

# Overview of Continuing Appropriations for FY2025 (Division A of P.L. 118-83)

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## Overview of Continuing Appropriations for FY2025 (Division A of P.L. 118-83)

On September 26, 2024, the President signed H.R. 9747—the Continuing Appropriations and Extensions Act, 2025—into law as P.L. 118-83. Division A of the act provides continuing appropriations for all 12 regular appropriations bills through December 20, 2024. Division B of the act (“Extensions”) includes various extensions of authorizations and other legislative provisions related to several agencies, programs, projects, and activities. This report examines only Division A, the continuing resolution (CR) portion of the act.

Division A of P.L. 118-83 provides temporary authority for federal agencies to continue operations for the programs, projects, and activities funded through the appropriations process, as none of the 12 regular bills for FY2025 were enacted prior to the start of the fiscal year on October 1, 2024. Such measures are known as “continuing resolutions” because historically they have been enacted in the form of joint resolutions.

For most programs, projects, and activities, the CR provides funding from October 1, 2024, through December 20, 2024 (an 81-day period, or roughly the first 11.5 weeks of FY2025) for agencies to continue operating at the rates and under the authority and conditions enacted in the regular appropriations acts for FY2024 (Divisions A-F of P.L. 118-42 and Divisions A-F of P.L. 118-47). In the event that regular appropriations bills for FY2025, or an additional CR, are not enacted prior to the expiration of this CR, a funding gap would occur beginning on December 21, 2024, that could lead to a shutdown of government activities.

The CR is in effect through December 20, 2024, but the cost estimate prepared by the Congressional Budget Office (CBO) provides an annualized projection of discretionary budget authority in the CR. As provided in Division A of P.L. 118-83, the CBO estimates that the annualized amount of base discretionary budget authority for FY2025 would be approximately \$1.596 trillion.

As is typical with CRs, Division A of P.L. 118-83 includes several provisions that are specific to certain agencies and/or accounts. These include provisions—known as “anomalies”—that establish exceptions to the general funding rate or other provisions of the CR for certain accounts or activities, as well as other legislative provisions related to changing or extending existing law. The section of this report titled “Agency-, Account-, and Program-Specific Provisions” summarizes each of these provisions enacted in the CR. CRS appropriations experts for each provision are indicated in the accompanying footnotes. Contact information for these and other appropriations experts can be found in CRS Report R42638, *Appropriations: CRS Experts*.

For general information and historical data on CRs, see CRS Report R46595, *Continuing Resolutions: Overview of Components and Practices*.

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## Introduction

Congress makes decisions on discretionary spending through an annual appropriations process, which currently involves the development, consideration, and enactment of 12 regular appropriations bills for each fiscal year.<sup>1</sup> The regular appropriations bills provide funding for each fiscal year to support the operations of most federal agencies and most of the programs, projects, and activities each carries out. If regular appropriations are not enacted before the October 1 start of the fiscal year, continuing appropriations may be enacted to provide temporary funding until appropriations for the full fiscal year are enacted. None of the regular appropriations bills for FY2025 were enacted prior to the start of the fiscal year on October 1, 2024.

Continuing appropriations acts are often referred to as “continuing resolutions” (CRs) because they have historically been enacted in the form of joint resolutions. CRs generally provide budget authority to agencies at a specified rate of operations, rather than in specified amounts, and for a temporary period, rather than for the full fiscal year. CRs also typically contain various provisions that impose limitations or restrictions on agency operations for their duration, mostly with the intention of preserving Congress’s ability to make final, full-year funding decisions through the regular appropriations bills. Exceptions to the general funding formulas and/or restrictions for certain accounts and activities—known as “anomalies”—are also often included in CRs to address any special circumstances or additional needs for certain accounts. CRs may also include additional legislative provisions related to changing or extending existing law.

H.R. 9747, the Continuing Appropriations and Extensions Act, 2025, was introduced in the House on September 23, 2024. On September 25, 2024, the House passed H.R. 9747 under suspension of the rules by a vote of 341-82. Also on September 25, the Senate passed H.R. 9747, without amendment, by a vote of 78-18. The President signed H.R. 9747 into law as P.L. 118-83 on September 26, 2024.

Although the CR is effective through December 20, 2024, the cost estimate prepared by the Congressional Budget Office (CBO) provides an annualized projection of discretionary budget authority in the CR. As provided in Division A of P.L. 118-83, CBO estimates that the annualized amount of base discretionary budget authority for FY2025 would be approximately \$1.596 trillion.<sup>2</sup> This includes \$888.059 billion in the defense (“security”) category and \$707.607 billion in the nondefense (“nonsecurity”) category. The annualized estimates for the defense and nondefense categories, respectively, are below the statutory limits on discretionary spending (“caps”) in effect for each category in FY2025.<sup>3</sup> In addition, the CR includes a total of

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<sup>1</sup> The federal budget process distinguishes between discretionary spending, which is provided and controlled through appropriations acts, and direct (or mandatory) spending, which is provided or effectively controlled through authorizing laws. For more information on the appropriations process, see CRS Report R47106, *The Appropriations Process: A Brief Overview*, by James V. Saturno and Megan S. Lynch.

Appropriations bills provide agencies with budget authority, which is defined as the authority provided by federal law to enter into contracts or other financial obligations that will result in the immediate or future expenditure (outlay) of federal funds. For more on these terms, see CRS In Focus IF12105, *Introduction to Budget Authority*, by James V. Saturno.

<sup>2</sup> The CBO cost estimate for Division A of P.L. 118-83 can be found at <https://www.cbo.gov/publication/60763>. “Base” discretionary budget authority refers to budget authority constrained by statutory limits on discretionary spending (“caps”) that are in effect for FY2025, as enacted in the Fiscal Responsibility Act of 2023 (FRA, P.L. 118-5). For more on these caps, see CRS Insight IN12168, *Discretionary Spending Caps in the Fiscal Responsibility Act of 2023*, by Grant A. Driessen and Megan S. Lynch.

<sup>3</sup> Separately enforceable caps exist for discretionary budget authority in the defense (“security”) category (budget function 050, national defense) and the nondefense (“nonsecurity”) category (all other budget functions). The FY2025 cap for the defense category is \$895.212 billion and the FY2025 cap for the nondefense category is \$710.688 billion.

approximately \$38 billion in budget authority for purposes that are effectively exempt from the enforcement of statutory discretionary spending limits.<sup>4</sup>

This report provides an analysis of the FY2025 CR included in Division A of P.L. 118-83. The first section (“Coverage, Duration, and Rate”) summarizes the general funding provisions and limitations enacted in the CR, and the second section (“Agency-, Account-, and Program-Specific Provisions”) summarizes the act’s provisions that affect particular agencies, accounts, or programs. These summaries are organized by regular appropriations act title, and CRS appropriations experts for each of these provisions are indicated in the accompanying footnotes.

## Coverage, Duration, and Rate

Three components of a CR generally establish the purpose, duration, and amount of funds provided by the act:

- **Coverage:** A CR’s “coverage” refers to the purposes for which the measure provides funds. Programs, projects, and activities funded by a CR are typically specified in reference to the regular (and, occasionally, supplemental) appropriations acts from the previous fiscal year. When a CR references an appropriations act and provides funds for the programs, projects, and activities, included in such act to be continued, the CR is often referred to as “covering” that act.
- **Duration:** The “duration” of a CR refers to the period for which the measure provides budget authority for covered purposes. CRs typically provide budget authority on an interim basis (i.e., days, weeks, or months) but have on occasion had a duration lasting through the end of the fiscal year (known as a “full-year” CR).
- **Rate:** CRs usually fund programs, projects, and activities using a “rate of operations” or “funding rate” to provide budget authority at a restricted level without prescribing a specified dollar amount. The funding rate for a program, project, or activity is generally calculated by prorating the total annualized amount of budget authority that would be available under the referenced appropriations acts for the fraction of the fiscal year that the CR is in effect. The amount of budget authority obligated over the duration of a CR may also be affected by other factors, such as limitations imposed on agencies and “anomalies” or other provisions, that can impact the amount of budget authority available to agencies for certain purposes.

## Coverage

Division A of P.L. 118-83 covers all 12 regular appropriations bills through December 20, 2024. It generally provides funding for agencies to continue operations at the same rate and under the same authority and conditions as provided in the regular appropriations acts for FY2024, all 12 of

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<sup>4</sup> Section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 (P.L. 99-177), as amended by the FRA, provides for certain adjustments to the caps for budget authority designated by Congress as being for certain purposes or activities, effectively exempting such amounts from enforcement of the caps. These “adjustment categories” include budget authority designated by Congress as being for an emergency requirement, disaster relief, certain program integrity initiatives, and wildfire suppression.

which are referenced in the CR.<sup>5</sup> This method of providing funds effectively extends most of the provisions in the referenced appropriations acts that established stipulations or limitations regarding how agencies may obligate the budget authority they provided.

The CR also establishes that its coverage includes amounts designated by Congress as being for an emergency requirement or for disaster relief in covered appropriations acts for FY2024, and that such designations will continue under the CR.<sup>6</sup> Amounts designated by Congress as being for an emergency requirement or disaster relief, among other purposes, are effectively exempt from enforcement of statutory limits on discretionary spending (“caps”).<sup>7</sup> In addition, the CR establishes that certain rescissions—or cancellations of budget authority—included in covered appropriations acts from FY2024 will generally continue to be applied.<sup>8</sup>

## Duration

The CR provides budget authority for most covered activities through December 20, 2024—an 81-day period beginning on October 1, 2024. The budget authority for some or all purposes funded by the CR can be superseded by the enactment of the applicable appropriations acts for FY2025, or another CR, prior to December 20, 2024.<sup>9</sup> Programs, projects, and activities funded by the CR that a subsequently enacted appropriations act does not fund would be required to cease upon enactment, even if enactment of the new appropriations act occurs prior to December 20, 2024.

The CR also provides the authority for agencies to continue payments for mandatory spending programs funded through appropriations bills (known as “appropriated entitlements”) that are required to be made through the beginning of January 2025.<sup>10</sup>

## Rate

In general, the CR provides budget authority through December 20, 2024, at “such amounts as may be necessary” to continue operations at the same rate and under the same authority and

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<sup>5</sup> Section 101 of Division A. Referenced appropriations acts include Divisions A-F of the Consolidated Appropriations Act, 2024 (P.L. 118-42, enacted on March 9, 2024) and Divisions A-F of the Further Consolidated Appropriations Act, 2024 (P.L. 118-47, enacted on March 23, 2024). Section 101 also contains various provisos relating to specific provisions included in appropriations acts for FY2024, and other measures, either excluding or including them from coverage under the CR. More information on each of these provisos is included under the respective heading for each regular bill in the section of this report titled “Agency-, Account-, and Program-Specific Provisions.”

<sup>6</sup> Section 114 of Division A. This provision also carries forward the emergency designation of certain amounts provided in Division B of the Bipartisan Safer Communities Act (P.L. 117-159) that were designated by Congress as an emergency requirement pursuant to the FY2022 budget resolution (Section 4001 of S.Con.Res. 14 (117<sup>th</sup> Congress)).

<sup>7</sup> Section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 (BBEDCA, codified as amended at 2 U.S.C. §901) establishes procedures for enforcing statutory limits on discretionary spending, which were most recently enacted for FY2024 and FY2025 in the Fiscal Responsibility Act of 2023 (P.L. 118-5). Section 251 of BBEDCA provides that certain categories of discretionary spending are effectively exempt from enforcement of discretionary spending caps by allowing the caps to be adjusted upward to accommodate such spending. For more on emergency designations, see CRS Report R47594, *Budget Enforcement Rules: Emergency Designations*, by Drew C. Aherne.

<sup>8</sup> Section 115 of Division A.

<sup>9</sup> Section 106 of Division A. The subsequent enactment of a regular appropriations bill would also supersede the level of funding provided in the CR. Section 107 provides that obligations and expenditures made between October 1 and the enactment of any subsequent full-year appropriations would be a part of, and not in addition to, the final amount provided in the applicable appropriations act for FY2025.

<sup>10</sup> Section 111 of Division A. Section 111(b) provides that obligations for mandatory payments due on or about the first day of any month may continue to be made for any month that begins after October 2024 but not later than 30 days after December 20, 2024.



conditions as provided in the covered appropriations acts for FY2024.<sup>11</sup> This rate is based on actual amounts provided in FY2024. For appropriated entitlements funded in appropriations acts for FY2024, the CR provides budget authority at a rate “sufficient to maintain program levels under current law.”<sup>12</sup>

As has been common with CRs historically, this CR establishes several additional limitations and restrictions that may affect the amount of budget authority available to agencies for obligation for its duration. These restrictions are generally intended to preserve Congress’s constitutional authority to determine annual funding in whatever final, full-year appropriations measures that may be enacted for FY2025. Specifically, for the duration of the CR, agencies are generally:

- Prohibited from initiating or resuming any activity or program for which budget authority was not provided in covered appropriations acts for FY2024 (known as “new starts”);<sup>13</sup>
- Prohibited from obligating funds for accounts that would otherwise spend or distribute most or all of its funds at the beginning of the fiscal year, including awarding grants that would “impinge on the final funding prerogatives” of Congress;<sup>14</sup>
- Limited to taking “only the most limited funding action” necessary to continue existing programs, projects, and activities;<sup>15</sup> and
- Allowed to apportion funds for civilian personnel compensation and benefits at the rate for operations necessary to avoid furloughs, but only after taking “all necessary actions to reduce or defer non-personnel-related administrative expenses.”<sup>16</sup>

## **Agency-, Account-, and Program-Specific Provisions**

CRs lasting multiple weeks or longer typically include provisions that are specific to certain agencies, accounts, or programs. These provisions are generally of two types. First, provisions often referred to as “anomalies” establish exceptions to the general funding formulas and other CR elements for certain accounts and activities. Second, other sections in a CR may contain legislative provisions, such as those establishing new law or changing existing law. Many of these provisions are related to renewing expiring provisions of law or extending the scope of certain existing statutory requirements. Unless otherwise indicated, such provisions are temporary and expire when the CR expires.

Congress may include anomalies and other legislative provisions at the request of the President, who typically submits a list of requested provisions ahead of an expected CR.<sup>17</sup> Congress can accept, reject, or modify such proposals in the course of drafting and considering CRs. In

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<sup>11</sup> Section 101 of Division A.

<sup>12</sup> Section 111(a) of Division A.

<sup>13</sup> Section 104 of Division A.

<sup>14</sup> Section 109 of Division A.

<sup>15</sup> Section 110 of Division A.

<sup>16</sup> Section 112 of Division A.

<sup>17</sup> The Administration’s list of requests related to appropriations issues can be found at [https://www.crs.gov/products/Documents/FY2025\\_CR\\_Anomalies\\_TechAsst/pdf/FY2025\\_CR\\_Anomalies\\_TechAsst.pdf](https://www.crs.gov/products/Documents/FY2025_CR_Anomalies_TechAsst/pdf/FY2025_CR_Anomalies_TechAsst.pdf), and the list of requests related to authorization issues can be found at [https://www.crs.gov/products/Documents/FY2025\\_CR\\_Authorization\\_Fixes\\_TechAsst/pdf/FY2025\\_CR\\_Authorization\\_Fixes\\_TechAsst.pdf](https://www.crs.gov/products/Documents/FY2025_CR_Authorization_Fixes_TechAsst/pdf/FY2025_CR_Authorization_Fixes_TechAsst.pdf).



addition, Congress may develop additional anomalies or other legislative provisions for inclusion in a CR.

This section of the report summarizes provisions in Division A of P.L. 118-83 that are agency-, account-, or program-specific. The provisions are organized by appropriations act title for the 12 regular appropriations acts covered by the CR. The summaries generally provide brief explanations of the provisions. In some cases, they include additional information, such as whether a provision was requested by the President or included in any CRs for prior fiscal years. For additional information on specific provisions in the CR, congressional clients may contact the CRS appropriations experts identified in the accompanying footnotes.

## **Agriculture, Rural Development, Food and Drug Administration, and Related Agencies**

### **Section 116—Agricultural Credit Insurance Fund<sup>18</sup>**

Section 116 provides that amounts made available by the CR for the USDA Farm Service Agency's farm loan program may be apportioned at a rate necessary to fund approved applications for direct and guaranteed farm ownership loans and direct farm operating loans.<sup>19</sup>

### **Section 117—Rural Community Facilities Program<sup>20</sup>**

Section 117 provides that amounts made available by the CR for the USDA Rural Housing Service's Community Facilities Program may be apportioned at a rate necessary to maintain authorized activities.<sup>21</sup>

### **Section 118—Special Supplemental Nutrition Assistance Program for Women, Infants, and Children (WIC)<sup>22</sup>**

Section 118 provides that amounts made available by the CR for the USDA Food and Nutrition Service's WIC program may be apportioned at a rate necessary to maintain participation.<sup>23</sup>

### **Section 119—Commodity Supplemental Food Program<sup>24</sup>**

Section 119 provides that amounts made available by the CR for the USDA Food and Nutrition Service's Commodity Supplemental Food Program (CSFP), a program that distributes food to low-income seniors, may be apportioned at a rate necessary to maintain the program's current caseload.<sup>25</sup>

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<sup>18</sup> This section was authored by Jim Monke, Specialist in Agricultural Policy.

<sup>19</sup> For additional background, see CRS Report R46768, *Agricultural Credit: Institutions and Issues*, by Jim Monke.

<sup>20</sup> This section was authored by Lisa S. Benson, Specialist in Agricultural Policy.

<sup>21</sup> For additional background, see CRS In Focus IF12038, *Farm Bill Primer: Rural Development Title*, by Lisa S. Benson.

<sup>22</sup> This section was authored by Randy Alison Aussenberg, Specialist in Nutrition Assistance Policy.

<sup>23</sup> For additional background, see CRS Report R44115, *A Primer on WIC: The Special Supplemental Nutrition Program for Women, Infants, and Children*, by Randy Alison Aussenberg.

<sup>24</sup> This section was authored by Randy Alison Aussenberg, Specialist in Nutrition Assistance Policy.

<sup>25</sup> For additional background, see USDA Food and Nutrition Service, CSFP Fact Sheet, at <https://www.fns.usda.gov/csfp/fact-sheet>.

## Section 120—Livestock Mandatory Reporting Act of 1999<sup>26</sup>

Section 120 extends the authorization of the Livestock Mandatory Reporting Act of 1999, as amended (LMR; 7 U.S.C. §§1635 et seq.), through the duration of the CR. Congress last fully reconsidered and reauthorized the LMR in the Agriculture Reauthorizations Act of 2015 (P.L. 114-54). The FY2024 Consolidated Appropriations Act (P.L. 118-42) was the latest extension of 7 U.S.C. §1635 note and §1636i.<sup>27</sup>

## Commerce, Justice, Science, and Related Agencies<sup>28</sup>

### Section 121—U.S. Parole Commission

Section 121 extends the authorization for the U.S. Parole Commission until October 1, 2025. The authorities for the commission were scheduled to sunset on October 1, 2024. The enactment of the Sentencing Reform Act of 1984 (P.L. 98-473) ended parole for any federal offenders convicted on or after November 1, 1987, and the commission's authorities were to sunset on October 31, 1992. However, federal prisoners sentenced before this date remain eligible for parole, and the U.S. Parole Commission also makes release decisions for other populations, such as D.C. Code offenders. Absent transferring authority for making release decisions to another body, Congress has periodically extended the sunset date for the commission's authorities.

## Department of Defense<sup>29</sup>

### Section 102—Prohibitions on “New Starts,” Increased Production Rates, and Certain Multi-Year Procurements

Section 102 is similar to provisions included in CRs in previous years to prevent the Department of Defense (DOD) from funding new or accelerated production of certain projects and other activities, and certain multi-year procurements.<sup>30</sup> Section 102(a) prohibits DOD from funding *new starts*—that is, the initiation of procurement or research and development of an item for which funding was not provided in FY2024 or prior years.<sup>31</sup> Section 102(a)(1) prohibits DOD from funding the “new production of items not funded for production in fiscal year 2024 or prior years,” and Section 102(a)(3) prohibits DOD from funding the “initiation, resumption, or continuation of any project, activity, operation, or organization ... for which appropriations, funds, or other authority were not available during fiscal year 2024.” Section 102(a)(2) prohibits DOD from funding an acceleration in “production rates above those sustained with fiscal year 2024 funds.” Section 102(b) prohibits DOD from funding the initiation of “multi-year procurements

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<sup>26</sup> This section was authored by Joel L. Greene, Analyst in Agricultural Policy.

<sup>27</sup> For additional information, see CRS Report R45777, *Livestock Mandatory Reporting Act: Overview for Reauthorization in the 116th Congress*, by Joel L. Greene.

<sup>28</sup> The summary in this section was authored by Nathan James, Analyst in Crime Policy.

<sup>29</sup> The summary in this section was authored by Brendan W. McGarry, Specialist in U.S. Defense Budget, and Cameron M. Keys, Analyst in Defense Logistics and Resource Management Policy.

<sup>30</sup> For additional background and analysis on these provisions, see CRS Report RL32665, *Navy Force Structure and Shipbuilding Plans: Background and Issues for Congress*, by Ronald O'Rourke, Appendix I.

<sup>31</sup> For definitions of a *new start* within the procurement and research, development, test, and evaluation (RDT&E) appropriation titles, see Department of Defense, *Financial Management Regulation*, DOD 7000.14-R, vol. 3, ch. 6, “Reprogramming of DOD Appropriated Funds,” Paragraph 4.1.5, September 2015, [https://comptroller.defense.gov/Portals/45/documents/fmr/current/03/03\\_06.pdf](https://comptroller.defense.gov/Portals/45/documents/fmr/current/03/03_06.pdf).

utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later.” Multi-year procurement (MYP) is a contracting approach in which DOD uses a single contract to procure an item over multiple years.<sup>32</sup>

## **Energy and Water Development and Related Agencies<sup>33</sup>**

### **Section 122—Columbia River Treaty Flood Control Payments**

Section 122 provides that the U.S. Army Corps of Engineers may use up to \$37.6 million in funding to compensate Canada for making available 3.6 million acre-feet in pre-planned flood risk management storage behind Keenleyside Dam in Canada. This compensation would be made in accordance with a July 11, 2024, joint U.S./Canada announcement of an agreement in principle on updates to the Columbia River Treaty.<sup>34</sup>

### **Section 123—Upper Colorado River and San Juan Recovery Programs**

Section 123 extends from FY2024 to FY2025 the authorization for two Upper Colorado River Basin endangered species mitigation programs, the Upper Colorado Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program. The extension is only applicable through the term of the CR. These programs were developed to protect and restore listed fish species on the Colorado River and its tributaries, in accordance with the Endangered Species Act (87 Stat. 884, 16 U.S.C. §§1531-1544).<sup>35</sup>

## **Financial Services and General Government**

### **Section 101(5)—Exclusion of Technology Modernization Fund and State Small Business Credit Initiative Rescission<sup>36</sup>**

The proviso in Section 101(5) establishes that rescissions of \$100 million from amounts made available to the General Services Administration for the Technology Modernization Fund and \$283 million from amounts made available to the Department of the Treasury for the State Small Business Credit Initiative in the American Rescue Plan Act of 2021 (P.L. 117-2) will not apply under the CR. These rescissions were included in Sections 637 and 638 of the Financial Services and General Government Act, 2024 (Division B of P.L. 118-47).

### **Section 124—Department of Treasury OIG, Authority to Spend Existing Balances<sup>37</sup>**

Section 124 provides that amounts made available under 42 U.S.C. §801(f)(3) for oversight of the Coronavirus Relief Fund (CRF) by the Treasury OIG may be expended through the end of FY2025 for that purpose as well as for oversight of Treasury’s Emergency Rental Assistance

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<sup>32</sup> For additional background and analysis on multi-year procurement, see CRS Report R41909, *Multiyear Procurement (MYP) and Block Buy Contracting in Defense Acquisition: Background and Issues for Congress*, by Ronald O'Rourke.

<sup>33</sup> The summaries in this section were authored by Charles V. Stern, Specialist in Natural Resources Policy.

<sup>34</sup> For more information, see CRS Report R43287, *Columbia River Treaty Review*, by Charles V. Stern.

<sup>35</sup> For additional background, see CRS Report R45546, *Management of the Colorado River: Water Allocations, Drought, and the Federal Role*, by Charles V. Stern, Pervaze A. Sheikh, and Kristen Hite.

<sup>36</sup> This section was authored by Baird Webel, Specialist in Financial Economics.

<sup>37</sup> This section was authored by Ben Wilhelm, Analyst in Government Organization and Management.

program.<sup>38</sup> In 2020, Congress appropriated \$35 million to the Treasury OIG for CRF oversight to remain available until expended.<sup>39</sup>

### **Section 125—Executive Office of the President and the Presidential Transition<sup>40</sup>**

Section 125 appropriates \$25 million for FY2025 to the Office of Administration within the Executive Office of the President in order to carry out the Presidential Transition Act of 1963 (PTA; 3 U.S.C. §102 note). It also provides that the funds may be transferred to other accounts and agencies that provide support within the Executive Office of the President and Office of the Vice President for purposes of a presidential transition, including to reimburse obligations incurred prior to the enactment of these appropriations.<sup>41</sup>

### **Section 126—District of Columbia Presidential Inaugural and Emergency Planning Costs<sup>42</sup>**

Section 126 provides an additional \$47 million for security costs in the District of Columbia, to provide for emergency planning and security activity costs associated with the Presidential Inauguration in January 2025.

### **Section 127—District of Columbia Public Defender Service<sup>43</sup>**

Section 127 strikes a provision in the FY2024 federal payment to the District of Columbia Public Defender Service (Division B of P.L. 118-47), which set aside \$3 million for relocation of certain offices and facilities.

### **Section 128—District of Columbia General Fund and Capital Budget<sup>44</sup>**

Section 128 grants congressional approval to the District of Columbia's general fund and capital budgets for FY2025. This approval is consistent with the requirement that Congress approve the District's annual budget under the District of Columbia Self-Government and Government Reorganization Act (P.L. 93-198). This provision grants the District the authority to expend locally raised funds for those programs and activities that received funding in the District's FY2024 appropriation. This provision also allows District officials to obligate locally raised funds at the rate set forth in the District's "Fiscal Year 2025 Local Budget Act of 2024" (D.C. Act 25–501).

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<sup>38</sup> The Emergency Rental Assistance Program is another coronavirus relief program, which was established under subtitle A of title V of division N of the Consolidated Appropriations Act, 2021 (P.L. 116-260).

<sup>39</sup> See 42 U.S.C. §801(f)(3).

<sup>40</sup> This section was authored by Meghan M. Stuessy, Analyst in Government Organization and Management.

<sup>41</sup> For additional background, see CRS Report R46602, *Presidential Transition Act: Provisions and Funding*, by Henry B. Hogue.

<sup>42</sup> This section was authored by Joseph V. Jaroscak, Analyst in Economic Development Policy.

<sup>43</sup> This section was authored by Joseph V. Jaroscak, Analyst in Economic Development Policy.

<sup>44</sup> This section was authored by Joseph V. Jaroscak, Analyst in Economic Development Policy.

## **Section 129—General Services Administration and the Presidential Transition<sup>45</sup>**

Section 129 provides \$19.42 million to implement Sections 3(a) and 5 of the Presidential Transition Act of 1963. Section 3(a) identifies services and facilities that the GSA Administrator is to provide the possible apparent successful candidates for president and vice president. From this amount, \$14.44 million is available for implementation of Sections 3(a)(1) through 3(a)(7) and 3(a)(10), including office space, transportation, compensation, and communications; and \$2.00 million is available for seminars, training opportunities, and briefings to prospective presidential appointees, as specified in Sections 3(a)(8) and 3(a)(9). The remaining \$2.98 million is for implementing Section 5 of the PTA, which outlines the types of services the GSA Administrator may provide to the outgoing president and vice-president. None of the funds may be used for pre-election transition activities.<sup>46</sup>

## **Section 130—National Archives and Records Administration and the Presidential Transition<sup>47</sup>**

Section 130 appropriates \$23 million for FY2025 to the National Archives and Records Administration to carry out transition responsibilities of the Archivist of the United States under the Presidential Records Act (44 U.S.C. §§2201-2209).<sup>48</sup>

## **Section 131—Office of Personnel Management—Salaries and Expenses<sup>49</sup>**

Section 131 decreases from \$219,076,000 to \$190,784,000 the basis for the rate of operations under the CR for certain OPM functions, including employment of experts and consultants, certain veterans' medical examinations, rental of conference rooms and passenger motor vehicles, authorized reception and representation expenses, and certain federal employee travel and subsistence expenses authorized under the Voting Rights Act. Additionally, Section 131 increases from \$192,975,000 to \$245,267,000 the basis for the rate OPM may transfer amounts from eligible trust funds for to pay for administrative expenses of federal retirement and health plans, e.g., the Postal Service Health Benefit Program (PSHB).<sup>50</sup>

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<sup>45</sup> This section was authored by Garrett Hatch, Specialist in American National Government.

<sup>46</sup> For additional background, see CRS In Focus IF12737, *Presidential Transitions: Facilities and Related Services Provided by the General Services Administration*, by Garrett Hatch.

<sup>47</sup> This section was authored by Meghan M. Stuessy, Analyst in Government Organization and Management.

<sup>48</sup> For additional background, see CRS Report R46129, *The Presidential Records Act: An Overview*, by Meghan M. Stuessy.

<sup>49</sup> This section was authored by Michelle D. Christensen, Analyst in Government Organization and Management, and Baird Webel, Specialist in Financial Economics.

<sup>50</sup> The PSHB is a new program required under the Postal Service Reform Act (PSRA; P.L. 117-108) that will cover eligible Postal Service employees, retirees, and family members starting in January 2025.

## Department of Homeland Security<sup>51</sup>

### Section 101(6)—Immigration-Related Extensions

Section 101(6) extends the authorization of three immigration authorities through the duration of the CR. It does so by referencing Title I of Division G of P.L. 118-47. Sections 102 through 104 of that act provided year-long extensions of the authorities for

- the Waiver of Foreign Residence Requirements for Physicians Working in Underserved Areas program (8 U.S.C. §1182 note, also known as the “Conrad State 30 Program”);
- the E-Verify Program (8 U.S.C. §1324a note); and
- the Grant Special Immigrant Status to Religious Workers Other Than Ministers program (8 U.S.C. §1101(a)(27)(C)(ii)(II) and (III)).

Section 101(6) also extends Section 105 of that act, which provided authority for the Secretary of the Department of Homeland Security (DHS) to increase the number of temporary nonagricultural workers allowed into the country under the H-2B program.

These authorization issues were included in the anomalies request from the Administration for potential inclusion in a CR if no further extension had been made.<sup>52</sup> The three immigration authority extensions have been addressed in the appropriations process annually, beginning with the FY2016 CR.<sup>53</sup> The H-2B cap increase has been carried every year since the FY2018 CR.<sup>54</sup>

### Section 132 —U.S. Coast Guard (USCG) C-27J Missionization Program Closeout Costs

Section 132 allows the USCG to proceed with closing out an acquisition program that has concluded. Such action was not funded in the FY2024 act, and therefore required an exception to proceed under the CR.

This anomaly was included in the anomalies request from the Administration.

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<sup>51</sup> The summaries in this section were authored by William L. Painter, Specialist in Homeland Security Policy and Appropriations.

<sup>52</sup> Office of Management and Budget, *Authorization Issues*, August 30, 2024, p. 3, [https://www.crs.gov/products/Documents/FY2025\\_CR\\_Authorization\\_Fixes\\_TechAsst/pdf/FY2025\\_CR\\_Authorization\\_Fixes\\_TechAsst.pdf](https://www.crs.gov/products/Documents/FY2025_CR_Authorization_Fixes_TechAsst/pdf/FY2025_CR_Authorization_Fixes_TechAsst.pdf).

<sup>53</sup> In FY2016 these extensions appeared in the CR (P.L. 114-53), then as general provisions in the final bill (P.L. 114-113, Division G, §§572-574). In FY2017 and FY2018, those general provisions were extended by reference in the CR (P.L. 114-223, Division C; P.L. 115-56, Division D). In the FY2018 consolidated appropriations act (P.L. 115-141), the immigration extensions were shifted to a different division (Division M), so in FY2019 they were included by reference in the first section of the CR (P.L. 115-245, Division C). This pattern of extension in CRs by reference to a year-end extensions division has continued since. See the next footnote for a more complete list.

<sup>54</sup> FY2018, P.L. 115-56, Division D, §101, extended by reference to P.L. 115-31, Division F (FY2017 general provisions); FY2019, P.L. 115-245, Division C, §101, extended by reference to P.L. 115-141, Division M, Title II (prior fiscal year extensions, as are all the following); FY2020, P.L. 116-59, Division A, §101, extended by reference to P.L. 116-6, Division H, Title I; FY2021, P.L. 116-159, §101, extended by reference to P.L. 116-94, Division I, Title I; FY2022, P.L. 117-43, §101, extended by reference to P.L. 116-260, Division O, Title I §§101-103 and §105; FY2023, P.L. 117-180, §101, extended by reference to P.L. 116-260, Division O, Title II; and FY2024, P.L. 118-15, Division A, §101, extended by reference to P.L. 117-328, Division O, Title III, §§301-304.



## **Section 133—Commercially-Available Polar Icebreaker**

Section 133 provides a technical fix to a provision of the Don Young Coast Guard Authorization Act of 2022, which authorized the USCG acquisition of a commercially-available polar icebreaker and provided several exceptions to acquisition program requirements for the program.<sup>55</sup> The authorization bill inadvertently left several requirements in effect that needed to be delayed in order to allow the acquisition to proceed.<sup>56</sup>

This anomaly was included in the anomalies request list from the Administration.

## **Section 134—Disaster Relief Fund Apportionment**

Section 134 provides that amounts made available by the CR for the Disaster Relief Fund (DRF) may be apportioned at a rate for operations necessary to carry out response and recovery activities under the Stafford Act.<sup>57</sup> This anomaly ensures that up to \$20.261 billion is available during the term of the CR to support the federal government’s disaster response and recovery activities associated with disasters in the event the DRF’s existing carryover balances are obligated. Section 134 is not a supplemental appropriation—all obligations made with this budget authority will count as a part of, not in addition to, whatever annual appropriation may be provided for the DRF for FY2025.

This anomaly was included in the anomalies request from the Administration, and similar anomalies have been enacted via continuing appropriations measures each year since FY2018.<sup>58</sup>

## **Sections 135 and 136—U.S. Secret Service (USSS) Protection Mission Apportionment**

Section 135 provides that amounts made available by the CR for the DRF may be apportioned at a rate for operations necessary to carry out protective operations, “including activities related to National Special Security Events and the 2024 Presidential Campaign.” All obligations made with this budget authority will count as a part of, not in addition to, whatever annual appropriation may be provided for these purposes for FY2025.

This anomaly was included in the anomalies request from the Administration, and similar anomalies have been enacted via continuing appropriations measures on a cyclical basis.<sup>59</sup>

In addition, Section 136 provides a \$231 million supplemental appropriation for FY2025 for the same purposes. An expenditure plan and monthly updates to the appropriations committees are required, and the funding is withheld from obligation until the Department of Homeland Security transmits the Mission Assurance Report to the Senate Homeland Security and Governmental Affairs Committee and the House of Representatives’ Task Force on the Attempted Assassination of Donald J. Trump.

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<sup>55</sup> P.L. 117-263, Division K, §11223(b)(1).

<sup>56</sup> P.L. 117-263, Division K, §11223(b)(2).

<sup>57</sup> 42 U.S.C. §5121 et seq.

<sup>58</sup> Prior accelerated apportionments were provided by P.L. 115-56, Division D, §129; P.L. 115-245, Division C, §124; P.L. 116-59, §133; P.L. 116-159, §145; P.L. 117-43, §133; P.L. 117-80, Division A, §135, and P.L. 118-15, Division A, §128.

<sup>59</sup> See P.L. 112-33, §126 (FY2012 CR); P.L. 116-59, §132 (FY2020 CR); and P.L. 118-22, §143 (FY2024 CR). The FY2017 CR included an anomaly to ensure adequate resources were apportioned to protect the President-elect (P.L. 114-254, §163).



## Section 137—National Flood Insurance Program (NFIP) Reauthorization

Section 137 extends the authorization for the NFIP to continue to operate for the duration of the CR by altering the application of two provisions in the U.S. Code.

The first provision is a temporary extension of the NFIP's borrowing authority, and the second is a termination date for the NFIP's authority to issue new policies. Both provisions are necessary to extend normal NFIP operations. The NFIP has \$30.4 billion of borrowing authority that would have expired at the end of FY2024.<sup>60</sup> Section 130(a) extends this level of borrowing authority through the duration of this act, allowing the NFIP to continue to pay claims. Additionally, the NFIP's authority to issue new policies would have expired at the end of FY2024.<sup>61</sup> Section 130(a) extends that authority through the duration of the CR as well.

Similar extensions have been enacted since FY2018, and CRs have been used intermittently as vehicles for temporary extensions of NFIP authorities since 1998.<sup>62</sup>

## Section 152—USCG Senior Enlisted Personnel Cap Waiver

Section 152 is a waiver of a cap on the relative number of Senior Chief Petty Officers and Master Chief Petty Officers (E-8s and E-9s) in the USCG for the duration of the CR.<sup>63</sup> Section 222 of the House-passed Coast Guard Authorization Act of 2024 included a somewhat similar provision providing for a specific increase in the ratio of these senior non-commissioned officers to total USCG enlisted personnel of through FY2027.

While not requested by the Administration as part of CR discussions, this anomaly is intended to prevent unpredictable workforce shortages and retention issues from affecting the USCG leadership development pipeline.<sup>64</sup>

## Department of the Interior, Environment, and Related Agencies

### Section 101(7)—Exclusion of Indian Health Service Rescission<sup>65</sup>

The proviso in Section 101(7) establishes that a rescission of unobligated balances from amounts made available to the Indian Health Service in the American Rescue Plan Act of 2021 (P.L. 117-2), that was included in the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2024 (Division E of P.L. 118-42), will not apply under the CR.

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<sup>60</sup> 42 U.S.C. §4016(a).

<sup>61</sup> 42 U.S.C. §4026.

<sup>62</sup> For additional information on what expiration of the program might mean, see CRS Insight IN10835, *What Happens If the National Flood Insurance Program (NFIP) Lapses?*, by Diane P. Horn.

<sup>63</sup> For any military service, 10 U.S.C. 517 limits the number of E-8s on any given day to no more than 2% (2.5% for the Army) of the total enlisted ranks as of January 1, and the number of E-9s to no more than 1%. Those on active duty for training or work with the reserves are not included in the total.

<sup>64</sup> See, for example, Jared Serbu, "Coast Guard Weathers Operational Cutbacks Amid Serious Personnel Shortage," *Federal News Network*, August 13, 2024, <https://federalnewsnetwork.com/defense-news/2024/08/coast-guard-weather-operations-cutbacks-amid-serious-personnel-shortage/>.

<sup>65</sup> For inquiries related to this section, contact Elayne J. Heisler, Specialist in Health Services.

### Section 138—Hermit’s Peak/Calf Canyon Fire Assistance<sup>66</sup>

In 2022, two Forest Service prescribed fires in New Mexico escaped control and merged, resulting in the largest and most destructive wildfire in the state’s history, known as the Hermit’s Peak/Calf Canyon Fire.<sup>67</sup> Section 138 extends, through December 20, 2024, the period during which a person injured as a result of the Hermit’s Peak/Calf Canyon Fire may submit a claim for injuries to the Federal Emergency Management Agency. It also extends, through the duration of the CR, the eligibility of premiums for flood insurance as a type of financial loss that could be compensated.

### Section 139—Presidential Inaugural<sup>68</sup>

Section 139 provides additional funding to the National Park Service’s (NPS) Operation of the National Park System (ONPS) account, at a rate for operations of \$5 million, for security and visitor safety activities related to the Presidential Inaugural Ceremonies. In its FY2025 budget justification, NPS had requested a “one-time investment” of \$4.2 million in the ONPS account for activities associated with the 2025 Presidential Inauguration.<sup>69</sup>

### Section 140—Historic Preservation Fund<sup>70</sup>

Section 140 extends the availability of funds that were appropriated in FY2018 (in P.L. 115-123) to the National Park Service’s (NPS) Historic Preservation Fund (HPF) account. The funding is extended through September 30, 2026, “for the liquidation of valid obligations incurred in fiscal years 2018 and 2019.” This extension would allow any state historic preservation offices (SHPOs) that were allocated emergency supplemental funding as part of P.L. 115-123 to make payments on funds obligated during the two-year period of availability ending on September 30, 2019.

In FY2018, Congress appropriated \$50 million in emergency supplemental funding to the HPF account for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria (P.L. 115-123). The funding was “to remain available until September 30, 2019” and was for historic preservation compliance requirements related to projects providing damage relief in areas that received a major disaster declaration as a result of Hurricanes Harvey, Irma, and Maria.<sup>71</sup> NPS subsequently granted funding to SHPOs in states and territories where the Federal Emergency Management Agency (FEMA) had issued such a declaration: Florida, Georgia, Louisiana, Puerto Rico, South Carolina, Texas, and the U.S. Virgin Islands.<sup>72</sup>

Although the emergency supplemental funding for the HPF expired at the end of FY2019, agencies generally have access to appropriated funding for five fiscal years following the date of

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<sup>66</sup> For inquiries related to this section, contact Alicyn R. Gitlin, Analyst in Natural Resources Policy.

<sup>67</sup> Government Accountability Office, “Fighting Fire with Fire—The Forest Service Plans to Increase Use of Prescribed Fires,” posted on August 20, 2024.

<sup>68</sup> This section was authored by Laura B. Comay, Specialist in Natural Resources Policy.

<sup>69</sup> National Park Service, *Budget Justifications and Performance Information: Fiscal Year 2025*, p. Overview-3.

<sup>70</sup> This section was authored by Mark K. DeSantis, Specialist in Natural Resources Policy.

<sup>71</sup> For more information on disaster declarations, see CRS Report R43784, *FEMA’s Disaster Declaration Process: A Primer*, by Bruce R. Lindsay.

<sup>72</sup> Specifically, \$48.5 million of the Emergency Supplemental Historic Preservation Fund appropriation was apportioned by formula to the named state historic preservation offices (SHPOs) for historic preservation compliance. The remaining \$1.5 million was retained by NPS for administrative purposes.

expiration to make payments on obligations properly incurred during the period of availability.<sup>73</sup> At the close of five fiscal years, the account is closed and any remaining balance, whether obligated or unobligated, is cancelled. The remaining balance is no longer available for obligation or expenditure for any purpose.<sup>74</sup> Without this provision in the CR, on September 30, 2024, the five-year fiscal period following the expiration of appropriated HPF funds in P.L. 115-123 would have closed.

### **Section 141—Wildland Fire Management, U.S. Forest Service<sup>75</sup>**

Section 141 allows amounts made available by the CR to the U.S. Forest Service for wildland fire management to be apportioned up to the rate for operations necessary for wildfire suppression activities. Suppression is the work associated with extinguishing or confining a fire and suppression appropriations are used primarily for wildfire response.

### **Section 142—Indian Health Service<sup>76</sup>**

Section 142 provides, in addition to the amount appropriated in Section 101, \$26.3 million to two Indian Health Service (IHS) accounts and permits these funds to be apportioned at a higher rate than would otherwise be provided under the CR. The additional funding is for costs related to health services and staffing at facilities that were opened, renovated, or expanded in either FY2024 or FY2025.

### **Section 143—Contribution Authority for Bureau of Ocean Energy Management and Bureau of Safety and Environmental Enforcement<sup>77</sup>**

Section 143 extends statutory authority for the Secretary of the Interior to accept public and private contributions of money and services for use by the Bureau of Ocean Energy Management (BOEM) and the Bureau of Safety and Environmental Enforcement (BSEE) in their work to support the exploration and development of offshore energy resources, including preparation of environmental documents. The contribution authority originally was provided through FY2019 in P.L. 113-76, and subsequently was extended through FY2024 in P.L. 116-6.

## **Departments of Labor, Health and Human Services, and Education, and Related Agencies**

### **Section 144—Department of Labor—Bureau of Labor Statistics (BLS)—Salaries and Expenses<sup>78</sup>**

Section 144 provides additional funding to BLS for the Current Population Survey (CPS) at a rate of operations of \$6 million.<sup>79</sup> The CPS is a monthly survey of approximately 60,000 households

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<sup>73</sup> 31 U.S.C. §1553.

<sup>74</sup> 31 U.S.C. § 1552. For more information on this, see CRS In Focus IF12329, *Expiration and Cancellation of Unobligated Funds*, by Taylor N. Riccard.

<sup>75</sup> For inquiries related to this section, contact Alicyn R. Gitlin, Analyst in Natural Resources Policy.

<sup>76</sup> For inquiries related to this section, contact Elayne J. Heisler, Specialist in Health Services.

<sup>77</sup> This section was authored by Laura B. Comay, Specialist in Natural Resources Policy.

<sup>78</sup> This section was authored by David Bradley, Section Research Manager.

<sup>79</sup> For additional information on the CPS, see U.S. Department of Labor, Bureau of Labor Statistics, *Labor Force Statistics from the Current Population Survey Overview*, March 24, 2020, [https://www.bls.gov/cps/cps\\_over.htm](https://www.bls.gov/cps/cps_over.htm).

collecting labor market data that are used to produce a wide range of labor market statistics, including monthly unemployment rates and related labor market indicators.<sup>80</sup> The CPS is also used to collect data on other social and economic topics, such as supplemental surveys on contingent workers and work schedules, and as an input to the development of other statistical programs, such as the Local Area Unemployment Statistics (LAUS) program. Recently, BLS has indicated that additional resources for the CPS are necessary to maintain current sample sizes (and thus reliability of estimates) due to the combination of falling response rates to CPS and rising operating costs for in-person data collection (due to repeated contact to encourage participation).<sup>81</sup>

## **Section 145—Temporary Assistance for Needy Families (TANF) and Related Programs<sup>82</sup>**

Under Division G (“Other Matters”), Section 401 of the Consolidated Appropriations Act, 2024 (P.L. 118-42), funding for the TANF block grant, the TANF contingency fund, Healthy Marriage and Responsible Fatherhood Grants, and matching grants for TANF and child welfare activities within the U.S. territories was scheduled to end on September 30, 2024.<sup>83</sup> Section 145 extends these funding and program authorities for the duration of the CR.

## **Legislative Branch<sup>84</sup>**

### **Section 101(9)—Legislative Branch Appropriations Act, 2024, Continuation and Exceptions**

Section 101(9) continues the “Legislative Branch Appropriations Act, 2024 (division E of Public Law 118-47), except the matter under the heading ‘Joint Items—Joint Congressional Committee on Inaugural Ceremonies of 2025’, and including section 7 in the matter preceding division A of Public Law 118-47.”

The exception pertains to FY2024 funding for the Joint Congressional Committee on Inaugural Ceremonies of 2025, in the amount of “\$3,675,000 to be disbursed by the Secretary of the Senate and to remain available until September 30, 2025.” The 2025 Joint Congressional Committee on Inaugural Ceremonies was authorized by S.Con.Res. 34 (118<sup>th</sup> Congress, agreed to by the Senate on May 2, 2024, and by the House on May 6, 2024). Funding for the Joint Congressional Committee on Inaugural Ceremonies is historically provided once every four years, in the appropriations act for the fiscal year prior to the inauguration (e.g., previously, P.L. 116-94, the

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<sup>80</sup> For some of the labor market measures derived from the CPS, see U.S. Department of Labor, Bureau of Labor Statistics, *The Employment Situation—August 2024*, Washington, DC, September 6, 2024, <https://www.bls.gov/news.release/pdf/empst.pdf>.

<sup>81</sup> U.S. Department of Labor, Bureau of Labor Statistics, *FY2024 Congressional Budget Justification*, CBJ-2024-V3-01, Washington, DC, 2023, pp. BLS-29, <https://www.dol.gov/sites/dolgov/files/general/budget/2024/CBJ-2024-V3-01.pdf>.

<sup>82</sup> This section was authored by Gene Falk, Specialist in Social Policy.

<sup>83</sup> For an overview of TANF, see CRS In Focus IF10036, *The Temporary Assistance for Needy Families (TANF) Block Grant*, by Gene Falk.

<sup>84</sup> The summaries in this section were authored by Ida A. Brudnick, Specialist on the Congress.

Further Consolidated Appropriations Act, 2020; and P.L. 114-113, the Consolidated Appropriations Act, 2016).<sup>85</sup>

Section 7 of P.L. 118-47 extended a pay freeze for Members of Congress for the remainder of FY2024. Previously, P.L. 118-15, which provided continuing funding for legislative branch operations for FY2024, extended Section 6 of P.L. 117-328, which had prohibited the pay adjustment in 2023. The FY2024 language was further extended by P.L. 118-22, P.L. 118-35, and P.L. 118-40. Since 1992, Member pay adjustments have been effective in (or retroactive to) January. Members of Congress last received a pay adjustment in January 2009. At that time, their salary was increased 2.8%, to \$174,000.<sup>86</sup>

## Section 146—Gratuity Payments

Section 146 provides three gratuity payments to the beneficiaries of deceased Members of the House. A gratuity equal to one year's salary has long been given to the heirs or beneficiaries of Members of Congress who die in office.<sup>87</sup> The payment is generally included in the next legislative branch, supplemental, or continuing appropriations act following the death.

## Military Construction, Veterans Affairs, and Related Agencies

### Section 101(10) – Exclusion of Rescission of Unobligated Balances in the Veterans Health Administration<sup>88</sup>

Section 101(10) excludes from coverage under the CR a provision (Section 259) in the FY2024 Military Construction, Veterans Affairs, and Related Agencies Appropriations Act (Division A of P.L. 118-42) that rescinds approximately \$1.95 billion in unobligated balances in the Veterans Health Administration (VHA) accounts.<sup>89</sup> This exception would allow VA to allocate these funds during the period of the CR. In requesting this anomaly, the Administration stated that, if these unobligated balances are “precluded from obligation during the period of the CR ... VA’s critical medical services could be impeded.”<sup>90</sup>

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<sup>85</sup> For additional information, including prior appropriations, see CRS Report R42603, *Joint Congressional Committee on Inaugural Ceremonies: History, Membership, and Inaugural Activities*, by Jacob R. Straus.

<sup>86</sup> For additional information, see CRS Report 97-1011, *Salaries of Members of Congress: Recent Actions and Historical Tables*, by Ida A. Brudnick.

<sup>87</sup> For the Senate, see Floyd M. Riddick, *Riddick’s Senate Procedure: Precedents and Practice*, S.Doc. 101-28, 101<sup>st</sup> Cong., 2<sup>nd</sup> sess. (Washington: GPO, 1992), p. 1254, which footnotes *Congressional Record* debate from 1892; and U.S. Senate, *United States Senate Handbook*, p. I-92. For the House of Representatives, see Clarence Cannon, *Cannon’s Precedents of the House of Representatives of the United States* (Washington: GPO, 1935-1941), vol. VI, p. 380; and Lewis Deschler, *Deschler’s Precedents of the United States House of Representatives*, vol. II, H.Doc. 94-661, 94<sup>th</sup> Cong., 2<sup>nd</sup> sess. For additional information, see CRS Congressional Distribution Memorandum, *Gratuity Payments for Members of Congress Who Die in Office: Historical Practice*, available to congressional requesters.

<sup>88</sup> This section was authored by Sidath Viranga Panangala, Specialist in Veterans Policy.

<sup>89</sup> For background VHA accounts, see CRS Report R48056, *Department of Veterans Affairs FY2024 Appropriations*, by Sidath Viranga Panangala and Jared S. Sussman.

<sup>90</sup> Office of Management and Budget, *FY 2025 Continuing Resolution (CR) Appropriations Issues*, August 30, 2024, p. 24, [https://www.crs.gov/products/Documents/FY2025\\_CR\\_Anomalies\\_TechAsst/pdf/FY2025\\_CR\\_Anomalies\\_TechAsst.pdf](https://www.crs.gov/products/Documents/FY2025_CR_Anomalies_TechAsst/pdf/FY2025_CR_Anomalies_TechAsst.pdf).

## **Section 147—Authorizing Use of Funds for King’s Bay Submarine Maintenance Facility<sup>91</sup>**

Section 147 authorizes the Department of the Navy to proceed with military construction work on the Trident Refit Facility project underway at Naval Submarine Base Kings Bay in Georgia. The facility is intended to accommodate the arrival of Columbia-class nuclear-powered ballistic missile submarines at Kings Bay, which is scheduled for 2028.<sup>92</sup> In the President’s budget request for FY2025, DOD requested \$115 million<sup>93</sup> for the FY2025 increment of a multi-year project.<sup>94</sup> According to Navy budget justification documents provided to Congress in March 2024, failure to fund the project would render the Navy unable “to meet the mission to maintain our presence at sea in the execution of strategic nuclear deterrence as required by U.S. Strategic Command.”

## **Section 148—Deferred FY2020 Military Construction Projects<sup>95</sup>**

Section 148 effectively extends the five-year period of availability for certain military construction appropriations that were made available for fiscal years 2017, 2018, 2019, and 2020.

## **Section 149—Department of Veterans Affairs Major Construction Projects<sup>96</sup>**

Section 149 rescinds funds in the major construction account provided in the FY2020 Military Construction, Veterans Affairs, and Related Agencies Appropriations Act (Division F P.L. 116-94) that would have expired on September 30, 2024, and reappropriates those rescinded amounts as new budget authority for FY2024. These reappropriated funds will remain available until September 30, 2029.

The major construction account provides funding for capital projects where the cost is expected to exceed *more than* \$30 million or where budget authority was previously provided under the major construction appropriation account.<sup>97</sup> Funding provided in this account could be used for constructing, altering, extending, and improving any VA facilities, including planning, architectural and engineering services, construction management services, offsite utility and storm drainage system construction costs, and site acquisition. Generally, certain amounts provided as new budget authority for this account is available for a period of five years.

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<sup>91</sup> This section was authored by Andrew Tilghman, Analyst in U.S. Defense Infrastructure Policy.

<sup>92</sup> For more information, see [https://www.secnave.navy.mil/fmc/fmb/Documents/25pres/MCON\\_Book.pdf#page=45](https://www.secnave.navy.mil/fmc/fmb/Documents/25pres/MCON_Book.pdf#page=45).

<sup>93</sup> For more on this request, see [https://www.secnave.navy.mil/fmc/fmb/Documents/25pres/MCON\\_Book.pdf#page=40](https://www.secnave.navy.mil/fmc/fmb/Documents/25pres/MCON_Book.pdf#page=40).

<sup>94</sup> For more on this project, see <https://www.sublant.usff.navy.mil/Press-Room/News-Stories/Article/3238717/>.

<sup>95</sup> This section was authored by Andrew Tilghman, Analyst in U.S. Defense Infrastructure Policy.

<sup>96</sup> This section was authored by Sidath Viranga Panangala, Specialist in Veterans Policy.

<sup>97</sup> 38 U.S.C. §8104(a)(3)(A) defines a major medical facility construction as a project for the construction, alteration, or acquisition of a medical facility involving a total expenditure of *more than* \$30 million. Section 5001 of the FY2024 National Defense Authorization Act (NDAA; H.R. 2670, P.L. 118-31) increased the threshold amount from \$20 million to \$30 million and authorized the Secretary to annually adjust the \$30 million amount by the “percentage increase, if any, in construction costs during the prior calendar year, as determined by—(I) the relevant composite construction and lease cost indices pursuant to section 3307(h) of 11 title 40, or any similar successor index developed by the Administrator of the General Services Administration; or (II) the Producer Price Index for New Health Care Building Construction published by the Bureau of Labor Statistics of the Department of Labor, or any similar successor index developed by the Secretary of Labor.”



## Department of State, Foreign Operations, and Related Programs

### Section 101(11)—Exclusion of Millennium Challenge Corporation Rescission<sup>98</sup>

Section 101(11) excludes Section 7075(a) of the FY2024 Department of State, Foreign Operations, and Related Programs (SFOPS) appropriations bill (Division F of P.L. 118-47) from coverage under the continuing resolution. Section 7075(a) of P.L. 118-47 rescinded \$475 million of Millennium Challenge Corporation unobligated balances.<sup>99</sup>

## Transportation, Housing and Urban Development, and Related Agencies

### Section 150—Essential Air Services<sup>100</sup>

Section 150 provides that amounts made available by the CR for DOT's Essential Air Service program, funded by the Office of the Secretary's Payments to Air Carriers account, may be apportioned at a rate necessary to maintain program operations. This anomaly was requested by the Administration, which contended that, without this anomaly, DOT may not have sufficient resources to continue contracted commercial air service to rural areas.<sup>101</sup>

### Section 151—Tenant-Based Rental Assistance<sup>102</sup>

Section 151 allows the U.S. Department of Housing and Urban Development (HUD) to use prior year unobligated balances to supplement spending in the tenant-based rental assistance account—which funds the Section 8 Housing Choice Voucher program—as necessary to prevent the termination of assistance to current program participants due to insufficient funding. This anomaly was requested by the Administration, which contended that without this anomaly, resources may be inadequate to sustain housing vouchers for up to 120,000 families.<sup>103</sup>

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<sup>98</sup> This section was authored by Emily McCabe, Specialist in Foreign Assistance and Foreign Policy.

<sup>99</sup> For more on the Millennium Challenge Corporation, see CRS Report RL32427, *Millennium Challenge Corporation: Overview and Issues*, by Nick M. Brown.

<sup>100</sup> This section was authored by Jennifer Marshall, Analyst in Transportation Policy.

<sup>101</sup> Office of Management and Budget, *FY 2025 Continuing Resolution (CR) Appropriations Issues*, August 30, 2024, p. 27, [https://www.crs.gov/products/Documents/FY2025\\_CR\\_Anomalies\\_TechAsst/pdf/FY2025\\_CR\\_Anomalies\\_TechAsst.pdf](https://www.crs.gov/products/Documents/FY2025_CR_Anomalies_TechAsst/pdf/FY2025_CR_Anomalies_TechAsst.pdf).

<sup>102</sup> This section was authored by Maggie McCarty, Specialist in Housing Policy.

<sup>103</sup> Office of Management and Budget, *FY 2025 Continuing Resolution (CR) Appropriations Issues*, August 30, 2024, p. 27, [https://www.crs.gov/products/Documents/FY2025\\_CR\\_Anomalies\\_TechAsst/pdf/FY2025\\_CR\\_Anomalies\\_TechAsst.pdf](https://www.crs.gov/products/Documents/FY2025_CR_Anomalies_TechAsst/pdf/FY2025_CR_Anomalies_TechAsst.pdf).



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