



FY2023 Omnibus

Summary of APLU Priorities

On December 20, Congress released the FY2023 omnibus appropriations package, the [Consolidated Appropriations Act of 2023](#) (see [section by section summary](#)) and joint explanatory statements for all 12 appropriations bills. The Senate is expected to take up the legislation on December 20 and consider the bill under an accelerated timeline with passage likely on Thursday. The House would then follow suit, allowing final passage ahead of the Friday, December 23 deadline. The \$1.67 trillion package funds the federal government through the end of the current fiscal year (September 30, 2023).

APLU has updated our [Appropriations Priorities Chart](#) to reflect funding levels in the FY2023 omnibus measure.

The bill provides \$858 billion in defense funding, a \$76 billion increase over FY2022, and \$772.5 billion in nondefense discretionary funding, a \$42.5 billion increase over FY2022. The bill also provides \$58.7 billion for programs authorized by the Infrastructure Investment and Jobs Act and \$1.8 billion in new funding to implement the CHIPS and Science Act.

APLU President Mark Becker released a [statement](#) urging lawmakers to quickly pass the bill, stating this bill will “make key investments in higher education and the U.S. research enterprise.”

The detailed analysis below contains important FY2023 funding levels and policy provisions of interest to APLU institutions (see [section by section summary](#)).

Agriculture, Rural Development, Food and Drug Administration **Explanatory Statement**

The omnibus appropriations bill provides \$1.701 billion for the National Institute of Food and Agriculture (NIFA), an increase of \$64 million over FY2022. The bill includes \$1.094 billion for Research and Education Activities, \$565 million for Extension Activities, and \$41.5 million in Integrated Activities. The bill includes an increase for the Agricultural and Food Research Initiative (AFRI) of \$10 million (2.2 percent increase), funding the program at \$455 million. The explanatory statement encourages USDA to prioritize funding in AFRI for agro-acoustics, organic transitions, career and technical training opportunities for meat processing, and the Sustainable Agricultural Systems grants.

The bill includes modest increases for Hatch Act (State Agricultural Experiment Station—SAES) and Smith-Lever (Cooperative Extension at 1862 institutions) accounts, providing \$265 million for SAES/Hatch (a 1.9 percent increase over FY2022) and \$325 million for Smith Lever (b) and (c) (or a 1.6 percent increase). APLU remains concerned about the lack of increases in funding for both these accounts. Capacity funding for McIntire-Stennis Cooperative Forestry received a 5.6 percent increase, bringing the account to \$38 million. Section 744 of the bill includes a waiver for the Specialty Crop Research Initiative matching requirement.

The agreement supports Evans-Allen research at \$89 million and 1890s Extension at \$72 million (reflecting increases of 11.3 percent and 10.8 percent respectively over FY2022). Research Grants for 1994 institutions receives \$7 million (a 27.3 percent increase). Extension

Services at 1994 Institutions receives \$11 million (a 15.8 percent increase). Payments Funding for 1994 institutions receives \$5 million (an 11.1 percent increase). The joint explanatory statement notes concern that Extension Service resources do not adequately reach minority, social disadvantaged, and Tribal communities and encourages NIFA to evaluate distribution of services.

The agreement provides \$2 million to make competitive grants for agricultural research facilities in support of the Research Facilities Act. The explanatory statement further encourages NIFA to prioritize facilities that are located at or primarily benefit minority serving institutions when making awards. In addition, the agreement urges NIFA to conduct outreach and grant writing technical assistance prior to issuing any funds for awards. Within the intramural Agricultural Research Service accounts, in addition to the \$74 million for Agricultural Research Service Buildings and Facilities, the statutory text provides \$56.7 million in funding for Community Project Funding/ Congressionally Directed Spending.

The Agriculture Advanced Research and Development Authority (AGARDA) receives \$1 million within the Office of Under Secretary for Research, Education, and Economics to further build out the planning and management structure and hire staff.

Within the explanatory statement, under the Office of the Secretary, there is recognition of the need for biobased and U.S. grown alternatives to plastic with direction that the Secretary explore U.S. based hemp as a robust and dependable plastic alternative. The Office is asked to issue a report to the Committees within 180 days of passage. Finally, the statutory text (Section 731) includes an audit of veterinary, livestock disease and vaccination, diagnostic laboratory capabilities, and emergency preparedness.

Commerce-Justice-Science

Explanatory Statement

National Science Foundation

The agreement provides \$9.87 billion for the National Science Foundation. This includes \$1.036 billion in supplementary funding for NSF base programming (\$700 million) and CHIPS and Science implementation (\$335 million). NSF can spend the supplementary funding over the next two years. With the supplementary funding, the \$9.87 billion represents a 12 percent increase over the FY2022 enacted level. An important caveat, all of the increase for NSF is provided in the supplemental funding portion of the bill (Division N).

- NSF Research and Related Activities (R&RA) \$7.8 billion, an increase of \$680 million above FY2022.
- NSF education and workforce training programs \$1.37 billion, an increase of \$365 million above FY2022. According to the Appropriations Committee Summary this funding level will support approximately 2,300 additional research and education grants and 35,000 more scientists, technicians, teachers, and students, compared to FY2022.

Other priority area highlights include:

- \$970 million for climate science and sustainability research through the U.S. Global Change Research Program and Clean Energy Technology

- \$686 million for artificial intelligence research including workforce and education partnerships
- \$235 million for quantum information science research
- \$25 million for the Historically Black Colleges and Universities Excellence in Research (HBCU-EiR) program
- \$245 million for the EPSCoR Program
- \$187.23 million for Major Research Equipment and Facilities Construction (MREFC)
- \$76.25 million for Mid-scale Research Infrastructure

National Aeronautics and Space Administration

The bill provides increases from FY2022 levels to APLU member priorities for the National Aeronautics and Space Administration (NASA) accounts, such as \$7.795 billion to its Science Mission Directorate (increase of 2.4 percent), \$935 million to the Aeronautics Research Directorate (increase of 6.16 percent), and \$58 million to the Space Grant Program (increase of 6.4 percent). The bill provides \$1.2 billion to Space Technology, which represents a very modest increase from FY2022 enacted levels.

Within the Aeronautics Research Directorate, the joint explanatory statement encourages NASA to accelerate research and development for next generation commercial engine technologies for electrified aircraft propulsion, including electric air flight. NASA is further encouraged to support research into additive manufacturing (page 133).

The agreement further includes \$58 million for the Space Grant Program. The agreement directs that these amounts be allocated to State consortia for competitively awarded grants in support of local, regional, and national STEM needs and directs that all 52 participating jurisdictions be supported at no less than \$900,000 each.

National Oceanic and Atmospheric Administration

Within the National Oceanic and Atmospheric Administration (NOAA), Operations, Research and Facilities Account, Oceanic and Atmospheric Research receives \$661.3 million, representing a 10.2 percent increase. The Sea Grant Program receives \$80 million, a 6.4 percent increase over FY2022 for the base program. The Sea Grant Aquaculture Research program receives a modest increase to \$14 million, up 3.7 percent over FY2022.

National Institute for Standards and Technology

The National Institute for Standards and Technology's (NIST) Manufacturing Extension Partnerships (MEP) received \$175 million, representing a 10.7 percent increase, and the Manufacturing USA program received \$37 million, a \$20.5 million increase from FY2022 enacted levels. In addition to this core funding in the base bill, the two programs received supplemental funding of \$13 million for MEP and an additional \$14 million for Manufacturing USA.

Within the joint explanatory statement for the Manufacturing USA program, Congress directs that no more than \$1.5 million may be used to support the U.S. Food and Drug Administration's participation in biomanufacturing innovation institutes; \$10 million shall be used for the continuation of the existing NIST-funded institute; and \$20 million to support a new NIST-

funded institute, which shall be broadly competed, and solicit applications from all focus areas (page 19).

Economic Development Administration

The omnibus provides \$50 million, an increase of 11.11 percent for grants under the Regional Innovation Partnership (RIP), also referred to as Build to Scale (B2S). Of the amount provided for RIP grants, no less than \$40 million shall be for the i6 Challenge, also referred to as the B2S Venture Challenge, and no less than \$8 million shall be for Seed Fund Support, also referred to as the B2S Capital Challenge. EDA shall continue to ensure that RIP awards go to multiple grantees in multiple and diverse geographic areas, including an increased focus on organizations and States that have not previously received funding from the program. Furthermore, within funds provided for RIP, EDA shall award not less than 40 percent of grants to support rural communities (page 6).

The agreement also includes \$41 million for the Regional Technology and Innovation Hubs and \$41 million for the Recompete Pilot Program. In addition to this base funding, both programs receive supplemental funding totaling \$618 million, of which \$459 million is for the Hubs and \$159 million for Recompete. The two programs were both authorized in the CHIPS and Science Act.

Defense

Explanatory Statement

The final bill allocates \$139.76 billion for DoD Research, Development, Test, and Evaluation, which includes Basic Research 6.1 accounts and more applied accounts. The Defense Advanced Research Projects Agency (DARPA) also saw an increase of 5.8 percent for FY2023. The bill overall provides \$4.052 billion for the agency. Further details were not provided by Congress at the time of this analysis but APLU will update our appropriations chart and narrative documents once further details on the breakdown within the RDT&E account are released by the Appropriations Committees.

Energy and Water Development

Explanatory Statement

The bill provides increases for both the Department of Energy (DOE) Office of Science and ARPA-E. DOE's Office of Science would receive a 8.36 percent increase to \$8.1 billion, and ARPA-E would receive a 4.4 percent increase to \$470 million.

The agreement also provides not less than \$135 million for Artificial Intelligence and Machine Learning capabilities across the Office of Science Programs and not less than \$245 million for the Office of Science's coordinated and focused research program in quantum information science (including not less than \$120 million for research and \$125 million for the five National Quantum Information Science Research Centers) (page 132).

Furthermore, the agreement provides \$60 million for the Reaching a New Energy Sciences Workforce (RENEW) and Funding for Accelerated, Inclusive Research (FAIR) programs, in support of the Office of Science's engagement with Historically Black Colleges and Universities

(HBCUs) and other Minority Serving Institutions (MSIs) to build research capacity and workforce development (page 132).

The agreement provides \$5 million to expand efforts to include students from underserved institutions in the technology development programs within the Department's portfolio of manufacturing, solar, transportation and grid/energy storage through a university which has existing partnerships with several Historically Black Colleges and Universities and Minority Serving Institutions, and participants in several Departmental applied energy research programs (page 90).

Interior and Environment

Explanatory Statement

The EPA's Office of Science and Technology funding is \$802.3 million, a 6.9 percent increase over FY2022. The Joint Fire Science Program is funded at \$9 million, an increase of 12.9 percent. Also of interest, report language provides \$20 million for Wood Innovation Grants and of which \$2 million is for grants to develop timber professional cooperatives that will address deficiencies in wood product infrastructure

The National Endowment for the Humanities (NEH) receives \$207 million, a 15 percent increase over FY2022. The bill reiterates its support for the "We the People" initiative from FY2022 and for projects that "illustrate the transformative role of women in American history." Furthermore, the bill continues to support the Documenting Endangered Languages Initiative to develop and advance knowledge of endangered languages, such as those spoken by the Uyghurs, Tibetans, and Mongolians. (Explanatory Statement, page 75)

The bill provides \$15.5 million for the United States Geological Survey's (USGS) Water Resources Research Institutes, a 10.7 percent increase. The USGS Cooperative Research Units (CRUs) funding is \$28.21 million, an 8.5 percent increase.

Labor-Health and Human Services-Education

Explanatory Statement

National Institutes of Health

The agreement provides \$47.5 billion for the National Institutes of Health (NIH), an increase of \$2.5 billion (5.6 percent) above the FY2022 enacted level. The agreement includes an increase of no less than 3.8 percent for each Institute and Center to support a wide range of biomedical and behavioral research. The agreement makes investments in several priority areas:

- \$7.3 billion, an increase of \$408 million above the FY2022 enacted level, for the National Cancer Institute (NCI), including \$216 million for the NCI component of the Cancer Moonshot;
- \$3.7 billion, an increase of \$226 million above the FY2022 enacted level for Alzheimer's disease and related dementia research;
- \$75 million, an increase of \$50 million above the FY2022 enacted level, for expanded access and activities authorized in the ACT for ALS Act;

- Expanded support for minority-serving institutions and health disparities research through an increase of \$8 million for the John Lewis NIMHD Research Endowment Program, an increase of \$4 million for Research Centers at Minority Institutions, and an additional increase of \$45 million for other health disparities research;
- An increase of \$45 million for research related to opioids, stimulants, and pain/pain management; of \$12.5 million to continue firearm injury and mortality prevention research;
- \$3.3 billion, an increase of \$100 million above the FY2022 enacted level, for HIV/AIDS research;
- \$270 million, an increase of \$25 million above the FY2022 enacted level, for Universal Flu Vaccine Research;
- \$95 million, an increase of \$8 million above the FY2022 enacted level, for the Fogarty International Center;
- \$90 million, an increase of \$15 million above the FY2022 enacted level, for the INCLUDE Down syndrome research initiative; and
- \$76 million, an increase of \$17 million above the FY2022 enacted level, for the Office of Research on Women's Health; including \$10 million to establish the Office of Autoimmune Disease Research.

Advanced Research Projects Agency for Health (ARPA-H)

The agreement also includes \$1.5 billion to ARPA-H separate from NIH to “focus on time-limited projects with quantifiable goals, benchmarks, and accountability to revolutionize how we prevent, treat, or cure a range of diseases, including cancer, infectious diseases, Alzheimer’s disease, diabetes, and others.” The bill also provides a full authorization for the agency (Section 2331, page 3367 of the bill). ARPA-H is authorized within NIH but is charged with finding a headquarters that is not on the NIH campus and charged with having three offices or facilities in different geographic areas. ARPA-H is discouraged from hiring existing NIH employees. ARPA-H award grants and cooperative agreements “shall include requirements to publicly report indirect facilities and administrative costs.” Additionally, the bill bars entities in China, Russia, North Korea, and Iran (as defined in Section 119C of the National Security Act of 1947) from receiving awards.

Department of Education

The appropriations bill provides an overall increase of \$3.2 billion for the Department of Education for FY2023 over FY2022 levels (not including rescissions to the Pell Grant program reserve). This includes another historic increase to the Federal Pell Grant maximum award; significant new investments in Historically Black Colleges and Universities (HBCUs), Hispanic Serving Institutions (HSIs), Tribal Colleges and Universities (TCUs), and other Minority Serving Institutions (MSIs); and increases in nearly every higher education account.

The bill increases the maximum Pell Grant award by \$500 to \$7,395 for academic year 2023-2024, again the largest increase to the Pell maximum in more than a decade. The bill maintains overall discretionary program funding at \$22.475 billion for the Pell Grant program, level with FY2022 appropriations. The bill rescinds \$360 million from the Pell discretionary reserve, as well as \$75 million from Pell mandatory funds.

Report language also highlights ongoing work by the Department of Education (ED) to implement Pell Grants for prison education programs, now that Pell Grant eligibility has been restored for incarcerated individuals. Congress directs ED to continue its Second Chance Pell experiment, providing technical assistance to these campuses that have been piloting the use of Pell Grant to support incarcerated individuals to transition to new statutory requirements. Report language also directs ED to use lessons learned from the experiment to develop best practices for all institutions with prison education programs.

The bill funds the Supplemental Education Opportunity Grant (SEOG) program at \$910 million for FY2023, a 1.7 percent increase over prior year funding. The bill also funds the Federal Work Study program (FWS) at \$1.23 billion, also about a 1.7 percent increase over FY2022 levels. Within the FWS total, the agreement includes \$11 million for the Work Colleges program authorized through the Higher Education Act (HEA).

The bill funds the TRIO program at \$1.191 billion and the GEAR UP program at \$388 million for FY2023, increases of 4.7 percent and 2.6 percent respectively. Report language directs ED to allocate the increased funds for the TRIO program to grantees demonstrating substantial progress in meeting performance objectives, as well as provide grants to unfunded, high-quality applications from prior-year competitions. For GEAR UP, the report language directs ED to use the increased funds for a new FY2023 grant competition.

Title VI International Education programs saw a 4.9 percent increase for FY2023, boosting funding to \$85.664 million. Report language directs ED to allocate this \$3.5 million increase for domestic programs to the National Resource Centers program.

Funding for the Graduate Assistance in Areas of National Need (GAANN) program was maintained at \$23.547 million, level with FY2022 funding.

The Institute of Education Sciences (IES) received another significant funding increase for FY2023, receiving a 9.6 percent increase to \$807.605 million. The report language directs IES to use a portion of its FY2023 appropriation to support a new funding opportunity for quick-turnaround, high-reward scalable solutions intended to accelerate learning recovery due to COVID-19 disruptions. The report language also acknowledges ongoing collaborative efforts between ED and the National Science Foundation (NSF), including two NSF National Artificial Intelligence Research Institutes focused on education. Congress encourages the Department and IES to pursue additional collaboration with the NSF, which may include support for Centers for Transformative Education Research and Translation.

The bill also increases FY2023 appropriations for all Title III and V programs, providing more than \$1 billion in aid for institutional development to support HBCUs, HSIs, MSIs, and institutions eligible for Strengthening Institutions Program (SIP) grants. This represents an increase of \$137 million, a 15 percent increase over FY2022 levels.

The bill increases funding for the Child Care Access Means Parents in School (CCAMPIS) program by \$10 million, to \$75 million for FY2023. The report language directs ED to establish a flat maximum grant award reflective of the costs to provide high-quality childcare to student parents, and to prioritize funding to institutions based on the number of Pell grant recipients enrolled.

The bill also provides \$184 million to new and existing programs through Fund for the Improvement of Postsecondary Education (FIPSE) for FY2023, including:

- \$50 million for a new HBCU, TCU, and MSI Research and Development Infrastructure Grant program—these planning and implementation grants are designed to promote transformational investments in research infrastructure at four-year HBCUs, TCUs, or other MSIs, either alone or as the lead entity in consortia;
- \$45 million—up from \$5 million in FY2022—for a second round of funding for the Postsecondary Student Success Grant program to support and scale evidence-based activities to boost college completion;
- \$45 million for a third year of the Rural Postsecondary and Economic Development Grant program—more than double the amount provided in the FY2022 budget;
- \$12 million for ED’s Open Textbooks Pilot, a \$1 million increase over FY2022;
- \$10 million for Basic Needs grants, a \$2 million increase over FY2022;
- \$9 million for the Centers of Excellence for Veterans Student Success program, which is intended to help campuses coordinate student services to address the academic, financial, physical, and social needs of veteran students;

Finally, the bill provides \$429.6 million for FY2023 toward Community Project Funding, or Congressionally directed spending, an increase of more than 70 percent over FY2022.

State and Foreign Operations

Explanatory Statement

The bill provides the United States Agency for International Development (USAID) with \$285 million for higher education in FY2023, including \$35 million for partnerships between United States higher education institutions, and those in developing countries, to increase international higher education capacity. According to the bill, the \$35 million increase is for partnerships with higher education institutions impacted by economic crises (as per Sec. 7060 (a)(3) of division K of Public Law 116-260).

The Bureau for Food Security’s Feed the Future Innovation Labs receive \$62 million (a 7 percent increase). The role of land-grant institutions is referenced in the report language, providing that USAID should continue to support the work of public institutions with specialized capabilities in agricultural research and to assist developing countries to improve food production.

The bill provides \$17 million for study abroad programs under the Benjamin Gilman International Scholarships program and \$287.5 million for the Fulbright Program. Additionally, the bill calls for funding above FY22 levels (\$1.5 million) for the Increase and Diversify Education Abroad for U.S. Students (IDEAS) Program, though a specific appropriation is not listed. The bill encourages the Secretary of State to incorporate recommendations of the Commission on the Abraham Lincoln Study Abroad Fellowship Program into the IDEAS Program.

Report Language and Reauthorizations

Division O—Extenders and Technical Corrections

Title X—Budgetary Effects

Congress acted to prevent the elimination of Build America Bond (BAB) subsidy payments, as well as a wide range of other sequesterable accounts. Specifically, the omnibus bill text includes a waiver from statutory PAYGO enforcement for 2023 and 2024 (Division O, Title X, Sec. 1001).

While Congress didn't "wipe the PAYGO scorecard clean", subsidy payments will continue through the end of calendar year 2024. In 2025, this may again become an issue if Congress doesn't fully address it in the intervening years.

Division U—Joseph Maxwell Cleland and Robert Joseph Dole Memorial Veterans Benefits and Health Care Improvement Act of 2022

The omnibus bill also includes several bills impacting veterans, one of which will impact veteran education benefits. Specifically, in the *Joseph Maxwell Cleland and Robert Joseph Dole Memorial Veterans Benefits and Health Care Improvement Act of 2022*, Title II, Subtitle B focuses on veteran education benefits. (The omnibus also includes the *Strong Veterans Act of 2022* (Division V), which includes a number of provisions to support veteran mental health and fund mental health research.)

Of note for institutions, the *Cleland-Dole Act* provides additional protections for student veterans who have to withdraw or take a leave of absence from school for Guard or Reserve obligations. Institutions are prohibited from taking an adverse action against these students, including the assignment of a failing grade, reduction of GPA, or characterizing the absence as “unexcused”. If the covered member withdraws, the institution must refund all tuition and fees (including payments for housing) for the academic term from which the covered member withdraws. If the covered member takes a leave of absence, the institution must assign an “incomplete” and provide an opportunity for the member, to the extent practicable, to complete the term upon their return.

The bill also allows extends the time limitation for student veteran GI Bill and Veteran Readiness and Employment (VR&E) eligibility during national emergencies. (Additional GI Bill benefit flexibilities during national emergencies are contained in separate legislation set to pass this Congress, H.R. 7939.)

Finally, a technical change included in the bill will help veteran dependents, allowing transfer of GI Bill when a veteran dies after approval but before transferring their entitlement.

ABOUT THE ASSOCIATION OF PUBLIC AND LAND-GRANT UNIVERSITIES

APLU is a research, policy, and advocacy organization dedicated to strengthening and advancing the work of public universities. With a membership of 244 public research universities, land-grant institutions, state university systems, and affiliated organizations, APLU's agenda is built on the three pillars of increasing degree completion and academic success, advancing scientific research, and expanding engagement. Annually, its 202 U.S. member campuses enroll 4.2 million undergraduates and 1.2 million graduate students, award 1.2 million degrees, employ 1.1 million faculty and staff, and conduct \$48.7 billion in university-based research.