

Senate CR Section-by-Section Analysis – Division A

General Terms and Conditions

Sec. 101. Provides for the continuation of appropriations at the levels of, and under the terms and conditions of, fiscal year 2013 appropriations (but excluding supplemental appropriations for Hurricane Sandy (P.L. 113-3) or replenishment of wildland firefighting accounts (P.L. 112-175)), as reduced by the sequester order of March 1, 2013. Discontinues the farmer assurance provision.

DOD Production

Sec. 102. Prohibits DOD from starting new programs, entering into multi-year contracts, or increasing production rates during the continuing resolution.

Terms and Conditions

Sec. 103. Specifies that funds in section 101 shall be available to the extent and in the manner that would be provided in the pertinent appropriations Act.

No New Starts

Sec. 104. Prohibits new starts and resumption of activities for which funds were not available during fiscal year 2013.

Confirmation of authority

Sec. 105. Confirms authority for any obligations incurred under the terms and conditions of this continuing resolution.

Expiration Date

Sec. 106. Continues appropriations through January 15, 2014, or the enactment of the pertinent appropriations Act.

Attribution of Appropriations

Sec. 107. Provides that expenditures for activities funded in this continuing resolution be charged to the relevant account when the applicable appropriations Act becomes law.

Waiver of Apportionments

Sec. 108. Waives the normal time limitations for submission and approval of apportionments of accounts funded in annual appropriations Acts.

Limits High Initial Rates of Operation

Sec. 109. Limits disbursements for programs that otherwise would have high initial rates of operation or would complete disbursements at the beginning of the fiscal year, so as not to impinge on final Congressional funding prerogatives.

Limitation on Spending Authority

Sec. 110. Directs that the continuing resolution be implemented so that only the most limited funding action be taken in order to provide for continuation of projects and activities.

Mandatory Spending

Sec. 111. Provides authority to make payments for entitlements and other mandatory spending for up to 30 days after the expiration of the continuing resolution.

Furlough Avoidance

Sec. 112. Permits agencies to apportion funds up to a rate for operations necessary to avoid furloughs, but this authority shall not be used until the agency has taken all necessary actions to reduce or defer non-personnel-related administrative expenses.

National Security Activities

Sec. 113. Provides waiver authority for the expenditure of funds in the absence of certain national security authorizations for the duration of the continuing resolution.

Designation of Funds for Which Cap Adjustments Are Made

Sec. 114. Provides a designation for amounts incorporated by reference for which a cap adjustment is permissible under the Budget Control Act of 2011, such as overseas contingency operations, disaster relief, and program integrity.

Retroactive Pay for Furloughed Employees

Sec. 115. Provides compensation for federal employees who were furloughed during the lapse in appropriations.

Reimbursement of State Governments and Other Grantees

Sec. 116. Provides reimbursement of costs incurred by State governments and other grantees to continue carrying out a Federal program during the lapse in appropriations.

Pay Our Military Act Expenditures

Sec. 117. Charges payments made under the Pay Our Military Act to the applicable appropriations.

Effective Date

Sec. 118. Provides that the effective date for this continuing resolution is October 1, 2013.

Limitations on Conferences

Sec. 119. Continues government-wide restrictions and reporting requirements relating to agency spending on conferences.

PL 480 Extension (Agriculture)

Sec. 120. Extends authorization of a Food for Peace Act provision that expired on September 30, 2013, through the duration of this continuing resolution. This will allow the program to continue to enter into contracts to address emergency needs throughout the world.

Satellite Apportionment Authority (Commerce)

Sec. 121. Allows NOAA funding for the procurement of the agency's two flagship weather satellites programs, which is needed to maintain launch readiness. These programs are at critical development phases.

DOD Lord's Resistance Authority and Non-Conventional Assisted Recovery Capabilities Extension (Defense)

Sec. 122. Extends authority that expired on September 30, 2013, through the duration of this continuing resolution for the Department of Defense to continue to support African forces that are in pursuit of Joseph Kony and the Lord's Resistance Army, and for combatant commanders to use resources to support foreign forces, including irregular forces, to assist in finding and recovering U.S. military or government personnel who are lost or stranded in foreign countries during military operations. The authority does not relate to the use of the U.S. Armed Forces for these missions.

Olmsted Lock and Dam Authority (Energy & Water Development)

Sec. 123. Provides authority to continue the Corps of Engineers' Olmsted Lock and Dam replacement project on the Ohio River. Termination of construction of the ongoing project will begin in November without the increased authority.

Appalachian Regional Commission Extension (Energy & Water Development)

Sec. 124. Extends expired authority through the duration of the continuing resolution for the Appalachian Regional Development Commission.

Judiciary (Financial Services)

Sec. 125. Provides a rate of \$4.82 billion to provide adequate funding levels for the Judiciary. With this funding, jurors can continue to be paid, further furloughs of federal defenders will be avoided, and the Judiciary will be provided with necessary court security protection and equipment.

Defender Services Funding (Financial Services)

Sec. 126. Provides a rate of \$1.012 billion for the Judiciary's Defender Services account to reimburse the costs of several weeks of suspended compensation for representation of indigent defendants accused of a federal crime and ensure adequate staffing levels in federal defender organizations.

DC Local Funds (Financial Services)

Sec. 127. Allows the District of Columbia to spend its locally-generated revenue during fiscal year 2014.

Federal Communications Commission (Financial Services)

Sec. 128. Extends authority that expires on December 31, 2013, through the period of the continuing resolution, that allows the FCC to enter into commitments in advance of fee collections for the Universal Service Fund.

Privacy and Civil Liberties Oversight Board (Financial Services)

Sec. 129. Provides a rate of operations of \$3.1 million to ensure that the reconstituted Board can begin operations as an independent agency.

Chemical Facilities Anti-terrorism Standards (CFATS) Extension (Homeland Security)

Sec. 130. Extends authority that expired on October 4, 2013, through the duration of the continuing resolution to allow the Department of Homeland Security to regulate chemical facilities that present high levels of risk.

Secret Service Undercover Investigations Extension (Homeland Security)

Sec. 131. Extends authority through the duration of the continuing resolution to allow the Secret Service to use proceeds derived from criminal investigations to conduct undercover investigative operations.

Homeland Security R&D Extension (Homeland Security)

Sec. 132. Extends authority through the duration of the continuing resolution to obtain leading edge Homeland Security R&D or prototypes using "other transactions" agreements for work with non-traditional Government contractors.

CPB/ICE Authority (Homeland Security)

Sec. 133. Allows Customs and Border Protection to maintain current staffing levels and border security operations and sustains Immigration and Customs Enforcement staffing and immigration activities.

Federal Lands Recreation Enhancement Act (Interior)

Sec. 134. Extends authority provided in the Federal Lands Recreation Enhancement Act for Department of the Interior bureaus, the U.S. Forest Service, and U.S. Corps of Engineers, to collect recreation fees, including the sale of annual passes.

Interior Fire Suppression Funds (Interior)

Sec. 135. Provides \$36 million for the Interior Department's wildland fire management activities, which is available for fiscal year 2014 or to repay accounts from which the Department borrowed to pay for fire suppression in previous fiscal years.

Forest Service Fire Suppression Funds (Interior)

Sec. 136. Provides \$600 million for the Forest Service's fire suppression activities, which is available for fiscal year 2014 or to repay accounts from which the Forest Service borrowed to pay for fire suppression in previous fiscal years.

Forest Service Stewardship (Interior)

Sec. 137. Extends authority that expired on September 30, 2013, for the Forest Service to contract with public or private entities to perform forest restoration and timber projects through the duration of the continuing resolution.

Eisenhower Memorial Commission Extension (Interior)

Sec. 138. Extends authorities for the Eisenhower Memorial Commission, excluding construction activities, through the duration of the continuing resolution.

TANF Extension (Labor-HHS)

Sec. 139. Extends authority for TANF, Welfare Research, and the Child Care Entitlement program through the duration of the continuing resolution.

MSHA Extension (Labor-HHS)

Sec. 140. Repeats language from the fiscal year 2013 continuing resolution related to the collection of user fees for Mine Safety and Health Administration (MSHA) approval and certification of equipment and materials used in mines.

LIHEAP Extension (Labor-HHS)

Sec. 141. Clarifies that the formula to distribute LIHEAP funds to States should remain unchanged so that HHS uses the same formula as in prior years.

Refugee Resettlement (Labor-HHS)

Sec. 142. Provides HHS authority to obligate a higher percentage of Office of Refugee Resettlement funds under the continuing resolution due to continued increases in costs under the Unaccompanied Alien Children program.

Biomedical Advanced Research and Development Authority (BARDA) (Labor-HHS)

Sec. 143. Provides HHS flexibility to obligate a higher percentage of the Public Health and Social Services Emergency Fund for the Biomedical Advanced Research and Development Authority (BARDA).

Highly Qualified Teachers (Labor-HHS)

Sec. 144. Extends the highly qualified teacher provision through the 2015-2016 school year.

Payments to Widows and Heirs of Deceased Members of Congress (Legislative Branch)

Sec. 145. Provides a death benefit for the widow of Senator Frank Lautenberg.

Prohibition on Cost of Living Adjustment for Members of Congress (Legislative Branch)

Sec. 146. Prohibits a cost of living adjustment for Members of Congress.

VA Funding to Reduce Backlog of Disabilities Claims (Milcon/VA)

Sec. 147. Provides \$2.455 billion for Veterans Benefits Administration general operating expenses to fund mandatory overtime, convert paper records to electronic records, and deploy transition and planning assistance programs.

HUD Rental Assistance Demonstration Extension (Transportation, HUD)

Sec. 148. Extends HUD's authority to preserve affordable housing. Without the language, projects would fall through, jeopardizing private financing.

FAA Operations (Transportation, HUD)

Sec. 149. Provides \$9.248 billion for the operations of the Federal Aviation Administration to prevent the furlough of air traffic controllers and aviation safety inspectors.

WMATA (Transportation, HUD)

Sec. 150. Extends the deadline for implementing wireless service throughout the entire Washington Metropolitan Area Transit Authority rail system to continue funding eligibility for capital improvements that are improving safety and operational reliability.

Maritime Security Program (Transportation, HUD)

Sec. 151. Provides \$186 million for the Maritime Security Program to maintain sealift capacity.

War Risk Insurance (Transportation, HUD)

Sec. 152. Extends the Secretary of Transportation's authority to provide insurance and reinsurance against loss or damage arising out of any risk from the operation of an American aircraft or foreign-flag aircraft.

War Risk Insurance (Transportation, HUD)

Sec. 153. Extends the Secretary of Transportation's authority to limit claims against an air carrier in cases of acts of terrorism committed on or to an air carrier.

War Risk Insurance (Transportation, HUD)

Sec. 154. Extends the Secretary of Transportation's authority to provide insurance and reinsurance under chapter 443 of title 49, United States Code.

Highway Emergency Relief Funds (Transportation, HUD)

Sec. 155. Allows the Secretary of Transportation to use up to \$450 million of funds previously appropriated to the Highway Emergency Relief program to pay for repairs after recent flooding in the State of Colorado. This provision does not provide additional funding for Emergency Relief projects.

Technical

Sec. 156. Conforms references in the bill.

Homeland Security Reporting Requirement (Homeland Security)

Sec. 157. Requires that a report be submitted to the relevant committees.

Senate CR Section-by-Section Analysis – Division B

Income Verification

Sec. 1001

- **Current law.** Under current law, everyone who applies for premium tax credits and cost-sharing assistance through the new Marketplaces will have their income verified through a multi-step process. On the front end, Marketplaces verify income against IRS and Social Security data, and, if necessary, against current wage information available from employers. On the back end, advanced credits are reconciled with tax filings, and the IRS will recoup overpayments as necessary consistent with law.
- **Proposed change.** The HHS Secretary will certify to the Congress that Marketplaces verify premium tax credit and cost-sharing assistance eligibility consistent with the law. She will also report to Congress by January 1, 2014 on the procedures for verifying such eligibility. The HHS Inspector General will submit a report to Congress by July 1, 2014 on the effectiveness of the income verification safeguards provided under the law.
- **Score.** The nonpartisan CBO scored the proposal as having no deficit impact.

Default Prevention Act of 2013

Sec. 1002

- The Default Prevention Act of 2013, included in the Continuing Resolution, would authorize suspension of the debt limit through February 7, 2014, subject to a congressional joint resolution of disapproval.
- Under the Act, the debt limit would be suspended if the President certifies that the Treasury otherwise would be unable to issue debt to meet existing commitments of the Federal government. At the end of the suspension period, the debt limit would be increased by an amount that accounts only for obligations issued to fund commitments that required payment before the end of the period.
- A presidential certification would automatically trigger an expedited process for congressional consideration of a joint resolution of disapproval. The joint resolution, if enacted within 22 days of such a certification, would terminate the suspension of the debt limit.

- A joint resolution could be introduced within 14 days of the presidential certification, and a motion to proceed to the joint resolution would be in order within 6 days of introduction. The joint resolution could not include any extraneous material and would not be amendable. Senate consideration of the joint resolution would be limited to 10 hours.
- If approved by both houses of Congress, the joint resolution could be vetoed by the President. A vetoed joint resolution would go into effect only if the veto were overridden by both houses of Congress.