

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 118-42, SEC. 6; (138
STAT. 26) AND PUBLIC LAW 118-47, SEC. 6



SEPTEMBER 27, 2024.—Referred to the Committee on Appropriations and
ordered to be printed

U.S. GOVERNMENT PUBLISHING OFFICE

THE WHITE HOUSE,
Washington, September 26, 2024.

Hon. MIKE JOHNSON,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: In accordance with section 114(b) of the Continuing Appropriations and Extensions Act, 2025 (H.R. 9747; the “Act”), I hereby designate as emergency requirements all funding (including the transfer and repurposing 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,

JOSEPH R. BIDEN, Jr.



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

September 25, 2024

MEMORANDUM FOR THE PRESIDENT

FROM: Shalanda D. Young *Shalanda D. Young*
Director

SUBJECT: Designation of Funding as an Emergency Requirement

The Congress designated as an emergency requirement certain funding in division A of Continuing Appropriations and Extensions Act, 2025 (H.R. 9747; the "Act"). Section 114(b) 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. These requirements are a result of the enactment of the Fiscal Responsibility Act of 2023, which reinstated discretionary spending caps.

The Act continues the fiscal year (FY) 2024 enacted level of \$12.5 billion in FY 2025 emergency funding for a number of activities across the Departments of Agriculture, Commerce, Homeland Security, Housing and Urban Development, the Interior, Justice, and State, and for certain other international programs, as well as the Corps of Engineers, National Aeronautics and Space Administration, National Science Foundation, and the Office of the United States Trade Representative.

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 2025, 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 2025 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 Continuing Appropriations and Extensions Act, 2025 (the “Act”), with
Funding Designated by the President as Emergency Requirements**

General Provisions (section 101(1) of division A of the Act)

Section 774:

- Amounts repurposed pursuant to this section in the first proviso under the heading “Rural Community Facilities Program Account” in title I of division N of the Consolidated Appropriations Act, 2023

Section 778:

- Amounts repurposed pursuant to this section from unobligated balances available in fiscal year 2025 in the “Nonrecurring Expenses Fund” established in section 742 of division A of Public Law 113-235

Department of Commerce (section 101(2) of division A of the Act)

International Trade Administration:

- Operations and Administration

Bureau of Industry and Security:

- Operations and Administration

Economic Development Administration:

- Economic Development Assistance Programs

National Oceanic and Atmospheric Administration:

- Procurement, Acquisition and Construction

Department of Justice (section 101(2) of division A of the Act)

United States Marshals Service:

- Salaries and Expenses
- Federal Prisoner Detention

Drug Enforcement Administration:

- Salaries and Expenses

Office of Justice Programs:

- State and Local Law Enforcement Assistance

National Aeronautics and Space Administration (section 101(2) of division A of the Act)

- Exploration
- Construction and Environmental Compliance and Restoration

National Science Foundation (section 101(2) of division A of the Act)

- Major Research Equipment and Facilities Construction

General Provisions (section 101(2) of division A of the Act)

Section 540:

- Amounts rescinded from amounts made available to “Office of the United States Trade Representative—Salaries and Expenses” in section 540(a) of division B of the Consolidated Appropriations Act, 2023, and amounts appropriated to that account in section 540(a) of the Act for fiscal year 2024
- Amounts rescinded from amounts made available to “Office of the United States Trade Representative—Trade Enforcement Trust Fund” in section 540(b) of division B of the Consolidated Appropriations Act, 2023, and amounts appropriated to that account in section 540(b) of the Act for fiscal year 2024

General Provisions (section 101(4) of division A of the Act)

Section 110:

- Amounts repurposed from amounts made available under the heading “Construction” in title IV of the Disaster Relief Supplemental Appropriations Act, 2022

Section 112:

- Amounts repurposed or transferred from unobligated balances of prior year appropriations made available to “Corps of Engineers—Civil”

Bilateral Economic Assistance (section 101(11) of division A of the Act)

Funds Appropriated to the President:

- International Disaster Assistance
- Economic Support Fund
- Assistance for Europe, Eurasia and Central Asia

Department of State:

- Migration and Refugee Assistance

International Security Assistance (section 101(11) of division A of the Act)

Department of State:

- International Narcotics Control and Law Enforcement

Funds Appropriated to the President:

- Foreign Military Financing Program

General Provisions (section 101(11) of division A of the Act)

Section 7068(b):

- Extending amounts provided by section 21009 of the CARES Act regarding authorization, for fiscal years 2020 through 2025, 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 7069(b):

- Amounts transferred under this subsection to the Enduring Welcome Administrative Expenses Account that were previously designated as an emergency requirement pursuant to section 251(b)(2)(A)(i)

Department of Housing and Urban Development (section 101(12) of division A of the Act)

Public and Indian Housing:

- Tenant-Based Rental Assistance

Housing Programs:

- Project-Based Rental Assistance

Department of Homeland Security (section 138 of division A of the Act)

Federal Emergency Management Agency:

- Amounts repurposed regarding section 104 of the Hermit's Peak/Calf Canyon Fire Assistance Act (division G of Public Law 117-180)

Department of the Interior (section 140 of division A of the Act)

National Park Service:

- Historic Preservation Fund

Department of Housing and Urban Development (section 151 of division A of the Act)

Public and Indian Housing:

- Amounts repurposed from unobligated balances of prior year appropriations made available to "Tenant-Based Rental Assistance"

