

S. 764, ARTICLE ONE Act

As ordered reported by the Senate Committee on Homeland Security and Governmental Affairs on July 24, 2019

By Fiscal Year, Millions of Dollars	2019	2019-2024	2019-2029
Direct Spending (Outlays)	0	*	*
Revenues	0	*	0
Increase or Decrease (-) in the Deficit	0	0	*
Spending Subject to Appropriation (Outlays)	0	0	not estimated
Statutory pay-as-you-go procedures apply?	Yes	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2030?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between -\$500,000 and \$500,000.			

S. 764 would amend the National Emergencies Act to limit the duration of any national emergency declared by the President to 30 days, unless subsequently approved or extended by the Congress.

According to information from the Congressional Research Service, Presidents have declared 53 national emergencies since 1976. Of those, 31 are currently active. Most national emergencies involve sanctions against trade with foreign governments. Sanctions can affect revenue collections to the extent that the number of people subject to visa fees and civil and criminal penalties changes. Most visa fees are retained by the Department of State and spent without further appropriation, but some fees are deposited in the Treasury as revenues. Penalties also are recorded as revenues, and a portion of those penalties can be spent without further appropriation. In addition, national emergencies also could involve the spending of previously appropriated funds, which would lead to an increase in direct spending.

CBO cannot predict the number or timing of future declarations of national emergencies, but expects that most of them would be approved by the Congress. If S. 764 is enacted, and if it resulted in fewer emergency declarations (or emergencies of shorter duration) federal spending could be lower. But any effects would be insignificant.

CBO staff contact for this estimate is Matthew Pickford. The estimate was reviewed by Theresa A. Gullo, Assistant Director for Budget Analysis.