



FY 2024 House and Senate Mark Commerce, Justice, Science, & Related Agencies

	FY2023	FY2024 PBR	FY24 PBR – FY23	FY2024 APLU Request*	FY2024 House Action	FY2024 Senate Action
COMMERCE-JUSTICE-SCIENCE						
National Science Foundation (NSF)	9,539 ⁱⁱ	11,300	18%	11,900	9,630	9,500
National Aeronautics and Space Administration (NASA), <i>Science Mission Directorate</i>	7,795	8,260.8	6%	9,000	7,380	7,340
NASA, <i>Aeronautics Research Directorate</i>	935	995.8	6.5%	1,000	945.8	935
NASA, <i>Space Technology</i>	1,200	1,390	16%	1,500	1,205	1,118
NASA, <i>Space Grant Program</i>	58	58	0%	62	60	58
National Oceanic and Atmospheric Administration (NOAA), <i>Oceanic and Atmospheric Research</i>	661	-	-	800		661
NOAA, <i>Sea Grant</i>	80	-	-	140		80
NOAA, <i>Marine Aquaculture Program</i>	14	-	-	18		14
National Institute for Standards and Technology (NIST), <i>Manufacturing Extension Partnerships (MEP)</i>	175	277	58%	275	200	175
NIST, <i>Manufacturing USA (formerly National Network for Manufacturing Innovation)</i>	37	98	165%	150	37	37
Economic Development Administration, Build to Scale (formerly Regional Innovation Strategies Program)	50	-	-	55		50

House Action

[Bill Text](#) | Committee Report (Link will be updated once report is released)

The Appropriations Committee has not yet considered the CJS bill. In the bill, the National Science Foundation is funded at \$9.630 billion, a 1 percent increase over FY23 base level, but below the final FY23 level of \$9.9 billion, which included supplemental funding. The National Air and Space Administration (NASA) Science Mission Directorate receives \$7.380 billion, a 5 percent cut; the Aeronautics Research Directorate at \$945.8 million, a 1 percent increase; and the Space Technology program at \$1.205 billion, flat funded over FY23; and \$60 million for the Space Grant Program, a 3 percent increase. The bill includes \$200 million for the Manufacturing Extension Partnerships at the National Institute for Standards and Technology (NIST), a 14 percent increase, and \$37 million for Manufacturing USA at NIST, flat funding over FY23. The CJS bill text does not provide funding information for National Oceanic and Atmospheric Administration (NOAA) or Economic Development Administration accounts; APLU anticipates funding information will be detailed in the yet to be released committee report.

Provisions of Note

Sec. 552 of the House bill prohibits funding to be used to “implement, administer, apply, enforce, or carry out the Office of Science and Technology Policy’s August 25, 2022, Memorandum to Executive Departments and Agencies entitled, “Ensuring 20 Free, Immediate, and Equitable Access to Federally Funded Research.’

Sec. 554 of the House bill prohibits funding for a range of diversity, equity, inclusion, and accessibility offices and programs across the CJS agencies including at the NSF - the Office of Equity

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and Civil Rights; Advancing Informal STEM Learning (AISL) Program; and Alliances for Graduate Education and the Professoriate (AGEP).

Sec. 555 of the House bill prohibits funding for a range of climate change research activities including at the Department of Commerce: National Institute of Standards and Technology Center of Excellence in Climate Change or climate change fisheries research; and at the National Science Foundation for the U.S. Global Change Research Program (USGCRP); or the Clean Energy Technology program.

Sec. 574 Prohibits funding “to support, directly or indirectly, the Wuhan Institute of Virology, or any laboratory owned or controlled by the governments of the People’s Republic of China, the Republic of Cuba, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, the Russian Federation, the Bolivarian Republic of Venezuela under the regime of Nicola’s Maduro Moros, or any other country determined by the Secretary of State to be a foreign adversary.”

Although not in the bill text, the Committee summary also provides that the bill will mandate the Department of Justice reestablish the “China Initiative”.

The bill includes a number of controversial prohibitions on use of funding setting up conflict with Democrats:

Section 511: None of the funds made available to the 6 Department of Justice in this Act may be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

Section 553: None of the funds made available by this 23 Act may be used (1) for the (A) (i) Equity (DEIA) Council; (ii) National Institute of Standards and Technology Diversity, Equity, Inclusion and Accessibility Initiative; (iii) National Oceanic and Atmospheric Administration— (I) Office of Inclusion and Civil Rights; (II) Diversity and Inclusion Advisory Management Council; (III) NOAA Diversity and Professional Advancement Working Group; (B) Department of Justice— (i) Chief Diversity Officer; (ii) Bureau of Alcohol, Tobacco, Firearms and Explosives Diversity and Career Impact Program; (iii) Federal Bureau of Investigation Office of Diversity and Inclusion; (iv) Antitrust Division Diversity Committee; (v) National Resource Center for Justice-Involved LGBTQ+ and Two-Spirit Youth (C) National Aeronautics and Space Administration Office of Diversity and Inclusion; (D) National Science Foundation— (i) Office of Equity and Civil Rights; (ii) Advancing Informal STEM Learning (AISL) Program; (iii) Alliances for Graduate Education and the Professoriate (AGEP); (2) to implement, administer, apply, enforce, or carry out— (A) Executive Order 13985 of January 20, 2021, “Advancing Racial Equity and Support for Underserved Communities Through the Federal Government” (86 Fed. Reg. 7009); (B) Executive Order 14091 of February 16, 2023, “Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government” (88 Fed. Reg. 10825); or (C) Executive Order 14035 of June 25, 2021, “Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce” (86 Fed. Reg. 34593); or (3) to conduct any diversity, equity, inclusion, or implicit bias training.

Section 563: None of the funds made available by this Act may be used to provide any education, training, or professional development that utilizes, promotes, or teaches Critical Race Theory, any concept associated with Critical Race Theory, or that teaches or trains any idea or concept that condones an individual being discriminated against or receiving adverse or beneficial

treatment based on race or sex, that condones an individual feeling discomfort, guilt, anguish, or any other form of psychological distress on account of that individual's race or sex, as well as any idea or concept that regards one race as inherently superior to another race, the United States or its institutions as being systemically racist or sexist, an individual as being inherently racist, sexist, or oppressive by virtue of that individual's race or sex, an individual's moral character as being necessarily determined by race or sex, an individual as bearing responsibility for actions committed in the past by other members of the same race or sex, or meritocracy being racist, sexist, or having been created by a particular race to oppress another race.

Section 564: None of the funds made available by this Act may be used to promote or contribute to environmental, social, and corporate governance (also known as environmental, social, and governance (ESG)) investments.

Section 565: None of the funds made available by this or any other Act may be used to investigate, litigate, or advocate against any person or recipient, as currently defined at section 106.2 of title 34, Code of Federal Regulations, for defining "sex" as currently used in, inter alia, section 1681 of title 20, United States Code, and sections 106.21, 22, 23, 30, 31, 32, 33, 34, 35, 37.39, 40, 41, 44, and 45 of title 34, Code of Federal Regulations, to mean biological sex, male or female, as determined by type of gamete an individual produces; and for defining "boys and girls" to mean only biological boys, whose DNA consists of one X sex chromosome and one Y sex chromosome, and biological girls, whose DNA consists of two X sex chromosomes.

Section 578: None of the funds made available by this or any other Act may be used to fund any sex-altering surgical procedures in either a Federally owned facility or a private facility leased or used by the Federal Government.

Section 583: (a) In general.—Notwithstanding section 7 of title 1, United States Code, section 1738C of title 28, United States Code, or any other provision of law, none of the funds provided by this Act, or previous appropriations Acts, shall be used in whole or in part to take any discriminatory action against a person, wholly or partially, on the basis that such person speaks, or acts, in accordance with a sincerely held religious belief, or moral conviction, that marriage is, or should be recognized as, a union of one man and one woman.

Section 586: None of the funds made available by this Act or any other Act may be used for an Office of Environmental Justice.

Section 598: None of the funds made available by this Act may be used to enforce any COVID-19 vaccine mandates or passports.

Senate Action

[Bill Text](#) | [Committee Report](#)

The Appropriations Committee advanced the Commerce–Justice–Science bill on Friday, July 14 in a bipartisan vote. The CJS [bill summary](#) includes \$935 million for the National Aeronautics and Space Administration (NASA) Aeronautics Research Directorate; \$58 million for the Space Grant program; \$175 million for National Institute for Standards and Technology (NIST) Manufacturing Extension Partnerships; and \$37 million for NIST Manufacturing USA. All of these programs are flat funded from FY23 levels. Additionally, the National Oceanic and Atmospheric Administration Oceanic and Atmospheric Administration (NOAA) Oceanic and

Atmospheric Research division (\$661 million), Sea Grant Program (\$80 million), and the Marine Aquaculture Program (\$14 million) are flat funded from FY23. The bill would fund the National Science Foundation (NSF), at \$9.5 billion, the FY23 base level, but 4 percent below the final FY23 level, which included supplemental funding. The committee provides \$1.118 billion for NASA Space Technology, a 7 percent cut from FY23.

Provisions of Note

Of the \$9.5 billion allocated to NSF, \$7.608 billion is for research and CHIPS and Science Act implementation, including support for the TIP Directorate, and \$1.228 billion for NSF's education and training programs. \$41 million is designated for the EDA Regional Technology and Innovation Hub Program. Within the \$50 million marked for the Regional Innovation Program (Build to Scale), no less than \$40 million goes towards the i6 Challenge, the B2S Venture Challenge, and awards should support multiple, diverse, and rural communities. Further, the report directs the Department to headquarter at least one regional tech hub in an EPSCoR eligible low population state. The bill also includes \$25 million for the HBCUs Excellence in Research program.

The report notes support for the TIP Directorate authorized under CHIPS, and reminds the NSF its success is enhanced through investment in basic research across the research spectrum. As part of the TIP Directorate, the Committee provides up to \$200 million for the Regional Innovation Engines and directs NSF to award at least 20 percent of NSF Engines in institutions in EPSCoR states. Relatedly, the Committee reinforces CHIPS requirements that 16 percent of NSF research funding and 18 percent of scholarship funds go to EPSCoR states, for a total of at least \$275 million.

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 in the U.S., Canada, and Mexico. With a membership of 251 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 210 U.S. member campuses enroll 4.5 million undergraduates and 1.3 million graduate students, award 1.3 million degrees, employ 1.2 million faculty and staff, and conduct \$48.5 billion in university-based research.