

DESIGNATION OF FUNDING AS AN EMERGENCY
REQUIREMENT

COMMUNICATION

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

A DESIGNATION OF FUNDING AS AN EMERGENCY REQUIREMENT
ALL FUNDING SO DESIGNATED BY THE CONGRESS, PURSUANT
TO CONSOLIDATED APPROPRIATIONS ACT, 2021; H.R. 133



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

U.S. GOVERNMENT PUBLISHING OFFICE

THE WHITE HOUSE,
Washington, December 27, 2020.

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

DEAR MADAM SPEAKER: In accordance with section 6(a) of the Consolidated Appropriations Act, 2021 (H.R. 133; the “Act”), I hereby designate as emergency requirements all funding (including the rescission of funds) 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 Director of the Office of Management and Budget.
Sincerely,

DONALD J. TRUMP.



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, DC 20503

THE DIRECTOR

December 27, 2020

MEMORANDUM FOR THE PRESIDENT

FROM:

Russell T. Vought
Director

A handwritten signature in black ink, appearing to read "R. Vought".

SUBJECT:

Designation of Funding as an Emergency Requirement

The Congress designated as an emergency requirement certain funding in divisions A, B, D through F, H through M, O, and FF of the Consolidated Appropriations Act, 2021 (H.R. 133; the "Act"). Section 6(a) 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 fiscal year (FY) 2021 emergency funding for responding to the COVID-19 pandemic.

I recommend that you designate as emergency requirements all funding (including the rescission of funds) 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 2021, as specified in section 251(b)(2)(A) of BBEDCA. These adjustments will be reflected when the Office of Management and Budget submits its final sequestration report for FY 2021 in accordance with section 254(f) 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 Consolidated Appropriations Act, 2021 (the “Act”) with Funding Designated by the President as Emergency Requirements

General Provisions (division A, title VII of this Act)

Section 799C:

- Amounts repurposed pursuant to this section for Department Agriculture – Agricultural Programs—Processing, Research and Marketing—Office of the Secretary, provided in Public Laws 116-94 and 116-136

Section 799D:

- Amounts made available for salary and related costs associated with Agriculture Quarantine and Inspection services activities to offset the loss resulting from the coronavirus pandemic of quarantine and inspection fees

General Provisions (division B, title V of this Act)

Section 541:

- Additional amounts made available for the United States Marshals Service, Federal Prisoner Detention

Section 542:

- Additional amounts made available for the Federal Bureau of Investigation, Salaries and Expenses

Section 543:

- Additional amounts made available for Federal Prison Systems, Salaries and Expenses

Department of Energy (division D, title III of this Act)

Energy Programs:

- Science
- Title 17 Innovative Technology Loan Guarantee Program (rescission of amounts provided by Public Law 111-5)
- Advanced Technology Vehicles Manufacturing Loan Program (rescission of amounts provided by Public Law 110-329)

General Provisions (division E, title IX)

Section 901:

- Additional amounts made available for “Records Center Revolving Fund”

General Provision (division F, title V of this Act)

Section 538:

- Transfers to “Countering Weapons of Mass Destruction Office—Procurement, Construction, and Improvements” from amounts provided in Public Law 116-93

Section 541:

- Additional amounts provided to offset the loss of Immigration User Fee receipts resulting from the coronavirus pandemic and for other fees collected from certain customs services

General Provisions (division H, title I of this Act)

Section 118:

- Amounts provided by the first proviso following paragraph (6) under the heading Department of Labor—Employment and Training Administration—State Unemployment Insurance and Employment Service Operations in title I of this Act

General Provision (division H, title V of this Act)

Section 533:

- Additional amounts made available for “Department of Health and Human Services—Administration for Children and Families—Children and Families Services Programs”

General Provision (division I, title II of this Act)

Section 213 (Government Accountability Office Supplemental Oversight):

- Additional amounts made available for “Salaries and Expenses”

General Provisions (division J, title V of this Act)

Section 513:

- Amounts repurposed pursuant to this section from funds appropriated under the heading “Department of Veterans Affairs—Departmental Administration—Grants for Construction of State Extended Care Facilities” in title X of division B of the CARES Act (Public Law 116-136)

Section 514:

- Amounts transferred pursuant to this section from unobligated balances available to the Department of Veterans Affairs from title X of division B of the CARES Act (Public Law 116-136) for “Veterans Health Administration, Medical Services”

Section 515:

- Amounts transferred pursuant to this section from unobligated balances available to the Department of Veterans Affairs from title X of division B of the CARES Act (Public Law 116-136) for “Veterans Health Administration, Medical Services”

Section 516:

- Amounts repurposed pursuant to this section, which amends section 20013(b) of the CARES Act (Public Law 116-136)

Section 517:

- Amounts transferred pursuant to this section from unobligated balances available to the Department of Veterans Affairs from title X of division B of the CARES Act (Public Law 116-136) for “Veterans Health Administration, Medical Services”

General Provisions (division K, title VII of this Act)

Section 7044(e)(3):

- Amounts repurposed pursuant to this section from funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the heading “Foreign Military Financing Program”

Section 7069(e):

- Amounts provided by subsections (a), (b), and (d) of this section

Department of State (division K, title IX of this Act)

Administration of Foreign Affairs:

- Consular and Border Security Programs
- Sudan Claims

Bilateral Economic Assistance (division K, title IX of this Act)

Funds Appropriated to the President:

- Global Health Programs
- Economic Support Fund

Department of the Treasury:

- Debt Restructuring

General Provision (division L, title IV of this Act)

Section 420:

- A portion of amounts made available by this Act for fiscal year 2021 under the heading “Department of Housing and Urban Development—Public and Indian Housing—Tenant Based Rental Assistance”

Section 421:

- An additional amount to funds provided in this and other Acts for the “Payments to Air Carriers” program to be made available to the Essential Air Service and Rural Improvement Fund to prevent, prepare for, and respond to coronavirus

Department of Commerce (division M, title I of this Act)

National Oceanic and Atmospheric Administration:

- Fisheries Disaster Assistance

Department of Homeland Security (division M, title II of this Act)

Federal Emergency Management Agency:

- Disaster Relief Fund

Department of Health and Human Services (division M, title III of this Act)

Food and Drug Administration:

- Salaries and Expenses

Centers for Disease Control and Prevention:

- CDC-Wide Activities and Program Support (including transfers)

National Institutes of Health:

- Office of the Director (including transfers)

Substance Abuse and Mental Health Services Administration:

- Health Surveillance and Program Support

Administration for Children and Families:

- Payments to States for the Child Care and Development Block Grant
- Children and Families Services Program

Administration for Community Living:

- Aging and Disability Services Programs

Office of the Secretary:

- Public Health and Social Services Emergency Fund (including transfers)

General Provisions (division M, title III of this Act)

Section 306:

- Amounts repurposed pursuant to this section from amounts appropriated by the CARES Act (Public Law 116-136) to carry out the Community Services Block Grant Act

Section 307:

- Funds awarded under title XXVI of the Public Health Service Act from amounts provided for fiscal year 2020 and fiscal year 2021 under the heading “Department of Health and Human Services—Health Resources and Services Administration” (including amounts made available under such heading by transfer)

Department of Education (division M, title III of this Act)

Education Stabilization Fund:

- Education Stabilization Fund

General Provisions (division M, title III of this Act)

Section 314(d):

- (2) Amounts repurposed from funds awarded to an institution of higher education under section 18004 of division B of the CARES Act (Public Law 116-136)
- (4) Amounts repurposed from funds made available to carry out section 18004(a)(1) of the CARES Act (Public Law 116-136) or under the heading “Safe Schools and Citizenship Education” of such Act
- (5) Amounts repurposed under section 314(d)(2) and awarded to institutions of higher education for financial aid grants to students under section 18004(c) of division B of the CARES Act or section 314(c)(3) of title III of this Act

Gallaudet University:

- Gallaudet University

Student Aid Administration:

- Student Aid Administration

Howard University:

- Howard University

National Technical Institute for the Deaf:

- National Technical Institute for the Deaf

Institute of Education Sciences:

- Institute of Education Sciences

Departmental Management:

- Program Administration

Office of the Inspector General:

- Office of the Inspector General

Department of Transportation (division M, title IV of this Act)Federal Aviation Administration:

- Grants-In-Aid for Airports (including transfers):

Federal Highway Administration:

- Highway Infrastructure Programs

Federal Railroad Administration:

- Northeast Corridor Grants to the National Railroad Passenger Corporation (including transfers)
- National Network Grants to the National Railroad Passenger Corporation (including transfers)

Federal Transit Administration:

- Transit Infrastructure Grants

Pandemic Response Accountability Committee (division O, title VIII of this Act)General Provision:

- Section 801: amounts repurposed pursuant to this section regarding amendments to the Pandemic Response Accountability Committee

Community Development Block Grants (division FF, title XIII of this Act)General Provision:

- Section 1301: amounts repurposed pursuant to this section from funds previously made available in chapter 9 of title X of the Disaster Relief Appropriations Act, 2013 (Public Law 113-2, division A) under the heading "Department of Housing and Urban Development—Community Planning and Development—Community Development Fund" that were available for obligation through fiscal year 2017