



The Navajo Nation **DR. BUU NYGREN** **PRESIDENT**
Yideeskáądi Nitsáhákees **RICHELLE MONTOKA** **VICE PRESIDENT**

June 8, 2023

Honorable Crystalyne Curley, Speaker
Navajo Nation Council
Post Office Box 3390
Window Rock, AZ 86515

RE: CJN-49-23 An Action Relating to an Emergency and the Navajo Nation Council; Opposing H.R. 3746, "Fiscal Responsibility Act of 2023" as Written; Urging the United States Congress to Amend H.R. 3746 to Protect the Availability of COVID-19 Related Funding and Unobligated Funds to Tribes and Tribal Programs.

Dear Speaker Curley,

I am pleased to sign this legislation into law thereby demonstrating the unity between the President and the Navajo Nation Council.

It is important that we protect funding for Tribes and tribal programs. The Navajo Nation Washington Office will lead the charge in advocating for the protection of funding for tribal communities. We are hopeful that the U.S. Congress will implement the proposed changes to advance our priorities.

Sincerely,

A blue ink signature of Dr. Buu Nygren, consisting of a large, stylized 'B' followed by a series of loops and a long horizontal stroke.

Dr. Buu Nygren, *President*
THE NAVAJO NATION

RESOLUTION OF THE
NAVAJO NATION COUNCIL
25th NAVAJO NATION COUNCIL - FIRST YEAR, 2023

AN ACTION

RELATING TO AN EMERGENCY AND THE NAVAJO NATION COUNCIL; OPPOSING H.R. 3746, "FISCAL RESPONSIBILITY ACT OF 2023" AS WRITTEN; URGING THE UNITED STATES CONGRESS TO AMEND H.R. 3746 TO PROTECT THE AVAILABILTY OF COVID RELATED FUNDING AND UNOBLIGATED FUNDS TO TRIBES AND TRIBAL PROGRAMS

WHEREAS:

- A. The Navajo Nation Council is the governing of body of the Navajo Nation. 2 N.N.C. § 102(A), and has a government-to-government relationship established and memorialized through the Treaty of 1850 (9 Stat. 974) and Treaty of 1868 (15 Stat.667).
- B. Pursuant to 2 N.N.C. § 164(A)(16) matters constituting an emergency shall be limited to cessations of direct services required as an entitlement under Navajo Nation or Federal law, or which directly threaten the sovereignty of the Navajo Nation. Such emergency matters must arise due to the pressing public need for such resolution(s) and must be a matter requiring final action by the Council.
- C. The coronavirus pandemic has caused large scale devastation to the Navajo Nation, including loss of life and economic impact to residents and business. The American Rescue Plan Act ("ARPA"), along with other COVID-19 relief funding, was enacted to assist in mitigating and containing the spread of COVID-19. This funding also provided relief to the Navajo People suffering from the health, social, and economic impacts due to the COVID pandemic.
- D. On May 26, 2023, Janet L. Yellen, Secretary of Treasury for the United States, indicated that the United States Federal Government will potentially hit its debt ceiling on June 5, 2023. The Secretary of Treasury also stated that if the United States does not increase the debt ceiling, then the United States will be incapable to meet its financial obligations and default for the first time in American history. Exhibit A.
- E. On May 26, 2023, the Navajo Nation Council passed Legislation No. 0121-23 "An Action Relating to An Emergency and the Navajo Nation Council; Opposing H.R. 2811, the "Limit, Save, Grow Act of 2023"; Urging the United States Congress to Amend H.R. 2811

201-202 to Protect Spending Cuts to Tribal Programs". **Exhibit B** (without attachments).

- F. On May 27, 2023, the President of the United States, Joseph R. Biden, Jr., and the Speaker of the United States House of Representatives, Kevin McCarthy, concluded negotiations regarding the debt ceiling of the United States.
- G. On May 30, 2023, legislative text was introduced to the United States House of Representative for H.R. 3746 "*Fiscal Responsibility Act of 2023.*" **Exhibit C.** See <https://www.govinfo.gov/content/pkg/BILLS-118hr3746ih/pdf/BILLS-118hr3746ih.pdf>
- H. The Congressional Budget Office provided an estimate of the budgetary effects of H.R. 3746, on May 30, 2023. According to this estimate, if the bill were enacted and appropriations subject to caps on discretionary funding for 2024 and 2025 were constrained by the limits specified in Section 101(a) of the bill, the Agency's projections of budget deficits over the period 2023-2033 would be reduced by approximately \$1.5 trillion relative to its May 2023 baseline projections. **Exhibit D.**
- I. If enacted, H.R. 3746 will increase the federal debt limit, establish new discretionary spending limits, rescind unobligated COVID relief funds, and expand work requirements for federal programs. Specifically, the bill suspends the federal debt limit through January 1, 2025, and increases the limit on January 2, 2025, to accommodate the obligations issued during the suspension period. In addition, the bill establishes new discretionary spending limits for FY2024 and FY2025 that are enforced with sequestration (i.e., automatic spending cuts). It also changes the limits to 1% below the FY2023 base funding levels if a continuing resolution is in effect on or after January 1, 2024, or on or after January 1, 2025, because all 12 regular appropriations bills were not enacted by the end of the prior year.
- J. The bill also includes provisions that rescind certain unobligated funds that were provided to address COVID-19, and to the Internal Revenue Service; that provide funding for the Department of Veterans Affairs Cost of War Toxic Exposure Fund; provide funding for the Department of Commerce Nonrecurring Expenses Fund; provide statutory authority through 2024 for the requirement for agencies that propose certain administrative actions that will increase direct spending to also propose at least one administrative action that will decrease direct spending by at least the same amount (commonly known as administrative pay-as-you-go rules); terminate the

suspension of federal student loan payments; expand the work requirements for the Supplemental Nutrition Assistance Program (SNAP) and the Temporary Assistance for Needy Families (TANF) program; and that expedite the permitting process for certain energy projects.

- K. H.R. 3746 seeks to permanently rescind unobligated funds of American Rescue Plan Act of 2021 (Public Law 117-2), Coronavirus Aid, Relief, and Economic security Act (CARES Act) (Public Law 116-136), Families First Coronavirus Response Act (Public Law 116-127), Paycheck Protection Program and Health Care Enhancement Act (Public Law 116-139), the Coronavirus Response and Relief Supplemental Appropriation Act, 2021 (division M) and Division N - Additional Coronavirus Response and Relief of Public Law 116-260, and the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (Public Law 116-123).
- L. There are at least 138 U.S. Treasury accounts tracked by the Office of Management and Budget ("OMB") with unobligated balances provided by COVID relief laws, "over half of which have less than fifty million (\$50,000,000) in unobligated balances (the subset of which total only about \$700 million)".
- M. The Navajo Nation (Nation) received over two billion dollars (\$2,000,000,000) in federal COVID relief funding from the U.S. Treasury (Treasury). This disbursement by the Treasury to the Nation are defined as federally obligated funding by Treasury. The language of H.R. 3746 - *Fiscal Responsibility Act of 2023*, only rescinds federally unobligated funds and does not rescind the Nation's tribally unobligated funds.
- N. The *Fiscal Responsibility Act of 2023*, H.R. 3746, does threaten Treasury application-based programs which are at risk of rescission of their balances if the Treasury is unable to approve pending applications before June 5, 2023.
- O. Through the United States Department of Treasury, State Small Business Credit Initiative (SSBCI) would fund state, territory, and tribal government small business credit support programs, including capital access programs, loan participation programs, loan guarantee programs, collateral support programs, and venture capital program (other credit support programs).
- P. The Nation applied for SSBCI funding, in effort to encourage and enhance economic development within the Navajo Nation. This pending application has an estimated award amount of eighty-nine million dollars (\$89,000,000), and is currently under review with the U.S. Treasury. This vital award would be used

to provide needed loan programs to small businesses on the Navajo Nation, which is essential to the short-term and long-term survival and economic stability for the Navajo Nation.

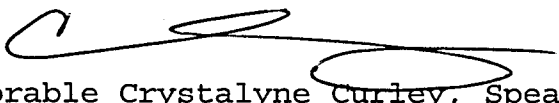
- Q. It is imperative that H.R. 3746 - *Fiscal Responsibility Act of 2023* being considered by Congress be amended to reflect language favorable to the Navajo Nation and other Tribal governments still seeking approvals of available COVID-19 related funding and unobligated funds, so that they may receive these vital and necessary resources.
- R. For the reasons stated above, it is in the best interest of the Navajo Nation to oppose the rescind language of the *Fiscal Responsibility Act*, H.R. 3746 as currently written, and respectfully request Congress amend the language to be more favorable to tribal governments still seeking approval for applications submitted under the various COVID-19 relief packages.

THEREFORE, BE IT RESOLVED:

- A. The Navajo Nation opposes the current language of H.R. 3746 - *Fiscal Responsibility Act of 2023* being considered before Congress and respectfully requests that the U.S. Congress amend the language to be favorable to the Navajo Nation and other Tribal governments still seeking approvals of available COVID-19 related funding and unobligated funds, and to protect the funding applicants awaiting final approval.
- B. The Navajo Nation Council hereby authorizes the Navajo Nation President, and the Navajo Nation Speaker, to take all steps necessary to affirm the Navajo Nation's position of protecting and preserving the health, welfare, and economic interests of the Navajo People

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the 25th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 21 in Favor, and 00 Opposed, on this 2nd day of June 2023.


Honorable Crystalyne Curley, Speaker
25th Navajo Nation Council

6/6/23


DATE

Motion: Honorable Amber Kanazbah Crotty
Second: Honorable George H. Tolth

Speaker Crystalyne Curley not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(10), on this 8 day of June, 2023.



Buu Nygren, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this _____ day of _____, 2023 for the reason(s) expressed in the attached letter to the Speaker.

Buu Nygren, President
Navajo Nation



DEPARTMENT OF THE TREASURY
WASHINGTON, D.C.

SECRETARY OF THE TREASURY

May 26, 2023

The Honorable Kevin McCarthy
Speaker
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Speaker:

I am writing to follow up on my previous letters regarding the debt limit and to provide additional information regarding the Treasury Department's ability to continue to finance the operations of the federal government. Since January, I have highlighted to you the risk that Treasury would be unable to satisfy all of our obligations by early June if Congress did not raise or suspend the debt limit before that time. In my letters, I also noted that I would continue to update Congress as more information became available. Based on the most recent available data, we now estimate that Treasury will have insufficient resources to satisfy the government's obligations if Congress has not raised or suspended the debt limit by June 5.

We will make more than \$130 billion of scheduled payments in the first two days of June, including payments to veterans and Social Security and Medicare recipients. These payments will leave Treasury with an extremely low level of resources. During the week of June 5, Treasury is scheduled to make an estimated \$92 billion of payments and transfers, including a regularly scheduled quarterly adjustment that would result in an investment in the Social Security and Medicare trust funds of roughly \$36 billion. Therefore, our projected resources would be inadequate to satisfy all of these obligations.

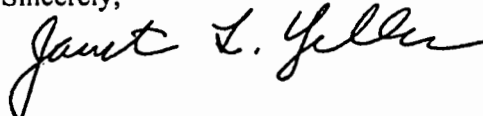
Yesterday we used an additional extraordinary measure that Treasury has employed in a number of past debt limit episodes: a swap of approximately \$2 billion of Treasury securities between the Civil Service Retirement and Disability Fund and the Federal Financing Bank. While this measure has not been used since 2015 due to its limited size, the extremely low level of remaining resources demands that I exhaust all available extraordinary measures to avoid being unable to meet all of the government's commitments.

We have learned from past debt limit impasses that waiting until the last minute to suspend or increase the debt limit can cause serious harm to business and consumer confidence, raise short-term borrowing costs for taxpayers, and negatively impact the credit rating of the United States. In fact, we have already seen Treasury's borrowing costs increase substantially for securities

maturing in early June. If Congress fails to increase the debt limit, it would cause severe hardship to American families, harm our global leadership position, and raise questions about our ability to defend our national security interests.

I continue to urge Congress to protect the full faith and credit of the United States by acting as soon as possible.

Sincerely,

A handwritten signature in black ink, appearing to read "Janet L. Yellen". The signature is fluid and cursive, with the first name "Janet" being more prominent and the last name "Yellen" written in a more compact, flowing style.

Janet L. Yellen

Identical letter sent to:


The Honorable Hakeem Jeffries, House Democratic Leader
The Honorable Charles E. Schumer, Senate Majority Leader
The Honorable Mitch McConnell, Senate Republican Leader

cc: The Honorable Jason Smith, Chairman, House Committee on Ways and Means
The Honorable Richard E. Neal, Ranking Member, House Committee on Ways and Means
The Honorable Ron Wyden, Chairman, Senate Committee on Finance
The Honorable Mike Crapo, Ranking Member, Senate Committee on Finance

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

25th NAVAJO NATION COUNCIL – First Year, 2023

INTRODUCED BY


(Sponsor)TRACKING NO. 0121-23

AN ACTION

RELATING TO AN EMERGENCY AND THE NAVAJO NATION COUNCIL;
OPPOSING H.R. 2811, “*LIMIT, SAVE, GROW ACT OF 2023*”; URGING THE
UNITED STATES CONGRESS TO AMEND H.R. 2811 §§ 201-202 TO PROTECT
SPENDING CUTS TO TRIBAL PROGRAMS

WHEREAS:

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §102(A).
- B. Pursuant to 2 N.N.C. §164 (A)(16) matters constituting an emergency shall be limited to cessations of direct services required as an entitlement under Navajo Nation or Federal law, or which directly threaten the sovereignty of the Navajo Nation. Such emergency matters must arise due to the pressing public need for such resolution(s) and must be a matter requiring final action by the Council.
- C. The coronavirus pandemic has caused large scale devastation to the Navajo Nation, including loss of life and economic impact to residents and business. The American Rescue Plan Act (“ARPA”), along with other COVID-19 relief funding, was provided to assist in mitigating and containing the spread of COVID-19. This funding also provided relief to the Navajo People suffering from the health, social and economic impacts due to the COVID-19 pandemic.

1 D. On May 22, 2023, Janet L. Yellen, Secretary of Treasury for the United States,
2 indicated that the United States Federal Government will potentially hit its debt
3 ceiling on June 1st, 2023. The Secretary of Treasury also stated that if the United
4 States does not increase the debt ceiling, then the United States will be incapable to
5 meet its financial obligations and default for the first time in American history.
6 **Exhibit A.**

7 E. On April 26, 2023, the *Limit, Save, Grow Act* ("Act") of 2023, H.R. 2811, 118th
8 Cong. (1st Sess. 2023), attached as **Exhibit B**, passed the House of Representatives
9 and is now before the Senate. See [https://www.congress.gov/bill/118th-](https://www.congress.gov/bill/118th-congress/house-bill/2811)
10 [congress/house-bill/2811](https://www.congress.gov/bill/118th-congress/house-bill/2811)

11 F. If enacted, H.R. 2811 will rescind all unobligated funds of American Rescue Plan Act
12 of 2021 (Public Law 117-2), Coronavirus Aid, Relief, and Economic Security Act
13 (CARES Act) (Public Law 116-136), Families First Coronavirus Response Act
14 (Public Law 116-127), Paycheck Protection Program and Health Care Enhancement
15 Act (Public 116-139), Coronavirus Response and Relief Supplemental Appropriations
16 Act, 2021 (division M) and Division N - Additional Coronavirus Response and Relief
17 of Public Law 116-260, and the Coronavirus Preparedness and Response
18 Supplemental Appropriations Act, 2020 (Public Law 116-123).

19 G. The U.S. House Committee on Appropriations member Rosa DeLauro's "*Analysis of*
20 *Rescissions in the Default on America Act*," attached as **Exhibit C**, estimates the
21 economic impact to Tribal Programing could have devastating effects to Tribal
22 members who were greatly impacted by the COVID pandemic, and are slowly
23 starting to recover from the loss.

24 H. The Analysis identifies at least 138 U.S. Treasury accounts tracked by the U.S. Office
25 of Management and Budget ("OMB") with unobligated balances provided by COVID
26 relief laws, "over half of which have less than fifty million (\$50,000,000) in
27 unobligated balances (the subset of which total only about \$700 million)."

28 I. The Analysis indicates a detrimental impact to Tribal Programs and Native
29 Americans due to several cuts to funding, which includes: over one-billion dollars
30 (\$1,000,000,000) to Health and Human services, sixty-million dollars (\$60,000,000)

1 to the Bureau of Indian Affairs Operations of Indian Programs, two-hundred million
2 dollars (\$200,000,000) to the Bureau of Indian Educations Operations of Indian
3 Programs, seven hundred sixty million dollars (\$760,000,000) to Emergency
4 Connectivity Funds provided for relief to millions of students, school staff and library
5 patrons, over three billion dollars (\$3,000,000,000) to Housing and Urban
6 Development, six billion dollars (\$6,000,000,000) to Transportation, one billion
7 eight-hundred thousand dollars (\$1,800,000,000) to the State Small Business Credit
8 Initiative, thirty-five million dollars (\$35,000,000) to Veteran Affairs, and over two
9 billion dollars (\$2,000,000,000) to the Veteran Medical Care and Health Fund.
10 **Exhibit C** provides more detailed information.

- 11 J. The Navajo Nation ("Nation") received over two billion dollars (\$2,000,000,000) in
12 federal COVID relief funding from the U.S. Treasury ("Treasury"). This
13 disbursement by the Treasury to the Nation are defined as federally obligated funding
14 by the Treasury. The proposed language of the *Limit, Save, Grow Act of 2023*, H.R.
15 2811, rescinds federally unobligated funds and does not rescind the Nation's tribally
16 unobligated funds.
- 17 K. The *Limit, Save, Grow Act of 2023*, H.R. 2811, does threaten Treasury application-
18 based grant programs which are at risk of rescission of their balances if the Treasury
19 is unable to approve pending applications before June 1, 2023.
- 20 L. Through the United States Department of Treasury, SSBCI will fund state, territory, and
21 Tribal government small business credit support programs, including capital access
22 programs, loan participation programs, loan guarantee programs, collateral support
23 programs, and venture capital programs ("other credit support programs").
- 24 M. The Nation applied for SSBCI funding, in efforts to encourage and enhance economic
25 development within the Navajo Nation. This pending application has an estimated
26 award amount of ninety-eight million dollars (\$98,000,000), and is currently under
27 review with the Treasury's State Small Business Credit Initiative ("SSBCI"). This
28 vital award would be used to provide needed loan programs to small businesses on
29 the Navajo Nation, which is essential to short-term and long-term survival and
30 economic stability for the Navajo Nation.

1 N. It is imperative that Congress amend §§ 201-202 of the *Limit, Save, Grow Act of*
2 *2023*, H.R. 2811, to reflect language favorable to the Navajo Nation and other Tribal
3 Governments still seeking approvals of available COVID related funding and
4 unobligated funds, so that they may receive these vital and necessary resources.

5 O. For the reason stated above, it is in the best interest of the Navajo Nation that the
6 Navajo Nation oppose the *Limit, Save, Grow Act of 2023*, H.R. 2811, as currently
7 written, and respectfully requests Congress amend §§ 201-202 to reflect language
8 favorable to tribal governments still seeking approval for unobligated funding for the
9 Navajo Nation and other Tribal Programs.

10
11 **THEREFORE, BE IT RESOLVED:**

12 A. The Navajo Nation Council oppose the Limit, Save, Grow Act of 2023, H.R. 2811, as
13 currently written, so respectfully requests Congress amend §§ 201-202 to reflect
14 language favorable to tribal governments still seeking approval for unobligated
15 funding for the Navajo Nation and other Tribal Programs, and protect the funding for
16 applicants awaiting final approval.

17 B. The Navajo Nation Council authorizes the Navajo Nation President and Navajo
18 Nation Speaker to take all steps necessary to affirm the Navajo Nation's position of
19 protecting and preserving the health, welfare, and economic interests of the Navajo
20 People.

118TH CONGRESS
1ST SESSION

H. R. 3746

To provide for a responsible increase to the debt ceiling.

IN THE HOUSE OF REPRESENTATIVES

MAY 29, 2023

Mr. MCHENRY introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on the Budget, Appropriations, Veterans' Affairs, Rules, Transportation and Infrastructure, the Judiciary, Education and the Workforce, Agriculture, Energy and Commerce, Financial Services, Natural Resources, Small Business, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for a responsible increase to the debt ceiling.

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

3 **SECTION 1. SHORT TITLE.**

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

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

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

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.

DIVISION A—LIMIT FEDERAL SPENDING

TITLE I—DISCRETIONARY SPENDING LIMITS FOR
DISCRETIONARY CATEGORY

- Sec. 101. Discretionary spending limits.
- Sec. 102. Special adjustments for fiscal years 2024 and 2025.
- Sec. 103. Budgetary treatment of previously enacted emergency requirements.

TITLE II—BUDGET ENFORCEMENT IN THE HOUSE OF
REPRESENTATIVES

- Sec. 111. Authority for Fiscal Year 2024 Budget Resolution in the House of Representatives.
- Sec. 112. Limitation on Advance Appropriations in the House of Representatives.
- Sec. 113. Exercise of rulemaking powers.

TITLE III—BUDGET ENFORCEMENT IN THE SENATE

- Sec. 121. Authority for fiscal year 2024 budget resolution in the Senate.
- Sec. 122. Authority for fiscal year 2025 budget resolution in the Senate.
- Sec. 123. Limitation on advance appropriations in the Senate.
- Sec. 124. Exercise of rulemaking powers.

DIVISION B—SAVE TAXPAYER DOLLARS

TITLE I—RESCISSION OF UNOBLIGATED FUNDS

- Sec. 1. Rescission of unobligated funds.
- Sec. 2. Rescission of unobligated funds.
- Sec. 3. Rescission of unobligated funds.
- Sec. 4. Rescission of unobligated funds.
- Sec. 5. Rescission of unobligated funds.
- Sec. 6. Rescission of unobligated funds.
- Sec. 7. Rescission of unobligated funds.
- Sec. 8. Rescission of unobligated funds.
- Sec. 9. Rescission of unobligated funds.
- Sec. 10. Rescission of unobligated funds.
- Sec. 11. Rescission of unobligated funds.
- Sec. 12. Rescission of unobligated funds.
- Sec. 13. Rescission of unobligated funds.
- Sec. 14. Rescission of unobligated funds.
- Sec. 15. Rescission of unobligated funds.
- Sec. 16. Rescission of unobligated funds.
- Sec. 17. Rescission of unobligated funds.
- Sec. 18. Rescission of unobligated funds.
- Sec. 19. Rescission of unobligated funds.
- Sec. 20. Rescission of unobligated funds.
- Sec. 21. Rescission of unobligated funds.
- Sec. 22. Rescission of unobligated funds.
- Sec. 23. Rescission of unobligated funds.
- Sec. 24. Rescission of unobligated funds.
- Sec. 25. Rescission of unobligated funds.
- Sec. 26. Rescission of unobligated funds.
- Sec. 27. Rescission of unobligated funds.
- Sec. 28. Rescission of unobligated funds.

- [illegible]

TITLE II—FAMILY AND SMALL BUSINESS TAXPAYER PROTECTION

Sec. 251. Rescission of certain balances made available to the Internal Revenue Service.

TITLE III—STATUTORY ADMINISTRATIVE PAY-AS-YOU-GO

Sec. 261. Short title.
 Sec. 262. Definitions.
 Sec. 263. Requirements for administrative actions that affect direct spending.
 Sec. 264. Issuance of administrative guidance.
 Sec. 265. Waiver.
 Sec. 266. Exemption.
 Sec. 267. Judicial review.
 Sec. 268. Sunset.
 Sec. 269. GAO report.
 Sec. 270. Congressional Review Act compliance assessment.

TITLE IV—TERMINATION OF SUSPENSION OF PAYMENTS ON FEDERAL STUDENT LOANS; RESUMPTION OF ACCRUAL OF IN- TEREST AND COLLECTIONS

Sec. 271. Termination of suspension of payments on Federal student loans; resumption of accrual of interest and collections.

DIVISION C—GROW THE ECONOMY

TITLE I—TEMPORARY ASSISTANCE TO NEEDY FAMILIES

Sec. 301. Recalibration of the caseload reduction credit.
 Sec. 302. Pilot projects for promoting accountability by measuring work outcomes.
 Sec. 303. Elimination of small checks scheme.
 Sec. 304. Reporting of work outcomes.
 Sec. 305. Effective date.

TITLE II—SNAP EXEMPTIONS

Sec. 311. Modification of work requirement exemptions.
 Sec. 312. Modification of general exemptions.
 Sec. 313. Supplemental nutrition assistance program under the Food and Nutrition Act of 2008.
 Sec. 314. Waiver transparency.

TITLE III—PERMITTING REFORM

Sec. 321. Builder Act.
 Sec. 322. Interregional Transfer Capability Determination Study.
 Sec. 323. Permitting streamlining for energy storage.
 Sec. 324. Expediting completion of the Mountain Valley Pipeline.

DIVISION D—INCREASE IN DEBT LIMIT

Sec. 401. Temporary extension of public debt limit.

1 **SEC. 3. REFERENCES.**

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

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

22 “(B) for the revised nonsecurity category;
23 \$703,651,000,000 in new budget authority; and

24 “(10) for fiscal year 2025—

25 “(A) for the revised security category,
26 \$895,212,000,000 in new budget authority; and

1 “(B) for the revised nonsecurity category;
2 \$710,688,000,000 in new budget authority;”.

3 (b) CONFORMING AMENDMENTS TO ADJUST-
4 MENTS.—

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

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

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

13 (C) by inserting after subclause (X) the
14 following:

15 “(XI) for fiscal year 2024,
16 \$1,578,000,000 in additional new budget
17 authority; and

18 “(XII) for fiscal year 2025,
19 \$1,630,000,000 in additional new budget
20 authority.”.

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

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

(B) in subclause (X), by striking the period and inserting a semicolon; and

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

“(XI) for fiscal year 2024, \$604,000,000 in additional new budget authority; and

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

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

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

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

“(II) notwithstanding clause (iv), five percent of the total appropriations provided in the previous 10 years, net of any rescissions of budget authority enacted in the same period, with respect to amounts provided for major disasters declared pursuant to

1 the Robert T. Stafford Disaster Relief
2 and Emergency Assistance Act (42
3 U.S.C. 5121 et seq.) and designated
4 by the Congress in statute as an
5 emergency; and”.

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

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

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

13 (C) by inserting after subclause (IV) the
14 following:

15 “(V) for fiscal year 2024,
16 \$265,000,000 in additional new budg-
17 et authority; and

18 “(VI) for fiscal year 2025,
19 \$271,000,000 in additional new budg-
20 et authority.”.

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

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

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

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

16 (1) \$20,268,000,000, which shall become avail-
17 able on October 1, 2023, and shall remain available
18 until September 30, 2028; and

19 (2) \$24,455,000,000, which shall become avail-
20 able on October 1, 2024, and shall remain available
21 until September 30, 2029.

22 (e) APPROPRIATION FOR DEPARTMENT OF COM-
23 MERCE NONRECURRING EXPENSES FUND.—

24 (1) IN GENERAL.—In addition to amounts oth-
25 erwise available, there is appropriated to the Depart-

1 ment of Commerce Nonrecurring Expenses Fund for
2 fiscal year 2023, out of any money in the Treasury
3 not otherwise appropriated, \$22,000,000,000, to re-
4 main available until expended, of which—

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

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

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

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

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

23 (5) SENATE PAYGO SCORECARDS.—The budg-
24 etary effects of this subsection and each succeeding
25 division shall not be entered on any PAYGO score-

1 card maintained for purposes of section 4106 of H.
2 Con. Res. 71 (115th Congress).

3 (6) CLASSIFICATION OF BUDGETARY EF-
4 FECTS.—Notwithstanding Rule 3 of the Budget
5 Scorekeeping Guidelines set forth in the joint ex-
6 planatory statement of the committee of conference
7 accompanying Conference Report 105–217 and sec-
8 tion 250(c)(7) and (c)(8) of the Balanced Budget
9 and Emergency Deficit Control Act of 1985, the
10 budgetary effects of this section shall be estimated
11 for purposes of section 251 of such Act and as ap-
12 propriations for discretionary accounts for purposes
13 of the allocation to the Committee on Appropriations
14 pursuant to section 302(a) of the Congressional
15 Budget Act of 1974 and the concurrent resolution
16 on the budget.

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

- 22 (1) Fiscal year 2026, \$1,621,959,000,000.
- 23 (2) Fiscal year 2027, \$1,638,179,000,000.
- 24 (3) Fiscal year 2028, \$1,654,560,000,000.
- 25 (4) Fiscal year 2029, \$1,671,106,000,000.

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

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

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

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

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

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

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

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

“(A) 10 days, not including weekends and holidays, for the Congressional Budget Office and 15 days, not including weekends and holidays, for the Office of Management and Budget, after the enactment into law of annual full-year appropriations for all budget accounts that normally receive such annual appropriations (or the enactment of the applicable full-year appropriations Acts without any provision for such accounts); or

“(B) April 30, 2024.

“(3) REVERSAL.—If, after January 1, 2024, there are enacted into law each of the full year discretionary appropriation Acts, then the adjustment

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

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

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

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

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

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

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

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

14 “(B) April 30, 2025.

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

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

3 (a) **IN GENERAL.**—Notwithstanding section 905(c) of
4 division J of Public Law 117–58 and section 23005(c) of
5 division B of Public Law 117–159, Rule 3 of the Budget
6 Scorekeeping Guidelines set forth in the joint explanatory
7 statement of the committee of conference accompanying
8 Conference Report 105–217, and sections 250(c)(7) and
9 (c)(8) of the Balanced Budget and Emergency Deficit
10 Control Act of 1985, the budgetary effects for any fiscal
11 year for the amounts specified in subsection (b) shall not
12 count for purposes of section 251 of such Act, and no dis-
13 cretionary spending limit shall be adjusted for funding
14 designated by the Congress pursuant to section
15 251(b)(2)(A) of such Act.

16 (b) **AMOUNTS.**—The amounts specified in this sub-
17 section are—

18 (1) amounts designated by the Congress as
19 being for an emergency requirement pursuant to sec-
20 tion 4001(a)(1) and section 4001(b) of S. Con. Res.
21 14 (117th Congress), the concurrent resolution on
22 the budget for fiscal year 2022, in division B of the
23 Bipartisan Safer Communities Act (Public Law
24 117–159);

25 (2) amounts designated by the Congress as an
26 emergency requirement pursuant to section

1 251(b)(2)(A)(i) of the Balanced Budget and Emer-
2 gency Deficit Control Act of 1985 in division J of
3 the Infrastructure Investment and Jobs Act (Public
4 Law 117–58); and

5 (3) amounts designated by the Congress as
6 being for an emergency requirement pursuant to sec-
7 tion 4001(a)(1) and section 4001(b) of S. Con. Res.
8 14 (117th Congress), the concurrent resolution on
9 the budget for fiscal year 2022, and section 1(c) of
10 H. Res. 1151 (117th Congress) in section 443(b) in
11 division G of the Consolidated Appropriations Act,
12 2023 (Public Law 117–328).

13 **TITLE II—BUDGET ENFORCE-**
14 **MENT IN THE HOUSE OF REP-**
15 **RESENTATIVES**

16 **SEC. 111. AUTHORITY FOR FISCAL YEAR 2024 BUDGET RES-**
17 **OLUTION IN THE HOUSE OF REPRESENTA-**
18 **TIVES.**

19 (a) FISCAL YEAR 2024.—For the purpose of enforc-
20 ing the Congressional Budget Act of 1974 for fiscal year
21 2024, the allocations, aggregates, and levels provided for
22 in subsection (b) shall apply in the House of Representa-
23 tives in the same manner as for a concurrent resolution
24 on the budget for fiscal year 2024 with appropriate budg-

1 etary levels for fiscal year 2024 and for fiscal years 2025
2 through 2033.

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

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

18 (2) for all committees of the House of Rep-
19 resentatives other than the Committee on Appropria-
20 tions, committee allocations for fiscal year 2024 and
21 for the period of fiscal years 2025 through 2033
22 consistent with the most recent baseline of the Con-
23 gressional Budget Office, as adjusted, to the extent
24 practicable, for the budgetary effects of any provi-
25 sion of law enacted during the period beginning on

1 the date such baseline is issued and ending on the
2 date of submission of such statement, for the pur-
3 pose of enforcing section 302 of the Congressional
4 Budget Act of 1974;

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

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

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

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

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

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

14 **SEC. 112. LIMITATION ON ADVANCE APPROPRIATIONS IN**
15 **THE HOUSE OF REPRESENTATIVES.**

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

21 (b) EXCEPTIONS.—An advance appropriation may be
22 provided for programs, activities or accounts identified in
23 lists submitted for printing in the Congressional Record
24 by the Chair of the Committee on the Budget—

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

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

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

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

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

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

2 This title is enacted by the House of Representa-
3 tives—

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

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

14 **TITLE III—BUDGET**
15 **ENFORCEMENT IN THE SENATE**

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

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

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

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

14 (2) for all committees other than the Committee on Appropriations, committee allocations for
15 fiscal years 2024, 2024 through 2028, and 2024
16 through 2033, consistent with the May 2023 baseline of the Congressional Budget Office, as adjusted
17 for the budgetary effects of any provision of law enacted during the period beginning on the date such
18 baseline was issued and ending on the date of submission of such statement, for the purpose of enforcing
19 section 302 of the Congressional Budget Act of
20 1974 (2 U.S.C. 633);
21
22
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24

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

6 (4) aggregate revenue levels for fiscal years
7 2024, 2024 through 2028, and 2024 through 2033,
8 consistent with the May 2023 baseline of the Con-
9 gressional Budget Office, as adjusted for the budg-
10 etary effects of any provision of law enacted during
11 the period beginning on the date such baseline was
12 issued and ending on the date of submission of such
13 statement, for the purpose of enforcing section 311
14 of the Congressional Budget Act of 1974 (2 U.S.C.
15 642);

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

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

4 (c) **ADDITIONAL MATTER.**—The statement referred
5 to in subsection (b) may also include for fiscal year 2024
6 the deficit-neutral reserve fund in section 3003 of S. Con.
7 Res. 14 (117th Congress), the concurrent resolution on
8 the budget for fiscal year 2022, updated by 2 fiscal years.

9 (d) **EXPIRATION.**—This section shall expire if a con-
10 current resolution on the budget for fiscal year 2024 is
11 agreed to by the Senate and the House of Representatives
12 pursuant to section 301 of the Congressional Budget Act
13 of 1974 (2 U.S.C. 632).

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

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

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

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

14 (2) for all committees other than the Com-
15 mittee on Appropriations, committee allocations for
16 fiscal years 2025, 2025 through 2029, and 2025
17 through 2034 consistent with the most recent base-
18 line of the Congressional Budget Office, as adjusted
19 for the budgetary effects of any provision of law en-
20 acted during the period beginning on the date such
21 baseline is issued and ending on the date of submis-
22 sion of such statement, for the purpose of enforcing
23 section 302 of the Congressional Budget Act of
24 1974 (2 U.S.C. 633);

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

6 (4) aggregate revenue levels for fiscal years
7 2025, 2025 through 2029, and 2025 through 2034
8 consistent with the most recent baseline of the Con-
9 gressional Budget Office, as adjusted for the budg-
10 etary effects of any provision of law enacted during
11 the period beginning on the date such baseline is
12 issued and ending on the date of submission of such
13 statement, for the purpose of enforcing section 311
14 of the Congressional Budget Act of 1974 (2 U.S.C.
15 642);

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

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

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

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

14 **SEC. 123. LIMITATION ON ADVANCE APPROPRIATIONS IN**
15 **THE SENATE.**

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

18 (1) **IN GENERAL.**—

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

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

10 (2) EXCEPTIONS.—Advance appropriations may
11 be provided—

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

21 (B) for the Corporation for Public Broad-
22 casting;

23 (C) for the Department of Veterans Affairs
24 for the Medical Services, Medical Support and
25 Compliance, Veterans Medical Community

1 Care, and Medical Facilities accounts of the
2 Veterans Health Administration; and

3 (D) for the Department of Health and
4 Human Services for the Indian Health Services
5 and Indian Health Facilities accounts—

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

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

24 (3) SUPERMAJORITY WAIVER AND APPEAL.—

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

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

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

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

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

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

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

17 This title is enacted by the Senate—

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

23 (2) with full recognition of the constitutional
24 right of the Senate to change such rules (so far as
25 relating to the Senate) at any time, in the same

1 manner, and to the same extent as in the case of
2 any other rule of the Senate.

3 **DIVISION B—SAVE TAXPAYER**
4 **DOLLARS**

5 **TITLE I—RESCISSION OF UNOBLIGATED**
6 **FUNDS**

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

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

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

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

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

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

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

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

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

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

18 (7) 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 A of
22 Public Law 116–123, including any funds trans-
23 ferred from such heading that remain unobligated,
24 with the exception of \$195,000,000 and any funds
25 that were transferred and merged with the Infec-

1 tious Diseases Rapid Response Reserve Fund estab-
2 lished by section 231 of division B of Public Law
3 115-245.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 SEC. 64. The unobligated balances of amounts made
20 available under the heading "Department of Energy—En-
21 ergy Programs—Science" in title III of division D of Pub-
22 lic Law 116-260 are hereby permanently rescinded.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6 **SEC. 262. DEFINITIONS.**

7 In this title—

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

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

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

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

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

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

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

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

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

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

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

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

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

(A) and for which a proposal has not been submitted under section 263(a)(2)(A), a projection of the amount of direct spending if no administrative action were taken; or

(C) with respect to a discretionary administrative action described in paragraph (6)(B), a projection of the amount of direct spending under the least costly implementation option reasonably identifiable by the agency that meets the requirements under the statute.

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

(a) DISCRETIONARY ADMINISTRATIVE ACTIONS.—

(1) IN GENERAL.—Before an agency may finalize any covered discretionary administrative action, the head of the agency shall submit to the Director for review written notice regarding the covered discretionary administrative action, which shall include an estimate of the budgetary effects of the covered discretionary administrative action.

(2) INCREASING DIRECT SPENDING.—

(A) IN GENERAL.—If the covered discretionary administrative action would increase direct spending, the written notice submitted by the head of the agency under paragraph (1)

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

7 (B) REVIEW.—

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

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

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

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

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

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

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

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

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

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

1 **SEC. 265. WAIVER.**

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

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

7 (2) is necessary for effective program delivery.

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

10 **SEC. 266. EXEMPTION.**

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

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

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

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

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

20 **SEC. 268. SUNSET.**

21 This title shall expire on December 31, 2024.

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

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

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

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

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

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

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

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

1 (c) WAIVERS AND MODIFICATIONS DESCRIBED.—

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

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

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

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

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

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

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

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

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

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

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

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

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

1 “(2) LEVEL OF PERFORMANCE BENCHMARK.—

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

6 “(3) FAILURE OF STATE TO MEET BENCH-

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

15 “(4) DURATION.—The pilot under this sub-

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

22 “(5) APPLICATION OF PENALTY FOR FAILURE

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

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

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

14 “(7) REPORTS.—

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

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

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

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

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

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

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

16 “(f) REPORTING PERFORMANCE INDICATORS.—

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

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

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

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

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

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

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

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

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

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

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

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

13 **TITLE II—SNAP EXEMPTIONS**

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

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

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

21 “(A)(i) under 18 years of age; or

22 “(ii) in—

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

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

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

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

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

9 (4) adding at the end the following:

10 “(F) a homeless individual;

11 “(G) a veteran; or

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

19 (b) APPLICATION.—

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

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

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

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

7 (1) in subparagraph (E)—

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

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

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

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

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

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

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

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

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

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

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

18 (8) by adding at end the following:

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

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

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

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

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

22 **TITLE III—PERMITTING REFORM**

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

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

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

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

5 (3) in subparagraph (C)—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 “(F) consistent with the provisions of this
2 Act, study, develop, and describe technically
3 and economically feasible alternatives;”; and
4 (7) in subparagraph (I), as amended, by insert-
5 ing “consistent with the provisions of this Act,” be-
6 fore “recognize”.

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

10 **“SEC. 106. PROCEDURE FOR DETERMINATION OF LEVEL OF**
11 **REVIEW.**

12 “(a) THRESHOLD DETERMINATIONS.—An agency is
13 not required to prepare an environmental document with
14 respect to a proposed agency action if—

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

18 “(2) the proposed agency action is excluded
19 pursuant to one of the agency’s categorical exclu-
20 sions, another agency’s categorical exclusions con-
21 sistent with section 109 of this Act, or another pro-
22 vision of law;

23 “(3) the preparation of such document would
24 clearly and fundamentally conflict with the require-
25 ments of another provision of law; or

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

6 “(b) LEVELS OF REVIEW.—

7 “(1) ENVIRONMENTAL IMPACT STATEMENT.—

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

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

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

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

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

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

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

14 “(a) LEAD AGENCY.—

15 “(1) DESIGNATION.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12 “(5) COUNCIL DESIGNATION.—

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

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

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

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

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

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

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

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

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

11 “(e) PAGE LIMITS.—

12 “(1) ENVIRONMENTAL IMPACT STATEMENTS.—

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

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

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

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

9 “(g) DEADLINES.—

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

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

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

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

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

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

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

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

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

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

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

24 “(3) PETITION TO COURT.—

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

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

17 “(h) REPORT.—

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

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

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

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

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

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

11 “(B) the date on which—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8 **“SEC. 110. E-NEPA.**

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

18 “(1) allow applicants to—

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

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

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

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

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

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

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

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

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

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

22 “(E) be accessible on mobile devices;

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

1 “(A) scientific data and analysis; and

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

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

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

11 **“SEC. 111. DEFINITIONS.**

12 “In this title:

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

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

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

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

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

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

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

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

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

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

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

4 “(10) MAJOR FEDERAL ACTION.—

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

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

12 “(i) a non-Federal action—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8 (a) **DEFINITION OF MOUNTAIN VALLEY PIPELINE.—**

9 In this section, the term “Mountain Valley Pipeline”
10 means the Mountain Valley Pipeline project, as generally
11 described and approved in Federal Energy Regulatory
12 Commission Docket Nos. CP16–10, CP19–477, and
13 CP21–57.

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

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

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

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

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

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

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

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

8 (e) JUDICIAL REVIEW.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

○



CONGRESSIONAL BUDGET OFFICE
U.S. Congress
Washington, DC 20515

Phillip L. Swagel, Director



May 30, 2023

Honorable Kevin McCarthy
Speaker of the House
U.S. House of Representatives
Washington, DC 20515

Re: CBO's Estimate of the Budgetary Effects of H.R. 3746, the Fiscal Responsibility Act of 2023

Dear Mr. Speaker:

As you requested, the Congressional Budget Office has estimated the budgetary effects of H.R. 3746, the Fiscal Responsibility Act of 2023, as posted on the website of the House Committee on Rules on May 28, 2023.

Overall Budgetary Effects of H.R. 3746

In CBO's estimation, if H.R. 3746 was enacted and appropriations that are subject to caps on discretionary funding for 2024 and 2025 were constrained by the limits specified in section 101(a) of the bill, the agency's projections of budget deficits would be reduced by about \$1.5 trillion over the 2023–2033 period relative to its May 2023 baseline projections (see Table 1). Reductions in projected discretionary outlays would amount to \$1.3 trillion over the 2024–2033 period (see Table 3). Mandatory spending would, on net, decrease by \$10 billion, and revenues would, on net, decrease by \$2 billion over the 2023–2033 period (see Table 4). As a consequence, interest on the public debt would decline by \$188 billion.

At your request, the budgetary totals in this letter include information beyond that provided in CBO's cost estimates, which typically are used for budget enforcement and are prepared under long-standing principles agreed to by the legislative and executive branches. For the total deficit effects, this letter includes effects on projections of discretionary spending and interest on the public debt, measured relative to CBO's baseline, that ordinarily would not be

part of a cost estimate. CBO provides such information when requested. CBO has not undertaken a dynamic analysis of this bill, which would account for changes in the total output of the economy and their effects on the budget.¹ The agency has also not analyzed the bill for intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

The bill's effects on the deficit could differ from CBO's estimates because of future legislative, judicial, or executive actions. The effects on the deficit also could be larger or smaller than CBO has estimated because it is uncertain how individuals, businesses, states, and other affected parties would respond to the bill's provisions.

Description of the Bill

H.R. 3746 would impose caps on discretionary funding, make other changes affecting spending and revenues, and raise the debt ceiling. Specifically, the bill would:

- Establish statutory caps on discretionary funding for fiscal years 2024 and 2025 that would be enforced by sequestration;
- Set limits on most discretionary funding for each year from 2026 through 2029 that would be enforced using the Congress's procedures for considering budgetary legislation;
- Rescind certain funds provided to the Internal Revenue Service (IRS) and related agencies under Public Law 117-169 (an act to provide reconciliation pursuant to title II of S. Con. Res. 14; referred to here as the 2022 reconciliation act);
- Modify work requirements for the Supplemental Nutrition Assistance Program (SNAP) and Temporary Assistance for Needy Families (TANF);
- Rescind unobligated balances from specific accounts provided by six laws enacted between 2020 and 2022;
- Appropriate \$22 billion for the Nonrecurring Expenses Fund of the Department of Commerce;

1. See Congressional Budget Office, *CBO Describes Its Cost-Estimating Process* (April 2023), www.cbo.gov/publication/59003.

- Appropriate \$45 billion to the Toxic Exposures Fund for veterans' health care and associated expenses;²
- Amend provisions of current law that regulate permitting of certain proposed energy-related projects;
- Terminate the current suspension of payments, interest accrual, and collections on defaulted loans in the student loan program 60 days after June 30, 2023;
- Require the executive branch to follow administrative pay-as-you-go procedures before finalizing certain administrative actions; and
- Temporarily suspend the debt limit.

CBO's estimates of the budgetary effects of those provisions are detailed below. For the purposes of this letter, CBO has assumed that the bill will be enacted in June 2023.

Caps on Discretionary Funding

Title I of division A would impose limits on most discretionary funding (that is, budget authority provided in appropriation legislation). Current law specifies a number of adjustments or exceptions to the caps for certain types of funding and that funding would not be constrained by the imposed limits. Under the bill, certain other funding would not be subject to the caps.³ For funding that is constrained by those limits, referred to hereafter as base funding, separate caps would be established for defense and nondefense funding.

Under section 101(a), the caps on base discretionary funding for 2024 would total \$1.590 trillion (\$886 billion for defense and \$704 billion for nondefense

2. Because of the budgetary treatment that applies to the TEF under current law, the spending that would result from that fund under section 101 is not included in this estimate. That section would appropriate \$20 billion for fiscal year 2024 and \$24 billion for fiscal year 2025 to the TEF, which is classified as an appropriated mandatory account for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 and the Congressional Budget Act of 1974. Appropriations to that fund are treated as liquidating appropriations in the budget.

3. The caps would not apply to funding for certain programs under the 21st Century Cures Act or to certain funding from the Harbor Maintenance Trust Fund. In addition, under section 103 of the bill, the caps would not apply to certain previously enacted permanent and advance appropriations that were designated by the Congress as emergency requirements.

funding; see Table 2).⁴ The caps on base discretionary funding in 2025 would equal \$1.606 trillion (\$895 billion for defense and \$711 billion for nondefense).

Some funding would be limited either according to a formula or to specified amounts, funding designated as an emergency requirement or for overseas contingency operations would not be constrained, and certain other funding would not be subject to the caps. With those adjustments, and base funding constrained by amounts specified in section 101(a), CBO projects that total discretionary funding under the bill would amount to \$1.795 trillion in 2024 and \$1.818 trillion in 2025 (see Table 3).

A breach of those limits would be addressed by the Administration using sequestration procedures.⁵ Under those procedures, automatic spending cuts, generally of a uniform percentage, would occur through the withdrawal of funding for some government programs to reach the amount needed to reduce funding by the amount of the breach.

CBO has compared its estimates of spending under the caps with amounts in its May 2023 baseline projections. As specified in the Balanced Budget and Emergency Deficit Control Act of 1985, CBO's baseline projections for discretionary appropriations are assumed to grow each year with inflation from the amounts provided for the most recent year, whereas CBO's projections under the bill reflect the assumption that funding would be constrained by the caps with authorized adjustments through 2025 and keep pace with inflation thereafter. Thus, relative to the baseline, under the caps established in section 101(a), budget authority would be \$1.458 trillion lower and outlays would be \$1.332 trillion lower over the 2024–2033 period.

The projected reductions in outlays are smaller than the projected reductions in budget authority partly because outlays generally lag behind budget authority (and thus some savings from the caps would occur beyond the 10-year budget window) and partly because some budget authority never results in outlays.

4. Because CBO's baseline projection of base defense funding for fiscal year 2024 amounts to \$884 billion, \$2 billion less than the cap under section 101(a), the agency's projections of base defense funding under the bill would not change.

5. See sections 251 and 254 of the Balanced Budget and Emergency Deficit Control Act of 1985, 2 U.S.C. §§ 901 and 904 (2023).

Section 101(f) of title I also sets limits on most discretionary funding for each year from 2026 through 2029. Those limits would be enforced using the Congress's procedures for considering budgetary legislation.⁶ If future appropriations were provided at the amounts of the caps as specified, budget authority would be \$632 billion lower and outlays would be \$553 billion lower over the 2026–2033 period than the amounts CBO would project based on the caps specified in section 101(a) for 2024 and 2025.

Section 102 would establish temporary caps on funding if a continuing resolution is in place on January 1 of 2024 or 2025. Caps on defense funding would be lower and caps on nondefense funding would be higher relative to the caps in section 101(a). Once full-year appropriations were enacted, the caps would revert to the limits that were in place on December 31 of that fiscal year (that is, the caps established in section 101(a), with adjustments). If a continuing resolution were still in place on April 30 of either 2024 or 2025, a final sequestration order would be issued according to the cap amounts in section 102 (see Table 2).

Funding for the Internal Revenue Service and Related Agencies

Title II of division B would rescind certain unobligated funds provided to the IRS and other agencies in section 10301 of the 2022 reconciliation act. Most of those amounts are available to the IRS through 2031 for enforcement and related activities. CBO anticipates that rescinding those funds would result in fewer enforcement actions over the next decade and in a reduction in revenue collections. In total, CBO estimates, title II would decrease outlays by \$1.4 billion and decrease revenues by \$2.3 billion over the 2023–2033 period, resulting in a net increase in the deficit of \$900 million over that period.

6. See section 302(a)(5) of the Congressional Budget and Impoundment Control Act of 1974, 2 U.S.C. 633(a).

Work Requirements

Division C of the bill would modify work requirements for SNAP and TANF. CBO estimates that those provisions would increase federal spending by about \$2.1 billion over the 2023–2033 period, consisting of an increase of \$2.1 billion for SNAP and a reduction of \$5 *million* for TANF. Those estimates are informed by a 2022 CBO report that examined the effects of work requirements on enrollment and earnings for participants in means-tested programs.⁷

Supplemental Nutrition Assistance Program. To receive SNAP benefits for more than 3 months within a 36-month period under current law, able-bodied adults under the age of 50 who do not live with any dependent children must work or attend a training program for at least 80 hours a month. States can waive the SNAP work requirement for people who live in an area without sufficient jobs and, at the state’s discretion, can use a limited number of monthly exemptions for people who otherwise would be subject to the requirement. Under current law, states can carry over any unused discretionary exemptions indefinitely.

H.R. 3746 would make several changes to work requirements. The requirement would be expanded first (in fiscal year 2024) to able-bodied adults ages 50 to 52 who do not live with dependent children and then (in fiscal years 2025 and later) to able-bodied adults up to age 54 who do not live with dependent children. Several groups would newly be exempt from work requirements: people experiencing homelessness, veterans, and people ages 18 to 24 who were in foster care when they turned 18. Those changes would terminate on October 1, 2030.

The bill also would permanently reduce the number of monthly discretionary exemptions that states can use for people who otherwise would be subject to work requirements, and it would prevent states from carrying over unused exemptions for more than one year.

CBO estimates that all of the changes to SNAP work requirements would increase direct spending by \$2.1 billion over the 2023–2033 period. During the 2025–2030 period, when the group of people up to the age of 54 would be subject to the work requirement and the new exclusions were in effect,

7. Congressional Budget Office, *Work Requirements and Work Supports for Recipients of Means-Tested Benefits* (June 2022), www.cbo.gov/publication/57702.

approximately 78,000 people would gain benefits in an average month, on net (an increase of about 0.2 percent in the total number of people receiving SNAP benefits).

Those changes are the result of several offsetting effects, CBO estimates. First, on its own, expanding the work requirement to adults up to the age of 52 in 2024 and up to age 54 over the 2025–2030 period would reduce spending for SNAP by \$6.5 billion over the 2023–2033 period. Second, on its own, the exclusion of several groups would lead to a spending increase of \$6.8 billion over the same period.

CBO expects that additional increases in direct spending would occur because the provisions would be enacted simultaneously. The new exclusions would not only apply to some beneficiaries under age 50 who otherwise would be subject to the work requirement under current law, but also would apply to some beneficiaries ages 50 to 54 who otherwise would be subject to work requirements under the bill. As a result, CBO estimates, direct spending would increase by an additional \$1.8 billion. CBO estimates that the changes to discretionary exemptions would reduce spending for SNAP by a negligible amount.

Temporary Assistance for Needy Families. Under current law, to receive the full federal block grant for TANF, a state must ensure that adult recipients in at least 50 percent of single-parent families and 90 percent of two-parent families are engaged in a work-related activity. The percentages are lower for states that have reduced their TANF caseloads since 2005 and for states that spend more than a required amount of state funds to support TANF recipients' activities. The Department of Health and Human Services (HHS) can reduce a state's grant for failure to meet the percentage requirements unless the agency determines that the state has an approved reason for not meeting the standard or the state is complying with a corrective plan.

Title I of division C would set the benchmark year for the caseload reduction to 2015 (rather than 2005) and would prevent people who receive less than \$35 in state funding within a period determined by the Secretary of HHS from being included in a state's accounting for the work requirement. CBO estimates that HHS would reduce state grants slightly because some states would not meet the work requirement and would not comply with a corrective plan, and HHS would not approve their reason for not meeting the standard.

CBO estimates that the resulting reduction in block grants would reduce direct spending by \$5 million over the 2023–2033 period.

Rescission of Unobligated Funds

Title I of division B would rescind funds that had been provided to 87 budget accounts during the 2020–2022 period as part of the federal response to the coronavirus pandemic and public health emergency. CBO estimates that title would permanently rescind \$27.1 billion in budget authority, reducing outlays by \$11.0 billion over the 2023–2033 period. (Those amounts include reductions in funding designated as an emergency requirement as well as reductions in funding not so designated.) A majority of the reductions would come from the Public Health and Social Service Emergency Fund and from certain infrastructure and disaster relief programs.

Appropriation for the Department of Commerce

Subsection 101(e) of division A would appropriate \$22 billion in 2023 for the Nonrecurring Expenses Fund of the Department of Commerce to carry out activities in fiscal years 2024 and 2025. The fund is used to modernize information and business technology systems and improve infrastructure at the agency. Spending for that account totaled \$27 *million* in 2022. Based on recent spending patterns, CBO estimates that this provision would increase spending by \$100 million over the 2024–2033 period. In keeping with subsection 101(e) and at the direction of the House and Senate Committees on the Budget, subsection 101(e) is considered appropriation legislation, and the budget authority and outlays that stem from it are classified as discretionary.

Other Provisions

Several provisions of the bill would have a minimal effect on direct spending or revenues.

- The bill would require the executive branch to follow administrative pay-as-you-go procedures before finalizing certain administrative actions. Under those procedures, discretionary administrative actions that would increase direct spending by more than a certain threshold would be required to include additional proposed actions to fully offset the increase in direct spending. The Director of the Office of Management and Budget is allowed to waive the offset requirement if the Director concludes that the waiver is necessary for the delivery of essential services or for effective program delivery.

- Sixty days after June 30, 2023, the bill would terminate the current suspensions of federal student loan payments, interest accrual, and collections of loans in default. Based on the Department of Education's announcement in November 2022, CBO's baseline incorporates the assumption that the current suspension will end on August 30, 2023. As a result, CBO estimates that enacting this provision would have no effect on federal spending.
- The bill would amend provisions of current law that regulate permitting of certain proposed energy-related projects, require the Electric Reliability Organization (ERO) to study and report on the capability to transfer energy between utilities in neighboring regions, and require agencies to issue permits necessary to complete construction of the Mountain Valley Pipeline. Implementing those provisions would have an insignificant net effect on direct spending and revenues stemming from fees federal agencies would collect to issue permits and amounts the ERO would collect and spend to carry out the study. CBO has not evaluated potential economic effects from the bill's changes to federal permitting rules.

Suspend the Debt Limit

Division D of H.R. 3746 would suspend the debt limit through January 1, 2025. On January 2, the debt limit would be raised by the amount of obligations incurred up to that point.

Honorable Kevin McCarthy

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I hope this information is useful to you. If you wish further details on this analysis, we would be pleased to provide them.

Sincerely,

A handwritten signature in black ink, appearing to read "Phillip L. Swagel", with a long, sweeping horizontal line extending to the right.

Phillip L. Swagel
Director

cc: Honorable Hakeem Jeffries
Democratic Leader

Honorable Jodey Arrington
Chairman
House Committee on the Budget

Honorable Brendan F. Boyle
Ranking Member
House Committee on the Budget



Table 1. Changes in CBO's Baseline Projections Under H.R. 3746, the Fiscal Responsibility Act of 2023, as Posted on the Website of the House Committee on Rules on May 28, 2023

	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2023-2033
	By Fiscal Year, Billions of Dollars											
	Increases or Decreases (-) in the Projected Deficit											
Statutory Caps on Future Discretionary Funding ^a	0	-64.1	-106.7	-124.7	-133.7	-141.1	-145.1	-148.6	-152.2	-155.9	-159.7	-1,331.8
Funding for the Internal Revenue Service and Related Agencies	*	0.1	0.1	0.2	0.1	0.1	0.1	*	*	0.1	0.1	0.9
Work Requirements	0	0.2	0.2	0.3	0.3	0.3	0.4	0.3	0.1	*	*	2.1
Rescission of Unobligated Balances	-4.4	-4.4	-1.7	-0.4	-0.1	*	*	*	*	*	*	-11.0
Department of Commerce Nonrecurring Expenses Fund	0	*	*	*	*	*	0	0	0	0	0	0.1
Interest on the Public Debt	*	-1.3	-4.1	-7.4	-11.1	-15.2	-19.6	-24.5	-29.5	-34.8	-40.4	-188.0
Effect on the Deficit	-4.4	-69.5	-112.2	-132.0	-144.5	-155.9	-164.2	-172.8	-181.6	-190.6	-200.0	-1,527.7

Components may not sum to totals because of rounding. * = between -\$50 million and \$50 million.

Budgetary effects are relative to CBO's May 2023 baseline projections.

a. This estimate incorporates the assumption that future appropriations will be constrained by the proposed statutory caps, where applicable, and that funding (such as that designated as an emergency requirement) not constrained by the caps would match amounts in CBO's baseline projections. Changes to deficits could be larger or smaller, depending on whether the appropriated amounts are larger or smaller than the amounts that CBO projects in this analysis.

Table 2. CBO's Baseline Projections of Base Funding Compared With the Caps Specified in Sections 101 of H.R. 3746, the Fiscal Responsibility Act of 2023, as Posted on the Website of the House Committee on Rules on May 28, 2023

<https://rules.house.gov/bill/118/hr-fiscal-responsibility-act>

By Fiscal Year, Billions of Dollars				
	Enacted 2023	2024	2025	
Base Funding in CBO's May 2023 Baseline				
Budget Authority				
Defense	858.3	884.0	906.8	
Nondefense	<u>767.2</u>	<u>815.7</u>	<u>835.0</u>	
Total	1,625.5	1,699.8	1,741.8	
Base Discretionary Funding Under the Caps				
Section 101				
(Full-year appropriations enacted by January 1 each year)				
Budget Authority				
Defense	n.a.	886.3	895.2	
Nondefense	n.a.	<u>703.7</u>	<u>710.7</u>	
Total	n.a.	1,590.0	1,605.9	
Section 102*				
(Continuing resolution in place on January 1 each year)				
Budget Authority				
Defense	n.a.	849.8	849.8	
Nondefense	n.a.	<u>736.4</u>	<u>736.4</u>	
Total	n.a.	1,586.2	1,586.2	
Differences Between the Baseline and Proposed Caps				
Section 101				
Budget Authority				
Defense	n.a.	2.3	-11.6	
Nondefense	n.a.	<u>-112.0</u>	<u>-124.3</u>	
Total	n.a.	-109.8	-135.9	
Section 102				
Budget Authority				
Defense	n.a.	-34.2	-57.0	
Nondefense	n.a.	<u>-79.3</u>	<u>-98.6</u>	
Total	n.a.	-113.6	-155.6	

Source: Congressional Budget Office.
Components may not sum to totals because of rounding; n.a. = not applicable.
See Notes for additional details.

Table 2. CBO's Baseline Projections of Base Funding Compared With the Caps Specified in Sections 101 of H.R. 3746, the Fiscal Responsibility Act of 2023, as Posted on the Website of the House Committee on Rules on May 28, 2023

<https://rules.house.gov/bill/118/hr-fiscal-responsibility-act>

Notes

The funding that would be affected by the statutory caps in section 101(a) and section 102 is referred to here as base funding. Appropriations designated for certain categories of nonbase spending would result in adjustments to the caps, and limits would apply to some of those adjustments. The caps would not apply to funding for certain programs under the 21st Century Cures Act or to certain funding from the Harbor Maintenance Trust Fund. In addition, under section 103 of the bill, the caps would not apply to certain previously enacted permanent and advance appropriations that were designated by the Congress as emergency requirements.

- a. Section 102 would establish temporary caps that differ from the amounts specified in section 101(a) if certain conditions are met. Specifically, the caps for either fiscal year 2024 or fiscal year 2025 would change if, on January 1, a law is in effect that provides continuing appropriations for any discretionary budget account. When full-year appropriations are enacted, the caps specified in section 101(a) would again take effect, including any adjustments to those caps that were in effect in December. If full-year appropriations are not enacted by April 30, sequestration would be ordered at the levels specified in section 102.



May 30, 2023

Table 3. CBO's Projections of Discretionary Spending Under the Caps Specified in Section 101 of H.R. 3746,* the Fiscal Responsibility Act of 2023, as Posted on the Website of the House Committee on Rules on May 28, 2023

<https://rules.house.gov/bill/118/hr-fiscal-responsibility-act>

	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2023-2033
CBO's May 2023 Baseline												
Budget Authority	1,826.5	1,907.7	1,953.9	1,996.7	2,044.5	2,092.1	2,141.5	2,192.8	2,244.7	2,297.2	2,352.5	23,050.1
Outlays	1,711.7	1,845.2	1,939.4	1,994.7	2,054.8	2,112.4	2,153.2	2,209.2	2,260.2	2,312.5	2,373.1	22,966.4
Changes Under H.R. 3746												
Effect of Caps Specified in Section 101(a)^a												
Projected Budget Authority	0	-112.3	-135.9	0	0	0	0	0	0	0	0	-248.2
Outlays	0	-64.1	-106.7	-45.2	-16.5	-8.6	-4.3	0	0	0	0	-245.4
Updated Projections From Lower Funding^b												
Projected Budget Authority	0	0	0	-139.1	-142.4	-145.6	-149.2	-152.8	-156.5	-160.2	-164.2	-1,209.9
Outlays	0	0	0	-79.6	-117.2	-132.5	-140.9	-148.6	-152.2	-155.9	-159.7	-1,086.4
Total Changes												
Projected Budget Authority	0	-112.3	-135.9	-139.1	-142.4	-145.6	-149.2	-152.8	-156.5	-160.2	-164.2	-1,458.2
Outlays	0	-64.1	-106.7	-124.7	-133.7	-141.1	-145.1	-148.6	-152.2	-155.9	-159.7	-1,331.8
CBO's May 2023 Baseline After												
Incorporating Statutory Caps on												
Future Discretionary Funding												
Budget Authority	1,826.5	1,795.3	1,817.9	1,857.7	1,902.2	1,946.5	1,992.4	2,040.0	2,088.2	2,137.0	2,188.3	21,591.9
Outlays	1,711.7	1,781.1	1,832.7	1,870.0	1,921.2	1,971.3	2,008.1	2,060.6	2,107.9	2,156.7	2,213.4	21,634.6
Memorandum:												
Additional Effects of Caps Specified in Section 101(f)^c												
(Limits on most discretionary funding for each year over the 2026-2029 period)												
Projected Budget Authority	0	0	0	-22.7	-46.2	-69.4	-94.1	-96.3	-98.6	-100.9	-103.3	-631.5
Outlays	0	0	0	-13.0	-32.2	-53.3	-76.2	-87.5	-93.2	-97.1	-100.2	-552.6

Source: Congressional Budget Office.

Components may not sum to totals because of rounding.

See Notes for additional details.

* On May 31, 2023, CBO reposted this table to correct a typographical error in this table's title.

**Table 3. CBO's Projections of Discretionary Spending Under the Caps Specified in Section 101 of H.R. 3746,*
the Fiscal Responsibility Act of 2023, as Posted on the Website of the House Committee on Rules on May 28, 2023**

<https://rules.house.gov/bill/118/hr-fiscal-responsibility-act>

Notes

- a. Section 101(a) specifies caps on most discretionary budget authority for fiscal years 2024 and 2025. Appropriations designated for certain categories of spending would result in adjustments, and limits would apply to some of those adjustments. The caps would not apply to funding for certain programs under the 21st Century Cures Act or to certain funding from the Harbor Maintenance Trust Fund. In addition, under section 103 of the bill, the caps would not apply to certain previously enacted permanent and advance appropriations that were designated by the Congress as emergency requirements.

The total effect on funding in 2024 in this table differs from the amounts shown in Table 2. The cap on defense funding established under section 101(a) for fiscal year 2024 is greater than the amount of defense funding projected for that year in CBO's May 2023 baseline. As a result, the implementation of the cap would not affect CBO's projections of defense funding. Additionally, the amounts for nondefense funding shown in Table 2 are smaller than the effects shown here because Table 2 does not include effects on disaster funding. Although disaster funding would be affected by changes made in section 101(b), the effects of those changes are small and included in the amounts in this table.

- b. Caps on discretionary funding in fiscal years 2024 and 2025 would affect CBO's projections of discretionary funding in 2026 and beyond because of the way that CBO is required to project such funding. In CBO's projections for discretionary spending, funding in a future year generally is based on the projection (or amount provided) for the prior year. Because the caps would reduce CBO's projections of funding for fiscal year 2025, the projections for the following year (and each year thereafter) also would be reduced.
- c. Section 101(f) of title I sets limits on most discretionary funding for each year from 2026 through 2029. Those limits would be enforced using Congress's procedures for considering budgetary legislation.

Table 4. Estimated Direct Spending, Discretionary Spending, and Revenue Effects of H.R. 3746, the Fiscal Responsibility Act of 2023, as Posted on the Website of the House Committee on Rules on May 28, 2023

<https://rules.house.gov/bill/118/hr-fiscal-responsibility-act>

	By Fiscal Year, Billions of Dollars											
	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2023-2033
Funding for the Internal Revenue Service and Related Agencies	Increases or Decreases (-) in Direct Spending											
Estimated Budget Authority	-1.4	0	0	0	0	0	0	0	0	0	0	-1.4
Estimated Outlays	*	*	-0.1	-0.1	-0.2	-0.2	-0.2	-0.3	-0.3	0	0	-0.6
Work Requirements												
Supplemental Nutrition Assistance Program												
Estimated Budget Authority	0	0.2	0.2	0.3	0.3	0.3	0.4	0.3	0.1	*	*	1.3
Estimated Outlays	0	0.2	0.2	0.3	0.3	0.3	0.4	0.3	0.1	*	*	1.3
Temporary Assistance for Needy Families												
Estimated Budget Authority	0	0	0	0	0	0	*	*	*	*	*	0
Estimated Outlays	0	0	0	0	0	0	*	*	*	*	*	0
Subtotal, Work Requirements												
Estimated Budget Authority	0	0.2	0.2	0.3	0.3	0.3	0.4	0.3	0.1	*	*	1.3
Estimated Outlays	0	0.2	0.2	0.3	0.3	0.3	0.4	0.3	0.1	*	*	1.3
Rescission of Unobligated Balances ^a												
Estimated Budget Authority	-27.1	0	0	0	0	0	0	0	0	0	0	-27.1
Estimated Outlays	-4.4	-4.4	-1.7	-0.4	-0.1	*	*	*	*	*	*	-11.0
Total Change in Direct Spending												
Estimated Budget Authority	-28.5	0.2	0.2	0.3	0.3	0.3	0.4	0.3	0.1	*	*	-26.4
Estimated Outlays	-4.4	-4.2	-1.6	-0.2	*	0.1	0.2	*	-0.2	*	*	-10.3
Increases in Discretionary Spending												
Department of Commerce												
Nonrecurring Expenses Fund ^b												
Budget Authority	22.0	0	0	0	0	0	0	0	0	0	0	22.0
Estimated Outlays	0	*	*	*	*	*	0	0	0	0	0	0.1

Table 4. Estimated Direct Spending, Discretionary Spending, and Revenue Effects of H.R. 3746, the Fiscal Responsibility Act of 2023, as Posted on the Website of the House Committee on Rules on May 28, 2023

<https://rules.house.gov/bill/118/hr-fiscal-responsibility-act>

	By Fiscal Year, Billions of Dollars												
	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2023-2028	2023-2033
	Decreases (-) in Revenues												
Funding for the Internal Revenue Service and Related Agencies	*	-0.1	-0.2	-0.3	-0.3	-0.3	-0.3	-0.3	-0.3	-0.1	-0.1	-1.2	-2.3
	Net Increases or Decreases (-) in the Deficit From Changes in Spending and Revenues												
Effect on the Deficit	-4.4	-4.1	-1.4	0.1	0.3	0.4	0.5	0.3	0.1	0.1	0.1	-9.0	-7.9

Source: Congressional Budget Office.

Components may not sum to totals because of rounding; * = between -\$50 million and \$50 million.

Budgetary effects are relative to CBO's May 2023 baseline projections.

a. Includes funding designated as an emergency requirement, as well as funding not so designated.

b. In keeping with section 101(e) and at the direction of the House and Senate Committees on the Budget, subsection 101(e) is considered appropriation legislation, and the budget authority and outlays that stem from that section are classified as discretionary.

NAVAJO NATION

151

6/2/2023

Navajo Nation Council Special Session

04:20:24 PM

Amd# to Amd#

New Business: Item B.

PASSED

MOT Crotty, A

Legislation 0123-23: Opposing

SEC Tolth, G

H.R. 3746, "FISCAL RESPONSIBILITY.

Yeas : 21

Nays : 0

Excused : 0

Not Voting : 2

Yea : 21

Arviso, S

Crotty, A

Johnson, C

Simonson, G

Aseret, L

Damon, S

Nez, A

Slater, C

Begay, H

Daniels, H

Nez, R

Tolth, G

Begay, N

James, V

Notah, N

Tso, O

Charles-Newton, E

Jesus, B

Parrish, S

Yazzie, C

Claw, S

Nay : 0

Excused : 0

Not Voting : 2

Yanito, C

Simpson, D

Presiding Speaker: Curley, C