

118TH CONGRESS
1ST SESSION

H. R. 3746

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Fiscal Responsibility
3 Act of 2023”.

4 **SEC. 2. TABLE OF CONTENTS.**

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

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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.

6 **DIVISION A—LIMIT FEDERAL**
 7 **SPENDING**

8 **TITLE I—DISCRETIONARY**
 9 **SPENDING LIMITS FOR DIS-**
 10 **CRETIONARY CATEGORY**

11 **SEC. 101. DISCRETIONARY SPENDING LIMITS.**

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

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

17 (2) by inserting after paragraph (8) the fol-
 18 lowing:

19 “(9) for fiscal year 2024—

20 “(A) for the revised security category,
 21 \$886,349,000,000 in new budget authority; and

1 “(B) for the revised nonsecurity category;
2 \$703,651,000,000 in new budget authority; and

3 “(10) for fiscal year 2025—

4 “(A) for the revised security category,
5 \$895,212,000,000 in new budget authority; and

6 “(B) for the revised nonsecurity category;
7 \$710,688,000,000 in new budget authority;”.

8 (b) CONFORMING AMENDMENTS TO ADJUST-
9 MENTS.—

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

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

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

18 (C) by inserting after subclause (X) the
19 following:

20 “(XI) for fiscal year 2024,
21 \$1,578,000,000 in additional new budget
22 authority; and

23 “(XII) for fiscal year 2025,
24 \$1,630,000,000 in additional new budget
25 authority.”.

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

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

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

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

10 “(XI) for fiscal year 2024,
11 \$604,000,000 in additional new budget au-
12 thority; and

13 “(XII) for fiscal year 2025,
14 \$630,000,000 in additional new budget au-
15 thority.”.

16 (3) DISASTER FUNDING.—Section
17 251(b)(2)(D)(i) of such Act is amended—

18 (A) in the matter preceding subclause (I),
19 by striking “for fiscal years 2012 through
20 2021” and inserting “for fiscal years 2024 and
21 2025”; and

22 (B) by amending subclause (II) to read as
23 follows:

24 “(II) notwithstanding clause (iv),
25 five percent of the total appropria-

1 tions provided in the previous 10
2 years, net of any rescissions of budget
3 authority enacted in the same period,
4 with respect to amounts provided for
5 major disasters declared pursuant to
6 the Robert T. Stafford Disaster Relief
7 and Emergency Assistance Act (42
8 U.S.C. 5121 et seq.) and designated
9 by the Congress in statute as an
10 emergency; and”.

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

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

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

18 (C) by inserting after subclause (IV) the
19 following:

20 “(V) for fiscal year 2024,
21 \$265,000,000 in additional new budg-
22 et authority; and

23 “(VI) for fiscal year 2025,
24 \$271,000,000 in additional new budg-
25 et authority.”.

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

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

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

9 (d) APPROPRIATION FOR COST OF WAR TOXIC EXPO-
10 SURES FUND.—In addition to amounts otherwise available
11 for such purposes, there are appropriated, out of any
12 money in the Treasury not otherwise appropriated, for in-
13 vestment in the delivery of veterans’ health care associated
14 with exposure to environmental hazards, the expenses inci-
15 dent to the delivery of veterans’ health care and benefits
16 associated with exposure to environmental hazards, and
17 medical and other research relating to exposure to envi-
18 ronmental hazards, as authorized by section 324 of title
19 38, United States Code—

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

23 (2) \$24,455,000,000, which shall become avail-
24 able on October 1, 2024, and shall remain available
25 until September 30, 2029.

1 (e) APPROPRIATION FOR DEPARTMENT OF COM-
2 MERCE NONRECURRING EXPENSES FUND.—

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

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

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

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

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

22 (4) STATUTORY PAYGO SCORECARDS.—The
23 budgetary effects of this subsection shall not be en-
24 tered on either PAYGO scorecard maintained pursu-

1 ant to section 4(d) of the Statutory Pay As-You-Go
2 Act of 2010.

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

8 (6) CLASSIFICATION OF BUDGETARY EF-
9 FECTS.—Notwithstanding Rule 3 of the Budget
10 Scorekeeping Guidelines set forth in the joint ex-
11 planatory statement of the committee of conference
12 accompanying Conference Report 105–217 and sec-
13 tion 250(c)(7) and (c)(8) of the Balanced Budget
14 and Emergency Deficit Control Act of 1985, the
15 budgetary effects of this subsection shall be esti-
16 mated for purposes of section 251 of such Act and
17 as appropriations for discretionary accounts for pur-
18 poses of the allocation to the Committee on Appro-
19 priations pursuant to section 302(a) of the Congres-
20 sional Budget Act of 1974 and the concurrent reso-
21 lution on the budget.

22 (f) ADDITIONAL SPENDING LIMITS.—For purposes
23 of section 302(a)(5) of the Congressional Budget and Im-
24 poundment Control Act of 1974, in the following applica-

1 ble fiscal years, the following discretionary spending limits
2 shall apply:

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

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

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

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

7 **SEC. 102. SPECIAL ADJUSTMENTS FOR FISCAL YEARS 2024**
8 **AND 2025.**

9 Section 251 of the Balanced Budget and Emergency
10 Deficit Control Act of 1985 is amended by adding at the
11 end the following:

12 “(d) REVISED DISCRETIONARY SPENDING LIMITS
13 FOR FISCAL YEAR 2024.—

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

22 “(A) For the revised security category, the
23 amount that is equal to the total budget au-
24 thority for such category for base funding, as
25 published in the Congressional Budget Office

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

5 “(B) For the revised non-security category,
6 the amount that is equal to the total budget au-
7 thority for such category for base funding as
8 published in the Congressional Budget Office
9 cost estimate for the applicable appropriations
10 Acts for the preceding fiscal year (table 1–S of
11 H.R. 2617, published on December 21, 2022),
12 reduced by one percent.

13 “(2) FINAL REPORT; SEQUESTRATION
14 ORDER.—If the conditions specified in paragraph (1)
15 are met during fiscal year 2024, the final sequestra-
16 tion report for such fiscal year pursuant to section
17 254(f)(1) and any order pursuant to section
18 254(f)(5) shall be issued on the earlier of—

19 “(A) 10 days, not including weekends and
20 holidays, for the Congressional Budget Office
21 and 15 days, not including weekends and holi-
22 days, for the Office of Management and Budget
23 and the President, after the enactment into law
24 of annual full-year appropriations for all budget
25 accounts that normally receive such annual ap-

1 appropriations (or the enactment of the applicable
2 full-year appropriations Acts without any provi-
3 sion for such accounts); or

4 “(B) April 30, 2024.

5 “(3) REVERSAL.—If, after January 1, 2024,
6 there are enacted into law each of the full year dis-
7 cretionary appropriation Acts, then the adjustment
8 to the applicable discretionary spending limits in
9 paragraph (1) shall have no force or effect, and the
10 discretionary spending limits for the revised security
11 category and revised nonsecurity category for the
12 applicable fiscal year shall be such limits as in effect
13 on December 31 of the applicable fiscal year.

14 “(e) REVISED DISCRETIONARY SPENDING LIMITS
15 FOR FISCAL YEAR 2025.—

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

1 “(A) for the revised security category, the
2 amount calculated for such category in section
3 (d)(1)(A); and

4 “(B) for the revised non-security category,
5 the amount calculated for each category in sec-
6 tion (d)(1)(B).

7 “(2) FINAL REPORT; SEQUESTRATION
8 ORDER.—If the conditions specified in paragraph (1)
9 are met during fiscal year 2025, the final sequestra-
10 tion report for such fiscal year pursuant to section
11 254(f)(1) and any order pursuant to section
12 254(f)(5) shall be issued on the earlier of—

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

23 “(B) April 30, 2025.

24 “(3) REVERSAL.—If, after January 1, 2025,
25 there are enacted into law each of the full year dis-

1 the budget for fiscal year 2022, in division B of the
2 Bipartisan Safer Communities Act (Public Law
3 117–159);

4 (2) amounts designated by the Congress as an
5 emergency requirement pursuant to section 251(b)
6 of the Balanced Budget and Emergency Deficit Con-
7 trol Act of 1985 in division J of the Infrastructure
8 Investment and Jobs Act (Public Law 117–58); and
9 (3) amounts designated by the Congress as
10 being for an emergency requirement pursuant to sec-
11 tion 4001(a)(1) and section 4001(b) of S. Con. Res.
12 14 (117th Congress), the concurrent resolution on
13 the budget for fiscal year 2022, and section 1(e) of
14 H. Res. 1151 (117th Congress) in section 443(b) in
15 division G of the Consolidated Appropriations Act,
16 2023 (Public Law 117–328).

17 **TITLE II—BUDGET ENFORCE-**
18 **MENT IN THE HOUSE OF REP-**
19 **RESENTATIVES**

20 **SEC. 111. AUTHORITY FOR FISCAL YEAR 2024 BUDGET RES-**
21 **OLUTION IN THE HOUSE OF REPRESENTA-**
22 **TIVES.**

23 (a) FISCAL YEAR 2024.—For the purpose of enforce-
24 ing the Congressional Budget Act of 1974 for fiscal year
25 2024, the allocations, aggregates, and levels provided for

1 in subsection (b) shall apply in the House of Representa-
2 tives in the same manner as for a concurrent resolution
3 on the budget for fiscal year 2024 with appropriate budg-
4 etary levels for fiscal year 2024 and for fiscal years 2025
5 through 2033.

6 (b) COMMITTEE ALLOCATIONS, AGGREGATES, AND
7 LEVELS.—In the House of Representatives, the Chair of
8 the Committee on the Budget shall submit a statement
9 for publication in the Congressional Record as soon as
10 practicable containing—

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

21 (2) for all committees of the House of Rep-
22 resentatives other than the Committee on Appropria-
23 tions, committee allocations for fiscal year 2024 and
24 for the period of fiscal years 2025 through 2033
25 consistent with the most recent baseline of the Con-

1 gressional Budget Office, as adjusted, to the extent
2 practicable, for the budgetary effects of any provi-
3 sion of law enacted during the period beginning on
4 the date such baseline is issued and ending on the
5 date of submission of such statement, for the pur-
6 pose of enforcing section 302 of the Congressional
7 Budget Act of 1974;

8 (3) aggregate spending levels for fiscal year
9 2024 in accordance with the allocations established
10 under paragraphs (1) and (2), for the purpose of en-
11 forcing section 311 of the Congressional Budget Act
12 of 1974; and

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

23 (c) ADJUSTMENTS.—The Chair of the Committee on
24 the Budget of the House of Representatives may adjust

1 the allocations, aggregates, and other budgetary levels in-
2 cluded in the statement referred to in subsection (b)—

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

6 (2) for any bill, joint resolution, amendment, or
7 conference report by the amounts provided in such
8 measure if such measure would not increase the def-
9 icit for either of the following time periods: fiscal
10 year 2024 to fiscal year 2028 or fiscal year 2024 to
11 fiscal year 2033.

12 (d) EXPIRATION.—Subsections (a) through (c) shall
13 no longer apply if a concurrent resolution on the budget
14 for fiscal year 2024 is agreed to by the Senate and House
15 of Representatives.

16 **SEC. 112. LIMITATION ON ADVANCE APPROPRIATIONS IN**
17 **THE HOUSE OF REPRESENTATIVES.**

18 (a) IN GENERAL.—In the House of Representatives,
19 except as provided in subsection (b), any general appro-
20 priation bill or bill or joint resolution continuing appro-
21 priations, or amendment thereto or conference report
22 thereon, may not provide an advance appropriation.

23 (b) EXCEPTIONS.—An advance appropriation may be
24 provided for programs, activities or accounts identified in

1 lists submitted for printing in the Congressional Record
2 by the Chair of the Committee on the Budget—

3 (1) for fiscal year 2025, under the heading
4 **“ACCOUNTS IDENTIFIED FOR ADVANCE APPRO-**
5 **PRIATIONS”** in an aggregate amount not to exceed
6 \$28,852,000,000 in new budget authority;

7 (2) for fiscal year 2025, under the heading
8 **“VETERANS ACCOUNTS IDENTIFIED FOR AD-**
9 **VANCE APPROPRIATIONS”**; and

10 (3) for fiscal year 2025, under the heading **“IN-**
11 **DIAN HEALTH ACCOUNTS IDENTIFIED FOR AD-**
12 **VANCE APPROPRIATIONS”** in an aggregate
13 amount not to exceed the total budget authority pro-
14 vided for such accounts for fiscal year 2024 in bills
15 or joint resolutions making appropriations for fiscal
16 year 2024.

17 (c) DEFINITION.—The term “advance appropriation”
18 means any new discretionary budget authority provided in
19 a general appropriation bill or bill or joint resolution con-
20 tinuing appropriations for fiscal year 2024, or any amend-
21 ment thereto or conference report thereon, that first be-
22 comes available following fiscal year 2024.

23 (d) EXPIRATION.—The preceding subsections of this
24 section shall expire if a concurrent resolution on the budg-
25 et for fiscal year 2024 is agreed to by the Senate and

1 the House of Representatives pursuant to section 301 of
2 the Congressional Budget Act of 1974.

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

4 This title is enacted by the House of Representa-
5 tives—

6 (1) as an exercise of the rulemaking power of
7 the House, and as such shall be considered as part
8 of the rules of the House, and such rules shall su-
9 persede other rules only to the extent that it is in-
10 consistent therewith; and

11 (2) with full recognition of the constitutional
12 right of the House to change such rules (so far as
13 relating to the House) at any time, in the same
14 manner, and to the same extent as in the case of
15 any other rule of the House.

16 **TITLE III—BUDGET**
17 **ENFORCEMENT IN THE SENATE**

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

20 (a) FISCAL YEAR 2024.—For the purpose of enfore-
21 ing the Congressional Budget Act of 1974 (2 U.S.C. 621
22 et seq.) and enforcing budgetary points of order in prior
23 concurrent resolutions on the budget, the allocations, ag-
24 gregates, and levels provided for in subsection (b) shall
25 apply in the Senate in the same manner as for a concur-

1 rent resolution on the budget for fiscal year 2024 with
2 appropriate budgetary levels for fiscal year 2024 and for
3 fiscal years 2025 through 2033.

4 (b) COMMITTEE ALLOCATIONS, AGGREGATES, AND
5 LEVELS.—The Chairman of the Committee on the Budget
6 of the Senate shall submit a statement for publication in
7 the Congressional Record as soon as practicable after the
8 date of enactment of this Act that includes—

9 (1) for the Committee on Appropriations of the
10 Senate, committee allocations for fiscal year 2024
11 consistent with the discretionary spending limits set
12 forth in section 251(c) of the Balanced Budget and
13 Emergency Deficit Control Act of 1985, as amended
14 by this Act, and the outlays flowing therefrom, for
15 the purpose of enforcing section 302 of the Congres-
16 sional Budget Act of 1974;

17 (2) for all committees other than the Com-
18 mittee on Appropriations, committee allocations for
19 fiscal years 2024, 2024 through 2028, and 2024
20 through 2033, consistent with the May 2023 base-
21 line of the Congressional Budget Office, as adjusted
22 for the budgetary effects of any provision of law en-
23 acted during the period beginning on the date such
24 baseline was issued and ending on the date of sub-
25 mission of such statement, for the purpose of enforce-

1 ing section 302 of the Congressional Budget Act of
2 1974 (2 U.S.C. 633);

3 (3) aggregate spending levels for fiscal year
4 2024 in accordance with the allocations established
5 under paragraphs (1) and (2), for the purpose of en-
6 forcing section 311 of the Congressional Budget Act
7 of 1974 (2 U.S.C. 642);

8 (4) aggregate revenue levels for fiscal years
9 2024, 2024 through 2028, and 2024 through 2033,
10 consistent with the May 2023 baseline of the Con-
11 gressional Budget Office, as adjusted for the budg-
12 etary effects of any provision of law enacted during
13 the period beginning on the date such baseline was
14 issued and ending on the date of submission of such
15 statement, for the purpose of enforcing section 311
16 of the Congressional Budget Act of 1974 (2 U.S.C.
17 642);

18 (5) levels of Social Security revenues and out-
19 lays for fiscal years 2024, 2024 through 2028, and
20 2024 through 2033, consistent with the May 2023
21 baseline of the Congressional Budget Office, as ad-
22 justed for the budgetary effects of any provision of
23 law enacted during the period beginning on the date
24 such baseline was issued and ending on the date of
25 submission of such statement, for the purpose of en-

1 fiscal year 2025 with appropriate budgetary levels for fis-
2 cal year 2025 and for fiscal years 2026 through 2034.

3 (b) COMMITTEE ALLOCATIONS, AGGREGATES, AND
4 LEVELS.—After April 15, 2024, but not later than May
5 15, 2024, the Chairman of the Committee on the Budget
6 of the Senate shall submit a statement for publication in
7 the Congressional Record that includes—

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

16 (2) for all committees other than the Com-
17 mittee on Appropriations, committee allocations for
18 fiscal years 2025, 2025 through 2029, and 2025
19 through 2034 consistent with the most recent base-
20 line of the Congressional Budget Office, as adjusted
21 for the budgetary effects of any provision of law en-
22 acted during the period beginning on the date such
23 baseline is issued and ending on the date of submis-
24 sion of such statement, for the purpose of enforcing

1 section 302 of the Congressional Budget Act of
2 1974 (2 U.S.C. 633);

3 (3) aggregate spending levels for fiscal year
4 2025 in accordance with the allocations established
5 under paragraphs (1) and (2), for the purpose of en-
6 forcing section 311 of the Congressional Budget Act
7 of 1974 (2 U.S.C. 642);

8 (4) aggregate revenue levels for fiscal years
9 2025, 2025 through 2029, and 2025 through 2034
10 consistent with the most recent baseline of the Con-
11 gressional Budget Office, as adjusted for the budg-
12 etary effects of any provision of law enacted during
13 the period beginning on the date such baseline is
14 issued and ending on the date of submission of such
15 statement, for the purpose of enforcing section 311
16 of the Congressional Budget Act of 1974 (2 U.S.C.
17 642);

18 (5) levels of Social Security revenues and out-
19 lays for fiscal years 2025, 2025 through 2029, and
20 2025 through 2034 consistent with the most recent
21 baseline of the Congressional Budget Office, as ad-
22 justed for the budgetary effects of any provision of
23 law enacted during the period beginning on the date
24 such baseline is issued and ending on the date of
25 submission of such statement, for the purpose of en-

1 forcing sections 302 and 311 of the Congressional
2 Budget Act of 1974 (2 U.S.C. 633, 642); and

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

6 (c) **ADDITIONAL MATTER.**—The statement referred
7 to in subsection (b) may also include for fiscal year 2025
8 the deficit-neutral reserve fund in section 3003 of S. Con.
9 Res. 14 (117th Congress), the concurrent resolution on
10 the budget for fiscal year 2022, updated by 3 fiscal years.

11 (d) **EXPIRATION.**—This section shall expire if a con-
12 current resolution on the budget for fiscal year 2025 is
13 agreed to by the Senate and the House of Representatives
14 pursuant to section 301 of the Congressional Budget Act
15 of 1974 (2 U.S.C. 632).

16 **SEC. 123. LIMITATION ON ADVANCE APPROPRIATIONS IN**
17 **THE SENATE.**

18 (a) **POINT OF ORDER AGAINST ADVANCE APPRO-**
19 **PRIATIONS IN THE SENATE.**—

20 (1) **IN GENERAL.**—

21 (A) **POINT OF ORDER.**—Except as pro-
22 vided in paragraph (2), it shall not be in order
23 in the Senate to consider any bill, joint resolu-
24 tion, motion, amendment, amendment between
25 the Houses, or conference report that would

1 provide an advance appropriation for a discre-
2 tionary account.

3 (B) DEFINITION.—In this subsection, the
4 term “advance appropriation” means any new
5 budget authority provided in a bill or joint reso-
6 lution making appropriations for fiscal year
7 2024 that first becomes available for any fiscal
8 year after 2024 or any new budget authority
9 provided in a bill or joint resolution making ap-
10 propriations for fiscal year 2025 that first be-
11 comes available for any fiscal year after 2025.

12 (2) EXCEPTIONS.—Advance appropriations may
13 be provided—

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

23 (B) for the Corporation for Public Broad-
24 casting;

1 (C) for the Department of Veterans Affairs
2 for the Medical Services, Medical Support and
3 Compliance, Veterans Medical Community
4 Care, and Medical Facilities accounts of the
5 Veterans Health Administration; and

6 (D) for the Department of Health and
7 Human Services for the Indian Health Services
8 and Indian Health Facilities accounts—

9 (i) for fiscal year 2025, in an amount
10 that is not more than the amount provided
11 for fiscal year 2024 in a bill or joint reso-
12 lution making appropriations for fiscal
13 year 2023 or 2024 for programs, projects,
14 and activities that are not prohibited from
15 using amounts provided for fiscal year
16 2024 in a bill or joint resolution making
17 appropriations for fiscal year 2023; and

18 (ii) for fiscal year 2026, in an amount
19 that is not more than the amount provided
20 for fiscal year 2025 in a bill or joint reso-
21 lution making appropriations for fiscal
22 year 2024 or 2025 for programs, projects,
23 and activities that are not prohibited from
24 using amounts provided for fiscal year

1 2025 in a bill or joint resolution making
2 appropriations for fiscal year 2024.

3 (3) SUPERMAJORITY WAIVER AND APPEAL.—

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

8 (B) APPEAL.—An affirmative vote of
9 three-fifths of the Members of the Senate, duly
10 chosen and sworn, shall be required to sustain
11 an appeal of the ruling of the Chair on a point
12 of order raised under paragraph (1).

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

17 (5) CONFERENCE REPORTS.—When the Senate
18 is considering a conference report on, or an amend-
19 ment between the Houses in relation to, a bill or
20 joint resolution, upon a point of order being made
21 by any Senator pursuant to this subsection, and
22 such point of order being sustained, such material
23 contained in such conference report or amendment
24 between the Houses shall be stricken, and the Sen-
25 ate shall proceed to consider the question of whether

1 the Senate shall recede from its amendment and
2 concur with a further amendment, or concur in the
3 House amendment with a further amendment, as
4 the case may be, which further amendment shall
5 consist of only that portion of the conference report
6 or House amendment, as the case may be, not so
7 stricken. Any such motion in the Senate shall be de-
8 batable. In any case in which such point of order is
9 sustained against a conference report (or Senate
10 amendment derived from such conference report by
11 operation of this paragraph), no further amendment
12 shall be in order.

13 (b) EXPIRATION.—Subsection (a) shall terminate on
14 the date on which a concurrent resolution on the budget
15 for fiscal year 2024 or for fiscal year 2025 is agreed to
16 by the Senate and House of Representatives pursuant to
17 section 301 of the Congressional Budget Act of 1974 (2
18 U.S.C. 632).

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

20 This title is enacted by the Senate—

21 (1) as an exercise of the rulemaking power of
22 the Senate, and as such shall be considered as part
23 of the rules of the Senate, and such rules shall su-
24 persede other rules only to the extent that it is in-
25 consistent therewith; and

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

6 **DIVISION B—SAVE TAXPAYER**
7 **DOLLARS**

8 **TITLE I—RESCISSION OF UNOBLIGATED**
9 **FUNDS**

10 **SEC. 1.** Each rescission made by this title shall be
11 applied to the unobligated balances for each applicable ap-
12 propriation as of the date of enactment of this title.

13 **SEC. 2.** The unobligated balances from the following
14 appropriations, in the following amounts and subject to
15 the conditions specified below, are hereby permanently re-
16 scinded:

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

23 (2) All of the unobligated balances of funds
24 made available under the heading “Public Health
25 and Social Services Emergency Fund” in title V of

1 division A of Public Law 116–127, including any
2 funds transferred from such heading that remain
3 unobligated.

4 (3) All of the unobligated balances of funds
5 made available under the heading “Public Health
6 and Social Services Emergency Fund” in title VIII
7 of division B of Public Law 116–136, including any
8 funds transferred from such heading that remain
9 unobligated, with the exception of \$2,127,000,000
10 and—

11 (A) any funds that were transferred and
12 merged with the Covered Countermeasure Proc-
13 ess Fund authorized by section 319F–4 of the
14 Public Health Service Act; and

15 (B) any funds that were transferred and
16 merged with funds made available under the
17 heading “Office of the Secretary—Office of In-
18 spector General” pursuant to section 18113 of
19 title VIII of division B of Public Law 116–136.

20 (4) All of the unobligated balances of funds
21 made available in the first paragraph under the
22 heading “Public Health and Social Services Emer-
23 gency Fund” in title I of division B of Public Law
24 116–139, including any funds transferred from such
25 heading that remain unobligated, with the exception

1 of \$300,000,000, which shall remain available for
2 necessary expenses for program administration and
3 oversight.

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

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

21 (7) All of the unobligated balances of funds
22 made available under the heading “Centers for Dis-
23 ease Control and Prevention—CDC—Wide Activities
24 and Program Support” in title III of division A of
25 Public Law 116–123, including any funds trans-

1 ferred from such heading that remain unobligated,
2 with the exception of \$195,000,000 and any funds
3 that were transferred and merged with the Infec-
4 tious Diseases Rapid Response Reserve Fund estab-
5 lished by section 231 of division B of Public Law
6 115–245.

7 (8) All of the unobligated balances of funds
8 made available under the heading “Centers for Dis-
9 ease Control and Prevention—CDC—Wide Activities
10 and Program Support” in title VIII of division B of
11 Public Law 116–136, including any funds trans-
12 ferred from such heading that remain unobligated,
13 with the exception of \$446,000,000 and any funds
14 that were transferred and merged with the Infec-
15 tious Diseases Rapid Response Reserve Fund estab-
16 lished by section 231 of division B of Public Law
17 115–245.

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

1 (10) All of the unobligated balances of funds
2 made available under the heading “National Insti-
3 tutes of Health—National Institute of Allergy and
4 Infectious Diseases” in title III of division A of Pub-
5 lic Law 116–123, including any funds transferred
6 from such heading that remain unobligated.

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

11 (12) All of the unobligated balances of funds
12 made available by section 2301 of Public Law 117–
13 2, with the exception of \$103,000,000.

14 (13) All of the unobligated balances of funds
15 made available by section 2302 of Public Law 117–
16 2.

17 (14) All of the unobligated balances of funds
18 made available by section 2303 of Public Law 117–
19 2, with the exception of \$69,000,000.

20 (15) All of the unobligated balances of funds
21 made available by section 2401 of Public Law 117–
22 2, with the exception of \$7,323,000,000.

23 (16) All of the unobligated balances of funds
24 made available by section 2402 of Public Law 117–
25 2, with the exception of \$714,000,000.

1 (17) All of the unobligated balances of funds
2 made available by section 2403 of Public Law 117–
3 2.

4 (18) All of the unobligated balances of funds
5 made available by section 2501 of Public Law 117–
6 2.

7 (19) All of the unobligated balances of funds
8 made available by section 2502 of Public Law 117–
9 2.

10 (20) All of the unobligated balances of funds
11 made available by section 2601 of Public Law 117–
12 2.

13 (21) All of the unobligated balances of funds
14 made available by section 2602 of Public Law 117–
15 2.

16 (22) All of the unobligated balances of funds
17 made available by section 2603 of Public Law 117–
18 2.

19 (23) All of the unobligated balances of funds
20 made available by section 2604 of Public Law 117–
21 2.

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

1 (25) All of the unobligated balances of funds
2 made available by section 2703 of Public Law 117–
3 2.

4 (26) All of the unobligated balances of funds
5 made available by section 2704 of Public Law 117–
6 2.

7 (27) All of the unobligated balances of funds
8 made available by section 2705 of Public Law 117–
9 2.

10 (28) All of the unobligated balances of funds
11 made available by section 2711 of Public Law 117–
12 2.

13 (29) All of the unobligated balances of funds
14 made available by section 2712 of Public Law 117–
15 2.

16 (30) All of the unobligated balances of funds
17 made available by section 2801 of Public Law 117–
18 2.

19 (31) All of the unobligated balances of funds
20 made available by section 3101 of Public Law 117–
21 2, with the exception of \$793,000,000.

22 (32) All of the unobligated balances of funds
23 made available by section 511A(a) of the Social Se-
24 curity Act, as added by section 9101 of Public Law
25 117–2.

1 (33) All of the unobligated balances of funds
2 made available by section 1150C(a) of the Social Se-
3 curity Act, as added by section 9911 of Public Law
4 117–2.

5 (34) All of the unobligated balances of funds
6 made available by section 1947(e) of the Social Se-
7 curity Act, as added by section 9813 of Public Law
8 117–2.

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

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

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

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

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

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

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

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

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

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

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

24 SEC. 13. The unobligated balances of amounts made
25 available by section 104A(m) of the Community Develop-

1 ment Banking and Financial Institutions Act of 1994 (12
2 U.S.C. 4701 et seq.), as added by section 522 of title V
3 of division N of Public Law 116–260 are hereby perma-
4 nently rescinded, with the exception of \$284,500,000,
5 which shall remain available for necessary expenses associ-
6 ated with the making of awards announced prior to the
7 enactment of this Act.

8 SEC. 14. Of the unobligated balances of amounts
9 made available by section 3301(a)(2)(A) of Public Law
10 117–2, \$150,000,000 are hereby permanently rescinded.

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

15 SEC. 16. The unobligated balances of amounts made
16 available by subsection (a) of section 2206 of Public Law
17 117–2 are hereby permanently rescinded, with the excep-
18 tion of amounts allocated under paragraphs (6) and (7)
19 of subsection (b) of such section.

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

23 SEC. 18. The unobligated balances of amounts made
24 available by section 2002 of Public Law 117–2 are hereby
25 permanently rescinded.

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

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

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

12 SEC. 22. The unobligated balances of amounts made
13 available by sections 5002(b) and 5006(a)(2) of Public
14 Law 117–2, including any amounts transferred and
15 merged with “Small Business Administration—Disaster
16 Loans Program Account” pursuant to section
17 90007(b)(2)(A) of Public Law 117–58 that remain unobli-
18 gated, are hereby permanently rescinded.

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

24 SEC. 24. Of the unobligated balances of amounts
25 made available by section 2118(a) of title II of division

1 A of Public Law 116–136, as added by section 9032 of
2 Public Law 117–2, \$1,000,000,000 are hereby perma-
3 nently rescinded.

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

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

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

19 SEC. 28. The unobligated balances of amounts made
20 available under the heading “Department of Housing and
21 Urban Development—Housing Programs—Project-Based
22 Rental Assistance” in title XII of division B of Public Law
23 116–136 are hereby permanently rescinded.

24 SEC. 29. The unobligated balances of amounts made
25 available under the heading “Department of Housing and

1 Urban Development—Housing Programs—Housing for
2 the Elderly” in title XII of division B of Public Law 116–
3 136 are hereby permanently rescinded.

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

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

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

17 SEC. 33. The unobligated balances of amounts made
18 available under the heading “Department of Transpor-
19 tation—Federal Aviation Administration—Grants-In-Aid
20 for Airports” in title XII of division B of Public Law 116–
21 136 are hereby permanently rescinded.

22 SEC. 34. The unobligated balances of amounts made
23 available by section 7101 of Public Law 117–2 are hereby
24 permanently rescinded.

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

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

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

10 SEC. 38. The unobligated balances of amounts made
11 available by section 4009 of Public Law 117–2 are hereby
12 permanently rescinded.

13 SEC. 39. The unobligated balances of amounts made
14 available under the heading “Department of Justice—
15 General Administration—Justice Information Sharing
16 Technology” in title II of division B of Public Law 116–
17 136 are hereby permanently rescinded.

18 SEC. 40. Of the unobligated balances of amounts
19 made available under the heading “Department of De-
20 fense—Procurement—Defense Production Act Pur-
21 chases” in title III of division B of Public Law 116–136,
22 \$61,381,230 are hereby permanently rescinded.

23 SEC. 41. The unobligated balances of amounts made
24 available under the heading “Department of State—Ad-
25 ministration of Foreign Affairs—Diplomatic Programs”

1 in title XI of division B of Public Law 116–136 and subse-
2 quently transferred to the Department of State’s “Edu-
3 cational and Cultural Exchange Programs” account are
4 hereby permanently rescinded.

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

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

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

20 SEC. 45. The unobligated balances of amounts made
21 available under the heading “Bilateral Economic Assist-
22 ance—Funds Appropriated to the President—Economic
23 Support Fund” in title IX of division K of Public Law
24 116–260 are hereby permanently rescinded.

1 SEC. 46. The unobligated balances of amounts made
2 available under the heading “Federal Communications
3 Commission—Salaries and Expenses” in title V of division
4 B of Public Law 116–136 are hereby permanently re-
5 scinded.

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

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

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

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

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

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

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

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

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

17 SEC. 56. The unobligated balances of amounts made
18 available by section 2205 of Public Law 117–2 are hereby
19 permanently rescinded.

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

23 SEC. 58. The unobligated balances of amounts made
24 available by section 403(c) of the Social Security Act, as

1 added by section 9201 of Public Law 117–2 are hereby
2 permanently rescinded.

3 SEC. 59. The unobligated balances of amounts made
4 available by section 816(f) of the Native American Pro-
5 grams Act of 1974 (42 U.S.C. 2992d(f)), as added by sec-
6 tion 11004 of Public Law 117–2, are hereby permanently
7 rescinded.

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

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

17 SEC. 62. The unobligated balances of amounts made
18 available by section 1002(c) of Public Law 117–2, are
19 hereby permanently rescinded.

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

23 SEC. 64. The unobligated balances of amounts made
24 available under the heading “Department of Energy—En-

1 ergy Programs—Science” in title IV of division B of Pub-
2 lic Law 116–136 are hereby permanently rescinded.

3 SEC. 65. The unobligated balances of amounts made
4 available by section 6003 of Public Law 117–2 are hereby
5 permanently rescinded.

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

9 SEC. 67. The unobligated balances of amounts made
10 available under the heading “Department of Education—
11 Departmental Management—Program Administration” in
12 title III of division M of Public Law 116–260 are hereby
13 permanently rescinded.

14 SEC. 68. The unobligated balances of amounts made
15 available by section 2007 of Public Law 117–2 are hereby
16 permanently rescinded.

17 SEC. 69. The unobligated balances of amounts made
18 available by section 2010 of Public Law 117–2 are hereby
19 permanently rescinded.

20 SEC. 70. The unobligated balances of amounts made
21 available by section 2011 of Public Law 117–2 are hereby
22 permanently rescinded.

23 SEC. 71. The unobligated balances of amounts made
24 available by section 11006 of Public Law 117–2 are here-
25 by permanently rescinded.

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

4 SEC. 73. The unobligated balances of amounts made
5 available by section 2101(a) of Public Law 117–2 are
6 hereby permanently rescinded, with the exception of
7 \$1,892,718 for the Office of the Solicitor within the De-
8 partmental Management account and amounts allocated
9 for the Office of Inspector General under paragraph (2)
10 of subsection (b) of such section.

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

14 SEC. 75. The unobligated balances of amounts made
15 available under the heading “General Services Administra-
16 tion—General Activities—Federal Citizen Services Fund”
17 in title V of division B of Public Law 116–136 are hereby
18 permanently rescinded.

19 SEC. 76. The unobligated balances of amounts made
20 available by section 2021 of Public Law 117–2 are hereby
21 permanently rescinded.

22 SEC. 77. The unobligated balances of amounts made
23 available by section 2022 of Public Law 117–2 are hereby
24 permanently rescinded.

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

4 SEC. 79. The unobligated balances of amounts made
5 available by section 2(c)(2)(D)(v) of the Railroad Unem-
6 ployment Insurance Act (45 U.S.C. 352(c)(2)(D)(v)), as
7 amended, are hereby permanently rescinded.

8 SEC. 80. The unobligated balances of amounts made
9 available by section 2904 of Public Law 117–2 are hereby
10 permanently rescinded, with the exception of \$500,000 for
11 the Railroad Retirement Board Office of Inspector Gen-
12 eral.

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

16 **TITLE II—FAMILY AND SMALL**
17 **BUSINESS TAXPAYER PRO-**
18 **TECTION**

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

21 Of the unobligated balances of amounts appropriated
22 or otherwise made available for activities of the Internal
23 Revenue Service by paragraphs (1)(A)(ii), (1)(A)(iii),
24 (1)(B), (2), (3), (4), and (5) of section 10301 of Public
25 Law 117–169 (commonly known as the “Inflation Reduc-

1 tion Act of 2022”) as of the date of the enactment of this
2 Act, \$1,389,525,000 are hereby rescinded.

3 **TITLE III—STATUTORY ADMINIS-**
4 **TRATIVE PAY-AS-YOU-GO**

5 **SEC. 261. SHORT TITLE.**

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

8 **SEC. 262. DEFINITIONS.**

9 In this title—

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

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

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

21 (4) the term “direct spending” has the meaning
22 given that term in section 250(c) of the Balanced
23 Budget and Emergency Deficit Control Act of 1985
24 (2 U.S.C. 900(c));

1 (5) the term “Director” means the Director of
2 the Office of Management and Budget;

3 (6) the term “discretionary administrative ac-
4 tion”—

5 (A) means any administrative action that
6 is not required by law; and

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

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

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

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

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

1 (B) with respect to a discretionary admin-
2 istrative action that is incorporated into the ap-
3 plicable projection described in subparagraph
4 (A) and for which a proposal has not been sub-
5 mitted under section 263(a)(2)(A), a projection
6 of the amount of direct spending if no adminis-
7 trative action were taken; or

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

14 **SEC. 263. REQUIREMENTS FOR ADMINISTRATIVE ACTIONS**
15 **THAT AFFECT DIRECT SPENDING.**

16 (a) DISCRETIONARY ADMINISTRATIVE ACTIONS.—

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

24 (2) INCREASING DIRECT SPENDING.—

1 (A) IN GENERAL.—If the covered discre-
2 tionary administrative action would increase di-
3 rect spending, the written notice submitted by
4 the head of the agency under paragraph (1)
5 shall include a proposal to undertake 1 or more
6 other administrative actions that would provide
7 a reduction in direct spending greater than or
8 equal to the increase in direct spending attrib-
9 utable to the covered discretionary administra-
10 tive action.

11 (B) REVIEW.—

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

20 (ii) NO OFFSET.—If the written notice
21 regarding a proposed covered discretionary
22 administrative action that would increase
23 direct spending does not include a proposal
24 to offset the increased direct spending as
25 determined in clause (i), the Director shall

1 return the written notice to the agency for
2 resubmission in accordance with this title.

3 (b) NONDISCRETIONARY ACTIONS.—If an agency de-
4 termines that an administrative action that would increase
5 direct spending is required by law and therefore is not a
6 covered discretionary administrative action, before the
7 agency finalizes that administrative action, the head of the
8 agency shall—

9 (1) submit to the Director a written opinion by
10 the general counsel of the agency, or the equivalent
11 employee of the agency, explaining that legal conclu-
12 sion;

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

18 (3) consult with the Director regarding imple-
19 mentation of the administrative action.

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

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

2 Not later than 90 days after the date of enactment
3 of this Act, the Director shall issue instructions regarding
4 the implementation of this title, including how covered dis-
5 cretionary administrative actions that increase direct
6 spending and nontax receipts will be evaluated.

7 **SEC. 265. WAIVER.**

8 (a) IN GENERAL.—The Director may waive the re-
9 quirements of section 263 if the Director concludes that
10 the waiver—

11 (1) is necessary for the delivery of essential
12 services; or

13 (2) is necessary for effective program delivery.

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

16 **SEC. 266. EXEMPTION.**

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

19 (1) \$1,000,000,000 over the 10-year period be-
20 ginning with the current year; or

21 (2) \$100,000,000 in any given year during such
22 10-year period.

23 **SEC. 267. JUDICIAL REVIEW.**

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

1 **SEC. 268. SUNSET.**

2 This title shall expire on December 31, 2024.

3 **SEC. 269. GAO REPORT.**

4 Within 180 days of the date of enactment of this Act,
5 the Comptroller General shall issue a report on the imple-
6 mentation of this title.

7 **SEC. 270. CONGRESSIONAL REVIEW ACT COMPLIANCE AS-**
8 **SESSMENT.**

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

15 **TITLE IV—TERMINATION OF**
16 **SUSPENSION OF PAYMENTS**
17 **ON FEDERAL STUDENT**
18 **LOANS; RESUMPTION OF AC-**
19 **CRUAL OF INTEREST AND**
20 **COLLECTIONS**

21 **SEC. 271. TERMINATION OF SUSPENSION OF PAYMENTS ON**
22 **FEDERAL STUDENT LOANS; RESUMPTION OF**
23 **ACCRUAL OF INTEREST AND COLLECTIONS.**

24 (a) IN GENERAL.—Sixty days after June 30, 2023,
25 the waivers and modifications described in subsection (c)
26 shall cease to be effective.

1 (b) PROHIBITION.—Except as expressly authorized
2 by an Act of Congress enacted after the date of enactment
3 of this Act, the Secretary of Education may not use any
4 authority to implement an extension of any executive ac-
5 tion or rule specified in subsection (c).

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

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

16 (2) most recently extended in the announce-
17 ment by the Department of Education on November
18 22, 2022.

1 **DIVISION C—GROW THE**
2 **ECONOMY**
3 **TITLE I—TEMPORARY ASSIST-**
4 **ANCE TO NEEDY FAMILIES**

5 **SEC. 301. RECALIBRATION OF THE CASELOAD REDUCTION**
6 **CREDIT.**

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

10 **SEC. 302. PILOT PROJECTS FOR PROMOTING ACCOUNT-**
11 **ABILITY BY MEASURING WORK OUTCOMES.**

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

14 “(e) PILOT PROJECTS FOR PROMOTING ACCOUNT-
15 ABILITY BY MEASURING WORK OUTCOMES.—

16 “(1) IN GENERAL.—The Secretary shall carry
17 out a pilot program under which the Secretary may
18 select up to 5 States to which a grant is made under
19 section 403(a) for a fiscal year to negotiate perform-
20 ance benchmarks for work and family outcomes for
21 recipients of assistance under the State program
22 funded under this part, and programs funded with
23 qualified State expenditures. The Secretary shall
24 issue guidance on how States apply for participation
25 in the pilot. The benchmarks shall include—

1 “(A) the percentage of work-eligible indi-
2 viduals under the State program funded under
3 this part who are in unsubsidized employment
4 during the 2nd quarter after exiting the pro-
5 gram;

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

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

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

15 “(3) FAILURE OF STATE TO MEET BENCH-
16 MARK.—If a State fails to meet a measured bench-
17 mark standard agreed to under paragraph (2) for 2
18 successive fiscal years, the State, in order to con-
19 tinue in the pilot shall enter into a plan with the
20 Secretary to achieve the required level of perform-
21 ance or, if mutually agreed to, adjust the benchmark
22 based on new information about the feasibility of
23 meeting such benchmark.

24 “(4) DURATION.—The pilot under this sub-
25 section shall be in effect for 6 fiscal years, with one

1 year to establish benchmark data and negotiate tar-
2 gets and five years to measure performance against
3 the targets, and shall supersede the requirements
4 under section 407 for such fiscal years, notwith-
5 standing any other provision of law.

6 “(5) APPLICATION OF PENALTY FOR FAILURE
7 TO REDUCE ASSISTANCE FOR RECIPIENTS REFUSING
8 WITHOUT GOOD CAUSE TO WORK.—For purposes of
9 section 409(a)(14), a State operating a pilot must
10 have a system for reducing the amount of assistance
11 payable to a family if an individual refuses, without
12 good cause (including for reasons described in
13 407(e)(2)), to engage in any such activities as the
14 State has required of such an individual. A State
15 without such a system shall be considered to have
16 failed to comply with the requirements of section
17 407(e) for so long as the failure to comply continues.

18 “(6) COLLECTION OF PERFORMANCE DATA.—
19 Each State selected under paragraph (1), in con-
20 sultation with the Secretary, shall collect and submit
21 to the Secretary data on the performance of the
22 State operating such a pilot program.

23 “(7) REPORTS.—

24 “(A) INITIAL REPORT.—Not later than 12
25 months after the date of the enactment of this

1 subsection the Secretary shall submit a report
2 to Congress on the status of the program under
3 this section.

4 “(B) FINAL REPORT.—Not later than 12
5 months after the date on which the programs
6 under this section have terminated, the Sec-
7 retary shall submit a comprehensive report to
8 Congress on outcomes achieved under such pro-
9 grams.”.

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

11 Section 407(b) of the Social Security Act (42 U.S.C.
12 607(b)) is amended by adding at the end the following:

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

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

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

25 “(f) REPORTING PERFORMANCE INDICATORS.—

1 “(1) IN GENERAL.—Each State, in consultation
2 with the Secretary, shall collect and submit to the
3 Secretary the information necessary for each indi-
4 cator described in paragraph (2), for fiscal year
5 2025 and each fiscal year thereafter.

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

9 “(A) The percentage of individuals who
10 were work-eligible individuals as of the time of
11 exit from the program, who are in unsubsidized
12 employment during the second quarter after the
13 exit.

14 “(B) The percentage of individuals who
15 were work-eligible individuals who were in un-
16 subsidized employment in the second quarter
17 after the exit, who are also in unsubsidized em-
18 ployment during the fourth quarter after the
19 exit.

20 “(C) The median earnings of individuals
21 who were work-eligible individuals as of the
22 time of exit from the program, who are in un-
23 subsidized employment during the second quar-
24 ter after the exit.

1 “(D) The percentage of individuals who
2 have not attained 24 years of age, are attending
3 high school or enrolled in an equivalency pro-
4 gram, and are work-eligible individuals or were
5 work-eligible individuals as of the time of exit
6 from the program, who obtain a high school de-
7 gree or its recognized equivalent while receiving
8 assistance under the State program funded
9 under this part or within 1 year after the exit.

10 “(3) DEFINITION OF EXIT.—In paragraph (2),
11 the term ‘exit’ means, with respect to a State pro-
12 gram funded under this part, ceases to receive as-
13 sistance under the program funded by this part.

14 “(4) REGULATIONS.—In order to ensure na-
15 tionwide comparability of data, the Secretary, after
16 consultation with the Secretary of Labor and with
17 States, shall issue regulations governing the report-
18 ing of performance indicators under this sub-
19 section.”.

20 **SEC. 305. EFFECTIVE DATE.**

21 The amendments made by this title shall take effect
22 on October 1, 2024, except for sections 301 and 303 which
23 shall take effect on October 1, 2025.

1 the responsibility of a State on the date of at-
2 taining 18 years of age or such higher age as
3 the State has elected under section
4 475(8)(B)(iii) of the Social Security Act (42
5 U.S.C. 675(8)(B)(iii)).”.

6 (b) APPLICATION.—

7 (1) STATE AGENCY.—A state agency shall apply
8 section 6(o)(3) of the Food and Nutrition Act of
9 2008, as amended by subsection (a), to any applica-
10 tion for initial certification or recertification received
11 starting 90 days after the date of enactment of this
12 Act.

13 (2) SUNSET.—The amendments made by sub-
14 section (a) shall cease to have effect on October 1,
15 2030.

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

17 Section 6(o)(6) of the Food and Nutrition Act of
18 2008 (7 U.S.C. 2015(o)(6)) is amended—

19 (1) in subparagraph (E)—

20 (A) in the heading, by striking “SUBSE-
21 QUENT FISCAL YEARS” and inserting “FISCAL
22 YEARS 2020 THROUGH 2023”;

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

1 (C) by striking “year,” and inserting “year
2 through fiscal year 2023,”;

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

5 (3) by redesignating subparagraphs (F), (G),
6 and (H) as subparagraphs (G), (H), and (I), respec-
7 tively;

8 (4) by inserting after subparagraph (E) the fol-
9 lowing:

10 “(F) SUBSEQUENT FISCAL YEARS.—Sub-
11 ject to subparagraphs (G) through (I), for fiscal
12 years 2024 and each subsequent fiscal year, a
13 State agency may provide a number of exemp-
14 tions such that the average monthly number of
15 exemptions in effect during the fiscal year does
16 not exceed 8 percent of the number of covered
17 individuals in the State, as estimated by the
18 Secretary under subparagraph (C), adjusted by
19 the Secretary to reflect changes in the State’s
20 caseload and the Secretary’s estimate of
21 changes in the proportion of members of house-
22 holds that receive supplemental nutrition assist-
23 ance program benefits covered by waivers
24 granted under paragraph (4)”;

1 (5) in subparagraph (B), by striking “(H)” and
2 inserting “(I)”;

3 (6) in subparagraph (C), by striking “(F) and
4 (H)” and inserting “(G) and (I)”;

5 (7) in subparagraph (D), by striking “(F)
6 through (H)” and inserting “(G) through (I)”;

7 (8) by adding at end the following:

8 “(J) RULE OF CONSTRUCTION FOR EX-
9 EMPTION ADJUSTMENT.—During fiscal year
10 2024 and each subsequent fiscal year, nothing
11 in this paragraph shall be interpreted to allow
12 a State agency to accumulate unused exemp-
13 tions to be provided beyond the subsequent fis-
14 cal year.”.

15 **SEC. 313. SUPPLEMENTAL NUTRITION ASSISTANCE PRO-**
16 **GRAM UNDER THE FOOD AND NUTRITION**
17 **ACT OF 2008.**

18 Section 2 of the Food and Nutrition Act of 2008 (7
19 U.S.C. 2011) is amended by adding at end the following:

20 “That program includes as a purpose to assist low-income
21 adults in obtaining employment and increasing their earn-
22 ings. Such employment and earnings, along with program
23 benefits, will permit low-income households to obtain a
24 more nutritious diet through normal channels of trade by

1 increasing food purchasing power for all eligible house-
2 holds who apply for participation.”.

3 **SEC. 314. WAIVER TRANSPARENCY.**

4 Not later than 30 days after the date of enactment
5 of this Act, the Secretary of Agriculture shall make public
6 all available State waiver requests, including all sup-
7 porting data from the State, and agency approvals of such
8 requests, including relevant documentation on the utiliza-
9 tion of waivers authorized under Section 6(o)(4)(A) of the
10 Food and Nutrition Act of 2008 (7 U.S.C.
11 2015(o)(4)(A)).

12 **TITLE III—PERMITTING REFORM**

13 **SEC. 321. BUILDER ACT.**

14 (a) PARAGRAPH (2) OF SECTION 102.—Section
15 102(2) of the National Environmental Policy Act of 1969
16 (42 U.S.C. 4332(2)) is amended—

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

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

21 (3) in subparagraph (C)—

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

1 (B) by striking clauses (i) through (v) and
2 inserting the following:

3 “(i) reasonably foreseeable environ-
4 mental effects of the proposed agency ac-
5 tion;

6 “(ii) any reasonably foreseeable ad-
7 verse environmental effects which cannot
8 be avoided should the proposal be imple-
9 mented;

10 “(iii) a reasonable range of alter-
11 natives to the proposed agency action, in-
12 cluding an analysis of any negative envi-
13 ronmental impacts of not implementing the
14 proposed agency action in the case of a no
15 action alternative, that are technically and
16 economically feasible, and meet the pur-
17 pose and need of the proposal;

18 “(iv) the relationship between local
19 short-term uses of man’s environment and
20 the maintenance and enhancement of long-
21 term productivity; and

22 “(v) any irreversible and irretrievable
23 commitments of Federal resources which
24 would be involved in the proposed agency
25 action should it be implemented.”; and

1 (C) by striking “the responsible Federal
2 official” and inserting “the head of the lead
3 agency”;

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

6 (5) by redesignating subparagraphs (D)
7 through (I) as subparagraphs (G) through (L), re-
8 spectively;

9 (6) by inserting after subparagraph (C) the fol-
10 lowing:

11 “(D) ensure the professional integrity, in-
12 cluding scientific integrity, of the discussion
13 and analysis in an environmental document;

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

16 “(F) consistent with the provisions of this
17 Act, study, develop, and describe technically
18 and economically feasible alternatives;” and

19 (7) in subparagraph (I), as amended, by insert-
20 ing “consistent with the provisions of this Act,” be-
21 fore “recognize”.

22 (b) NEW SECTIONS.—Title I of the National Envi-
23 ronmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)
24 is amended by adding at the end the following:

1 **“SEC. 106. PROCEDURE FOR DETERMINATION OF LEVEL OF**
2 **REVIEW.**

3 “(a) **THRESHOLD DETERMINATIONS.**—An agency is
4 not required to prepare an environmental document with
5 respect to a proposed agency action if—

6 “(1) the proposed agency action is not a final
7 agency action within the meaning of such term in
8 chapter 5 of title 5, United States Code;

9 “(2) the proposed agency action is excluded
10 pursuant to one of the agency’s categorical exclu-
11 sions, another agency’s categorical exclusions con-
12 sistent with section 109 of this Act, or another pro-
13 vision of law;

14 “(3) the preparation of such document would
15 clearly and fundamentally conflict with the require-
16 ments of another provision of law; or

17 “(4) the proposed agency action is a nondis-
18 cretionary action with respect to which such agency
19 does not have authority to take environmental fac-
20 tors into consideration in determining whether to
21 take the proposed action.

22 “(b) **LEVELS OF REVIEW.**—

23 “(1) **ENVIRONMENTAL IMPACT STATEMENT.**—
24 An agency shall issue an environmental impact
25 statement with respect to a proposed agency action
26 requiring an environmental document that has a rea-

1 sonably foreseeable significant effect on the quality
2 of the human environment.

3 “(2) ENVIRONMENTAL ASSESSMENT.—An agen-
4 cy shall prepare an environmental assessment with
5 respect to a proposed agency action that does not
6 have a reasonably foreseeable significant effect on
7 the quality of the human environment, or if the sig-
8 nificance of such effect is unknown, unless the agen-
9 cy finds that the proposed agency action is excluded
10 pursuant to one of the agency’s categorical exclu-
11 sions, another agency’s categorical exclusions con-
12 sistent with section 109 of this Act, or another pro-
13 vision of law. Such environmental assessment shall
14 be a concise public document prepared by a Federal
15 agency to set forth the basis of such agency’s find-
16 ing of no significant impact or determination that an
17 environmental impact statement is necessary.

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

20 “(A) may make use of any reliable data
21 source; and

22 “(B) is not required to undertake new sci-
23 entific or technical research unless the new sci-
24 entific or technical research is essential to a
25 reasoned choice among alternatives, and the

1 overall costs and time frame of obtaining it are
2 not unreasonable.

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

4 “(a) LEAD AGENCY.—

5 “(1) DESIGNATION.—

6 “(A) IN GENERAL.—If there are two or
7 more participating Federal agencies, such agen-
8 cies shall determine, by letter or memorandum,
9 which agency shall be the lead agency based on
10 consideration of the—

11 “(i) magnitude of agency’s involve-
12 ment;

13 “(ii) project approval or disapproval
14 authority;

15 “(iii) expertise concerning the action’s
16 environmental effects;

17 “(iv) duration of agency’s involve-
18 ment; and

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

20 “(B) JOINT LEAD AGENCIES.—In making
21 a determination under subparagraph (A), the
22 participating Federal agencies may appoint
23 such State, Tribal, or local agencies as joint
24 lead agencies as the involved Federal agencies
25 shall determine appropriate. Joint lead agencies

1 shall jointly fulfill the role described in para-
2 graph (2).

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

5 “(A) supervise the preparation of an envi-
6 ronmental document if, with respect to such
7 proposed agency action, there is more than one
8 participating Federal agency;

9 “(B) request the participation of each co-
10 operating agency at the earliest practicable
11 time;

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

15 “(D) develop a schedule, in consultation
16 with each cooperating agency, the applicant,
17 and such other entities as the lead agency de-
18 termines appropriate, for completion of any en-
19 vironmental review, permit, or authorization re-
20 quired to carry out the proposed agency action;

21 “(E) if the lead agency determines that a
22 review, permit, or authorization will not be com-
23 pleted in accordance with the schedule devel-
24 oped under subparagraph (D), notify the agen-
25 cy responsible for issuing such review, permit,

1 or authorization of the discrepancy and request
2 that such agency take such measures as such
3 agency determines appropriate to comply with
4 such schedule; and

5 “(F) meet with a cooperating agency that
6 requests such a meeting.

7 “(3) COOPERATING AGENCY.—The lead agency
8 may, with respect to a proposed agency action, des-
9 ignate any Federal, State, Tribal, or local agency
10 that has jurisdiction by law or special expertise with
11 respect to any environmental impact involved in a
12 proposal to serve as a cooperating agency. A cooper-
13 ating agency may, not later than a date specified in
14 the schedule established by the lead agency, submit
15 comments to the lead agency.

16 “(4) REQUEST FOR DESIGNATION.—Any Fed-
17 eral, State, Tribal, or local agency or person that is
18 substantially affected by the lack of a designation of
19 a lead agency with respect to a proposed agency ac-
20 tion under paragraph (1) may submit a written re-
21 quest for such a designation to a participating Fed-
22 eral agency. An agency that receives a request under
23 this paragraph shall transmit such request to each
24 participating Federal agency and to the Council.

25 “(5) COUNCIL DESIGNATION.—

1 “(A) REQUEST.—If the participating Fed-
2 eral agencies are unable to agree on the des-
3 ignation of a lead agency within 45 days of the
4 request under paragraph (4), then the Federal,
5 State, Tribal or local agency or person that is
6 substantially affected by the lack or a designa-
7 tion of a lead agency may request that the
8 Council designate a lead agency. Such request
9 shall consist of—

10 “(i) a precise description of the nature
11 and extent of the proposed agency action;
12 and

13 “(ii) a detailed statement with respect
14 to each participating Federal agency and
15 each factor listed in paragraph (1) regard-
16 ing which agency should serve as lead
17 agency.

18 “(B) TRANSMISSION.—The Council shall
19 transmit a request received under subparagraph
20 (A) to each participating Federal agency.

21 “(C) RESPONSE.—A participating Federal
22 agency may, not later than 20 days after the
23 date of the submission of a request under sub-
24 paragraph (A), submit to the Council a re-
25 sponse to such request.

1 “(D) DESIGNATION.—Not later than 40
2 days after the date of the submission of a re-
3 quest under subparagraph (A), the Council
4 shall designate the lead agency with respect to
5 the relevant proposed agency action.

6 “(b) ONE DOCUMENT.—To the extent practicable, if
7 a proposed agency action will require action by more than
8 one Federal agency and the lead agency has determined
9 that it requires preparation of an environmental docu-
10 ment, the lead and cooperating agencies shall evaluate the
11 proposal in a single environmental document.

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

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

22 “(e) PAGE LIMITS.—

23 “(1) ENVIRONMENTAL IMPACT STATEMENTS.—

24 “(A) IN GENERAL.—Except as provided in
25 subparagraph (B), an environmental impact

1 statement shall not exceed 150 pages, not in-
2 cluding any citations or appendices.

3 “(B) EXTRAORDINARY COMPLEXITY.—An
4 environmental impact statement for a proposed
5 agency action of extraordinary complexity shall
6 not exceed 300 pages, not including any cita-
7 tions or appendices.

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

11 “(f) SPONSOR PREPARATION.—A lead agency shall
12 prescribe procedures to allow a project sponsor to prepare
13 an environmental assessment or an environmental impact
14 statement under the supervision of the agency. Such agen-
15 cy may provide such sponsor with appropriate guidance
16 and assist in the preparation. The lead agency shall inde-
17 pendently evaluate the environmental document and shall
18 take responsibility for the contents.

19 “(g) DEADLINES.—

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

23 “(A) the environmental impact statement
24 not later than the date that is 2 years after the
25 sooner of, as applicable—

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

5 “(ii) the date on which such agency
6 notifies the applicant that the application
7 to establish a right-of-way for such action
8 is complete; and

9 “(iii) the date on which such agency
10 issues a notice of intent to prepare the en-
11 vironmental impact statement for such ac-
12 tion; and

13 “(B) the environmental assessment not
14 later than the date that is 1 year after the
15 sooner of, as applicable—

16 “(i) the date on which such agency
17 determines that section 106(b)(2) requires
18 the preparation of an environmental as-
19 sessment 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

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

4 “(2) DELAY.—A lead agency that determines it
5 is not able to meet the deadline described in para-
6 graph (1) may extend such deadline, in consultation
7 with the applicant, to establish a new deadline that
8 provides only so much additional time as is nec-
9 essary to complete such environmental impact state-
10 ment or environmental assessment.

11 “(3) PETITION TO COURT.—

12 “(A) RIGHT TO PETITION.—A project
13 sponsor may obtain a review of an alleged fail-
14 ure by an agency to act in accordance with an
15 applicable deadline under this section by filing
16 a written petition with a court of competent ju-
17 risdiction seeking an order under subparagraph
18 (B).

19 “(B) COURT ORDER.—If a court of com-
20 petent jurisdiction finds that an agency has
21 failed to act in accordance with an applicable
22 deadline, the court shall set a schedule and
23 deadline for the agency to act as soon as prac-
24 ticable, which shall not exceed 90 days from the
25 date on which the order of the court is issued,

1 unless the court determines a longer time pe-
2 riod is necessary to comply with applicable law.

3 “(h) REPORT.—

4 “(1) IN GENERAL.—The head of each lead
5 agency shall annually submit to the Committee on
6 Natural Resources of the House of Representatives
7 and the Committee on Environment and Public
8 Works of the Senate a report that—

9 “(A) identifies any environmental assess-
10 ment and environmental impact statement that
11 such lead agency did not complete by the dead-
12 line described in subsection (g); and

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

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

17 “(A) the office, bureau, division, unit, or
18 other entity within the Federal agency respon-
19 sible for each such environmental assessment
20 and environmental impact statement;

21 “(B) the date on which—

22 “(i) such lead agency notified the ap-
23 plicant that the application to establish a
24 right-of-way for the major Federal action
25 is complete;

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

3 “(iii) such lead agency issued a notice
4 of intent to prepare the environmental as-
5 sessment or environmental impact state-
6 ment for the major Federal action; and

7 “(C) when such environmental assessment
8 and environmental impact statement is expected
9 to be complete.

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

11 “When an agency prepares a programmatic environ-
12 mental document for which judicial review was available,
13 the agency may rely on the analysis included in the pro-
14 grammatic environmental document in a subsequent envi-
15 ronmental document for related actions as follows:

16 “(1) Within 5 years and without additional re-
17 view of the analysis in the programmatic environ-
18 mental document, unless there are substantial new
19 circumstances or information about the significance
20 of adverse effects that bear on the analysis.

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

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

2 “An agency may adopt a categorical exclusion listed
3 in another agency’s NEPA procedures for a category of
4 proposed agency actions for which the categorical exclu-
5 sion was established consistent with this paragraph. The
6 agency shall—

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

10 “(2) consult with the agency that established
11 the categorical exclusion to ensure that the proposed
12 adoption of the categorical exclusion to a category of
13 actions is appropriate;

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

17 “(4) document adoption of the categorical ex-
18 clusion.

19 **“SEC. 110. E-NEPA.**

20 “(a) PERMITTING PORTAL STUDY.—The Council on
21 Environmental Quality shall conduct a study and submit
22 a report to Congress within 1 year of the enactment of
23 this Act on the potential for online and digital technologies
24 to address delays in reviews and improve public accessi-
25 bility and transparency under section 102(2)(C) of the
26 National Environmental Policy Act of 1969 (42 U.S.C.

1 4332(2)(C)) including, but not limited to, a unified per-
2 mitting portal that would—

3 “(1) allow applicants to—

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

6 “(B) upload and collaborate with the appli-
7 cable agencies to edit documents in real-time,
8 as required;

9 “(C) upload and display visual features
10 such as video, animation, geographic informa-
11 tion system displays, and three-dimensional
12 renderings; and

13 “(D) track the progress of individual appli-
14 cations;

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

18 “(A) centralizing, across all necessary
19 agencies, the data, visuals, and documents, in-
20 cluding but not limited to geographic informa-
21 tion system displays, other visual renderings,
22 and completed reports and analyses necessary
23 for reviews;

24 “(B) streamlining communications between
25 all necessary agencies and the applicant;

1 “(C) allowing for comments and responses
2 by and to all necessary agencies in one unified
3 portal;

4 “(D) generating analytical reports to aid in
5 organizing and cataloguing public comments;
6 and

7 “(E) be accessible on mobile devices;

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

11 “(A) scientific data and analysis; and

12 “(B) anticipated agency process and
13 timeline; and

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

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

21 **“SEC. 111. DEFINITIONS.**

22 “In this title:

23 “(1) CATEGORICAL EXCLUSION.—The term
24 ‘categorical exclusion’ means a category of actions
25 that a Federal agency has determined normally does

1 not significantly affect the quality of the human en-
2 vironment within the meaning of section 102(2)(C).

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

7 “(3) COUNCIL.—The term ‘Council’ means the
8 Council on Environmental Quality established in
9 title II.

10 “(4) ENVIRONMENTAL ASSESSMENT.—The
11 term ‘environmental assessment’ means an environ-
12 mental assessment prepared under section
13 106(b)(2).

14 “(5) ENVIRONMENTAL DOCUMENT.—The term
15 ‘environmental document’ means an environmental
16 impact statement, an environmental assessment, or
17 a finding of no significant impact.

18 “(6) ENVIRONMENTAL IMPACT STATEMENT.—
19 The term ‘environmental impact statement’ means a
20 detailed written statement that is required by section
21 102(2)(C).

22 “(7) FINDING OF NO SIGNIFICANT IMPACT.—
23 The term ‘finding of no significant impact’ means a
24 determination by a Federal agency that a proposed

1 agency action does not require the issuance of an en-
2 vironmental impact statement.

3 “(8) PARTICIPATING FEDERAL AGENCY.—The
4 term ‘participating Federal agency’ means a Federal
5 agency participating in an environmental review or
6 authorization of an action.

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

9 “(A) the agency that proposed such action;
10 or

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

14 “(10) MAJOR FEDERAL ACTION.—

15 “(A) IN GENERAL.—The term ‘major Fed-
16 eral action’ means an action that the agency
17 carrying out such action determines is subject
18 to substantial Federal control and responsi-
19 bility.

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

22 “(i) a non-Federal action—

23 “(I) with no or minimal Federal
24 funding; or

1 “(II) with no or minimal Federal
2 involvement where a Federal agency
3 cannot control the outcome of the
4 project;

5 “(ii) funding assistance solely in the
6 form of general revenue sharing funds
7 which do not provide Federal agency com-
8 pliance or enforcement responsibility over
9 the subsequent use of such funds;

10 “(iii) loans, loan guarantees, or other
11 forms of financial assistance where a Fed-
12 eral agency does not exercise sufficient
13 control and responsibility over the subse-
14 quent use of such financial assistance or
15 the effect of the action;

16 “(iv) business loan guarantees pro-
17 vided by the Small Business Administra-
18 tion pursuant to section 7(a) or (b) and of
19 the Small Business Act (U.S.C. 636(a)),
20 or title V of the Small Business Invest-
21 ment Act of 1958 (15 U.S.C. 695 et seq.);

22 “(v) bringing judicial or administra-
23 tive civil or criminal enforcement actions;

24 “(vi) extraterritorial activities or deci-
25 sions, which means agency activities or de-

1 cisions with effects located entirely outside
2 of the jurisdiction of the United States; or
3 “(vii) activities or decisions that are
4 non-discretionary and made in accordance
5 with the agency’s statutory authority.

6 “(11) PROGRAMMATIC ENVIRONMENTAL DOCU-
7 MENT.—The term ‘programmatic environmental docu-
8 ment’ means an environmental impact statement or
9 environmental assessment analyzing all or some of
10 the environmental effects of a policy, program, plan,
11 or group of related actions.

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

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

20 **SEC. 322. INTERREGIONAL TRANSFER CAPABILITY DETER-**
21 **MINATION STUDY.**

22 (a) IN GENERAL.—The Electric Reliability Organiza-
23 tion (as that term is defined in section 215(a)(2) of the
24 Federal Power Act), in consultation with each regional en-
25 tity (as that term is defined in section 215(a)(7) of such

1 Act) and each transmitting utility (as that term is defined
2 in section 3(23) of such Act) that has facilities inter-
3 connected with a transmitting utility in a neighboring
4 transmission planning region, shall conduct a study of
5 total transfer capability as defined in section
6 37.6(b)(1)(vi) of title 18, Code of Federal Regulations, be-
7 tween transmission planning regions that contains the fol-
8 lowing:

9 (1) Current total transfer capability, between
10 each pair of neighboring transmission planning re-
11 gions.

12 (2) A recommendation of prudent additions to
13 total transfer capability between each pair of neigh-
14 boring transmission planning regions that would de-
15 monstrably strengthen reliability within and among
16 such neighboring transmission planning regions.

17 (3) Recommendations to meet and maintain
18 total transfer capability together with such rec-
19 ommended prudent additions to total transfer capa-
20 bility between each pair of neighboring transmission
21 planning regions.

22 (b) PUBLICATION.—Not later than 18 months after
23 the date of enactment of this Act, the North American
24 Electric Reliability Corporation shall deliver a study to
25 Federal Energy Regulatory Commission, which shall pub-

1 lish the study required in subsection (a) in the Federal
2 Register and seek public comments.

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

8 **SEC. 323. PERMITTING STREAMLINING FOR ENERGY STOR-**
9 **AGE.**

10 Section 41001(6)(A) of the FAST Act (42 U.S.C.
11 4370m(6)(A)) is amended by inserting “energy storage,”
12 before “or any other sector”.

13 **SEC. 324. EXPEDITING COMPLETION OF THE MOUNTAIN**
14 **VALLEY PIPELINE.**

15 (a) DEFINITION OF MOUNTAIN VALLEY PIPELINE.—
16 In this section, the term “Mountain Valley Pipeline”
17 means the Mountain Valley Pipeline project, as generally
18 described and approved in Federal Energy Regulatory
19 Commission Docket Nos. CP16–10, CP19–477, and
20 CP21–57.

21 (b) CONGRESSIONAL FINDINGS AND DECLARA-
22 TION.—The Congress hereby finds and declares that the
23 timely completion of construction and operation of the
24 Mountain Valley Pipeline is required in the national inter-
25 est. The Mountain Valley Pipeline will serve demonstrated

1 natural gas demand in the Northeast, Mid-Atlantic, and
2 Southeast regions, will increase the reliability of natural
3 gas supplies and the availability of natural gas at reason-
4 able prices, will allow natural gas producers to access addi-
5 tional markets for their product, and will reduce carbon
6 emissions and facilitate the energy transition.

7 (c) APPROVAL AND RATIFICATION AND MAINTENANCE OF EXISTING AUTHORIZATIONS.—Notwith-
8 standing any other provision of law—

10 (1) Congress hereby ratifies and approves all
11 authorizations, permits, verifications, extensions, bio-
12 logical opinions, incidental take statements, and any
13 other approvals or orders issued pursuant to Federal
14 law necessary for the construction and initial oper-
15 ation at full capacity of the Mountain Valley Pipe-
16 line; and

17 (2) Congress hereby directs the Secretary of the
18 Army, the Federal Energy Regulatory Commission,
19 the Secretary of Agriculture, and the Secretary of
20 the Interior, and other agencies as applicable, as the
21 case may be, to continue to maintain such authoriza-
22 tions, permits, verifications, extensions, biological
23 opinions, incidental take statements, and any other
24 approvals or orders issued pursuant to Federal law

1 necessary for the construction and initial operation
2 at full capacity of the Mountain Valley Pipeline.

3 (d) EXPEDITED APPROVAL.—Notwithstanding any
4 other provision of law, not later than 21 days after the
5 date of enactment of this Act and for the purpose of facili-
6 tating the completion of the Mountain Valley Pipeline, the
7 Secretary of the Army shall issue all permits or
8 verifications necessary—

9 (1) to complete the construction of the Moun-
10 tain Valley Pipeline across the waters of the United
11 States; and

12 (2) to allow for the operation and maintenance
13 of the Mountain Valley Pipeline.

14 (e) JUDICIAL REVIEW.—

15 (1) Notwithstanding any other provision of law,
16 no court shall have jurisdiction to review any action
17 taken by the Secretary of the Army, the Federal En-
18 ergy Regulatory Commission, the Secretary of Agri-
19 culture, the Secretary of the Interior, or a State ad-
20 ministrative agency acting pursuant to Federal law
21 that grants an authorization, permit, verification, bi-
22 ological opinion, incidental take statement, or any
23 other approval necessary for the construction and
24 initial operation at full capacity of the Mountain
25 Valley Pipeline, including the issuance of any au-

1 ning on the date of the enactment of this Act and ending
2 on January 1, 2025.

3 (b) SPECIAL RULE RELATING TO OBLIGATIONS
4 ISSUED DURING EXTENSION PERIOD.—Effective on Jan-
5 uary 2, 2025, the limitation in effect under section
6 3101(b) of title 31, United States Code, shall be increased
7 to the extent that—

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

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

16 (c) RESTORING CONGRESSIONAL AUTHORITY OVER
17 THE NATIONAL DEBT.—

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

24 (2) PROHIBITION ON CREATION OF CASH RE-
25 SERVE DURING EXTENSION PERIOD.—The Secretary

1 of the Treasury shall not issue obligations during
2 the period specified in subsection (a) for the purpose
3 of increasing the cash balance above normal oper-
4 ating balances in anticipation of the expiration of
5 such period.

Passed the House of Representatives May 31, 2023.

Attest:

Clerk.

118TH CONGRESS
1ST SESSION

H. R. 3746

AN ACT

To provide for a responsible increase to the debt ceiling.