
Fiscal Year 2020, U.S. Senate

As of April 24, 2020

This report summarizes the Congressional Budget Office's cost estimates of enacted discretionary appropriations for fiscal year 2020.

Table 1 is a summary for fiscal year 2020; it identifies the portion of 2020 appropriations that are subject to statutory limits on new discretionary budget authority under the Budget Control Act of 2011 (Public Law 112-25, as modified). **Table 2** is a summary of advance appropriations for future fiscal years. **Table 3** summarizes CBO's estimates of changes in direct spending that would result from provisions contained in appropriation legislation.

Enacted Appropriation Legislation

Agriculture (division B of P.L. 116-94)
Commerce, Justice, and Science (division B of P.L. 116-93)
Defense (division A of P.L. 116-93)
Energy and Water (division C of P.L. 116-94)
Financial Services and General Government (division C of P.L. 116-93)
Homeland Security (division D of P.L. 116-93)
Interior and Environment (division D of P.L. 116-94)
Labor, Health and Human Services, Education (division A of P.L. 116-94)
Legislative Branch (division E of P.L. 116-94)
Military Construction, Veterans' Affairs (division F of P.L. 116-94)
State, Foreign Operations (division G of P.L. 116-94)
Transportation, Housing and Urban Development (division H of P.L. 116-94)
Continuing Appropriations Act, 2020 (division A of P.L. 116-59)
Further Continuing Appropriations Act, 2020 (division A of P.L. 116-69)
United States-Mexico-Canada Agreement Implementation Act (title IX of P.L. 116-113)*
Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (division A of P.L. 116-123)*
Second Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (division A of P.L. 116-127)*
Emergency Appropriations for Coronavirus Health Response and Agency Operations Appropriations Act, 2020 (division B of P.L. 116-136)*
Additional Emergency Appropriations for Coronavirus Response (division B of P.L. 116-139)*

* These appropriation measures were enacted as part of broader legislation that contains provisions to require some portions of those laws to be treated as appropriation legislation and others to be treated as authorizing legislation. In accordance with those requirements and at the direction of the House and Senate Committees on the Budget, this report reflects provisions that are treated as appropriation legislation.

See also

How CBO Prepares Cost Estimates, www.cbo.gov/publication/53519; and *Glossary*, www.cbo.gov/publication/42904.

Table 1. Current Status of Discretionary Appropriations (Including Adjustments) for Fiscal Year 2020

In fiscal year 2020, most discretionary budget authority is subject to limits (or caps) established by the Budget Control Act of 2011 (Public Law 112-25), as modified. Separate caps exist for funding for defense (statutorily, *revised security*), under budget function 050, and for nondefense (*revised nonsecurity*), which encompasses all other budget functions. The Budget Control Act also provides for certain adjustments to those caps. This table compiles CBO’s estimates of funding constrained by the 2020 caps on defense and nondefense funding and the amounts that would result in adjustments to those caps.

Millions of Dollars		Constrained by Caps			Adjustment to Caps ^a								Total, Current Status ^d		
		Security	Nonsecurity	Total, Constrained by Caps	Security		Nonsecurity					Total, Adjustments to Caps			
Emergency ^b	OCO/GWOT ^c				Emergency ^b	OCO/GWOT	Disaster	Program Integrity	Wildfire Suppression	2020 Census					
Agriculture ^d	BA:	0	23,493	23,493	0	0	26,224	0	0	0	0	0	0	26,224	49,717
	O:	0	22,803	22,803	0	0	18,484	0	0	0	0	0	0	18,484	41,287
Commerce, Justice, Science ^e	BA:	5,695	64,980	70,675	12	0	3,173	0	0	0	0	2,500	5,685	76,360	
	O:	5,633	68,500	74,133	10	0	938	0	0	0	0	1,800	2,748	76,881	
Defense ^e	BA:	622,522	143	622,665	12,357	70,665	0	0	0	0	0	0	83,022	705,687	
	O:	622,447	144	622,591	5,546	40,318	0	0	0	0	0	0	45,864	668,455	
Energy and Water	BA:	24,250	24,093	48,343	0	0	221	0	0	0	0	0	221	48,564	
	O:	23,253	22,352	45,605	0	0	1,070	0	0	0	0	0	1,070	46,675	
Financial Services ^f	BA:	35	23,793	23,828	0	0	63,955	0	151	0	0	0	64,106	87,934	
	O:	32	23,803	23,835	0	0	63,213	0	116	0	0	0	63,329	87,164	
Homeland Security ^g	BA:	2,383	48,085	50,468	9	190	45,864	0	17,352	0	0	0	63,415	113,883	
	O:	2,259	56,570	58,829	8	146	19,354	0	868	0	0	0	20,376	79,205	
Interior and Environment	BA:	0	35,989	35,989	0	0	2,413	0	0	0	2,250	0	4,663	40,652	
	O:	0	34,839	34,839	0	0	1,379	0	0	0	2,250	0	3,629	38,468	
Labor, HHS, Education ^d	BA:	0	183,042	183,042	0	0	280,000	0	0	1,842	0	0	281,842	464,884	
	O:	0	186,925	186,925	0	0	84,512	0	0	1,481	0	0	85,993	272,918	
Legislative Branch	BA:	0	5,049	5,049	0	0	93	0	0	0	0	0	93	5,142	
	O:	0	4,996	4,996	0	0	74	0	0	0	0	0	74	5,070	
Military Construction, VA	BA:	11,315	92,171	103,486	6,229	645	19,632	0	0	0	0	0	26,506	129,992	
	O:	9,243	88,911	98,154	469	1	6,240	0	0	0	0	0	6,710	104,864	
State, Foreign Operations	BA:	0	46,685	46,685	0	0	2,717	8,000	0	0	0	0	10,717	57,402	
	O:	0	48,079	48,079	0	0	738	2,326	0	0	0	0	3,064	51,143	
Transportation, HUD ^h	BA:	300	73,977	74,277	0	0	48,508	0	0	0	0	0	48,508	122,785	
	O:	300	132,741	133,041	0	0	20,974	0	0	0	0	0	20,974	154,015	
Total	BA:	666,500	621,500	1,288,000	18,607	71,500	492,800	8,000	17,503	1,842	2,250	2,500	615,002	1,903,002	
	O:	663,167	690,663	1,353,830	6,033	40,465	216,976	2,326	984	1,481	2,250	1,800	272,315	1,626,145	

Memorandum:

Limits on Budget Authority ⁱ	666,500	621,500	1,288,000	n.a.	n.a.	n.a.	n.a.	17,503	1,842	2,250	2,500
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Source: Congressional Budget Office. BA = budget authority; HHS = Department of Health and Human Services; HUD = Department of Housing and Urban Development; O = outlays; OCO/GWOT = overseas contingency operations/global war on terrorism; VA = Department of Veterans Affairs; n.a. = not applicable.



Table 1. Current Status of Discretionary Appropriations (Including Adjustments) for Fiscal Year 2020

Continued

- a. These amounts are designated in accordance with section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985; the caps for fiscal year 2020 will be adjusted to accommodate these amounts. OCO consists primarily of funding for military activities in Afghanistan and similar missions. Emergency funding consists of appropriations formally designated as required under section 251(b)(2)(A)(i) of the Deficit Control Act. Disaster relief funding is for activities carried out under section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended. Such activities may result from a natural disaster that causes damage of enough severity to warrant federal assistance. Program integrity initiatives seek to identify and reduce overpayments in certain benefit programs. Appropriations for activities related to wildfire suppression and the 2020 census also result in adjustments to the 2020 limits if they are designated in accordance with section 251 of the Deficit Control Act.
- b. Includes the effects of appropriations designated as emergency requirements that were provided after CBO prepared its May 2019 baseline (see Congressional Budget Office, Updated Budget Projections: 2019 to 2029, May 2019, www.cbo.gov/publication/55151). Specifically, the Additional Supplemental Appropriations Act for Disaster Relief, 2019 (P.L. 116-20, enacted on June 6, 2019), and the Emergency Supplemental Appropriations for Humanitarian Assistance and Security at the Southern Border Act, 2019 (P.L. 116-26, enacted on July 1, 2019), provided supplemental funding for 2019 and designated those amounts as emergency requirements in accordance with section 251 of the Budget Control Act. (Outlays stemming from emergency-designated appropriations provided before CBO published its May 2019 baseline are included among estimates of spending that is constrained by statutory caps.) Amounts in this column also include emergency-designated appropriations provided for fiscal year 2020 in various pieces of legislation: P.L. 116-93, P.L. 116-94, P.L. 116-113, P.L. 116-123, P.L. 116-127, P.L. 116-136, and P.L. 116-139.
- c. Section 124 of the Continuing Appropriations Act, 2020 (division A of P.L. 116-59), appropriated funding for the Ukraine Security Assistance Initiative (within the jurisdiction of the Subcommittee on Defense) and designated those amounts as funding for OCO. That provision took effect upon enactment on September 27, 2019. The amounts displayed in this table include \$128 million in outlays stemming from that appropriation.
- d. In keeping with the 21st Century Cures Act (P.L. 114-255), funding for certain HHS activities is excluded from estimates for the purposes of the Congressional Budget Act of 1974 and the Deficit Control Act. As a result, this estimate excludes \$567 million in budget authority and \$798 million in outlays. Of those amounts, \$75 million in budget authority and \$64 million in outlays is under the jurisdiction of the Agriculture Subcommittee, and \$492 million in budget authority and \$734 million in outlays is under the jurisdiction of the Labor, HHS, Education Subcommittee.
- e. Section 219 of division B of P.L. 116-93 (Commerce, Justice, Science) changes the applicability of 28 U.S.C. 1930(a)(6)(b) for fiscal year 2020 and 2021 by increasing the threshold for the balance in the United States Trustee System Fund from \$200 million to \$300 million for use in fee calculations. CBO estimates that this provision will increase discretionary offsetting collections for the United States Trustee Program by \$175 million over the 2020-2029 period. This provision does not affect CBO's estimate of collections in fiscal year 2020.
- f. Section 602(b) of division C of P.L. 116-93 (Financial Services) provides advance appropriations in fiscal year 2021 and each fiscal year thereafter for the Public Company Accounting Oversight Board. Those appropriations will equal the amount of civil penalties that the agency collects each year. Over the 2021-2029 period, CBO estimates, those appropriations will total \$1 million annually.
- g. The Continuing Appropriations Act, 2020 (division A of P.L. 116-59, as amended), extended several immigration programs through December 20, 2019. The amounts in this table include CBO's estimates of direct spending attributable to such extensions. Specifically, CBO estimates that the partial-year extension will increase on-budget direct spending by \$2 million in fiscal year 2020, by \$7 million over the 2020-2024 period, and by \$12 million over the 2020-2029 period. In addition, CBO estimates that those extensions will decrease off-budget direct spending by \$2 million over the 2020-2029 period. CBO also estimates that extending those authorities through December 20, 2019, will have an insignificant effect on revenues over the 2020-2029 period.
- h. Section 237 of division H of P.L. 116-94 (Transportation, HUD) rescinds an estimated \$7 million in balances from HUD's Tenant-Based and Project-Based Rental Assistance accounts. Those balances were designated by the Congress as an emergency requirement before the current statutory limits on discretionary spending were put in place. In consultation with the House and Senate Budget Committees and the Office of Management and Budget, CBO has determined that rescinding those amounts will not result in an adjustment to the statutory limits on discretionary spending or reduce the amount of appropriations that are subject to the limit. As a result, CBO has excluded the estimated budgetary savings from this report.
- i. Some adjustments to the caps on discretionary budget authority that result from funding designated for specific activities are themselves limited. The Budget Control Act specifies, on an account-by-account basis, limits on program integrity efforts, wildfire suppression, and the 2020 census; it also specifies the calculation that governs the limit for disaster relief. (The Office of Management and Budget makes that calculation and determines that limit.) For more information on the statutory limits, see Office of Management and Budget, OMB Sequestration Update Report to the President and Congress for Fiscal Year 2020 (August 2019), <https://go.usa.gov/xpJ99>.

Table 2. Discretionary Advance Appropriations Provided in Appropriation Legislation for Fiscal Year 2020

This table displays advance appropriations—budget authority provided in appropriation legislation that becomes available for obligation one or more fiscal years after the fiscal year for which the legislation is considered. The amounts shown here will be incorporated into the current status of discretionary appropriations for future years when the Congress considers appropriation legislation for those respective years. In the House and Senate, certain points of order may apply to some advance appropriations; the Chairmen of the House and Senate Committees on the Budget make such determinations.

Millions of Dollars

<u>Subcommittee</u>		<u>Fiscal Year 2021</u>	<u>Fiscal Year 2022</u>
Financial Services	BA:	1	1
Labor, HHS, Education	BA:	24,369	465
Military Construction, VA	BA:	87,637	0
Transportation, HUD	BA:	4,400	0
Total	BA:	116,407	466

Source: Congressional Budget Office.

BA = Budget Authority; HHS = Department of Health and Human Services; HUD = Department of Housing and Urban Development; VA = Department of Veterans Affairs.

Section 602(b) of division C of P.L. 116-93 (Financial Services) provides advance appropriations in fiscal year 2021 and each fiscal thereafter for the Public Company Accounting Oversight Board. Those appropriations will equal the amount of civil penalties that the agency collects each year. Over the 2021-2029 period, CBO estimates, those appropriations will total \$1 million annually.

Table 3. Estimated Budgetary Effects of Changes in Mandatory Programs

When appropriation acts include changes that affect mandatory funding in the current year or budget year, those spending effects (but not the revenue effects) are included in estimates of discretionary funding provided by those acts for the purpose of judging the acts' compliance with statutory limits on budget authority.^a Such provisions are referred to as changes to mandatory programs (CHIMPs). This table summarizes CBO's estimates of the budgetary effects of such provisions over the next 10 years.^b

Millions of Dollars		2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2020-2024	2020-2029
	Subcommittee	INCREASES OR DECREASES (-) IN DIRECT SPENDING											
Agriculture ^c	BA:	14,418	16	18	21	20	20	19	18	19	19	14,493	14,588
	O:	10,406	4,316	82	118	64	32	19	18	19	19	14,986	15,093
Commerce, Justice, Science	BA:	-6,464	5,737	0	0	0	0	0	0	0	0	-727	-727
	O:	-829	-743	-752	219	574	486	324	0	0	0	-1,531	-721
Energy and Water	BA:	-1	4	21	-53	-3	-10	27	31	40	4	-32	60
	O:	-1	3	37	-38	-7	-6	0	5	20	26	-6	39
Financial Services ^c	BA:	9,956	0	0	0	0	0	0	0	0	0	9,956	9,956
	O:	9,998	162	94	-133	-136	-29	0	0	0	0	9,985	9,956
Homeland Security ^d	BA:	2	6	5	5	5	5	6	6	5	5	23	50
	O:	2	6	5	5	5	5	6	6	5	5	23	50
Interior and Environment	BA:	486	-8	1	1	1	1	1	1	1	1	481	486
	O:	486	-8	1	1	1	1	1	1	1	1	481	486
Labor, HHS, Education	BA:	-9,361	6,143	27	49	49	49	49	49	49	49	-3,093	-2,848
	O:	52	-33	4	43	49	49	49	49	49	49	115	360
Legislative Branch	BA:	-2	-2	-2	-2	-2	-3	-3	-3	-3	-3	-10	-25
	O:	-2	-2	-2	-2	-2	-3	-3	-3	-3	-3	-10	-25
Military Construction, VA	BA:	-615	0	0	0	0	0	0	0	0	0	-615	-615
	O:	-615	0	0	0	0	0	0	0	0	0	-615	-615
Transportation, HUD	BA:	5	0	0	0	0	0	0	0	0	0	5	5
	O:	5	0	0	0	0	0	0	0	0	0	5	5
Total	BA:	8,424	11,896	70	21	70	62	99	102	111	75	20,481	20,930
	O:	19,502	3,701	-531	213	548	535	396	76	91	97	23,433	24,628

Source: Congressional Budget Office.

BA = Budget Authority; HHS = Department of Health and Human Services; HUD = Department of Housing and Urban Development; O = Outlays; VA = Department of Veterans Affairs.

a. The Budget Enforcement Act of 1990 and scorekeeping guideline 3 require that substantive changes to or restrictions on entitlements or other mandatory spending specified in appropriations bills be treated as changes in discretionary spending in estimates of the costs of those bills. In CBO's baselines, those changes are included in estimates of mandatory spending and revenues. The Office of Management and Budget is responsible for determining whether statutory mechanisms for budget enforcement apply to legislative changes to mandatory programs (and revenues). For more information on statutory enforcement see Office of Management and Budget, *Paygo* (accessed April 28, 2020), <https://go.usa.gov/xVpZx>.

b. Provisions of S. Con. Res. 70, the Concurrent Resolution on the Budget for Fiscal Year 2009 (110th Congress), and H. Con. Res. 71, the Concurrent Resolution on the Budget for Fiscal Year 2018 (115th Congress), impose limitations on CHIMPs with certain budgetary effects and specify exceptions to those limitations.

c. Includes the effects of emergency-designated CHIMPs contained in four laws: P.L. 116-20 (which was enacted on June 6, 2019, after CBO prepared its May 2019 baseline), P.L. 116-127, P.L. 116-136, and P.L. 116-139.

d. The Continuing Appropriations Act, 2020 (division A of P.L. 116-59, as amended) extended several immigration programs through December 20, 2019. The amounts in this table include CBO's estimates of direct spending attributable to such extensions. Specifically, CBO estimates that the partial-year extension will increase on-budget direct spending by \$2 million in fiscal year 2020, by \$7 million over the 2020-2024 period, and by \$12 million over the 2020-2029 period. In addition, CBO estimates that those extensions will decrease off-budget direct spending by \$2 million over the 2020-2029 period. CBO also estimates that extending those authorities through December 20, 2019, will have an insignificant effect on revenues over the 2020-2029 period.