

## H.R. 288, Separation of Powers Restoration Act of 2023

As ordered reported by the House Committee on the Judiciary on May 10, 2023

By Fiscal Year, Millions of Dollars	2023	2023-2028	2023-2033
Direct Spending (Outlays)	a	a	a
Revenues	a	a	a
Increase or Decrease (-) in the Deficit	a	a	a
Spending Subject to Appropriation (Outlays)	a	a	a
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2034?	a	Statutory pay-as-you-go procedures apply?	Yes
		<b>Mandate Effects</b>	
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2034?	a	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
a. CBO has no basis to estimate the budgetary effects of enacting H.R. 288.			

H.R. 288 would authorize federal courts that review agency actions to decide all relevant questions of law, including the interpretation of constitutional and statutory provisions and rules, without deferring to previous legal determinations by the agency.

Under the bill, federal courts could overturn some agency decisions that they would have upheld under current law. Some of those decisions could affect federal spending by overturning regulations that affect direct spending, revenues, and spending subject to appropriation. However, CBO has no basis for estimating either the likelihood that such actions would be overturned or what the effects on spending might be.

The CBO staff contact for this estimate is Jon Sperl. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.



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