The agreement includes $114,300,000 for Construction and Environmental Compliance and Restoration (CECR), of which $387,000,000 is provided for Environmental Compliance and Restoration (ECR).  

Unmet Construction Needs.—NASA is directed to include, in priority order, no fewer than the top 10 construction projects that are needed in the fiscal year 2024 budget request, along with any unmet repairs that result from damage from wildfires, hurricanes, or other natural disasters.

OFFICE OF INSPECTOR GENERAL

The agreement includes $17,600,000 for the Office of Inspector General.

ADMINISTRATIVE PROVISIONS—(INCLUDING TRANSFERS OF FUNDS)

NASA is directed to provide any notification under section 2014(k)(4) of Title 51, United States Code, to the Committees.

The agreement allows for certain transfers of funds, including special transfer authority for Exploration Ground Systems.

As in fiscal year 2022, the agreement also includes a provision providing NASA the authority to combine amounts from one or more accounts, including Aeronautics, Space Technology, Exploration, and Space Operations appropriations with amounts from the STEM Engagement appropriation to jointly fund contracts, grants, or cooperative agreements, that serve those purposes. NASA is directed to provide notification of the AGENCY’S INTENT TO AWARD A CONTRACT, GRANT, OR COOPERATIVE AGREEMENT that would be jointly funded under this authority, no less than 15 days prior to award.

The agreement expands the allowable uses of NASA’s Working Capital Fund (WCF) and permits a transfer of funds into the WCF.

NATIONAL SCIENCE FOUNDATION

The agreement includes $8,339,011,000 for the National Science Foundation (NSF), of which $700,162,000 is included in division N.

RESEARCH AND RELATED ACTIVITIES

The agreement includes $7,629,286,000 for Research and Related Activities (R&RA), of which $6,086,162,000 are included under this heading in division N.

Technology, Innovation, and Partnerships.—The agreement recognizes NSF’s critical role in driving U.S. scientific and technological leadership in division N. The agreement provides up to $686,000,000 to support AI-related projects in fundamental research initiatives. House language on “Artificial Intelligence (AI)” is adopted, and the agreement iterates the encouragement for NSF to invest in the ethical and safe development of AI and to continue the expansion of the National AI Research Institutes. Finding availability of resources to support AI research remains challenging and cost-prohibitive for principal investigators, therefore NSF is encouraged to find effective paths for academic researchers to complete research on high-end computing for machine learning in order to increase AI research capabilities and competitiveness. In addition, NSF is encouraged to coordinate its efforts in workforce development for AI and other emerging technologies, including education and training for computer science students, with focused outreach to community colleges, Historically Black Colleges and Universities, Hispanic Serving Institutions, Tribal Colleges and Universities, and Minority Serving Institutions, including by supporting partnerships and cooperative agreements.

NSF is encouraged to partner with non-governmental organizations, academic institutions (with special consideration given to Minority Serving Institutions), and other Federal agencies, including NIST, to fund research on algorithmic bias in AI, machine learning, and intelligent systems and its impacts on decisions related to employment, housing, and disease diagnosis. NSF is encouraged to continue working with the National Solar Observatory and the academic community to ensure that the Richard B. Dunn Solar Telescope and its associated instrumentation remain available for continued research.

Green Bank Observatory (GBO).—The agreement supports NSF’s effort to develop multi-agency plans at GBO and provides no less than $215,000,000 for the current fiscal year and for fiscal year 2023. NSF is encouraged to coordinate its requirements for facilities and support programs at GBO with other Federal agencies, including the National Science Foundation.

Mid-Scale Research Infrastructure.—The agreement provides up to the request level for the Mid-scale Research Infrastructure program.

Astronomy.—NSF is encouraged to support the construction or acquisition of local-class research vessels through the Major Research Infrastructure program.

Biological Infrastructure.—NSF is directed to review its biological infrastructure investments and develop a plan for how to review its impact and to consider what other approaches ASPBES could take to support research and educational programs focused on understanding and sustaining the near-coastal marine and estuarine environments.

NSF is encouraged to support the construction or acquisition of local-class research vessels through the Major Research Infrastructure program.

Biological Infrastructure.—NSF is directed to review its biological infrastructure investments and develop a plan for how to re-examine the impact of the major research facilities and support programs and to consider what other approaches ASPBES could take to support research and educational programs focused on understanding and sustaining the near-coastal marine and estuarine environments.

Understanding Rules of Life.—The agency supports NSF’s focus on the understanding of Rules of Life research. Funding in plant genomics, and directs NSF to continue to advance the ongoing plant genomics research programs, to further its work in crop productivity, and to continue to focus on research related to crops of economic importance.
Navigating the New Arctic.—As NSF continues the Navigating the New Arctic program, the Foundation is encouraged to expand its support of research and infrastructure in Arctic regions, which is critical for understanding how Arctic warming will affect the environmental and economic conditions of communities along the Atlantic Seaboard. In addition, to maximize investments, NSF is encouraged to develop new multinational partnerships for research that address pan-Arctic and global concerns linked to Arctic change.

International Ocean Discovery Program (IODP).—The agreement supports the IODP, which is critical for understanding how the operad data they produce, including the strategic scientific value of leadership in this field.

Sustainable Chemistry Research.—NSF is directed to continue to support research and related activities associated with the Sustainable Chemistry Basic Research program authorized under section 509 of the America COMPETES Reauthorization Act of 2010 (Public Law 111–358). In addition, NSF is encouraged to continue support forOSTH to inclement the provisions in subtitle E of title II of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283).

Verification of the Origins of Rotation in Tornadoes Experiment-Southeast (VORTEX–SE).—It is expected that future budget requests for IODP will include adequate budgetary resources for associated research and instrumentation that will maximize the scientific return of this major research program. NSF is encouraged to look beyond traditional research disciplines and programs to utilize collaborative opportunities for co-funding grants. NSF is further encouraged to solicit proposals for fundamental natural processes and hazards of tornadoes in the southeast and to improve models of these seasonal extremes.

Disaster Research.—NSF is encouraged to fund grants for meritorious landslide research, data collection, and warning systems in fulfillment of the National Landslide Pre-paredness Act (Public Law 116–323) and the National Earthquake Hazards Reduction Program Reauthorization Act (Public Law 115–302). NSF is directed to prioritize funding for the deployment of early warning systems in States with high levels of both landslides and seismic activities.

Seismology and Geodesy Facilities.—The agreement supports the recommendations of the USG-DOE analysis titled “Portfolio Review of EAR Seismology and Geodesy Instrumentation,” particularly those recommendations related to broadening the funding mechanisms for long-term support for seismic and geodetic facilities. Federal departments and agencies that depend on these facilities and the operational data they produce, including NOAA, the U.S. Air Force, the National Nuclear Security Administration, the National Energy Technology Laboratory, and the U.S. Geological Survey, should contribute to the long-term operationalization of facility instrumentation. NSF is directed to continue efforts to negotiate memoranda of understanding or other funding agreements with these agencies and to include an update on the status of these negotiations as part of the fiscal year 2024 budget justification.

Fairness in Merit Review.—NSF shall brief the Committees no later than 180 days after the enactment of this act, on its actions and findings in understanding and addressing bias in the peer review process. As part of this briefing, NSF shall include a discussion of the option of adopting institution-blind, investigator-blind, and dual-anonymous processes. NSF is further encouraged to focus on the fairness of the process faced by all applicants.
For fiscal year 2023, USTR is directed to continue following the directives and reporting requirements included in Senate Report 116-117 and adopted in Public Law 116-93, on the directives for the Office of the United States Trade Representative, including those as required by the “Trade Facilitation and Trade Enforcement Act of 2015.”

Section 505 prohibits a reprogramming of funds that: (1) creates or initiates a new program, project, or activity; (2) eliminates a program, project, or activity; (3) increases funds for personnel or any project or activity for which funds have been denied or restricted; (4) relocates an office or employee; (5) reorganizes or renames programs, projects, or activities; or (6) contracts to and within Mexico, USTR experiences delays in its ability to obligate these funds that: (1) results in a new program, project, or activity for which funds have been denied or restricted; (2) relocates an office or employee; (3) reorganizes or renames programs, projects, or activities; or (4) contracts to and within Mexico.

Section 506 provides that if it is determined that any person intentionally affixes a “Made in America” label to any product that was not made in America that person is subject to a civil penalty not to exceed $10,000.

Section 507 requires quarterly reporting to Congress on the status of balances of appropriations acts.

Section 508 provides that any costs incurred by a department or agency funded under this act resulting from, or to prevent, procurement actions taken to fund reductions in this act, or, for the Department of Commerce, from actions taken for the care and protection of loan collateral or grant property, shall be absorbed within the budgetary resources available to the department or agency, and provides transfer authority between appropriation accounts to carry out this provision, subject to reprogramming procedures.

Section 509 prohibits funds made available in an enactment from being used to pay for the sale or export of tobacco or tobacco products or to seek the reduction or removal of foreign restrictions on the marketing of tobacco products, except as approved by Congress; unless the House of Representatives, or an order issued pursuant to existing law.

Section 510 stipulates the obligations of certain receipts deposited into the Crime Victims Fund.

Section 511 prohibits the use of Department of Justice funds for programs that discriminate against or deny equal protection to the religious or moral beliefs of students participating in such programs.
URES and fishery resource disasters declared by the Secretary of Commerce.

DEPARTMENT OF JUSTICE

FEDERAL PRISON SYSTEM

BUILDINGS AND FACILITIES

For an additional amount for “Buildings and Facilities”, $182,000,000, to remain available until expended.

SCIENCE

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

For an additional amount for “Construction and Environmental Compliance and Restoration” for repair and replacement of National Aeronautics and Space Administration facilities damaged by Hurricanes Ian and Nicole or scheduled for derating due to deterioration, $189,400,000, to remain available until expended.

For an additional amount for “Construction and Environmental Compliance and Restoration”, $367,000,000, to remain available until September 30, 2028.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For an additional amount for “Research and Related Activities” for necessary expenses related to damage to research facilities and scientific equipment in calendar year
2022, including related to the consequences of wildfires, $2,500,000, to remain available until September 30, 2024.

For an additional amount for “Research and Related Activities”, $818,162,000, to remain available until September 30, 2024, of which $210,000,000 shall be to implement the Research and Development, Competition, and Innovation Act (division B of Public Law 117–167).

STEM EDUCATION

For an additional amount for “STEM Education”, $217,000,000, to remain available until September 30, 2024, of which $125,000,000 shall be to implement the Research and Development, Competition, and Innovation Act (division B of Public Law 117–167).

RELATED AGENCIES

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For an additional amount for “Payment to the Legal Services Corporation” to carry out the purposes of the Legal Services Corporation Act by providing for necessary expenses related to the consequences of hurricanes, flooding, wildfires, and other extreme weather that occurred during calendar year 2022, $20,000,000, to remain available until September 30, 2023: Provided, That none of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or