

Interior, Environment, and Related Agencies: Overview of FY2023 Appropriations

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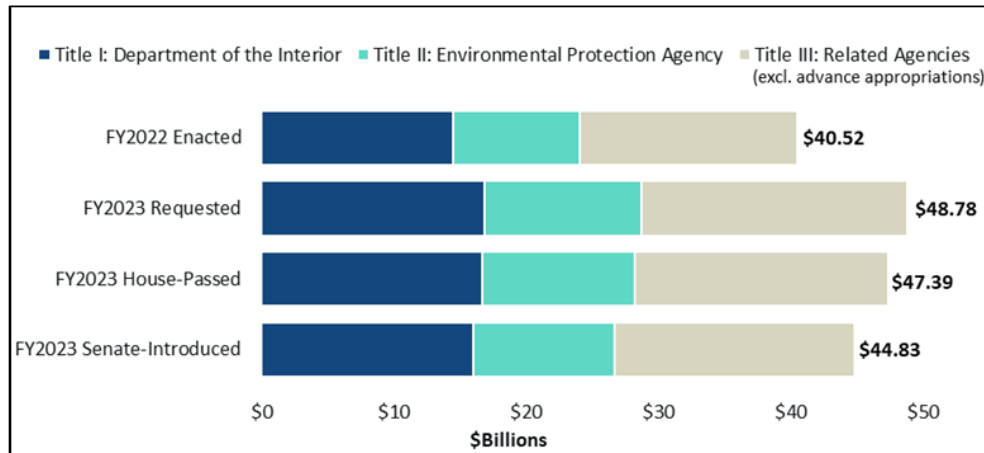
The Interior, Environment, and Related Agencies appropriations bill—often called the Interior bill—contains funding for about three dozen agencies and entities. Funded entities include most of the Department of the Interior (DOI) and agencies within other departments, such as the Forest Service (Department of Agriculture) and the Indian Health Service (Department of Health and Human Services). The bill also provides funding for the Environmental Protection Agency (EPA), arts and cultural agencies, and other organizations and entities. Issues for Congress include determining the amount, terms, and conditions of funding for agencies and programs.

For FY2023, President Biden requested \$48.78 billion for the roughly three dozen agencies and entities in the Interior, Environment, and Related Agencies appropriations bill. This total included \$37.32 billion in regular appropriations and \$2.55 billion for certain wildfire suppression activities under an adjustment to discretionary spending limits for FY2023. It also reflected \$8.91 billion in mandatory appropriations for the Indian Health Service. Title III agencies collectively would receive most of the funding—about 41% of the total—with 35% for DOI agencies in Title I and 24% for EPA in Title II.

On July 20, 2022, the House passed H.R. 8294, with \$47.39 billion for Interior, Environment, and Related Agencies (in Division E). This total included \$2.55 billion for wildfire suppression under the cap adjustment. The House-passed bill included discretionary appropriations of \$8.12 billion for the Indian Health Service, though the President sought mandatory appropriations for this agency. The allocation of appropriations among the titles was similar to the allocation under the President's request.

S. 4686, as introduced in the Senate on July 28, 2022, contained \$44.83 billion for Interior, Environment, and Related Agencies. As in the President's request and the House-passed bill, the total in this bill included \$2.55 billion for wildfire suppression under the cap adjustment. The Senate-introduced bill included discretionary appropriations of \$7.38 billion for the Indian Health Service. The allocation of appropriations among titles of the bill was 40% for Title III agencies, 36% for DOI agencies, and 24% for EPA in Title II. In addition to the \$44.83 billion, S. 4686 contained \$2.28 billion in FY2023 emergency appropriations for disaster recovery and emergency response of several agencies, as well as \$5.58 billion in advance appropriations for the Indian Health Service, with the funding becoming available for obligation in FY2024.

The FY2023 requested, House-passed, and Senate-introduced appropriations would provide varying amounts of higher funding than FY2022 regular enacted appropriations of \$40.52 billion in P.L. 117-103, Division G. Moreover, the FY2023 request, House-passed bill, and Senate-introduced bill would provide varying increases over the FY2022 regular appropriations for each of the three major titles of the Interior bill and for most agencies in the bill. Additional appropriations for FY2022 enacted earlier in other laws (e.g., P.L. 117-43, P.L. 117-58) may have impacted the level of regular appropriations enacted.

Appropriations for Interior, Environment, and Related Agencies, by Major Title, FY2022-FY2023

Source: Prepared by CRS with data from the House and Senate Appropriations Committees.

Notes: The FY2022 total shown excludes mandatory appropriations in P.L. 117-169, often called the Inflation Reduction Act of 2022. It also excludes \$1.78 billion in FY2022 emergency supplemental appropriations for multiple agencies for disaster relief, contained in Division B of the Disaster Relief Supplemental Appropriations Act, 2022, of P.L. 117-43, the Extending Government Funding and Delivering Emergency Assistance Act. Further, it excludes a total of \$95.71 billion for multiple agencies contained in Division J, Appropriations, of P.L. 117-58, the Infrastructure Investment and Jobs Act, composed of the following amounts: \$33.56 billion in FY2022 emergency appropriations for multiple agencies, \$6.11 billion in advance appropriations for EPA, and \$56.04 billion in emergency advance appropriations for multiple agencies (the advance appropriations become available for obligation in future fiscal years).

For FY2023, the President did not request discretionary appropriations for the Indian Health Service. Instead, the President requested \$8.91 billion in mandatory appropriations for the agency, and these appropriations are reflected in the figure. House-passed appropriations for FY2023 were contained in H.R. 8294, Division E. Senate-introduced appropriations were contained in S. 4686. The Senate-introduced total shown in the figure excludes \$5.58 billion in advance appropriations for the Indian Health Service, which would become available for obligation in FY2024. It also excludes \$2.28 billion in FY2023 emergency appropriations provided in Title V of the bill, for disaster recovery and response of several agencies.

Contents

Introduction	1
Overview of FY2023 Legislative Action	2
Overview of Interior, Environment, and Related Agencies.....	3
Title I. Department of the Interior	3
Title II. Environmental Protection Agency	6
Title III. Related Agencies.....	6
FY2023 Appropriations.....	7
Components of President Biden’s Request	8
Components of H.R. 8294, Division E, as Passed the House	8
Components of S. 4686, as Introduced in the Senate	9
Comparison of FY2023 Appropriations Action with FY2022 Regular Enacted Appropriations	10

Figures

Figure 1. Appropriations for Interior, Environment, and Related Agencies, by Major Title, FY2022-FY2023	11
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Tables

Table 1. Interior, Environment, and Related Agencies: FY2022-FY2023 Appropriations	11
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Contacts

Author Information.....	14
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Introduction

This report focuses on FY2023 discretionary appropriations for Interior, Environment, and Related Agencies.¹ Issues for Congress include determining the amount of funding for agencies and programs in the Interior, Environment, and Related Agencies appropriations bill—often called the Interior bill—and the terms and conditions of such funding.

This report focuses on the regular, annual appropriations for the Interior bill. It first presents a short overview of FY2023 legislative action. It next provides an overview of the agencies and other entities funded in the Interior bill. The report then describes the FY2023 appropriations for Interior, Environment, and Related Agencies requested by President Biden, passed by the House, and contained in a bill introduced in the Senate. Subsequently, it briefly compares FY2023 appropriations in the President’s request, House-passed bill, and Senate-introduced bill with FY2022 regular enacted appropriations.² Finally, the report provides a table showing each agency’s regular appropriations enacted for FY2022, requested by the President for FY2023, passed by the House for FY2023, and contained in a bill introduced in the Senate for FY2023. Agency and bill totals in this report generally reflect rescissions.

Supplemental Appropriations for FY2022 and Advance Appropriations

This report does not detail supplemental appropriations for FY2022 or advance appropriations (for future fiscal years) for Interior, Environment, and Related Agencies. More specifically, the FY2022 total in this report excludes mandatory appropriations in P.L. 117-169, often referred to as the Inflation Reduction Act of 2022. That law contained FY2022 appropriations for various agencies in the Interior bill for diverse purposes. For instance, the Forest Service received \$5.00 billion for forest management, planning, and restoration activities. Among other agencies and programs, the Bureau of Land Management, U.S. Fish and Wildlife Service, National Park Service, U.S. Geological Survey, Bureau of Indian Affairs, and Environmental Protection Agency (EPA) also received funding under P.L. 117-169. The total amount of funding provided to agencies within the Interior bill under P.L. 117-169 is not readily available.

This report also excludes emergency supplemental appropriations for FY2022 of \$1.78 billion contained in Division B of the Disaster Relief Supplemental Appropriations Act, 2022, of P.L. 117-43, the Extending Government Funding and Delivering Emergency Assistance Act. In addition, the FY2022 total in this report excludes appropriations contained in Division J, Appropriations, of P.L. 117-58, the Infrastructure Investment and Jobs Act. This law contained a total of \$95.71 billion for multiple agencies in the Interior bill, composed of the following amounts: \$33.56 billion in FY2022 emergency appropriations for multiple agencies, \$6.11 billion in advance appropriations for EPA, and \$56.04 billion in emergency advance appropriations for multiple agencies. Advance appropriations would become available for obligation in future fiscal years rather than in FY2022. The totals shown in this report for both P.L. 117-43 and P.L. 117-58 are from the *Congressional Record*, vol. 168, no. 42, book IV (March 9, 2022), pp. H2657-H2667. See this source for detail on agencies and accounts that received funding under these laws.

Appropriations are complex. Budget justifications for some agencies are large (often hundreds of pages long) and contain numerous funding, programmatic, and legislative changes for

¹ Hereinafter, the annual Interior, Environment, and Related Agencies appropriations bill is sometimes referred to as the *Interior bill*. Many of the agencies that receive discretionary appropriations through the Interior bill also receive mandatory appropriations under various authorizing statutes. In general, this report does not address mandatory appropriations. For information on mandatory appropriations of the four main federal land management agencies—Bureau of Land Management, Fish and Wildlife Service, Forest Service, and National Park Service—see CRS Report R45994, *Federal Land Management Agencies’ Mandatory Appropriations Accounts*, coordinated by Carol Hardy Vincent.

² Regular appropriations for Interior, Environment, and Related Agencies for FY2022 were included in Division G, Department of the Interior, Environment, and Related Agencies Appropriations Act, 2022, of P.L. 117-103, the Consolidated Appropriations Act, 2022.

congressional consideration. Further, appropriations laws provide funds for numerous accounts, activities, and sub-activities, and their accompanying explanatory statements provide additional directives and other important information. This report does not provide in-depth information at the agency, account, and subaccount levels, nor does it generally detail budgetary reorganizations or legislative changes proposed for FY2023. For information on a particular agency or on individual accounts, programs, or activities administered by a particular agency, see the Congressional Research Service (CRS) products provided in footnotes throughout this report or contact the key policy staff listed at the end of this report.³ In addition, selected reports related to appropriations for Interior, Environment, and Related Agencies, such as individual agencies (e.g., National Park Service) or crosscutting programs (e.g., Wildland Fire Management), are listed under “Interior & Environment Appropriations” on the “Appropriations” Issue Area page on the CRS website.⁴

Overview of FY2023 Legislative Action

For FY2023, President Biden requested \$48.78 billion for the roughly three dozen agencies and entities funded in the Interior, Environment, and Related Agencies appropriations bill. This total included \$2.55 billion for certain wildfire suppression activities under an adjustment to discretionary spending limits for FY2023. Under law, an adjustment can be made to discretionary spending limits to accommodate enacted funding for wildfire suppression.⁵ The total of \$48.78 billion reflects \$8.91 billion in *mandatory* appropriations that the President requested for the Indian Health Service; the President did not seek *discretionary* appropriations for this agency.

On July 20, 2022, the House passed H.R. 8294, with \$47.39 billion in appropriations for Interior, Environment, and Related Agencies in Division E. This total included \$2.55 billion for wildfire suppression under the discretionary cap adjustment, as requested by the President, and \$8.12 billion in discretionary appropriations for the Indian Health Service, although the President sought mandatory appropriations for this agency. On July 1, 2022, the House Appropriations Committee had reported H.R. 8262 (accompanied by H.Rept. 117-400), with the same overall totals as included in the House-passed bill.

On July 28, 2022, the chair of the Senate Committee on Appropriations released draft Interior bill text and a draft accompanying explanatory statement for Interior, Environment, and Related Agencies for FY2023.⁶ On the same day, S. 4686 was introduced, reflecting the draft bill text. The bill contained a total of \$44.83 billion for Interior, Environment, and Related Agencies for

³ This report provides in footnotes the most recent CRS products covering appropriations for agencies in the Interior bill.

⁴ The “Interior & Environment Appropriations” subissue page is on the CRS website at <https://www.crs.gov/iap/appropriations> (under “All Subissues”).

⁵ This authority is contained in Division O, the Wildfire Suppression Funding and Forest Management Activities Act, of P.L. 115-141, the Consolidated Appropriations Act, 2018. The adjustment may not exceed specified amounts for each of FY2020-FY2027. For information on discretionary spending limits, see CRS In Focus IF10647, *The Budget Resolution and the Budget Control Act’s Discretionary Spending Limits*, by Megan S. Lynch; CRS Report R44874, *The Budget Control Act: Frequently Asked Questions*, by Grant A. Driessen and Megan S. Lynch; and CRS Report R45778, *Exceptions to the Budget Control Act’s Discretionary Spending Limits*, by Megan S. Lynch, especially the “Wildfire Suppression” section. For a discussion of the cap adjustment for wildfire suppression, see CRS In Focus IF12142, *Funding for Wildfire Management: FY2023 Appropriations for Forest Service and Department of the Interior*, by Katie Hoover, and CRS Report R46583, *Federal Wildfire Management: Ten-Year Funding Trends and Issues (FY2011-FY2020)*, by Katie Hoover.

⁶ Hereinafter, this draft statement is sometimes referred to as the *Senate committee majority draft explanatory statement*.

FY2023, including \$2.55 billion for wildfire suppression under the cap adjustment and discretionary appropriations of \$7.38 billion for the Indian Health Service. Additionally, the Senate-introduced bill contained \$5.58 billion in advance appropriations for the Indian Health Service, with the funding becoming available for obligation in FY2024, and \$2.28 billion in FY2023 emergency appropriations for disaster recovery and emergency response of several agencies.

Overview of Interior, Environment, and Related Agencies

The annual Interior, Environment, and Related Agencies appropriations bill includes funding and other provisions for agencies and programs in three federal departments and for numerous related agencies. The Interior bill typically contains three primary appropriations titles and a fourth title with general provisions.⁷ Title I provides funding for most agencies in the Department of the Interior (DOI),⁸ many of which manage land and other natural resource or regulatory programs. Title I also typically includes general provisions related to DOI agencies. Title II contains appropriations and administrative provisions for the Environmental Protection Agency (EPA). Title III, Related Agencies, generally funds about two dozen other entities, including the Forest Service in the Department of Agriculture; the Indian Health Service in the Department of Health and Human Services; arts and cultural agencies, including the Smithsonian Institution; and various other organizations and entities. Title III also contains administrative provisions for some agencies funded therein. Title IV, General Provisions, typically contains additional guidance and direction for agencies in the bill. The following sections briefly describe selected major agencies in the Interior bill.

Title I. Department of the Interior⁹

DOI's mission is to conserve and manage the nation's natural resources and cultural heritage; provide scientific and other information about those resources; and exercise trust responsibilities and other commitments to American Indians, Alaska Natives, and affiliated island communities.¹⁰ There are nine major DOI agencies and two other broad accounts funded in the Interior bill that carry out this mission. Hereinafter, these 11 entities are referred to collectively as the *DOI agencies*. The DOI agencies and their functions funded in the Interior bill include the following:

- The *Bureau of Land Management* administers about 244 million acres of federal public land, mostly in the West, for diverse uses such as energy and mineral development, livestock grazing, recreation, and preservation. The agency also administers roughly 710 million acres of federal onshore subsurface mineral

⁷ On occasion, the House, Senate, or enacted version of the Interior bill has contained additional titles. For instance, S. 4686, the FY2023 Interior appropriations bill introduced in the Senate, contains a Title V, with emergency appropriations for disaster recovery and emergency response of several agencies.

⁸ The exceptions are the Bureau of Reclamation and the Central Utah Project, which receive appropriations through Energy and Water Development appropriations laws. For information on appropriations for these entities, see CRS Report R46857, *Energy and Water Development: FY2022 Appropriations*, by Mark Holt and Corrie E. Clark, and CRS In Focus IF12127, *Bureau of Reclamation: FY2023 Budget and Appropriations*, by Charles V. Stern.

⁹ For additional background on the Department of the Interior (DOI) and its agencies, see CRS Report R45480, *U.S. Department of the Interior: An Overview*, by Mark K. DeSantis.

¹⁰ DOI, "About Interior," at <https://www.doi.gov/about>.

- estate throughout the nation and supervises the mineral operations on about 59 million acres of Indian trust lands.¹¹
- The *U.S. Fish and Wildlife Service* administers 89 million acres of federal land within the National Wildlife Refuge System and other areas,¹² including 77 million acres in Alaska. It also manages several large marine refuges and marine national monuments, sometimes jointly with other federal agencies. In addition, the U.S. Fish and Wildlife Service, together with the National Marine Fisheries Service (Department of Commerce), is responsible for implementing the Endangered Species Act (16 U.S.C. §§1531 et seq.); promoting wildlife habitat; enforcing federal wildlife laws; supporting wildlife and ecosystem science; conserving migratory birds; administering grants to aid state fish and wildlife programs; and coordinating with state, international, and other federal agencies on fish and wildlife issues.¹³
 - The *National Park Service* administers 81 million acres of federal land within the National Park System, including 423 separate units in the 50 states, District of Columbia, and U.S. territories. Roughly two-thirds of the system's lands are in Alaska. The National Park Service has a dual mission—to preserve unique resources and to provide for their enjoyment by the public. The agency also supports and promotes some resource conservation activities outside the National Park System through grant and technical assistance programs and cooperation with partners.¹⁴
 - The *U.S. Geological Survey* is a science agency that provides physical and biological information related to geological resources; natural hazards; climate and land use change; and energy, mineral, water, and biological sciences and resources. In addition, it is the federal government's principal civilian mapping agency (e.g., topographical and geological mapping) and a primary source of data on the quantity and quality of the nation's water resources (e.g., streamgaging).¹⁵
 - The *Bureau of Ocean Energy Management* manages development of the nation's offshore conventional and renewable energy resources in the Atlantic and Pacific Oceans, the Gulf of Mexico, and the Alaska region. These resources are in areas covering approximately 2.5 billion acres located beyond state waters. This acreage is off all coastal states, although much of it (more than 1 billion acres) is in the Alaska region.¹⁶

¹¹ For an overview of FY2023 appropriations for the Bureau of Land Management, see CRS In Focus IF12187, *Bureau of Land Management: FY2023 Appropriations*, by Carol Hardy Vincent.

¹² This is the acreage over which the U.S. Fish and Wildlife Service has primary jurisdiction in the United States and the territories. The figure excludes acreage in marine national monuments over which the agency also has jurisdiction.

¹³ For additional information on the U.S. Fish and Wildlife Service, see CRS Report R45265, *U.S. Fish and Wildlife Service: An Overview*, by R. Eliot Crafton. For an overview of FY2022 appropriations for the U.S. Fish and Wildlife Service, see CRS In Focus IF11925, *U.S. Fish and Wildlife Service: FY2022 Appropriations*, by R. Eliot Crafton.

¹⁴ For a discussion of the different types of national park units and an overview of their management, see CRS Report R41816, *National Park System: What Do the Different Park Titles Signify?*, by Laura B. Comay. For an overview of FY2023 appropriations for the National Park Service, see CRS In Focus IF12112, *National Park Service: FY2023 Appropriations*, by Laura B. Comay. For an overview of National Park Service appropriations in recent years, see CRS Report R42757, *National Park Service (NPS) Appropriations: Ten-Year Trends*, by Laura B. Comay.

¹⁵ For an overview of FY2023 appropriations for the U.S. Geological Survey, see CRS In Focus IF12097, *The U.S. Geological Survey (USGS): FY2023 Appropriations and Background*, by Anna E. Normand.

¹⁶ For a discussion of state and federal waters, see CRS Report RL33404, *Offshore Oil and Gas Development: Legal*

- The *Bureau of Safety and Environmental Enforcement* provides regulatory and safety oversight for resource development on the outer continental shelf. Among the bureau's responsibilities are oil and gas permitting, facility inspections, environmental compliance, and oil spill response planning.¹⁷
- The *Office of Surface Mining Reclamation and Enforcement* works with states and tribes to reclaim abandoned coal mining sites. The agency also regulates active coal mining sites to minimize environmental impacts during mining and to reclaim affected lands and waters after mining.¹⁸
- The *Bureau of Indian Education* funds and provides education to Indian tribes and Alaska Natives. The agency funds an elementary and secondary school system, institutions of higher education, and other educational programs.¹⁹
- The *Bureau of Indian Affairs* provides and funds various services to American Indians and Alaska Natives. The agency is responsible for programs that include government operations, courts, law enforcement, fire protection, social programs, roads, economic development, employment assistance, housing repair, irrigation, dams, Indian rights protection, implementation of land and water settlements, and management of trust assets (real estate and natural resources).²⁰
- *Departmental Offices* covers diverse offices and programs. In the FY2022 appropriations law, it covered the Office of the Secretary of the Interior, Insular Affairs, the Office of the Solicitor, and the Office of Inspector General.²¹
- *Department-Wide Programs* covers varied programs and entities. In the FY2022 appropriations law, it covered DOI Wildland Fire Management,²² the Central Hazardous Materials Fund, the Energy Community Revitalization Program, the

Framework, by Adam Vann. For an overview of FY2023 appropriations for the Bureau of Ocean Energy Management, see CRS In Focus IF12204, *Offshore Energy Agency Appropriations, FY2023*, by Laura B. Comay.

¹⁷ For an overview of FY2023 appropriations for the Bureau of Safety and Environmental Enforcement, see CRS In Focus IF12204, *Offshore Energy Agency Appropriations, FY2023*, by Laura B. Comay.

¹⁸ For additional information on the Office of Surface Mining Reclamation and Enforcement, see CRS In Focus IF11352, *The Abandoned Mine Reclamation Fund: Issues and Legislation in the 117th Congress*, by Lance N. Larson, and CRS Report R46610, *Reclamation of Coal Mining Operations: Select Issues and Legislation*, by Lance N. Larson.

¹⁹ For a discussion of Indian education programs, see CRS Report RL34205, *Indian Elementary-Secondary Education: Programs, Background, and Issues*, by Cassandra Dortch, and CRS In Focus IF10554, *Postsecondary Education of Native Americans*, by Cassandra Dortch.

²⁰ For an overview of FY2022 appropriations for the Bureau of Indian Affairs, see CRS In Focus IF11899, *The Bureau of Indian Affairs: FY2022 Appropriations*, by Tana Fitzpatrick. Both the Bureau of Indian Education and the Bureau of Indian Affairs received FY2022 appropriations under the heading *Indian Affairs* in the FY2022 Interior appropriations law. Under that heading, the FY2022 appropriations law also contained appropriations for the Office of the Special Trustee for American Indians. For FY2023, the President's request instead sought funding for the Bureau of Trust Funds Administration in anticipation of the termination of the Office of the Special Trustee for American Indians. For additional information, see DOI, *Budget Justifications and Performance Information, Fiscal Year 2023, Bureau of Trust Funds Administration*, at https://doi.gov/sites/doi.gov/files/fy2023-btfa-greenbook_0.pdf.

²¹ An overview of these entities' responsibilities is at DOI, "Bureaus & Offices," at <https://www.doi.gov/bureaus/offices>.

²² For an overview of FY2023 appropriations for wildland fire management, see CRS In Focus IF12142, *Funding for Wildfire Management: FY2023 Appropriations for Forest Service and Department of the Interior*, by Katie Hoover. For an overview of wildland fire management appropriations in recent years, see CRS Report R46583, *Federal Wildfire Management: Ten-Year Funding Trends and Issues (FY2011-FY2020)*, by Katie Hoover.

Natural Resource Damage Assessment Fund, the Working Capital Fund, and the Office of Natural Resources Revenue.²³

Title II. Environmental Protection Agency

EPA has no organic statute establishing an overall mission; rather, the agency administers various environmental statutes that have an express or general objective to protect human health and the environment. Primary responsibilities include the implementation of federal statutes regulating air quality, water quality, drinking water safety, pesticides, toxic substances, management and disposal of solid and hazardous wastes, and cleanup of environmental contamination. EPA awards grants to assist states and local governments in implementing federal law and complying with federal requirements to control pollution. The agency also administers programs that provide financial assistance for public wastewater and drinking water infrastructure projects.²⁴

Title III. Related Agencies

In FY2023, Title III of the Interior bill funded about two dozen agencies, organizations, and other entities collectively referred to as the *related agencies*. Among the related agencies funded in the Interior bill, roughly 95% of the funding typically is provided to the following:

- The *Forest Service* in the Department of Agriculture manages 193 million acres of federal land within the National Forest System—consisting of national forests, national grasslands, and other areas—in 43 states, the Commonwealth of Puerto Rico, and the Virgin Islands. It also provides technical and financial assistance to states, tribes, and private forest landowners and conducts research on sustaining forest resources for future generations.²⁵
- The *Indian Health Service* in the Department of Health and Human Services provides medical and environmental health services for approximately 2.7 million American Indians and Alaska Natives. Health care is provided through a

²³ Descriptions of these programs are on the DOI website as follows. For DOI wildland fire management, see <https://www.doi.gov/wildlandfire>. For the Central Hazardous Materials Fund, see <https://www.doi.gov/oepe/central-hazardous-materials-fund-chf>. For the Energy Community Revitalization Program and the Working Capital Fund, see DOI, *Budget Justifications and Performance Information, Fiscal Year 2023, Office of the Secretary, Department-Wide Programs*, at <https://www.doi.gov/sites/doi.gov/files/fy2023-osdwp-greenbook.pdf>. For the Natural Resource Damage Assessment Fund, see DOI, *Budget Justifications and Performance Information, Fiscal Year 2023, Natural Resource Damage Assessment and Restoration Program*, at <https://www.doi.gov/sites/doi.gov/files/fy2023-nrdar-greenbook.pdf>. For the Office of Natural Resources Revenue, see <https://www.onrr.gov/>. For FY2023, the President's request also sought funding through this account for the Payments in Lieu of Taxes (PILT) Program, though the FY2022 appropriations law included PILT funding under a general provision. For information on this program, see CRS Report R46260, *The Payments in Lieu of Taxes (PILT) Program: An Overview*, by R. Eliot Crafton, and DOI, *Budget Justifications and Performance Information, Fiscal Year 2023, Office of the Secretary, Department-Wide Programs*, at <https://www.doi.gov/sites/doi.gov/files/fy2023-osdwp-greenbook.pdf>.

²⁴ For an overview of FY2023 appropriations for the Environmental Protection Agency (EPA), see CRS In Focus IF12199, *U.S. Environmental Protection Agency (EPA) Appropriations: FY2023 President's Budget Request*, by Angela C. Jones. For a detailed compendium of environmental laws administered by EPA, see CRS Report RL30798, *Environmental Laws: Summaries of Major Statutes Administered by the Environmental Protection Agency*, coordinated by David M. Bearden.

²⁵ For an overview of Forest Service land management, see CRS Report R43872, *National Forest System Management: Overview, Appropriations, and Issues for Congress*, by Katie Hoover and Anne A. Riddle. For an overview of FY2023 appropriations for the Forest Service, see CRS In Focus IF12141, *Forest Service: FY2023 Appropriations*, by Katie Hoover. For an overview of Forest Service appropriations in recent years, see CRS Report R46557, *Forest Service Appropriations: Ten-Year Data and Trends (FY2011-FY2020)*, by Katie Hoover.

system of more than 600 hospitals, clinics, and health stations on or near Indian reservations. The agency, tribes and tribal organizations, and urban Indian organizations operate these facilities and programs.²⁶

- The *Smithsonian Institution* is a museum and research complex consisting of 21 museums, the National Zoological Park (*National Zoo*), and several research facilities throughout the United States and around the world.²⁷ Established by federal legislation in 1846 with the acceptance of a trust donation by the institution's namesake benefactor, the Smithsonian is funded by both federal appropriations and a private trust.²⁸
- The *National Endowment for the Arts* and the *National Endowment for the Humanities* make up the *National Foundation on the Arts and the Humanities*. The National Endowment for the Arts is a major federal source of support for all arts disciplines. Since 1965, it has awarded more than 145,000 grants, which have been distributed to all states. The National Endowment for the Humanities generally supports grants for humanities education, research, preservation, and public humanities programs; creation of regional humanities centers; and development of humanities programs under the jurisdiction of state humanities councils. Since 1965, it has awarded more than 64,000 grants. It also supports a Challenge Grant program to stimulate and match private donations in support of humanities institutions.²⁹

FY2023 Appropriations

Appropriations for agencies vary widely for reasons relating to the number, breadth, and complexity of agency responsibilities; alternative sources of funding (e.g., mandatory appropriations); and Administration and congressional priorities, among other factors. The total in each of the FY2023 requested, House-passed, and Senate-introduced appropriations is broken out unevenly across the three major funding titles in the Interior bill and among agencies and entities within each title, as is typically the case.

Although FY2023 appropriations in the President's request, House-passed bill, and Senate-introduced bill covered about three dozen agencies, funding for a small subset of these agencies would account for most of the total. For example, the sum of appropriations for three agencies—EPA, Forest Service, and Indian Health Service—would be about three-fifths of each total. Nearly three-quarters of each total would be for these three agencies and two others—National Park Service and Bureau of Indian Affairs.

²⁶ Department of Health and Human Services, Indian Health Service (IHS), *Justification of Estimates for Appropriations Committees, Fiscal Year 2023*, p. CJ-2, at https://www.ihs.gov/sites/budgetformulation/themes/responsive2017/display_objects/documents/FY2023BudgetJustificaton.pdf. For additional information on the agency, see CRS Report R43330, *The Indian Health Service (IHS): An Overview*, by Elayne J. Heisler.

²⁷ These statistics are from the Smithsonian Institution's website at <http://www.si.edu/About>.

²⁸ For an overview of the Smithsonian Institution, including potential costs of new museums and other issues for Congress, see CRS Report R44370, *Smithsonian Institution: Background, Issues for Congress, and Selected Legislation*, by R. Eric Petersen.

²⁹ For an overview of FY2023 appropriations for the National Endowment for the Arts and the National Endowment for the Humanities, see CRS Report R47248, *National Foundation on the Arts and Humanities: FY2023 Appropriations*, by Shannon S. Loane. An overview of the National Endowment for the Arts is at <https://www.arts.gov/about/what-is-the-nea>. An overview of the National Endowment for the Humanities is at <https://www.neh.gov/about>.

Components of President Biden's Request

For FY2023, President Biden requested \$48.78 billion for the approximately three dozen agencies and entities funded in the Interior, Environment, and Related Agencies appropriations bill. This total included \$37.32 billion in regular appropriations and \$2.55 billion for certain wildfire suppression activities under an adjustment to discretionary spending limits for FY2023. The wildfire suppression amount comprised \$2.21 billion for the Forest Service and \$340.0 million for DOI. Budget authority designated for the specified suppression activities would cause the spending limits to be adjusted, effectively making the budget authority not subject to the limits, as noted.

The total of \$48.78 billion also reflects \$8.91 billion in mandatory appropriations for the Indian Health Service.³⁰ The President did not request discretionary appropriations for this agency but instead proposed reclassifying Indian Health Service accounts as mandatory funding. The President asserted that “mandatory funding provides a long-term solution for adequate, stable, and predictable funding for the Indian health system.”³¹ He expressed that mandatory funding would ensure “the disproportionate impacts experienced by tribal communities during the COVID-19 pandemic are never repeated.”³²

For the 11 DOI agencies in Title I of the Interior bill, the President's request was \$16.86 billion, or 35% of the total. For EPA, funded in Title II of the bill, the request was \$11.88 billion, or 24% of the total. For about two dozen agencies and other entities in Title III of the bill, the President requested \$20.05 billion, or about 41% of the total. This Title III total reflects mandatory appropriations for the Indian Health Service.

Components of H.R. 8294, Division E, as Passed the House

The Department of the Interior, Environment, and Related Agencies Appropriations Act, 2022 (H.R. 8294, Division E), as passed by the House on July 20, 2022, contained \$47.39 billion for Interior, Environment, and Related Agencies. This total included \$2.55 billion for wildfire suppression under the cap adjustment, consisting of \$2.21 billion for the Forest Service and \$340.0 million for DOI.

The House-passed bill included discretionary appropriations of \$8.12 billion for the Indian Health Service, though the President sought mandatory appropriations for this agency. In its earlier report on H.R. 8262, the House Committee on Appropriations set out its opposition to the request for mandatory appropriations. The committee expressed that the Indian Health Service “did not provide implementation language and at the time of writing this report, the authorizing committees have not enacted the President's proposal. Because the authorizing committees have

³⁰ This amount is identified in the FY2023 Senate committee majority draft explanatory statement, entitled *Explanatory Statement for the Department of the Interior, Environment, and Related Agencies Appropriations Bill, 2023*, pp. 119-120, at <https://www.appropriations.senate.gov/news/majority/breaking-chairman-leahy-releases-fiscal-year-2023-senate-appropriations-bills>. The IHS FY2023 budget justification identifies mandatory funding of \$9.1 billion in proposed law funding and \$147 million in current law funding for the Special Diabetes Program for Indians. See Department of Health and Human Services, IHS, *Justification of Estimates for Appropriations Committees, Fiscal Year 2023*, p. CJ-4. Hereinafter cited as IHS, *FY2023 CJ*.

³¹ IHS, *FY2023 CJ*, p. CJ-3.

³² IHS, *FY2023 CJ*, p. CJ-2.

not acted, the Committee is providing discretionary funds for IHS for fiscal year 2023 to ensure health care for Native Americans is not negatively impacted.”³³

For the 11 DOI agencies in Title I of the bill, the House-passed bill contained \$16.68 billion, or 35% of the total. EPA, funded in Title II of the bill, would receive \$11.49 billion, or 24% of the total. The House-passed bill would fund about two dozen agencies and other entities through Title III, with \$19.22 billion, or 41% of the bill total.

Components of S. 4686, as Introduced in the Senate

S. 4686, as introduced in the Senate on July 28, 2022, contained \$44.83 billion for Interior, Environment, and Related Agencies. As in the President’s request and the House-passed bill, the total in the Senate-introduced bill included \$2.55 billion for wildfire suppression under the cap adjustment, divided between the Forest Service (\$2.21 billion) and DOI (\$340.0 million).

The Senate-introduced bill included discretionary appropriations of \$7.38 billion for the Indian Health Service. The Senate committee majority draft explanatory statement indicated that although the President had sought mandatory funding, it contained discretionary funding because “at this time no such change has been enacted into law.”³⁴

Of the \$44.83 billion in the bill, DOI agencies in Title I would receive \$16.04 billion, or 36% of the total. EPA, funded in Title II of the bill, would receive \$10.64 billion, or 24% of the total. The bill would fund about two dozen agencies and other entities through Title III, with \$18.15 billion, or 40% of the total.

In addition to the \$44.83 billion, S. 4686, as introduced, contained \$2.28 billion in FY2023 emergency appropriations for disaster recovery and emergency response of the Forest Service (wildland fire management) and the following DOI agencies and programs: Fish and Wildlife Service, National Park Service, Bureau of Indian Education, and DOI wildland fire management. These funds were contained in a new Title V of the bill.

The bill also contained \$5.58 billion in advance appropriations for the Indian Health Service, with the funding becoming available for obligation in FY2024. The Senate committee majority draft explanatory statement included the following explanation for these funds:

The Committee recognizes that budget uncertainty due to temporary lapses of appropriations and continuing resolutions have an effect on the orderly operations of critical healthcare programs for Native American communities. Existing challenges related to recruitment and retention of healthcare providers, administrative burden and costs, and financial effects on Tribes were identified areas of concern in a Government Accountability Office [GAO] study (GAO–18–652). This budgetary change will enable IHS to continue to provide health services without interruption or uncertainty, improving the quality of care and providing peace of mind for patients and medical providers.³⁵

³³ House Committee on Appropriations, *Department of the Interior, Environment, and Related Agencies Appropriations Bill, 2023*, report to accompany H.R. 8262, 117th Cong., 2nd sess., H.Rept. 117-400, July 1, 2022, p. 122.

³⁴ Senate committee majority draft explanatory statement, p. 119.

³⁵ Senate committee majority draft explanatory statement, p. 120.

Comparison of FY2023 Appropriations Action with FY2022 Regular Enacted Appropriations

The FY2023 requested, House-passed, and Senate-introduced appropriations would provide varying amounts of higher funding than FY2022 regular enacted appropriations of \$40.52 billion in P.L. 117-103, Division G.³⁶ Additional appropriations enacted earlier for FY2022 in other laws (e.g., P.L. 117-43, P.L. 117-58) may have impacted the level of regular appropriations enacted. Moreover, the FY2023 request, House-passed bill, and Senate-introduced bill would provide varying increases over the FY2022 regular appropriations for each of the three major titles of the Interior bill. Most agencies in the bill, but not all, would receive higher funding in FY2023 under the request, House-passed bill, and Senate-introduced bill than the FY2022 regular enacted appropriations.

The FY2023 requested, House-passed, and Senate-introduced appropriations would provide \$2.55 billion for wildfire suppression under the discretionary cap adjustment. This is the maximum amount available under law for FY2023. The portion for the Forest Service would be \$2.21 billion, and the portion for DOI would be \$340.0 million. The FY2022 enacted appropriation was \$2.45 billion, the maximum under law for that year. This total included \$2.12 billion for the Forest Service and \$330.0 million for DOI.³⁷

The Senate-introduced bill for FY2023 contained advance appropriations (\$5.58 billion) for the Indian Health Service. Neither the President's request for FY2023 nor the House-passed bill for FY2023 contained advance appropriations for this agency. Further, the FY2022 regular appropriations law did not include advance appropriations for the Indian Health Service. However, the Indian Health Service was among the agencies that received emergency appropriations in an earlier law, the Infrastructure Investment and Jobs Act (P.L. 117-58, Division J).

The Senate-introduced bill also contained FY2023 emergency appropriations (\$2.28 billion) for disaster recovery and emergency response for four DOI agencies and the Forest Service. The FY2022 regular enacted appropriation did not include emergency appropriations for this purpose, and neither the FY2023 President's request nor the House-passed bill included emergency appropriations for this purpose.

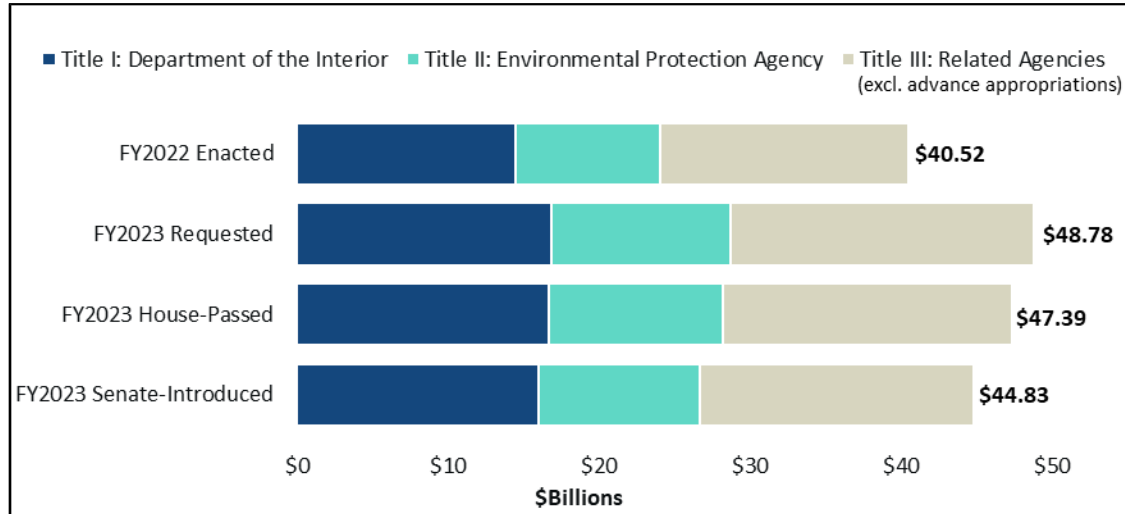
Figure 1 depicts FY2022 enacted appropriations and FY2023 appropriations in President Biden's request, the House-passed bill, and the Senate-introduced bill. It shows the appropriations contained in each of the three main appropriations titles of the Interior bill—Title I (DOI), Title II (EPA), and Title III (Related Agencies). For FY2022 enacted appropriations, it depicts the regular annual appropriations in P.L. 117-103, Division G. For the President's FY2023 request, it depicts amounts shown in tables prepared by the Appropriations Committees. For FY2023 House-passed appropriations, it depicts amounts contained in H.R. 8294, Division E. For FY2023 Senate-introduced appropriations, it depicts amounts contained in S. 4686. Similarly, **Table 1**, at the end of this report, lists the appropriations for each agency that were enacted for FY2022 in P.L. 117-

³⁶ This comparison is based on the regular appropriations enacted for FY2022. It does not reflect additional appropriations enacted for FY2022. Specifically, Division B of the Disaster Relief Supplemental Appropriations Act, 2022, of P.L. 117-43, the Extending Government Funding and Delivering Emergency Assistance Act, contained \$1.78 billion in emergency appropriations for FY2022. Division J, Appropriations, of P.L. 117-58, the Infrastructure Investment and Jobs Act, contained \$33.56 billion in emergency appropriations for FY2022. (The law also contained \$6.11 billion in advance appropriations for EPA and \$56.04 billion in emergency advance appropriations for multiple agencies). P.L. 117-169 also contained FY2022 mandatory appropriations for several agencies within the Interior bill, although the total appropriation is not readily available.

³⁷ 2 U.S.C. §901(b)(2)(F).

103, Division G; requested by President Biden for FY2023; passed by the House in H.R. 8294, Division E, for FY2023; and contained in S. 4686, as introduced, for FY2023.

Figure I. Appropriations for Interior, Environment, and Related Agencies, by Major Title, FY2022-FY2023



Source: Prepared by CRS with data from the House and Senate Appropriations Committees.

Notes: The FY2022 total shown excludes mandatory appropriations in P.L. 117-169, often called the Inflation Reduction Act of 2022. It also excludes \$1.78 billion in FY2022 emergency supplemental appropriations for multiple agencies for disaster relief, contained in Division B of the Disaster Relief Supplemental Appropriations Act, 2022, of P.L. 117-43, the Extending Government Funding and Delivering Emergency Assistance Act. Further, it excludes a total of \$95.71 billion for multiple agencies contained in Division J, Appropriations, of P.L. 117-58, the Infrastructure Investment and Jobs Act, composed of the following amounts: \$33.56 billion in FY2022 emergency appropriations for multiple agencies, \$6.11 billion in advance appropriations for the Environmental Protection Agency, and \$56.04 billion in emergency advance appropriations for multiple agencies (the advance appropriations become available for obligation in future fiscal years).

For FY2023, the President did not request discretionary appropriations for the Indian Health Service. Instead, the President requested \$8.91 billion in mandatory appropriations for the agency, and these appropriations are reflected in the figure. House-passed appropriations for FY2023 were contained in H.R. 8294, Division E. Senate-introduced appropriations were contained in S. 4686. The Senate-introduced total shown in the figure excludes \$5.58 billion in advance appropriations for the Indian Health Service, which would become available for obligation in FY2024. It also excludes \$2.28 billion in FY2023 emergency appropriations, in Title V of the bill, for disaster recovery and response of several agencies.

Table I. Interior, Environment, and Related Agencies: FY2022-FY2023 Appropriations
(in thousands of dollars)

Bureau or Agency	FY2022 Enacted	FY2023 Admin. Requested	FY2023 House-Passed	FY2023 Senate-Introduced
Bureau of Land Management	\$1,410,919	\$1,561,351	\$1,545,871	\$1,536,385
U.S. Fish and Wildlife Service	\$1,645,611	\$1,972,014	\$1,876,411	\$1,838,057
National Park Service	\$3,264,994	\$3,610,577	\$3,643,264	\$3,577,796
U.S. Geological Survey	\$1,394,360	\$1,711,344	\$1,644,232	\$1,519,289
Bureau of Ocean Energy Management	\$163,748	\$200,407	\$192,765	\$195,550

Bureau or Agency	FY2022 Enacted	FY2023 Admin. Requested	FY2023 House- Passed	FY2023 Senate- Introduced
Bureau of Safety and Environmental Enforcement	\$155,947	\$198,185	\$171,185	\$171,985
Office of Surface Mining Reclamation and Enforcement	\$268,097	\$271,218	\$291,218	\$290,026
Indian Affairs ^a	\$3,655,032	\$4,428,888	\$4,442,169	\$4,135,854
<i>Bureau of Indian Affairs</i>	\$2,263,529	\$2,740,477	\$2,753,105	\$2,545,294
<i>Bureau of Indian Education</i>	\$1,281,931	\$1,575,736	\$1,577,778	\$1,477,885
<i>Bureau of Trust Funds Administration</i>	\$0	\$112,675	\$0	\$0
<i>Office of the Special Trustee for American Indians</i>	\$109,572	\$0	\$111,286	\$112,675
Departmental Offices	\$402,437	\$451,170	\$454,486	\$430,770
<i>Office of the Secretary</i>	\$123,367	\$146,530	\$144,706	\$135,000
<i>Insular Affairs</i>	\$121,940	\$125,720	\$129,720	\$125,720
<i>Office of the Solicitor</i>	\$94,998	\$102,050	\$103,190	\$102,050
<i>Office of Inspector General</i>	\$62,132	\$76,870	\$76,870	\$68,000
Department-Wide Programs	\$1,640,142	\$2,451,476 ^b	\$1,897,976	\$1,828,584
<i>Wildland Fire Management</i>	\$1,356,097	\$1,539,630	\$1,543,130	\$1,503,286
<i>Central Hazardous Materials Fund</i>	\$10,036	\$10,064	\$10,064	\$10,064
<i>Energy Community Revitalization Program</i>	\$5,000	\$65,000	\$45,000	\$20,000
<i>Natural Resource Damage Assessment Fund</i>	\$7,933	\$8,059	\$8,059	\$8,059
<i>Working Capital Fund</i>	\$91,436	\$118,746	\$116,746	\$112,198
<i>Office of Natural Resources Revenue</i>	\$169,640	\$174,977	\$174,977	\$174,977
General Provisions: Payments in Lieu of Taxes ^b	\$515,000	\$535,000	\$515,000	\$515,000
Subtotal, Title I: Department of the Interior^c	\$14,516,287	\$16,857,630	\$16,675,577	\$16,040,296
Subtotal, Title II: Environmental Protection Agency	\$9,559,485	\$11,879,841	\$11,493,123	\$10,641,162
Dept. of Agriculture Under Secretary for Natural Resources and Environment	\$1,000	\$1,429	\$1,429	\$1,000
Forest Service	\$7,820,277	\$8,946,010	\$8,841,816	\$8,595,785
Indian Health Service	\$6,630,986	\$8,909,000 ^d	\$8,121,023	\$7,380,063 ^e
National Institute of Environmental Health Sciences	\$82,540	\$83,035	\$83,035	\$83,035
Agency for Toxic Substances and Disease Registry	\$80,500	\$85,020	\$85,020	\$85,020
Council on Environmental Quality and Office of Environmental Quality	\$4,200	\$4,360	\$4,676	\$4,360
Chemical Safety and Hazard Investigation Board	\$13,400	\$14,400	\$14,400	\$14,400
Office of Navajo and Hopi Indian Relocation	\$0 ^f	\$4,000	\$0 ^f	\$0 ^f
Institute of American Indian and Alaska Native Culture and Arts Development	\$11,741	\$11,772	\$13,274	\$11,772
Smithsonian Institution	\$1,062,215	\$1,174,500	\$1,174,500	\$1,174,500

Bureau or Agency	FY2022 Enacted	FY2023 Admin. Requested	FY2023 House- Passed	FY2023 Senate- Introduced
National Gallery of Art	\$180,500	\$209,240	\$209,240	\$209,240
John F. Kennedy Center for the Performing Arts	\$40,440	\$45,380	\$45,380	\$45,380
Woodrow Wilson International Center for Scholars	\$15,000	\$14,860	\$15,000	\$15,000
National Endowment for the Arts	\$180,000	\$203,550	\$207,000	\$195,000
National Endowment for the Humanities	\$180,000	\$200,680	\$207,000	\$195,000
Commission of Fine Arts	\$3,328	\$3,661	\$3,661	\$3,661
National Capital Arts and Cultural Affairs	\$5,000	\$5,000	\$5,000	\$5,000
Advisory Council on Historic Preservation	\$8,255	\$8,585	\$8,585	\$8,585
National Capital Planning Commission	\$8,750	\$8,630	\$8,750	\$8,630
U.S. Holocaust Memorial Museum	\$62,616	\$65,231	\$63,231	\$65,231
Presidio Trust	\$40,000	\$31,000	\$90,000	\$40,000
World War I Centennial Commission	\$1,000	\$1,000	\$1,000	\$1,000
U.S. Semiquincentennial Commission	\$8,000	\$15,000	\$15,000	\$9,000
Alyce Spotted Bear and Walter Soboleff Commission on Native Children	\$200	\$0	\$0	\$600
Subtotal, Title III: Related Agencies	\$16,439,948	\$20,045,343^d	\$19,222,020	\$18,151,262^e
Total Interior, Environment, and Related Agencies	\$40,515,720^g	\$48,782,814^d	\$47,390,720	\$44,832,720^{eh}

Source: Prepared by CRS with data from the House and Senate Appropriations Committees.

Notes: Agency and bill totals generally reflect rescissions. Enacted appropriations for FY2022, shown in the first column, were contained in P.L. 117-103, Division G. Additional FY2022 and advance appropriations were provided in P.L. 117-169, often called the Inflation Reduction Act of 2022; Division B of the Disaster Relief Supplemental Appropriations Act, 2022, of P.L. 117-43, the Extending Government Funding and Delivering Emergency Assistance Act; and Division J, Appropriations, of P.L. 117-58, the Infrastructure Investment and Jobs Act, as detailed below in note g. House-passed appropriations for FY2023 were contained in H.R. 8294, Division E. On July 28, 2022, the Senate Appropriations Committee Chair released a Senate committee majority draft bill and draft explanatory statement with appropriations for FY2023. On the same day, S. 4686 was introduced, reflecting the draft bill text. The Senate total shown excludes \$5.58 billion in advance appropriations for the Indian Health Service, which would become available for obligation in FY2024. It also excludes \$2.28 billion in FY2022 emergency appropriations for disaster recovery and emergency response.

- This row shows total funding for the listed entities. For FY2023, President Biden sought to fund the functions of the Office of the Special Trustee for American Indians through a new Bureau of Trust Funds Administration.
- The FY2023 requested appropriations for the Payments in Lieu of Taxes Program (\$535.0 million) were included under Department-Wide Programs. For easier comparison, these appropriations are shown in this table under General Provisions.
- Amounts in this row for FY2023 requested, House-passed, and Senate-introduced appropriations reflect \$1.0 million not shown in the column figures above. The funding was included in the General Provisions of the Interior title of the bill for decommissioning offshore facilities and related activities.
- The Administration did not request discretionary appropriations for the Indian Health Service. Instead, the Administration sought to reclassify Indian Health Service funding as mandatory appropriations and sought \$8.91 billion in mandatory appropriations, according to the Senate committee majority draft explanatory statement (pp. 119-120). This amount is reflected here for comparative purposes.

- e. This figure excludes \$5.58 billion in advance appropriations for the Indian Health Service that would become available for obligation in FY2024. Including these appropriations, the Senate-introduced bill contained \$12.96 billion for the Indian Health Service.
- f. The FY2022 enacted appropriation, the FY2023 House-passed bill, and the FY2023 Senate-introduced bill contained \$0 in new funding but approved \$3.2 million (FY2022 enacted) and \$3.1 million (House-passed and Senate-introduced) from unobligated balances of funding.
- g. This figure excludes mandatory appropriations in P.L. 117-169, often referred to as the Inflation Reduction Act of 2022. It also excludes \$1.78 billion in FY2022 emergency supplemental appropriations for multiple agencies for disaster relief, contained in Division B of the Disaster Relief Supplemental Appropriations Act, 2022, of P.L. 117-43, the Extending Government Funding and Delivering Emergency Assistance Act. Further, it excludes a total of \$95.71 billion for multiple agencies contained in Division J, Appropriations, of P.L. 117-58, the Infrastructure Investment and Jobs Act, composed of the following amounts: \$33.56 billion in FY2022 emergency appropriations for multiple agencies, \$6.11 billion in advance appropriations for the Environmental Protection Agency, and \$56.04 billion in emergency advance appropriations for multiple agencies.
- h. This total excludes \$2.28 billion in FY2023 emergency appropriations for disaster recovery and emergency response for four Department of the Interior agencies (including department-wide programs) and the Forest Service. These funds were included in Title V of S. 4686, as introduced.

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