were transferred and merged with the Infec-
11 tious Diseases Rapid Response Reserve Fund estab-
12 lished by section 231 of division B of Public Law
13 115–245.

14 (9) All of the unobligated balances of funds
15 made available under the heading “Centers for Dis-
16 ease Control and Prevention—CDC—Wide Activities
17 and Program Support” in title III of division M of
18 Public Law 116–260, including any funds trans-
19 ferred from such heading that remain unobligated,
20 with the exception of \$177,000,000.

21 (10) All of the unobligated balances of funds
22 made available under the heading “National Insti-
23 tutes of Health—National Institute of Allergy and
24 Infectious Diseases” in title III of division A of Pub-

1 lic Law 116–123, including any funds transferred
2 from such heading that remain unobligated.

3 (11) All of the unobligated balances of funds
4 made available to “Centers for Medicare & Medicaid
5 Services—Program Management” in title VIII of di-
6 vision B of Public Law 116–136.

7 (12) All of the unobligated balances of funds
8 made available by section 2301 of Public Law 117–
9 2, with the exception of \$103,000,000.

10 (13) All of the unobligated balances of funds
11 made available by section 2302 of Public Law 117–
12 2.

13 (14) All of the unobligated balances of funds
14 made available by section 2303 of Public Law 117–
15 2, with the exception of \$69,000,000.

16 (15) All of the unobligated balances of funds
17 made available by section 2401 of Public Law 117–
18 2, with the exception of \$7,323,000,000.

19 (16) All of the unobligated balances of funds
20 made available by section 2402 of Public Law 117–
21 2, with the exception of \$714,000,000.

22 (17) All of the unobligated balances of funds
23 made available by section 2403 of Public Law 117–
24 2.

1 (18) All of the unobligated balances of funds
2 made available by section 2501 of Public Law 117–
3 2.

4 (19) All of the unobligated balances of funds
5 made available by section 2502 of Public Law 117–
6 2.

7 (20) All of the unobligated balances of funds
8 made available by section 2601 of Public Law 117–
9 2.

10 (21) All of the unobligated balances of funds
11 made available by section 2602 of Public Law 117–
12 2.

13 (22) All of the unobligated balances of funds
14 made available by section 2603 of Public Law 117–
15 2.

16 (23) All of the unobligated balances of funds
17 made available by section 2604 of Public Law 117–
18 2.

19 (24) All of the unobligated balances of funds
20 made available by section 2605 of Public Law 117–
21 2.

22 (25) All of the unobligated balances of funds
23 made available by section 2703 of Public Law 117–
24 2.

1 (26) All of the unobligated balances of funds
2 made available by section 2704 of Public Law 117–
3 2.

4 (27) All of the unobligated balances of funds
5 made available by section 2705 of Public Law 117–
6 2.

7 (28) All of the unobligated balances of funds
8 made available by section 2711 of Public Law 117–
9 2.

10 (29) All of the unobligated balances of funds
11 made available by section 2712 of Public Law 117–
12 2.

13 (30) All of the unobligated balances of funds
14 made available by section 2801 of Public Law 117–
15 2.

16 (31) All of the unobligated balances of funds
17 made available by section 3101 of Public Law 117–
18 2, with the exception of \$793,000,000.

19 (32) All of the unobligated balances of funds
20 made available by section 511A(a) of the Social Se-
21 curity Act, as added by section 9101 of Public Law
22 117–2.

23 (33) All of the unobligated balances of funds
24 made available by section 1150C(a) of the Social Se-

1 security Act, as added by section 9911 of Public Law
2 117–2.

3 (34) All of the unobligated balances of funds
4 made available by section 1947(e) of the Social Se-
5 curity Act, as added by section 9813 of Public Law
6 117–2.

7 (35) All of the unobligated balances of funds
8 made available by section 1862(g)(2) of the Social
9 Security Act, as added by section 9401 of Public
10 Law 117–2.

11 SEC. 3. The unobligated balances of amounts made
12 available under the heading “Agricultural Programs—Of-
13 fice of the Secretary” in title I of division B of Public
14 Law 116–136 are hereby permanently rescinded.

15 SEC. 4. The unobligated balances of amounts made
16 available by section 751 in title VII of division N of Public
17 Law 116–260 are hereby permanently rescinded, except
18 for funds made available by section 601 of division HH
19 of Public Law 117–328.

20 SEC. 5. The unobligated balances of amounts made
21 available by section 753 in title VII of division N of Public
22 Law 116–260 are hereby permanently rescinded.

23 SEC. 6. The unobligated balances of amounts made
24 available by section 754 in title VII of division N of Public
25 Law 116–260 are hereby permanently rescinded.

1 SEC. 7. The unobligated balances of amounts made
2 available by section 762(i) in title VII of division N of
3 Public Law 116–260 are hereby permanently rescinded.

4 SEC. 8. The unobligated balances of amounts made
5 available by section 764(f) in title VII of division N of
6 Public Law 116–260 are hereby permanently rescinded.

7 SEC. 9. The unobligated balances of amounts made
8 available by section 1001 of Public Law 117–2 are hereby
9 permanently rescinded.

10 SEC. 10. Of the unobligated balances of amounts
11 made available by section 4027 of title IV of division A
12 of Public Law 116–136, \$200,000,000 are hereby perma-
13 nently rescinded.

14 SEC. 11. Of the unobligated balances of amounts
15 made available by section 4120 of title IV of division A
16 of Public Law 116–136, \$295,000,000 are hereby perma-
17 nently rescinded.

18 SEC. 12. The unobligated balances of amounts made
19 available by section 7301(c) of Public Law 117–2 are
20 hereby permanently rescinded.

21 SEC. 13. The unobligated balances of amounts made
22 available by section 104A(m) of the Community Develop-
23 ment Banking and Financial Institutions Act of 1994 (12
24 U.S.C. 4701 et seq.), as added by section 522 of title V
25 of division N of Public Law 116–260 are hereby perma-

1 nently rescinded, with the exception of \$284,500,000,
2 which shall remain available for necessary expenses associ-
3 ated with the making of awards announced prior to the
4 enactment of this Act.

5 SEC. 14. Of the unobligated balances of amounts
6 made available by section 3301(a)(2)(A) of Public Law
7 117–2, \$150,000,000 are hereby permanently rescinded.

8 SEC. 15. The unobligated balances of amounts made
9 available by section 411 in subtitle A of title IV of division
10 N of Public Law 116–260 are hereby permanently re-
11 scinded.

12 SEC. 16. The unobligated balances of amounts made
13 available by subsection (a) of section 2206 of Public Law
14 117–2 are hereby permanently rescinded, with the excep-
15 tion of amounts allocated under paragraphs (6) and (7)
16 of subsection (b) of such section.

17 SEC. 17. The unobligated balances of amounts made
18 available by section 2001 of Public Law 117–2 are hereby
19 permanently rescinded.

20 SEC. 18. The unobligated balances of amounts made
21 available by section 2002 of Public Law 117–2 are hereby
22 permanently rescinded.

23 SEC. 19. The unobligated balances of amounts made
24 available by section 2003 of Public Law 117–2 are hereby
25 permanently rescinded.

1 SEC. 20. The unobligated balances of amounts made
2 available under the heading “Federal Highway Adminis-
3 tration—Highway Infrastructure Programs” in title IV of
4 division M of Public Law 116–260 are hereby permanently
5 rescinded.

6 SEC. 21. The unobligated balances of amounts made
7 available by section 7202(a) of Public Law 117–2 are
8 hereby permanently rescinded.

9 SEC. 22. The unobligated balances of amounts made
10 available by sections 5002(b) and 5006(a)(2) of Public
11 Law 117–2, including any amounts transferred and
12 merged with “Small Business Administration—Disaster
13 Loans Program Account” pursuant to section
14 90007(b)(2)(A) of Public Law 117–58 that remain unobli-
15 gated, are hereby permanently rescinded.

16 SEC. 23. The unobligated balances of amounts made
17 available under the heading “Independent Agencies—
18 Small Business Administration—Disaster Loans Program
19 Account” in title II of division B of Public Law 116–139
20 are hereby permanently rescinded.

21 SEC. 24. Of the unobligated balances of amounts
22 made available by section 2118(a) of title II of division
23 A of Public Law 116–136, as added by section 9032 of
24 Public Law 117–2, \$1,000,000,000 are hereby perma-
25 nently rescinded.

1 SEC. 25. The unobligated balances of amounts made
2 available under the heading “Department of Housing and
3 Urban Development—Public and Indian Housing—Ten-
4 ant-Based Rental Assistance” in title XII of division B
5 of Public Law 116–136 are hereby permanently rescinded.

6 SEC. 26. The unobligated balances of amounts made
7 available under the heading “Department of Housing and
8 Urban Development—Public and Indian Housing—Native
9 American Programs” in title XII of division B of Public
10 Law 116–136 are hereby permanently rescinded.

11 SEC. 27. The unobligated balances of amounts made
12 available under the heading “Department of Housing and
13 Urban Development—Housing Programs—Housing for
14 Persons with Disabilities” in title XII of division B of
15 Public Law 116–136 are hereby permanently rescinded.

16 SEC. 28. The unobligated balances of amounts made
17 available under the heading “Department of Housing and
18 Urban Development—Housing Programs—Project-Based
19 Rental Assistance” in title XII of division B of Public Law
20 116–136 are hereby permanently rescinded.

21 SEC. 29. The unobligated balances of amounts made
22 available under the heading “Department of Housing and
23 Urban Development—Housing Programs—Housing for
24 the Elderly” in title XII of division B of Public Law 116–
25 136 are hereby permanently rescinded.

1 SEC. 30. The unobligated balances of amounts made
2 available by section 3208(a) of Public Law 117–2 are
3 hereby permanently rescinded.

4 SEC. 31. The unobligated balances of amounts made
5 available under the heading “Department of Transpor-
6 tation—Office of the Secretary—Salaries and Expenses”
7 in title XII of division B of Public Law 116–136 are here-
8 by permanently rescinded.

9 SEC. 32. The unobligated balances of amounts made
10 available under the heading “Department of Transpor-
11 tation—Office of the Secretary—Essential Air Service” in
12 title XII of division B of Public Law 116–136 are hereby
13 permanently rescinded.

14 SEC. 33. The unobligated balances of amounts made
15 available under the heading “Department of Transpor-
16 tation—Federal Aviation Administration—Grants-In-Aid
17 for Airports” in title XII of division B of Public Law 116–
18 136 are hereby permanently rescinded.

19 SEC. 34. The unobligated balances of amounts made
20 available by section 7101 of Public Law 117–2 are hereby
21 permanently rescinded.

22 SEC. 35. The unobligated balances of amounts made
23 available by section 7102(a)(1) of Public Law 117–2 are
24 hereby permanently rescinded.

1 SEC. 36. The unobligated balances of amounts made
2 available by section 501(a)(1) of title V of division N of
3 Public Law 116–260 are hereby permanently rescinded.

4 SEC. 37. The unobligated balances of amounts made
5 available by section 9601(d)(1) of Public Law 117–2 are
6 hereby permanently rescinded.

7 SEC. 38. The unobligated balances of amounts made
8 available by section 4009 of Public Law 117–2 are hereby
9 permanently rescinded.

10 SEC. 39. The unobligated balances of amounts made
11 available under the heading “Department of Justice—
12 General Administration—Justice Information Sharing
13 Technology” in title II of division B of Public Law 116–
14 136 are hereby permanently rescinded.

15 SEC. 40. Of the unobligated balances of amounts
16 made available under the heading “Department of De-
17 fense—Procurement—Defense Production Act Pur-
18 chases” in title III of division B of Public Law 116–136,
19 \$61,381,230 are hereby permanently rescinded.

20 SEC. 41. The unobligated balances of amounts made
21 available under the heading “Department of State—Ad-
22 ministration of Foreign Affairs—Diplomatic Programs”
23 in title XI of division B of Public Law 116–136 and subse-
24 quently transferred to the Department of State’s “Edu-

1 cational and Cultural Exchange Programs” account are
2 hereby permanently rescinded.

3 SEC. 42. The unobligated balances of amounts made
4 available under the heading “Bilateral Economic Assist-
5 ance—Department of State—Migration and Refugee As-
6 sistance” in title XI of division B of Public Law 116–136
7 are hereby permanently rescinded.

8 SEC. 43. The unobligated balances of amounts made
9 available under the heading “Bilateral Economic Assist-
10 ance—Funds Appropriated to the President—Inter-
11 national Disaster Assistance” in title XI of division B of
12 Public Law 116–136 are hereby permanently rescinded.

13 SEC. 44. The unobligated balances of amounts made
14 available under the heading “Department of State—Ad-
15 ministration of Foreign Affairs—Sudan Claims” in title
16 IX of division K of Public Law 116–260 are hereby per-
17 manently rescinded.

18 SEC. 45. The unobligated balances of amounts made
19 available under the heading “Bilateral Economic Assist-
20 ance—Funds Appropriated to the President—Economic
21 Support Fund” in title IX of division K of Public Law
22 116–260 are hereby permanently rescinded.

23 SEC. 46. The unobligated balances of amounts made
24 available under the heading “Federal Communications
25 Commission—Salaries and Expenses” in title V of division

1 B of Public Law 116–136 are hereby permanently re-
2 scinded.

3 SEC. 47. The unobligated balances of amounts made
4 available under the heading “Independent Agencies—
5 Small Business Administration—Emergency EIDL
6 Grants” in title II of division B of Public Law 116–139
7 are hereby permanently rescinded.

8 SEC. 48. The unobligated balances of amounts made
9 available by section 323(d)(1)(B) of title III of division
10 N of Public Law 116–260 are hereby permanently re-
11 scinded.

12 SEC. 49. The unobligated balances of amounts made
13 available by section 323(d)(1)(E)(i) of title III of division
14 N of Public Law 116–260 are hereby permanently re-
15 scinded.

16 SEC. 50. The unobligated balances of amounts made
17 available by section 902(c)(5) of title IX of division N of
18 Public Law 116–260 are hereby permanently rescinded.

19 SEC. 51. The unobligated balances of amounts made
20 available by section 905(b) of title IX of division N of Pub-
21 lic Law 116–260 are hereby permanently rescinded.

22 SEC. 52. The unobligated balances of amounts made
23 available by section 5003(b)(2)(A) of Public Law 117–2
24 are hereby permanently rescinded.

1 SEC. 53. The unobligated balances of amounts de-
2 scribed in the tenth proviso under the heading “Adminis-
3 tration for Children and Families—Payments to States
4 for the Child Care and Development Block Grant” in title
5 III of division M of Public Law 116–260 are hereby per-
6 manently rescinded.

7 SEC. 54. The unobligated balances of amounts made
8 available by section 2201(b) of Public Law 117–2 are
9 hereby permanently rescinded.

10 SEC. 55. The unobligated balances of amounts made
11 available by section 2204(d)(1) of Public Law 117–2, in-
12 cluding any amounts made available by amendments made
13 by such section, are hereby permanently rescinded.

14 SEC. 56. The unobligated balances of amounts made
15 available by section 2205 of Public Law 117–2 are hereby
16 permanently rescinded.

17 SEC. 57. The unobligated balances of amounts made
18 available by section 2912(a) of Public Law 117–2 are
19 hereby permanently rescinded.

20 SEC. 58. The unobligated balances of amounts made
21 available by section 403(c) of the Social Security Act, as
22 added by section 9201 of Public Law 117–2 are hereby
23 permanently rescinded.

24 SEC. 59. The unobligated balances of amounts made
25 available by section 816(f) of the Native American Pro-

1 grams Act of 1974 (42 U.S.C. 2992d(f)), as added by sec-
2 tion 11004 of Public Law 117–2, are hereby permanently
3 rescinded.

4 SEC. 60. The unobligated balances of amounts made
5 available under the heading “Rural Development Pro-
6 grams—Rural Utilities Service—Distance Learning, Tele-
7 medicine, and Broadband Program” in title I of division
8 B of Public Law 116–136 are hereby permanently re-
9 scinded.

10 SEC. 61. The unobligated balances of amounts made
11 available by section 752 of title VII of division N of Public
12 Law 116–260 are hereby permanently rescinded.

13 SEC. 62. The unobligated balances of amounts made
14 available by section 1002(e) of Public Law 117–2, are
15 hereby permanently rescinded.

16 SEC. 63. The unobligated balances of amounts made
17 available by section 3207(a) of Public Law 117–2 are
18 hereby permanently rescinded.

19 SEC. 64. The unobligated balances of amounts made
20 available under the heading “Department of Energy—En-
21 ergy Programs—Science” in title IV of division B of Pub-
22 lic Law 116–136 are hereby permanently rescinded.

23 SEC. 65. The unobligated balances of amounts made
24 available by section 6003 of Public Law 117–2 are hereby
25 permanently rescinded.

1 SEC. 66. The unobligated balances of amounts made
2 available by section 11002(a) of Public Law 117–2 are
3 hereby permanently rescinded.

4 SEC. 67. The unobligated balances of amounts made
5 available under the heading “Department of Education—
6 Departmental Management—Program Administration” in
7 title III of division M of Public Law 116–260 are hereby
8 permanently rescinded.

9 SEC. 68. The unobligated balances of amounts made
10 available by section 2007 of Public Law 117–2 are hereby
11 permanently rescinded.

12 SEC. 69. The unobligated balances of amounts made
13 available by section 2010 of Public Law 117–2 are hereby
14 permanently rescinded.

15 SEC. 70. The unobligated balances of amounts made
16 available by section 2011 of Public Law 117–2 are hereby
17 permanently rescinded.

18 SEC. 71. The unobligated balances of amounts made
19 available by section 11006 of Public Law 117–2 are here-
20 by permanently rescinded.

21 SEC. 72. Of the unobligated balances of amounts
22 made available by section 6002(a) of Public Law 117–2,
23 all but \$22,000,000 are hereby permanently rescinded.

24 SEC. 73. The unobligated balances of amounts made
25 available by section 2101(a) of Public Law 117–2 are

1 hereby permanently rescinded, with the exception of
2 \$1,892,718 for the Office of the Solicitor within the De-
3 partmental Management account and amounts allocated
4 for the Office of Inspector General under paragraph (2)
5 of subsection (b) of such section.

6 SEC. 74. The unobligated balances of amounts made
7 available by section 2110(g) of Public Law 116–136, as
8 amended, are hereby permanently rescinded.

9 SEC. 75. The unobligated balances of amounts made
10 available under the heading “General Services Administra-
11 tion—General Activities—Federal Citizen Services Fund”
12 in title V of division B of Public Law 116–136 are hereby
13 permanently rescinded.

14 SEC. 76. The unobligated balances of amounts made
15 available by section 2021 of Public Law 117–2 are hereby
16 permanently rescinded.

17 SEC. 77. The unobligated balances of amounts made
18 available by section 2022 of Public Law 117–2 are hereby
19 permanently rescinded.

20 SEC. 78. The unobligated balances of amounts made
21 available by section 2023 of Public Law 117–2 are hereby
22 permanently rescinded.

23 SEC. 79. The unobligated balances of amounts made
24 available by section 2(c)(2)(D)(v) of the Railroad Unem-

1 ployment Insurance Act (45 U.S.C. 352(c)(2)(D)(v)), as
2 amended, are hereby permanently rescinded.

3 SEC. 80. The unobligated balances of amounts made
4 available by section 2904 of Public Law 117–2 are hereby
5 permanently rescinded, with the exception of \$500,000 for
6 the Railroad Retirement Board Office of Inspector Gen-
7 eral.

8 SEC. 81. The unobligated balances of amounts made
9 available by section 7404(a) of Public Law 117–2 are
10 hereby permanently rescinded.

11 **TITLE II—FAMILY AND SMALL**
12 **BUSINESS TAXPAYER PRO-**
13 **TECTION**

14 **SEC. 251. RESCISSION OF CERTAIN BALANCES MADE AVAIL-**
15 **ABLE TO THE INTERNAL REVENUE SERVICE.**

16 Of the unobligated balances of amounts appropriated
17 or otherwise made available for activities of the Internal
18 Revenue Service by paragraphs (1)(A)(ii), (1)(A)(iii),
19 (1)(B), (2), (3), (4), and (5) of section 10301 of Public
20 Law 117–169 (commonly known as the “Inflation Reduc-
21 tion Act of 2022”) as of the date of the enactment of this
22 Act, \$1,389,525,000 are hereby rescinded.

1 **TITLE III—STATUTORY ADMINIS-**
2 **TRATIVE PAY-AS-YOU-GO**

3 **SEC. 261. SHORT TITLE.**

4 This title may be cited as the “Administrative Pay-
5 As-You-Go Act of 2023”.

6 **SEC. 262. DEFINITIONS.**

7 In this title—

8 (1) the term “administrative action” means a
9 “rule” as defined in section 804(3) of title 5, United
10 States Code;

11 (2) the term “agency” means any authority of
12 the United States that is an “agency” under section
13 3502(1) of title 44, United States Code, other than
14 those considered to be independent regulatory agen-
15 cies, as defined in section 3502(5) of such title;

16 (3) the term “covered discretionary administra-
17 tive action” means a discretionary administrative ac-
18 tion that would affect direct spending;

19 (4) the term “direct spending” has the meaning
20 given that term in section 250(c) of the Balanced
21 Budget and Emergency Deficit Control Act of 1985
22 (2 U.S.C. 900(c));

23 (5) the term “Director” means the Director of
24 the Office of Management and Budget;

1 (6) the term “discretionary administrative ac-
2 tion”—

3 (A) means any administrative action that
4 is not required by law; and

5 (B) includes an administrative action re-
6 quired by law for which an agency has discre-
7 tion in the manner in which to implement the
8 administrative action; and

9 (7) the term “increase direct spending” means
10 that the amount of direct spending would increase
11 relative to—

12 (A) the most recently submitted projection
13 of the amount of direct spending presented in
14 baseline estimates as defined in section 257 of
15 the Balanced Budget and Emergency Deficit
16 Control Act of 1985, as amended, under—

17 (i) the budget of the President sub-
18 mitted under section 1105 of title 31,
19 United States Code; or

20 (ii) the supplemental summary of the
21 budget submitted under section 1106 of
22 title 31, United States Code;

23 (B) with respect to a discretionary admin-
24 istrative action that is incorporated into the ap-
25 plicable projection described in subparagraph

1 (A) and for which a proposal has not been sub-
2 mitted under section 263(a)(2)(A), a projection
3 of the amount of direct spending if no adminis-
4 trative action were taken; or

5 (C) with respect to a discretionary admin-
6 istrative action described in paragraph (6)(B),
7 a projection of the amount of direct spending
8 under the least costly implementation option
9 reasonably identifiable by the agency that meets
10 the requirements under the statute.

11 **SEC. 263. REQUIREMENTS FOR ADMINISTRATIVE ACTIONS**
12 **THAT AFFECT DIRECT SPENDING.**

13 (a) DISCRETIONARY ADMINISTRATIVE ACTIONS.—

14 (1) IN GENERAL.—Before an agency may final-
15 ize any covered discretionary administrative action,
16 the head of the agency shall submit to the Director
17 for review written notice regarding the covered dis-
18 cretionary administrative action, which shall include
19 an estimate of the budgetary effects of the covered
20 discretionary administrative action.

21 (2) INCREASING DIRECT SPENDING.—

22 (A) IN GENERAL.—If the covered discre-
23 tionary administrative action would increase di-
24 rect spending, the written notice submitted by
25 the head of the agency under paragraph (1)

1 shall include a proposal to undertake 1 or more
2 other administrative actions that would provide
3 a reduction in direct spending greater than or
4 equal to the increase in direct spending attrib-
5 utable to the covered discretionary administra-
6 tive action.

7 (B) REVIEW.—

8 (i) IN GENERAL.—The Director shall
9 determine whether the reduction in direct
10 spending in a proposal in a written notice
11 from an agency under subparagraph (A) is
12 greater than or equal to the increase in di-
13 rect spending attributable to the covered
14 discretionary administrative action to
15 which the written notice relates.

16 (ii) NO OFFSET.—If the written notice
17 regarding a proposed covered discretionary
18 administrative action that would increase
19 direct spending does not include a proposal
20 to offset the increased direct spending as
21 determined in clause (i), the Director shall
22 return the written notice to the agency for
23 resubmission in accordance with this title.

24 (b) NONDISCRETIONARY ACTIONS.—If an agency de-
25 termines that an administrative action that would increase

1 direct spending is required by law and therefore is not a
2 covered discretionary administrative action, before the
3 agency finalizes that administrative action, the head of the
4 agency shall—

5 (1) submit to the Director a written opinion by
6 the general counsel of the agency, or the equivalent
7 employee of the agency, explaining that legal conclu-
8 sion;

9 (2) submit to the Director a projection of the
10 amount of direct spending under the least costly im-
11 plementation option reasonably identifiable by the
12 agency that meets the requirements under the stat-
13 ute; and

14 (3) consult with the Director regarding imple-
15 mentation of the administrative action.

16 (c) PROJECTIONS.—Any projection for purposes of
17 this title shall be conducted in accordance with Office of
18 Management and Budget Circular A–11, or any successor
19 thereto.

20 **SEC. 264. ISSUANCE OF ADMINISTRATIVE GUIDANCE.**

21 Not later than 90 days after the date of enactment
22 of this Act, the Director shall issue instructions regarding
23 the implementation of this title, including how covered dis-
24 cretionary administrative actions that increase direct
25 spending and nontax receipts will be evaluated.

1 **SEC. 265. WAIVER.**

2 (a) IN GENERAL.—The Director may waive the re-
3 quirements of section 263 if the Director concludes that
4 the waiver—

5 (1) is necessary for the delivery of essential
6 services; or

7 (2) is necessary for effective program delivery.

8 (b) PUBLICATION.—Any waiver determination under
9 subsection (a) shall be published in the Federal Register.

10 **SEC. 266. EXEMPTION.**

11 This title shall not apply to administrative actions
12 with direct spending cost of less than—

13 (1) \$1,000,000,000 over the 10-year period be-
14 ginning with the current year; or

15 (2) \$100,000,000 in any given year during such
16 10-year period.

17 **SEC. 267. JUDICIAL REVIEW.**

18 No determination, finding, action, or omission under
19 this title shall be subject to judicial review.

20 **SEC. 268. SUNSET.**

21 This title shall expire on December 31, 2024.

22 **SEC. 269. GAO REPORT.**

23 Within 180 days of the date of enactment of this Act,
24 the Comptroller General shall issue a report on the imple-
25 mentation of this title.

1 **SEC. 270. CONGRESSIONAL REVIEW ACT COMPLIANCE AS-**
2 **SESSMENT.**

3 Section 801(a)(2)(A) of title 5, United States Code,
4 is amended by inserting after “compliance with procedural
5 steps required by paragraph (1)(B)” the following: “, and
6 shall in addition include an assessment of the agency’s
7 compliance with such requirements of the Administrative
8 Pay-As-You-Go Act of 2023 as may be applicable”.

9 **TITLE IV—TERMINATION OF**
10 **SUSPENSION OF PAYMENTS**
11 **ON FEDERAL STUDENT**
12 **LOANS; RESUMPTION OF AC-**
13 **CRUAL OF INTEREST AND**
14 **COLLECTIONS**

15 **SEC. 271. TERMINATION OF SUSPENSION OF PAYMENTS ON**
16 **FEDERAL STUDENT LOANS; RESUMPTION OF**
17 **ACCRUAL OF INTEREST AND COLLECTIONS.**

18 (a) **IN GENERAL.**—Sixty days after June 30, 2023,
19 the waivers and modifications described in subsection (c)
20 shall cease to be effective.

21 (b) **PROHIBITION.**—Except as expressly authorized
22 by an Act of Congress enacted after the date of enactment
23 of this Act, the Secretary of Education may not use any
24 authority to implement an extension of any executive ac-
25 tion or rule specified in subsection (c).

1 (c) WAIVERS AND MODIFICATIONS DESCRIBED.—
2 The waivers and modifications described in this subsection
3 are the waivers and modifications of statutory and regu-
4 latory provisions relating to an extension of the suspension
5 of payments on certain loans and waivers of interest on
6 such loans under section 3513 of the CARES Act (20
7 U.S.C. 1001 note)—

8 (1) described by the Department of Education
9 in the Federal Register on October 12, 2022 (87
10 Fed. Reg. 61513 et seq.); and

11 (2) most recently extended in the announce-
12 ment by the Department of Education on November
13 22, 2022.

14 **DIVISION C—GROW THE**
15 **ECONOMY**
16 **TITLE I—TEMPORARY ASSIST-**
17 **ANCE TO NEEDY FAMILIES**

18 **SEC. 301. RECALIBRATION OF THE CASELOAD REDUCTION**

19 **CREDIT.**

20 Section 407(b)(3) of the Social Security Act (42
21 U.S.C. 607(b)(3)) is amended in each of subparagraphs
22 (A)(ii) and (B), by striking “2005” and inserting “2015”.

1 **SEC. 302. PILOT PROJECTS FOR PROMOTING ACCOUNT-**
2 **ABILITY BY MEASURING WORK OUTCOMES.**

3 Section 411 of the Social Security Act (42 U.S.C.
4 611) is amended by adding at the end the following:

5 “(e) **PILOT PROJECTS FOR PROMOTING ACCOUNT-**
6 **ABILITY BY MEASURING WORK OUTCOMES.—**

7 “(1) **IN GENERAL.—**The Secretary shall carry
8 out a pilot program under which the Secretary may
9 select up to 5 States to which a grant is made under
10 section 403(a) for a fiscal year to negotiate perform-
11 ance benchmarks for work and family outcomes for
12 recipients of assistance under the State program
13 funded under this part, and programs funded with
14 qualified State expenditures. The Secretary shall
15 issue guidance on how States apply for participation
16 in the pilot. The benchmarks shall include—

17 “(A) the percentage of work-eligible indi-
18 viduals under the State program funded under
19 this part who are in unsubsidized employment
20 during the 2nd quarter after exiting the pro-
21 gram;

22 “(B) the level of earnings of such individ-
23 uals in the 2nd and 4th quarters after exit; and

24 “(C) other indicators of family stability
25 and well-being as established by the Secretary.

1 “(2) LEVEL OF PERFORMANCE BENCHMARK.—
2 The Secretary and a State selected under paragraph
3 (1) shall agree to the requisite level of performance
4 on these benchmarks after developing baseline data
5 in the State and comparative data in other States.

6 “(3) FAILURE OF STATE TO MEET BENCH-
7 MARK.—If a State fails to meet a measured bench-
8 mark standard agreed to under paragraph (2) for 2
9 successive fiscal years, the State, in order to con-
10 tinue in the pilot shall enter into a plan with the
11 Secretary to achieve the required level of perform-
12 ance or, if mutually agreed to, adjust the benchmark
13 based on new information about the feasibility of
14 meeting such benchmark.

15 “(4) DURATION.—The pilot under this sub-
16 section shall be in effect for 6 fiscal years, with one
17 year to establish benchmark data and negotiate tar-
18 gets and five years to measure performance against
19 the targets, and shall supersede the requirements
20 under section 407 for such fiscal years, notwith-
21 standing any other provision of law.

22 “(5) APPLICATION OF PENALTY FOR FAILURE
23 TO REDUCE ASSISTANCE FOR RECIPIENTS REFUSING
24 WITHOUT GOOD CAUSE TO WORK.—For purposes of
25 section 409(a)(14), a State operating a pilot must

1 have a system for reducing the amount of assistance
2 payable to a family if an individual refuses, without
3 good cause (including for reasons described in
4 407(e)(2)), to engage in any such activities as the
5 State has required of such an individual. A State
6 without such a system shall be considered to have
7 failed to comply with the requirements of section
8 407(e) for so long as the failure to comply continues.

9 “(6) COLLECTION OF PERFORMANCE DATA.—

10 Each State selected under paragraph (1), in con-
11 sultation with the Secretary, shall collect and submit
12 to the Secretary data on the performance of the
13 State operating such a pilot program.

14 “(7) REPORTS.—

15 “(A) INITIAL REPORT.—Not later than 12
16 months after the date of the enactment of this
17 subsection the Secretary shall submit a report
18 to Congress on the status of the program under
19 this section.

20 “(B) FINAL REPORT.—Not later than 12
21 months after the date on which the programs
22 under this section have terminated, the Sec-
23 retary shall submit a comprehensive report to
24 Congress on outcomes achieved under such pro-
25 grams.”.

1 **SEC. 303. ELIMINATION OF SMALL CHECKS SCHEME.**

2 Section 407(b) of the Social Security Act (42 U.S.C.
3 607(b)) is amended by adding at the end the following:

4 “(6) SPECIAL RULE REGARDING CALCULATION
5 OF THE MINIMUM PARTICIPATION RATE.—The Sec-
6 retary shall determine participation rates under this
7 section without regard to any individual engaged in
8 work in a family that receives no assistance under
9 this part and less than \$35 in assistance funded
10 with qualified State expenditures (as defined in sec-
11 tion 409(a)(7)(B)(i)).”.

12 **SEC. 304. REPORTING OF WORK OUTCOMES.**

13 Section 411 of the Social Security Act (42 U.S.C.
14 611), as amended by section 302, is amended by adding
15 at the end the following:

16 “(f) REPORTING PERFORMANCE INDICATORS.—

17 “(1) IN GENERAL.—Each State, in consultation
18 with the Secretary, shall collect and submit to the
19 Secretary the information necessary for each indi-
20 cator described in paragraph (2), for fiscal year
21 2025 and each fiscal year thereafter.

22 “(2) INDICATORS OF PERFORMANCE.—The in-
23 dicators described in this paragraph for a fiscal year
24 are the following:

25 “(A) The percentage of individuals who
26 were work-eligible individuals as of the time of

1 exit from the program, who are in unsubsidized
2 employment during the second quarter after the
3 exit.

4 “(B) The percentage of individuals who
5 were work-eligible individuals who were in un-
6 subsidized employment in the second quarter
7 after the exit, who are also in unsubsidized em-
8 ployment during the fourth quarter after the
9 exit.

10 “(C) The median earnings of individuals
11 who were work-eligible individuals as of the
12 time of exit from the program, who are in un-
13 subsidized employment during the second quar-
14 ter after the exit.

15 “(D) The percentage of individuals who
16 have not attained 24 years of age, are attending
17 high school or enrolled in an equivalency pro-
18 gram, and are work-eligible individuals or were
19 work-eligible individuals as of the time of exit
20 from the program, who obtain a high school de-
21 gree or its recognized equivalent while receiving
22 assistance under the State program funded
23 under this part or within 1 year after the exit.

24 “(3) DEFINITION OF EXIT.—In paragraph (2),
25 the term ‘exit’ means, with respect to a State pro-

1 gram funded under this part, ceases to receive as-
2 sistance under the program funded by this part.

3 “(4) REGULATIONS.—In order to ensure na-
4 tionwide comparability of data, the Secretary, after
5 consultation with the Secretary of Labor and with
6 States, shall issue regulations governing the report-
7 ing of performance indicators under this sub-
8 section.”.

9 **SEC. 305. EFFECTIVE DATE.**

10 The amendments made by this title shall take effect
11 on October 1, 2024, except for sections 301 and 303 which
12 shall take effect on October 1, 2025.

13 **TITLE II—SNAP EXEMPTIONS**

14 **SEC. 311. MODIFICATION OF WORK REQUIREMENT EXEMP-**
15 **TIONS.**

16 (a) IN GENERAL.—Section 6(o)(3) of the Food and
17 Nutrition Act of 2008 (7 U.S.C. 2015(6)(o)(3)) is amend-
18 ed to read as follows:

19 (1) by striking subparagraph (A) and inserting
20 the following:

21 “(A)(i) under 18 years of age; or

22 “(ii) in—

23 “(I) fiscal year 2023 over 51 years of
24 age;

1 “(II) fiscal year 2024 over 53 years of
2 age;

3 “(III) fiscal year 2025 and each fiscal
4 year thereafter over 55 years of age;”;

5 (2) in subparagraph (D), by striking “or” at
6 the end;

7 (3) in subparagraph (E), by striking the period
8 at the end and inserting “;”; and

9 (4) adding at the end the following:

10 “(F) a homeless individual;

11 “(G) a veteran; or

12 “(H) an individual who is 24 years of age
13 or younger and who was in foster care under
14 the responsibility of a State on the date of at-
15 taining 18 years of age or such higher age as
16 the State has elected under section
17 475(8)(B)(iii) of the Social Security Act (42
18 U.S.C. 675(8)(B)(iii)).”.

19 (b) APPLICATION.—

20 (1) STATE AGENCY.—A state agency shall apply
21 section 6(o)(3) of the Food and Nutrition Act of
22 2008, as amended by subsection (a), to any applica-
23 tion for initial certification or recertification received
24 starting 90 days after the date of enactment of this
25 Act.

1 (2) SUNSET.—The amendments made by sub-
2 section (a) shall cease to have effect on October 1,
3 2030.

4 **SEC. 312. MODIFICATION OF GENERAL EXEMPTIONS.**

5 Section 6(o)(6) of the Food and Nutrition Act of
6 2008 (7 U.S.C. 2015(o)(6)) is amended—

7 (1) in subparagraph (E)—

8 (A) in the heading, by striking “SUBSE-
9 QUENT FISCAL YEARS” and inserting “FISCAL
10 YEARS 2020 THROUGH 2023”;

11 (B) by striking “(F) through (H)” and in-
12 serting “(G) through (I)”;

13 (C) by striking “year,” and inserting “year
14 through fiscal year 2023,”;

15 (2) in subparagraph (F), by striking “or (E)”
16 and inserting “, (E) or (F)”;

17 (3) by redesignating subparagraphs (F), (G),
18 and (H) as subparagraphs (G), (H), and (I), respec-
19 tively;

20 (4) by inserting after subparagraph (E) the fol-
21 lowing:

22 “(F) SUBSEQUENT FISCAL YEARS.—Sub-
23 ject to subparagraphs (G) through (I), for fiscal
24 years 2024 and each subsequent fiscal year, a
25 State agency may provide a number of exemp-

1 tions such that the average monthly number of
2 exemptions in effect during the fiscal year does
3 not exceed 8 percent of the number of covered
4 individuals in the State, as estimated by the
5 Secretary under subparagraph (C), adjusted by
6 the Secretary to reflect changes in the State’s
7 caseload and the Secretary’s estimate of
8 changes in the proportion of members of house-
9 holds that receive supplemental nutrition assist-
10 ance program benefits covered by waivers
11 granted under paragraph (4)’’;

12 (5) in subparagraph (B), by striking ‘‘(H)’’ and
13 inserting ‘‘(I)’’;

14 (6) in subparagraph (C), by striking ‘‘(F) and
15 (H)’’ and inserting ‘‘(G) and (I)’’;

16 (7) in subparagraph (D), by striking ‘‘(F)
17 through (H)’’ and inserting ‘‘(G) through (I)’’; and

18 (8) by adding at end the following:

19 ‘‘(J) RULE OF CONSTRUCTION FOR EX-
20 EMPTION ADJUSTMENT.—During fiscal year
21 2024 and each subsequent fiscal year, nothing
22 in this paragraph shall be interpreted to allow
23 a State agency to accumulate unused exemp-
24 tions to be provided beyond the subsequent fis-
25 cal year.’’.

1 **SEC. 313. SUPPLEMENTAL NUTRITION ASSISTANCE PRO-**
2 **GRAM UNDER THE FOOD AND NUTRITION**
3 **ACT OF 2008.**

4 Section 2 of the Food and Nutrition Act of 2008 (7
5 U.S.C. 2011) is amended by adding at end the following:
6 “That program includes as a purpose to assist low-income
7 adults in obtaining employment and increasing their earn-
8 ings. Such employment and earnings, along with program
9 benefits, will permit low-income households to obtain a
10 more nutritious diet through normal channels of trade by
11 increasing food purchasing power for all eligible house-
12 holds who apply for participation.”.

13 **SEC. 314. WAIVER TRANSPARENCY.**

14 Not later than 30 days after the date of enactment
15 of this Act, the Secretary of Agriculture shall make public
16 all available State waiver requests, including all sup-
17 porting data from the State, and agency approvals of such
18 requests, including relevant documentation on the utiliza-
19 tion of waivers authorized under Section 6(o)(4)(A) of the
20 Food and Nutrition Act of 2008 (7 U.S.C.
21 2015(o)(4)(A)).

22 **TITLE III—PERMITTING REFORM**

23 **SEC. 321. BUILDER ACT.**

24 (a) PARAGRAPH (2) OF SECTION 102.—Section
25 102(2) of the National Environmental Policy Act of 1969
26 (42 U.S.C. 4332(2)) is amended—

1 (1) in subparagraph (A), by striking “insure”
2 and inserting “ensure”;

3 (2) in subparagraph (B), by striking “insure”
4 and inserting “ensure”;

5 (3) in subparagraph (C)—

6 (A) by inserting “consistent with the provi-
7 sions of this Act and except where compliance
8 would be inconsistent with other statutory re-
9 quirements,” before “include in every”;

10 (B) by striking clauses (i) through (v) and
11 inserting the following:

12 “(i) reasonably foreseeable environ-
13 mental effects of the proposed agency ac-
14 tion;

15 “(ii) any reasonably foreseeable ad-
16 verse environmental effects which cannot
17 be avoided should the proposal be imple-
18 mented;

19 “(iii) a reasonable range of alter-
20 natives to the proposed agency action, in-
21 cluding an analysis of any negative envi-
22 ronmental impacts of not implementing the
23 proposed agency action in the case of a no
24 action alternative, that are technically and

1 economically feasible, and meet the pur-
2 pose and need of the proposal;

3 “(iv) the relationship between local
4 short-term uses of man’s environment and
5 the maintenance and enhancement of long-
6 term productivity; and

7 “(v) any irreversible and irretrievable
8 commitments of Federal resources which
9 would be involved in the proposed agency
10 action should it be implemented.”; and

11 (C) by striking “the responsible Federal
12 official” and inserting “the head of the lead
13 agency”;

14 (4) in subparagraph (D), by striking “Any”
15 and inserting “any”;

16 (5) by redesignating subparagraphs (D)
17 through (I) as subparagraphs (G) through (L), re-
18 spectively;

19 (6) by inserting after subparagraph (C) the fol-
20 lowing:

21 “(D) ensure the professional integrity, in-
22 cluding scientific integrity, of the discussion
23 and analysis in an environmental document;

24 “(E) make use of reliable data and re-
25 sources in carrying out this Act;

1 “(4) the proposed agency action is a nondis-
2 cretionary action with respect to which such agency
3 does not have authority to take environmental fac-
4 tors into consideration in determining whether to
5 take the proposed action.

6 “(b) LEVELS OF REVIEW.—

7 “(1) ENVIRONMENTAL IMPACT STATEMENT.—

8 An agency shall issue an environmental impact
9 statement with respect to a proposed agency action
10 requiring an environmental document that has a rea-
11 sonably foreseeable significant effect on the quality
12 of the human environment.

13 “(2) ENVIRONMENTAL ASSESSMENT.—An agen-

14 cy shall prepare an environmental assessment with
15 respect to a proposed agency action that does not
16 have a reasonably foreseeable significant effect on
17 the quality of the human environment, or if the sig-
18 nificance of such effect is unknown, unless the agen-
19 cy finds that the proposed agency action is excluded
20 pursuant to one of the agency’s categorical exclu-
21 sions, another agency’s categorical exclusions con-
22 sistent with section 109 of this Act, or another pro-
23 vision of law. Such environmental assessment shall
24 be a concise public document prepared by a Federal
25 agency to set forth the basis of such agency’s find-

1 ing of no significant impact or determination that an
2 environmental impact statement is necessary.

3 “(3) SOURCES OF INFORMATION.—In making a
4 determination under this subsection, an agency—

5 “(A) may make use of any reliable data
6 source; and

7 “(B) is not required to undertake new sci-
8 entific or technical research unless the new sci-
9 entific or technical research is essential to a
10 reasoned choice among alternatives, and the
11 overall costs and time frame of obtaining it are
12 not unreasonable.

13 **“SEC. 107. TIMELY AND UNIFIED FEDERAL REVIEWS.**

14 “(a) LEAD AGENCY.—

15 “(1) DESIGNATION.—

16 “(A) IN GENERAL.—If there are two or
17 more participating Federal agencies, such agen-
18 cies shall determine, by letter or memorandum,
19 which agency shall be the lead agency based on
20 consideration of the—

21 “(i) magnitude of agency’s involve-
22 ment;

23 “(ii) project approval or disapproval
24 authority;

1 “(iii) expertise concerning the action’s
2 environmental effects;

3 “(iv) duration of agency’s involve-
4 ment; and

5 “(v) sequence of agency’s involvement.

6 “(B) JOINT LEAD AGENCIES.—In making
7 a determination under subparagraph (A), the
8 participating Federal agencies may appoint
9 such State, Tribal, or local agencies as joint
10 lead agencies as the involved Federal agencies
11 shall determine appropriate. Joint lead agencies
12 shall jointly fulfill the role described in para-
13 graph (2).

14 “(2) ROLE.—A lead agency shall, with respect
15 to a proposed agency action—

16 “(A) supervise the preparation of an envi-
17 ronmental document if, with respect to such
18 proposed agency action, there is more than one
19 participating Federal agency;

20 “(B) request the participation of each co-
21 operating agency at the earliest practicable
22 time;

23 “(C) in preparing an environmental docu-
24 ment, give consideration to any analysis or pro-
25 posal created by a cooperating agency;

1 “(D) develop a schedule, in consultation
2 with each cooperating agency, the applicant,
3 and such other entities as the lead agency de-
4 termines appropriate, for completion of any en-
5 vironmental review, permit, or authorization re-
6 quired to carry out the proposed agency action;

7 “(E) if the lead agency determines that a
8 review, permit, or authorization will not be com-
9 pleted in accordance with the schedule devel-
10 oped under subparagraph (D), notify the agen-
11 cy responsible for issuing such review, permit,
12 or authorization of the discrepancy and request
13 that such agency take such measures as such
14 agency determines appropriate to comply with
15 such schedule; and

16 “(F) meet with a cooperating agency that
17 requests such a meeting.

18 “(3) COOPERATING AGENCY.—The lead agency
19 may, with respect to a proposed agency action, des-
20 ignate any Federal, State, Tribal, or local agency
21 that has jurisdiction by law or special expertise with
22 respect to any environmental impact involved in a
23 proposal to serve as a cooperating agency. A cooper-
24 ating agency may, not later than a date specified in

1 the schedule established by the lead agency, submit
2 comments to the lead agency.

3 “(4) REQUEST FOR DESIGNATION.—Any Fed-
4 eral, State, Tribal, or local agency or person that is
5 substantially affected by the lack of a designation of
6 a lead agency with respect to a proposed agency ac-
7 tion under paragraph (1) may submit a written re-
8 quest for such a designation to a participating Fed-
9 eral agency. An agency that receives a request under
10 this paragraph shall transmit such request to each
11 participating Federal agency and to the Council.

12 “(5) COUNCIL DESIGNATION.—

13 “(A) REQUEST.—If the participating Fed-
14 eral agencies are unable to agree on the des-
15 ignation of a lead agency within 45 days of the
16 request under paragraph (4), then the Federal,
17 State, Tribal or local agency or person that is
18 substantially affected by the lack or a designa-
19 tion of a lead agency may request that the
20 Council designate a lead agency. Such request
21 shall consist of—

22 “(i) a precise description of the nature
23 and extent of the proposed agency action;
24 and

1 “(ii) a detailed statement with respect
2 to each participating Federal agency and
3 each factor listed in paragraph (1) regard-
4 ing which agency should serve as lead
5 agency.

6 “(B) TRANSMISSION.—The Council shall
7 transmit a request received under subparagraph
8 (A) to each participating Federal agency.

9 “(C) RESPONSE.—A participating Federal
10 agency may, not later than 20 days after the
11 date of the submission of a request under sub-
12 paragraph (A), submit to the Council a re-
13 sponse to such request.

14 “(D) DESIGNATION.—Not later than 40
15 days after the date of the submission of a re-
16 quest under subparagraph (A), the Council
17 shall designate the lead agency with respect to
18 the relevant proposed agency action.

19 “(b) ONE DOCUMENT.—To the extent practicable, if
20 a proposed agency action will require action by more than
21 one Federal agency and the lead agency has determined
22 that it requires preparation of an environmental docu-
23 ment, the lead and cooperating agencies shall evaluate the
24 proposal in a single environmental document.

1 “(c) REQUEST FOR PUBLIC COMMENT.—Each notice
2 of intent to prepare an environmental impact statement
3 under section 102 shall include a request for public com-
4 ment on alternatives or impacts and on relevant informa-
5 tion, studies, or analyses with respect to the proposed
6 agency action.

7 “(d) STATEMENT OF PURPOSE AND NEED.—Each
8 environmental document shall include a statement of pur-
9 pose and need that briefly summarizes the underlying pur-
10 pose and need for the proposed agency action.

11 “(e) PAGE LIMITS.—

12 “(1) ENVIRONMENTAL IMPACT STATEMENTS.—

13 “(A) IN GENERAL.—Except as provided in
14 subparagraph (B), an environmental impact
15 statement shall not exceed 150 pages, not in-
16 cluding any citations or appendices.

17 “(B) EXTRAORDINARY COMPLEXITY.—An
18 environmental impact statement for a proposed
19 agency action of extraordinary complexity shall
20 not exceed 300 pages, not including any cita-
21 tions or appendices.

22 “(2) ENVIRONMENTAL ASSESSMENTS.—An en-
23 vironmental assessment shall not exceed 75 pages,
24 not including any citations or appendices.

1 “(f) SPONSOR PREPARATION.—A lead agency shall
2 prescribe procedures to allow a project sponsor to prepare
3 an environmental assessment or an environmental impact
4 statement under the supervision of the agency. Such agen-
5 cy may provide such sponsor with appropriate guidance
6 and assist in the preparation. The lead agency shall inde-
7 pendently evaluate the environmental document and shall
8 take responsibility for the contents.

9 “(g) DEADLINES.—

10 “(1) IN GENERAL.—Except as provided in para-
11 graph (2), with respect to a proposed agency action,
12 a lead agency shall complete, as applicable—

13 “(A) the environmental impact statement
14 not later than the date that is 2 years after the
15 sooner of, as applicable—

16 “(i) the date on which such agency
17 determines that section 102(2)(C) requires
18 the issuance of an environmental impact
19 statement with respect to such action;

20 “(ii) the date on which such agency
21 notifies the applicant that the application
22 to establish a right-of-way for such action
23 is complete; and

24 “(iii) the date on which such agency
25 issues a notice of intent to prepare the en-

1 vironmental impact statement for such ac-
2 tion; and

3 “(B) the environmental assessment not
4 later than the date that is 1 year after the
5 sooner of, as applicable—

6 “(i) the date on which such agency
7 determines that section 106(b)(2) requires
8 the preparation of an environmental as-
9 sessment with respect to such action;

10 “(ii) the date on which such agency
11 notifies the applicant that the application
12 to establish a right-of-way for such action
13 is complete; and

14 “(iii) the date on which such agency
15 issues a notice of intent to prepare the en-
16 vironmental assessment for such action.

17 “(2) DELAY.—A lead agency that determines it
18 is not able to meet the deadline described in para-
19 graph (1) may extend such deadline, in consultation
20 with the applicant, to establish a new deadline that
21 provides only so much additional time as is nec-
22 essary to complete such environmental impact state-
23 ment or environmental assessment.

24 “(3) PETITION TO COURT.—

1 “(A) RIGHT TO PETITION.—A project
2 sponsor may obtain a review of an alleged fail-
3 ure by an agency to act in accordance with an
4 applicable deadline under this section by filing
5 a written petition with a court of competent ju-
6 risdiction seeking an order under subparagraph
7 (B).

8 “(B) COURT ORDER.—If a court of com-
9 petent jurisdiction finds that an agency has
10 failed to act in accordance with an applicable
11 deadline, the court shall set a schedule and
12 deadline for the agency to act as soon as prac-
13 ticable, which shall not exceed 90 days from the
14 date on which the order of the court is issued,
15 unless the court determines a longer time pe-
16 riod is necessary to comply with applicable law.

17 “(h) REPORT.—

18 “(1) IN GENERAL.—The head of each lead
19 agency shall annually submit to the Committee on
20 Natural Resources of the House of Representatives
21 and the Committee on Environment and Public
22 Works of the Senate a report that—

23 “(A) identifies any environmental assess-
24 ment and environmental impact statement that

1 such lead agency did not complete by the dead-
2 line described in subsection (g); and

3 “(B) provides an explanation for any fail-
4 ure to meet such deadline.

5 “(2) INCLUSIONS.—Each report submitted
6 under paragraph (1) shall identify, as applicable—

7 “(A) the office, bureau, division, unit, or
8 other entity within the Federal agency respon-
9 sible for each such environmental assessment
10 and environmental impact statement;

11 “(B) the date on which—

12 “(i) such lead agency notified the ap-
13 plicant that the application to establish a
14 right-of-way for the major Federal action
15 is complete;

16 “(ii) such lead agency began the
17 scoping for the major Federal action; or

18 “(iii) such lead agency issued a notice
19 of intent to prepare the environmental as-
20 sessment or environmental impact state-
21 ment for the major Federal action; and

22 “(C) when such environmental assessment
23 and environmental impact statement is expected
24 to be complete.

1 **“SEC. 108. PROGRAMMATIC ENVIRONMENTAL DOCUMENT.**

2 “When an agency prepares a programmatic environ-
3 mental document for which judicial review was available,
4 the agency may rely on the analysis included in the pro-
5 grammatic environmental document in a subsequent envi-
6 ronmental document for related actions as follows:

7 “(1) Within 5 years and without additional re-
8 view of the analysis in the programmatic environ-
9 mental document, unless there are substantial new
10 circumstances or information about the significance
11 of adverse effects that bear on the analysis.

12 “(2) After 5 years, so long as the agency re-
13 evaluates the analysis in the programmatic environ-
14 mental document and any underlying assumption to
15 ensure reliance on the analysis remains valid.

16 **“SEC. 109. ADOPTION OF CATEGORICAL EXCLUSIONS.**

17 “An agency may adopt a categorical exclusion listed
18 in another agency’s NEPA procedures for a category of
19 proposed agency actions for which the categorical exclu-
20 sion was established consistent with this paragraph. The
21 agency shall—

22 “(1) identify the categorical exclusion listed in
23 another agency’s NEPA procedures that covers a
24 category of proposed actions or related actions;

25 “(2) consult with the agency that established
26 the categorical exclusion to ensure that the proposed

1 adoption of the categorical exclusion to a category of
2 actions is appropriate;

3 “(3) identify to the public the categorical exclu-
4 sion that the agency plans to use for its proposed
5 actions; and

6 “(4) document adoption of the categorical ex-
7 clusion.

8 **“SEC. 110. E-NEPA.**

9 “(a) PERMITTING PORTAL STUDY.—The Council on
10 Environmental Quality shall conduct a study and submit
11 a report to Congress within 1 year of the enactment of
12 this Act on the potential for online and digital technologies
13 to address delays in reviews and improve public accessi-
14 bility and transparency under section 102(2)(C) of the
15 National Environmental Policy Act of 1969 (42 U.S.C.
16 4332(2)(C)) including, but not limited to, a unified per-
17 mitting portal that would—

18 “(1) allow applicants to—

19 “(A) submit required documents or mate-
20 rials for their project in one unified portal;

21 “(B) upload and collaborate with the appli-
22 cable agencies to edit documents in real-time,
23 as required;

24 “(C) upload and display visual features
25 such as video, animation, geographic informa-

1 tion system displays, and three-dimensional
2 renderings; and

3 “(D) track the progress of individual appli-
4 cations;

5 “(2) include a cloud based, digital tool for more
6 complex reviews that would enhance interagency co-
7 ordination in consultation by—

8 “(A) centralizing, across all necessary
9 agencies, the data, visuals, and documents, in-
10 cluding but not limited to geographic informa-
11 tion system displays, other visual renderings,
12 and completed reports and analyses necessary
13 for reviews;

14 “(B) streamlining communications between
15 all necessary agencies and the applicant;

16 “(C) allowing for comments and responses
17 by and to all necessary agencies in one unified
18 portal;

19 “(D) generating analytical reports to aid in
20 organizing and cataloguing public comments;
21 and

22 “(E) be accessible on mobile devices;

23 “(3) boost transparency in agency processes
24 and present information suitable for a lay audience,
25 including but not limited to—

1 “(A) scientific data and analysis; and

2 “(B) anticipated agency process and
3 timeline; and

4 “(4) include examples describing how at least
5 five permits would be reviewed and processed
6 through this portal.

7 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
8 is authorized to be appropriated \$500,000 for the Council
9 on Environmental Quality to carry out the study directed
10 by this section.

11 **“SEC. 111. DEFINITIONS.**

12 “In this title:

13 “(1) CATEGORICAL EXCLUSION.—The term
14 ‘categorical exclusion’ means a category of actions
15 that a Federal agency has determined normally does
16 not significantly affect the quality of the human en-
17 vironment within the meaning of section 102(2)(C).

18 “(2) COOPERATING AGENCY.—The term ‘co-
19 operating agency’ means any Federal, State, Tribal,
20 or local agency that has been designated as a co-
21 operating agency under section 107(a)(3).

22 “(3) COUNCIL.—The term ‘Council’ means the
23 Council on Environmental Quality established in
24 title II.

1 “(4) ENVIRONMENTAL ASSESSMENT.—The
2 term ‘environmental assessment’ means an environ-
3 mental assessment prepared under section
4 106(b)(2).

5 “(5) ENVIRONMENTAL DOCUMENT.—The term
6 ‘environmental document’ means an environmental
7 impact statement, an environmental assessment, or
8 a finding of no significant impact.

9 “(6) ENVIRONMENTAL IMPACT STATEMENT.—
10 The term ‘environmental impact statement’ means a
11 detailed written statement that is required by section
12 102(2)(C).

13 “(7) FINDING OF NO SIGNIFICANT IMPACT.—
14 The term ‘finding of no significant impact’ means a
15 determination by a Federal agency that a proposed
16 agency action does not require the issuance of an en-
17 vironmental impact statement.

18 “(8) PARTICIPATING FEDERAL AGENCY.—The
19 term ‘participating Federal agency’ means a Federal
20 agency participating in an environmental review or
21 authorization of an action.

22 “(9) LEAD AGENCY.—The term ‘lead agency’
23 means, with respect to a proposed agency action—

24 “(A) the agency that proposed such action;
25 or

1 “(B) if there are 2 or more involved Fed-
2 eral agencies with respect to such action, the
3 agency designated under section 107(a)(1).

4 “(10) MAJOR FEDERAL ACTION.—

5 “(A) IN GENERAL.—The term ‘major Fed-
6 eral action’ means an action that the agency
7 carrying out such action determines is subject
8 to substantial Federal control and responsi-
9 bility.

10 “(B) EXCLUSION.—The term ‘major Fed-
11 eral action’ does not include—

12 “(i) a non-Federal action—

13 “(I) with no or minimal Federal
14 funding; or

15 “(II) with no or minimal Federal
16 involvement where a Federal agency
17 cannot control the outcome of the
18 project;

19 “(ii) funding assistance solely in the
20 form of general revenue sharing funds
21 which do not provide Federal agency com-
22 pliance or enforcement responsibility over
23 the subsequent use of such funds;

24 “(iii) loans, loan guarantees, or other
25 forms of financial assistance where a Fed-

1 eral agency does not exercise sufficient
2 control and responsibility over the subse-
3 quent use of such financial assistance or
4 the effect of the action;

5 “(iv) business loan guarantees pro-
6 vided by the Small Business Administra-
7 tion pursuant to section 7(a) or (b) and of
8 the Small Business Act (U.S.C. 636(a)),
9 or title V of the Small Business Invest-
10 ment Act of 1958 (15 U.S.C. 695 et seq.);

11 “(v) bringing judicial or administra-
12 tive civil or criminal enforcement actions;

13 “(vi) extraterritorial activities or deci-
14 sions, which means agency activities or de-
15 cisions with effects located entirely outside
16 of the jurisdiction of the United States; or

17 “(vii) activities or decisions that are
18 non-discretionary and made in accordance
19 with the agency’s statutory authority.

20 “(11) PROGRAMMATIC ENVIRONMENTAL DOCU-
21 MENT.—The term ‘programmatic environmental docu-
22 ment’ means an environmental impact statement or
23 environmental assessment analyzing all or some of
24 the environmental effects of a policy, program, plan,
25 or group of related actions.

1 “(12) PROPOSAL.—The term ‘proposal’ means
2 a proposed action at a stage when an agency has a
3 goal, is actively preparing to make a decision on one
4 or more alternative means of accomplishing that
5 goal, and can meaningfully evaluate its effects.

6 “(13) SPECIAL EXPERTISE.—The term ‘special
7 expertise’ means statutory responsibility, agency
8 mission, or related program experience.”.

9 **SEC. 322. INTERREGIONAL TRANSFER CAPABILITY DETER-**
10 **MINATION STUDY.**

11 (a) IN GENERAL.—The Electric Reliability Organiza-
12 tion (as that term is defined in section 215(a)(2) of the
13 Federal Power Act), in consultation with each regional en-
14 tity (as that term is defined in section 215(a)(7) of such
15 Act) and each transmitting utility (as that term is defined
16 in section 3(23) of such Act) that has facilities inter-
17 connected with a transmitting utility in a neighboring
18 transmission planning region, shall conduct a study of
19 total transfer capability as defined in section
20 37.6(b)(1)(vi) of title 18, Code of Federal Regulations, be-
21 tween transmission planning regions that contains the fol-
22 lowing:

23 (1) Current total transfer capability, between
24 each pair of neighboring transmission planning re-
25 gions.

1 (2) A recommendation of prudent additions to
2 total transfer capability between each pair of neigh-
3 boring transmission planning regions that would de-
4 monstrably strengthen reliability within and among
5 such neighboring transmission planning regions.

6 (3) Recommendations to meet and maintain
7 total transfer capability together with such rec-
8 ommended prudent additions to total transfer capa-
9 bility between each pair of neighboring transmission
10 planning regions.

11 (b) PUBLICATION.—Not later than 18 months after
12 the date of enactment of this Act, the North American
13 Electric Reliability Corporation shall deliver a study to
14 Federal Energy Regulatory Commission, which shall pub-
15 lish the study required in subsection (a) in the Federal
16 Register and seek public comments.

17 (c) REPORT.—Not later than 12 months after the
18 end of the public comment period in subsection (b), the
19 Federal Energy Regulatory Commission shall submit a re-
20 port on its conclusions to Congress and include rec-
21 ommendations, if any, for statutory changes.

1 **SEC. 323. PERMITTING STREAMLINING FOR ENERGY STOR-**
2 **AGE.**

3 Section 41001(6)(A) of the FAST Act (42 U.S.C.
4 4370m(6)(A)) is amended by inserting “energy storage,”
5 before “or any other sector”.

6 **SEC. 324. EXPEDITING COMPLETION OF THE MOUNTAIN**
7 **VALLEY PIPELINE.**

8 (a) DEFINITION OF MOUNTAIN VALLEY PIPELINE.—
9 In this section, the term “Mountain Valley Pipeline”
10 means the Mountain Valley Pipeline project, as generally
11 described and approved in Federal Energy Regulatory
12 Commission Docket Nos. CP16–10, CP19–477, and
13 CP21–57.

14 (b) CONGRESSIONAL FINDINGS AND DECLARA-
15 TION.—The Congress hereby finds and declares that the
16 timely completion of construction and operation of the
17 Mountain Valley Pipeline is required in the national inter-
18 est. The Mountain Valley Pipeline will serve demonstrated
19 natural gas demand in the Northeast, Mid-Atlantic, and
20 Southeast regions, will increase the reliability of natural
21 gas supplies and the availability of natural gas at reason-
22 able prices, will allow natural gas producers to access addi-
23 tional markets for their product, and will reduce carbon
24 emissions and facilitate the energy transition.

1 (c) APPROVAL AND RATIFICATION AND MAINTENANCE OF EXISTING AUTHORIZATIONS.—Notwithstanding any other provision of law—

4 (1) Congress hereby ratifies and approves all
5 authorizations, permits, verifications, extensions, biological opinions, incidental take statements, and any
6 other approvals or orders issued pursuant to Federal
7 law necessary for the construction and initial operation at full capacity of the Mountain Valley Pipeline; and

11 (2) Congress hereby directs the Secretary of the
12 Army, the Federal Energy Regulatory Commission, the Secretary of Agriculture, and the Secretary of
13 the Interior, and other agencies as applicable, as the case may be, to continue to maintain such authorizations, permits, verifications, extensions, biological
14 opinions, incidental take statements, and any other approvals or orders issued pursuant to Federal law
15 necessary for the construction and initial operation at full capacity of the Mountain Valley Pipeline.

21 (d) EXPEDITED APPROVAL.—Notwithstanding any
22 other provision of law, not later than 21 days after the
23 date of enactment of this Act and for the purpose of facilitating the completion of the Mountain Valley Pipeline, the
24

1 Secretary of the Army shall issue all permits or
2 verifications necessary—

3 (1) to complete the construction of the Moun-
4 tain Valley Pipeline across the waters of the United
5 States; and

6 (2) to allow for the operation and maintenance
7 of the Mountain Valley Pipeline.

8 (e) JUDICIAL REVIEW.—

9 (1) Notwithstanding any other provision of law,
10 no court shall have jurisdiction to review any action
11 taken by the Secretary of the Army, the Federal En-
12 ergy Regulatory Commission, the Secretary of Agri-
13 culture, the Secretary of the Interior, or a State ad-
14 ministrative agency acting pursuant to Federal law
15 that grants an authorization, permit, verification, bi-
16 ological opinion, incidental take statement, or any
17 other approval necessary for the construction and
18 initial operation at full capacity of the Mountain
19 Valley Pipeline, including the issuance of any au-
20 thorization, permit, extension, verification, biological
21 opinion, incidental take statement, or other approval
22 described in subsection (c) or (d) of this section for
23 the Mountain Valley Pipeline, whether issued prior
24 to, on, or subsequent to the date of enactment of

1 this section, and including any lawsuit pending in a
2 court as of the date of enactment of this section.

3 (2) The United States Court of Appeals for the
4 District of Columbia Circuit shall have original and
5 exclusive jurisdiction over any claim alleging the in-
6 validity of this section or that an action is beyond
7 the scope of authority conferred by this section.

8 (f) EFFECT.—This section supersedes any other pro-
9 vision of law (including any other section of this Act or
10 other statute, any regulation, any judicial decision, or any
11 agency guidance) that is inconsistent with the issuance of
12 any authorization, permit, verification, biological opinion,
13 incidental take statement, or other approval for the Moun-
14 tain Valley Pipeline.

15 **DIVISION D—INCREASE IN DEBT** 16 **LIMIT**

17 **SEC. 401. TEMPORARY EXTENSION OF PUBLIC DEBT LIMIT.**

18 (a) IN GENERAL.—Section 3101(b) of title 31,
19 United States Code, shall not apply for the period begin-
20 ning on the date of the enactment of this Act and ending
21 on January 1, 2025.

22 (b) SPECIAL RULE RELATING TO OBLIGATIONS
23 ISSUED DURING EXTENSION PERIOD.—Effective on Jan-
24 uary 2, 2025, the limitation in effect under section

1 3101(b) of title 31, United States Code, shall be increased
2 to the extent that—

3 (1) the face amount of obligations issued under
4 chapter 31 of such title and the face amount of obli-
5 gations whose principal and interest are guaranteed
6 by the United States Government (except guaran-
7 teed obligations held by the Secretary of the Treas-
8 ury) outstanding on January 2, 2025, exceeds

9 (2) the face amount of such obligations out-
10 standing on the date of the enactment of this Act.

11 (c) RESTORING CONGRESSIONAL AUTHORITY OVER
12 THE NATIONAL DEBT.—

13 (1) EXTENSION LIMITED TO NECESSARY OBLI-
14 GATIONS.—An obligation shall not be taken into ac-
15 count under subsection (b)(1) unless the issuance of
16 such obligation was necessary to fund a commitment
17 incurred pursuant to law by the Federal Government
18 that required payment before January 2, 2025.

19 (2) PROHIBITION ON CREATION OF CASH RE-
20 SERVE DURING EXTENSION PERIOD.—The Secretary
21 of the Treasury shall not issue obligations during
22 the period specified in subsection (a) for the purpose
23 of increasing the cash balance above normal oper-

1 ating balances in anticipation of the expiration of
2 such period.

Passed the House of Representatives May 31, 2023.

Attest: CHERYL L. JOHNSON,
Clerk.

Calendar No. 84

118TH CONGRESS
1ST Session

H. R. 3746

AN ACT

To provide for a responsible increase to the debt ceiling.

MAY 31, 2023

Read the second time and placed on the calendar