

CONGRESS
FY2024 Appropriations**March 29, 2024**
Special Report #2602

On March 9, President Biden signed into law the Consolidated Appropriations Act of 2024 (H.R. 4366, P.L. 118-42), which included appropriations for the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies; the Commerce, Justice, Science, and Related Agencies; the Energy and Water Development and Related Agencies; the Department of the Interior, Environment, and Related Agencies; and the Transportation, Housing and Urban Development, and Related Agencies. The House voted 339-85 to pass the bill, and the Senate voted 75-22.

On March 23, President Biden signed into law the Further Consolidated Appropriations Act of 2024 (H.R. 2882, P.L. 118-47), funding all remaining federal agencies through September 30. The House voted to pass the bill 286-134, and the Senate voted 72-24. The bill includes appropriations for the Departments of Defense and Homeland Security.

Agriculture, Rural Development and Related Agencies

Division B of H.R. 4366, the Agriculture, Rural Development and Related Agencies Appropriations Act funded the Farm Production and Conservation Programs (Title II) at a total of \$1.53M. It also funded the Farm Service Agency at \$1.2B, including the Grassroots Source Water Protection Program at \$7M for wellhead and groundwater protection activities. The Natural Resources Conservation Service (NRCS) appropriations were \$915M, including \$19.1M set aside for Community Project Funding/Congressionally Directed Spending (CDS), \$14.7M for the Snow Survey and Water Forecasting Program, and \$86.7M for the Soil Surveys Program. NRCS CDS appropriations included funding for projects to build reservoirs, improve watersheds, and inform sustainable agriculture in California, Idaho, Texas, and Washington. The Watershed and Flood Prevention Operations appropriations were \$35M, with \$20.4M set aside for CDS and \$14.7M allocated for multi-benefit irrigation modernization projects and activities “that increase fish or wildlife habitat, reduce drought impact, improve water quality or instream flow, or provide off-channel renewable energy production.” Section 751 authorized the use of some of these Watershed and Flood Prevention Operations funds for technical assistance. The Watershed Rehabilitation Program was funded at \$1M. Section 753 appropriated an additional \$2M to “implement non-renewable agreements on eligible lands, including flooded agricultural lands...under the Water Bank Act (16 U.S.C. 1301–1311).” Section 766 rescinded \$28M from the NRCS Rural Water Operation Program, except for funds designated as an emergency requirement.

Title III provided \$4B for Rural Development programs, and prioritized funding for home ownership and infrastructure lending. This included funding for the Rural Utilities Service’s Rural Water and Waste Disposal Program, providing \$860M for Direct Loans and \$50M for Guaranteed Loans. It also included \$596M for the costs of loans, rural water, wastewater, waste disposal, and solid waste management programs. From the \$596M allocated for costs, the Act set aside \$117M for CDS, including Rural Water and Wastewater Disposal Grants in Arizona, California, Colorado, New Mexico, Oregon, Texas, Utah, and Washington. Congress provided an additional \$8.5M for grants to qualified nonprofit multi-state technical assistance organizations at the Secretary of Agriculture’s discretion in case of extreme need for improvement of water and wastewater systems, of which \$800,000 is reserved for tribal communities. \$21.8M is allocated for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems. \$2.7M is allocated for water and waste loans for distressed communities. Section 734 limits federal funds for rural water, wastewater, waste disposal, and solid waste management programs to using American made iron and steel products.

Commerce, Justice, Science and Related Agencies

Division C of H.R. 4366, the Commerce, Justice, Science, and Related Agencies Appropriations Act, funded the National Oceanic Atmospheric Administration (NOAA) (Title I) at \$6.4B, including \$4.5B for Operations, Research, and Facilities, with \$139M set aside for NOAA–Coastal Zone Management (CZM) and NOAA–Operations, Research, and Facilities (ORF) CDS. Procurement, Acquisition, and Construction (PAC) for the National Environmental Satellite, Data and Information Service (NESDIS) received \$1.4B, providing resources to maintain the current generation of weather and climate satellites and invest in next-generation satellites, including Geostationary Systems-R (GOES-R) (\$276M), the Polar Weather Satellites (\$324M) and Low-Earth Orbit (LEO) (\$78.5M). NESDIS ORF is funded at \$381M. The National Weather Service (NWS) will receive \$104M for PAC and \$1.2B for ORF, including \$30M for the National Mesonet Program. These allocations provided a total of \$224M for climate research at NOAA, equal to the FY2023 enacted level.

Title III funded the National Aeronautics and Space Administration (NASA) at \$25B, \$509M below FY2023. This included \$7.3B for Science, \$935M for Aeronautics, \$1.1B for Space Technology, \$7.7B for Exploration, \$4.2B for Space Operations, and \$3.1B Safety, Security, and Mission Services. These allocations provided a total of \$2.2B for NASA Earth Science, up to the requested level for Plankton, Aerosol, Cloud, ocean Ecosystem (PACE), Earth System Explorers, the

four Earth System Observatory missions, and Commercial SmallSat Data Acquisition. Notably, specific appropriations for Landsat Next were absent from the bill and accompanying reports.

Energy and Water Development and Related Agencies

Division D of H.R. 4366, the Energy and Water Development and Related Agencies Appropriations Act, funded the Army Corps of Engineers (Corps) at \$8.7B. Title I allocated \$143M for Investigations including surveys, studies, and restudies for Corps purposes, while rescinding \$11.4M from the unobligated balance of FY23 appropriations. The Act provided \$1.9B for Construction activities, including funds for construction and rehabilitation of inland waterways, while rescinding \$9.6M from the unobligated balance of FY23 appropriations. Congress directed the Corps to use \$1.4B of funds made available under the Infrastructure Investment and Jobs Act (IIJA) for projects specified by Congress. The Act provided \$5.5B for Operation and Maintenance, \$221M for the Regulatory Program for administration of laws pertaining to regulation of navigable waters and wetlands, and \$35M for Flood Control and Coastal Emergencies. The Corps Water Infrastructure Finance and Innovation Program (CWIFP) Account was funded at \$2.2M for both guaranteed and direct loans. These funds will be awarded to safety projects to maintain, upgrade, and repair dams, levees, and ancillary features. Section 105 prohibited an open lake placement alternative for dredged material without approval under a Clean Water Act Section 401 State water quality certification.

Title II appropriated (\$1.9B) in funds for the Department of the Interior's U.S. Bureau of Reclamation (USBR), which included \$23M for the Central Utah Project (of which \$4.6M goes to the Utah Reclamation Mitigation and Conservation Account), and \$33M to the California Bay-Delta Restoration Project. The Act appropriated \$1.7B for Water and Related Resources, including the Upper Colorado River Basin Fund (\$1M), the Lower Colorado River Basin Development Fund (\$7.6M), the Aging Infrastructure Fund (\$500,000), and the San Gabriel Basin Restoration Fund (\$5.5M). USBR funding provides a total of \$135M for rural water projects, \$134M for water storage projects authorized by the Water Infrastructure Improvements for the Nation (WIIN) Act, and fully funds the Reclamation Dam Safety Act activities at \$210M. It allocated \$50M for implementing the Drought Contingency Plan in the Colorado River Basin, and \$20M for water recycling and reuse projects.

Section 203 increased the funding for WaterSMART from \$820M to \$920M. Section 205 extended authorization for the New Mexico Rio Grande Pueblos Irrigation Infrastructure Improvement Project through 2024. Sections 205-206 extended authorization for the Reclamation States Emergency Drought Relief Act (43 U.S.C. 2241) to 2024 and increased appropriations from \$120M to \$130M. Section 207 extended authorization for the Reclamation Climate Change and Water Program, which assesses the risk to water supplies across the eight major Reclamation river basins, to 2024.

Regarding OpenET, the Senate Report (118-72) said: "The Committee is intrigued by the evapotranspiration in the Central Valley and California Delta to help measure how much water is consumed by crops and other plants. Reclamation is encouraged to utilize the Open Evapotranspiration system designed to provide real-time and historical evapotranspiration information, primarily on irrigated crop lands. Reclamation is directed to provide to the Committee not later than 90 days after enactment of this act a briefing on the potential application of this system to Reclamation missions." The bicameral agreement added: "The agreement reiterates Senate direction and notes concerns related to privacy, data quality, and potential regulatory impacts. The briefing shall also include Reclamation's assessment of these concerns and any potential solutions."

Title III funded the Department of Energy at a total of \$50.2B, providing \$3.5B for renewable energy activities, including plant construction and acquisition. It also provides \$200M for Cybersecurity, Energy Security, and Emergency Response.

Department of the Interior, Environment, and Related Agencies Appropriations Act

Division E of H.R. 4366, Title I, appropriated a total of \$14.8B for the Department of the Interior (DOI), excluding additional funding for the Wildfire Suppression Operations Reserve. DOI funding included \$1.4B for the Bureau of Land Management (BLM), \$1.7B for the U.S. Fish and Wildlife Service (USFWS), and \$3.3B for the National Park Service (NPS). This funding maintains staffing at current levels. Funding for the BLM included \$150M in CDS for remote observation equipment in Caja del Rio, New Mexico. The Act funds the U.S. Geological Survey (USGS) at \$1.5B, which provides \$95.3M for satellite operations, and \$74.8M for deferred maintenance and capital improvement costs (including \$5.23M for CDS). The Climate Adaptation Science Centers are funded at \$63.1M and the Land Change Science Program is funded at \$19.7M. The Act provides \$62.4M for the Office of Surface Mining Reclamation and Enforcement to provide state and tribal regulatory grants. Additionally, the Abandoned Mine Reclamation Fund is funded at \$32.5M, \$130M of which is to remain available for payments to States and federally recognized Indian tribes for reclamation of abandoned mine lands. The Bureau of Indian Affairs is funded at \$2.5B, which includes \$134M for construction, repair, improvement and maintenance of irrigation and power systems, building, utilities, and other facilities, including construction of the Navajo Indian Irrigation Project. It also includes \$976M for Indian Land and Water Claim Settlements and Miscellaneous Payments to Indians.

Title II provides \$9.2B for the Environmental Protection Agency (EPA), including \$758M for Science and Technology (of which \$2.03M is reserved for CDS), \$3.2B for Environmental Programs and Management, and \$4.4B for State and Tribal Assistance Grants (STAG). STAG funding included \$1.6B for Clean Water State Revolving Funds (CWSRF), of which \$788M was set aside for CDS and \$1.5M for a Clean Watershed Needs Survey. States receiving CWSRFs were directed to allocate 10% of the award to green infrastructure. STAG funding also included \$1.1B for Drinking Water State Revolving Funds (DWSRF) with \$632M set aside for CDS. Section 419 requires that DWSRF projects use American iron and steel products for public water systems and treatment works. Up to \$2M of the Clean Water Act Section 518(c) grant funding may be used for training and technical assistance to tribes. It provided that up to 2% of SRFs may be reserved for grants to Indian tribes. EPA funding also included \$35M for planning and construction of high priority water and wastewater facilities at the U.S.-Mexico Border; \$39M for grants to the State of Alaska to address drinking water and wastewater infrastructure needs of rural and Alaska Native Villages; and \$98M to carryout grants and interagency agreements under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The Water Infrastructure Finance and Innovation Act (WIFIA) Program Account was funded at \$64.6M. The Act provided an additional \$9M for administering the Toxic Substances Control Act (TSCA).

The United States Forest Service was funded at \$1.2B, which included \$300M for Forest and Rangeland Research (including funds for Fire Science Research), and \$1.9B funding for the National Forest System, including \$175M for Hazardous Fuels Management. The Wildland Fire Management Program was funded at \$2.3B, with an additional \$2.3B for the Wildfire Suppression Operations Reserve Fund. Section 443 modified and extended the Good Neighbor Authority (16 U.S.C. 2113a) through 2024.

Department of Defense

Division A of H.R. 2882, the Department of Defense (DOD) Appropriations Act, funded environmental restoration, including removal of per- and polyfluoroalkyl substances (PFAS) and Aqueous Film Forming Foam (AFFF), at the following levels: (1) Army, \$242M; (2) Navy, \$410M; (3) Air Force, \$384M; and (4) formerly used defense sites, \$233M. The Senate Report (118-81) noted that in FY23, DOD “had completed the preliminary assessment and site inspection phase at 425 installations, 60 percent of the more than 700 identified installations.” The report expressed concern that DOD was still using the 2016 EPA lifetime drinking water health advisories for PFOS and PFOA, and directed DOD to brief the Appropriations Committees on preparations to incorporate EPA’s new national drinking water standard for six PFAS, including PFOS and PFOA, proposed in 2023. The House Report (118-121) expressed disappointment that DOD was not using EPA-approved in-situ treatments in favor of more costly and inefficient techniques, and directed DOD “to prioritize the utilization of proven PFAS groundwater and soil remediation and mitigation technologies that eliminate the PFAS risk to human health and the environment in the most cost-effective and energy-efficient manner.”

Department of Homeland Security

Division C of H.R. 2882, the Department of Homeland Security Appropriations Act, funds Cybersecurity and Infrastructure Security at \$2.4B. It also funded the Federal Emergency Management Agency (FEMA) at a total of \$25B. This included \$3.5B for Federal Assistance through grants, contracts, and cooperative agreements, \$320M of which was for emergency management performance grants (including the National Flood Insurance Act (42 U.S.C. 4001) and the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121)); and \$281M of which was reserved for Flood Hazard Mapping and Risk Analysis. The Act also provided \$240M for the National Flood Insurance Fund, and allocated \$19M of that for mission support flood management, and \$221M for flood plain management and flood mapping.