

CBO Estimate for the Continuing Appropriations Act, 2024 and Other Extensions Act

As Posted on the Senate Appropriations Committee Website on September 26, 2023

https://www.appropriations.senate.gov/imo/media/doc/230926_cr_legislative_text.PDF

Table 1 compiles CBO's estimates of discretionary budget authority for 2024 under division A. That division would provide for the continuation, through November 17, 2023, of the appropriations and authorities contained in the 12 regular appropriation acts for fiscal year 2023, which are contained in divisions A through L of the Consolidated Appropriations Act, 2023 (Public Law 117-328). The legislation also would continue certain appropriations and authorities contained in divisions M and N of P.L. 117-328. Division A would specify changes to funding amounts and authorities for certain accounts. Estimates are annualized—that is, estimated as if appropriations were provided for the entire fiscal year.^a Consistent with section 114 of the legislation, this table delineates CBO's estimate of discretionary appropriations that would be subject to statutory caps specified by the Fiscal Responsibility Act of 2023 (FRA, P.L. 118-5) and certain categories of funding for which cap adjustments are authorized.^b

Table 1.
Discretionary Spending Under Division A, by Appropriations Subcommittee

Millions of Dollars		Spending Counted for Statutory Caps ^b									Emergency Spending Not Counted for Caps ^c	Total
		Constrained by Caps			Adjustment to Caps					Total Funding Under Caps		
				Total	Nonsecurity							
		Security	Nonsecurity		Emergency	Emergency	Disaster	Program Integrity	Wildfire Suppression			
Agriculture ^d	BA:	0	25,953	25,953	0	353	0	0	0	26,306	0	26,306
	O:	0	27,700	27,700	0	159	0	0	0	27,859	0	27,859
Commerce, Justice, Science	BA:	6,586	76,746	83,332	0	1,400	0	0	0	84,732	1,400	86,132
	O:	6,545	80,307	86,852	0	237	0	0	0	87,089	246	87,335
Defense ^a	BA:	798,907	187	799,094	4,499	0	0	0	0	803,593	0	803,593
	O:	770,257	176	770,433	2,569	0	0	0	0	773,002	0	773,002
Energy and Water ^e	BA:	31,399	24,606	56,005	0	650	0	0	0	56,655	13,688	70,343
	O:	30,694	32,199	62,893	0	216	0	0	0	63,109	252	63,361
Financial Services	BA:	43	27,230	27,273	0	0	143	0	0	27,416	1	27,417
	O:	42	32,817	32,859	0	0	110	0	0	32,969	1	32,970
Homeland ^{a,f}	BA:	3,491	57,268	60,759	0	6,308	19,945	0	0	87,012	1,320	88,332
	O:	3,431	77,816	81,247	0	608	1,197	0	0	83,052	28	83,080
Interior and Environment ^c	BA:	0	44,162	44,162	0	1,600	0	0	2,550	48,312	16,268	64,580
	O:	0	49,940	49,940	0	1,226	0	0	876	52,042	1,341	53,383
Labor, HHS, Education ^d	BA:	0	207,583	207,583	0	2,585	0	2,345	0	212,513	495	213,008
	O:	0	254,714	254,714	0	1,760	0	1,892	0	258,366	82	258,448
Legislative Branch ^a	BA:	0	6,906	6,906	0	2	0	0	0	6,908	0	6,908
	O:	0	6,545	6,545	0	1	0	0	0	6,546	0	6,546
Military Construction, VA	BA:	18,998	144,529	163,527	0	0	0	0	0	163,527	0	163,527
	O:	15,389	142,951	158,340	0	0	0	0	0	158,340	0	158,340
State, Foreign Operations	BA:	0	59,675	59,675	0	3,715	0	0	0	63,390	1,000	64,390
	O:	0	64,491	64,491	0	3,093	0	0	0	67,584	200	67,784
Transportation, HUD	BA:	361	94,631	94,992	0	3,623	0	0	0	98,615	36,811	135,426
	O:	394	175,552	175,946	0	2,877	0	0	0	178,823	648	179,471
Total	BA:	859,785	769,476	1,629,261	4,499	20,236	20,088	2,345	2,550	1,678,979	70,983	1,749,962
	O:	826,752	945,208	1,771,960	2,569	10,177	1,307	1,892	876	1,788,781	2,798	1,791,579
Memorandum:												
Limits on Budget Authority ^b		886,349	703,651	1,590,000	n.a.	n.a.	20,404	2,447	2,650			

Source: Congressional Budget Office.

BA = budget authority; HHS = Health and Human Services; HUD = Housing and Urban Development; O = outlays; VA = Veterans Affairs; n.a. = not applicable.

See next page for notes

Table 1. Discretionary Spending Under Division A, by Appropriations Subcommittee

Continued

- a. Division A would provide \$12,150 million in full-year appropriations that would be available for fiscal year 2024. That amount includes emergency-designated funding under the jurisdictions of the Subcommittees on Defense (\$4,499 million), Homeland Security (\$5,999 million), Legislative Branch (\$2 million), and State, Foreign Operations (\$1,650 million).
- b. In 2024, most discretionary budget authority is subject to limits (or caps) established by the FRA. Separate caps exist for defense funding (in the law, *revised security*—budget function 050) and for nondefense funding (*revised nonsecurity*—all other budget functions). The FRA also provides for adjustments to those caps to account for funding for certain activities designated, in accordance with section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 (P.L. 99-177, as modified by the FRA) as an emergency requirement or for disaster relief, certain activities related to program integrity, and wildfire suppression.
- c. Reflects previously enacted amounts that are designated as an emergency requirement for fiscal year 2024 for allocation enforcement under the Congressional Budget Act. That funding was provided before the enactment of the FRA, which provides for the consideration of fiscal year 2024 appropriation legislation. The emergency-designated budget authority and new outlays attributed to legislation enacted before fiscal year 2024 stem from division J of the Infrastructure Investment and Jobs Act (P.L. 117-58), division B of the Bipartisan Safer Communities Act (P.L. 117-159), section 443 of division G of the Consolidated Appropriations Act, 2023 (P.L. 117-328), and section 122 of division A of the Continuing Appropriations and Ukraine Supplemental Appropriations Act, 2023 (P.L. 117-180).
- d. In keeping with the 21st Century Cures Act (P.L. 114-255), certain funding for the Department of Health and Human Services is excluded from estimates for the purposes of both the Congressional Budget Act and the Deficit Control Act. As a result, the amounts in this table exclude \$50 million in budget authority and \$59 million in outlays under the jurisdiction of the Subcommittee on Agriculture and \$407 million in budget authority and \$711 million in outlays under the jurisdiction of the Subcommittee on Labor, HHS, and Education.
- e. In keeping with section 14003 of the Coronavirus Aid, Relief, and Economic Security Act (P.L. 116-136), as modified by section 101 of division AA of the Consolidated Appropriations Act, 2021 (P.L. 116-260), certain funding provided to the Army Corps of Engineers is excluded from estimates for the purposes of both the Congressional Budget Act and the Deficit Control Act. As a result, the amounts in this table exclude \$2,374 million in budget authority and \$2,374 million in outlays under the jurisdiction of the Subcommittee on Energy and Water.
- f. For purposes of estimating appropriation legislation for 2024, the House and Senate Committees on the Budget have directed that appropriations provided to three power marketing administrations for purchase power and wheeling (PPW) be considered fully offset by receipts collected to recover expenses related to PPW. Without that direction, CBO's estimate of those collections would be \$96 million less than the annualized amount of funding for PPW expenses under division A. Therefore, CBO's estimate of spending under the jurisdiction of the Subcommittee on Energy and Water includes an additional offset of that amount.
- g. Section 101(6) of division A would extend several immigration programs, through November 17, 2023, that will otherwise expire at the end of fiscal year 2023. (The budgetary effects of those provisions are within the jurisdiction of the Subcommittee on Homeland Security.) CBO estimates that extending some of those programs would affect revenues because the proposed extension would result in changes to estimates of the U.S. population and the number of people enrolled in certain benefit programs. Some of those programs are subsidized with tax credits. In particular, on an annualized basis, CBO estimates that extending provisions related to the Conrad-30 waiver program for nonimmigrant medical workers and employment-based immigrant visas for certain religious workers for the duration of fiscal year 2024 would reduce revenues by an insignificant amount in each of fiscal years 2024 through 2033, for an overall reduction of \$1 million over both the 2024-2028 and 2024-2033 periods.



Table 2.
Estimated Budgetary Effects of Division B of the Continuing Appropriations Act, 2024 and Other Extensions Act

As posted on the Website of the Senate Committee on Appropriations on September 26, 2023

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		By Fiscal Year, Millions of Dollars												
		2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2023-2028	2023-2033
Increases or Decreases (-) in Direct Spending														
Title III. Health and Human Services														
Subtitle B. Public Health Extenders														
Sec. 2321	Extension for Community Health Centers, National Health Service Corps, and Teaching Health Centers That Operate Graduate Medical Education Programs													
	Estimated Budget Authority	0	583	0	0	0	0	0	0	0	0	0	583	583
	Estimated Outlays	0	226	233	114	9	0	0	0	0	0	0	582	582
Sec. 2322	Extension of Special Diabetes Programs													
	Budget Authority	0	39	0	0	0	0	0	0	0	0	0	39	39
	Estimated Outlays	0	11	24	3	1	0	0	0	0	0	0	39	39
Subtitle D. Medicaid														
Sec. 2342	Medicaid Improvement Fund Reduction													
	Budget Authority	0	0	0	0	0	-643	0	0	0	0	0	-643	-643
	Estimated Outlays	0	0	0	0	0	-203	-213	-223	-4	0	0	-203	-643
Subtitle E. Human Services														
Sec. 2352	Sexual Risk Avoidance Education Extension													
	Budget Authority	0	10	0	0	0	0	0	0	0	0	0	10	10
	Estimated Outlays	0	10	0	0	0	0	0	0	0	0	0	10	10
Sec. 2353	Personal Responsibility Education Extension													
	Budget Authority	0	10	0	0	0	0	0	0	0	0	0	10	10
	Estimated Outlays	0	10	0	0	0	0	0	0	0	0	0	10	10



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	By Fiscal Year, Millions of Dollars											2023-2028	2023-2033	
	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033			
Total Increases in Direct Spending														
Estimated Budget Authority	0	642	0	0	0	-643	0	0	0	0	0	0	-1	-1
Estimated Outlays	0	257	257	117	10	-203	-213	-223	-4	0	0	0	438	-2

Source: Congressional Budget Office.

Estimates are relative to CBO's May 2023 baseline; enactment is assumed on October 1, 2023.

In keeping with title IV of division B, and at the direction of the Senate Committee on the Budget, this division is considered authorizing legislation rather than appropriation legislation. As a result, the estimated budgetary effects are subject to pay-as-you-go procedures. Division B also would require the exclusion of the estimated budgetary effects from the pay-as-you-go scorecards maintained by the Senate and the Office of Management and Budget.

Title I would extend, through November 17, 2023, certain provisions of the compact of free association with the Federated States of Micronesia and federal program and services agreements with the Federated States of Micronesia and the Republic of the Marshall Islands. Title I also would extend the deadline to promulgate regulations under the Indian Self-Determination and Education Assistance Act.

Title II would extend, through December 31, 2023, authority for federal aviation programs, including operations of the Federal Aviation Administration (FAA), air navigation facilities and equipment, and other related programs. Title II also would provide for the extension of authority for expenditures from the Airport and Airway Trust Fund (AATF) and for the collection of taxes that fund the AATF, among other activities.

Title II would extend the FAA's authorization and it would provide \$842 million in contract authority (a form of mandatory budget authority) for the Airport Improvement Program (AIP) through December 31, 2023. In keeping with the Balanced Budget and Emergency Deficit Control Act of 1985, CBO assumes that funding provided by the bill for the first three months of fiscal year 2024 would continue at the same rate through the rest of that year and in each subsequent year. CBO estimates that enacting the bill would result in baseline contract authority totaling \$3.35 billion annually in 2024 and each subsequent year. That amount is equal to funding provided in 2023 and is assumed to continue in each year in CBO's baseline. Therefore, enacting the legislation would result in no net increase in AIP contract authority relative to CBO's baseline. Authorizing laws provide the AIP with contract authority, but outlays of that authority are generally considered discretionary; those outlays are controlled by obligation limitations in appropriation acts. (Obligation limitations are provisions of a law or legislation that restrict or reduce the availability of budget authority that would have become available under another law.)

Subsection (a) of section 2202 would reauthorize the Non-Premium War Risk Insurance Program of the FAA through December 31, 2023. That program, currently scheduled to expire on September 30, 2023, provides free insurance to certain air carriers engaged in operations that are deemed essential to U.S. foreign policy or national security. In general, amounts in the Aviation Insurance Revolving Fund are available without further appropriation to support the program; any associated spending is classified as mandatory. Using historical information on program claims and administrative costs, CBO estimates that enacting section 2202 would increase direct spending by less than \$500,000 over the 2024-2033 period.

Title III would extend, through November 17, 2023, a variety of programs and activities of the Department of Health and Human Services, including collections of fees related to animal drugs and generic animal drugs; funding for community health centers, the National Health Service Corps, and teacher health centers; and funding for special diabetes programs. Title III also would extend the authority for certain emergency responses, including appointments of National Disaster Medical System personnel and the temporary reassignment of state and local personnel during a public health emergency. Title III would extend certain human services programs pertaining to child and family services, personal responsibility education, and sexual risk avoidance education. Title III also would delay cuts to Medicaid disproportionate share hospital payments and decrease amounts available for the Medicaid Improvement Fund.