

H.R. 6363, Further Continuing Appropriations and Other Extensions Act, 2024

As posted on the website of the House Committee on Rules on November 11, 2023

<https://rules.house.gov/bill/118/hr-cr>

Table 1 compiles CBO's estimates of discretionary budget authority for 2024 under division A. That division would provide for the continuation of the appropriations and authorities contained in the 12 regular appropriation acts for fiscal year 2023, which were 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. Section 106 would extend the appropriations and authorities under the jurisdiction of four Appropriations Subcommittees through January 19, 2024. Appropriations and authorities under the jurisdiction of the other eight Subcommittees would be extended through February 2, 2024.^a 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. 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.
Estimated Discretionary Spending Under Division A, the Further Continuing Appropriations Act, 2024, 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							
		Security	Nonsecurity	Total	Security			Nonsecurity				
					Emergency	Emergency	Disaster	Program Integrity	Wildfire Suppression	Total Funding Under Caps		
Agriculture ^{d, e}	BA:	0	25,961	25,961	0	353	0	0	0	26,314	0	26,314
	O:	0	27,702	27,702	0	159	0	0	0	27,861	0	27,861
Commerce, Justice, Science ^f	BA:	6,586	76,746	83,332	0	1,400	0	0	0	84,732	1,400	86,132
	O:	6,545	80,743	87,288	0	237	0	0	0	87,525	246	87,771
Defense	BA:	798,907	187	799,094	0	0	0	0	0	799,094	0	799,094
	O:	770,262	176	770,438	0	0	0	0	0	770,438	0	770,438
Energy and Water ^g	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 ^e	BA:	43	27,226	27,269	0	0	143	0	0	27,412	1	27,413
	O:	42	32,891	32,933	0	0	110	0	0	33,043	1	33,044
Homeland ^h	BA:	3,491	57,268	60,759	0	16,309	19,945	0	0	97,013	1,320	98,333
	O:	3,431	77,821	81,252	0	1,209	1,197	0	0	83,658	28	83,686
Interior and Environment	BA:	0	44,162	44,162	0	1,600	0	0	2,550	48,312	16,268	64,580
	O:	0	49,838	49,838	0	1,226	0	0	876	51,940	1,341	53,281
Labor, HHS, Education ^d	BA:	0	207,583	207,583	0	2,500	0	2,345	0	212,428	495	212,923
	O:	0	254,714	254,714	0	1,675	0	1,892	0	258,281	82	258,363
Legislative Branch ⁱ	BA:	0	6,906	6,906	0	0	0	0	0	6,906	0	6,906
	O:	0	6,545	6,545	0	0	0	0	0	6,545	0	6,545
Military Construction, VA	BA:	18,998	151,990	170,988	0	0	0	0	0	170,988	0	170,988
	O:	15,404	148,337	163,741	0	0	0	0	0	163,741	0	163,741
State, Foreign Operations	BA:	0	59,675	59,675	0	2,065	0	0	0	61,740	1,000	62,740
	O:	0	64,491	64,491	0	1,443	0	0	0	65,934	200	66,134
Transportation, HUD	BA:	356	94,631	94,987	0	3,623	0	0	0	98,610	36,811	135,421
	O:	394	175,552	175,946	0	2,877	0	0	0	178,823	648	179,471
Total	BA:	859,780	776,941	1,636,721	0	28,500	20,088	2,345	2,550	1,690,204	70,983	1,761,187
	O:	826,772	951,009	1,777,781	0	9,042	1,307	1,892	876	1,790,898	2,798	1,793,696

Memorandum:

Limits on Budget Authority in the FRA^b

Under section 102*

2 U.S.C. § 901(d)(1) 849,775 736,428 1,586,203 n.a. n.a. 20,404 2,447 2,650

Under section 101(a)

2 U.S.C. § 901(c)(9) 886,349 703,651 1,590,000 n.a. n.a. 20,404 2,447 2,650

Source: Congressional Budget Office.

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

See next page for notes

* On November 16, 2023, CBO reposted this cost estimate to correct amounts in the memorandum for limits on budget authority under section 102 of the FRA. The amounts as originally posted for defense-related budget authority (\$849,816 million) and for the total (\$1,586,244 million) were overstated by \$41 million each.



Table 1.
Estimated Discretionary Spending Under Division A, H.R. 6363, Further Continuing Appropriations and Other Extensions Act, 2024, by Appropriations Subcommittee

Continued

CBO's estimates of budget authority and outlays constrained by caps reflected in this table are \$3 million and \$2 million greater, respectively, than the estimates of such budget authority reflected in CBO's estimate for H.R. 5860, the Continuing Appropriations Act, 2024, and Other Extensions Act (P.L. 118-15). There are three reasons for those differences: First, CBO estimates that new provisions of the legislation would increase outlays by \$97 million. Second, technical revisions to account for updated information from the Administration concerning budget execution for rescissions increased CBO's estimates of budget authority and outlays, on net, by \$3 million and \$7 million, respectively. Third, to correct a database error, this estimate excludes \$102 million in outlays that were mistakenly included in CBO's previous estimate.

- a. The appropriations and authorities under the jurisdiction of these four Subcommittees would be continued through January 19, 2024: Agriculture, Rural Development, Food and Drug Administration; Energy and Water Development and Related Agencies; Military Construction, Veterans Affairs, and Related Agencies; and Transportation, Housing and Urban Development, and Related Agencies.

The appropriations and authorities under the jurisdiction of these eight subcommittees would be continued through February 2, 2024: Commerce, Justice, Science, and Related Agencies; Defense; Financial Services and General Government; Homeland Security; Interior, Environment, and Related Agencies; Labor, Health and Human Services, Education; Legislative Branch; and State, Foreign Operations, and Related Programs.

- b. In 2024, most discretionary budget authority is subject to limits (or caps) established by the FRA and enforced through sequestration. 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. Under this legislation, which would provide continuing appropriations beyond December 31, 2023, the caps established by section 102 of the FRA would be used for sequestration unless the Congress enacted all of the appropriation acts for the full fiscal year before April 30, 2024, or enacted other legislation to intervene. If full-year appropriation acts were enacted before April 30, 2024, the caps established by section 101(a) of the FRA would be used for sequestration.
- c. Reflects previously enacted amounts that are designated as an emergency requirement for fiscal year 2024 for allocation enforcement under the Congressional Budget Act of 1974. 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. For this estimate, in keeping with 2023 legislation, funding for the Commodity Futures Trading Commission is included under the jurisdiction of the Subcommittee on Financial Services and General Government. (Historically, in even-numbered years, funding for that commission is provided under the jurisdiction of the Subcommittee on Agriculture.)



- f. Spending under the jurisdiction of the Subcommittee on Commerce, Justice, and Science includes \$17 million in outlays stemming from section 122 of P.L. 118-15, which extended the period in which the National Aeronautics and Space Administration can liquidate certain obligations.

Section 138 (as added by the legislation) would extend, through February 2, 2024, the Undetectable Firearms Act, which prohibits the manufacture, import, sale, or possession of any firearm that cannot be detected by a walk-through metal detector. CBO estimates that, on an annualized basis, that extension would increase revenues from criminal fines by less than \$500,000.

- g. 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.

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.

- h. Spending within the jurisdiction of the Subcommittee on Homeland Security includes \$16 billion in budget authority and \$962 million in outlays stemming from a full-year appropriation provided by the Continuing Appropriations Act, 2024 and Other Extensions Act (division A of P.L. 118-15), that is available through the end of fiscal year 2024. That funding is designated as an emergency requirement in keeping with section 251(b)(2)(A) of the Deficit Control Act.

Section 101(6) of division A would extend several immigration programs through February 2, 2024, that otherwise will expire after November 17, 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.

- i. Section 146 would provide a \$174,000 payment to the beneficiary of a deceased Member of Congress. Such payments are mandatory and are not reflected in this table.

Table 2.
Estimated Direct Spending Effects of Division B of H.R. 6363, the Further Continuing Appropriations and Other Extensions Act, 2024
As posted on the website of the House Committee on Rules on November 11, 2023
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		By Fiscal Year, Millions of Dollars										2024-	2024-
		2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2028	2033
Title I. Extensions and Other Matters													
Sec. 102	Extension of Agricultural Programs												
	Budget Authority ^a	0	0	0	0	0	0	0	0	0	0	0	0
	Outlays	159	-3	-25	-40	-43	-30	-15	-3	0	0	48	0
Title II. Health and Human Services													
Subtitle A. Public Health Extenders													
Sec. 201	Extension for Community Health Centers, National Health Service Corps, and Teaching Health Centers That Operate Graduate Medical Education Programs												
	Budget Authority	766	0	0	0	0	0	0	0	0	0	766	766
	Outlays	297	306	150	13	0	0	0	0	0	0	766	766
Sec. 202	Extension of Special Diabetes Programs												
	Budget Authority	52	0	0	0	0	0	0	0	0	0	52	52
	Outlays	14	32	4	1	1	0	0	0	0	0	52	52
Subtitle B. Medicaid													
Sec. 302	Medicaid Improvement Fund Reduction												
	Budget Authority	0	0	0	0	-561	0	0	0	0	0	-561	-561
	Outlays	0	0	0	0	-177	-186	-195	-3	0	0	-177	-561
Subtitle C. Human Services													
Sec. 402	Sexual Risk Avoidance Education Extension												
	Budget Authority	13	0	0	0	0	0	0	0	0	0	13	13
	Outlays	13	0	0	0	0	0	0	0	0	0	13	13
Sec. 403	Personal Responsibility Education Extension												
	Budget Authority	13	0	0	0	0	0	0	0	0	0	13	13
	Outlays	13	0	0	0	0	0	0	0	0	0	13	13
Subtitle D. Medicare													
Sec. 501	Extending Floor for Work Geographic Index Programs												
	Budget Authority	20	0	0	0	0	0	0	0	0	0	20	20
	Outlays	20	0	0	0	0	0	0	0	0	0	20	20
Sec. 502	Revising Phase-In of Medicare Clinical Laboratory Test Payment Changes												
	Budget Authority	438	-323	-288	0	-1,417	-302	605	7	202	489	-1,590	-589
	Outlays	438	-323	-288	0	-1,417	-302	605	7	202	489	-1,590	-589
Sec. 503	Medicare Improvement Fund												
	Budget Authority	287	0	0	0	0	0	0	0	0	0	287	287
	Outlays	0	29	189	37	32	0	0	0	0	0	287	287
Total Changes in Direct Spending													
	Budget Authority	1,589	-323	-288	0	-1,978	-302	605	7	202	489	-1,000	0
	Outlays	954	41	30	11	-1,604	-518	395	1	202	489	-568	0

Source: Congressional Budget Office.

Components may not sum to totals because of rounding. Estimates are relative to CBO's May 2023 baseline. CBO estimates that sections 101, 203, 301, and 401 would not affect direct spending or revenues.

In keeping with title III of division B, and at the direction of the House Committee on the Budget, this division is considered authorizing legislation rather than appropriation legislation. As a result, the estimated budgetary effects would be subject to pay-as-you-go procedures. Division B also requires 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 February 2, 2024, certain provisions of the compacts of free association with the Federated States of Micronesia and the Republic of the Marshall Islands and federal program and services agreements with the Federated States of Micronesia and the Republic of the Marshall Islands. Title I also would extend certain provisions of the Agricultural Improvement Act of 2018 through September 30, 2024, or a later date, as applicable, and would rescind \$177 million in funding for the Biorefinery, Renewable Chemical, and Biobased Product Manufacturing Assistance Program.

Title II would extend, through January 19, 2024, a variety of programs and activities of the Department of Health and Human Services, including funding for community health centers, the National Health Service Corps, teacher health centers, and special diabetes programs. In addition, the title would decrease amounts available for the Medicaid Improvement Fund and increase amounts available for the Medicare Improvement Fund. The title also would delay by one year the next data-reporting period for certain clinical laboratory tests and the phase-in of payment reductions under the Medicare private payor rate-based Clinical Laboratory Fee Schedule.

a. At the direction of the House Committee on the Budget, CBO has excluded the cost of amending the Dairy Base Production History Adjustment in section 102 from the costs attributable to this legislation. CBO estimates that the cost of enacting that provision would total \$105 million over the 2024-2033 period.