

U.S. General Services Administration

EXPENSES, PRESIDENTIAL TRANSITION

Fiscal Year 2025 Congressional Justification

CONTENTS

Appropriations Language	2
Program Description	2
Explanation of Changes	3
Summary of the Request	3
Appropriations History	6
Obligations by Program	6
Obligations by Object Class	7
Authorizing Legislation	8

Appropriations Language

For necessary expenses to carry out the Presidential Transition Act of 1963 (Public Law 88–277), as amended ("the Act"), \$11,202,314, of which \$7,221,863 is available for activities authorized by sections 3(a)(1) through 3(a)(7) and 3(a)(10) of the Act; \$2,980,451 is available for activities authorized by section 5 of the Act; and \$1,000,000 is available for activities authorized by subsections 3(a)(8) and 3(a)(9) of the Act: Provided, That such amounts may be transferred and credited to the "Acquisition Services Fund" or "Federal Buildings Fund" to reimburse obligations incurred prior to enactment of this Act for the purposes provided herein related to the Presidential election in 2024: Provided further, That notwithstanding sections 3(c)(1)(A)(ii) and 3(c)(2)(A) of the Act, none of the funds provided under this heading are available during any period of multiple possible apparent successful candidates as described in section 3(c)(2) of the Act except for those amounts made available for section 5 of the Act: Provided further, That in the case where the President-elect is the incumbent President or in the case where the Vice-President-elect is the incumbent Vice President, \$10,202,314 is permanently cancelled, pursuant to subsection 3(g) of the Act: Provided further, That amounts available under this heading shall be in addition to any other amounts available for such purposes.

Program Description

This appropriation provides for an orderly transfer of Executive leadership in accordance with the Presidential Transition Act of 1963, as amended. These expenses include costs of \$1,000,000 provided for briefing personnel associated with an Incoming Administration. New appropriations are generally requested only in Presidential election years.

Explanation of Changes

(Dollars in Thousands)

	<u>Budget Authority</u>	
2024 Full Year CR.....	\$	-
2025 Request.....	\$	11,202
Net Change.....	\$	11,202

Summary of the Request

The FY 2025 budget requests \$11.2 million to provide for the orderly transfer of executive leadership in connection with the expiration of the term of office of the President and the inauguration of a new President. The appropriated transition funds become available to an Incoming Administration beginning the day following the general election and ending 60 days following the inauguration (except that, pursuant to the appropriations language funds are not available during any period of multiple possible apparent successful candidates). Funds are available for expenses of the Outgoing President and Vice President from 30 days before and until six months after their term of office expires.

Incoming Administration

This request includes \$7.2 million for the orderly transfer of Executive leadership in connection with the expiration of the term of office of the President and the inauguration of a new President. This is a separate request from GSA's FY 2024 appropriation for Pre-Election Services for the Presidential Transition. These funds may be used at the discretion of the President-Elect, Vice President-Elect, or their designees to provide suitable office space for transition activities; provide compensation to transition office staff; acquire communications services; provide allowances for travel and subsistence; and for printing and postage costs associated with the transition.

This funding will become available to an Incoming Administration following the day of the general election and ending 60 days following the inauguration (except that, pursuant to the appropriations language funds are not available during any period of multiple possible apparent successful candidates). The FY 2025 request for these activities is the cumulative effect of using the methodology established in the Presidential Transition Act and applying annual inflationary adjustments.

These funds will be rescinded if there is no change in Administration following the 2024 Presidential election.

Considerations: Recent Changes to Presidential Transition Act Statute

The Electoral Count Reform and Presidential Transition Improvement Act of 2022 (Division P of the FY 2023 Consolidated Appropriations Act, P.L. 117-328), particularly section 202, made significant changes to the structure of services and support provided to eligible candidates during any period beyond the first five days following the Presidential election for which there are multiple possible apparent successful candidates.

Of particular importance, during a period of multiple possible apparent successful candidates, any remaining eligible candidates may receive access to classified briefings that would otherwise be made available to the President-Elect and Vice President-Elect and may also receive access to agency employees for agency review and planning activities. Also, remaining eligible candidates are able to receive expanded services and support from GSA; prior to these changes to the statute, GSA services and support to any remaining eligible candidates was held steady at the Pre-Election level until the Administrator's determination of the sole apparent successful candidate.

The appropriations language proposed for this activity maintains each remaining eligible candidate's access to both the classified briefings and agency employees as well as the expanded GSA support; however, it reserves the appropriated funding that is normally made available to the President-Elect and Vice President-Elect until the outcome of the election is known. A remaining eligible candidate, who is later determined to be the sole apparent successful candidate, would be able to receive reimbursement for allowable expenses incurred prior to that determination, consistent with GSA's practice in the 2000 and 2020 cycles. However, a remaining eligible candidate who is later determined not to be the sole apparent successful candidate would not be eligible for such reimbursement.

This approach maintains the required appropriated amount to support this activity at a level consistent with previously enacted amounts, adjusted for inflation, in alignment with Section 7 of the Act which was not changed by the Presidential Transition Improvement Act (Division P of the Consolidated Appropriations Act, 2023, Public Law 117-328). It also ensures that, in the event of a change in Administration, an Incoming Administration has access to an appropriated amount commensurate with what has been provided in previous cycles, as the limited funding will not be allocated between multiple remaining eligible candidates for any period. While this will require any remaining eligible candidate to self-finance activities between the date of the election and the determination of the sole apparent successful candidate, eligible candidates have the ability to raise funds directly to support their transition expenses, and the sole apparent successful candidate will have the ability to seek reimbursement for any allowable expenses incurred during the period of multiple potential apparent successful candidates.

Outgoing Administration

The requested level provides \$2.9 million for the Outgoing Administration. Funding will support the expenses of the Outgoing President and Vice President from 30 days before through six months after the date their terms of office expire.

The FY 2025 request for the Outgoing Administration is the cumulative effect of using the methodology established in the Presidential Transition Act and applying annual inflationary adjustments. These funds may be used to provide suitable office space for transition activities; provide compensation to transition office staff; acquire communication services; provide allowances for travel and subsistence; and for printing and postage costs associated with the transition.

These funds will be rescinded if there is no change in administration following the 2024 Presidential Election.¹

Appointee Orientation²

In addition, \$1.0 million is requested to pay for or to reimburse Federal agencies for costs related to briefings, workshops, training, and orientation for key prospective Presidential appointees. These funds are authorized in the Presidential Transition Act, section 3(a)(8) and (9), as well as section 7, to be appropriated as may be necessary. These funds become available from the day following the general election through the end of the fiscal year (except that, pursuant to the appropriations language, funds are not available during any period of multiple possible apparent successful candidates).

Considerations: Recent Changes to Presidential Transition Act Statute

These Appointee orientation funds are not rescinded if there is no change in administration; they are available to the President-elect in all instances. For that reason, the appropriations language proposed for this activity reserves the funding until the outcome of the election is known. As this funding is available for appointee orientation activities both before and after Inauguration Day, and is available until September 30, 2025, the impact of any delay in accessing these funds is expected to be minor and addressable.

¹ The statute also establishes a partial rescission in the event that the President-Elect is the incumbent Vice President.

² This activity has been titled "Agency Briefings" in some previous cycles; the "Appointee Orientation" title more accurately reflects the activities supported through this appropriation.

U.S. General Services Administration
Expenses, Presidential Transition

Appropriations History

(Dollars in Thousands)

	FY 2017 Actual	FY 2021 Actual	FY 2025 Request
Discretionary Authority:			
Annual Appropriation	\$ 9,500	\$ 9,900	\$ 11,202
Annual Appropriation, Rescinded.....	\$ -	\$ -	\$ -
Obligations.....	\$ 9,494	\$ 9,488	\$ 11,202
Net Outlays:	\$ 8,335	\$ 8,895	\$ 11,202

*In FY 2017 GSA also had \$226 in reimbursable obligations associated with Presidential Transition

Obligations by Program

(Dollars in Thousands)

	FY 2023 Actual	FY 2024 Full Year CR	FY 2025 Request
1. Appointee Orientation.....	\$ -	\$ -	\$ 1,000
2. Incoming President and Vice President.....	\$ -	\$ -	\$ 7,222
3. Outgoing President and Vice President.....	\$ -	\$ -	\$ 2,980
Total Appropriation	\$ -	\$ -	\$ 11,202

U.S. General Services Administration
Expenses, Presidential Transition

Obligations by Object Class
(Dollars in Thousands)

	FY 2023 Actual	FY 2024 Full Year CR	FY 2025 Request
11.8 Special personnel services payments.....	\$ -	\$ -	\$ 1,436
12.1 Civilian personnel benefits.....	\$ -	\$ -	\$ 357
13.0 Benefits for former personnel.....	\$ -	\$ -	\$ -
21.0 Travel and transportation of persons.....	\$ -	\$ -	\$ 1,806
23.3 Communications and utilities.....	\$ -	\$ -	\$ 2,398
24.0 Printing and reproduction.....	\$ -	\$ -	\$ 173
25.1 Advisory and assistance services.....	\$ -	\$ -	\$ 4,243
26.0 Supplies and materials.....	\$ -	\$ -	\$ 84
31.0 Equipment.....	\$ -	\$ -	\$ 269
32.0 Land and Structures.....	\$ -	\$ -	\$ 436
99.0 Obligations, Appropriated (Annual).....	\$ -	\$ -	\$ 11,202
<i>Subtotal, PC&B.....</i>	<i>\$ -</i>	<i>\$ -</i>	<i>\$ 1,793</i>
<i>Subtotal, Non-labor.....</i>	<i>\$ -</i>	<i>\$ -</i>	<i>\$ 9,409</i>
99.2 Obligations, reimbursable.....	\$ -	\$ -	\$ -
99.9 Total obligations.....	\$ -	\$ -	\$ 11,202

Note: A full-year 2024 appropriation for this account was not enacted at the time the Budget was prepared; therefore, the \$10,413,000 request in the 2024 Budget, and its associated obligations and outlays, are not reflected.

Authorizing Legislation

Subsection 7(a) of the Presidential Transition Act of 1963, as amended, authorizes appropriations in a fixed amount; however, subsection 7(b) allows for inflationary adjustments.

- (a) There are hereby authorized to be appropriated to the Administrator such funds as may be necessary for carrying out the purposes of this Act, except that with respect to any one Presidential transition -
 - (1) not more than \$3,500,000 may be appropriated for the purposes of providing services and facilities to the apparent successful candidates under section 3, and
 - (2) not more than \$1,500,000 may be appropriated for the purposes of providing services and facilities to the former President and former Vice President under section 4, except that any amount appropriated pursuant to this paragraph in excess of \$1,250,000 shall be returned to the general fund of the Treasury in the case where the former Vice President is the incumbent President.

The President shall include in the budget transmitted to Congress, for each fiscal year in which his regular term of office will expire, a proposed appropriation for carrying out the purposes of this Act.

- (b) The amounts authorized to be appropriated under subsection (a) shall be increased by an inflation adjusted amount, based on increases in the cost of transition services and expenses which have occurred in the years following the most recent Presidential transition, and shall be included in the proposed appropriation transmitted by the President under the last sentence of subsection (a).