

Comparing DHS Component Funding, FY2023: In Brief

Updated January 10, 2023

Congressional Research Service

<https://crsreports.congress.gov>

R47220

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The Department of Homeland Security Appropriations Act includes all annual appropriations for the Department of Homeland Security (DHS), providing resources to every departmental component. Its accompanying conference report or explanatory statement provides guidance for the department, including how DHS should account for reprogramming and transferring a range of non-appropriated funds. Together, these documents form a snapshot of a significant portion of the DHS budget. This report reviews that snapshot at the DHS component level, comparing

- the budget authority outlined in the FY2022 annual appropriations measure;¹
- annual appropriations requested by the Joseph R. Biden Jr. Administration for FY2023;
- funding levels recommended by the House Appropriations Committee in H.R. 8257 and H.Rept. 117-396;
- funding levels proposed by the Senate Appropriations Committee in the committee draft released on July 28, 2022 (later introduced as S. 4678), and its accompanying explanatory statement;² and
- funding levels included in P.L. 117-328, Div. F, the Department of Homeland Security Appropriations Act, 2023.

The report makes note of advance and supplemental appropriations provided through various measures for FY2022 and FY2023, but identifies such funding distinctly, to allow for clear comparison on the annual appropriations packages. The report makes special note of “net discretionary appropriations” for DHS—a perspective on the net impact the legislation that funds DHS has on congressionally tracked budget totals.³

The FY2023 DHS Appropriations Process

Annual Appropriations

On March 28, 2022, the Biden Administration released its annual budget request for FY2023, including a \$97.29 billion budget request for the Department of Homeland Security. By the Congressional Budget Office’s (CBO’s) initial estimation, the request included \$56.64 billion in adjusted net discretionary appropriations and \$19.74 billion in disaster relief-designated funds.⁴ This was \$0.99 billion less than was enacted for DHS in FY2022.

¹ P.L. 117-103, the Consolidated Appropriations Act, 2022, Division F of which is the Department of Homeland Security Appropriations Act, 2022.

² Although the Senate Appropriations Department of Homeland Security Subcommittee chairman introduced an identical bill the same day, as the bill did not proceed through the markup process and therefore has no associated report or detail table, the analysis in this report continues to refer to the draft and its explanatory statement.

³ When dealing with bill totals, the report refers to “adjusted annual net discretionary appropriations,” which take into account the offsetting impact of rescissions or cancellations of budget authority provided in prior years. Neither of the discretionary appropriations totals include emergency or disaster relief-designated funding.

⁴ This total evolved over the course of the process, owing in part to the changes in unobligated balances available for rescission. Analyses in the report refer to the Congressional Budget Office’s (CBO’s) estimates as outlined in the detail table at the end of H.Rept. 117-396.

House Committee Action

On June 24, 2022, the House Committee on Appropriations marked up H.R. 8257, its version of the Department of Homeland Security Appropriations Act, 2023. H.Rept. 117-396 was filed on July 1, 2022. Committee-reported H.R. 8257 included \$60.27 billion in adjusted net discretionary budget authority. This was \$3.64 billion above the level requested by the Administration and \$2.65 billion above the FY2022 enacted level of annual appropriations.

Senate Committee Action

On July 28, 2022, Senate Appropriations Committee chairman Senator Patrick Leahy released drafts of twelve appropriations measures that had yet to be marked up by the committee, along with draft explanatory statements for each.⁵

S. 4678, an identical bill to the committee draft, was introduced by Senate Appropriations Committee, Subcommittee on the Department of Homeland Security Chairman Senator Christopher Murphy. The Senate Appropriations majority draft bill for DHS for FY2023 included \$59.89 billion in adjusted net discretionary budget authority. This was \$3.25 billion above the level requested by the Administration, and \$2.26 billion above the enacted annual level for FY2022.

Continuing Resolutions

No annual DHS appropriations measure was brought to the floor before the end of FY2022. H.R. 8257 was one of six measures left out of a consolidated appropriations measure in the House that represented the only floor action on FY2023 annual appropriations measures prior to the end of FY2022. A continuing resolution was enacted in September 2022, temporarily extending funding for the federal government into FY2023. This was extended several times. **Table 1** summarizes the continuing appropriations provided for DHS in FY2023. For further information on the FY2023 continuing resolutions, see CRS Report R47283, *Overview of Continuing Appropriations for FY2023 (Division A of P.L. 117-180)*.

⁵ The draft bills and explanatory statements can be found on the Senate Appropriations Committee website at <https://www.appropriations.senate.gov/news/majority/chairman-leahy-releases-remaining-nine-senate-appropriations-bills>.

Table I. Continuing Resolution Summary for DHS, FY2023

Bill Number / P.L. Number	House Passage	Senate Passage	Presidential Approval	Rate for Operations	Expiration Date	DHS-Specific Provisions
H.R. 6833 / P.L. 117-180, Div. A	230-201, 9/30/2022	72-25, 9/29/2022	9/30/2022	“as provided in the applicable appropriations Acts for fiscal year 2022 and under the authority and conditions provided in such Acts”	12/16/2023	<p>The rate for operations for DHS was based on the FY2022 annual appropriation (P.L. 107-103, Div. F), except for rescissions, and policy provisions in P.L. 107-103, Div. O, Title II were extended.</p> <ul style="list-style-type: none"> • Section 135 provided flexibility in allocations for the Disaster Relief Fund (DRF). • Section 136 transfers \$2.5 billion in unobligated balances from the DRF not intended for major disasters to pay claims from the Hermit's Peak / Calf Canyon Fire. • Section 137 extended authorization for DHS joint task forces. • Section 138 extended the authorization for the National Computer Forensics Institute • Section 139 extended the National Flood Insurance Program for the term of the CR. • Section 140 extended authority for DHS and the General Services Administration to make expedited purchase of innovative items. • Section 141 extended the authority for DHS and the Department of Justice to address threats posed by unmanned aerial vehicles.
H.R. 1437 / P.L. 117-229, Div. A	224-201, 12/14/2022	71-19, 12/15/2022	12/16/2022	Unchanged	12/23/2022	Extended the CR via a date change and added Section 158, which extended the authority for the federal cybersecurity intrusion detection and prevention system through the end of the CR.
H.R. 4373 / P.L. 117-264, Div. A	215-206, 12/23/2022	(vv), 12/22/2022	12/23/2022	Unchanged	12/30/2022	Extended the CR via a date change.

Source: Congress.gov.

Notes: (vv)—voice vote. No new supplemental appropriations were provided for DHS in these measures. There were no lapses in annual appropriations for FY2022.

Consolidated Appropriations

On December 19, 2022, Senator Leahy submitted an amendment to H.R. 2617 (an unrelated measure) that contained the text of the Consolidated Appropriations Act, 2023.⁶ Division F of the measure, the Department of Homeland Security Appropriations Act, 2023, included \$60.7 billion in budget authority for DHS. This was \$4.04 billion above the level requested by the Administration, and \$3.07 billion above the enacted annual level of annual appropriations for FY2022. It also included \$19.95 billion in funding for the costs of major disasters under the Stafford Act, \$205 million above the requested level and almost \$1.15 billion above the enacted annual appropriations level for FY2022.

- After adoption of eight further amendments, the Senate agreed to the amended measure by a vote of 68-29 on December 22, 2022.⁷ The House took up the bill on December 23, 2022, and passed it by a vote of 225-201, with one Member voting “present.”⁸ The enrolled bill was sent to President Biden on December 28, and he signed the bill into law as P.L. 117-328 on December 29, 2022.

DHS Budgetary Resources: Beyond the Score

Discussion regarding annual appropriations often centers on the total level of appropriations provided in the bill or how the bill scores against budget limitations. However, this “score” does not represent the total budget authority provided to DHS, or controlled⁹ through appropriations bills and reports.

- The use of offsetting collections reduces the “score” of the bill and provides significant resources to some components of DHS, such as the Transportation Security Administration.

Discretionary scores of bills do not include mandatory spending, resources derived directly from fee collections without annual congressional action, or emergency- or disaster relief-designated appropriations. **Figure 1** uses the data drawn from these detail tables to provide a more comprehensive picture of the resources available to seven DHS operational components—the seven largest components of DHS in terms of net discretionary budget authority:

- U.S. Customs and Border Protection (CBP),
- U.S. Coast Guard (USCG),
- Immigration and Customs Enforcement (ICE),
- Transportation Security Administration (TSA),
- Federal Emergency Management Agency (FEMA),
- U.S. Secret Service (USSS), and

⁶ S.Amdt. 6552.

⁷ Senate Record Vote no. 421, available at https://www.senate.gov/legislative/LIS/roll_call_votes/vote1172/vote_117_2_00421.htm.

⁸ House Roll Call 549, available at <https://clerk.house.gov/Votes/2022549>.

⁹ Special tables at the end of appropriations conference reports and explanatory statements include a higher level of detail on the funding provided to the department, usually at various program, project, and activity (PPA) levels. These tables—known as detail tables—serve as a level of control for interpreting statutory authorities in the bill that regulate the ability to transfer funding between appropriations or to reprogram money within an appropriation.

- Cybersecurity and Infrastructure Security Agency (CISA).

In **Figure 1** these seven components are listed along the bottom axis. Each component's funding level as a section of the figure has five bars, representing the different phases of the appropriations process: prior-year (i.e., FY2022) enacted, current year (i.e., FY2023) requested annual appropriations, the ensuing responses of the House and Senate appropriations committees, and the appropriations provided in enacted measures.¹⁰

The base (medium blue) segment of each bar represents net discretionary budget authority. On top of these bases are several other segment types, representing offsetting collections (orange), programs paid for directly by fees (gray), mandatory appropriations (yellow),¹¹ funding covered by disaster relief and emergency designations in annual appropriations (dark blue),¹² and supplemental appropriations (green).¹³

Figure 1 allows for a visual comparison of changes in individual component funding and provides a more complete description of each component's overall resource level than a review of the net discretionary appropriations alone. Among the changes it illuminates are:

- The relative magnitude of disaster spending (which encompasses the mandatory, disaster relief designated, and most of the supplemental funding for FEMA) compared with other DHS funding priorities;
- The Administration's proposal to provide additional offsetting fee revenue to support TSA (ultimately not enacted), and how appropriations measures needed to include additional discretionary funding to maintain the proposed budget in the absence of authorization to provide those additional revenues;
- Despite the reduction in gross budget authority from the requested level for TSA, nominal increases in net budget authority were provided for all seven DHS operational components above the requested level (although the relative size of the increases varied); and
- FY2023 supplemental and advance appropriations provided in Division N of P.L. 117-328 (the Disaster Relief Supplemental Appropriations Act, 2023), as well as in Division J, Title V of P.L. 117-58 (the Infrastructure Investment and Jobs Act).

Table 2, which follows immediately thereafter, provides a complete breakdown of the total budget authority provided for FY2023 outlined in appropriations committee tables for *all* DHS components, arranged by FY2022 enacted annual net discretionary budget authority.

Some DHS components have access to funding beyond the budget authority that is controlled for reprogramming through the aforementioned detail tables in appropriations committee reports. Although some of the mandatory spending for DHS, including many fee-funded programs, is reflected in the tables, much of DHS's mandatory spending is not, and is therefore not reflected in

¹⁰ This final column shows a combination of FY2023 annual appropriations, FY2023 supplemental appropriations, and advance appropriations made in FY2022 that will be available in FY2023 where applicable.

¹¹ In the past, the mandatory spending reflected here was composed of two elements: Coast Guard retired pay, which is considered mandatory spending but requires congressional action nonetheless; and \$250 million from the Aviation Security Capital Fund (ASCF). However, in FY2023 both the House and Senate Appropriations Committees began to track the ASCF as a fee-funded program, and out tables follow their methodology.

¹² For more details about adjustments to discretionary spending limits under the BCA, see CRS Report R45778, *Exceptions to the Budget Control Act's Discretionary Spending Limits*, by Megan S. Lynch.

¹³ Supplemental appropriations in this case also include advance appropriations provided in P.L. 117-58, the Infrastructure Investment and Jobs Act, Division J.

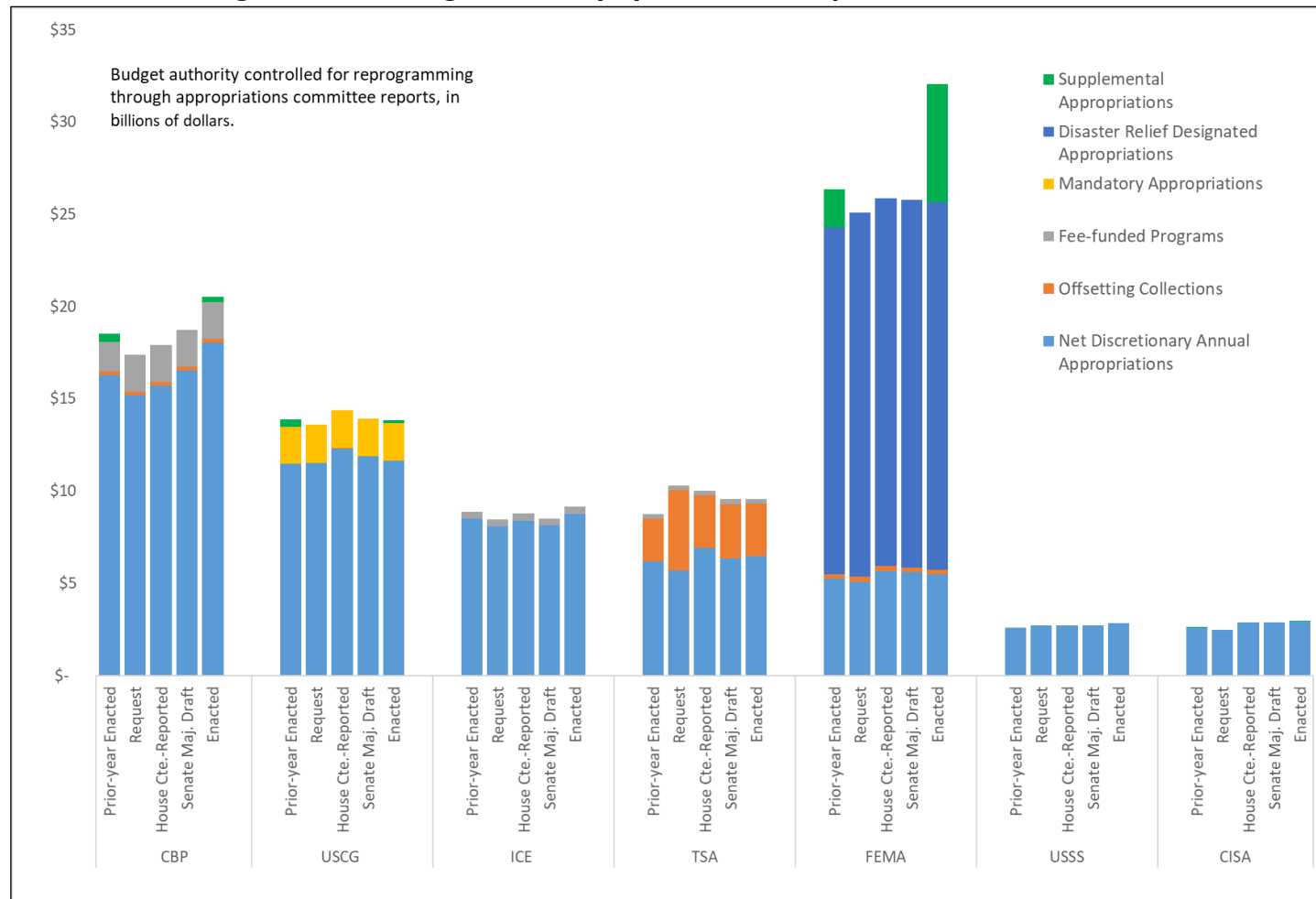
Figure 1 or **Table 2**. This includes spending on flood insurance claims, as well as trust funds for the Coast Guard and the Secret Service. Information on this type of mandatory spending can be found in the Administration’s budget request.¹⁴

Likewise, the detail tables and the figures and tables based upon them in this report do not reflect reimbursements between components for services provided, such as payments from partner agencies to the Federal Law Enforcement Training Center for the cost of training programs. Information on these resources can be found in the DHS annual budget justifications submitted to Congress.¹⁵

¹⁴ The FY2023 DHS budget request can be found on the Office of Management and Budget website, or linked directly at https://www.whitehouse.gov/wp-content/uploads/2022/03/dhs_fy2023.pdf.

¹⁵ The FY2023 DHS budget justification can be found at <https://www.dhs.gov/publication/congressional-budget-justification-fiscal-year-fy-2023>.

Figure I. DHS Budget Authority by Selected Component, FY2022-FY2023



Source: See Table 2.

Notes: Data do not reflect the impact of rescissions or advance appropriations not available in a given fiscal year. CBP = U.S. Customs and Border Protection; USCG = U.S. Coast Guard; ICE = U.S. Immigration and Customs Enforcement; TSA = Transportation Security Administration; FEMA = Federal Emergency Management Agency; USSS = U.S. Secret Service; CISA = Cybersecurity and Infrastructure Security Agency. Not all values are visible due to scale.

Table 2. DHS Budget Authority by Component, FY2022-FY2023

(budget authority, controlled for reprogramming through appropriations committee reports, in thousands of dollars)

Component / Funding Aspect	FY2022 Enacted (Annual and Supplemental)	FY2023 Request	HAC-Reported H.R. 8257	SAC Majority Draft (S. 4678)^a	FY2023 Enacted^b
CBP	18,524,103	17,395,892	17,934,027	18,747,649	20,231,382
Net Discretionary Funding	16,287,069	15,191,905	15,730,040	16,543,662	18,027,395
Offsetting Collections	206,000	213,000	213,000	213,000	213,000
Fee-funded Programs	1,601,034	1,990,987	1,990,987	1,990,987	1,990,987
Supplemental Appropriations	430,000	-	-	-	309,000
USCG	13,891,792	13,583,656	14,361,296	13,932,926	13,833,655
Net Discretionary Funding	11,490,273	11,535,242	12,312,882	11,884,512	11,630,491
Offsetting Collections	4,000	4,000	4,000	4,000	4,000
Mandatory Appropriations	1,963,519	2,044,414	2,044,414	2,044,414	2,044,414
Supplemental Appropriations	434,000	-	-	-	154,750
ICE	8,877,494	8,479,500	8,775,939	8,518,652	9,138,570
Net Discretionary Funding	8,497,884	8,099,890	8,396,329	8,139,042	8,758,960
Fee-funded Programs	379,610	379,610	379,610	379,610	379,610
TSA	8,743,461	10,301,602	10,026,084	9,548,452	9,579,540
Net Discretionary Funding	6,177,461	5,685,602	6,930,084	6,339,952	6,483,540
Offsetting Collections	2,310,000	4,360,000	2,840,000	2,952,500	2,840,000
Fee-funded Programs ^c	256,000	256,000	256,000	256,000	256,000
FEMA	26,339,379	25,097,670	25,873,440	25,801,881	32,076,054
Net Discretionary Funding	5,242,043	5,099,040	5,669,810	5,598,251	5,472,424
Offsetting Collections	248,336	258,630	258,630	258,630	258,630
Disaster Relief Designated	18,799,000	19,740,000	19,945,000	19,945,000	19,945,000
Supplemental Appropriations	2,050,000	-	-	-	6,400,000

Component / Funding Aspect	FY2022 Enacted (Annual and Supplemental)	FY2023 Request	HAC-Reported H.R. 8257	SAC Majority Draft (S. 4678)^a	FY2023 Enacted^b
USSS	2,611,888	2,703,509	2,727,509	2,733,923	2,822,180
Net Discretionary Funding	2,611,888	2,703,509	2,727,509	2,733,923	2,822,180
CISA	2,648,656	2,483,592	2,900,692	2,884,750	2,927,138
Net Discretionary Funding	2,593,656	2,483,592	2,900,692	2,884,750	2,907,138
Supplemental Appropriations	55,000	-	-	-	20,000
MD	3,962,209	4,439,282	4,497,857	4,422,124	4,181,884
Net Discretionary Funding	2,259,325	2,325,803	2,384,378	2,308,645	2,068,405
Offsetting Collections	1,653,384	2,113,479	2,113,479	2,113,479	2,113,479
Emergency Annual Appropriations	49,500	-	-	-	-
S&T	1,043,903	901,291	963,777	941,856	900,541
Net Discretionary Funding	886,403	901,291	963,777	941,856	900,541
Supplemental Appropriations	157,500	-	-	-	-
CWMD	452,011	428,972	428,972	430,972	430,972
Net Discretionary Funding	452,011	428,972	428,972	430,972	430,972
USCIS	5,424,641	5,991,606	5,773,277	5,962,689	5,829,266
Net Discretionary Funding	409,504	913,622	695,293	884,705	267,981
Fee-funded Programs	4,822,137	5,077,984	5,077,984	5,077,984	5,561,285
Supplemental Appropriations	193,000	-	-	-	-
FLETC	355,636	396,547	396,547	396,547	406,547
Net Discretionary Funding	355,636	396,547	396,547	396,547	406,547
A&O^d	298,171	341,159	341,159	341,159	316,640
Net Discretionary Funding	298,171	341,159	341,159	341,159	316,640

Component / Funding Aspect	FY2022 Enacted (Annual and Supplemental)	FY2023 Request	HAC-Reported H.R. 8257	SAC Majority Draft (S. 4678) ^a	FY2023 Enacted ^b
OSEM	418,509	316,180	394,765	326,045	384,794
Net Discretionary Funding	271,053	316,180	394,765	326,045	384,794
Supplemental Appropriations	147,456	-	-	-	-
OIG	205,359	214,879	218,379	214,879	214,879
Net Discretionary Funding	205,359	214,879	218,379	214,879	214,879
TOTAL NET DISCRETIONARY B.A. + DISASTER RELIEF AND EMERGENCY FUNDING, DHS	84,774,912	83,326,342	85,864,725	85,455,509	93,350,746

Sources: CRS analysis of P.L. 117-103, Division F, and its explanatory statement; P.L. 117-58; H.R. 8257 and H.Rept. 117-396; the Senate Appropriations Committee majority-produced draft appropriations bill and explanatory statement released on July 28, 2022, available at <https://www.appropriations.senate.gov/news/majority/breaking-chairman-leahy-releases-fiscal-year-2023-senate-appropriations-bills>; and P.L. 117-328 and its accompanying explanatory statement.

Notes: Data do not reflect the impact of rescissions or advance appropriations not available in a given fiscal year. HAC = House Appropriations Committee; SAC = Senate Appropriations Committee; CBP = U.S. Customs and Border Protection; USCG = U.S. Coast Guard; ICE = U.S. Immigration and Customs Enforcement; TSA = Transportation Security Administration; FEMA = Federal Emergency Management Agency; USSS = U.S. Secret Service; CISA = Cybersecurity and Infrastructure Security Agency; MD = Management Directorate; S&T = Science and Technology Directorate; CWMD = Office of Countering Weapons of Mass Destruction; FLETC = Federal Law Enforcement Training Center; A&O = Analysis and Operations; OSEM = Office of the Secretary and Executive Management; OIG = Office of the Inspector General; USCIS = U.S. Citizenship and Immigration Services.

- This bill is identical to the committee majority draft as released, as is provided for simplified reference.
- This column includes annual appropriations from P.L. 117-328, Div. F; supplemental appropriations from P.L. 117-328, Div. N; and advance appropriations from P.L. 117-58, Div. J.
- The Aviation Security Capital Fund, which had been recorded as mandatory spending, is now included as part of fee-funded programs, for congruence with the committee reports.
- “Analysis and Operations” is the name provided in the budget justification. This component is referred to in the Senate draft as “Intelligence, Analysis, and Operational Coordination,” and in the House-reported bill and P.L. 117-328 as “Intelligence, Analysis and Situational Awareness.”

DHS Appropriations: Comparing Scores

It is often useful to present comparative analysis to put enacted annual funding levels for given DHS components in context. **Table 3** shows net discretionary annual FY2023 appropriations for DHS distributed by departmental component in comparison to two common baselines described below.

The table presents an analysis of a component’s net discretionary annual appropriations—appropriations provided from the Treasury that are not offset by other incoming resources or given special exemption.¹⁶ Comparisons are drawn between two common baselines that are also shown in **Table 1**—the FY2022 enacted funding level and the FY2023 requested funding level. In **Table 3**, the first column of figures shows the FY2023 enacted annual net discretionary amount for each component. Changes from that level are reflected in thousands of dollars, and then as a percentage. The components are ordered from largest to smallest by FY2023 enacted funding level.

FY2022 and FY2023 supplemental and advance appropriations are not reflected in **Table 3**. The purpose of these tables is to provide comparative perspectives on *annual* appropriations levels, as well as to improve understanding of comparative annual appropriations levels across the department, rather than to survey *total* resources provided by Congress, which can be seen in **Figure 1** and **Table 2**.

However, as advance appropriations were a known element in the formulation of the proposals, they are included in the table notes.

Table 3. Enacted DHS Annual Net Discretionary Appropriations, FY2023, Compared
(net discretionary budget authority, in thousands of dollars)

Component	FY2023 Annual Enacted (P.L. 117-328, Div. F)	Compared to FY2023 Annual Request		Compared to FY2022 Annual Enacted	
		\$	%	\$	%
CBP	18,027,395	1,740,326	10.7%	2,835,490	18.7%
USCG	11,630,491	140,218	1.2%	95,249	0.8%
ICE	8,758,960	261,076	3.1%	659,070	8.1%
TSA	6,483,540	306,079	5.0%	797,938	14.0%
FEMA	5,472,424	230,381	4.4%	373,384	7.3%
CISA	2,907,138	313,482	12.1%	423,546	17.1%
USSS	2,822,180	210,292	8.1%	118,671	4.4%
MD	2,068,405	(60,420)	(2.8%)	(257,398)	(11.1%)
S&T	900,541	14,138	1.6%	(750)	(0.1%)
CWMD	430,972	(21,039)	(4.7%)	2,000	0.5%
FLETC	406,547	50,911	14.3%	10,000	2.5%
OSEM	384,794	113,741	42.0%	68,614	21.7%

¹⁶ The two most common types of exemption in the DHS appropriations context are the emergency designation and the disaster relief designation. These designations exempt such funding from being counted against discretionary budget limits.

A&O	316,640	18,469	6.2%	(24,519)	(7.2%)
USCIS	267,981	(141,523)	(34.6%)	(645,641)	(70.7%)
OIG	214,879	9,520	4.6%	-	0.0%

Source: CRS analysis of P.L. 117-103, Div. F, and its explanatory statement; and P.L. 117-328, Div. F, and its accompanying explanatory statement.

Notes: Negative numbers are shown in parentheses. “-” = a zero value, indicating no difference. Data do not reflect the impact of transfers, rescissions, emergency- or disaster relief-designated funding, or advance appropriations not available in the given fiscal year. CBP = U.S. Customs and Border Protection; USCG = U.S. Coast Guard; ICE = U.S. Immigration and Customs Enforcement; TSA = Transportation Security Administration; FEMA = Federal Emergency Management Agency; USSS = U.S. Secret Service; CISA = Cybersecurity and Infrastructure Security Agency; MD = Management Directorate; S&T = Science and Technology Directorate; CWMD = Office of Countering Weapons of Mass Destruction; FLETC = Federal Law Enforcement Training Center; A&O = Analysis and Operations; OSEM = Office of the Secretary and Executive Management; OIG = Office of the Inspector General; USCIS = U.S. Citizenship and Immigration Services.

- a. “Analysis and Operations” is the name provided for this component in the DHS budget justification. The component is referred to in the House-reported bill as Intelligence, Analysis and Situational Awareness, and in the Senate draft as Intelligence, Analysis, and Operational Coordination.

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