

Financial Services and General Government (FSGG) FY2023 Appropriations: Overview

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Financial Services and General Government (FSGG) FY2023 Appropriations: Overview

The Financial Services and General Government (FSGG) appropriations bill includes funding for the Department of the Treasury, the Executive Office of the President, the judiciary, the District of Columbia, and more than two dozen independent agencies. The House and Senate FSGG bills fund the same agencies, with one exception. The Commodity Futures Trading Commission (CFTC) is usually funded through the Agriculture appropriations bill in the House and the FSGG bill in the Senate.

President's budget. President Biden submitted his full FY2023 budget request on March 28, 2022. The request included a total of approximately \$53.2 billion in appropriations for agencies funded through the FSGG bill, including a net total of \$249 million for the CFTC.

House action. The Financial Services and General Government Appropriations Act, 2023 (H.R. 8254) was marked up in subcommittee on June 16, 2022, marked up in full committee on June 24, 2022, and reported (H.Rept. 117-393) on June 28, 2022. Approximate total FY2022 funding in the reported bill was \$51.7 billion. Another \$363 million for the CFTC was included in the Agriculture appropriations bill (H.R. 8239; H.Rept. 117-392). The approximate combined total of \$52.1 billion is \$1.1 billion less than the President's FY2023 request.

FSGG appropriations were included as Division D of H.R. 8294 when it was considered on the House floor on July 19-20, 2022. A number of amendments were made moving funding among FSGG agencies without changing the overall totals. Funding for the CFTC was included in Division B of H.R. 8294. The House passed the bill on a vote of 220-207.

Senate action. The Senate Committee on Appropriations has held two subcommittee hearings on the Department of the Treasury's Office of Terrorism and Financial Intelligence and the Financial Crimes Enforcement Network and on the Internal Revenue Service. No committee action on legislation has occurred, but draft copies of a chairman's mark and committee report have been posted and the chairman's mark was introduced as S. 4685 by FSGG Subcommittee Chair Chris Van Hollen. These FSGG bills would appropriate an approximate total of \$51.3 billion, \$1.9 billion less than the President's request.

Continuing resolution. No full-year FY2023 appropriations measure was enacted prior to the end of September 2022. Three laws (P.L. 117-180, P.L. 117-229, and P.L. 117-264) provided continuing appropriations largely based on FY2022 levels through December 16, 2022, December 23, 2022 and December 30, 2022, respectively.

Full-Year FY2023 appropriations. Full-year FY2023 appropriations were ultimately provided in Division E of the Consolidated Appropriations Act, 2023 (P.L. 117-328). P.L. 117-328 was enacted on December 29, 2022, shortly before the end of the 117th Congress. Division E, which included funding for the CFTC, provided appropriations totaling approximately \$49.65 billion, \$3.5 billion less than the President's request.

Although financial services are a major focus of the FSGG appropriations bills, these bills do not include funding for many financial regulatory agencies, which are funded outside of the appropriations process. In the past, FSGG bills occasionally have contained additional legislative provisions relating to such agencies. In FY2023, however, President Biden's request contained no such legislative provisions, and neither did Division E of P.L. 117-328.

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The Financial Services and General Government (FSGG) appropriations bill includes funding for a wide variety of federal government functions and government-wide direction on usage of funds.¹ The bill funds

- the Department of the Treasury (Title I),²
- the Executive Office of the President (Title II),
- the judiciary (Title III),³
- the District of Columbia (Title IV),⁴ and
- more than two dozen independent agencies (Title V).

Title VI of the bill typically funds mandatory retirement accounts for the entire government and contains additional general provisions applying to the funding provided to agencies through the FSGG bill. Title VII typically contains general provisions that apply government-wide.

The House and Senate FSGG bills fund the same agencies, with one exception. The Commodity Futures Trading Commission (CFTC) is funded through the Agriculture appropriations bill in the House and the FSGG bill in the Senate. Where the CFTC is funded upon enactment typically depends on which chamber originated the law, which alternates annually. Thus, the enacted amounts for the CFTC have historically been in the Agriculture appropriations bill one year and the FSGG appropriations bill the following year.

This structure has existed in its current form since the 2007 reorganization of the House and Senate Committees on Appropriations. Although financial services are a major focus of the FSGG appropriations bill, the bill does not include funding for many financial regulatory agencies, which are instead funded outside of the appropriations process. However, it is not uncommon for legislative provisions addressing various financial regulatory issues to be included in titles at the end of the bill.

Administration and Congressional Action

President Biden submitted his full FY2023 budget request on March 28, 2022. The request included a total of \$53.2 billion for agencies funded through the FSGG appropriations bill, including a net total of \$249 million for the CFTC.⁵

The House Financial Services and General Government Appropriations Act, 2023 (H.R. 8254), was marked up in subcommittee on June 16, 2022; marked up in full committee on June 24, 2022; and reported (H.Rept. 117-393) on June 28, 2022. Approximate total FY2023 funding in the reported bill was \$51.7 billion. Another \$365 million for the CFTC was included in the

¹ For a complete list of the CRS experts covering the various FSGG agencies, please see CRS Report R42638, *Appropriations: CRS Experts*, by James M. Specht and Justin Murray.

² For more information, see CRS In Focus IF12098, *Internal Revenue Service Appropriations, FY2023*, by Gary Guenther.

³ For more information, see CRS In Focus IF11842, *Judiciary Budget Request, FY2023*, by Barry J. McMillion; and CRS Report R47155, *Judiciary Appropriations, FY2022*, by Barry J. McMillion.

⁴ For more information, see CRS Report R47156, *FY2022 District of Columbia Budget and Appropriations*, by Joseph V. Jaroscak.

⁵ The CFTC request was for a total of \$365 million, to be offset with \$116 million of user fees, which would require congressional authorization. See the CFTC FY2023 budget request at https://www.cftc.gov/sites/default/files/2022-03/CFTC_FY_2023_President_Budget_Report_032122.pdf, particularly p. 43.

Agriculture appropriations bill (H.R. 8239; H.Rept. 117-392). The combined total of \$52.1 billion was approximately \$1.1 billion less than the President's FY2023 request.

FSGG appropriations were included as Division D of H.R. 8294 when that bill taken up by the House of Representatives on July 19-20, 2022. Among the other appropriations measures included was the Agriculture bill with funding for the CFTC in Division B. The House Committee on Rules made a number of amendments in order for floor consideration, most of which were combined into larger *en bloc* amendments on the floor.⁶ The adopted amendments shifted funding among some FSGG agencies without changing the overall totals.⁷

The Senate Committee on Appropriations has held two subcommittee hearings on the Department of the Treasury's Office of Terrorism and Financial Intelligence and the Financial Crimes Enforcement Network⁸ and on the Internal Revenue Service.⁹ On July 28, 2022, Senate Appropriations Committee Chairman Patrick Leahy released the "Chairman's mark" of all 12 appropriations bills as well as draft committee reports.¹⁰ Senate FSGG Subcommittee Chair Chris Van Hollen introduced an FY2023 FSGG bill, S. 4685, reflecting the Chairman's mark on the same day.¹¹ These FSGG bills would appropriate an approximate total of \$51.3 billion, \$1.9 billion less than the President's request.

Continuing Resolution (CR)

No full-year FY2023 appropriations measure was enacted prior to the end of September 2022. The Senate passed the Continuing Appropriations and Ukraine Supplemental Appropriations Act, 2023, H.R. 6833, on September 29, 2022, with the House of Representatives following on September 30, 2022. The President signed the bill, now P.L. 117-180, on the same day. Division A of P.L. 117-180 provided continuing appropriations through December 16, 2022. This continuing funding is based on the FY2022 levels with a certain number of changes known generally as *anomalies*. Details on the FY2023 FSGG anomalies can be found in the **Appendix** of this report. For more information on the FY2023 CR, see CRS Report R47283, *Overview of Continuing*

⁶ The amendments can be found in H.Rept. 117-420 at <https://www.govinfo.gov/content/pkg/CRPT-117hrpt420/pdf/CRPT-117hrpt420.pdf>. The FSGG amendments are numbers 97-138 on pages 15-19.

⁷ Of the amendments made in order, numbers 98, 99, 101, 102, 108, 114, 119, 121, 124, 126, 127, 129, 130, 132, and 138 passed as part of H.Amdt. 298 and numbers 104, 106, 107, 113, 115, 116, 123, 125, and 136 passed as part of H.Amdt. 299. Of these, numbers 104, 106, 108, 113, 114, 115 and 136 moved funding between FSGG agencies while numbers 102, 107, and 125 moved funding within FSGG agencies. The other amendments both increased and decreased the same amount in the same agencies to highlight particular congressional concerns. The amount of funding being shifted was relatively small, with the GSA being most affected. A total of \$13.7 million was shifted out of GSA and into several other agencies.

⁸ U.S. Congress, Senate Committee on Appropriations, Subcommittee on Financial Services and General Government, Hearing to review the fiscal year 2023 budget request for the Treasury Office of Terrorism and Financial Intelligence, and the Treasury Financial Crimes Enforcement Network, 117th Cong., 2nd sess., June 14, 2022, at <https://www.appropriations.senate.gov/hearings/hearing-to-review-the-fiscal-year-2023-budget-request-for-the-treasury-office-of-terrorism-and-financial-intelligence-and-the-treasury-financial-crimes-enforcement-network>.

⁹ U.S. Congress, Senate Committee on Appropriations, Subcommittee on Financial Services and General Government, *Fiscal Year 2023 Budget Request from the U. S. Internal Revenue Service*, 117th Cong., 2nd sess., May 3, 2022, at <https://www.appropriations.senate.gov/hearings/the-fiscal-year-2023-budget-request-from-the-u-s-internal-revenue-service>.

¹⁰ U.S. Congress, Senate Committee on Appropriations, "Chairman Leahy Releases Fiscal Year 2023 Senate Appropriations Bills," press release, July 28, 2022, at <https://www.appropriations.senate.gov/news/majority/breaking-chairman-leahy-releases-fiscal-year-2023-senate-appropriations-bills>.

¹¹ As the bill has not proceeded through the markup process and therefore has no associated report or detail table, the analysis in this report continues to refer to the draft explanatory statement.

*Appropriations for FY2023 (Division A of P.L. 117-180).*¹² Two additional CRs were enacted, P.L. 117-229 and P.L. 117-264, providing continuing appropriations largely based on FY2022 levels through December 23, 2022, and December 30, 2022, respectively.

Full-Year FY2023 Appropriations

Full-year FY2023 appropriations were ultimately provided in Division E of the Consolidated Appropriations Act, 2023 (H.R. 2617/P.L. 117-328).¹³ Initially an unrelated bill on federal employee performance, H.R. 2617 was amended by the House with an appropriations measure on December 14, 2022. The Senate followed with a further amendment on December 22, 2022, and the House agreed to the Senate amendment on December 23, 2022. The President signed the bill on December 29, 2022. Division E, which included funding for the CFTC, provided appropriations for FSGG agencies totaling approximately \$49.65 billion, \$3.5 billion less than the President's initial request.

Table 1 below reflects the status of FY2023 FSGG appropriations measures at key points in the appropriations process. **Table 2** lists, largely by title, the amounts requested by the President and included in the various FSGG and emergency supplemental bills. **Tables 3-7**, respectively, detail the amounts for the Treasury, the Executive Office of the President, the judiciary, the District of Columbia, and the independent agencies. Specific columns in **Tables 3-7** are FSGG agencies' enacted amounts for FY2022, the President's FY2023 request, the FY2023 amounts from the House-passed H.R. 8294, and the amounts from the Senate subcommittee chairman's bill (S. 4685).

Table 1. Status of FY2023 Financial Services and General Government (FSGG) Appropriations

Subcommittee Markup							Final Adoption		Enactment
House	Senate	House Report	House Passage	Senate Report	Senate Passage	Conference Report	House	Senate	
June 16, 2022	—	June 28, 2022	July 20, 2022	—	—	—	Dec. 23, 2022	Dec. 22, 2022	Dec. 29, 2022

Source: Prepared by CRS.

Table 2. FSGG Appropriations, FY2022-FY2023
(millions of dollars)

Agency	FY2022 Enacted	FY2023 Request	FY2023 House-Passed	FY2023 Senate Subcommittee Chair	FY2023 Enacted
Department of the Treasury	93,698.5	16,156.5	15,559.0	15,435.3	14,049.8

¹² For a general overview of CRs, see CRS Report R46595, *Continuing Resolutions: Overview of Components and Practices*, coordinated by Kevin P. McNellis.

¹³ A joint Explanatory Statement, including the recommendations of the appropriations committees and summary tables, was included in the *Congressional Record* for December 20, 2022, see <https://www.congress.gov/117/crec/2022/12/20/168/198/CREC-2022-12-20-pt1-PgS7819-2.pdf>.

Agency	FY2022 Enacted	FY2023 Request	FY2023 House-Passed	FY2023 Senate Subcommittee Chair	FY2023 Enacted
Executive Office of the President	807.3	854.0	870.5	854.0	878.6
Judiciary	8,454.4	9,062.4	8,994.9	8,896.2	8,994.5
District of Columbia	775.5	773.9	793.9	791.3	791.9
Independent Agencies	7,802.5	4,920.8	4,472.7	3,893.5	3,518.0
Mandatory Retirement Accounts	21,996.6	21,418.6	21,418.6	21,418.6	21,418.6
Total	133,534.8	53,186.1	52,109.5	51,288.8	49,651.4

Sources: P.L. 117-328 and Explanatory Statement; S. 4685 and Senate Committee Chair draft report; H.R. 8294 and H.Rept. 117-393 (reflecting H.R. 8254, P.L. 117-128, P.L. 117-103, P.L. 117-58, and P.L. 117-43); P.L. 117-167; and P.L. 117-169.

Notes: All figures are rounded to the nearest \$100,000. Totals may not sum due to rounding. Figures are net reflecting rescissions and offsetting collections. FY2022 enacted totals were increased by approximately \$79.6 billion of appropriations, primarily for the IRS, made in P.L. 117-169. Most of these appropriations are available until the end of FY2031.

Totals for each column include funding for the Commodity Futures Trading Commission, which is funded in the House through the Agriculture appropriations bill and in the Senate through the FSGG bill.

Rescissions from the Treasury's Asset Forfeiture Fund are contained in Title VI and are included in the total for the Department of the Treasury.

The mandatory spending for the President's salary is contained in Title VI, whereas the rest of presidential spending is in Title II.

The "Mandatory Retirement Accounts" amount is contained in Title VI.

The "Independent Agencies" total is primarily in Title V but also reflects funding or rescissions for the Public Company Accounting Oversight Board scholarships and the Oversight.gov website (Inspectors General Council Fund) in Title VI and the Office of Personnel Management and the Commission on Federal Naming and Displays in Title VII. The FY2022 enacted total includes \$174,000 in a payment for congressional widows and heirs from P.L. 117-128 and included in H.Rept. 117-393. Such payments have previously been included in the Legislative Branch appropriations bill.

Table 3. Department of the Treasury Appropriations, FY2022-FY2023

(millions of dollars)

	FY2022 Enacted	FY2023 Request	FY2023 House-Passed	FY2023 Senate Subcommittee Chair	FY2023 Enacted
Departmental Offices (Salaries and Expenses)	414.6	293.2	273.9	255.0	273.9
Committee on Foreign Investment in the United States Fund	(20)	-1.0	-1.0	-1.0	(21)
Terrorism and Financial Intelligence	220.2	212.1	220.1	212.1	216.1
Cybersecurity Enhancement	80.0	215.0	135.0	88.0	100.0

	FY2022 Enacted	FY2023 Request	FY2023 House-Passed	FY2023 Senate Subcommittee Chair	FY2023 Enacted
Department- wide Systems and Capital Investments	6.1	11.1	11.1	8.0	11.1
Office of Inspector General	42.3	43.9	48.9	43.9	48.9
Treasury Inspector General for Tax Administration	577.3	182.4	179.4	179.4	174.3
Special Inspector General for Troubled Asset Relief Program	16.0	9.0	9.0	9.0	9.0
Special Inspector General for Pandemic Recovery	8.0	25.0	16.0	12.0	12.0
Financial Crimes Enforcement Network	180.0	210.3	210.3	189.0	190.2
Bureau of the Fiscal Service	355.9	372.5	372.5	372.5	372.5
Alcohol and Tobacco Tax and Trade Bureau	128.1	150.9	150.9	148.9	148.9
Community Development Financial Institutions Fund	295.0	331.4	338.4	324.0	324.0
Internal Revenue Service (total)	91,505.1	14,100.7	13,594.6	13,594.6	12,319.1
Treasury Forfeiture Fund (Rescission)	-175.0	—	—	—	-150.0
Ukraine Emergency	52.0	—	—	—	—
Total	93,705.5	16,156.5	15,559.0	15,435.3	14,049.8

Source: P.L. 117-328 and Explanatory Statement; S. 4685 and Senate Committee Chair draft report; H.R. 8294 and H.Rept. 117-393 (reflecting H.R. 8254, P.L. 117-128, P.L. 117-103, P.L. 117-58, and P.L. 117-43); and P.L. 117-169.

Notes: All figures are rounded to the nearest \$100,000. Totals may not sum due to rounding. Figures are net reflecting rescissions and offsetting collections. Figures in parentheses are gross amounts, which are then offset with collections and thus are treated as zeros in the totals. FY2022 enacted totals were increased by nearly \$79.5 billion of appropriations, primarily for the IRS, made in P.L. 117-169. Most of these appropriations are available until the end of FY2031.

For more information on Treasury appropriations, contact CRS Analyst in Public Finance Gary Guenther.

Table 4. Executive Office of the President Appropriations, FY2022-FY2023
(in millions of dollars)

	FY2022 Enacted	FY2023 Request	FY2023 House-Passed	FY2023 Senate Subcommittee Chair	FY2023 Enacted
The White House (total)	205.1	230.5	230.5	219.8	234.5
Office of Management and Budget	116.0	128.0	128.0	127.6	128.0
Intellectual Property Enforcement Coordinator	1.8	1.9	1.9	1.9	1.9
Office of the National Cyber Director	21.0	21.9	21.9	21.0	21.9
Office of National Drug Control Policy	449.2	450.5	467.0	466.4	471.1
Unanticipated Needs	1.0	1.0	1.0	1.0	1.0
Information Technology Oversight and Reform	8.0	13.7	13.7	10.0	13.7
Special Assistance to the President (Salaries and Expenses)	4.8	6.1	6.1	6.1	6.1
Official Residence of the Vice President (Operating Expenses)	0.3	0.3	0.3	0.3	0.3
Total: EOP and Funds Appropriated to the President	807.3	854.0	870.5	854.0	878.6

Source: P.L. 117-328 and Explanatory Statement; S. 4685 and Senate Committee Chair draft report; H.R. 8294 and H.Rept. 117-393 (reflecting H.R. 8254, P.L. 117-128, P.L. 117-103, P.L. 117-58, and P.L. 117-43); and P.L. 117-169.

Notes: All figures are rounded to the nearest \$100,000. Totals may not sum due to rounding. Figures are net reflecting rescissions and offsetting collections. Most of the table's funding is contained in Title II except the presidential salary included in the White House total, which is mandatory spending in Title VI.

For more information on the appropriations for the Executive Office of the President, contact CRS Analyst in American National Government Barbara Schwemle.

Table 5. The Judiciary Appropriations, FY2022-FY2023

(millions of dollars)

	FY2022 Enacted	FY2023 Request	FY2023 House-Passed	FY2023 Senate Subcommittee Chair	FY2023 Enacted
U.S. Supreme Court (total)	115.5	143.6	146.1	127.3	141.7
U.S. Court of Appeals for the Federal Circuit	37.5	39.8	40.1	39.4	40.1
U.S. Court of International Trade	22.8	23.7	23.6	23.6	23.6
U.S. Courts of Appeals, District Courts, and Other Judicial Services (total)	8,120.5	8,688.8	8,495.6	8,548.7	8,630.6
Administrative Office of the U.S. Courts	98.5	111.3	105.7	104.4	102.7
Federal Judicial Center	29.9	33.5	34.3	31.4	34.3
United States Sentencing Commission	20.6	21.9	21.6	21.6	21.6
Judicial Security	9.1	—	128.0	—	—
Total: The Judiciary	8,454.4	9,062.4	8,994.9	8,896.2	8,994.5

Source: P.L. 117-328 and Explanatory Statement; S. 4685 and Senate Committee Chair draft report; H.R. 8294 and H.Rept. 117-393 (reflecting H.R. 8254, P.L. 117-128, P.L. 117-103, P.L. 117-58, and P.L. 117-43); P.L. 117-167; and P.L. 117-169.

Notes: All figures are rounded to the nearest \$100,000. Totals may not sum due to rounding. Figures are net reflecting rescissions and offsetting collections. The "Judicial Security" funding from FY2022 was supplemental funding contained in P.L. 117-167; for FY2023, it was contained in the administrative provisions in Title III, Section 307.

For more information on judiciary appropriations, contact CRS Analyst in American National Government Barry J. McMillion.

Table 6. District of Columbia Special Federal Payments Appropriations, FY2022-FY2023

(millions of dollars)

	FY2022 Enacted	FY2023 Request	FY2023 House-Passed	FY2023 Senate Subcommittee Chair	FY2023 Enacted
Resident Tuition Support	40.0	20.0	40.0	40.0	40.0
Emergency Planning and Security	25.0	30.0	30.0	30.0	30.0
District of Columbia Courts	257.6	295.6	295.6	294.0	291.1
Defender Services	46.0	24.0	24.0	24.0	24.0
Court Services and Offender Supervision Agency	286.4	281.5	281.5	281.5	285.0
Public Defender Service	52.6	53.6	53.6	53.6	53.6
Criminal Justice Coordinating Council	2.2	2.5	2.5	2.5	2.5
Judicial Commissions	0.6	0.6	0.6	0.6	0.6
School Improvement	52.5	52.5	52.5	52.5	52.5
D.C. National Guard	0.6	0.6	0.6	0.6	0.6
HIV/AIDS Prevention	4.0	5.0	5.0	4.0	4.0
D.C. Water and Sewer	8.0	8.0	8.0	8.0	8.0
Special Federal Payments (total)	775.5	773.9	793.9	791.3	791.9

Source: P.L. 117-328 and Explanatory Statement; S. 4685 and Senate Committee Chair draft report; H.R. 8294 and H.Rept. 117-393 (reflecting H.R. 8254, P.L. 117-128, P.L. 117-103, P.L. 117-58, and P.L. 117-43); and P.L. 117-169.

Notes: All figures are rounded to the nearest \$100,000. Totals may not sum due to rounding. Figures are net reflecting rescissions and offsetting collections. The federal payment for the DC Water and Sewer Authority includes a provision requiring a 100% match from the authority.

For more information on DC appropriations, contact CRS Analyst in Economic Development Policy Joseph V. Jaroscak.

Table 7. FSGG Independent Agencies Appropriations, FY2022-FY2023
(millions of dollars)

Agency	FY2022 Enacted	FY2023 Request	FY2023 House-Passed	FY2023 Senate Subcommittee Chair	FY2023 Enacted
Administrative Conference of the United States	3.4	3.5	3.5	3.5	3.5
Goldwater Foundation	—	—	—	2.0	2.0
Commission on Federal Naming and Displays	—	—	1.5	—	—
Commodity Futures Trading Commission ^a	382.0	249.0	365.0	336.0	365.0
Consumer Product Safety Commission	139.1	195.5	166.3	153.0	152.5
Election Assistance Commission	95.0	280.1	434.1	422.0	103.0
Federal Communications Commission ^b	14,200.0	(390.2)	(390.2)	(390.2)	(390.2)
Federal Deposit Insurance Corporation: Office of Inspector General ^c	(46.5)	(47.5)	(47.5)	(47.5)	(47.5)
Federal Election Commission	74.5	81.7	81.7	78.2	81.7
Federal Labor Relations Authority	27.4	31.8	31.8	28.8	29.4
Federal Permitting Improvement Steering Council	10.7	10.3	10.0	10.0	—
Federal Trade Commission	218.5	280.0	280.0	220.0	220.0
General Services Administration ^d	2,391.4	1,266.7	532.5	108.4	-114.0
Harry S Truman Scholarship Foundation	2.5	—	3.0	3.0	3.0
Inspectors General Council Fund (Oversight.gov)	0.9	0.9	0.9	0.9	0.9
Merit Systems Protection Board	48.2	53.5	53.5	50.5	52.0
Udall Foundation	5.1	5.7	5.7	5.3	5.7
National Archives and Records Administration ^e	476.5	449.5	451.8	478.5	490.3

Agency	FY2022 Enacted	FY2023 Request	FY2023 House-Passed	FY2023 Senate Subcommittee Chair	FY2023 Enacted
National Credit Union Administration	1.5	4.0	4.0	3.0	3.5
Office of Government Ethics	19.2	22.4	25.4	20.1	24.5
Office of Personnel Management (discretionary)	370.9	454.3	446.3	389.5	420.1
Office of Special Counsel	30.4	32.0	32.0	31.9	31.9
Postal Regulatory Commission	17.5	20.3	—	—	—
Privacy and Civil Liberties Oversight Board	9.8	10.7	10.7	10.6	10.6
Public Building Reform Board	3.6	4.0	4.0	3.8	4.0
Public Company Accounting Oversight Board Scholarships	(2.0)	(2.0)	(2.0)	(2.0)	(2.0)
Securities and Exchange Commission ^b	(1,999.7)	(2,206.4)	(2,206.4)	(2,209.8)	(2,209.8)
Selective Service System	29.2	29.7	29.3	31.7	31.7
Small Business Administration (SBA)	2,219.8	1,056.8	1,115.3	1,124.4	1,218.2
SBA rescission	-13,500.0	—	—	—	—
U.S. Postal Service (USPS) Fund	52.6	50.3	56.3	50.3	50.3
USPS Office of Inspector General	262.0	271.0	271.0	271.0	271.0
U.S. Tax Court	210.8	57.3	57.3	57.3	57.3
Total: Independent Agencies (Net Discretionary)	7,802.5	4,920.8	4,472.7	3,893.5	3,518.0

Sources: P.L. 117-328 and Explanatory Statement; S. 4685 and Senate Committee Chair draft report; H.R. 8294 and H.Rept. 117-393 (reflecting H.R. 8254, P.L. 117-128, P.L. 117-103, P.L. 117-58, and P.L. 117-43); and P.L. 117-169.

Notes: All figures are rounded to the nearest \$100,000. Columns may not sum due to rounding. Figures in parentheses are gross amounts, which are then offset with collections and thus are treated as zeros in the totals. The funding for the independent agencies is primarily in Title V, but the table also reflects funding or rescissions in Title VI for the Public Company Accounting Oversight Board scholarships, the Oversight.gov website (Inspectors General Council Fund) and in Title VII for the Office of Personnel Management and the Commission on Federal Naming and Displays. The FY2022 enacted total includes \$174,000 in a payment for congressional widows and heirs from P.L. 117-128 and included in H.Rept. 117-393. Such payments have previously been included in the Legislative Branch appropriations bill. The FY2022 enacted total for the U.S. Tax Court was increased by \$153 million of appropriations made in P.L. 117-169, which are available until the end of FY2031.

No amounts are included for the Postal Regulatory Commission as the Postal Service Reform Act of 2022 (P.L. 117-108) removed the commission's budget from the appropriations process.

- a. The Commodity Futures Trading Commission is funded in the House through the Agriculture appropriations bill and in the Senate through the FSGG bill.
- b. The Federal Communications Commission (FCC) and the Securities and Exchange Commission (SEC) are funded by collecting regulatory fees (or "offsetting collections"), often resulting in no direct appropriations. Therefore, the amounts shown for the FCC and the SEC represent budgetary resources, but those amounts are usually not included in the table totals. In FY2022, however, the FCC was provided emergency appropriations above the offsetting collections in P.L. 117-58.
- c. The funding amount for the Federal Deposit Insurance Corporation's (FDIC's) Office of Inspector General is determined in the FSGG bill, but the funding is transferred from nonappropriated FDIC funds and thus is not included in total FSGG appropriations.
- d. The General Services Administration's (GSA's) real property activities are funded through the Federal Buildings Fund (FBF), a multibillion-dollar revolving fund into which federal agencies deposit rental payments for leased GSA space. Congress makes the FBF revenue available each year to pay for GSA's real property activities. A negative total for the FBF occurs when the amount of funds made available for expenditure in a fiscal year is less than the amount of new revenue expected to be deposited.
- e. Amount as shown in the committee report tables. Figures do not include appropriations for repayments of principal on the construction of the Archives II facility. The amounts included in the President's budget request and the specific appropriations bills include this principal repayment.

Financial Regulatory Agencies and FSGG Appropriations

Although financial services are a focus of the FSGG bill, the bill does not actually include funding for the regulation of much of the financial services industry.¹⁴ Financial regulatory agencies can be broadly subdivided into groups that regulate depositories (primarily banks), insurance, securities, and housing finance. Federal regulation of the banking industry is divided among the Federal Reserve, the Federal Deposit Insurance Corporation (FDIC), the Office of the Comptroller of the Currency, and the Bureau of Consumer Financial Protection (generally known as the Consumer Financial Protection Bureau, or CFPB, which also has authorities over certain nonbank financial institutions).¹⁵ In addition, credit unions—another type of depository—which operate like banks in most ways, are regulated by the National Credit Union Administration (NCUA).¹⁶ None of these agencies receives primary funding through the appropriations process, with only the FDIC inspector general and a small program operated by the NCUA currently funded in the FSGG bill.

Insurance is generally regulated at the state level, with some oversight at the holding company level by the Federal Reserve. There is a relatively small Federal Insurance Office (FIO) inside the Treasury that is funded through the Departmental Offices account, but the FIO has no regulatory authority.¹⁷

¹⁴ For a more complete discussion regarding the funding of financial regulators and general financial regulatory structure, see CRS Report R43391, *Independence of Federal Financial Regulators: Structure, Funding, and Other Issues*, by Henry B. Hogue, Marc Labonte, and Baird Webel; and CRS Report R44918, *Who Regulates Whom? An Overview of the U.S. Financial Regulatory Framework*, by Marc Labonte.

¹⁵ For more information, see CRS In Focus IF10035, *Introduction to Financial Services: Banking*, by Raj Gnanarajah.

¹⁶ For more information, see CRS In Focus IF11713, *Introduction to Financial Services: Credit Unions*, by Darryl E. Getter.

¹⁷ For more information, see CRS In Focus IF10043, *Introduction to Financial Services: Insurance*, by Baird Webel.

Federal securities regulation is divided between the Securities and Exchange Commission (SEC) and the CFTC, both of which are funded through appropriations.¹⁸ The CFTC funding is a relatively straightforward appropriation from the general fund, whereas the SEC funding is provided by the FSGG bill but then offset through fees collected by the SEC.

Housing finance, particularly the two large government-sponsored enterprises Fannie Mae and Freddie Mac, is overseen by the Federal Housing Finance Agency,¹⁹ which is funded primarily through assessments on regulated entities and receives no funding through the FSGG bill.

Although funding for many financial regulatory agencies may not be provided by the FSGG bill, legislative provisions affecting financial regulation in general and some of these agencies specifically have often been included in FSGG bills. In FY2023, however, neither the President's budget request nor the congressional bills included such legislative provisions.

Committee Structure and Scope

The House and Senate Committees on Appropriations reorganized their subcommittee structures in early 2007. Each chamber created a new Financial Services and General Government Subcommittee. In the House, the jurisdiction of the FSGG Subcommittee is composed primarily of agencies that had been under the jurisdiction of the Subcommittee on Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies, commonly referred to as TTHUD.²⁰ In addition, the House FSGG Subcommittee was assigned four independent agencies that had been under the jurisdiction of the Science, State, Justice, Commerce, and Related Agencies Subcommittee: the Federal Communications Commission (FCC), the Federal Trade Commission (FTC), the SEC, and the Small Business Administration (SBA).

In the Senate, the jurisdiction of the FSGG Subcommittee is a combination of agencies from the jurisdiction of three previously existing subcommittees. Most of the agencies that had been under the jurisdiction of the Transportation, Treasury, Judiciary, Housing and Urban Development, and Related Agencies Subcommittee were assigned to the FSGG Subcommittee.²¹ In addition, the District of Columbia, which had its own subcommittee in the 109th Congress, was placed under the purview of the FSGG Subcommittee, as were four independent agencies that had been under the jurisdiction of the Commerce, Justice, Science, and Related Agencies Subcommittee: the FCC, FTC, SEC, and SBA. As a result of this reorganization, the House and Senate FSGG

¹⁸ For more information, see CRS In Focus IF10032, *Introduction to Financial Services: The Securities and Exchange Commission (SEC)*, by Gary Shorter; and CRS In Focus IF10117, *Introduction to Financial Services: Derivatives*, by Rena S. Miller.

¹⁹ For more information, see CRS In Focus IF11715, *Introduction to Financial Services: The Housing Finance System*, by Darryl E. Getter.

²⁰ The agencies previously under the jurisdiction of the House Appropriations Subcommittee on Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies that did not become part of the FSGG Subcommittee were the Department of Transportation (DOT), the Department of Housing and Urban Development (HUD), the Architectural and Transportation Barriers Compliance Board, the Federal Maritime Commission, the National Transportation Safety Board, the Neighborhood Reinvestment Corporation, and the U.S. Interagency Council on Homelessness.

²¹ The agencies that did not transfer from the Senate Appropriations Subcommittee on Transportation, Treasury, the Judiciary, and Housing and Urban Development, and Related Agencies to FSGG were DOT, HUD, the Architectural and Transportation Barriers Compliance Board, the Federal Maritime Commission, the National Transportation Safety Board, the Neighborhood Reinvestment Corporation, and the U.S. Interagency Council on Homelessness.

Subcommittees have nearly identical jurisdictions, except that CFTC is under the jurisdiction of the FSGG Subcommittee in the Senate and the Agriculture Subcommittee in the House.

Appendix. FSGG Anomalies in P.L. 117-180

Section 128—Department of Treasury Alcohol and Tobacco Tax and Trade Bureau²²

Section 128 provides additional funding for “Department of Treasury—Alcohol and Tobacco Tax and Trade Bureau—Salaries and Expenses” at a rate for operations of \$14,929,000. These funds are to administer the Craft Beverage Modernization Act import claims program.

Section 129—Office of National Cyber Director²³

Section 129 creates a new heading under the “Executive Office of the President and Funds Appropriated to the President,” providing \$21 million for a new Office of National Cyber Director, which was created by the Fiscal Year 2021 National Defense Authorization Act (P.L. 116-283).

Section 130—Judiciary Fees of Jurors and Commissioners²⁴

Section 130 provides funding at a rate for operations of \$59,565,000 for “The Judiciary—Courts of Appeals, District Courts, and Other Judicial Services—Fees of Jurors and Commissioners,” enabling statutorily mandated payments to jurors during the duration of the CR.

Section 131—Judiciary Court Security²⁵

Section 131 provides an additional \$112.5 million in emergency funds for “The Judiciary—Courts of Appeals, District Courts, and Other Judicial Services—Court Security” to be used for security improvements at United States courthouses and federal court facilities. Quarterly reporting from the courts on the use of this funding is also required.

Section 132—District of Columbia Local Funds²⁶

Section 132 grants congressional approval to the District of Columbia’s general fund and capital budgets for FY2023. This approval is consistent with the requirement that Congress approve the District’s annual budget under the District of Columbia Self-Government and Government Reorganization Act (P.L. 93-198).²⁷ This provision grants the District the authority to expend locally raised funds only for those programs and activities that received funding in the District’s FY2022 appropriation. This provision also allows District officials to obligate locally raised funds at the rate set forth in the District’s Fiscal Year 2023 Local Budget Act of 2022.

²² This section was authored by Gary Guenther, Analyst in Public Finance.

²³ This section was authored by Barbara L. Schwemle, Analyst in American National Government.

²⁴ This section was authored by Barry McMillion, Analyst on the Federal Judiciary.

²⁵ This section was authored by Barry McMillion, Analyst on the Federal Judiciary.

²⁶ This section was authored by Joseph V. Jaroscak, Analyst in Economic Development Policy.

²⁷ For information on the District of Columbia budget process, see CRS Report R47156, *FY2022 District of Columbia Budget and Appropriations*, by Joseph V. Jaroscak.

Section 133—Veteran-Owned Small Business Certification²⁸

Section 133 provides additional funds at a rate for operations of \$20,000,000 for “Small Business Administration—Salaries and Expenses.” This funding is to address costs associated with the establishment of the government-wide certification program for service-disabled-veteran-owned small businesses by January 1, 2023, as required by Section 36 of the Small Business Act (15 U.S.C. §657f) and Section 862 of P.L. 116-283.

Section 134—Small Business Administration (SBA) Loan Programs²⁹

Section 134 authorizes the SBA to apportion funding provided by this act at the rate necessary to meet demand for commitments for several of its lending programs, including general business loans authorized under paragraphs (1) through (35) of Section 7(a) of the Small Business Act,³⁰ guarantees of trust certificates authorized by Section 5(g) of the Small Business Act,³¹ commitments to guarantee loans under Section 503 of the Small Business Investment Act of 1958,³² and commitments to guarantee loans for debentures under Section 303(b) of the Small Business Investment Act of 1958.³³

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²⁸ This section was authored by R. Corinne Blackford, Analyst in Small Business and Economic Development Policy.

²⁹ This section was authored by Anthony Cilluffo, Analyst in Public Finance.

³⁰ 15 U.S.C. §636(a). For more information, see CRS Report R41146, *Small Business Administration 7(a) Loan Guaranty Program*, by Robert Jay Dilger and Anthony A. Cilluffo.

³¹ 15 U.S.C. §634(g). These trust certificates are related to the secondary market for loans guaranteed by the SBA.

³² 15 U.S.C. §697. For more information, see CRS Report R41184, *Small Business Administration 504/CDC Loan Guaranty Program*, by Robert Jay Dilger and Anthony A. Cilluffo.

³³ 15 U.S.C. §683(b). For more information, see CRS Report R41456, *SBA Small Business Investment Company Program*, by Robert Jay Dilger and Anthony A. Cilluffo.

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