Congressional Activities

Update on Fiscal Year (FY) 2024 Appropriations Legislation

The **House Appropriations Committee** had scheduled its markup of the FY 2024 Labor, Health and Human Services, Education, and Related Agencies (Labor-HHS) Appropriations bill for late July. However, the committee postponed consideration of the bill for some time in September.

Prior to adjourning for the August recess, the **Senate Appropriations Committee** completed action on the remaining Fiscal Year 2024 appropriations bills including Labor-HHS. This is the first time the Senate Appropriations Committee has passed all 12 individual spending bills since 2018. A joint statement by Chair Murray and Ranking Member Collins said, “When we said we would return this committee to regular order, we meant it—this is a big deal.” The Labor-HHS Appropriations legislation provides annual funding to the C.W. Bill Young Cell Transplantation Program (the Program) and the National Cord Blood Inventory (NCBI) program. **The Senate numbers ($33,009,000 for the Program and $19,266,000 for the NCBI) are the same as the FY 2023 levels.** While the Senate appropriators did not cut funding, many believe that the House version of this legislation may reduce funding for both programs. Below is the relevant committee report language for the Senator Labor-HHS Appropriations bill for FY 2024.
At this time, the congressional appropriations process for Fiscal Year 2024 continues to be fluid. It is unclear whether Congress will approve a continuing resolution (CR) to temporarily fund the federal government by September 30, 2023. The CR would fund the federal government until all 12 appropriations bills are passed by both the House and the Senate and signed into law by the President. Sidley will keep CBA up to date on congressional activities related to these negotiations.

Update on the Federal Aviation Administration (FAA) Reauthorization Legislation

The House and Senate versions of the FAA Reauthorization Act of 2023 include provisions related to the transport of organs on commercial airlines. However, as currently drafted, blood stem cells including umbilical cord blood units, would not be covered by the current language in either the House or Senate versions of the legislation. The CBA leadership met with the staff of the Senate Commerce, Science, & Transportation Committee and Senator Ron Wyden (D-OR), the Chairman of the Senate Finance Committee to ensure that products utilized for blood stem cell transplantation, including umbilical cord blood units, would also be covered by this language.

Section 737 of S. 1939, the FAA Reauthorization Act of 2023 requires the FAA Administrator to issue rulemaking on the transportation of organs in the cabin of an aircraft. The House passed version of the FAA Reauthorization legislation (H.R. 3935) included a similar provision, Section 834, that directs the Secretary of Transportation to convene a working group to assist in developing best practices for transportation of an organ in the cabin of an aircraft.

CBA recently provided a draft overview of its concerns to the staff for review. Sidley will follow up with staff in early September on this matter.