

FY 2026 Continuing Resolution (CR) Appropriations Issues

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Assumptions Document

Drafted language cites sections 101, 102, 104, and 106 and assumes that section 101 refers to the "authority and conditions" section, that section 102 refers to the Department of Defense restrictions, that section 104 refers to new start restrictions, and that section 106 refers to the expiration date of the continuing resolution (CR). These anomalies are needed for a CR through January 2026, unless otherwise noted. Section 101 is assumed to include the following:

- Division A of the Full-Year Continuing Appropriations and Extensions Act, 2025 (Public Law 119-4), excluding the following amounts and authorities that were designated by the Congress as being for an emergency requirement pursuant to section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 (BBEDCA):
 - Sections 774 and 778 of division B of Public Law 118-42 and section 1207 of title II of division A of Public Law 119-4;
 - Section 540 of division C of Public Law 118-42;
 - Sections 110 and 112 of division D of Public Law 118-42;
 - Section 1808 of title VIII of division A of Public Law 119-4; and
 - Section 7069(b) of division F of Public Law 118-47.

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General

Appropriated Entitlements and Other Mandatory Payments

Sec. ____ . (a) For entitlements and other mandatory payments whose budget authority was provided in an appropriations Act specified in section 101, for expenses authorized under section 324 of title 38, United States Code, and for activities under the Food and Nutrition Act of 2008, activities shall be continued at the rate to maintain program levels under current law, under the authority and conditions provided in the applicable appropriations Act, to be continued through the date specified in section 106(3).

(b) Notwithstanding section 106, 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) may continue to be made, and funds shall be available for such payments.

Language is needed to provide sufficient funding for appropriated entitlements and other mandatory payments and to extend this authority to the Department of Veterans Affairs' Cost of War Toxic Exposures Fund (TEF). Without the anomaly, the TEF would be limited to the \$6 billion provided in the FY 2025 Full-Year CR, while other appropriated entitlements such as Grants to States for Medicaid; Payments to States for Child Support Enforcement and Family Support Programs; Social Services Block Grant; Payments for Foster Care, Prevention, and Permanency; Payments to Health Care Trust Funds; Supplemental Nutrition Assistance Program; Child Nutrition Programs; and the Supplemental Security Income Program may not have sufficient funding to maintain program levels under current law or to ensure benefit payments are issued in a timely manner.

Continuing Rescissions of Discretionary Prior-Year Funds

Sec. ____ . (a) Rescissions or cancellations of discretionary budget authority that continue pursuant to section 101 in Treasury Appropriations Fund Symbols (TAFS)—

(1) to which other appropriations are not provided by this Act, but for which there is a current applicable TAFS that does receive an appropriation in this Act; or

(2) which are no-year TAFS and receive other appropriations in this Act, may be continued instead by reducing the rate for operations otherwise provided by section 101 for such current applicable TAFS, as long as doing so does not impinge on the final funding prerogatives of the Congress.

(b) Rescissions or cancellations described in subsection (a) shall continue in an amount equal to the lesser of—

(1) the amount specified for rescission or cancellation in the applicable appropriations Act referenced in section 101 of this Act; or

(2) the amount of balances available, as of October 1, 2025, from the funds specified for rescission or cancellation in the applicable appropriations Act referenced in section 101 of this Act.

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(c) No later than November 21, 2025, the Director of the Office of Management and Budget shall provide to the Committees on Appropriations of the House of Representatives and the Senate a comprehensive list of the rescissions or cancellations that will continue pursuant to section 101: *Provided*, That the information in such comprehensive list shall be periodically updated to reflect any subsequent changes in the amount of balances available, as of October 1, 2025, from the funds specified for rescission or cancellation in the applicable appropriations Act referenced in section 101, and such updates shall be transmitted to the Committees on Appropriations of the House of Representatives and the Senate upon request.

Language is needed to allow continuing discretionary rescissions from prior-year funds in accounts with a rate for operations in the CR to be effectuated as a reduction in that rate for operations, rather than as a preclusion of carryover balances. Allowing agencies to reduce their rate for operations provides an affected account with the same annualized funding level as is otherwise provided by section 101. The language provides a reporting date on the comprehensive lists of rescissions that will allow final data to be reported.

Intelligence Programs, State and International Assistance Waivers

Sec. ____ . Funds appropriated by this Act may be obligated and expended notwithstanding section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 3094(a)(1)).

Language is needed to authorize specific intelligence activities for the various Intelligence Program components before funds can be obligated or expended, as required by section 504 of the National Security Act of 1947. The Intelligence Program includes the Office of the Director of National Intelligence, the Central Intelligence Agency, and elements of the Departments of Defense, Energy, Homeland Security, Justice, State, and the Treasury. Intelligence activities will not continue in the absence of this authority. In addition, in the absence of an authorization bill, the Department of State, U.S. Agency for International Development, United States Agency for Global Media, and other agencies that operate under the authority of the State Department Basic Authorities Act and Foreign Relations Authorization Act also need waiver language that enables them to expend funds.

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

Special Supplemental Nutrition Program for Women, Infants, and Children

Sec. ____ . Notwithstanding section 101, amounts are provided for “Domestic Food Programs—Food and Nutrition Service—Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)” at a rate for operations of \$8,200,000,000.

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Language is needed to provide a rate for operations of \$8.2 billion for the Department of Agriculture, Food and Nutrition Service, Special Supplemental Nutrition Program for Women, Infants, and Children account to support all women, infants, and children who seek to participate. Without the anomaly, States would not be able to serve all eligible participants at the current benefit levels.

Extension of Authorization for Livestock Mandatory Reporting

Sec. ____ . Section 260 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1636i) and section 942 of the Livestock Mandatory Reporting Act of 1999 (7 U.S.C. 1635 note; Public Law 106–78) shall be applied by substituting the date specified in section 106 (3) of this Act for “September 30, 2025”.

Language is needed to extend authorities for the Livestock Mandatory Reporting program, which expires on September 30, 2025. Without this anomaly, livestock market participants would no longer be required to report price and supply information, which facilitates market competition through open and transparent price discovery.

Commerce, Justice, Science, and Related Agencies

U.S. Marshals Service, Salaries and Expenses

Sec. ____ . Amounts made available by section 101 for “Department of Justice—United States Marshals Service—Salaries and Expenses” may be apportioned up to the rate for operations necessary to maintain program operations.

Language is needed to authorize the Department of Justice to obligate funding in the U.S. Marshals Service (USMS) account at a rate necessary to sufficiently fund operations such as fugitive apprehension, judicial security, and prisoner operations. Without the anomaly, the USMS would have insufficient funds to sustain operations.

Defense

Columbia Class Submarine

Sec. ____ . (a) Notwithstanding sections 102 and 104, amounts made available by section 101 to the Department of Defense for “Shipbuilding and Conversion, Navy” may be apportioned up to the rate for operations necessary for “Columbia Class Submarine (Full Funding)” for the procurement of one Columbia Class Submarine, in an amount not to exceed \$3,928,828,000.

(b) Notwithstanding sections 102, 104, and 106, the Secretary of the Navy may enter into a contract for the procurement of up to five Columbia class submarines: *Provided*, That for the life of such contract, the Secretary of the Navy may use up to three years of incremental funding for each submarine to make payments under the contract: *Provided further*, That a contract entered into under this subsection shall provide that—

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(1) any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose; and

(2) the total liability of the Federal Government for termination of any contract entered into shall be limited to the total amount of funding obligated to the contract at time of termination.

Language is needed to provide the Department of Defense with authority to obligate funding in the "Shipbuilding and Conversion, Navy" account to procure one *Columbia*-class strategic ballistic missile submarine (SSBN) and authority to enter into a multi-ship contract for up to five *Columbia*-class SSBNs including through the use of incremental funding. Without this anomaly, the deployment plans for future SSBNs could result in delays in a day-to-day slip for the program.

Ready Reserve Force

Sec. . Notwithstanding section 101, the first proviso in each of sections 8092 and 8096 of title VIII of division A of Public Law 118-47 shall be applied by substituting "advances" for "reimbursements".

Language is needed to authorize the Department of Navy (Navy) to make cash advances to the Department of Transportation's Maritime Administration (MARAD) for the Ready Reserve Force (RRF) program in order for MARAD to liquidate obligations against RRF reimbursable agreements with Navy during the period of the CR. Current authority only allows Navy to send MARAD funding on a reimbursable basis, which creates an accounting shortfall. Without the anomaly, MARAD would need to halt obligations to avoid a negative cash balance.

Virginia Class Submarines

[Drafting assistance available upon request.]

Language is needed to provide the Department of Defense (DOD) with new start authority and authority to obligate funding in the "Shipbuilding and Conversion, Navy" account at a rate for operations necessary to pay for the Federal Government's responsible portion of contract overruns in the FY 2016 *Virginia* Class submarine program. In addition, language is needed to provide DOD with authority to obligate funding in the "Shipbuilding and Conversion, Navy" account at a rate for operations necessary to pay for the Federal Government's responsible portion of contract overruns in the FY 2018 *Virginia* Class submarine program. Without the anomaly, funding would not be available for this purpose during the period of the CR.

Palau Financial Assistance Authority

[Drafting assistance available upon request.]

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Language is needed to authorize the Department of Defense (DOD) to pay the Government of Palau for the acquisition of defense sites from funds available during the period of the CR in the Operation and Maintenance, Navy account. Without the anomaly, DOD would be unable to make any payments.

Energy and Water Development and Related Agencies

Secure Transportation Asset Program Direction

Sec. ____ . Notwithstanding section 101, the first proviso under the heading “Department of Energy—Atomic Energy Defense Activities—National Nuclear Security Administration—Weapons Activities” in title III of division D of Public Law 118-42 shall be applied by substituting “\$149,244,000” for “\$118,056,000”.

Language is needed to provide a rate for operations of \$149 million for Secure Transportation Asset Program Direction funding within the Weapons Activities account of the National Nuclear Security Administration (NNSA) in order to support NNSA’s mission to safely move weapons, material, and components. Without the anomaly, NNSA would have to curtail certain activities, threatening schedules for nuclear modernization and potentially disrupting deliveries to the Department of Defense.

Calfed Bay-Delta

Sec. ____ . During the period covered by this Act, section 103(f)(4)(A) of Public Law 108-361 (the Calfed Bay-Delta Authorization Act) shall be applied by substituting “\$32,600,000” for “\$30,000,000”.

Language is needed to authorize an increase of \$3 million to the statutory funding ceiling on program management of the Calfed Bay-Delta program at the Department of the Interior’s Bureau of Reclamation during the period of the CR. The Calfed Bay-Delta program focuses on ecosystem restoration, water supply reliability, and levee system integrity in California’s Bay Delta region. Without the anomaly, the Bureau of Reclamation would likely reach the current statutory ceiling, limiting its ability to carry out program management, oversight, and planning activities for the program.

Financial Services and General Government

Departmental Offices Salaries and Expenses G20

Sec. ____ . Notwithstanding section 101, paragraph (1) under the heading “Department of the Treasury—Departmental Offices—Salaries and Expenses” in title I of division B of Public Law 118-47 shall be applied by substituting “\$1,350,000” for “\$350,000”:
Provided, That such amounts may be obligated in the account and budget structure set forth in the fiscal year 2026 President’s Budget, submitted pursuant to section 1105(a) of title 31, United States Code, and accompanying justification materials.

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Language is needed to authorize the Department of the Treasury to obligate funding in the Departmental Offices Salaries and Expenses account at a rate for operations necessary to maintain planning and events for the Group of 20 (G20). Without the anomaly, Treasury would be unable to start planning and preparing for an efficient and well-structured engagement, introducing significant reputational risk to the United States.

Office of Terrorism and Financial Intelligence

Sec. ____ . Notwithstanding section 101, amounts are provided for “Department of the Treasury—Office of Terrorism and Financial Intelligence—Salaries and Expenses” at a rate for operations of \$237,662,000.

Language is needed to provide the Department of Treasury, Office of Terrorism and Financial Intelligence Office (TFI) an additional rate for operations of \$11 million to secure, manage, and optimize the TFI Network core infrastructure. The TFI Network supports Treasury’s ability to disrupt and disable terrorist, criminal, and other national security threats to protect the United States and international financial systems from abuse by illicit actors. Without the anomaly, TFI would not have sufficient funds to carry out the TFI Network enhancements, leading to critical operational deficiencies.

Elimination of Financial Assistance Restriction

Sec. ____ . Notwithstanding section 101, the matter preceding the proviso under the heading “Department of the Treasury—Departmental Offices—Salaries and Expenses” in title I of division B of Public Law 118-47 shall be applied by striking “, of which not less than \$9,000,000 shall be available for the administration of financial assistance, in addition to amounts otherwise available for such purposes”.

Language is needed to prevent a limitation within the Departmental Offices account in the Department of the Treasury, requiring \$9 million be provided to the Office of Capital Access for the administration of financial assistance, from recurring during the period of the CR. Work in the Office of Capital Access is winding down and the funding is no longer needed for this purpose. Without the anomaly, execution within the account would be unnecessarily complicated for the Department.

Tariff and Trade Policy

Sec. ____ . Notwithstanding section 101, amounts are provided for “Department of the Treasury—Departmental Offices—Salaries and Expenses” at a rate for operations of \$292,476,000.

Language is needed to provide a rate for operations of \$292 million for the Departmental Offices—Salaries and Expenses account within the Department of the Treasury to support trade and tariff policy staff.

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Implementation of Postal Service Health Benefits Program

Sec. ____ . Notwithstanding section 101, the matter preceding the first proviso under the heading “Office of Personnel Management—Salaries and Expenses” in title V of division B of Public Law 118-47 shall be applied by substituting “\$197,446,000” for “\$219,076,000”, and the second proviso under such heading in such title of such division of such Act shall be applied by substituting “\$214,605,000” for “\$192,975,000”.

Language is needed to increase the limitation on trust fund transfers, along with a corresponding decrease in amounts transferred from the general fund, for the Office of Personnel Management (OPM) Salaries and expenses account. Due to changes to the Postal Service Health Benefits Program (PSHBP), OPM requires a higher level of funding to be derived from its trust funds rather than from the general fund. Without the anomaly, OPM will face significant accounting difficulties in its operation of the PSHBP.

Senior Political Pay Freeze

Sec. ____ . (a) Notwithstanding sections 101 and 106, section 1605 of title VI of division A of Public Law 119-4 shall be applied through the end of the last applicable pay period that commences in calendar year 2025 by substituting “through the end of the last applicable pay period that commences in calendar year 2025” for “through the date specified in section 1106 of this Act”.

(b) Notwithstanding section 101, beginning on the first day of the applicable pay period beginning on or after January 1, 2026, section 1605 of title VI of division A of Public Law 119-4 shall be applied through the date specified in section 106(3) of this Act by— (1) substituting the date specified in section 106(3) of this Act for “the date specified in section 1106 of this Act”; (2) not applying paragraph (1); (3) substituting “2026” for “2025” in paragraph (2); (4) substituting “2027” for “2026” in paragraph (3); and (5) not applying paragraph (4).

Language is needed to continue the freeze on senior political pay through the end of calendar year 2025 as well as through the period of a CR that extends into calendar year 2026. Without the anomaly, section 1605 of the Full Year Continuing Appropriations Act, 2025 will expire on October 1, resulting in a significant increase in senior political pay beginning the first pay period thereafter.

Business Loan Programs

Sec. ____ . Amounts made available by section 101 for “Small Business Administration—Business Loans Program Account” may be apportioned up to the rate for operations necessary to accommodate increased demand for commitments for general business loans authorized under paragraphs (1) through (35) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)), for commitments to guarantee trust certificates authorized by section 5(g) of the Small Business Act (15 U.S.C. 634(g)),

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for commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958 (15 U.S.C. 697), and for commitments to guarantee debentures under section 303(b) of the Small Business Investment Act of 1958 (15 U.S.C. 683(b)).

Language is needed to provide the Small Business Administration (SBA) with authority to obligate funding provided under the CR at a rate for operations necessary to accommodate potential demand increases during the period of the CR for business loan commitments, commitments to guarantee trust certificates, and commitments to guarantee loans for debentures in SBA's 7(a), Small Business Investment Company, Secondary Market Guarantee, and 504 programs. Without the anomaly, these lending programs may not have sufficient funds to meet demands in FY 2026, potentially forcing these programs to shut down or delay financing to thousands of small businesses during the CR period.

D.C. Local Funds

Sec. ____ . Notwithstanding any other provision of this Act, except section 106, the District of Columbia may expend local funds made available under the heading "District of Columbia—District of Columbia Funds" for such programs and activities under the District of Columbia Appropriations Act, 2024 (title IV of division B of Public Law 118-47) at the rate set forth in the Fiscal Year 2026 Local Budget Act of 2025 (D.C. Bill No. 26-260), as modified as of the date of enactment of this Act.

Language is proposed to clarify that the District of Columbia (D.C.) has the authority to spend in FY 2026 funds received from local tax revenues and other non-Federal sources in the amount and for the programs and activities provided in D.C.'s fiscal year 2026 local budget under the terms and conditions of Full-Year Continuing Appropriations Act, 2025.

Section 31 Fees

Sec. ____ . Amounts made available by section 101 for "Securities and Exchange Commission—Salaries and Expenses" shall be deemed to be the "regular appropriation to the Commission" for fiscal year 2026 and this Act shall be deemed to be "an Act making a regular appropriation to the Commission" for purposes of subsections (g), (j), and (k) of section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee).

Language is needed to provide the Securities and Exchange Commission (SEC) with the authority to change its Section 31 fee rate during the period of the CR. Under current authority, SEC cannot change its fee rate to offset their appropriation level until 60 days after a final full-year appropriations bill is enacted for FY 2026. Without the anomaly, SEC is required to continue a fee rate of zero during the period of the CR, likely resulting in a large swing in fee rates later in the fiscal year.

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Homeland Security

Account Restructuring to Reorganize the Countering Weapons of Mass Destruction Office

Sec. ____ . (a) Notwithstanding section 101, section 513 of title V of division C of Public Law 118-47 shall not apply with respect to actions taken by the Secretary of Homeland Security during the period covered by this Act to—

- (1) discontinue the Countering Weapons of Mass Destruction Office as an organizational unit within the Department;
- (2) allocate or reallocate the functions of the Assistant Secretary for the Countering Weapons of Mass Destruction Office to other officers and organizational units within the Department; or
- (3) allocate or reallocate any other functions of the Countering Weapons of Mass Destruction Office to other offices and organizational units within the Department.

(b) Amounts made available by section 101 for the Department of Homeland Security may be obligated in the account and budget structure set forth in the fiscal year 2026 President’s Budget, submitted pursuant to section 1105(a) of title 31, United States Code, and accompanying justification materials.

(c) The Secretary of Homeland Security may transfer funds made available to the Countering Weapons of Mass Destruction Office in prior Acts making appropriations to the Department of Homeland Security between any appropriations available to the Department of Homeland Security as necessary to carry out the activities described in subsection (a).

Language is needed to authorize the Department of Homeland Security (DHS) to obligate funds provided by the CR to execute the transfer of functions from the Office of Countering Weapons of Mass Destruction (CWMD) to other DHS components. Without the anomaly, CWMD functions cannot be moved to other DHS Components and manual adjustments of the obligations and disbursements would be required, resulting in an administrative burden adversely impacting DHS’s mission execution, as staff would devote more time to duplicative administrative work.

Disaster Relief Fund Spend Faster

Sec. ____ . Amounts made available by section 101 to the Department of Homeland Security for “Federal Emergency Management Agency—Disaster Relief Fund” may be apportioned up to the rate for operations necessary to carry out response and recovery activities under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

Language is needed to provide the Department of Homeland Security with authority to obligate funding provided under the CR in the Disaster Relief Fund at a rate for operations necessary to support operations for response and recovery activities under the Robert T. Stafford Disaster Relief and Emergency Assistance Act. Without the anomaly, comprehensive

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disaster response and recovery could be impeded should a catastrophic event be declared during the period of the CR.

Reimbursable Screening Services Program

Sec. ____ . During the period covered by this Act, section 225(e) of division A of Public Law 116-6 (49 U.S.C. 44901 note) shall be applied by substituting “2026” for “2025”.

Language is needed to extend the authority for the Department of Homeland Security’s Transportation Security Administration (TSA) Reimbursable Screening Services Program, which expires on September 30, 2025, for the period of the CR. The program allows TSA to enter into reimbursable agreements with TSA regulated entities to provide screening services at locations other than primary passenger terminal screening areas. Without the anomaly, TSA would need to cease performing these services.

Interior, Environment, and Related Agencies

Firefighter Pay Cap Waiver

Sec. ____ . During the period covered by this Act, section 1701 of title VII of division B of Public Law 117-43, as amended, shall be applied by substituting “calendar years 2021 through 2026” for “2021 or 2022 or 2023 or 2024” each place it appears.

Language is needed to extend the authority for the U.S. Department of Agriculture (USDA) and Department of the Interior (DOI) to waive the premium pay cap limitation for wildland fire personnel for the period of the CR. The waiver allows USDA and DOI firefighters to earn above Office of Personnel Management pay caps for overtime and hazard pay while they are responding to wildland fire incidents. Without the anomaly, the premium pay limitation could inhibit the Departments' ability to mobilize all the needed personnel to support wildfire suppression.

Wildland Fire Management - Suppression Operations

Sec. ____ . Amounts made available by section 101 for “Department of Agriculture—Forest Service—Wildland Fire Management” may be apportioned up to the rate for operations necessary for wildfire suppression activities.

Language is needed to authorize the Forest Service within the Department of Agriculture to obligate funding under the CR formula in the Wildland Fire Management Suppression account at a rate for operations necessary for wildfire suppression operations. Without the anomaly, the Forest Service is unlikely to have sufficient resources to effectively manage wildland fires to prevent loss of life and property at the end of calendar year 2025, during the first quarter of FY 2026.

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Puerto Rico School Payments

Sec. ____ . The 19th unnumbered paragraph under the heading “Administrative Provisions, Forest Service” in title III of Public Law 109-54, as amended, shall be further amended in the first sentence by striking the phrases “in this Act” and “prior to the date of enactment of this Act”.

Language is needed to amend authority provided in 2024 to the Forest Service authorizing staff stationed in Puerto Rico to receive support for primary and secondary schooling. The authority provided in 2024 inadvertently limited the authority to staff stationed in Puerto Rico prior to the date of enactment, instead of permanently authorizing the support for current and future staff. Without the anomaly, staff stationed in Puerto Rico after enactment of the authority would not receive support for primary and secondary schooling leading to disparate treatment of similarly situated staff.

Indian Health Service New Facility Staffing

Sec. ____ . (a) In addition to amounts otherwise provided by section 101, amounts are provided for “Department of Health and Human Services—Indian Health Service—Indian Health Services” at a rate for operations of \$72,265,000, for an additional amount for costs of staffing and operating facilities that were opened, renovated, or expanded in fiscal years 2025 and 2026, and such amounts may be apportioned up to the rate for operations necessary to staff and operate such facilities.

(b) In addition to amounts otherwise provided by section 101, amounts are provided for “Department of Health and Human Services—Indian Health Service—Indian Health Facilities” at a rate for operations of \$8,050,000, for an additional amount for costs of staffing and operating facilities that were opened, renovated, or expanded in fiscal years 2025 and 2026, and such amounts may be apportioned up to the rate for operations necessary to staff and operate such facilities.

Language is needed to provide the Indian Health Service (IHS), Indian Health Services account an additional rate for operations of \$80 million, and authority to obligate funds at a rate for operations necessary to support staffing and operating costs at three newly opened Tribal Health Facilities. Without the anomaly, IHS would have to reduce funding for other direct patient care services to pay for these additional operating and staffing costs.

Address Case Backlogs Pending Before the Interior Board of Land Appeals and Interior Board of Indian Appeals

Sec. ____ . (a) REQUEST FOR EXPEDITED REVIEW. Notwithstanding the procedures set forth in 43 C.F.R. part 4, subpart E, or the procedures set forth in 43 C.F.R. part 4 Subpart D, an appellant before the Board of Land Appeals or the Board of Indian Appeals whose appeal has been pending for more than 18 months from the date of receipt may submit to the Board a written request for expedited review of the appeal. If

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all appellants submit or join such a request, the Board will issue a final decision on the appeal not later than 6 months after the date of receipt of the last request.

(b) ACTION BY THE BOARD. When an appellant submits a notice of their intent to seek expedited review, the following procedures shall govern the appeal:

(1) If more than one appellant filed the appeal, all appellants must jointly submit a request to seek expedited review.

(2) The Board may issue a briefing schedule to ensure that it has sufficient time to issue a decision within the deadline set forth in subsection (a).

(3) The Board may issue a summary opinion, addressing only those issues necessary for resolving the appeal. Should the Board issue such a summary opinion, the record for purposes of judicial review under sections 704 and 706 of title 5, United States Code, includes the record and rationale before, and articulated by, the Board and the agency decision reviewed by the Board.

(c) NO BOARD DECISION. If the Board does not issue a decision on the appeal by the deadline described in subsection (a), the agency decision that has been appealed will constitute final agency action for purposes of section 704 of Title 5, United States Code.

(d) APPLICABILITY. This section applies to any appeal described in subsection (a) that is—

(1) pending before the Board as of the date of enactment of this Act; or

(2) filed with the Board after the date of enactment of this Act.

(e) CONFLICT. In the event of a conflict between the deadline specified in subsection (a) and a deadline under section 115(h) of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1724(h)), section 525(b) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1275(b)), or any other applicable statutory or regulatory limitation, the shorter of the two following deadlines controls: the deadline described in subsection (a) or the deadline described in the applicable statute or regulation.

(f) DURATION. Notwithstanding section 106, this section shall remain in effect through September 30, 2026.

Language is needed to authorize the Department of the Interior to expedite issuance of an appeal decision in cases pending more than 18 months before the Interior Board of Land Appeals or the Interior Board of Indian Appeals in order to address the current backlog of pending cases. Without the anomaly, the Department of the Interior would be limited in addressing the current backlog through a rulemaking, delaying action for appellants in these cases.

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Expansion of Hazardous Fuels Mitigation Authorities

Sec. ____ . (a) During the period covered by this Act, the Secretary of the Interior may utilize applicable emergency procedures under section 46.150 of title 43, Code of Federal Regulations, section 402.05 of title 50, Code of Federal Regulations, and section 800.12 of title 36, Code of Federal Regulations, or superseding regulations for such sections, for actions involving hazardous fuels mitigation, including the use of targeted grazing, to address significant imminent wildland fire threats posed by high fuel loads, as well as wildland fire threats to highly-valued ecosystems and critical oil and gas infrastructure. The use of such procedures is hereby ratified and deemed consistent with the requirements of National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), section 106 of the National Historic Preservation Act (54 U.S.C. 306108) and section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536), as applicable.

(b) The Healthy Forests Restoration Act of 2003 (16 U.S.C. 6501 et seq.), as amended, shall be applied—

(1) in section 603(c)—

(A) in paragraph (1), by substituting “10,000” for “3000”; and

(B) in paragraph (2)—

(i) in subparagraph (A), by substituting the following: “in the wildland-urban interface;”; and

(ii) in subparagraph (B)—

(I) by substituting the following: “(B) outside the wildland-urban interface that are of high hazard;”; and

(II) by inserting after subparagraph (B), as substituted, the following:

“(C) within existing fuels reduction areas;

“(D) within Sage Grouse habitat;

“(E) within USFWS designated critical habitat;

“(F) within Giant Sequoia and Redwood ecosystems or areas adjacent to these ecosystems;

“(G) within surface drinking water watersheds, including tribal water supplies and systems;

“(H) adjacent to or within 1 mile of energy infrastructure;
or

“(I) impacted by insect and disease outbreaks.”;

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(2) in section 605(c)(1), by substituting “10,000” for “3000”; and

(3) in section 606(g)(1), by substituting “10,000” for “4,500”.

(c) Section 40806(d)(1) of the Infrastructure Investment and Jobs Act (16 U.S.C. 6592b(d)(1)) shall be applied by substituting “10,000” for “3,000”.

Language is needed to expand the authorities available to the Department of the Interior (DOI) for hazardous fuels mitigation on high-hazard lands, highly-valued ecosystems, and areas around critical infrastructure in order to help mitigate the risk of wildfire. In addition, language is needed to increase the number of acres of federally-administered lands that are excluded from the requirements of the National Environmental Policy Act of 1969. Without the anomaly, DOI would be unable to aggressively undertake hazardous fuels mitigation activities, which is key to reducing fire risk and intensity.

Pittman-Robertson Act Interest-Bearing Account

Sec. ____ . During the period covered by this Act, section 3(b)(2)(C) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669b(b)(2)(C)) shall be applied by substituting “2027” for “2026”.

Language is needed to extend the authority for interest earned on unexpended Pittman-Robertson funds to be available for obligation. Without the anomaly, the Department of the Interior would be unable to use the interest earned for migratory bird and habitat conservation.

Office of Mission Support Emergency Elevator Replacement

Sec. ____ . Of the unobligated balances of funds made available to the Environmental Protection Agency in prior fiscal years, not to exceed \$11,218,000 may, subject to approval by the Office of Management and Budget, be transferred to the “Environmental Protection Agency—Buildings and Facilities” account for elevator modernization and repair projects at the Environmental Protection Agency headquarters complex in Washington, DC: *Provided*, That any amounts so transferred shall remain available until expended for such purposes.

Language is needed to authorize the Environmental Protection Agency (EPA) to transfer prior year unobligated balances to the Buildings and Facilities account from other EPA accounts for emergency elevator repair and modernization at EPA's Headquarters in Washington, D.C. during the period of the CR. Without the anomaly, there is a risk of entrapment for staff given the state of disrepair in which the building's elevators currently operate.

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

Head Start Grants to Compact of Free Association States

Sec. ____ . Notwithstanding section 101, the matter under the heading “Department for Health and Human Services—Administration for Children and Families—Children and

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Families Services Programs” in title II of division D of Public Law 118-47 shall be applied by adding the following after the second proviso: “*Provided further*, That for purposes of section 640(a)(2)(B)(v) of such Act, the base grant for each of the Federated States of Micronesia and the Republic of the Marshall Islands shall be \$8,000,000, and shall be considered equal to the amount provided for base grants for such jurisdictions under such Act for the prior fiscal year.”.

Language is needed to provide the Department of Health and Human Services (HHS), Administration for Children and Families, Children and Families Services Programs with base grant authority and amount for the Head Start program in the Federated States of Micronesia (FSM) and the Republic of Marshall Islands (RMI). Without the anomaly, HHS would not be able to honor the Compact of Free Association legislation, which recently reinstated eligibility for Head Start in FSM and RMI.

Military Construction, Veterans Affairs and Related Agencies

Maintaining Armed Forces Retirement Home Resident Services

[Drafting assistance available upon request.]

Language is needed to provide the Armed Forces Retirement Home (AFRH) with an additional rate for operations of \$7 million for the AFRH Trust Fund account to carry out the AFRH Resident Care Program. Without the anomaly, the account would have difficulty operating as soon as January 2026, resulting in risk of disruption of services to AFRH's veteran residents.

Native American Direct Loan Program

Sec. . Notwithstanding section 101, the matter under the heading “Native American Veteran Housing Loan Program Account” in title II of division A of Public Law 118-42 shall be applied by adding the following new paragraph:

“In addition, for the cost of direct loans, \$6,865,235, as authorized by subchapter V of chapter 37 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$75,000,000.”.

Language is needed to provide the Department of Veterans Affairs (VA) a rate for operations of \$7 million for subsidy costs and a loan limitation of \$75 million for the Native American Direct Loan Program (NADL). For the first time in several years, this program will be operating as a positive subsidy program requiring a subsidy appropriation. In addition, the Federal Credit Reform Act of 1990 requires credit programs to have a loan limitation. Without the anomaly, VA would be unable to make NADL loans during the period of the CR.

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State, Foreign Operations, and Related Programs

Foreign Military Financing Loans

Sec. ____ . (a) For the period covered by this Act, section 2606 of division N of Public Law 117-103 shall be applied—

(1) in subsection (a) by—

(A) substituting “2026” for “2024”;

(B) striking “for Ukraine, North Atlantic Treaty Organization (NATO) allies, major non-NATO allies, and the Indo-Pacific region”;

(C) substituting “\$12,000,000,000” for “\$8,000,000,000”; and

(D) substituting the following for the fifth proviso: “*Provided further, That section 23(b) of the Arms Export Control Act shall not apply to loans made under this subsection.*”.

(2) in subsection (b) by—

(A) striking “for Ukraine, NATO allies, major non-NATO allies, and the Indo-Pacific region, which are authorized to be provided”;

(B) substituting “\$12,000,000,000” for “\$8,000,000,000” in the first proviso;

(C) adding the following at the end of the first proviso: “, of which not to exceed \$2,000,000,000 may be used for loans guaranteed by the Federal Financing Bank pursuant to the following proviso”; and

(D) striking the fourth proviso.

(b) Amounts provided by section 101 for “International Security Assistance—Funds Appropriated to the President—Foreign Military Financing Program” shall be available for loans and loan guarantees under section 2606 of division N of Public Law 117-103, as modified by this section.

Language is needed to extend the authority for the Foreign Military Financing Program (FMF) account within the Department of State to carry out an additional \$4 billion in new direct loans and an additional \$4 billion in guaranteed loans, and to provide repayment period, geographic, and interest rate flexibilities for loans and loan guarantees. Without the anomaly, FMF would not have the authority needed to complete any loans during the period of the CR, including to Indo-Pacific partners who have indicated interest in continuing loan negotiations this fall.

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European Bank for Reconstruction and Development General Capital Increase Authorization

Sec. ____ . (a) Section 562(c) of the European Bank for Reconstruction and Development Act, as amended (22 U.S.C. 2901 et seq.), is further amended by adding the following new paragraph at the end:

“(13) Capital Increase.—

“(A) Subscription Authorized.—

“(i) The United States Governor of the Bank may subscribe on behalf of the United States up to 40,000 additional shares of the paid-in capital stock of the Bank.

“(ii) Any subscription by the United States to additional paid-in capital stock of the Bank shall be effective only to such extent and in such amounts as are provided in advance in appropriations Acts.

“(B) Authorization of Appropriations. In order to pay for the increase in the United States subscription to the Bank under paragraph (A), there are authorized to be appropriated, without fiscal year limitation, \$437,457,804, for payment by the Secretary of the Treasury.”.

Language is needed to authorize the United States to subscribe to the capital increase at the European Bank for Reconstruction and Development. Without the anomaly, the United States would forfeit the allocated shares, diluting its status as the largest shareholder.

Maximum Contingent Liability

Sec. ____ . During the period covered by this Act, section 1433 of the Better Utilization of Investments Leading to Development Act of 2018 (22 U.S.C. 9633) shall be applied by substituting “\$80,000,000,000” for “\$60,000,000,000”.

Language is needed to increase the maximum contingent liability of the U.S. International Development Finance Corporation (DFC) from \$60 billion to \$80 billion during the period of the CR. Without the anomaly, DFC would be unable to continue development finance activities once the current threshold is met, which DFC currently estimates would occur during the first quarter of FY 2026.

Transportation, Housing and Urban Development, and Related Agencies

Housing Choice Vouchers - Repurposing Set-Aside Funding

Sec. ____ . Notwithstanding section 106 of this Act, during fiscal year 2026, the Secretary of Housing and Urban Development may use the unobligated balances of amounts made available in prior fiscal years in paragraphs (2), (3), (6), (7), and (8) under the heading “Public and Indian Housing—Tenant-Based Rental Assistance” to support additional allocations under subparagraph (D) of paragraph (1) and

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subparagraph (B) of paragraph (4) of such heading to prevent the termination of rental assistance for families as the result of insufficient funding in the calendar year 2025 funding cycle: *Provided*, That amounts repurposed pursuant to this section that were previously designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985 are designated by the Congress as being for an emergency requirement pursuant to the concurrent resolution on the budget.

Language is needed to provide the Department of Housing and Urban Development's Tenant-Based Rental Assistance account with authority to use unobligated carryover funding for the purpose of addressing funding shortfalls and maintaining current services for Public Housing Agencies (PHAs). Language is also needed to authorize the use of these funds during calendar year 2025, removing a current restriction which limits the availability of the funding to the beginning of calendar year 2026. Without the anomaly, PHAs would have insufficient funds to maintain assistance for up to 40,000 families.