

FY 2024 Continuing Resolution (CR) Appropriations Issues

General

Multiple Subcommittees, Appropriated Entitlements and Other Mandatory Payments.....	6
Multiple Subcommittees, Continuing Rescissions of Discretionary Prior-Year Funds.....	6
Multiple Subcommittees, Intelligence Programs, State and International Assistance Waivers.....	7

Agriculture, Rural Development, Food and Drug Administration, and Related Agencies

Department of Agriculture, Commodity Supplemental Food Program.....	7
Department of Agriculture, Farm Loan Obligational Authority.....	8
Department of Agriculture, Livestock Mandatory Reporting.....	8
Department of Agriculture, Rural Housing Service - Rental Assistance.....	8
Department of Agriculture, Special Supplemental Nutrition Program for Women, Infants, and Children.....	9
Department of Agriculture, Summer Electronic Benefit Transfer New Start Authority.....	9

Commerce, Justice, Science, and Related Agencies

Department of Commerce, Economic Development Administration - American Rescue Plan Grants.....	9
Department of Commerce, National Telecommunications and Information Administration - Broadband Programs.....	10
Department of Justice, Working Capital Fund Rescission.....	10
National Aeronautics and Space Administration, Space Operations Extended Disbursement.....	11

Defense

Department of Defense, Afghanistan Security Forces Fund.....	11
Department of Defense, Columbia Class Submarine.....	11
Department of Defense, Operation Allies Welcome Overseas Humanitarian, Disaster, and Civic Aid Transfer Authority.....	12
Department of Defense, Protection and Personal Security Extension.....	13

Energy and Water Development and Related Agencies

Department of Energy, National Nuclear Security Administration 301(d) Relief.....	13
---	----

Financial Services and General Government

Executive Office of the President, Office of Pandemic Preparedness and Response Policy.....	14
Office of Personnel Management, Implementation of the Postal Service Health Benefits Program..	14
Small Business Administration, Business Loan Programs.....	15
District of Columbia, D.C. Local Funds.....	15

Homeland Security

Department of Homeland Security, Transportation Security Administration Pay.....	15
Department of Homeland Security, Disaster Relief Fund (DRF) Spend Faster.....	16

Interior, Environment, and Related Agencies

Multiple Agencies, Extension of Waiver Authority.....	16
Department of Agriculture, Forest Service Wildland Fire Management - Suppression Operations....	16

Labor, Health and Human Services, Education, and Related Agencies

Department of Education, Student Aid Administration.....	16
Department of Health and Human Services, Administration for Strategic Preparedness and Response Account Restructuring.....	17
Department of Health and Human Services, Centers for Medicare and Medicaid Services Program Management.....	17
Department of Health and Human Services, Office of Refugee Resettlement.....	17
Social Security Administration, Limitation on Administrative Expenses.....	18

Military Construction, Veterans Affairs and Related Agencies

Department of Defense, Deferred FY 2019 Military Construction Projects.....	19
---	----

State, Foreign Operations, and Related Programs

Department of State and USAID, Compact of Free Association.....	19
Department of State and USAID, Personal Service Contractor Authority Extension.....	21
Millennium Challenge Corporation, Extension for Continuation of Private Sector Board Member...21	
Millennium Challenge Corporation, Spend Faster Authority to Not Delay Compact Signings.....	21

Transportation, Housing and Urban Development, and Related Agencies

Department of Housing and Urban Development, Government National Mortgage Association Salaries and Expenses.....	22
Department of Transportation, Essential Air Service.....	22
Department of Transportation, Federal Aviation Administration Facilities and Equipment.....	22
Department of Transportation, Federal Aviation Administration Operations.....	22
Department of Transportation, National Highway Traffic Safety Administration Sec 142.....	23

Technical Assumptions for the FY 2024 CR

Drafted language cites sections 101, 102, 104, and 106 and assumes that section 101 refers to the "authority and conditions" section, that section 102 refers to the Department of Defense restrictions, that section 104 refers to new start restrictions, and that section 106 refers to the expiration date of the continuing resolution (CR). These anomalies are needed for a CR through mid-December 2023, unless otherwise noted. Section 101 is assumed to include the following:

- Divisions A through L of the Consolidated Appropriations Act, 2023 (Public Law 117-328):
 - including the funding designated by the Congress as being for program integrity, disaster relief, and wildfire suppression pursuant to the concurrent resolution on the budget, and such amounts shall be designated pursuant to section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (BBEDCA); and
 - excluding any funding, repurposing authority, rescissions, or transfers that were designated by the Congress as being an emergency requirement pursuant to the concurrent resolution on the budget.

- The following amounts from division M of the Consolidated Appropriations Act, 2023 (Public Law 117-328):
 - Amounts provided in title I under the heading "Food for Peace Title II Grants", and such amounts shall be designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of BBEDCA;
 - Amounts provided in title I under the heading "McGovern-Dole International Food for Education and Child Nutrition Program Grants", and such amounts shall be designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of BBEDCA;
 - Amounts provided in title III under the heading "Nuclear Energy", and such amounts shall be designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of BBEDCA;
 - Amounts provided in title VII under the heading "Diplomatic Programs", excluding the amount following "not less than", and such amounts shall be designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of BBEDCA;
 - Amounts provided in title VII under the heading "International Disaster Assistance", excluding the amount following "not less than", and such amounts shall be designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of BBEDCA;
 - Amounts provided in title VII under the heading "Assistance for Europe, Eurasia and Central Asia", and such amounts shall be designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of BBEDCA;
 - Amounts provided in title VII under the heading "Migration and Refugee Assistance", excluding the amount following "not less than", and such amounts shall be designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of BBEDCA; and

- Amounts provided in title VII under the heading "International Narcotics Control and Law Enforcement", excluding the amount following "not less than", and such amounts shall be designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of BBEDCA.
- The following amounts from division N of the Consolidated Appropriations Act, 2023 (Public Law 117-328):
 - Amounts provided in title I under the heading "Buildings and Facilities", and such amounts shall be designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of BBEDCA;
 - Amounts provided in title I under the heading "Food Safety and Inspection Service", and such amounts shall be designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of BBEDCA;
 - Amounts provided in title I under the heading "Rural Community Facilities Program Account", excluding the amount specified in the first proviso, and such amounts shall be designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of BBEDCA;
 - Amounts provided in title I under the heading "Rural Water and Waste Disposal Program Account", excluding the amount specified in the first proviso, and such amounts shall be designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of BBEDCA;
 - Amounts provided in section 2102, and such amounts shall be designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of BBEDCA;
 - Amounts provided in title II in the second paragraph under the heading "Operations, Research, and Facilities", excluding the amount following "of which", and such amounts shall be designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of BBEDCA;
 - Amounts provided in title II in the second paragraph under the heading "Procurement, Acquisition, and Research", and such amounts shall be designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of BBEDCA;
 - Amounts provided in title II under the heading "Buildings and Facilities", and such amounts shall be designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of BBEDCA;
 - Amounts provided in title II in the second paragraph under the heading "Construction and Environmental Compliance and Restoration", and such amounts shall be designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of BBEDCA;
 - Amounts provided in title II in the second paragraph under the heading "Research and Related Activities", excluding the amount following "of which", and such amounts shall be designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of BBEDCA;
 - Amounts provided in title II under the heading "STEM Education", excluding the amount following "of which", and such amounts shall be designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of BBEDCA;
 - Amounts provided in title IV in the second paragraph under the heading "Construction", and such amounts shall be designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of BBEDCA;

- Amounts provided in title IV in the second paragraph under the heading "Operation and Maintenance", and such amounts shall be designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of BBEDCA;
- Amounts provided in section 2602, and such amounts shall be designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of BBEDCA;
- Amounts provided in title VII in the second paragraph under the heading "Department-Wide Programs—Wildland Fire Management", and such amounts shall be designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of BBEDCA;
- Amounts provided in title VII in the second paragraph under the heading "Forest Service—Wildland Fire Management", and such amounts shall be designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of BBEDCA;
- Amounts provided in title VIII in the second paragraph under the heading "Low Income Home Energy Assistance", and such amounts shall be designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of BBEDCA;
- Amounts provided in title X under the heading "Tenant-Based Rental Assistance", and such amounts shall be designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of BBEDCA; and
- Amounts provided in title X under the heading "Project-Based Rental Assistance", and such amounts shall be designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of BBEDCA.

General

Appropriated Entitlements and Other Mandatory Payments

Sec. ____ . (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2023, and for activities under the Food and Nutrition Act of 2008, activities shall be continued at the rate to maintain program levels under current law, under the authority and conditions provided in the applicable appropriations Act for fiscal year 2023, to be continued through the date specified in section 106(3).

(b) Notwithstanding section 106, obligations for mandatory payments due on or about the first day of any month that begins after October 2023 but not later than 30 days after the date specified in section 106(3) may continue to be made, and funds shall be available for such payments.

Language is needed to ensure that funding for appropriated entitlements and other mandatory payments will continue at the rate to maintain program levels under current law and to ensure benefit payments are issued in a timely manner. Appropriated entitlements include, but are not limited to: Grants to States for Medicaid; Payments to States for Child Support Enforcement and Family Support Programs; Social Services Block Grant; Payments for Foster Care, Prevention, and Permanency; Payments to Health Care Trust Funds; Supplemental Nutrition Assistance Program; Child Nutrition Programs; and the Supplemental Security Income Program.

Continuing Rescissions of Discretionary Prior-Year Funds

Sec. ____ . (a) Rescissions or cancellations of discretionary budget authority that continue pursuant to section 101 in Treasury Appropriations Fund Symbols (TAFS)—

(1) to which other appropriations are not provided by this Act, but for which there is a current applicable TAFS that does receive an appropriation in this Act; or

(2) which are no-year TAFS and receive other appropriations in this Act,

may be continued instead by reducing the rate for operations otherwise provided by section 101 for such current applicable TAFS, as long as doing so does not impinge on the final funding prerogatives of the Congress.

(b) Rescissions or cancellations described in subsection (a) shall continue in an amount equal to the lesser of—

(1) the amount specified for rescission or cancellation in the applicable appropriations Act referenced in section 101 of this Act; or

(2) the amount of balances available, as of October 1, 2023, from the funds specified for rescission or cancellation in the applicable appropriations Act referenced in section 101 of this Act.

(c) No later than November 22, 2023, the Director of the Office of Management and Budget shall provide to the Committees on Appropriations of the House of Representatives and the Senate a comprehensive list of the rescissions or cancellations that will continue pursuant to section 101: *Provided*, That the information in such comprehensive list shall be periodically updated to reflect any subsequent changes in the amount of balances available, as of October 1, 2023, from the funds specified for rescission or cancellation in the applicable appropriations Act referenced in section 101, and such updates shall be transmitted to the Committees on Appropriations of the House of Representatives and the Senate upon request.

Language is needed to allow continuing discretionary rescissions from prior-year funds in accounts with a rate for operations in the CR to be effectuated as a reduction in that rate for operations, rather than as a preclusion of carryover balances. Allowing agencies to reduce their rate for operations provides an affected account with the same annualized funding level as is otherwise provided by section 101. The language provides a reporting date on the comprehensive lists of rescissions that will allow final data to be reported.

Intelligence Programs, State and International Assistance Waivers

Sec. ____ . Funds appropriated by this Act may be obligated and expended notwithstanding section 10 of Public Law 91-672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 3094(a)(1)).

Language is needed to authorize specific intelligence activities for the various Intelligence Program components before funds can be obligated or expended, as required by section 504 of the National Security Act of 1947. The Intelligence Program includes the Office of the Director of National Intelligence, the Central Intelligence Agency, and elements of the Departments of Defense, Energy, Homeland Security, Justice, State, and the Treasury. Intelligence activities will not continue in the absence of this authority. In addition, in the absence of an authorization bill, the Department of State, U.S. Agency for International Development, United States Agency for Global Media, and other agencies that operate under the authority of the State Department Basic Authorities Act and Foreign Relations Authorization Act also need waiver language that enables them to expend funds.

Agriculture, Rural Development, Food and Drug Administration, and Related Agencies

Commodity Supplemental Food Program

Sec. ____ . Notwithstanding section 101, amounts are provided for "Domestic Food Programs—Food and Nutrition Service—Commodity Assistance Program" at a rate for operations of \$501,070,000, of which \$390,000,000 shall be for the Commodity Supplemental Food Program.

Language is needed to provide a rate for operations of \$501 million for the Department of Agriculture (USDA), Domestic Food Programs, Food and Nutrition Service, Commodity Assistance Program account to maintain the current program caseload. Of the amount re-

quested, \$390 million would be used for the Commodity Supplemental Food Program. This anomaly would allow USDA to continue serving the 760,000 low-income seniors currently participating in the program. Without the anomaly, 20,000 participants would have to be removed from the program.

Farm Loan Obligational Authority

Sec. ____ . Section 346(b)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1994(b)(2)) is amended—

(1) in subparagraph (A)(i)(II) by inserting "to the extent practicable" after "April 1 of the fiscal year";

(2) in subparagraph (A)(iii) by inserting "to the extent practicable" after "September 1 of the fiscal year"; and

(3) in subparagraph (B)(iii) by inserting "to the extent practicable" after "April 1 of the fiscal year".

Language is needed to provide the Department of Agriculture (USDA) with additional flexibility to meet the demand for direct and guaranteed farm ownership loans without artificially increasing the total loan levels available under the CR. Current law requires USDA to reserve 75 percent of direct and 40 percent of guaranteed farm ownership loans for socially disadvantaged (SDA) farmers, although the majority of the demand for these programs is from non-SDA farmers. After setting aside the required portions of the total loan level available during the CR, there is not sufficient authority remaining to fund the demand from non-SDA farmers. The anomaly would provide USDA with the authority to meet loan demand from non-SDA farmers without delays and without artificially contorting the loan level, while still providing loans to SDA farmers to the extent there is demand. Without this anomaly, USDA would continue taking administrative steps to artificially increase the total loan level during the period the CR, delaying loans to non-SDA farmers and risking future participation by guaranteed lenders.

Livestock Mandatory Reporting

Sec. ____ . Section 260 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1636i) and section 942 of the Livestock Mandatory Reporting Act of 1999 (7 U.S.C. 1635 note; Public Law 106–78) shall be applied by substituting the date specified in section 106(3) of this Act for "September 30, 2023".

Language is needed to extend authorities for the Livestock Mandatory Reporting program, which expires on September 30, 2023. Without this anomaly, livestock market participants would no longer be required to report price and supply information, which facilitates market competition through open and transparent price discovery.

Rural Housing Service - Rental Assistance

Sec. ____ . Amounts made available by section 101 to the Department of Agriculture for "Rural Housing Service—Rental Assistance Program" may be apportioned up to the

rate for operations necessary to maintain activities as authorized by section 521(a)(2) of the Housing Act of 1949.

Language is needed to authorize the Department of Agriculture's (USDA) Rental Assistance Program to obligate funding under the CR formula at a rate for operations necessary to pay monthly rental assistance renewal contracts on USDA-financed properties. Without this anomaly, the Rental Assistance Program would be unable to meet the rental assistance needs as they become due, risking default of multifamily housing direct loans and the eviction of low-income tenants.

Special Supplemental Nutrition Program for Women, Infants, and Children

Sec. ____ . In addition to amounts otherwise provided by section 101, for "Food and Nutrition Service—Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)", there is appropriated \$1,415,000,000, for an additional amount for fiscal year 2024, to remain available until September 30, 2025, for necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786): *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That such amount shall be available only if the President designates such amount as an emergency requirement pursuant to section 251(b)(2)(A).

Language is needed to appropriate \$1.4 billion to the Department of Agriculture in the Food and Nutrition Service, Special Supplemental Nutrition Program for Women, Infant, and Children account to support higher food costs and participation. Without the anomaly, States would not be able to serve all eligible participants at the current benefit levels.

Summer Electronic Benefit Transfer New Start Authority

Sec. ____ . In addition to amounts otherwise provided by section 111, activities authorized for fiscal year 2024 by section 13A of the Richard B. Russell National School Lunch Act (42 U.S.C. 1762) may be carried out at the rate authorized under current law, through the date specified in section 106 of this Act.

Language is needed to allow the Department of Agriculture (USDA) Child Nutrition Programs account to fund the newly-authorized, permanent Summer Electronic Benefit Transfer program. Under the CR, funds provided by section 111 for Child Nutrition Programs would not be available for this new program. Without the anomaly, USDA would be unable to reimburse States for their administrative expenses associated with the program, for which States must opt-in by January 1st.

Commerce, Justice, Science, and Related Agencies

Economic Development Administration - American Rescue Plan Grants

Sec. ____ . Amounts made available by section 101 to the Department of Commerce for "Economic Development Administration—Salaries and Expenses" may be apportioned up to the rate for operations necessary to maintain agency operations.

Language is needed to provide the Department of Commerce, Economic Development Administration (EDA) with authority to obligate funding provided under the CR in the Salaries and Expenses account at a rate for operations necessary to fund administration of grants provided under the American Rescue Plan Act of 2021 (ARP). EDA estimates that the funding provided to administer ARP grants will be exhausted by mid-November 2023. Without the anomaly, EDA would be unable to fund the 84 permanent and temporary staff needed to meet statutory, reporting, and oversight requirements.

National Telecommunications and Information Administration - Broadband Programs

Sec. . Notwithstanding section 106 of this Act and title II of division J of the Infrastructure Investment and Jobs Act (Public Law 117-58), up to 0.7 percent of amounts made available to the National Telecommunications and Information Administration by such Act shall hereafter be available for salaries and expenses, administration, and oversight of programs administered by such Administration that received appropriations by such Act, in addition to amounts previously made available for such purpose: *Provided*, That all such amounts shall be available across such programs and shall be available for salaries and expenses, administration, and oversight of the Connecting Minority Communities Pilot Program (as authorized by section 902 of division N of Public Law 116-260) and of the Broadband Connectivity Infrastructure Program (as authorized by section 905(d) of division N of Public Law 116-260), regardless of the heading under which such amounts were appropriated: *Provided further*, That such amounts may be transferred between the appropriate accounts to carry out this section, in addition to authorities included elsewhere in such Act: *Provided further*, That this section shall not reduce the total allocation for any State under Program Notices of Available Amounts dated June 30, 2023: *Provided further*, That amounts transferred pursuant to this section may be obligated only after the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of the planned use of funds: *Provided further*, That amounts repurposed or transferred pursuant to this section that were previously designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the Budget are designated as an emergency requirement pursuant to section 4001(a)(1) of S. Con. Res. 14 (117th Congress), the concurrent resolution on the budget for fiscal year 2022, and to legislation establishing fiscal year 2024 budget enforcement in the House of Representatives.

Language is needed to provide the Department of Commerce, National Telecommunications and Information Administration (NTIA) with increased transfer authority to fund the administration of broadband programs. Without the anomaly, NTIA would be unable to fund the 13 staff who provide technical assistance and oversight of the Connecting Minority Communities and Broadband Infrastructure programs.

Working Capital Fund Rescission

Sec. . Notwithstanding section 101, section 521(d)(1) of division B of Public Law 117-328 shall be applied by substituting "\$122,572,000" for "\$705,768,000".

Language is needed to reduce the level of the recurring rescission in the Department of Justice's (DOJ) Working Capital Fund account from \$706 million to \$123 million. Without

the anomaly, DOJ would be unable to pay staff assigned to debt collection activities, including attorneys and staff supporting on-going litigation, during the period of the CR.

Space Operations Extended Disbursement

Sec. . (a) For execution of the Space Transportation Program, amounts made available in prior appropriations Acts under the heading "National Aeronautics and Space Administration--Space Operations" that have expired but have not been cancelled shall remain available through fiscal year 2027 for the liquidation of valid obligations incurred during the period of fiscal year 2017 through fiscal year 2019, notwithstanding sections 1552 and 1553(a) of title 31, United States Code.

(b)(1) Subject to paragraph (2), this section shall become effective immediately upon enactment of this Act.

(2) If this Act is enacted after September 30, 2023, this section shall be applied as if it were in effect on September 30, 2023.

Language is needed for the National Aeronautics and Space Administration (NASA) to extend disbursement authority through FY 2027 for Space Operations obligations that were incurred using FY 2017 and FY 2018 appropriations. This anomaly would provide NASA additional fiscal years to disburse funds on projects that have experienced technical delays. Without the anomaly, targeted funds would not be available for disbursement and affected projects would be negatively impacted.

Defense

Afghanistan Security Forces Fund

Sec. . During their period of availability, amounts appropriated for the Afghanistan Security Forces Fund in section 124 of the Continuing Appropriations Act, 2023 (division A of Public Law 117–180) may be charged for any proper expense pursuant to section 1553(b)(1) of title 31, United States Code, notwithstanding the limitation in section 1553(b)(2) of such title.

Language is needed to waive restrictions on the Department of Defense (DOD)'s ability to pay for upward adjustments of closeout costs for the Afghanistan Security Forces Fund (ASFF). Underlying statute limits the amount of funding available in a current account to pay for upward adjustments of closeout costs in an expired account to one percent. Without this anomaly, ASFF would be limited to \$1 million available for these costs, which DOD estimates would be insufficient.

Columbia Class Submarine

Sec. . Notwithstanding sections 102 and 104 of this Act, amounts made available by section 101 to the Department of Defense for "Shipbuilding and Conversion, Navy" shall be available for the procurement of one Columbia Class Submarine.

Language is needed to provide the Department of Defense with authority to obligate funding in the "Shipbuilding and Conversion, Navy" account to begin construction of the second Columbia-class strategic ballistic missile submarine (SSBN), 827. Without this anomaly, the deployment plans for future SSBNs could be delayed by up to a total of 20 months.

Operation Allies Welcome Overseas Humanitarian, Disaster, and Civic Aid Transfer Authority

Sec. ____ . (a) The remaining unobligated balances, as of September 30, 2023, from amounts provided under the heading "Department of Defense—Operation and Maintenance—Overseas Humanitarian, Disaster, and Civic Aid" in division C of Public Law 117-43 and division B of Public Law 117-70, are hereby permanently rescinded and, in addition to amounts otherwise provided by section 101, an amount of additional new budget authority equivalent to the amount rescinded pursuant to this subsection is hereby appropriated on September 30, 2023, for an additional amount for fiscal year 2023, to remain available until September 30, 2024, for the same purposes and under the same authorities provided under such heading in Public Laws 117-43 and 117-70, in addition to other funds as may be available for such purposes: *Provided*, That the new budget authority provided by this subsection may be transferred to any appropriation account of the Department of State for support of Operation Allies Welcome or any successor operation: *Provided further*, That upon any such transfer, the funds shall be merged with the appropriation to which the funds are transferred except that such funds may be made available for such purposes notwithstanding any requirement or limitation applicable to the appropriation to which transferred, including sections 2(c)(1) and 2(c)(2) of the Migration and Refugee Assistance Act with respect to the "United States Emergency Refugee and Migration Assistance Fund" and in section 4(a) and section 4(b) of the State Department Basic Authorities Act of 1956 with respect to funds transferred to the "Emergencies in the Diplomatic and Consular Service" account: *Provided further*, That section 2215 of title 10, United States Code, shall not apply to a transfer of funds under this section: *Provided further*, That the transfer authority provided under this section is in addition to any other transfer authority provided by law: *Provided further*, That the new budget authority provided by this subsection is designated by the Congress as being for an emergency requirement pursuant to the concurrent resolution on the budget for fiscal year 2023.

(b)(1) Subject to paragraph (2), this section shall become effective immediately upon enactment of this Act.

(2) If this Act is enacted after September 30, 2023, this section shall be applied as if it were in effect on September 30, 2023.

Language is needed to extend the availability of amounts available to the Department of Defense, Operation and Maintenance, Overseas Humanitarian, Disaster, and Civic Aid account that would otherwise expire on September 30, 2023. In addition, language is needed to authorize the transfer of such amounts to the Department of State for continuing support of Operation Allies Welcome and the successor operation, Enduring Welcome. Without this anomaly, this funding would not be available to the Department of State for these operations.

Protection and Personal Security Extension

Sec. ____ . During the period covered by this Act, section 714(b)(2)(B) of title 10, United States Code, shall be applied by substituting “four years” for “two years”.

Language is needed to extend authority provided by 10 U.S.C. § 714 to provide physical protection and personal security within the United States to former or retired Department of Defense (DOD) officials for one additional year. While section 714 provides authority for DOD to provide physical protection and personal security to such officials for two years following separation from DOD, the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 temporarily extended, through January 1, 2024, the authority to cover three years following separation from DOD. During the period of the CR, certain officials will be entering their fourth year after separation. Without the anomaly, physical protection and personal security would not be available for these former or retired DOD officials.

Energy and Water Development and Related Agencies

National Nuclear Security Administration 301(d) Relief

Sec. ____ . (a) Notwithstanding section 101, for the purposes of section 301 in title III of division D of Public Law 117-328, the "Department of Energy" table included under the heading "Title III—Department of Energy" in the explanatory statement accompanying Public Law 117-328 shall be applied by substituting "\$101,356,000" for "\$20,000,000" in the "Final Bill" column for "15-D-301 HE Science & Engineering Facility, PX" and substituting "\$1,118,644,000" for "\$1,200,000,000" in the "Final Bill" column for "21-D-511, Savannah River Plutonium Processing Facility, SRS".

(b) Notwithstanding section 101, for the purposes of section 301 in title III of division D of Public Law 117-328, the "Department of Energy" table included under the heading "Title III—Department of Energy" in the explanatory statement accompanying Public Law 117-328 shall be applied by substituting "\$79,924,000" for "\$5,000,000" in the "Final Bill" column for "Studies and Assessments" and substituting "\$597,095,000" for "\$672,019,000" in the "Final Bill" column for "B61 Life Extension Program".

(c) Notwithstanding section 101, for the purposes of section 301 in title III of division D of Public Law 117-328, the "Department of Energy" table included under the heading "Title III—Department of Energy" in the explanatory statement accompanying Public Law 117-328 shall be applied by substituting "\$10,400,000" for "\$0" in the "Final Bill" column for "22-D-531 KL Chemistry and Radiological Health Building" and substituting "\$466,398,000" for "\$476,798,000" in the "Final Bill" column for "14-D-901 Spent Fuel Handling Recapitalization project, NRF".

Language is needed to provide the Department of Energy (DOE), National Nuclear Security Administration (NNSA) with authority to obligate funding in the "Weapons Activities" account during the period of the CR for the High Explosives Science and Engineering Facility and for Studies and Assessments. In addition, language is needed to provide DOE with authority to obligate funding during the period of the CR in the "Naval Reactors" account for the KL Chemistry and Radiological Health Building. Without this anomaly,

NNSA would pause construction on two projects and defer implementation of studies essential to the agency's implementation of the Administration's Nuclear Posture Review.

Financial Services and General Government

Office of Pandemic Preparedness and Response Policy

Sec. ____.

(a) Notwithstanding section 101, title II of division E of Public Law 117-328 shall be applied by adding the following new heading and appropriation language under the heading "Executive Office of the President and Funds Appropriated to the President":

"Office of Pandemic Preparedness and Response Policy

"SALARIES AND EXPENSES

"For necessary expenses of the Office of Pandemic Preparedness and Response Policy, as authorized by section 2104 of the PREVENT Pandemics Act (42 U.S.C. 300hh-3), \$3,700,000, of which not to exceed \$5,000 shall be available for official reception and representation expenses."

(b) Notwithstanding section 101, section 201 of title II of division E of Public Law 117-328 shall be applied by inserting "'Office of Pandemic Preparedness and Response Policy'" after "'Office of Administration"'.

Language is needed to provide the Executive Office of the President (EOP) a rate for operations of \$3.7 million for the Office of Pandemic Preparedness and Response Policy (OPPR), Salaries and Expenses account to carry out activities related to preparedness for, and response to, pandemic and other biological threats at the full operational staffing level, as authorized by the Consolidated Appropriations Act, 2023. In addition, language is needed to authorize OPPR to receive transfers from other EOP accounts. Without this anomaly, OPPR would not have sufficient funds to support ongoing operations and FY 2023 staffing levels.

Implementation of the Postal Service Health Benefits Program

Sec. ____ . Notwithstanding section 101, the matter before the first proviso under the heading "Office of Personnel Management—Salaries and Expenses" in division E of Public Law 117-328 shall be applied by substituting "219,076,000" for "\$190,784,000".

Language is needed to provide the Office of Personnel Management (OPM) an additional rate for operations of \$28 million to the Salaries and Expenses account for implementation of the Postal Service Health Benefits Program (PSHBP). Without this anomaly, OPM would have a funding shortfall which could jeopardize PSHBP implementation by the January 2025 statutory deadline.

Business Loan Programs

Sec. ____ . Amounts made available by section 101 for "Small Business Administration—Business Loans Program Account" may be apportioned up to the rate for operations necessary to accommodate increased demand for commitments for general business loans authorized under paragraphs (1) through (35) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)), for commitments to guarantee trust certificates authorized by section 5(g) of the Small Business Act, (15 U.S.C. 634(g)), for commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958 (15 U.S.C. 697), and for commitments to guarantee loans for debentures under section 303(b) of the Small Business Investment Act of 1958 (15 U.S.C. 683(b)).

Language is needed to provide the Small Business Administration (SBA) with authority to obligate funding provided under the CR at a rate for operations necessary to accommodate potential demand increases during the period of the CR for business loan commitments, commitments to guarantee trust certificates, and commitments to guarantee loans for debentures in SBA's 7(a), Small Business Investment Company, Secondary Market Guarantee, and 504 programs. Without this anomaly, these lending programs may not have sufficient funds to meet demands in FY 2024, potentially forcing these programs to shut down or delay financing to thousands of small businesses during the CR period.

D.C. Local Funds

Sec. ____ . Notwithstanding any other provision of this Act, except section 106, the District of Columbia may expend local funds made available under the heading "District of Columbia—District of Columbia Funds" for programs and activities in the amounts set forth in the Fiscal Year 2024 Local Budget Act of 2023 (D.C. Bill No. 25-203), as modified as of the date of the enactment of this Act.

Language is proposed to clarify that the District of Columbia (D.C.) has the authority to spend in FY 2024 funds received from local tax revenues and other non-Federal sources in the amount and for the programs and activities provided in D.C.'s Fiscal Year 2024 Local Budget Act of 2023. This language is similar to that enacted in prior years.

Homeland Security

Transportation Security Administration Pay

Sec. ____ . Amounts made available by section 101 to the Department of Homeland Security for "Transportation Security Administration—Operations and Support" may be apportioned up to the rate for operations necessary to maintain adequate staffing levels to support transportation security screening operations.

Language is needed to authorize the Department of Homeland Security to obligate funding in the Transportation Security Administration (TSA), Operations and Support account at a rate for operations necessary to staff airport security during the CR period. Without the anomaly, TSA would not be able to fully fund personnel compensation and benefits for its onboard positions.

Disaster Relief Fund (DRF) Spend Faster

Sec. ____ . Amounts made available by section 101 to the Department of Homeland Security for "Federal Emergency Management Agency—Disaster Relief Fund" may be apportioned up to the rate for operations necessary to carry out response and recovery activities under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

Language is needed to provide the Department of Homeland Security with authority to obligate funding provided under the CR in the Disaster Relief Fund at a rate for operations necessary to support operations for response and recovery activities under the Robert T. Stafford Disaster Relief and Emergency Assistance Act. Without this anomaly, comprehensive disaster response and recovery could be impeded should a catastrophic event be declared during the period of the CR.

Interior, Environment, and Related Agencies

Extension of Waiver Authority

Sec. ____ . Section 1701 of division B of the Extending Government Funding and Delivering Emergency Assistance Act (5 U.S.C. 5547 note), as amended by section 440 of division G of Public Law 117-328, is further amended by inserting "or 2024" after "or 2023" each place it appears.

Language is needed to extend authority for the Departments of Agriculture and the Interior to waive the premium pay limitation for wildland firefighters. Under current authority, the relevant Secretaries may waive the premium pay limitation provided by 5 U.S.C. 5547(a) for wildland firefighters for services performed related to emergency wildfire suppression activities. Without the anomaly, this waiver authority would not be available during 2024.

Forest Service Wildland Fire Management - Suppression Operations

Sec. ____ . Amounts provided by section 101 for "Department of Agriculture—Forest Service—Wildland Fire Management" may be apportioned up to the rate for operations necessary for wildfire suppression activities.

Language is needed to provide the Department of Agriculture, Forest Service (FS) with authority to obligate funding provided under the CR in the Wildland Fire Management account at a rate for operations necessary for suppression operations. Without this anomaly, FS's ability to manage fire activity may be impacted.

Labor, Health and Human Services, Education, and Related Agencies

Student Aid Administration

Sec. ____ . Notwithstanding section 101, amounts are provided for "Department of Education—Student Aid Administration" at a rate for operations of \$2,337,000,000.

Language is needed to provide a rate for operations of \$2.3 billion for the Department of Education, Student Aid Administration account to avoid disruption of core operations to process, award, disburse, and manage Federal student aid. Without the anomaly, basic on-going activities including loan servicing operations, Free Application for Federal Student Aid application processing, common origination and disbursement activities, data center hosting, and call center operations will be impeded.

Administration for Strategic Preparedness and Response Account Restructuring

Sec. ____ . Amounts provided by section 101 for "Department of Health and Human Services—Office of the Secretary—Public Health and Social Services Emergency Fund" may be obligated in the account and budget structure, and under the authorities and conditions, set forth in S. 2624 and the accompanying Senate Report 118-84, as reported by the Senate Committee on Appropriations on July 27, 2023.

Language is needed to authorize the Department of Health and Human Services (HHS) to obligate funds provided by the CR for the Administration for Strategic Preparedness and Response using the budget structure adopted in the Senate Committees on Appropriation Report 118-84 accompanying S. 2624. Without the anomaly, manual adjustments of the obligations and disbursements would be required, resulting in an administrative burden adversely impacting HHS's mission execution, as staff would devote more time to duplicative administrative work.

Centers for Medicare and Medicaid Services Program Management

Sec. ____ . Notwithstanding section 101, amounts are provided for "Department of Health and Human Services—Centers for Medicare & Medicaid Services—Program Management" at a rate for operations of \$3,694,000,000: *Provided*, That such amounts may be apportioned up to the rate for operations necessary to carry out program operations related to verifying eligibility for Federal health care programs.

Language is needed to provide the Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS) a rate for operations of \$3.7 billion under the Program Management heading (in addition to amounts continued from section 227 of the Department of Health and Human Services Appropriations Act, 2023) and authority to obligate this funding at a rate for operations necessary to conduct eligibility verifications for Medicaid and Marketplace programs and to accommodate the increased costs of the Federal Data Services Hub. Start-up costs for the new contract are expected to raise the contract costs at the beginning of the fiscal year. Without this anomaly, CMS would be unable to support the Commercial Source of Income contract costs in order to maintain contractual operations.

Office of Refugee Resettlement

Sec. ____ . In addition to amounts otherwise provided by section 101, for "Department of Health and Human Services—Administration for Children and Families—Refugee and Entrant Assistance", there is appropriated \$1,853,000,000, for an additional amount for fiscal year 2024, to remain available until September 30, 2026, to carry out section 462 of the Homeland Security Act of 2002 and section 235 of the William Wilberforce

Trafficking Victims Protection Reauthorization Act of 2008, and for refugee and entrant assistance activities authorized by section 414 of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980: *Provided*, That amounts made available by this section may be used by the Director of the Office of Refugee Resettlement to issue awards or supplement awards previously made by the Director: *Provided further*, That the Director, in carrying out section 412(c)(1)(A) of the Immigration and Nationality Act (8 U.S.C. 1522(c)(1)(A)) with amounts made available by this section, may allocate such amounts among the States in a manner that accounts for the most current data available. *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That such amount shall be available only if the President designates such amount as an emergency requirement pursuant to section 251(b)(2)(A).

Language is needed to appropriate \$1.9 billion to the Department of Health and Human Services for the Office of Refugee Resettlement (ORR), Refugee and Entrant Assistance account for the refugee resettlement and Unaccompanied Children (UC) programs. The majority of the additional funding is needed to ensure ORR can support populations eligible for refugee benefits, including the increased number of Cuban and Haitian Entrants. Based on current arrival patterns, over 300,000 Cuban and Haitian Entrants will arrive in the United States through FY 2023, comprising roughly 60 percent of all ORR-eligible populations, with similar patterns expected for FY 2024. Without this anomaly, ORR would not have sufficient resources to support States, communities, and new arrivals in facilitating successful resettlement and achieving economic self-sufficiency.

Limitation on Administrative Expenses

Sec. ____ . (a) Notwithstanding section 101, amounts are provided for "Social Security Administration—Limitation on Administrative Expenses" at a rate for operations of \$14,702,978,000: *Provided*, That the second paragraph under such heading in title IV of division H of Public Law 117-328 shall be applied by substituting "\$1,851,000,000" for "\$1,784,000,000", "1,578,000,000" for "\$1,511,000,000", and "\$19,100,000" for "15,100,000".

(b) Notwithstanding section 101, the third paragraph under the heading "Social Security Administration—Limitation on Administrative Expenses" in title IV of division H of Public Law 117-328 shall be applied by substituting "\$150,000,000" for "\$140,000,000".

Language is needed to provide the Social Security Administration (SSA) a rate for operations of \$14.9 billion in the Limitation on Administrative Expenses account in order to maintain current levels of customer service during the period of the CR. SSA has had increasing workloads, and call volume typically peaks during the first quarter of the fiscal year. Without this anomaly, these additional demands on SSA services would result in significantly longer wait times and reduced service levels to the public.

Military Construction, Veterans Affairs and Related Agencies

Deferred FY 2019 Military Construction Projects

Sec. ____ . Notwithstanding section 101, section 126 of Division J of Public Law 117-328 shall be applied during the period covered by this Act by substituting "fiscal year 2017, fiscal year 2018, and fiscal year 2019" for "fiscal year 2017 and fiscal year 2018".

Language is needed to extend the application of section 126 of the Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2023 (Appropriations Act) to military construction projects that first received appropriations in FY 2019, but were previously deferred under 10 U.S.C. 2808. Section 126 currently only waives the restrictions provided in section 116 of the Appropriations Act to similarly-situated projects that first received appropriations in FY 2017 and FY 2018. Without this anomaly, the Department of Defense may not obligate funding during the period of the CR on these projects.

State, Foreign Operations, and Related Programs

Compact of Free Association

(a) There is established in the Treasury of the United States a fund to be known as the "Compact Assistance Fund" which shall be administered by the Secretary of State.

(b) In addition to amounts otherwise made available by section 101, and notwithstanding sections 104 and 106, there is appropriated to the Fund established in subsection (a), \$120,000,000 [\$244,250,000], to remain available until expended, to provide grants and other assistance to the Federated States of Micronesia, [the Republic of the Marshall Islands,] and the Republic of Palau, in addition to any other amounts available for such purposes: *Provided*, That such funds shall be transferred to the Department of the Interior to carry out such purposes: *Provided further*, That the Secretary of the Interior is authorized to fulfill the responsibilities for monitoring and managing the funds appropriated to the Fund established in subsection (a) and transferred to the Department of the Interior pursuant to this subsection: *Provided further*, That any such funds transferred to the Department of the Interior shall be the fiduciary, fiscal, and audit responsibility of the Department of the Interior: *Provided further*, That the Secretary of the Interior may provide such funds on such terms and conditions as the Secretary may determine: *Provided further*, That the unobligated balances from amounts made available in prior Acts for "Department of the Interior—Office of Insular Affairs—Compact of Free Association", may continue to be provided as grants to provide economic assistance to the Federated States of Micronesia for the sectors identified in section 211 of the Compact of Free Association, as Amended Between the Government of the United States of America and the Government of the Federated States of Micronesia, done at Palikir on May 14, 2003 and to the Republic of the Marshall Islands for the sectors identified in section 211 of the Compact of Free Association, as Amended Between the Government of the United States of America and the Government of the Republic of the Marshall Islands, done at Majuro on April 30, 2003: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended:

Provided further, That such amount shall be available only if the President designates such amount as an emergency requirement pursuant to section 251(b)(2)(A).

(c) In addition to amounts otherwise made available by section 101, and notwithstanding sections 104 and 106, for costs not otherwise provided for the provision of postal services in the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau, notwithstanding any other provision of law, there is appropriated to the Fund established in subsection (a), \$7,925,000, to remain available until expended, in addition to any other amounts available for such purposes: *Provided*, That such funds shall be transferred to the United States Postal Service for carrying out this subsection: *Provided further*, That the Postmaster General is authorized to fulfill the responsibilities for monitoring and managing the funds appropriated to the Fund established in subsection (a) and transferred to the United States Postal Service pursuant to this subsection: *Provided further*, That any such funds transferred to the United States Postal Service shall be the fiduciary, fiscal, and audit responsibility of the United States Postal Service: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That such amount shall be available only if the President designates such amount as an emergency requirement pursuant to section 251(b)(2)(A).

(d) For the period covered by this Act, the heads of the departments, agencies, and instrumentalities carrying out sections 131, 132, and 221(a) of the 2003 Amended U.S.-FSM Compact and sections 131, 132, and 221(a) of the 2003 Amended U.S.-RMI Compact may continue the provision of programs and services as described in those sections until the entry into force of new Federal programs and services agreements with the relevant country, notwithstanding any other provision of law: *Provided*, That the Federal Emergency Management Agency may transfer funds to United States Agency for International Development for disaster relief and reconstruction services to carry out the purposes of this subsection: *Provided further*, That the heads of such departments, agencies, and instrumentalities may place terms and conditions as may be appropriate on such programs and services: *Provided further*, That, for the period covered by this Act, programs and services as described in section 221(a)(5) of the 2003 Amended U.S.-FSM Compact shall continue, provided that the FSM follows the same requirements for such programs and services as described in the 2004 Federal Programs and Services Agreement between the Government of the United States and the Government of the Federated States of Micronesia, until the entry into force of new Federal programs and services agreements between such governments, notwithstanding any other provision of law.

Language is needed to establish the Compact Assistance Fund, to be administered by the Department of State (State), and to appropriate \$128 million [\$252 million] to the Fund in order to continue vital direct economic assistance and services for the Compacts of free Association with the Federated States of Micronesia (FSM) and the Republic of Palau (Palau). The language above includes bracketed text that would include the Republic of the Marshall Islands in the event that an agreement is reached before the end of FY 2023. The anomaly would provide State with the authority to transfer amounts available in the Fund to the Department of the Interior and the United States Postal Service to monitor and manage

the funds. Without this anomaly, vital Compact related economic assistance and many Federal programs and services will cease for FSM and Palau.

Personal Service Contractor Authority Extension

Sec. ____ . The authority provided by section 2401 of the Afghanistan Supplemental Appropriations Act, 2022 (division C of Public Law 117-43) shall continue in effect through the date specified in section 106 of this Act.

Language is needed to extend authority for domestic Personal Service Contractor hiring through the period of the CR. Without this anomaly, the Department of State and U.S. Agency for International Development would not be able to enter into and extend contracts with individuals without regard to geographic limitations.

Extension for Continuation of Private Sector Board Member

Sec. ____ . Notwithstanding section 101, the matter under the heading "Bilateral Economic Assistance—Independent Agencies—Millennium Challenge Corporation" in title III of division K of Public Law 117-328 shall be applied by inserting the following new provisos before the last proviso: "*Provided further*, That the member of the Board described in section 604(c)(3)(B)(ii) of the Millennium Challenge Act of 2003, as amended (22 U.S.C. 7703(c)(3)(B)(ii)), whose term began on September 16, 2019, shall continue to serve in such appointment until March 31, 2024: *Provided further*, That in the event that a new member of the Board described in section 604(c)(3)(B) of such Act (22 U.S.C. 7703(c)(3)(B)) is appointed prior to March 31, 2024, the term of the member of the Board whose term began on September 16, 2019, shall terminate as of the date of such appointment:".

Language is needed for the Millennium Challenge Corporation (MCC) to extend a Board member's term date. Without the anomaly, the Board of Directors would not have quorum and would be precluded from making decisions for the agency, resulting in significant impacts to MCC's programming and business.

Spend Faster Authority to Not Delay Compact Signings

Sec. ____ . Amounts made available by section 101 for "Bilateral Economic Assistance—Independent Agencies—Millennium Challenge Corporation" may be apportioned up to the rate for operations necessary to support compacts signed during the period covered by this Act.

Language is needed to provide the Millennium Challenge Corporation (MCC) with authority to obligate funding provided under the CR in the MCC account at a rate for operations necessary to sign and support compacts. Without this anomaly, MCC would not have sufficient FY24 funding flexibility to support signing of the Sierra Leone compact in the event MCC's Board of Directors approves it during the CR period.

Transportation, Housing and Urban Development, and Related Agencies

Government National Mortgage Association Salaries and Expenses

Sec. ____ . Notwithstanding section 101, the first proviso under the heading "Government National Mortgage Association—Guarantees of Mortgage-Backed Securities Loan Guarantee Program Account" in Public Law 117-328 shall be applied by substituting "\$52,300,000" for "\$40,400,000".

Language is needed to provide the Department of Housing and Urban Development, Government National Mortgage Association (GNMA) a rate for operations of \$52 million in the Guarantees of Mortgage-Backed Securities Loan Guarantee Program Account for necessary staffing to manage the defaulted Reverse Mortgage Funding (RMF) portfolio and address systemic challenges to the Home Equity Conversion Mortgage (HECM) and HECM mortgage-backed securities programs. Without this anomaly, GNMA would be unable to effectively manage the RMF portfolio and implement timely program changes to preserve the availability of reverse mortgages for senior borrowers.

Essential Air Service

Sec. ____ . Amounts made available by section 101 for "Department of Transportation—Payments to Air Carriers" may be apportioned up to the rate for operations necessary to maintain Essential Air Service program operations.

Language is needed to provide the Department of Transportation with authority to obligate funding provided under the CR in the Payments to Air Carriers account at a rate for operations necessary for the Essential Air Service (EAS) program to fund contract renewals for 11 alternate subsidy communities. Without the anomaly, the EAS program would not have sufficient resources to continue air service to eligible small communities.

Federal Aviation Administration Facilities and Equipment

Sec. ____ . Notwithstanding section 101, amounts are provided for "Department of Transportation—Federal Aviation Administration—Facilities and Equipment" at a rate for operations of \$2,992,000,000: *Provided*, That the matter under such heading in title I of division L of Public Law 117-328 shall be applied by substituting "\$617,000,000" for "\$570,000,000".

Language is needed to provide the Department of Transportation, Federal Aviation Administration (FAA) a rate for operations of \$3 billion in the Facilities and Equipment account to support higher administrative costs. Without this anomaly, FAA may not be able to fund travel necessary for facilities and equipment project implementation.

Federal Aviation Administration Operations

Sec. ____ . Amounts made available by section 101 for "Department of Transportation—Federal Aviation Administration—Operations" may be apportioned up to the rate for operations necessary to maintain the hiring and training of air traffic controllers.

Language is needed to provide the Federal Aviation Administration (FAA) with authority to obligate funding provided under the CR in the Operations account at a rate for operations necessary for the FAA to fund the hiring and training of air traffic controllers. This anomaly supports FAA's efforts to continue the surge in hiring and training of air traffic controllers to make up for the reduced hiring and training of controllers in FAA during the COVID-19 public health emergency.

National Highway Traffic Safety Administration Sec 142

Sec. ____ . Notwithstanding section 101, section 142 of division L of Public Law 117-328 shall not apply during the period covered by this Act.

Language is needed to remove the provision that restricts the Department of Transportation, National Highway Traffic Safety Administration (NHTSA) from implementing the new Driver Officer Safety Education grant program authorized in the Infrastructure Investment and Jobs Act. Without the anomaly, section 142 of division L of Public Law 117-328 would prohibit NHTSA from being able to begin implementation of this program.