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DESIGNATION OF FUNDING AS AN EMERGENCY REQUIREMENT

COMMUNICATION

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

NOTIFICATION OF DESIGNATION OF FUNDING AS AN EMERGENCY REQUIREMENT, PURSUANT TO PUBLIC LAW 116–9, SEC. 6(a); (133 STAT. 2318)

MARCH 31, 2020.—Referred to the Committee on Appropriations and ordered to be printed

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THE WHITE HOUSE,
Washington, March 27, 2020.

Hon. NANCY PELOSI,
Speaker of the House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: In accordance with section 23006 of the Emergency Appropriations for Coronavirus Health Response and Agency Operations (division B of H.R. 748, the CARES Act; the "Act"), I hereby designate as emergency requirements all funding so designated by the Congress in the Act pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as outlined in the enclosed list of accounts.

The details of this action are set forth in the enclosed memorandum from the Acting Director of the Office of Management and Budget.

Sincerely,

DONALD J. TRUMP.

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

March 27, 2020

MEMORANDUM FOR THE PRESIDENT

FROM: Russell T. Vought
Acting Director

SUBJECT: Designation of Funding as an Emergency Requirement

The Congress designated as an emergency requirement all funding in the Emergency Appropriations for Coronavirus Health Response and Agency Operations (division B of H.R. 748, the CARES Act; the "Act"). Section 23006 of the Act provides that the availability of funding that is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (BBEDCA) is contingent upon the President subsequently so designating all such amounts and transmitting such designations to the Congress.

The Act provides a net total of $340 billion in fiscal year (FY) 2020 emergency funding to prevent, prepare for, and respond to coronavirus.

I recommend that you designate as emergency requirements all funding so designated by the Congress in the Act pursuant to section 251(b)(2)(A) of BBEDCA, as outlined in the enclosed list of accounts. Upon transmittal of these designations to the Congress, these funds will be immediately available for obligation and expenditure. No further congressional action will be required.

The designation of these funds as emergency requirements allows for adjustments to the discretionary spending limits in FY 2020, as specified in section 251(b)(2)(A) of BBEDCA. These adjustments will be reflected when the Office of Management and Budget submits its sequestration update report for FY 2021 in accordance with section 254(e) of BBEDCA.

I have reviewed this proposed action and am satisfied it is necessary at this time. Therefore, I recommend that you make the requested funds available by signing the enclosed letters to the Speaker of the House of Representatives and the President of the Senate.

Enclosures

Accounts in the Emergency Appropriations for Coronavirus Health Response and Agency Operations (the "Act"), with Funding Designated by the President

Department of Agriculture (title I of this Act)
Agricultural Programs:
- Office of the Secretary
- Office of Inspector General

Animal and Plant Health Inspection Service:
- Salaries and Expenses

Agricultural Marketing Service:
- Marketing Services

Food Safety and Inspection Service:
- Food Safety and Inspection Service

Farm Production and Conservation Programs, Farm Service Agency:
- Salaries and Expenses

Rural Development Programs, Rural Business—Cooperative Service:
- Rural Business Program Account

Rural Utilities Service:
- Distance Learning, Telemedicine, and Broadband Program

Domestic Food Programs, Food and Nutrition Service:
- Child Nutrition Programs
- Supplemental Nutrition Assistance Program
- Commodity Assistance Program

Foreign Assistance and Related Programs, Foreign Agricultural Service:
- Salaries and Expenses

Department of Health and Human Services (title I of this Act)
Food and Drug Administration:
- Salaries and Expenses

General Provisions (title I of this Act)
Section 11002:
- Amount provided by this section regarding authority to use amounts provided in Public Law 116-94 under the heading "Commodity Credit Corporation Fund—Reimbursement for Net Realized Losses" to reimburse the Commodity Credit Corporation as prescribed in this Act.

Section 11003:

- Amount provided by this section extending the term of a marketing assistance loan authorized by section 1201 of the Agricultural Act of 2014 (7 U.S.C. 9033) for any loan commodity to 12 months.

Section 11004:

- Amount provided by this section for grants under the pilot program established under section 779 of Public Law 115-141, to prevent, prepare for, and respond to coronavirus.

Department of Commerce (title II of this Act)

Economic Development Administration:

- Economic Development Assistance Programs (including transfers)

National Institute of Standards and Technology:

- Scientific and Technical Research and Services
- Industrial Technology Services

National Oceanic and Atmospheric Administration:

- Operations, Research, and Facilities

Department of Justice (title II of this Act)

General Administration:

- Justice Information Sharing Technology

Office of Inspector General:

- Office of Inspector General

Legal Activities:

- Salaries and Expenses, United States Attorneys

United States Marshals Service:

- Salaries and Expenses

Federal Bureau of Investigation:

- Salaries and Expenses

Drug Enforcement Administration:

- Salaries and Expenses

Federal Prison System:

- Salaries and Expenses

State and Local Law Enforcement Activities, Office of Justice Programs:

- State and Local Law Enforcement Assistance

National Aeronautics and Space Administration (title II of this Act)

- Safety, Security, and Mission Services

National Science Foundation (title II of this Act)

- Research and Related Activities
- Agency Operations and Award Management

Related Agencies (title II of this Act)

Legal Services Corporation:

- Payment to the Legal Services Corporation

General Provisions (title II of this Act)

Section 12003:

- Amount provided by this section regarding the Bureau of Prisons for the supply of personal protective equipment and test kits, home confinement, and video visitation

Section 12004:

- Amount provided by this section regarding temporary authority of Director of the United States Patent and Trademark Office during the COVID-19 emergency

Section 12005:

- Amount provided by this section regarding authorization and appropriation to provide assistance to fishery participants affected by COVID-19.

Department of Defense (title III of this Act)

Military Personnel:

- National Guard Personnel, Army
- National Guard Personnel, Air Force

Operation and Maintenance:

- Operation and Maintenance, Army
- Operation and Maintenance, Navy
- Operation and Maintenance, Marine Corps
- Operation and Maintenance, Air Force
- Operation and Maintenance, Army Reserve
- Operation and Maintenance, Army National Guard
- Operation and Maintenance, Air National Guard
- Operation and Maintenance, Defense-Wide

Procurement:

- Defense Production Act Purchases

Revolving and Management Funds:

- Defense Working Capital Funds

Other Department of Defense Programs:

- Defense Health Program

Office of the Inspector General:

- Office of the Inspector General

General Provisions (title III of this Act)
Section 13002:

- Amount provided by this section for an additional appropriation for the Defense Health Program that may be made available for contracts entered into under the TRICARE program.

Corps of Engineers—Civil (title IV of this Act)
Department of the Army:

- Operation and Maintenance
- Expenses

Department of the Interior (title IV of this Act)
Bureau of Reclamation:

- Water and Related Resources (including transfers)
- Policy and Administration

Department of Energy (title IV of this Act)
Energy Programs:

- Science

Departmental Administration:

- Departmental Administration (including transfers)

Nuclear Regulatory Commission (title IV of this Act)

- Salaries and Expenses

General Provisions (title IV of this Act)
Section 14002:

- Amount provided by this section regarding authority and authorization to draw down and sell crude oil from the Strategic Petroleum Reserve (SPR) and to deposit proceeds from sale and drawdown into the Energy Security and Infrastructure Modernization Fund.

Department of the Treasury (title V of this Act)
Internal Revenue Service:
Section 15001:

- Amount provided in this section for Administrative Provision—Internal Revenue Service (including transfers)

The Judiciary (title V of this Act)
Supreme Court of the United States:

- Salaries and Expenses

Court of Appeals, District Courts, and Other Judicial Services:

- Salaries and Expenses
- Defender Services

General Provisions (title V of this Act)

Section 15002:

- Amount provided in this section regarding authority for the Judiciary to use video teleconferencing for certain criminal proceedings.

District of Columbia (title V of this Act)

Federal Funds:

- Federal Payment for Emergency Planning and Security Costs in the District of Columbia

Independent Agencies (title V of this Act)

Election Assistance Commission:

- Election Security Grants

Federal Communications Commission:

- Salaries and Expenses

General Services Administration (title V of this Act)

Real Property Activities:

- Federal Buildings Fund (including transfers)

General Activities:

- Federal Citizen Services Fund (including transfers)
- Working Capital Fund

National Archives and Records Administration (title V of this Act)

- Operating Expenses

Office of Personnel Management (title V of this Act)

- Salaries and Expenses

Pandemic Response Accountability Committee (title V of this Act)

- Pandemic Response Accountability Committee

Small Business Administration (title V of this Act)

- Disaster Loans Program Account (including transfers)

Department of Homeland Security (title VI of this Act)

Management Directorate:

- Operations and Support

Transportation Security Administration:

- Operations and Support

United States Coast Guard:
- Operations and Support

Cybersecurity and Infrastructure Security Agency:
- Operations and Support

Federal Emergency Management Agency:
- Operations and Support
- Disaster Relief Fund
- Federal Assistance

General Provisions (title VI of this Act)
Section 16007:
- Amount provided in this section regarding amendment of Public Law 113-254; 6 U.S.C. 621 note.

Department of the Interior (title VII of this Act)
Indian Affairs, Bureau of Indian Affairs:
- Operation of Indian Programs (including transfers)

Indian Affairs, Bureau of Indian Education:
- Operation of Indian Education Programs

Departmental Offices, Office of the Secretary:
- Departmental Operations (including transfers)

Insular Affairs:
- Assistance to Territories

Environmental Protection Agency (title VII of this Act)
- Science and Technology
- Environmental Programs and Management
- Building and Facilities
- Hazardous Substance Superfund

Department of Agriculture (title VII of this Act)
Forest Service:
- Forest and Rangeland Research
- National Forest System
- Capital Improvement and Maintenance
- Wildland Fire Management

Department of Health and Human Services (title VII of this Act)
Indian Health Service:

- Indian Health Services (including transfers)

Agency for Toxic Substances and Disease Registry:
- Toxic Substances and Environmental Public Health

Institute of American Indian and Alaska Native Culture and Arts Development (title VII of this Act)
- Payment to the Institute

Smithsonian Institution (title VII of this Act)
- Salaries and Expenses

John F. Kennedy Center for the Performing Arts (title VII of this Act)
- Operations and Maintenance

National Foundation on the Arts and Humanities (title VII of this Act)
National Endowment for the Arts:
- Grants and Administration

National Endowment for the Humanities:
- Grants and Administration

Department of Labor (title VIII of this Act)
Employment and Training Administration:
- Training and Employment Services

Departmental Management:
- Salaries and Expense (including transfers)

Department of Health and Human Services (title VIII of this Act)
Centers for Disease Control and Prevention:
- CDC-Wide Activities and Program Support (including transfers)

National Institutes of Health:
- National Heart, Lung, and Blood Institute
- National Institute of Allergy and Infectious Diseases
- National Institute of Biomedical Imaging and Bioengineering
- National Library of Medicine
- National Center for Advancing Translational Sciences
- Office of the Director

Substance Abuse and Mental Health Services Administration:
- Health Surveillance and Program Support

Centers for Medicare & Medicaid Services:

- Program Management

Administration for Children and Families:
- Low Income Home Energy Assistance
- Payments to States for the Child Care and Development Block Grant
- Children and Families Services Programs

Administration for Community Living:
- Aging and Disability Services Programs

Office of the Secretary:
- Public Health and Social Services Emergency Fund (including transfers)

Department of Education (title VIII of this Act)
Education Stabilization Fund:
- Education Stabilization Fund

Safe Schools and Citizenship Education:
- Safe Schools and Citizenship Education

Gallaudet University:
- Gallaudet University

Student Aid Administration:
- Student Aid Administration

Howard University:
- Howard University

Departmental Management:
- Program Administration

Office of the Inspector General:
- Office of the Inspector General

Corporation for Public Broadcasting (title VIII of this Act)
- Corporation for Public Broadcasting

Institute of Museum and Library Services (title VIII of this Act)
- Office of Museum and Library Services: Grants and Administration

Railroad Retirement Board (title VIII of this Act)
- Limitation on Administration

Social Security Administration (title VIII of this Act)

- Limitation on Administrative Expenses

General Provisions (title VIII of this Act)
Section 18114:
- Amount repurposed under this provision that was previously provided in Public Law 116-123 that shall be paid to the Department of Homeland Security—Countering Weapons of Mass Destruction Office—Federal Assistance account for costs incurred related to screening for coronavirus, domestically or internationally.

Legislative Branch (title IX of this Act)
Senate, Contingent Expenses of the Senate:
- Sergeant at Arms and Doorkeeper of the Senate
- Miscellaneous Items

House of Representatives:
- Salaries and Expenses

Joint Items:
- Office of the Attending Physician
- Capitol Police, Salaries

Architect of the Capitol:
- Capital Construction and Operations

Library of Congress:
- Salaries and Expenses

Government Accountability Office:
- Salaries and Expenses

General Provision (title IX of this Act)
Section 19011:
- Amount provided in this section regarding National Emergency Relief Authority for the Register of Copyrights

Department of Veterans Affairs (title X of this Act)
Veterans Benefits Administration:
- General Operating Expenses, Veterans Benefits Administration

Veterans Health Administration:
- Medical Services
- Medical Community Care
- Medical Support and Compliance
- Medical Facilities

Departmental Administration:

- General Administration
- Information Technology Systems
- Office of Inspector General
- Grants for Construction of State Extended Care Facilities

Related Agencies (title X of this Act)

Armed Forces Retirement Home Trust Fund:

- Armed Forces Retirement Home Trust Fund

General Provisions (title X of this Act)

Section 20014:

- Designating amounts provided by sections 20003 through 20013:
  - Section 2003 pertains to defining the term "public health emergency"
  - Section 2004 pertains to short-term agreements or contracts with telecommunications providers to expand telemental health services for isolated veterans during a public health emergency
  - Section 2005 pertains to treatment of State homes during public health emergency
  - Section 2006 pertains to modifications to Veteran Directed Care program of Department of Veterans Affairs
  - Section 2007 pertains to provision by Department of Veterans Affairs of prosthetic appliances through non-departmental providers during public health emergency
  - Section 2008 pertains to waiver of pay caps for employees of Department of Veterans Affairs during public health emergencies
  - Section 2009 pertains to provision by Department of Veterans Affairs of personal protective equipment for home health workers
  - Section 20010 pertains to clarification of treatment of payments for purposes of eligibility for veterans pension and other veterans benefits
  - Section 20011 pertains to availability of telehealth for case managers and homeless veterans
  - Section 20012 pertains to funding limits for financial assistance for supportive services for very low-income veteran families in permanent housing during a public health emergency
  - Section 20013 pertains to modifications to comprehensive service programs for homeless veterans during a public health emergency

Department of State (title XI of this Act)

Administration of Foreign Affairs:

- Diplomatic Programs

United States Agency for International Development (title XI of this Act)

Funds Appropriated to the President:

- Operating Expenses

Bilateral Economic Assistance (title XI of this Act)

Funds Appropriated to the President:
- International Disaster Assistance

Department of State:
- Migration and Refugee Assistance

Independent Agencies:
- Peace Corps

General Provisions (title XI of this Act)
Section 21009:
- Amount provided by this section regarding authorization, during fiscal year 2020, for the use of passport and immigrant visa surcharges collected in any fiscal year pursuant to the fourth paragraph under the heading "Diplomatic and Consular Programs" in Public Law 108-447 for the costs of providing consular services.

Section 21012:
- Amount provided by paragraph (5) in this section by amendment of the Bretton Woods Agreements Act (for International Monetary Fund Authorization for the New Arrangements to Borrow).

Department of Transportation (title XII of this Act)
Office of the Secretary:
- Salaries and Expenses
- Essential Air Service

Federal Aviation Administration:
- Grants-In-Aid for Airports

Federal Railroad Administration:
- Safety and Operations
- Northeast Corridor Grants to the National Passenger Corporation (including transfers)
- National Network Grants to the National Railroad Passenger Corporation (including transfers)

Federal Transit Administration:
- Transit Infrastructure Grants

Maritime Administration:
- Operations and Training
- State Maritime Academy Operations

Office of Inspector General:
- Salaries and Expenses

Department of Housing and Urban Development (title XII of this Act)

Management and Administration:
- Administrative Support Offices
- Program Offices

Public and Indian Housing:
- Tenant-Based Rental Assistance
- Public Housing Operating Fund
- Native American Programs

Community Planning and Development:
- Housing Opportunities for Persons with AIDS
- Community Development Fund
- Homeless Assistance Grants

Housing Programs:
- Project-Based Rental Assistance
- Housing for the Elderly
- Housing for Persons with Disabilities

Fair Housing and Equal Opportunity:
- Fair Housing Activities

Office of Inspector General:
- Office of Inspector General

General Provisions (title XII of this Act)

Section 22001:
- Amounts repurposed under this section of amounts made available from the Airport and Airway Trust Fund for "Federal Aviation Administration – Operations" in Public Law 115-123 to prevent, prepare for, and respond to coronavirus.

Section 22005:
- Amount provided in this section regarding Highway Safety Grants emergency authority for the Secretary of Transportation.

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