

Overview of Continuing Appropriations for FY2026 (Division A of P.L. 119-37)

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On November 12, 2025, the President signed into law H.R. 5371—the Continuing Appropriations, Agriculture, Legislative Branch, Military Construction and Veterans Affairs, and Extensions Act, 2026—as P.L. 119-37. Division A of the act—the Continuing Appropriations Act, 2026—provides continuing appropriations through January 30, 2026, for agencies funded through nine of the 12 regular appropriations bills. Divisions B-D of the act each include one regular, full-year appropriations act for FY2026, and Divisions E-H include various authorization extensions and other legislative provisions. This report examines only Division A, the “continuing resolution” (CR) portion of the act.

The enactment of P.L. 119-37 ended a 42-day lapse in appropriations (a “funding gap”) lasting from October 1, 2025, through November 11, 2025. As none of the regular bills had been enacted prior to the start of FY2026, agencies funded through all 12 regular appropriations bills were required to cease operations of affected activities (a “government shutdown”), except in certain situations when law authorizes continued activity.

For most programs, projects, and activities, the CR provides funding from November 12, 2025, through January 30, 2026 (an 80-day, or roughly 11.5-week, period) for agencies to continue operating at the rates, authorities, and conditions as provided for in the Full-Year Continuing Appropriations Act, 2025 (Division A of P.L. 119-4). The Congressional Budget Office (CBO) estimates that the CR provides an annualized amount of \$1.560 trillion in discretionary budget authority for FY2026. In the event that one or more regular appropriations bills for FY2026, or an additional CR, are not enacted prior to the expiration of this CR, then another funding gap would occur beginning on January 31, 2026, that could result in a shutdown of most affected activities.

The CR includes several provisions related to the period of the funding gap. The act specifies that it provides coverage for the entire period of the funding gap beginning on October 1, covers certain obligations incurred during it and provides for reimbursements to states or other federal grantees for costs incurred during the gap that would have otherwise been paid by the federal government. The CR also provides for backpay for federal workers for the period of the funding gap, reverses reductions in force (RIFs) initiated during it, and prohibits certain RIFs from being initiated for the duration of the CR.

As has been typical with CRs, Division A of P.L. 119-37 includes several provisions that are specific to certain agencies, accounts, or programs. These include provisions—known as “anomalies”—that establish exceptions to the general funding and other provisions of the CR for certain accounts or activities, as well as provisions related to amending or extending existing law. The section of this report titled “Agency-, Account-, and Program-Specific Provisions” summarizes each of these provisions included in the CR.

CRS experts for the subject matters covered in this report are indicated throughout in the accompanying footnotes. Contact information for these and other CRS 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 the annual appropriations process, which currently involves the development and consideration of 12 regular appropriations bills for each fiscal year.¹ 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. Measures providing continuing appropriations are commonly referred to as “continuing resolutions” (or CRs) because they have historically been enacted in the form of a joint resolution. A *funding gap* occurs if the enactment of one or more of the regular appropriations acts, or a CR, does not occur before the beginning of the fiscal year on October 1 or after the expiration of an existing CR.² During a funding gap, affected agencies are legally required to initiate a *shutdown* of most activities experiencing a lapse in funding.³

CRs have generally allowed agencies to continue operating for an interim period at a certain rate of operations that has most often been based on the funding levels, authorities, and conditions established in specified appropriations acts from the previous fiscal year. CRs have also typically contained various provisions relating to the application and execution of the funding, including provisions limiting agency operations in ways that preserve Congress’s ability to make full-year funding decisions at a later point. Exceptions to the general funding, limitations, and other provisions of a CR for certain accounts or activities—known as “anomalies”—have also often been included in CRs, as have legislative provisions related to changing or extending existing law.

On November 12, 2025, the President signed into law H.R. 5371—the Continuing Appropriations, Agriculture, Legislative Branch, Military Construction and Veterans Affairs, and Extensions Act, 2026—as P.L. 119-37. Division A of P.L. 119-37—the Continuing Appropriations Act, 2026—provides continuing appropriations through January 30, 2026, for agencies funded through nine of the 12 regular appropriations bills. Divisions B-D of the act each include one regular, full-year appropriations act for FY2026, and Divisions E-H include various authorization extensions and other legislative provisions. The enactment of P.L. 119-37 ended a 42-day funding gap lasting from October 1, 2025, through November 11, 2025, for agencies funded through all 12 regular appropriations bills.

According to an estimate prepared by the Congressional Budget Office (CBO), Division A of P.L. 119-37 provides a total annualized amount of \$1.560 trillion in discretionary budget authority for

¹ Congress distinguishes between two types of spending in the congressional budget process—*discretionary* spending and *mandatory* (or *direct*) spending. Discretionary spending is defined in law (at 2 U.S.C. §900(c)(7)) as “budgetary resources (except to fund direct-spending programs) provided in appropriation Acts.” Mandatory, or direct, spending is defined in law (at 2 U.S.C. §900(c)(8)) as “(A) budget authority provided by law other than appropriation Acts; (B) entitlement authority; and (C) the Supplemental Nutrition Assistance Program.”

For more on the appropriations process, see CRS Report R47106, *The Appropriations Process: A Brief Overview*, by James V. Saturno and Megan S. Lynch.

² For more on funding gaps, see CRS Report RS20348, *Federal Funding Gaps: A Brief Overview*, by James V. Saturno.

³ For more CRS resources on government shutdowns, see CRS Report R41723, *Funding Gaps and Government Shutdowns: CRS Experts*, coordinated by Dominick A. Fiorentino and Clinton T. Brass.

FY2026, including \$1.466 trillion in “base” discretionary budget authority and \$94.36 billion for purposes that are effectively exempt from congressional budget enforcement rules.⁴

This report provides an analysis of the FY2026 CR included in Division A of P.L. 119-37. The first section of the report (“Background and Legislative History”) provides a brief overview of the FY2026 appropriations process, the funding gap lasting from October 1 through November 11, and House and Senate consideration of H.R. 5371. The second section (“General Provisions”) summarizes the general funding provided by the CR and provisions related to its application and execution. The third section (“Federal Workforce Provisions”) explains provisions in the CR related to backpay for federal employees and reductions in force (RIFs). The final section of the report (“Agency-, Account-, and Program-Specific Provisions”) summarizes anomalies and other legislative provisions related to particular agencies, accounts, or programs. CRS experts for the subject matters covered in this report are indicated throughout in the accompanying footnotes.

Background and Legislative History

None of the regular appropriations bills for FY2026 had been signed into law by the start of the fiscal year on October 1, 2025. Prior to October 1, the House Appropriations Committee had reported its version of all 12 of the FY2026 regular appropriations bills, and the Senate Appropriations Committee had reported its version of eight. The House and Senate had each passed its version of three of the regular appropriations bills for FY2026 prior to October 1.⁵

H.R. 5371, the Continuing Appropriations and Extensions Act, 2026, was introduced in the House on September 16, 2025. Division A of the bill, as introduced, included a CR providing continuing appropriations for all 12 regular appropriations bills through November 21, 2025. The House passed H.R. 5371 on September 19, 2025, by a vote of 217-212.⁶ The measure failed on passage twice in the Senate in the days leading up to October 1—once on September 19 and once more on September 30.⁷

⁴ CBO, “Senate Amendment 3937 to H.R. 5371, the Continuing Appropriations, Agriculture, Legislative Branch, Military Construction and Veterans Affairs, and Extensions Act, 2026,” November 10, 2025, <https://www.cbo.gov/publication/61747>.

Although the CR is effective through January 30, 2026, the cost estimate prepared by CBO provides an annualized projection of discretionary budget authority in the CR (i.e., as if the measure provided funding through September 30, 2026). “Base” discretionary budget authority refers to budget authority that is constrained by (i.e., counts under) statutory limits (or “caps”) on discretionary spending in years when such limits are in effect. Spending that is “effectively exempt from budget enforcement rules” refers to appropriations for various purposes that are exempted from certain budget enforcement rules and procedures under current law or congressional rules. For more on these exemptions, see CRS Report R48387, *Exemptions to the Fiscal Responsibility Act’s Discretionary Spending Limits*, by Drew C. Aherne and Megan S. Lynch.

⁵ The House passed H.R. 3944—the House version of the FY2026 Military Construction, Veterans Affairs, and Related Agencies Appropriations Act—on June 25, 2025; H.R. 4016—the House version of the FY2026 Department of Defense Appropriations Act—on July 18, 2026; and H.R. 4553—the House version of the FY2026 Energy and Water Development and Related Agencies Appropriations Act—on September 4, 2025. The Senate passed an amended version of H.R. 3944 on August 1, 2025, that contained the Senate version of the FY2026 Military Construction, Veterans Affairs, and Related Agencies Appropriations Act (Division A); Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act (Division B); and Legislative Branch Appropriations Act (Division C). On September 11, 2025, the House agreed by voice vote to a motion to disagree to the Senate amendment to H.R. 3944 and request a conference. The Senate took no action on going to conference on H.R. 3944, and all three FY2026 regular appropriations bills included in the measure were enacted in P.L. 119-37.

⁶ House Roll Call Vote 281, 119th Congress, <https://www.congress.gov/votes/house/119-1/281>.

⁷ On September 19, 2025, under the terms of a unanimous consent agreement, the Senate proceeded to floor (continued...)

Because no regular or continuing appropriations for FY2026 had been enacted, a funding gap began at midnight on October 1 that required agencies funded through all 12 regular appropriations bills to commence a shutdown of most activities for which funding had lapsed. The funding gap and resulting government shutdown continued from October 1, 2025, through November 11, 2025, a 42-day period. Between October 1 and November 4, procedural votes to proceed with the consideration of H.R. 5371 failed in the Senate on 12 occasions.⁸

On Sunday, November 9, 2025, the Senate Appropriations Committee posted on its website text of an amendment to H.R. 5371 that, among other matters, included a CR for agencies funded through nine of the regular appropriations bills through January 30, 2026, and full-year FY2026 appropriations for the other three regular bills.⁹ The Senate invoked cloture on the motion to proceed to H.R. 5371 by a vote of 60-40 on the night of November 9.¹⁰ The Senate adopted the amendment (S.Amdt. 3937) and passed the measure, as amended, on the morning of Monday, November 10—each also by a vote of 60-40.¹¹ The House passed the Senate-amended version of

consideration and a vote on passage of an alternative CR—S. 2882, the Continuing Appropriations and Extensions and Other Matters Act, 2026. Under the same agreement, if S. 2882 was not agreed to, immediate consideration and a vote on passage of H.R. 5371 would occur. S. 2882 failed Senate passage by a vote of 47-45 (Senate Roll Call Vote 527, 119th Congress, https://www.senate.gov/legislative/LIS/roll_call_votes/vote119/vote_119_1_00527.htm), and H.R. 5371 subsequently failed passage by a vote of 44-48 (Senate Roll Call Vote 528, 119th Congress, https://www.senate.gov/legislative/LIS/roll_call_votes/vote119/vote_119_1_00528.htm). Under the unanimous consent agreement, 60 affirmative votes were required for the passage of each bill. A second Senate vote on each measure took place on September 30, 2025, under the same unanimous consent agreement. On these votes, S. 2882 failed passage by a vote of 47-53 (Senate Roll Call Vote 534, 119th Congress, https://www.senate.gov/legislative/LIS/roll_call_votes/vote119/vote_119_1_00534.htm) and H.R. 5371 failed passage by a vote of 55-45 (Senate Roll Call Vote 535, 119th Congress, https://www.senate.gov/legislative/LIS/roll_call_votes/vote119/vote_119_1_00535.htm) (60 affirmative votes required for passage).

⁸ Five procedural votes to proceed with the consideration of S. 2882 also failed from October 1 through October 9. The Senate took no further action on S. 2882 after October 9.

⁹ Senate Appropriations Committee, “Bill Text: Continuing Appropriations Act, 2026,” November 9, 2025, <https://www.appropriations.senate.gov/news/majority/bill-text-continuing-appropriations-act-2026>.

¹⁰ Senate Roll Call Vote 610, 119th Congress, https://www.senate.gov/legislative/LIS/roll_call_votes/vote119/vote_119_1_00610.htm.

¹¹ Senate vote to agree to S.Amdt. 3937—Senate Roll Call Vote 616, 119th Congress, https://www.senate.gov/legislative/LIS/roll_call_votes/vote119/vote_119_1_00616.htm. Senate vote to pass H.R. 5371, as amended—Senate Roll Call Vote 618, 119th Congress, https://www.senate.gov/legislative/LIS/roll_call_votes/vote119/vote_119_1_00618.htm.

S.Amdt. 3937 was an amendment in the nature of a substitute proposed by Majority Leader Thune for Senate Appropriations Committee Chairwoman Collins that contained the legislative text published on the Senate Appropriations Committee website on November 9. No other amendments to H.R. 5371 were adopted. An amendment proposed by Majority Leader Thune for Sen. Paul—S.Amdt. 3941—related to striking a provision modifying the definition of *hemp* for purposes of the Agricultural Marketing Act of 1946 was tabled by a vote of 76-24. Senate Roll Call vote 614, 119th Congress, https://www.senate.gov/legislative/LIS/roll_call_votes/vote119/vote_119_1_00614.htm.

Majority Leader Thune “filled the amendment tree”—sequentially offering all amendments permissible to a measure under applicable circumstances, thus preventing Senators from offering additional amendments—during the consideration of H.R. 5371. (For more, see CRS Report RS22854, *Filling the Amendment Tree in the Senate*, by Christopher M. Davis.) Two Senators made motions to table such amendments with the stated purpose of proposing additional amendments. Sen. Baldwin made a motion to table S.Amdt. 3947 with the stated purpose of proposing S.Amdt. 3950, relating to extending Affordable Care Act tax credits (*Congressional Record*, daily edition, vol. 171, no. 190, pp. S8126-S8127). Sen. Merkley made a motion to table S.Amdt. 3946 with the stated purpose of proposing S.Amdt. 3948, relating to the President’s power to propose rescissions to Congress (*Congressional Record*, daily edition, vol. 171, no. 190, pp. S8127-S8128). Both motions failed by a vote of 47-53.

H.R. 5371 without amendment on November 12 by a vote of 222-209.¹² The President signed the measure into law as P.L. 119-37 later on November 12, thus ending the 42-day funding gap.

General Funding Provisions

Three components of CRs have generally defined the purpose, amount, and duration of availability of the funds provided by such acts:

- **Coverage:** A CR’s “coverage” refers to the purposes for which the measure provides appropriations. Programs, projects, and activities funded by a CR have typically been specified in reference to regular (and, occasionally, supplemental) appropriations acts enacted for the previous fiscal year. When a CR references an appropriations act and provides appropriations for the programs, projects, and activities included in such act to be continued, the CR is often referred to as “covering” that act.
- **Rate:** CRs have typically funded programs, projects, and activities using a “rate of operations” or “funding rate” to provide budget authority at a restricted level without specifying a dollar amount. The rate of operations for CRs has most often been based on the amounts, authorities, and conditions provided for in covered appropriations acts from the previous fiscal year, unless specified otherwise. The amount of budget authority available for specific programs, projects, and activities under the general funding rate of a CR may be calculated by prorating the total annualized amount of budget authority that would be available under covered appropriations acts for the fraction of the fiscal year the CR is in effect. The amount obligated over the duration of the CR may also be affected by other factors—such as limitations imposed by the CR and anomaly provisions—that can impact the amount of budget authority available to agencies for certain purposes.
- **Duration:** The “duration” of a CR refers to the period for which the measure provides budget authority for covered purposes. CRs have typically provided budget authority on an interim basis (i.e., a period of days, weeks, or months ending prior to the end of the fiscal year). On occasion, CRs have been enacted that provide continuing appropriations through the end of the fiscal year (known as “full-year CRs”).

Coverage

The Continuing Appropriations Act, 2026, provides interim funding for nine of the 12 regular appropriations bills through January 30, 2026. It generally provides funding for agencies to continue operations at the same rate, authorities, and conditions for purposes “that are not otherwise specifically provided for in this Act, that were conducted in fiscal year 2025, and for which appropriations, funds, or other authority were made available in the Full-Year Continuing Appropriations Act, 2025 (Division A of P.L. 119-4).”¹³ The Full-Year Continuing Appropriations

¹² House Roll Call Vote 285, 119th Congress, <https://www.congress.gov/votes/house/119-1/285>.

¹³ §101 of Division A of P.L. 119-37. This section includes language explicitly excluding the following provisions from coverage under the CR: §1110, §1113, §1114, the proviso in paragraph (4) of §1602, §1708, and §1808 of Division A of P.L. 119-4; §540 of Division C of P.L. 118-42 (as continued by Division A of P.L. 119-4); §110 and §112 of Division D of P.L. 118-42 (as continued by Division A of P.L. 119-4); and §7069(b) of Division F of P.L. 118-47 (as continued...)

Act, 2025, was a full-year CR for FY2025 covering all 12 of the regular appropriations bills. It provided appropriations at the level, authorities, and conditions as provided for in regular appropriations acts enacted for FY2024, with certain deviations and exceptions.¹⁴ Consequently, unless specified otherwise in either the Full-Year Continuing Appropriations Act, 2025, or elsewhere in the Continuing Appropriations Act, 2026, the rate, authorities, and conditions provided for in Division A of P.L. 119-37 are generally based on the following FY2024 appropriations acts:

- Commerce, Justice, Science, and Related Agencies Appropriations Act, 2024 (Division C of P.L. 118-42)
- Department of Defense Appropriations Act, 2024 (Division A of P.L. 118-47)
- Energy and Water Development and Related Agencies Appropriations Act, 2024 (Division D of P.L. 118-42)
- Financial Services and General Government Appropriations Act, 2024 (Division B of P.L. 118-47)
- Department of Homeland Security Appropriations Act, 2024 (Division C of P.L. 118-47)
- Department of the Interior, Environment, and Related Agencies Appropriations Act, 2024 (Division E of P.L. 118-42)
- Department of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2024 (Division D of P.L. 118-47)
- Department of State, Foreign Operations, and Related Programs Appropriations Act, 2024 (Division F of P.L. 118-47)
- Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2024 (Division F of P.L. 118-42)

Divisions B-D of the act contain three regular appropriations acts for FY2026. These include the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2026 (Division B); the Legislative Branch Appropriations Act, 2026 (Division C); and the Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2026 (Division D).

The CR does not specify that the rescissions—or cancellations of budget authority—enacted in the Rescissions Act of 2025 (H.R. 4; P.L. 119-28) apply to the appropriations provided by the

continued by Division A of P.L. 119-4).

Section 1110 of Division A of P.L. 119-4 relates to emergency designations that no longer apply for FY2026 due to the expiration of statutory discretionary spending limits under the Fiscal Responsibility Act (P.L. 118-5). (Section 114 of the Continuing Appropriations Act, 2026, designates several provisions covered under the act as emergency requirements or as being for disaster relief under the FY2022 budget resolution (§4001(a)(1) of S.Con.Res. 14), “legislation establishing fiscal year 2026 budget enforcement in the House of Representatives,” or pursuant to “a concurrent resolution on the budget.”) Section 1113 of P.L. 119-4 required specified agencies covered under the full-year CR to submit spending, expenditure, or operating plans to the Appropriations Committees, and Section 1114 required the Office of Management and Budget to submit reports on obligations incurred under the measure to the Appropriations Committees. Summaries for the other exceptions established in Section 101 can be found in the section of this report titled “Agency-, Account-, and Program-Specific Provisions.”

¹⁴ For more on the Full-Year Continuing Appropriations Act, 2025, see CRS Report R48517, *Section-by-Section Summary of the Full-Year Continuing Appropriations Act, 2025 (Division A of P.L. 119-4)*, coordinated by Drew C. Ahern.

measure. It does, however, specify that certain rescissions enacted in covered appropriations acts will generally continue to apply under the CR.¹⁵

The CR also specifies that it provides coverage for the period of the funding gap and certain obligations incurred during it.¹⁶ The act establishes that it covers all obligations incurred during the funding gap “for the purpose of maintaining the essential level of activity to protect life and property and bringing orderly termination of Government function, and for purposes as otherwise authorized by law.”¹⁷ It also provides for reimbursements to states or other federal grantees for certain costs incurred during the funding gap that, but for the lapse in appropriations, would have been paid by the federal government.¹⁸

Rate

In general, the CR provides “such amounts as may be necessary,” through January 30, for agencies to continue operations at the same rate, authority, and conditions as provided for in the Full-Year Continuing Appropriations Act, 2025. This rate is based on actual amounts provided in the FY2025 full-year CR, which were generally the level provided for in covered appropriations acts from FY2024 unless specified otherwise. For civilian personnel compensation and benefits, the CR allows agencies to apportion funds at the rate of operations necessary to avoid furloughs but only after taking “all necessary actions to reduce or defer non-personnel-related administrative expenses.”¹⁹ For mandatory spending programs that receive funding through appropriations legislation (known as “appropriated entitlements” or “appropriated mandates”), the CR provides budget authority “at the rate to maintain program levels under current law, under the authority and conditions” provided in covered appropriations acts.²⁰

As has been typical of interim CRs in recent practice, this CR also establishes several limitations that may affect the amount of budget authority available to agencies for certain purposes. These limitations are generally intended to limit agency obligations in a way that preserves Congress’s ability to make final, full-year funding decisions for FY2026 at a later point. Unless specified otherwise, for the duration of the CR, agencies are generally:

- prohibited from initiating or resuming any program, project, or activity for which funding was not provided in FY2025 (known as “new starts”)²¹;
- prohibited from obligating funds for accounts that would otherwise spend or distribute most or all of their funds at the beginning of FY2026, including awarding grants that would “impinge on final funding prerogatives”²²; and

¹⁵ §115 of Division A of P.L. 119-37.

¹⁶ Section 119 establishes that the time covered by Divisions A-D of the act “shall be considered to have begun on October 1, 2025.”

¹⁷ §117 of Division A of P.L. 119-37.

¹⁸ §118 of Division A of P.L. 119-37. Such reimbursements apply “If a state (or another Federal grantee) used State funds (or the grantee’s non-Federal funds) to continue carrying out a Federal program or furloughed State employees (or the grantee’s employees) whose compensation is advanced or reimbursed in whole or in part by the Federal Government.”

¹⁹ §112 of Division A of P.L. 119-37.

²⁰ §111 of Division A of P.L. 119-37.

²¹ §104 of Division A of P.L. 119-37.

²² §109 of Division A of P.L. 119-37.

- limited to taking “only the most limited funding action” necessary to continue existing programs, projects, and activities.²³

Expenditures made by agencies under the CR will be charged to the applicable appropriation account, fund, or authorization whenever the relevant regular appropriations bill for that account, fund, or authorization is enacted.²⁴ This means that amounts provided in any regular appropriations acts enacted for FY2026 will be inclusive of, and not in addition to, amounts spent by agencies under the CR.

Duration

Unless specified otherwise, the CR provides budget authority for covered programs, projects, and activities through January 30, 2026—an 80-day period that began on November 12, 2025.²⁵ The funds made available and authority granted by the CR can be superseded by the enactment of relevant regular appropriations bills for FY2026, or a new CR, prior to January 31, however.²⁶ If the applicable appropriations act for a given program, project, or activity is enacted prior to the expiration of the CR, then, unless specified otherwise, any funding provided by the CR for such program, project, or activity would become unavailable for obligation upon its enactment.

For mandatory spending programs funded through covered appropriations acts, the CR provides the authority for agencies to continue payments that are required to be made through the beginning of March 2026.²⁷

Federal Workforce Provisions²⁸

This section includes summaries of and background on provisions in the CR related to the federal workforce. This includes Section 116, which relates to backpay for federal employees affected by funding gap beginning on October 1, 2025, as well as Section 120 relating to RIFs.

Section 116—Backpay for Federal Employees

Section 116 authorizes backpay, in accordance with current law, for federal employees affected by the lapse in appropriations that began on October 1, 2025. This includes federal employees who were furloughed, as well as federal employees who were required to perform excepted work activities during the lapse. It provides that, notwithstanding Section 106(1), the amounts made available in Divisions A-D of P.L. 119-37 for personnel pay, allowances, and benefits in each department and agency shall be available for payments under Title 31, Section 1341(c), of the *U.S. Code* and that such payments shall be made.

²³ §110 of Division A of P.L. 119-37.

²⁴ §107 of Division A of P.L. 119-37.

²⁵ §106 of Division A of P.L. 119-37.

²⁶ Section 106 of the CR establishes that “appropriations and funds made available and authority granted pursuant to this Act shall be available until whichever of the following first occurs: (1) The enactment into law of any appropriation for any project or activity provided for in this Act. (2) The enactment into law of the applicable appropriations Act for fiscal year 2026 without any provision for such project or activity. (3) January 30, 2026.”

²⁷ Section 111(b) of the CR establishes that “obligations for mandatory payments due on or about the first day of any month that begins after October 2025 but not later than 30 days after the date specified in section 106(3) [January 30, 2026] may continue to be made, and funds shall be available for such payments.”

²⁸ The summaries in this section were authored by Barbara L. Schwemle, Analyst in American National Government.

Brief Legislative History of Backpay Statute

P.L. 116-1,²⁹ the Government Employee Fair Treatment Act of 2019 (S. 24), enacted on January 16, 2019, authorizes backpay to federal employees after a shutdown ends. S. 24 passed the Senate without amendment by voice vote on January 10, 2019. Senator Benjamin Cardin had introduced S. 24 on January 3, 2019, and he issued a press release upon its passage in the Senate.³⁰ The House of Representatives passed the bill under suspension of the rules on a vote of 411-7 the next day.³¹

Section 2 of P.L. 116-1 amends the Antideficiency Act provisions codified at Title 31, Section 1341, of the *U.S. Code* by adding a new subsection (c), paragraph (1), which provides various definitions, including that “the term ‘covered lapse in appropriations’ means any lapse in appropriations that begins on or after December 22, 2018.” In their current form, paragraphs (c)(1) and (2) appear as follows:

(2) Each employee of the United States Government or of a District of Columbia public employer furloughed as a result of a covered lapse in appropriations shall be paid for the period of the lapse in appropriations, and each excepted employee who is required to perform work during a covered lapse in appropriations shall be paid for such work, at the employee’s standard rate of pay, at the earliest date possible after the lapse in appropriations ends, regardless of scheduled pay dates, and subject to the enactment of appropriations Acts ending the lapse.

(3) During a covered lapse in appropriations, each excepted employee who is required to perform work shall be entitled to use leave under chapter 63 of title 5, or any other applicable law governing the use of leave by the excepted employee, for which compensation shall be paid at the earliest date possible after the lapse in appropriations ends, regardless of scheduled pay dates.³²

On January 23, 2019, the U.S. Office of Personnel Management (OPM) issued a memorandum titled *Government Employee Fair Treatment Act of 2019*.³³ The memorandum included an attachment providing guidance on implementing the law.

OPM Guidance on Section 116

On November 12, 2025, OPM issued a memorandum titled, *Employee Pay, Leave, Benefits, and Other Human Resources Programs Affected by the Lapse in Appropriations*.³⁴ The memorandum states that “OPM is committed to ensuring that retroactive pay is provided as soon as possible.” It includes an attachment providing guidance on implementing the Section 116 provisions.

²⁹ 133 Stat. 3. The law is codified at Title 31, Section 1301 note, of the *U.S. Code*.

³⁰ Senator Benjamin Cardin, “Cardin Bill to Protect Federal and Other Government Workers Hurt During Shutdowns Passes Senate,” press release, January 10, 2019, <https://web.archive.org/web/20200110201901/https://www.cardin.senate.gov/newsroom/press/release/cardin-bill-to-protect-federal-and-other-government-workers-hurt-during-shutdowns-passes-senate>.

³¹ Congress.gov, <https://www.congress.gov/bill/116th-congress/senate-bill/24>. House Roll Call Vote 28, 116th Congress, <https://clerk.house.gov/Votes/201928>.

³² 133 Stat. 3-4. Section 103 of P.L. 116-5, January 25, 2019, inserted “and subject to the enactment of appropriations Acts ending the lapse” (133 Stat. 11).

³³ OPM, *Government Employee Fair Treatment Act of 2019*, Memorandum CPM2019-4, January 23, 2019.

³⁴ OPM, *Employee Pay, Leave, Benefits, and Other Human Resources Programs Affected by the Lapse in Appropriations*, Memorandum CPM 2025-14, November 12, 2025, <https://www.opm.gov/chcoc/latest-memos/employee-pay-leave-benefits-and-other-human-resources-programs-affected-by-the-lapse-in-appropriations/>.

Section 120—Reductions in Force (RIFs)

Section 120 provides various requirements related to RIFs in federal agencies. OPM defines a RIF as the “[s]eparation of an employee from his or her competitive level, required by the agency because of lack of work or funds, abolition of position or agency, or cuts in personnel authorizations.”³⁵ The statutory provisions on RIFs are codified at Title 5, chapter 35, subchapter I, of the *U.S. Code*. The OPM regulations are prescribed at Title 5, part 351, of the *Code of Federal Regulations*.

Subsection (a) provides that, notwithstanding Section 106(1), during the period between the date of this act’s enactment (November 12, 2025) and the date specified in Section 106(3) (January 30, 2026), no federal funds may be used to initiate, carry out, implement, or otherwise notice a RIF to reduce the number of employees within any federal department, agency, or office.

Subsection (b) provides that this prohibition shall apply to all civilian positions—whether permanent, temporary, full-time, part-time, or intermittent—and without regard to the funding source for such positions.

Subsection (c) provides that the prohibition shall not apply to (1) voluntary separations or retirements; (2) actions necessary to comply with a court order; or (3) actions taken, beginning only on the first day of a lapse in appropriations, necessary to implement or maintain an orderly shutdown of government operations.

Subsection (d) provides that, for purposes of Section 120, the term *reduction in force* means actions taken by an agency pursuant to Title 5, Sections 3501-3504 (Retention preference) or Title 5, Section 3595 (RIF in the Senior Executive Service), or any similar reduction of positions at any federal department, agency, or office, unless such reduction has been provided for in this act.

Subsection (e) provides that, notwithstanding Section 106(1), any RIF proposed, noticed, initiated, executed, implemented, or otherwise taken by an executive agency between October 1, 2025, and the date of enactment (November 12, 2025) shall have no force or effect. The subsection further provides:

- (1) Any employee who received notice of being subject to such a RIF shall have that notice rescinded and be returned to employment status as of September 30, 2025, without interruption. Such employees shall receive all pay to which they otherwise would have been entitled in the absence of receiving such notice, including backpay in accordance with section 116 of this Act.
- (2) Within 5 days of the Act’s enactment date, each federal agency shall send a notice to all affected employees and the chairs and ranking members of the Senate and House Committees on Appropriations of the withdrawal of the RIF notice and the affected employee’s reinstatement, if applicable.
- (3) The notices must include the reinstatement date and the amount of back pay, if applicable.

³⁵ OPM, “Glossary of Terms Used in Processing Personnel Actions,” in *The Guide to Processing Personnel Actions*, p. 35-11, <https://www.opm.gov/policy-data-oversight/data-analysis-documentation/personnel-documentation/processing-personnel-actions/gppa35.pdf>.

OPM Guidance on Section 120

On November 13, 2025, OPM issued a memorandum titled *Reduction in Force Actions Affected by Continuing Appropriations Act, 2026*.³⁶ The memorandum states that the act “includes provisions that limit the use of reductions in force only through the period of the short-term continuing resolution.” The memorandum further states:

The legislation provides that no Federal funds may be used to initiate, provide notice of, carry out, or otherwise implement a reduction in force to reduce the number of Federal employees during the period between the date of enactment and January 30, 2026. The Act also requires agencies to rescind certain RIF notices and declares that certain RIF actions taken between October 1, 2025 and November 12, 2025 have no force or effect.³⁷

It includes an attachment providing guidance “to assist agencies with complying with” the provisions at Section 120.³⁸ OPM also advises human resources offices at the agency headquarters level to contact the OPM staff who are listed in the attachment for further assistance. The guidance directed agencies to submit to OPM “confirmation that the agency has issued a notice to rescind any RIFs that were noticed between October 1, 2025 and November 12, 2025, no later than November 19, 2025.”³⁹

Agency-, Account-, and Program-Specific Provisions

CRs lasting multiple weeks or longer have typically included provisions that are specific to certain agencies, accounts, or programs. These include provisions—known as “anomalies”—that establish exceptions to the CR’s general funding and other provisions for certain accounts or activities. CRs have also included legislative provisions establishing new law or amending existing law. These types of provisions have often related to renewing expiring provisions of law or extending the scope of certain existing statutory requirements. Unless otherwise specified, such provisions apply only for the duration of the CR.

Congress has often included anomalies and other legislative provisions at the request of the President, who has typically submitted requested provisions to Congress ahead of an expected CR.⁴⁰ These requests have typically included a description of, or proposed bill text for, such provisions, as well as explanations for why they are being requested. Congress can accept, reject, modify, or take no action on provisions requested by the President during the development and consideration of a CR. Congress may also develop additional provisions not requested by the President for inclusion in a CR.

This section summarizes provisions in the Continuing Appropriations Act, 2026, that are agency-, account-, or program-specific. The summaries are organized by the regular appropriations bills that fund the agency, account, or activity the provision addresses. CRS experts authoring the summaries in this section are identified in the accompanying footnotes.

³⁶ OPM, *Reduction in Force Actions Affected by Continuing Appropriations Act, 2026*, November 13, 2025, <https://www.opm.gov/chcoc/published-memos/reduction-in-force-actions-affected-by-continuing-appropriations-act-2026/>.

³⁷ OPM, *Reduction in Force Actions*.

³⁸ OPM, *Reduction in Force Actions*.

³⁹ OPM, *Reduction in Force Actions*.

⁴⁰ President Trump reportedly submitted requests for this CR to Congress on September 9, 2025. Connor O’Brien and Katherine Tully-McManus, “White House Drops ‘Anomalies’ Request for Funding Exceptions as Shutdown Deadline Looms,” *Politico*, September 9, 2025, <https://www.politico.com/live-updates/2025/09/09/congress/text-of-white-house-anomalies-request-detailing-funding-exceptions-as-shutdown-deadline-looms-00553417>.

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

Section 121—Agriculture Conservation Experienced Services Program⁴¹

Section 121 extends, through January 30, 2026, the authorization for the Forest Service to use funds derived from certain conservation-related programs on National Forest System lands to participate in the Agriculture Conservation Experienced Services Program.

Commerce, Justice, Science, and Related Agencies

Section 101—Rescission and New Appropriation for the Office of the U.S. Trade Representative⁴²

Section 101 discontinues a provision that had provided multiyear funding to the Office of the U.S. Trade Representative (USTR). Per Section 101, funds previously available under Section 540 of Division C of P.L. 118-42 (as continued by Division A of P.L. 119-4) are not provided to USTR for FY2026 under the CR. Previously, for FY2024, Section 540 of P.L. 118-42 rescinded unobligated balances from USTR's salaries and expenses account and from the Trade Enforcement Trust Fund account and then appropriated "an amount of additional new budget authority equivalent to the amount rescinded" to remain available for the same purposes through FY2026. Under Section 540, these amounts were also designated by the Congress as an emergency requirement pursuant to Section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985. The FY2025 Continuing Appropriations Act (Division A of P.L. 119-4), extended, in effect, this provision for FY2025.

Section 122—Salaries and Expenses of the U.S. Marshals Service⁴³

Section 122 allows the U.S. Marshals Service to allocate funding provided by Section 101 of the CR at a rate necessary to maintain program operations. This section also provides an additional \$30 million for the U.S. Marshals Service for FY2026 (which remains available until the end of FY2027) to carry out protective operations. The U.S. Marshals Service provides protective services for federal judges, jurors, and other members of the federal judiciary.

Section 123—Extension of the U.S. Parole Commission⁴⁴

Section 123 extends the operations of the U.S. Parole Commission through January 30, 2026. The authorities for the commission were scheduled to sunset on October 1, 2025. 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 November 1, 1987, remain eligible for parole, and the U.S. Parole Commission also makes release decisions for other convicted offender populations, such as DC Code offenders. Absent transferring authority for

⁴¹ This section was authored by Anne A. Riddle, Specialist in Natural Resources Policy.

⁴² This section was authored by Keigh Hammond, Senior Research Librarian.

⁴³ This section was authored by Nathan James, Analyst in Crime Policy.

⁴⁴ This section was authored by Nathan James, Analyst in Crime Policy.

making release decisions to another body, Congress has periodically extended the sunset date for the commission's authorities.

Section 124—Closeout of Space Shuttle Contracts and Associated Programs⁴⁵

Section 124 allows the National Aeronautics and Space Administration to use appropriations that have expired, but have not been cancelled, for the closeout of all Space Shuttle contracts and associated programs. The act allows such amounts to remain available through FY2030 for valid obligations incurred between FY2001 and FY2013. The Space Shuttle program concluded in 2011.

Section 125—Special Assessment Related to Human Trafficking Offenses⁴⁶

Section 125 extends the requirement for federal courts to impose assessments under Title 18, Section 3014(a), of the *U.S. Code* for the duration of the CR. Under Section 3014(a), federal courts are required to assess a \$5,000 penalty to any non-indigent individual or entity convicted of offenses under chapter 77 (relating to peonage, slavery, and trafficking in persons), chapter 109A (relating to sexual abuse), chapter 110 (relating to sexual exploitation and other abuse of children), or chapter 117 (relating to transportation for illegal sexual activity and related crimes) of Title 18 of the *U.S. Code*. The assessment also applies to those convicted under Section 274 of the Immigration and Nationality Act (8 U.S.C. §1324) (relating to human smuggling), unless the person induced, assisted, abetted, or aided only an individual who at the time of such action was the alien's spouse, parent, son, or daughter (and no other individual) to enter the United States in violation of law. The special assessment was set to expire on September 30, 2025.

Section 126—Extension of Certain Bankruptcy Fees⁴⁷

Section 126 extends bankruptcy fees under Title 28, Section 1930, of the *U.S. Code* for the duration of the CR. Section 1930 outlines fees parties must pay when filing bankruptcy in federal courts. Under Section 1930(a)(6)(b)(i), parties are required to pay a quarterly fee to the United States trustee in each open and reopened case under chapter 11 of Title 11 of the *U.S. Code*, other than under subchapter V, for each quarter (including any fraction thereof) until the case is closed, converted, or dismissed, whichever occurs first. The fee is the greater of 0.4% of disbursements or \$250 for each quarter in which disbursements total less than \$1,000,000 and 0.8% of disbursements but not more than \$250,000 for each quarter in which disbursements total at least \$1,000,000. Prior to enactment of the CR, this fee was set to end on January 1, 2026.

Department of Defense⁴⁸

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

Section 102 is similar to provisions included in CRs in previous years. It prohibits the Department of Defense (DOD) (which is “using a secondary Department of War designation,”

⁴⁵ This section was authored by Rachel Lindbergh, Analyst in Science and Technology Policy.

⁴⁶ This section was authored by Nathan James, Analyst in Crime Policy.

⁴⁷ This section was authored by Nathan James, Analyst in Crime Policy.

⁴⁸ The summaries in this section were authored by Cameron Keys, Analyst in Defense Logistics and Resource Management Policy.

under Executive Order 14347 dated September 5, 2025) from funding new or accelerated production of certain items, projects, other activities and multiyear procurements. 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 FY2025 or prior years.⁴⁹ Section 102(a)(1) prohibits DOD from funding the “new production of items not funded for production in fiscal year 2025 or prior years.” Section 102(a)(2) prohibits DOD from funding an acceleration in “production rates above those sustained with fiscal year 2025 funds.” 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 2025.” Section 102(b) prohibits DOD from funding the initiation of “multi-year procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later.”⁵⁰

Section 127—Ready Reserve Force

Section 127 allows the Navy to advance CR funds to the Maritime Administration of the Department of Transportation for programs, projects, activities, and expenses related to the National Defense Reserve Fleet.⁵¹

Section 128—Air Force E-7 Wedgetail Rapid Prototyping

Section 128 requires the Air Force to expend up to \$199.7 million on “continued rapid prototyping activities to maintain program schedule and transition to production for the E-7 Wedgetail program.” This amount matches the department’s FY2026 budget request for the program.⁵²

Section 129—Transfer of Certain Unobligated Balances for Air Force E-7 Wedgetail Rapid Prototyping

Section 129 requires DOD to transfer unobligated balances totaling \$200 million from an Air Force procurement account into an Air Force research and development account for the same purposes specified in Section 128.

Section 130—Defense Production Act Extension

Section 130 extends congressional authorization of the Defense Production Act (50 U.S.C. §4564) through January 30, 2026 (i.e., for the duration of the CR).⁵³

⁴⁹ For definitions of *new start* within the procurement and research, development, test, and evaluation appropriation titles, see DOD, “Reprogramming of DOD Appropriated Funds,” Paragraph 4.1.5, September 2015, https://comptroller.war.gov/Portals/45/documents/fmr/current/03/03_06.pdf.

⁵⁰ Multiyear procurement is a contracting approach in which DOD uses a single contract to procure an item over multiple years. For additional background and analysis on multiyear procurement, see CRS Report R41909, *Multiyear Procurement (MYP) and Block Buy Contracting in Defense Acquisition: Background and Issues for Congress*, by Ronald O'Rourke.

⁵¹ For more information on the National Defense Reserve Fleet and Ready Reserve Force, see the Merchant Ship Sales Act of 1946, as amended, particularly 46 U.S.C. §57100.

⁵² For more information on DOD’s FY2026 budget request for the E-7 Wedgetail program, see Department of the Air Force, *Fiscal Year (FY) 2026 Budget Estimates: Research, Development, Test and Evaluation, Air Force*, June 2025, vol. 2, pp. 119-126.

⁵³ For more information on Defense Production Act reauthorization, see CRS Insight IN12484, *Reauthorizing the Defense Production Act*, by Adam G. Levin, Cameron M. Keys, and Alexandra G. Neenan.

Section 131—Apportionment for Various Shipbuilding and Conversion, Navy Programs

Section 131 authorizes the Navy to allocate CR funds “up to the rate of operations necessary to fund completion of prior year shipbuilding programs,” specifying particular programs and dollar amounts for that purpose.

Section 132—Payments to the Government of Palau

Section 132 authorizes DOD to provide certain CR funds to the government of Palau “for land acquisition costs for defense sites in Palau.”

Energy and Water Development and Related Agencies

Section 101—FY2026 Appropriations Exceptions Regarding USACE Funding⁵⁴

Section 101 generally provides appropriations for covered appropriations acts at a rate for operations as provided in the Full-Year Continuing Appropriations Act, 2025. However, Section 101 of the FY2026 CR does not continue Sections 110 and 112 of the Energy and Water Development and Related Agencies Appropriations Act, 2024 (Division D of P.L. 118-42, as continued by Division A of P.L. 119-4). The following are summaries for Section 110 and 112 of the FY2024 appropriations act:

- Section 110 of the Energy and Water Development and Related Agencies Appropriations Act, 2024, directed the U.S. Army Corps of Engineers (USACE) to reallocate unobligated Construction account funding provided by title IV of the Disaster Relief Supplemental Appropriations Act, 2022 (Division B of P.L. 117-43), to the same projects for which spend plan allocations were announced prior to March 9, 2024.⁵⁵
- Section 112 of the Energy and Water Development and Related Agencies Appropriations Act, 2024, directed USACE to transfer certain unobligated funds from USACE’s Construction, Mississippi River and Tributaries, and Operation and Maintenance accounts to USACE studies that had previously received Investigations funds from Title IV of Division B of the Bipartisan Budget Act of 2018 (P.L. 115-123) or Title III of Division J of the Infrastructure Investment and Jobs Act (P.L. 117-58) and had finalized feasibility cost sharing agreements as of March 9, 2024.

Section 133—Calfed Bay-Delta Program Management⁵⁶

Section 133 increases the authorization of appropriations for certain Bureau of Reclamation activities under Section 103(f)(4)(A) of the Calfed Bay-Delta Authorization Act (P.L. 108-361, 118 Stat. 1681) from \$30.0 million to \$32.6 million. This authority allows the Bureau of Reclamation to expend funds on program management, oversight, and coordination of activities related to ecological restoration and water management of the California’s Bay-Delta System.

⁵⁴ This section was authored by Anna Normand, Specialist in Natural Resources Policy.

⁵⁵ The provision also applies the terms and conditions to the reallocated funding as provided by Section 111 of the Energy and Water Development and Related Agencies Appropriations Act, 2024 (Division D of P.L. 118-42).

⁵⁶ This section was authored by Charles Stern, Specialist in Natural Resources Policy.

Activities under the broader Calfed program include levee protection, water quality, ecosystem restoration, water use efficiency, and water-supply-related studies and projects.⁵⁷

Section 134—National Nuclear Security Administration (NNSA)⁵⁸

Section 134 provides that amounts made available by Section 101 in NNSA's Weapons Activities account may be apportioned up to the rate for operations necessary to maintain current operations for the safe, secure transport of nuclear weapons and for notification to Congress on the executive branch's use of this authority.⁵⁹

Financial Services and General Government

Section 101—District of Columbia Federal Payment for Emergency Planning and Security Costs⁶⁰

Section 101 discontinues a proviso in Section 1602(4) of Division A of P.L. 119-4 that provided that \$50 million of the additional \$90 million provided under this heading for the District of Columbia be used to address costs associated with the 2025 presidential inauguration.

Section 135—Office of Personnel Management—Salaries and Expenses⁶¹

Section 135 changes the balance within the OPM salaries and expenses account between funding from general appropriations and funding transferred from retirement and insurance funds. Specifically, for the duration of the CR, the general salaries and expenses are to be based on an annual amount of \$197.4 million compared to the \$219.1 million provided in Division B of P.L. 118-47, and the amount transferred for administrative expenses are to be based on an annual amount of \$214.6 million compared to the \$193.0 million provided in Division B of P.L. 118-47. The overall amount provided to OPM is unchanged.

Section 135—District of Columbia General Fund and Capital Budget⁶²

Section 136 grants congressional approval to the District of Columbia's general fund and capital budgets for FY2026. 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 2026 Local Budget Act of 2025" (D.C. Law 26-51).

⁵⁷ For more information, see CRS Report R45342, *Central Valley Project: Issues and Legislation*, by Charles V. Stern, Pervaze A. Sheikh, and Erin H. Ward.

⁵⁸ This section was authored by Anya Fink, Analyst in U.S. Defense Policy.

⁵⁹ In the FY2026 anomalies request from September 2025, the Administration requested additional funding for NNSA's Security Transportation Asset Program Direction. The request stated, "Without the anomaly, NNSA would have to curtail certain activities, threatening schedules for nuclear modernization and potentially disrupting deliveries to the Department of Defense."

⁶⁰ This section was authored by Joseph V. Jaroscak, Analyst in Economic Development Policy.

⁶¹ This section was authored by Barbara L. Schwemle, Analyst in American National Government.

⁶² This section was authored by Joseph V. Jaroscak, Analyst in Economic Development Policy.

Section 137—Department of the Treasury Reception and Representation Limitations⁶³

Section 137 increases a limitation on Treasury spending for “official reception and representation expenses” from \$0.35 million to \$1.35 million.

Section 138—Small Business Administration (SBA) Loan Programs⁶⁴

Section 138 authorizes the SBA to apportion funding provided by the CR at the rate necessary to meet demand for commitments for several of its lending programs, including general business loans authorized under paragraphs (1) through (35) of Section 7(a) of the Small Business Act,⁶⁵ guarantees of trust certificates authorized by Section 5(g) of the Small Business Act,⁶⁶ commitments to guarantee loans under Section 503 of the Small Business Investment Act of 1958,⁶⁷ and commitments to guarantee loans for debentures under Section 303(b) of the Small Business Investment Act of 1958.⁶⁸

Section 139—Department of the Treasury Office of Terrorism and Financial Intelligence⁶⁹

Section 139 allows the Office of Terrorism and Financial Intelligence to operate at a rate of operations of \$237.7 million. Without this anomaly, the account would have operated at a rate of operations of \$226.9 million, the amount provided in FY2024.

Section 140—Pay Freeze for Certain Political Appointees⁷⁰

Section 140 continues, through January 30, 2026, the freeze on the payable pay rates for the Vice President and certain senior political appointees paid under the Executive Schedule and the Senior Executive Service at Section 747 of Title VII of Division B of P.L. 118-47, as in effect on September 30, 2024. The freeze does not affect the official rates for the Vice President and the Executive Schedule, which are adjusted under normally applicable law.

Section 141—Commodity Futures Trading Commission’s (CFTC’s) Whistleblower Authority⁷¹

Section 141 extends the authority for the CFTC’s whistleblower program through January 30, 2026. The program was created by the Dodd-Frank Act to offer monetary incentives to individuals reporting potential violations of the Commodity Exchange Act while providing anti-

⁶³ This section was authored by Baird Webel, Specialist in Financial Economics.

⁶⁴ This section was authored by Anthony Cilluffo, Analyst in Public Finance.

⁶⁵ 15 U.S.C. §636(a). For more information, see CRS Report R41146, *Small Business Administration 7(a) Loan Guaranty Program*.

⁶⁶ 15 U.S.C. §634(g). These trust certificates are related to the secondary market for loans guaranteed by the SBA.

⁶⁷ 15 U.S.C. §697. For more information, see CRS Report R41184, *Small Business Administration 504/CDC Loan Guaranty Program*.

⁶⁸ 15 U.S.C. §683(b). For more information, see CRS Report R41456, *SBA Small Business Investment Company Program*.

⁶⁹ This section was authored by Baird Webel, Specialist in Financial Economics.

⁷⁰ This section was authored by Barbara L. Schwemle, Analyst in American National Government.

⁷¹ This section was authored by Rena Miller, Specialist in Financial Economics.

retaliation protections for these whistleblowers. The CFTC reports that its whistleblower program has awarded approximately \$390 million to whistleblowers since issuing its first award in 2014.⁷²

Section 142—CFTC Salaries and Expenses⁷³

Section 142 provides continuing funding in FY2026 for the CFTC under Financial Services and General Government appropriations. For FY2025, the funding was contained in the Agriculture appropriations act. (In the Senate, CFTC appropriations are under the Financial Services and General Government subcommittee, while in the House they are under the Agriculture subcommittee, and the location of funding alternates every year).

Section 143—Supreme Court Security⁷⁴

Section 143 appropriates an additional \$28 million for the protection of Supreme Court Justices. This funding is available until expended.

Section 144—The Judiciary—Courts of Appeals, District Courts, and Other Judicial Services Defender Services⁷⁵

Section 144 allows this account to operate at a rate of operations of \$1.56 billion. Without this anomaly, the account would have operated at a rate of operations of \$1.45 billion, the amount provided in FY2024.

Department of Homeland Security⁷⁶

Section 101—Exclusion of Section 1708 of the Full-Year Continuing Appropriations Act, 2025

Section 101 specifically excludes Section 1708 of the Full-Year Continuing Appropriations Act, 2025, from being carried forward by the CR. Section 1708 had offset the cost of \$115 million of the Federal Emergency Management Agency's FY2025 Federal Assistance appropriation by deriving it from unobligated balances of dam safety grants provided under P.L. 117-58, the Infrastructure Investment and Jobs Act. All other Department of Homeland Security (DHS) anomalies included in Division A of P.L. 119-4 continue under this CR.⁷⁷

⁷² CFTC, "CFTC Whistleblower Program," <https://www.whistleblower.gov/>.

⁷³ This section was authored by Baird Webel, Specialist in Financial Economics.

⁷⁴ This section was authored by Barry McMillion, Analyst on the Federal Judiciary.

⁷⁵ This section was authored by Barry McMillion, Analyst on the Federal Judiciary.

⁷⁶ The summaries in this section were authored by William L. Painter, Specialist in Homeland Security Policy and Appropriations.

⁷⁷ These include Section 1701—Funding Changes: ICE, TSA, USCG, and FEMA, including the Disaster Relief Fund; Section 1702—Polar Icebreaker Acquisition Fix; Section 1703—USCG Senior Enlisted Ratio; Section 1704—Secret Service Premium Pay; Section 1705—USCG Towing Fee Collection; Section 1706—Unobligated Funds Rescission; Section 1707—Nonrecurring Expenses Fund Rescission; and Section 1709—National Flood Insurance Program (NFIP) Reauthorization. For information on these sections, see CRS Report R48214, *Overview of Continuing Appropriations for FY2025 (Division A of P.L. 118-83)*, by Drew C. Aherne.

Section 145—Extension of Counter Unmanned Aerial Systems Program

Section 145 extends a joint authority for DHS and the Department of Justice to take action to mitigate threats posed by unmanned aerial systems through the duration of the CR.⁷⁸ The authority, which had originally set to expire on October 5, 2022, has been serially extended through CRs and appropriations measures. This provision was included in the Trump Administration’s request for inclusion in a CR if no further extension had been made.

Section 146—Extension of Transportation Security Administration (TSA) Reimbursable Screening Services

Section 146 extends the authorization for TSA’s reimbursable screening services pilot program for the duration of the CR. Under the pilot program, TSA can be reimbursed for providing passenger screening services outside an airport’s existing primary screening area. The Administration requested this provision in its list of appropriations anomalies for inclusion in a CR.

Section 147—Disaster Relief Fund (DRF) CR Funding Availability

Section 147 provides that amounts made available by the CR for the DRF may be apportioned at a rate for operations necessary to carry out response and recovery activities under the Stafford Act. This anomaly ensures that up to \$22.5 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 147 is not a supplemental appropriation—all obligations made with this budget authority will count against whatever annual appropriation may be provided for the DRF for FY2026. This anomaly was included in the request from the Administration, and similar anomalies have been enacted via CRs each year since FY2018.

Section 148—Cybersecurity Authorization Extension

Section 148 extends the authorization for the National Cybersecurity Protection System (NCPS) for the duration of the CR. Initially provided under the Federal Cybersecurity Enhancement Act of 2015, the authority allows DHS to help defend federal agencies from cyberthreats. The act included a specific termination seven years after enactment. Since 2022, the system has been extended through CRs and regular appropriations measures. This provision was included in the Administration’s request for inclusion in a CR if no further extension had been made.

Section 149—Cybersecurity Information Sharing

Section 149 extends the authorization for the Cybersecurity Information Sharing Act of 2015 through the duration of the CR. The act authorizes sharing of appropriate cybersecurity information between federal and nonfederal entities, defensive cybersecurity activities, liability protections, and oversight. The original authority was to expire on September 30, 2025. This provision was included in the Administration’s request for inclusion in a CR if no further extension had been made.

⁷⁸ 6 U.S.C. §124n.

Section 150—State and Local Cybersecurity Grants

Section 150 extends the authorization for cybersecurity grants under the State and Local Cybersecurity Improvement Act for the duration of the CR.⁷⁹ These grants help fund state, local, and tribal government efforts to develop, implement, and revise cybersecurity plans and address immediate cybersecurity threats. The original authority was to expire on September 30, 2025. This provision was included in the Administration’s request for inclusion in a CR if no further extension had been made.

Department of the Interior, Environment, and Related Agencies

Section 101—Historic Preservation Fund⁸⁰

Section 101 excludes from coverage under the CR a provision of the FY2025 full-year CR (P.L. 119-4, Division A, Section 1808). That provision provided for the availability, through September 30, 2026, of funds appropriated in FY2018 (in P.L. 115-123) to the Historic Preservation Fund account of the National Park Service.⁸¹

Section 151—Wildland Firefighter Pay⁸²

Section 151 applies a waiver of certain statutory limitations on premium pay for specified federal employees engaged in emergency wildland fire suppression activities for the duration of the CR. Federal law generally caps the amount of premium pay federal employees may earn.⁸³ Beginning in 2021, various laws waived this particular cap for federal employees engaged in emergency wildfire suppression activities, subject to certain conditions.⁸⁴

Section 152—Wildfire Management⁸⁵

Section 152 allows amounts made available by the CR to the U.S. Forest Service and to the Department of the Interior for wildland fire management to be apportioned up to the rate for operations necessary for wildfire suppression activities. Suppression is the work associated with

⁷⁹ P.L. 11-58, Division G, Title VI, Subtitle B.

⁸⁰ This section was authored by Mark K. DeSantis, Specialist in Natural Resources Policy.

⁸¹ Specifically, the provision in the FY2025 full-year CR (Section 1808) allows any state historic preservation offices that were allocated emergency supplemental funding as part of P.L. 115-123 to make payments, through September 30, 2026, on funds obligated during the two-year period of availability ending on September 30, 2019. For more background information and legislative context on this provision, see pages 13-14 of CRS Report R48214, *Overview of Continuing Appropriations for FY2025 (Division A of P.L. 118-83)*, by Drew C. Aherne. For additional information on historic preservation, see CRS Report R45800, *The Federal Role in Historic Preservation: An Overview*, by Mark K. DeSantis; and CRS Report R47543, *Historic Properties and Federal Responsibilities: An Introduction to Section 106 Reviews*, by Mark K. DeSantis.

⁸² This section was authored by Anne A. Riddle, Specialist in Natural Resources Policy.

⁸³ 5 U.S.C. §5547(a).

⁸⁴ 5 U.S.C. §5547 Note, “Premium Pay Waiver for Certain Employees Engaged in Emergency Wildland Fire Suppression Activities.” For 2021-2024, this authority was provided by P.L. 117-43, Section 1701, as amended by P.L. 117-103, Section 601; P.L. 117-328, Section 440; and P.L. 118-42, Section 438. CRS was unable to determine how the premium pay waiver may be applied to applicable wildland firefighter pay in 2025 prior to October 1, 2025.

⁸⁵ This section was authored by Anne A. Riddle, Specialist in Natural Resources Policy.

extinguishing or confining a fire, and suppression appropriations are used primarily for wildfire response.⁸⁶

Section 153—Indian Health Service⁸⁷

Section 153 provides funding, in addition to amounts appropriated in Section 101, at a total rate of operations of \$80.3 million for two Indian Health Service accounts. It permits these funds to be apportioned up to the rate of operations necessary to staff and operate facilities that were opened, renovated, or expanded in FY2025 or FY2026.

Section 154—Water Grants, Environmental Protection Agency⁸⁸

Section 154 designates up to \$54 million of the funding for certain Safe Drinking Water Act water system grants provided in P.L. 117-328, Division N (Disaster Relief Supplemental Appropriations Act, 2023) to be made available for states declared to be federal disaster areas in August 2022. This grant program, administered by the U.S. Environmental Protection Agency (EPA), provides resources to states or publicly owned water treatment systems to assist in responding to and alleviating any emergency situation affecting public water systems which the EPA administrator determines to present substantial danger to the public health.⁸⁹ Section 154 designates the money as an emergency requirement.

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

Section 155—Head Start in the Federated States of Micronesia and the Republic of the Marshall Islands⁹⁰

Section 155 establishes a Head Start base grant level of \$8 million apiece for the Federated States of Micronesia and the Republic of the Marshall Islands. In March 2024, the Compact of Free Association Amendments Act of 2024 (P.L. 118-42, Division G, Title II) amended the Head Start Act to authorize the reestablishment of Head Start programs in these jurisdictions. However, under the amendments, funding was to be provided only “if a base grant has been established through appropriations.” Head Start base grants are the amount of “permanent ongoing funding” provided to a Head Start agency for a fiscal year (i.e., base grants exclude one-time funds not expected to continue in the future).⁹¹ Section 155 establishes base grants for these jurisdictions, effectively allowing the U.S. Department of Health and Human Services to allot a portion of Head Start funding to agencies in the Federated States of Micronesia and the Republic of the Marshall Islands. The provision does not increase Head Start appropriations overall to cover the amount of these base grants, so allotting funds to these jurisdictions could potentially reduce funds available for certain other Head Start activities.

⁸⁶ For additional information on appropriations for wildland fire management, see CRS In Focus IF13102, *Funding for Wildfire Management: FY2025 Appropriations for Forest Service and Department of the Interior*, by Anne A. Riddle.

⁸⁷ This section was authored by Elayne J. Heisler, Specialist in Health Services.

⁸⁸ This section was authored by Angela C. Jones, Specialist in Environmental Policy.

⁸⁹ For additional information on Safe Drinking Water Act grants, see CRS Report RL31243, *Safe Drinking Water Act (SDWA): A Summary of the Act and Its Major Requirements*, by Elena H. Humphreys.

⁹⁰ This section was authored by Karen E. Lynch, Specialist in Social Policy.

⁹¹ 42 U.S.C. §9835(a)(7)(A).

Legislative Branch⁹²

Section 156—Gratuity Payments

Section 156 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.⁹³ The payment is generally included in the next legislative branch, supplemental, or continuing appropriations act following the death.

Section 157—United States Capitol Police Mutual Aid Reimbursements

Section 157 provides an additional \$30 million, to remain available until expended, for “Capitol Police—United States Capitol Police Mutual Aid Reimbursements.”

This amount is in addition to up to \$10 million that may be transferred to “Capitol Police—United States Capitol Police Mutual Aid Reimbursements” on September 30, 2026 (and, once transferred, remain available until September 30, 2030), from other funding provided to the Capitol Police in this act (P.L. 119-37, Division C, Title I, §119). The explanatory statement for the FY2026 legislative branch appropriations act provides information on the program and transfer authority, stating⁹⁴:

Mutual Aid Transfer Authority.—The Committees reaffirm support for the Department’s mutual aid program, which funds large-scale event preparation and reimburses State and local law enforcement for Member protection off Capitol grounds. Additional transfer authority is provided to replenish the mutual aid account, emphasizing its importance amid heightened threats. Unused year-end funds should be reallocated to support the Department’s mission, including the mutual aid fund.

Department of State, Foreign Operations, and Related Programs/National Security, Department of State, and Related Programs⁹⁵

Section 101—Enduring Welcome

Section 101 provides that Section 7069(b) of the FY2024 State, Foreign Operations, and Related Programs appropriation act (as continued by the FY2025 full-year CR) shall not apply under the CR. This provision established the “Enduring Welcome Administrative Expenses Account” and authorized the transfer of funds into the account for the relocation and support of individuals at risk as a result of the situation in Afghanistan.

⁹² The summaries in this section were authored by Ida A. Brudnick, Specialist on the Congress.

⁹³ For the Senate, see Floyd M. Riddick, *Riddick’s Senate Procedure: Precedents and Practice*, S.Doc. 101-28, 101st Cong., 2nd sess. (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* (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, 94th Cong., 2nd 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.

⁹⁴ Available at https://www.appropriations.senate.gov/imo/media/doc/lba_divcjes.pdf.

⁹⁵ The summaries in this section were authored by Cory Gill, Analyst in Foreign Affairs, and Marian Lawson, Section Research Manager.

Section 158—Development Finance Corporation Authority Extension

Section 158 extends the authorities of the Better Utilization of Investments Leading to Development Act of 2018, which established the U.S. International Development Finance Corporation (and would otherwise have lapsed on October 5, 2025) through, at the latest, January 30, 2026.⁹⁶

Section 159—Millennium Challenge Corporation Board

Section 159 extends the term of a member of the board of the Millennium Challenge Corporation, whose term began on September 16, 2019, to serve in such appointment until December 31, 2026, and provides for the immediate termination of such member's term if a new member of the board is appointed under specified authorities before December 31, 2026.⁹⁷

Section 160—European Bank for Reconstruction and Development

Section 160 amends the European Bank for Reconstruction and Development Act to authorize the U.S. governor of the bank to subscribe on behalf of the United States up to 40,000 additional shares of the paid-in capital stock of the bank and authorizes the appropriation, without fiscal year limitation, of \$437.5 million for this purpose.

Transportation, Housing and Urban Development, and Related Agencies

Section 161—Tenant-Based Rental Assistance⁹⁸

Section 161 allows the Department of Housing and Urban Development to use unobligated balances from specific set-asides within the tenant-based rental assistance account to meet renewal needs in 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 40,000 families.⁹⁹

Section 162—Essential Air Services¹⁰⁰

Section 162 provides that amounts made available by the CR for the Department of Transportation'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.

⁹⁶ For more information, see CRS In Focus IF11436, *U.S. International Development Finance Corporation (DFC)*, by Shayerah I. Akhtar and Nick M. Brown.

⁹⁷ For more information, see CRS In Focus IF12850, *Millennium Challenge Corporation*, by Nick M. Brown.

⁹⁸ This section was authored by Maggie McCarty, Specialist in Housing Policy.

⁹⁹ See O'Brien and Tully-McManus, "White House Drops 'Anomalies' Request."

¹⁰⁰ This section was authored by Jennifer Marshall, Analyst in Transportation Policy.

Section 163—Motor Carrier Safety¹⁰¹

Section 163 extends the termination date for the motor carrier safety advisory committee, as initially established by the Motor Carrier Safety Reauthorization Act of 2005¹⁰² through the duration of the CR. The authorization was last extended—through September 30, 2025—in December 2022 by P.L. 117-286.

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¹⁰¹ This section was authored by Jennifer Marshall, Analyst in Transportation Policy.

¹⁰² Title IV, Section 4144 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, P.L. 109-59.