

# **Continuing Appropriations Act, 2024 and Other Extensions Act**

## ***Section-by-Section Summary***

### **DIVISION A – CONTINUING APPROPRIATIONS ACT, 2024**

#### **Section 101. Extension of FY 2023 Funding, with Certain Exceptions and Modifications.**

Appropriates funding at the levels and under the conditions provided in fiscal year 2023 appropriations Acts for continuing projects and activities, with exceptions and modifications for technical budgetary issues and certain extensions and authorities.

#### **Section 102. Prevention of New or Accelerated Production and New Multi-Year Activities at DOD.**

Prevents the Department of Defense (DOD) from using funds provided by the continuing resolution (CR) for new or accelerated production of certain projects and other new starts and activities. It also prevents DOD from initiating certain multi-year procurements.

#### **Section 103. Terms and Conditions.**

States that funds provided by section 101 shall be available to the extent and in the manner that would be provided in the pertinent appropriations Act.

#### **Section 104. Prevention of New Starts and Activities.**

Prevents appropriations provided by the CR from being used for new starts and new activities.

#### **Section 105. Technical Budget Matter.**

Contains technical budget matter providing that appropriations in the CR are to be used to conduct fiscal year 2024 activities and programs during the CR period.

#### **Section 106. End Date of CR.**

Continues the appropriations and authorities provided by the CR through the earlier of November 17, 2023, or the enactment of the applicable appropriations Act.

#### **Section 107. Requirement to Charge CR Spending to Enacted Full-Year Appropriations Bill.**

Requires that spending under the CR be charged to the full-year appropriations bill when such bill is enacted.

#### **Section 108. Apportionment Timing During the CR.**

Waives the normal time limitations for submission and approval of apportionments of accounts given the duration of a part-year CR.

#### **Section 109. Expenditures for Grant Programs and Similar Payments.**

Prevents agencies from spending money too quickly for grant programs and similar payments to preserve Congress's final funding prerogatives, as Congress has not made final funding determinations for fiscal year 2024.

#### **Section 110. Funding Shall be Spent in the Most Limited Manner Possible.**

Reiterates that funding shall be spent in the most limited manner possible to continue projects and activities, as Congress has not made final funding determinations for fiscal year 2024.

**Section 111. Operations of Mandatory Programs and Appropriated Entitlements.**

Continues mandatory programs and appropriated entitlements. In the case of a government shutdown after the CR end date in section 106, provides some of those programs with funding for payments that are due up to 30 days following the expiration of the CR. The section conforms to the Fiscal Responsibility Act of 2023 for the Cost of War Toxic Exposures Fund (COWTEF).

**Section 112. Restrictions on Furloughs or Termination of Employees.**

Permits funds provided by the CR to be apportioned up to a rate for operations necessary to avoid furloughs, after the agency has taken all necessary action to reduce or defer non-personnel-related administrative expenses.

**Section 113. Waiver Language for Intelligence Programs.**

Provides waiver language for certain intelligence programs as well as agencies that operate under the State Department Basic Authorities Act and Foreign Relations Authorization Act.

**Section 114. Redesignated and Specially Designated Funds Including Disaster, Fire, Emergency, and Program Integrity.** Redesignates previously designated emergency funds to conform to the new statutory spending caps under the Fiscal Responsibility Act of 2023. Dictates that specially designated funds in fiscal year 2023 appropriations Acts should be considered the same type of funding under the CR.

**Section 115. Directions for OMB and Agencies on Executing a CR.**

Directs the Office of Management and Budget (OMB) and agencies to execute a CR by accounting for the levels provided to them by this CR inclusive of any rescissions that were in last year's appropriations Acts.

**Section 116. Agricultural Credit Insurance Fund Program.**

Ensures the Department of Agriculture can fully meet the demand for Direct and Guaranteed Farm Ownership loans.

**Section 117. Rural Housing Service Rental Assistance Program.**

Provides flexibility to the Department of Agriculture to spend at a faster rate of operations to maintain activities under the Rural Housing Service Rental Assistance Program.

**Section 118. Supplemental Security Income for Women, Infants, and Children (WIC).**

Provides flexibility to the Department of Agriculture to spend at a faster rate of operations to maintain participation in the WIC program.

**Section 119. Commodity Supplemental Food Program.**

Provides flexibility to the Department of Agriculture to spend at a faster rate of operations for the Commodity Assistance Program account to maintain the current caseload.

**Section 120. Livestock Mandatory Reporting Act of 1999.**

Extends the Livestock Mandatory Reporting Act of 1999 for the duration of the CR.

**Section 121. National Telecommunications and Information Administration, Salaries and Expenses.**

Enables the National Telecommunications and Information Administration to spend at a faster rate of operations needed to administer broadband programs.

**Section 122. Extension of Expiring Funds for National Aeronautics and Space Administration.**

Extends disbursement authority through fiscal year 2027 for the liquidation of valid obligations for Space Operations incurred in fiscal years 2017 through 2019.

**Section 123. U.S Parole Commission.**

Extends the authorization for the U.S. Parole Commission for the duration of the CR.

**Section 124. Navy Columbia Class Submarine.**

Allows DOD to obligate funds within the “Shipbuilding and Conversion, Navy” account to begin construction of the second Columbia Class Submarine.

**Section 125. Transfer Authority.**

Enables remaining balances appropriated for Operation Allies Welcome (OAW) to be transferred to the Department of State (State), consistent with State’s lead role in OAW.

**Section 126. Department of Defense support to Ukraine.**

Provides \$4.499 billion in emergency funding to DOD to respond to the situation in Ukraine and to refill U.S. military inventory. Within the amount, \$3 million is for the DOD Office of the Inspect General.

**Section 127. Protection and Personal Security Extension.**

Extends authority to provide protection and personal security for former or retired DOD officials for the duration of the CR.

**Section 128. Office of Pandemic Preparedness and Response Policy.**

Provides a rate of operations of \$3.7 million, as well as transfer authority, for the Salaries and Expenses account of the new Office of Pandemic Preparedness and Response Policy for the purpose of preparing for and responding to biological threats.

**Section 129. OPM Postal Service Health Benefits Program.**

Increases the rate of operations to the Office of Personnel Management (OPM) Salaries and Expenses account by \$28 million for implementation of the Postal Service Health Benefits Program.

**Section 130. District of Columbia Local Funds.**

Authorizes the District of Columbia to spend its locally raised revenue at rates provided for in the District’s Fiscal Year 2024 Local Budget Act of 2023 with the same conditions of the prior fiscal year.

**Section 131. Disaster Relief Fund Spend Faster.**

Allows the Federal Emergency Management Agency the flexibility to spend at a faster rate of operations from the Disaster Relief Fund during the duration of the CR to respond to declared disasters.

**Section 132. Disaster Relief Fund.**

Provides \$5.999 billion in emergency funding to the Federal Emergency Management Agency for the Disaster Relief Fund. Within that amount, \$5.5 billion is for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and \$1 million is for the Office of the Inspector General.

**Section 133. National Flood Insurance Program.**

Extends authorization for the National Flood Insurance Program for the duration of the CR.

**Section 134. Federal Cybersecurity Enhancement Act.**

Extends authorization for the Department of Homeland Security for the National Cybersecurity Protection System through the period of the CR.

**Section 135. Federal Wildland Firefighter Base Salary Increase.**

Provides flexibility to the Department of the Interior and Department of the Agriculture to increase the rate of

operations to continue the base pay salary increase for federal wildland firefighters provided in the Infrastructure Investment and Jobs Act.

**Section 136. Student Aid Administration.**

Allows the Department of Education the flexibility to spend at a faster rate of operations necessary to administer Federal student aid.

**Section 137. Funding for the Temporary Assistance for Needy Families Program.**

Extends funding for the Temporary Assistance for Needy Families (TANF) program for the duration of the CR. The extension will allow the Department of Health and Human Services (HHS) to make first-quarter payments to States.

**Section 138. Ukrainian Parolee Benefits.**

Extends authorization for the same refugee benefits provided to Ukrainians granted parole through fiscal year 2023, to Ukrainians granted parole during the continuing resolution.

**Section 139. Administration for Strategic Preparedness and Response.**

Provides flexibility to HHS in the recording of obligations and disbursements of the Administration for Strategic Preparedness and Response during the period of the CR.

**Section 140. Government Accountability Office.**

Provides \$2 million in emergency funding to the Government Accountability Office for the oversight of funds provided to respond to the situation in Ukraine, as well as for audits and investigations relating to disasters and emergencies declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act for calendar year 2023.

**Section 141. Fiscal Year 2017, 2018, and 2019 Military Construction Projects.**

Extends the authority for the Department of Defense to obligate funds during the period of the CR for military construction projects that first received funding in fiscal years 2017, 2018, and 2019.

**Section 142. Economic Support Fund.**

Provides \$1.65 billion in emergency funding for assistance for Ukraine. Within the amount, \$1 million is for Office of the Inspector General of the State Department and \$1 million is for the Office of the Inspector General of the United States Agency for International Development.

**Section 143. Personal Service Contractor Authorization.**

Extends the authority for domestic hiring of certain Personal Service Contractors through the period of the CR.

**Section 144. Millennium Challenge Corporation.**

Extends the term of a member on the Board of the Millennium Challenge Corporation to ensure the Board has a quorum and can make decisions for the Corporation.

**Section 145. Federal Aviation Administration Facilities and Equipment.**

Provides flexibility to the Federal Aviation Administration to spend at a faster rate of operations to support administrative costs for the Facilities and Equipment account.

**DIVISION B – OTHER MATTERS**

**TITLE I – EXTENSIONS AND OTHER MATTERS**

**Sec. 2101. Extension of Certain Provisions of the Compact of Free Association with the Federated States of Micronesia and the Federal Program and Services Agreements with the Federated States Of Micronesia and the Republic of the Marshall Islands.**

Provides FY2023 COFA economic assistance for the Federated States of Micronesia and extends authority for certain federal programs and services in the Federated States of Micronesia and the Republic of the Marshall Islands until new agreements take effect.

**Sec. 2102. Extension of Deadline to Promulgate Certain Regulations.**

The Committee marked up S. 1308 on May 3, 2023 and adopted Amendment in the Nature of a Substitute, which extends the period for publishing proposed regulations from 21 months after enactment of the *PROGRESS for Indian Tribes Act* to 38 months after enactment, and to extend the authority to promulgate regulations from 30 months after enactment to 50 months after enactment.

**TITLE II – FAA EXTENSION**

**SUBTITLE A—FEDERAL AVIATION PROGRAMS**

**Sec. 2201. Airport Improvement Program.**

This section extends for three months (through December 31, 2023) the authorization for the FAA Airport Improvement Program (AIP), which provides federal grants for airports for planning and development, mainly of capital infrastructure projects related to aircraft operations such as runways and taxiways. This section also authorizes appropriations of \$842 million (continuing FY 2023 levels) for this period and sets for the apportionment formulas for grant funding. Allocation for primary airports will be based on best of Calendar Year (CY) 2018, CY 2019, or CY 2022 enplanements.

**Sec. 2202. Extension of Expiring Authorities; Miscellaneous Authorizations.**

This section extends for three months the current authorization for the following key FAA and DOT programs:

- (a) Authority to Provide War Risk Insurance. Authorizes the DOT non-premium war risk insurance program for operating aircraft in interstate commerce and other related activities.
- (b) Unmanned Aircraft Test Ranges. Authorizes the Unmanned Aircraft System (UAS) Test Site Program, which provides verification the safety of public and civil UAS, operations, and related navigation procedures before their integration into the national airspace.
- (c) Special Authority for Certain Unmanned Aircraft Systems. Authorizes FAA to provide ad-hoc exemptions for certain drone operations, including for beyond-visual-line-of-sight (BVLOS) operations.
- (d) Extension of Airport Safety and Airspace Hazard Mitigation and Enforcement. Authorizes FAA to evaluate counter-UAS technologies at five domestic airports that may detect and mitigate potential aviation safety risks.
- (e) Competitive Access Reporting Requirement. Authorizes FAA to require recipients of Airport Improvement Program (AIP) and Passenger Facility Charge (PFC) funds to submit competition plans to FAA detailing the ability of airlines to access to gates and other airport facilities.
- (f) Marshall Islands, Micronesia, and Palau. Authorizes the Airport Improvement Program (AIP) discretionary grant eligibility for the Marshall Islands, Micronesia, and Palau.
- (g) Supplemental Discretionary Funds. Authorizes over \$140 million in FAA discretionary AIP funds for airports, which supplements the agency’s entitlement AIP grants.
- (h) Compatible Land Use Planning and Projects by State and Local Governments. Authorizes FAA’s ability to provide grants for making the use of land areas around large-hub airports and medium-hub airports compatible with aircraft operations.

(i) Non-movement Area Surveillance Pilot Program. Authorizes the extension of a pilot program under which up to five airports would be able to receive AIP grants to acquire and install “qualifying non-movement area surveillance display systems and sensors.”

(j) Weather Reporting Programs. Authorizes \$9.8 million to sustain FAA’s existing aviation weather reporting programs.

(k) Learning Period. Authorizes the extension of the moratorium or “learning period” on certain FAA commercial spaceflight safety regulations relating to spaceflight participants on commercial space vehicles through January 1, 2024.

(l) Midway Island Airport. Authorizes the DOT to enter into a reimbursable agreement with the Secretary of the Interior for the purpose of funding airport development at Midway Island Airport using discretionary AIP funds.

(m) Final Order Establishing Mileage and Adjustment Eligibility. Authorizes DOT’s ability to use the “most common route”—as opposed to the most direct route—for calculating whether an airport is at least 70 miles from the nearest medium or large hub airports, for purposes of determining eligibility under the Essential Air Service program.

(n) Contract Weather Observers. Authorizes the extension of the current moratorium precluding FAA from discontinuing the Contract Weather Observer Program at any airport.

(o) Remote Tower Pilot Program. Authorizes the extension of a pilot program for the construction and operation of remote towers and makes certified remote towers AIP eligible.

(p) Airport Access Roads in Remote Locations; Storage Facilities for Snow Removal Equipment. Authorizes the use of Airport Improvement Program (AIP) funds for the development of certain airport access roads in noncontiguous states and for certain snow removal and safety equipment storage facilities.

(q) UAS Remote Detection and Identification Pilot Program. Authorizes the extension of a pilot program to utilize available remote detection or identification technologies for safety oversight, including enforcement actions against operators of UAS that are not in compliance with applicable Federal aviation laws, including regulations.

(r) Advisory Committee for Aviation Consumer Protection. Authorizes the extension of DOT’s Aviation Consumer Protection Advisory Committee (ACPAC), which evaluates existing aviation consumer protection programs and provides recommendations to the Secretary for improving and establishing additional aviation consumer protection programs.

(s) Aviation Consumer Advocate. Authorizes the extension of Aviation Consumer Advocate, a position within DOT responsible for recommending actions DOT can take to improve enforcement of aviation consumer protection rules.

(t) Advisory Committee on Air Travel Needs of Passengers With Disabilities. Authorizes DOT’s Air Carrier Access Act Advisory Committee, which is charged with assessing barriers and describing improvements related to the air travel experience of passengers with disabilities.

(u) Enhanced Traffic Services. Authorizes the extension of a pilot program to provide air traffic control services on a preferential basis to aircraft equipped with certain NextGen avionics.

(v) Pilot Program for Redevelopment of Airport Properties. Authorizes the extension of a pilot program allowing Airport Improvement Program (AIP) funds to be spent on airport property redevelopment projects to support joint planning, design, and permitting of projects concerning noise mitigation or generating economic benefits to airport-adjacent communities.

### **Sec. 2203. Federal Aviation Administration Operations.**

This section authorizes FAA operations for three months (through December 31, 2023), with appropriations of \$2.9 billion (continuing FY 2023 levels), to support key safety programs, from aircraft certification reform to air carrier oversight, while enabling the hiring, training and retention of safety critical staff, from air traffic controllers to technical engineers.

**Sec. 2204. Air Navigation Facilities and Equipment.**

This section authorizes FAA facilities and equipment (F&E) for three months (through December 31, 2023), with \$740 million (continuing FY 2023 levels), to support the modernization of key technologies, systems and equipment underpinning the world’s most complex airspace system.

**Sec. 2205. Research, Engineering, and Development.**

This section authorizes FAA research, engineering and development (RED) for three months (through December 31, 2023), with appropriations of \$64 million (continuing FY 2023 levels), in order to further FAA research programs to inform the safe certification of current aviation technologies, invest in next generation aerospace technology development, and support the evolution of the National Airspace System (NAS).

**Sec. 2206. Small Community Air Service.**

This section authorizes the Essential Air Service (EAS) program for three months (through December 31, 2023), with appropriations of \$89 million (continuing FY 2023 levels), to ensure that certain small communities receive access to scheduled passenger service. This section also authorizes the Small Community Air Service Development Program (SCADSP) for three months (through December 31, 2023), with appropriations of \$2.5 million (continuing FY 2023 levels) to provide financial assistance to small communities to help them enhance their air service.

**SUBTITLE B — AVIATION REVENUE PROVISIONS**

**Sec. 2211. Expenditure Authority from Airport and Airway Trust Fund.**

This section extends FAA expenditure authority related to the Airport and Airways Trust Fund (AATF) for three months (until January 1, 2024) to meet obligations incurred under various FAA programs. The AATF is the primary funding source for most FAA activities in addition to federal grants to airports.

**Sec. 2212. Extension of Taxes Funding Airport and Airway Trust Fund.**

This section extends FAA authority to collect various taxes and fees from users of the national aviation system for three months (through December 31, 2023), such as taxes on aviation fuel and tickets. These taxes and fees are deposited in the Airport and Airways Trust Fund (AATF) to assure an adequate and consistent source of funds for federal airport and airway programs.

**SUBTITLE C—EXPIRING COUNTER-UAS AUTHORITIES**

**Sec. 2221. Protection of Certain Facilities and Assets From Unmanned Aircraft.**

This section extends Counter-Unmanned Aircraft System (C-UAS) authorities for the Departments of Justice (DOJ) and Homeland Security (DHS) until November 18, 2023. This provides DOJ and DHS the ability to authorize Department components to take certain counter-drone actions, notwithstanding certain provisions of federal law that could potentially constrain necessary and appropriate actions to mitigate credible drone threats to designated facilities and assets.

**TITLE III – HEALTH AND HUMAN SERVICES**

**SUBTITLE A – ANIMAL DRUG AND ANIMAL GENERIC DRUG USER FEE AMENDMENTS**

**Chapter 1 – Fees Relating to Animal Drugs.**

Reauthorizes the expiring Animal Drug User Fee (ADUFA) program through FY 2028.

**Chapter 2 – Fees Relating to Generic Animal Drugs.**

Reauthorizes the expiring Animal Generic Drug User Fee (AGDUFA) program through FY 2028.

**SUBTITLE B—PUBLIC HEALTH EXTENDERS**

**Sec. 2321. Extension for Community Health Centers, National Health Service Corps, and Teaching Health Centers That Operate GME Programs.**

Extends the Teaching Health Center Graduate Medical Education program, the Community Health Center Fund, and the National Health Services Corps through November 17, 2023.

**Sec. 2322. Extension of Special Diabetes Programs.**

Extends the Special Diabetes Programs for Type I Diabetes and the Special Diabetes Programs for Indians through November 17, 2023.

**SUBTITLE C – NECESSARY AUTHORITIES TO RESPOND TO PUBLIC THREATS**

**Sec. 2331. Extension of Authority to Make Certain Appointments of National Disaster Medical System Personnel.**

Extends the Assistant Secretary for Preparedness and Response’s direct hire authority for the National Disaster Medical System program at the Department of Health and Human Services through November 17, 2023.

**Sec. 2332. Temporary Reassignment of State and local personnel during a public health emergency.**

Continues to allow States and territories to request reassignment of federally funded personnel to support public health emergency responses through November 17, 2023.

**Sec. 2333. Extension of National Advisory Committees.**

Extends through November 17, 2023, the three National Advisory Committees that provide advice to the federal government on preparedness and response planning related to children, seniors, and individuals with disabilities.

**SUBTITLE D – MEDICAID**

**Sec. 2341. Delaying Certain Disproportionate Share Hospital Payment Reductions under the Medicaid Program.**

This section delays implementation of the Medicaid Disproportionate Share Hospital (DSH) cuts until November 18.

**Sec. 2342. Medicaid Improvement Fund.**

This section reduces the amount of funds in the Medicaid Improvement Fund from \$7,000,000,000 to \$6,357,117,810.

## **SUBTITLE E – HUMAN SERVICES**

### **Sec. 2351. Extension of Child and Family Services Programs.**

This section extends child welfare programs under Title IV-B of the Social Security Act through November 17.

### **Sec. 2352. Sexual Risk Avoidance Education Extension.**

This section extends the Sexual Risk Avoidance Education (SRAE) program under Title V of the Social Security Act through November 17.

### **Sec. 2353. Personal Responsibility Education Extension.**

This section extends the Personal Responsibility Education Program (PREP) under Title V of the Social Security Act through November 17.

## **TITLE IV – BUDGETARY EFFECTS**

### **Sec. 2401. Budgetary Effects.**

Technical budgetary provisions.