

Financial Services and General Government (FSGG) FY2023 Appropriations: Independent Agencies and General Provisions

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Baird Webel, Coordinator
Acting Section Research
Manager

Financial Services and General Government (FSGG) FY2023 Appropriations: Independent Agencies and General Provisions

The Financial Services and General Government (FSGG) appropriations bill includes funding for more than two dozen independent agencies, including:

- Consumer Product Safety Commission (CPSC),
- Election Assistance Commission (EAC),
- Federal Communications Commission (FCC),
- Federal Election Commission (FEC),
- Federal Labor Relations Authority (FLRA),
- Federal Trade Commission (FTC),
- General Services Administration (GSA),
- National Archives and Records Administration (NARA),
- Office of Personnel Management (OPM),
- Privacy and Civil Liberties Oversight Board (PCLOB),
- Securities and Exchange Commission (SEC),
- Selective Service System (SSS),
- Small Business Administration (SBA), and
- U.S. Postal Service (USPS).

The President's FY2023 budget request included a total of \$4.9 billion for the independent agencies funded through the FSGG appropriations bill, including \$249 million for the Commodity Futures Trading Commission (CFTC), which is funded through the Agriculture appropriations bill in the House and the FSGG bill in the Senate.

House action. The Financial Services and General Government Appropriations Act, 2023 (H.R. 8254, H.Rept. 117-393), included approximately \$4.1 billion for the FSGG independent agencies, with another \$365 million for the CFTC in the Agriculture appropriations bill (H.R. 8239; H.Rept. 117-392). The approximate combined total was \$4.5 billion. 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, including a net total of \$5.5 million out of the independent agencies (primarily from the GSA, while funding for the SBA was increased on the House floor). 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 did not act on a standalone FY2023 FSGG bill, 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 included an approximate total of \$3.9 billion for the FSGG independent agencies, with the largest difference compared to the House in the funding for GSA.

Continuing resolutions. 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 FSGG 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 \$3.5 billion for the FSGG independent agencies, with the largest differences appearing in funding for the GSA and the EAC.

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Introduction

The Financial Services and General Government (FSGG) appropriations bill includes funding for more than two dozen independent agencies. These agencies perform a wide range of functions, including the management of federal real property, the regulation of financial institutions and markets, and mail delivery.

The FSGG bill occasionally addresses other issues, particularly those involving financial regulation.¹ Although financial services are a major focus of the bill, the FSGG appropriations bill does not fund many financial regulatory agencies, which are instead funded outside of the appropriations process.²

The FSGG bill has existed in its current form since the 2007 reorganization of the House and Senate Committees on Appropriations. The House and Senate FSGG bills fund the same agencies, with one exception: Funding for the Commodity Futures Trading Commission (CFTC) is considered through the Agriculture appropriations bill in the House and the FSGG bill in the Senate. In this report, the CFTC funding is generally included in the combined funding totals for FSGG independent agencies.

This report focuses on funding for those independent agencies in the FSGG appropriations bill.³ It does not address the larger agencies funded in the FSGG bill—the Department of the Treasury (Title I), the Executive Office of the President (Title II), the judiciary (Title III), and the District of Columbia (Title IV).⁴ The report begins with an overview of the executive and congressional action taken on FSGG appropriations for FY2023 and then proceeds to individual sections on the various independent agencies funded primarily in Title V. It closes with a section on the new provisions applying government-wide, which appear in Title VII of the bill.

Administration and Congressional Action

President Biden submitted his full FY2023 budget request on March 28, 2022.⁵ The request included a total of \$4.9 billion for independent agencies funded through the FSGG appropriations bill, including a net total of \$249 million for the CFTC.⁶

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 \$4.1 billion for the independent agencies. Another \$365 million for the

¹ See, for example, CRS Insight IN10950, *Financial Services and General Government (FSGG) FY2019 Appropriations and Financial Regulatory Reform*, by Baird Webel, Marc Labonte, and Eva Su.

² For more information, see CRS Report R43391, *Independence of Federal Financial Regulators: Structure, Funding, and Other Issues*, by Henry B. Hogue, Marc Labonte, and Baird Webel.

³ The report will discuss similar funding that occasionally appears elsewhere in the bill, such as Public Company Accounting Oversight Board scholarship funding, which has appeared in Title VI.

⁴ For an overview of FSGG appropriations, see CRS Report R47170, *Financial Services and General Government (FSGG) FY2023 Appropriations: Overview*, by Baird Webel.

⁵ Office of the Management and Budget, *Budget of the U.S. Government Fiscal Year 2023*, March 28, 2022, <https://www.govinfo.gov/app/collection/budget/2023>.

⁶ 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.

CFTC was included in the Agriculture appropriations bill (H.R. 8239; H.Rept. 117-392). The combined total was approximately \$4.5 billion.

FSGG appropriations were included as Division D of H.R. 8294 when the House took up the bill 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.⁷ The adopted amendments shifted funding among some FSGG agencies without changing the totals for the overall bill. Shifts in funding that affected the independent agencies included increases of \$7.7 million for the Small Business Administration, \$0.5 million for the Truman scholarships, and \$13.7 million in reduced funding for the General Services Administration (GSA).⁸

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.⁹ Senate FSGG Subcommittee Chair Chris Van Hollen introduced an FY2023 FSGG bill, S. 4685, reflecting the chairman’s mark on the same day.¹⁰ These FSGG bills would appropriate an approximate total of \$3.9 billion for the FSGG independent agencies. No further Senate committee action was taken on an FSGG bill.

No full-year FY2023 appropriations measure was enacted prior to the end of September 2022. The Senate passed a continuing resolution (CR), 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*.¹¹ 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).¹² Initially, the House amended an unrelated

⁷ 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.

⁸ 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 among 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.

⁹ U.S. Congress, Senate Committee on Appropriations, “Chairman Leahy Releases Fiscal Year 2023 Senate Appropriations Bills,” press release, July 28, 2022, <https://www.appropriations.senate.gov/news/majority/breaking-chairman-leahy-releases-fiscal-year-2023-senate-appropriations-bills>.

¹⁰ 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.

¹¹ For more information on the FY2023 CR, see CRS Report R47283, *Overview of Continuing Appropriations for FY2023 (Division A of P.L. 117-180)*. For a general overview of CRs, see CRS Report R46595, *Continuing Resolutions: Overview of Components and Practices*, coordinated by Kevin P. McNellis.

¹² A joint explanatory statement, including the recommendations of the appropriations committees and summary tables, was included in the *Congressional Record* for December 20, 2022 (<https://www.congress.gov/117/crec/2022/12/20/> (continued...))

bill on federal employee performance, H.R. 2617, 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 independent agencies totaling approximately \$3.5 billion.

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. **Table 3** details the amounts appropriated for the independent agencies. Specific columns in **Tables 2 and 3** are the FSGG agencies' enacted amounts for FY2022, the President's FY2023 request, and the FY2023 amounts from the House-passed bill, the Senate subcommittee chair's bill, and the final enacted law.

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	14,237.0	16,156.5	15,559.0	15,435.3	14,049.8
Executive Office of the President	807.3	854.0	870.5	854.0	879.6
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	7,649.5	4,920.8	4,472.7	3,893.5	4,412.8
Mandatory Retirement Accounts	21,996.6	21,418.6	21,418.6	21,418.6	21,418.6
Total	53,920.3	53,186.1	52,109.5	51,288.8	50,547.2

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. 117-167.

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. Following the Appropriations Committees reports, totals do not include direct appropriations for FY2022 of approximately \$79.6 billion, primarily for the Internal Revenue

168/198/CREC-2022-12-20-pt1-PgS7819-2.pdf [hereinafter Explanatory Statement]). The explanatory statement along with the full enacted text can also be found in U.S. Congress, House Committee on Appropriations, *Committee Print on H.R. 2617 / P.L. 117-328*, committee print, 117th Cong., 2nd sess., <https://www.congress.gov/117/cprt/HPRT50347/CPRT-117HPRT50347.pdf>.

Service (IRS), and \$3.4 billion of GSA direct appropriations made in P.L. 117-169. Nor do FY2023 totals include the \$1.4 billion of these IRS appropriations rescinded in FY2023 by P.L. 118-5.

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.

Independent Agencies

Table 3. 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

Agency	FY2022 Enacted	FY2023 Request	FY2023 House-Passed	FY2023 Senate Subcommittee Chair	FY2023 Enacted
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	-77.2
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	476.5	449.5	451.8	478.5	490.3
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	2,076.2

Agency	FY2022 Enacted	FY2023 Request	FY2023 House-Passed	FY2023 Senate Subcommittee Chair	FY2023 Enacted
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	57.8	57.3	57.3	57.3	57.3
Total: Independent Agencies (Net)	7,649.5	4,920.8	4,472.7	3,893.5	4,412.8

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 are thus 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 and 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. Following the Appropriations Committee reports, the FY2022 enacted total for the U.S. Tax Court does not include \$153 million of direct multiyear appropriations, and the GSA total does not include \$3.4 billion in direct multiyear appropriations made in P.L. 117-169.

- The Commodity Futures Trading Commission is funded in the House through the Agriculture appropriations bill and in the Senate through the FSGG bill.
- 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.
- 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 is thus not included in total FSGG appropriations.
- 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.

Commodity Futures Trading Commission¹³

The CFTC is the independent regulatory agency charged with oversight of derivatives markets. The CFTC’s functions include oversight of trading on the futures exchanges, oversight of the swaps markets, registration and supervision of futures industry personnel, self-regulatory organizations and major participants in the swaps markets, prevention of fraud and price manipulation, and investor protection. Although most futures trading is now related to financial variables—such as interest rates, currency prices, and stock indexes—congressional authorization jurisdiction remains vested in the House and Senate agriculture committees because of the market’s historical origins as an adjunct to agricultural markets. Appropriations for the CFTC are

¹³ This section authored by Rena Miller.

under the jurisdiction of the Agriculture Appropriations Subcommittee in the House and the FSGG Appropriations Subcommittee in the Senate. The location of the final enacted amounts for the CFTC typically switches from year to year between the Agriculture and FSGG bills.

Following the financial crisis of 2008, concerns over the largely unregulated nature of the over-the-counter swaps markets led to various reforms passed in Title VII of the Dodd-Frank Wall Street and Consumer Protection Act.¹⁴ This act brought the bulk of the previously unregulated over-the-counter swaps markets—as well as the previously regulated futures and options markets—under CFTC jurisdiction.¹⁵

The President requested a net appropriation of \$249.0 million for the CFTC in FY2023 with a legislative proposal to allow the commission to retain \$116 million in offsetting collections for a total budget of \$365 million.¹⁶ The House-passed version of H.R. 8294 would have appropriated \$365 million, while the Senate subcommittee chair's bill included \$336 million. P.L. 117-328 appropriated \$365 million. None of the congressional bills included the requested amount for offsetting collections.

Council of the Inspectors General on Integrity and Efficiency (Oversight.gov)¹⁷

The Council of the Inspectors General on Integrity and Efficiency (CIGIE) is an independent agency created to address cross-cutting oversight issues and foster professionalism in the inspector general (IG) community. While funding to support the operations of CIGIE has generally been provided by agency IG offices, Congress has sometimes appropriated funds to the Inspectors General Council Fund to support specific CIGIE activities, including the development of Oversight.gov. Oversight.gov is a website created by CIGIE to collect and publish oversight reports and other materials produced by IGs. In 2020, Congress codified Oversight.gov, requiring CIGIE to maintain and most IGs to use the site.¹⁸

The President's FY2023 request included \$850,000 to support the development of Oversight.gov, the same amount appropriated in FY2021 and FY2022. The House-passed H.R. 8294 and the Senate subcommittee chair's bill included the same amount as the request. P.L. 117-328 appropriated the full \$850,000 as requested.¹⁹

Consumer Product Safety Commission²⁰

The Consumer Product Safety Commission (CPSC) is a federal regulatory agency whose mission is to reduce consumers' risk of harm from a wide array of products. To fulfill its statutory responsibilities, the CPSC creates mandatory safety standards, works with industries to develop

¹⁴ P.L. 111-203.

¹⁵ The Securities and Exchange Commission oversees a subset of the swaps market called security-based swaps that includes securities, such as stocks and bonds.

¹⁶ See CFTC, *President's Budget FY2023*, p. 43, https://www.cftc.gov/sites/default/files/2022-03/CFTC_FY_2023_President_Budget_Report_032122.pdf.

¹⁷ This section authored by Ben Wilhelm. For more information on CIGIE and Oversight.gov, see CRS Report R45450, *Statutory Inspectors General in the Federal Government: A Primer*, by Ben Wilhelm.

¹⁸ P.L. 116-260, §501 (Consolidated Appropriations Act, 2021). Codified at 5 U.S.C. Appendix (IG Act), §11(e).

¹⁹ Within the structure of the FSGG bills, this amount has not appeared as an independent agency in Title V but instead in the general provisions in Title VI.

²⁰ This section authored by Gary Guenther.

voluntary safety standards, bans products it deems unsafe when all other options are unfeasible, monitors the recall of defective products, informs and educates consumers about product hazards, conducts research on and develops testing methods for product safety, collects and publishes for public use data on injuries and product hazards, and collaborates with state and local governments to establish uniform domestic product safety regulations.

The Biden Administration requested \$195.5 million in appropriations for the CPSC in FY2023,²¹ which is \$56.5 million more than the FY2022 enacted amount (\$139.05 million). According to the CPSC budget request, much of the funding increase was to be used to maintain the agency's current operating levels (\$6.1 million), continue to implement its import surveillance program (\$3.7 million), expand its hazards identification capability (\$4.7 million), expand its enforcement of safety requirements for consumer products sold through e-commerce platforms and its investigations of potential product defects (\$4.3 million), and expand its support staff and modernize the agency's information technology infrastructure (\$6.2 million). Of the requested CPSC budget, \$2.5 million was to be used to continue the Virginia Graeme Baker Grant Program, which is intended to reduce the number of injuries and deaths associated with pools and spas.

The House-passed version of H.R. 8294 would have provided \$166.3 million in appropriations for the CPSC in FY2023, \$27.3 million more than the FY2022 enacted amount and \$29.2 million less than the budget request.²² An administrative provision in the bill would have prohibited the commission from using appropriated funds to "finalize or implement" a safety standard for off-road vehicles that was published in the *Federal Register* on November 19, 2014, until the National Academy of Sciences (in consultation with the Department of Defense and National Highway Traffic Safety Administration) completes a study focusing on (1) the feasibility of certain technical requirements proposed in the standard, (2) the number of rollovers that would be prevented if the requirements were adopted, and (3) the impact of the standard on off-road vehicles used by the military. The Senate subcommittee chair's bill included \$153 million for the CPSC.

P.L. 117-328 appropriated \$152.5 million, \$13.5 million more than FY2022 but \$43 million less than the President's request.

Election Assistance Commission²³

The Election Assistance Commission (EAC) is an independent agency charged with helping improve the administration of elections. The EAC was established by the Help America Vote Act of 2002 (HAVA)²⁴ and is responsible for administering elections grant programs; providing for voluntary voting system guidelines, testing, and certification; conducting election administration research; and serving as a clearinghouse for elections information.

The President's budget request for FY2023 included approximately \$280.1 million for the EAC. Approximately \$30.1 million of that total was designated for agency salaries and expenses, including \$1.5 million to be made available to the National Institute of Standards and Technology (NIST) for work it performs under HAVA. The remaining \$250 million was for Election

²¹ See CPSC, *Performance Budget Request to Congress Fiscal Year 2023*, <https://www.cpsc.gov/s3fs-public/FY-2023-Performance-Budget-Request.pdf>.

²² H.Rept. 117-393, pp. 60-61.

²³ This section authored by Karen L. Shanton. For more on the commission and on elections grant funding for states and localities, respectively, see CRS Report R45770, *The U.S. Election Assistance Commission (EAC): Overview and Selected Issues for Congress*, by Karen L. Shanton; and CRS Report R46646, *Election Administration: Federal Grant Funding for States and Localities*, by Karen L. Shanton.

²⁴ P.L. 107-252; 52 U.S.C. §§20901-21145.

Innovation Grants for state, territorial, and local projects to improve the administration of federal elections through innovation. The President's budget also contained a legislative proposal to provide \$10 billion, to be expended over 10 years, for Election Security Grants to support investment in state and local election infrastructure.

The House-passed version of H.R. 8294 would have provided the EAC approximately \$434.1 million. That total included approximately \$34.1 million for agency salaries and expenses, including \$1.5 million for NIST and \$4 million for the Help America Vote College Program authorized by HAVA and \$400 million for Election Security Grants. The Election Security Grants would have been available to states, territories, and the District of Columbia for improving the administration of federal elections, with a requirement to replace direct-recording electronic voting machines (DREs), if applicable, before applying the funding to other authorized activities.

The Senate subcommittee chair's bill would have provided \$422 million for the EAC. Of that total, \$22 million would have been for EAC salaries and expenses, including \$1.5 million for NIST. The remaining \$400 million would have been for Election Security Grants to states, territories, and DC for improving the administration of federal elections. The Senate measure did not include the House bill's requirement to replace DREs before using the grant funding for other authorized purposes.

P.L. 117-328 appropriated \$103 million for the EAC, of which \$28 million was designated for agency salaries and expenses, including \$1.5 million for NIST; \$1 million for the Help America Vote College Program; and \$75 million was for Election Security Grants to states, territories, and DC for improving the administration of federal elections. As with the Senate subcommittee chair's bill, the enacted legislation did not include the House bill's requirement to replace DREs before applying the grant funding to other activities.

Federal Communications Commission²⁵

The Federal Communications Commission (FCC) is an independent federal agency established by the Communications Act of 1934 charged with regulating interstate and international communications by radio, television, wire, satellite, and cable. Its five commissioners are appointed by the President subject to confirmation by the Senate.

Since 2009, the FCC's entire budget has been derived from regulatory fees collected by the agency rather than through direct appropriations. The fees, often referred to as "Section (9) fees," are collected from license holders and certain other entities (e.g., cable television systems) and deposited into an FCC account. The law gives the FCC authority to review the regulatory fees and to adjust the fees to reflect changes in its appropriation from year to year.²⁶

The House-passed version of H.R. 8294 would have provided the FCC with \$390.2 million for salaries and expenses, all derived from offsetting collections, resulting in no net appropriation. The Senate subcommittee chair's bill included \$390.2 million, and P.L. 117-328 appropriated the same amount as well.

²⁵ This section authored by Patricia Moloney Figliola.

²⁶ Most years, appropriations language prohibits the FCC from using any excess collections received in the current fiscal year or any prior years. These funds remain in the FCC account and are not made available to other agencies or agency programs, nor are they redirected into the Treasury's general fund.

Federal Deposit Insurance Corporation's Office of the Inspector General²⁷

The Federal Deposit Insurance Corporation (FDIC) Office of Inspector General's (OIG's) mission is to audit, investigate, and review the FDIC's operations and programs. The FDIC in general is funded through deposit insurance funds outside of the appropriations process. Its OIG is also funded from deposit insurance funds, but the amount is directly appropriated (through a transfer) to ensure the independence of the OIG.

The President requested \$47.5 million for the FDIC OIG in FY2023, an increase of \$1 million from the FY2022 enacted amount of \$46.5 million. The House-passed version of H.R. 8294 and the Senate subcommittee chair's bill included the same amount as the request. P.L. 117-328 appropriated \$47.5 million.

Federal Election Commission²⁸

The Federal Election Commission (FEC) is an independent agency that administers and enforces civil compliance with the Federal Election Campaign Act and campaign finance regulations.²⁹ The agency does so through educational outreach, rulemaking, enforcement and litigation, and advisory opinion issuances. The FEC also administers the presidential public financing system.³⁰

For FY2023, the agency requested \$81.7 million.³¹ The House-passed version of H.R. 8294 would have appropriated the same amount, which is \$7.2 million more than the \$74.5 appropriated to the agency in FY2022.³² The committee report accompanying H.R. 8254 directs the Government Accountability Office (GAO) to update a report on public financing of political campaigns, with attention to state-level developments during the past five election cycles.³³

The Senate subcommittee chair's bill included \$78.2 million for the FEC.

P.L. 117-328 appropriated \$81.7 million and endorsed the committee report language about the GAO report. The law's general provisions also contain language relevant for campaign finance policy. Section 735 prohibits reporting certain political contributions or expenditures as a condition of the government contracting process. Similar language has appeared in previous appropriations laws.

²⁷ This section authored by Raj Gnanarajah. For more information on the FDIC, see CRS In Focus IF10055, *Bank Failures and the FDIC*, by Raj Gnanarajah. For more information on inspectors general, see CRS Report R45450, *Statutory Inspectors General in the Federal Government: A Primer*, by Ben Wilhelm.

²⁸ This section authored by R. Sam Garrett. For more information on the FEC and additional discussion of current campaign finance issues, see CRS Report R41542, *The State of Campaign Finance Policy: Recent Developments and Issues for Congress*, by R. Sam Garrett.

²⁹ The Federal Election Campaign Act (FECA) is currently codified at Title 52, Sections 30101 et seq. of the *U.S. Code*. The act was previously codified at Title 2, Section 431 et seq. Effective September 2014, parts of federal election law, including FECA, were reclassified in the *U.S. Code*.

³⁰ The Department of the Treasury and IRS also have administrative responsibilities for presidential public financing. However, Congress does not appropriate funds for the program. For a brief overview, see additional discussion in CRS Report R41604, *Proposals to Eliminate Public Financing of Presidential Campaigns*, by R. Sam Garrett.

³¹ As an independent agency, the FEC simultaneously submits its budget request to the White House and to Congress.

³² See H.R. 8254 as ordered reported, p. 76, and H.Rept. 117-393, p. 67.

³³ H.Rept. 117-393, p. 67. See also GAO, *Campaign Finance Reform: Experiences of Two States That Offered Full Public Funding for Political Candidates*, GAO-10-390, May 28, 2010, <https://www.gao.gov/products/gao-10-390>.

Federal Trade Commission³⁴

The Federal Trade Commission (FTC) has two statutory responsibilities: (1) to protect consumers from deceptive and fraudulent business practices and (2) to maintain or enhance competition in a broad range of markets. The FTC enforces laws prohibiting anticompetitive, deceptive, or unfair business practices. It also educates consumers and business owners to encourage informed consumer choices, improved compliance with the law, and vigorous competition in free and open markets.

The FTC's budget has three components: (1) direct appropriations, (2) premerger filing fees under the Hart-Scott-Rodino (HSR) Antitrust Improvements Act of 1976,³⁵ and (3) Do-Not-Call (DNC) registry fees.

Under the President's FY2023 budget request, the FTC would have received \$202.5 million in direct appropriations, \$274.5 million in HSR filing fees, and \$13 million in DNC registry fees for a total budget of \$490.0 million. This was \$113.5 million more than the FTC's FY2022 enacted budget of \$376.5 million. The budget request allocates 51% of total funding to consumer protection and 49% to promoting and enforcing fair business competition. Of the \$113.5 increase in proposed funding, \$12.8 million would have gone to maintaining the FTC's current level of operation, \$65.4 million to hiring more employees to work on a growing list of agency investigations, and \$60.8 million for upgrading operations support.

The House-passed version of H.R. 8294 would also have provided the FTC with a budget of \$490 million in FY2023. Of that amount, \$280 million would have come from a direct appropriation, \$190 million from HSR premerger filing fees, and \$20 million from DNC registry fees. In explaining why it recommends a 30% increase in the FTC's budget, the House Committee on Appropriations noted that the agency needs additional resources to enforce antitrust statutes, especially in light of increasing concentration in certain technology markets, and to investigate unlawful business practices, especially the growing use of fraudulent or deceptive data collection practices affecting consumers.³⁶

The Senate subcommittee chair's bill would have provided the FTC with a budget of \$430 million. Of that amount, \$220 million would have come from a direct appropriation, \$190 million from HSR premerger filing fees, and \$20 million from DNC registry fees.

P.L. 117-328 provided a direct appropriation of \$220 million with an additional \$190 million from HSR premerger filing fees and \$20 million from DNC registry fees for an overall FTC budget of \$430 million for FY2023. If the FTC collects less in these fees in FY2023, money would be transferred from the U.S. Treasury's general fund to offset the shortfall, but if the collected fees exceed the authorized amounts, the excess is transferred to the Treasury general fund and is not available for FTC obligation.

General Services Administration³⁷

The General Services Administration (GSA) administers federal civilian procurement policies pertaining to the construction and management of federal buildings, disposal of real and personal

³⁴ This section authored by Gary Guenther.

³⁵ P.L. 94-435.

³⁶ H.Rept. 117-393, p. 69.

³⁷ This section authored by Garrett Hatch.

property, and management of federal property and records. It is also responsible for managing the funding and facilities for former Presidents and presidential transitions.

GSA's real property activities are funded through the Federal Buildings Fund (FBF). The FBF is a revolving fund into which rental payments are deposited from federal agencies that lease GSA space. The fund's revenue is then made available by Congress each year to pay for construction or purchase of new space, repairs and alterations to existing space, rental payments for space that GSA leases, installment payments, and other building operations expenses. These amounts are referred to as *limitations*, because GSA may not obligate FBF funds in excess of that permitted by Congress regardless of how much revenue is available for obligation. Certain debts may also be paid for with FBF funds. 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. A negative total does not mean that no funds are available from the FBF but that there is a net gain to the fund under the proposed spending levels.

GSA's operating accounts are funded through direct appropriations, separate from the FBF. GSA's total funding amount is calculated by adding the net FBF appropriations made available and appropriations provided to the operating accounts. **Table 4** details GSA's enacted amounts for FY2022; the President's FY2023 request; and the FY2023 amounts from the House-passed version of H.R. 8294, the Senate subcommittee chair's bill (S. 4685), and P.L. 117-328.

Table 4. General Services Administration (GSA) Appropriations, FY2022-FY2023

Millions of Dollars

Account	FY2022 Enacted	FY2023 Request	FY2023 House- passed	FY2023 Senate Sub- committee Chair	FY2023 Enacted
Federal Buildings Fund	-1,294	309	-17	-170	-439
Limitations on Availability of Revenue	9,342	10,798	10,472	10,319	10,050
<i>New Construction</i>	299	408	962	946	808
<i>Repairs and Alterations</i>	582	1,752	995	734	662
<i>Rental of Space</i>	5,665	5,646	5,562	5,646	5,562
<i>Building Operations</i>	2,796	2,992	2,952	2,992	2,981
<i>Installment Acquisition Payments</i>	—	—	—	—	—
Rental Income to Fund	-10,637	-10,489	-10,489	-10,489	-10,489
Emergency Supplemental	3,418	—	—	—	37
Operating Accounts	269	957	549	279	399
Government-Wide Policy	69	70	71	70	71
Operating Expenses	53	54	54	55	55
Civilian Board Contract Appeals	10	10	10	10	10
Office of Inspector General	69	75	75	73	75
Federal Citizens Services Fund	55	116	116	58	90
Former Presidents	5	5	5	5	5
Technology Modernization Fund	—	300	100	—	50

Account	FY2022 Enacted	FY2023 Request	FY2023 House- passed	FY2023 Senate Sub- committee Chair	FY2023 Enacted
Asset Proceeds and Space Management Fund	4	16	7	4	—
Working Capital Fund	4	11	11	4	6
Electric Vehicles Fund	—	300	100	—	—
Rescissions	—	—	—	—	—
Total	2,391	1,267	532	108	-77

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: Figures rounded to the nearest \$1,000,000. Totals may not sum due to rounding. FY2022 enacted total includes \$3.418 billion in supplemental funding from the Infrastructure Investment and Jobs Act (P.L. 117-58). Total GSA funding for FY2022 through regular appropriations only was -\$1.027 billion.

As shown in **Table 4**, the President proposed a limit of \$10.798 billion from the FBF's available revenue for GSA's real property activities for FY2023, \$1.456 billion more than the amount provided in FY2022. H.R. 8254 included a limit of \$10.472 billion, an increase of \$1.130 billion from FY2022-enacted appropriations and \$326 million less than the President's request for FY2023. S. 4685 proposed a limit of \$10.319 billion, an increase of \$977 million more than the amount provided in FY2022 and \$479 million less than the President's request. P.L. 117-328 provided a limit of \$10.013 billion for FY2023, which is \$671 million more than was provided in FY2022 and \$785 million below the President's request.

The President also requested \$957 million for GSA's operating accounts, \$688 million more than the FY2022-enacted level. The President's request included \$300 million for the Technology Modernization Fund to support improvements in agency information technology systems and \$300 million for the Electric Vehicle Fund to purchase zero-emissions vehicles and build charging stations on behalf of federal agencies.

H.R. 8254 would have provided \$549 million for GSA's operating accounts, an increase of \$280 million more than the FY2022-enacted level and \$408 million less than the President's request. The House-passed bill included \$100 million for the Technology Modernization Fund and \$100 million for the Electric Vehicles Fund. S. 4685 would have provided \$279 million for GSA's operating accounts, an increase of \$10 million above the FY2022-enacted levels and \$678 million below the President's request. The Senate bill included no funding for either the Technology Modernization Fund or the Electric Vehicles Fund. P.L. 117-328 provided \$362 million in regular appropriations for GSA's operating accounts, an increase of \$93 million from FY2022 and \$595 million less than the President's request. P.L. 117-328 also provided emergency supplemental funding of \$37 million for repairs and alterations. FY2023 enacted amounts included \$50 million for the Technology Modernization Fund and no appropriations for the Electric Vehicles Fund.

Independent Agencies Related to Personnel Management Appropriations

The FSGG Appropriations Act includes funding for four agencies with personnel management functions: the Federal Labor Relations Authority, the Merit Systems Protection Board, the Office of Personnel Management, and the Office of Special Counsel. **Table 5** lists the amounts from the

FY2022 enacted appropriations bill, the FY2023 budget request, the FY2023 House-passed H.R. 8294, the FY2023 Senate subcommittee chair's bill, and the enacted FY2023 appropriations bill.

Table 5. Independent Agencies Related to Personnel Management Appropriations, FY2022-FY2023

Millions of Dollars

Agency	FY2022 Enacted	FY2023 Request	FY2023 House-Passed	FY2023 Senate Sub- committee Chair	FY2023 Enacted
Federal Labor Relations Authority	27.4	31.8	31.8	28.8	29.4
Merit Systems Protection Board (Total)	48.2	53.5	53.5	50.5	52.0
Salaries and Expenses	45.8	51.1	51.1	48.1	49.7
Limitation on Administrative Expenses	2.3	2.3	2.3	2.3	2.3
Office of Personnel Management					
Salaries and Expenses	164.9	225.2	220.2	173.2	190.8
Limitation on Administrative Expenses	174.7	190.3	190.3	183.5	194.9
OIG (Salaries and Expenses)	5.2	5.6	5.6	5.4	6.9
OIG (Limitation on Administrative Expenses)	28.1	35.2	32.2	29.5	29.5
OPM Discretionary Subtotal	372.9	456.3	448.3	391.5	422.1
Government Payments for Annuity, Employee Health Benefits (Mandatory, Title VI)	13,835.0	15,122.0	15,122.0	15,122.0	15,122.0
Government Payments for Annuity, Employee Life Insurance (Mandatory, Title VI)	43.0	43.0	43.0	43.0	43.0

Agency	FY2022 Enacted	FY2023 Request	FY2023 House-Passed	FY2023 Senate Sub- committee Chair	FY2023 Enacted
<i>Payment to Civil Service Retirement and Disability Fund (Mandatory, Title VI)</i>	46,380.0	47,532.0	47,532.0	47,532.0	47,532.0
OPM Mandatory Subtotal	60,258.0	62,697.0	62,697.0	62,697.0	62,697.0
Office of Special Counsel	30.4	31.99	31.99	31.90	31.90

Source: P.L. 117-328 and Explanatory Statement; S. 4685 and Senate committee chair draft report; H.Rept. 117-393.

Notes: All amounts rounded to the nearest \$100,000. The payments for health benefits, life insurance, and civil service retirement and disability are mandatory appropriations. Section 618(a)(3)-(5) of P.L. 117-328 provides “the amounts required under current law” for these accounts. The amounts shown in the table for the mandatory accounts for health benefits, life insurance, and retirement are from U.S. Executive Office of the President, Office of Management and Budget, *Appendix, Budget of the U.S. Government, Fiscal Year 2024*, pp. 1149-1150.

Federal Labor Relations Authority³⁸

The Federal Labor Relations Authority (FLRA) is an independent federal agency that administers and enforces Title VII of the Civil Service Reform Act of 1978.³⁹ Title VII is called the Federal Service Labor-Management Relations Statute, which gives federal employees the right to join or form unions and to bargain collectively over the terms and conditions of employment. Employees also have the right not to join unions that represent employees in their bargaining units. The statute excludes specific agencies and gives the President the authority to exclude other agencies for reasons of national security.⁴⁰ Agencies that are specifically excluded by law are the Federal Bureau of Investigation (FBI), Central Intelligence Agency, GAO, National Security Agency, Tennessee Valley Authority, FLRA, Federal Service Impasses Panel (FSIP), and U.S. Secret Service.

The FLRA is composed of a three-member authority, the Office of General Counsel, and the FSIP. The three members of the authority and the general counsel are appointed to five-year terms by the President with the advice and consent of the Senate. The members of the FSIP are appointed by the President for five-year terms.

The FLRA resolves disputes over the composition of bargaining units, charges of unfair labor practices, objections to representation elections, and other matters. The Office of General Counsel conducts representation elections, investigates charges of unfair labor practices, and manages the FLRA’s regional offices. The FSIP resolves labor negotiation impasses between federal agencies and labor organizations.

The President requested \$31.8 million for the FLRA in FY2023, an increase of \$4.4 million from the FY2022 enacted amount of \$27.4 million. The House-passed H.R. 8294 included the same

³⁸ This section authored by Barbara L. Schwemle.

³⁹ P.L. 95-454.

⁴⁰ 5 U.S.C. §7103.

amount as the request. The Senate subcommittee chair's bill was \$3 million below the request. P.L. 117-328 appropriated \$29.4 million.

Merit Systems Protection Board⁴¹

The Merit Systems Protection Board (MSPB) is an independent, quasi-judicial agency established to protect the civil service merit system.⁴² The MSPB adjudicates appeals primarily involving personnel actions, certain federal employee complaints, and retirement benefits issues.

The President requested FY2023 appropriations of \$53.5 million (including \$51.1 million for salaries and expenses) for the MSPB. This amount was an increase of \$5.3 million from the FY2022 enacted amount of \$48.2 million. The House-passed H.R. 8294 included the same amount as the request. The Senate subcommittee chair's bill was \$3 million below the request. P.L. 117-328 appropriated \$52.0 million.

Office of Personnel Management⁴³

The Office of Personnel Management (OPM) is responsible for management of federal human resources policy and oversight of the merit civil service system. OPM provides a government-wide policy framework for personnel matters, advises and assists agencies, and ensures that agency operations are consistent with requirements of law. OPM oversees the examination of applicants for employment; issues regulations and policies on hiring, classification and pay, training, and investigations; and manages many other aspects of federal personnel management.

The President requested FY2023 appropriations of \$415.6 million (including \$190.3 million for transfer from OPM trust funds) for salaries and expenses for OPM. This amount was an increase of \$76 million from the FY2022 enacted amount of \$340 million. The House-passed H.R. 8294 was \$5 million below the request. The Senate subcommittee chair's bill was \$59 million below the request. P.L. 117-328 appropriated \$385.7 million for salaries and expenses. The appropriation supports 34 new full-time equivalent employees for retirement services and \$19,373,000 for information technology modernization.⁴⁴

For the OIG at OPM, the President requested FY2023 appropriations of \$40.7 million. This amount was an increase of \$7.5 million from the FY2022 enacted amount of \$33.2 million. The House-passed H.R. 8294 was \$3 million below the request. The Senate subcommittee chair's bill was \$5.8 million below the request. P.L. 117-328 appropriated \$36.4 million.

Section 618(a)(3), (4), and (5) of P.L. 117-328 provide the mandatory appropriations for the health benefits, life insurance, and retirement accounts "where authorizing language requires the payment of funds."⁴⁵

The explanatory statement that accompanied H.R. 2617 included several directives to OPM as follows:⁴⁶

⁴¹ This section authored by Barbara L. Schwemle.

⁴² The MSPB's authorization expired on September 30, 2007 (5 U.S.C. §5509).

⁴³ This section authored by Barbara L. Schwemle.

⁴⁴ Explanatory Statement, p. S8491.

⁴⁵ Explanatory Statement, p. S8502.

⁴⁶ Explanatory Statement, p. S8491.

Transparency in Political Appointments—In lieu of House report language on transparency in political appointments, the agreement recommends that OPM include political appointee data in Fedscope.

Wildland Firefighter Classification and Pay—OPM is directed to analyze how pay for wildland and other firefighters employed by the Federal Government might be modified or reformed to address concerns about pay-related matters, such as classification and work hours, and report to the Committees on its findings no later than 90 days after enactment of this Act. OPM should use this information to assess the need for special rates of pay under section 5305 of title 5, United States Code, for Federal wildland firefighters, including estimates of the cost of providing any proposed special rates and include that information in its reporting.

Exploring Tools for Prescription Drug Price Transparency in the Federal Employee Health Benefits (FEHB) Program—OPM is directed to explore and evaluate the benefits and potential overall cost savings resulting from FEHB Carriers' implementation of Internet-based self-service tools that deliver transparency and clinical decision support on prescription drug costs to its members. OPM is directed to report to the Committees one year after enactment of this Act, contingent on the availability of funding for this study.

Federal Bureau of Investigation (FBI) Police—The agreement recognizes the difficulty of designating the members of the FBI police and other General Schedule police officers as law enforcement officers for retirement purposes and the need to review pay levels for police officers in the General Schedule. GAO shall conduct a study of the FBI and other agencies that employ General Schedule police officers and report to the Committees regarding the issues that would need to be addressed by Congress if it decided to cover police officers under the law enforcement officer retirement provisions and the need for higher pay levels for General Schedule police officers.

IT Modernization—OPM is expected to continue to make IT modernization a high priority and to make continual progress.

Federal Government Hiring Process—OMB and OPM are expected to take the lead in ensuring that the Federal Government can recruit and hire the best and the brightest. OMB and OPM are also encouraged to actively assist agencies in implementing robust and highly qualified talent teams to ensure each agency has dedicated resources and support for improving their hiring system and to work proactively with agencies seeking specific hiring authorities to address pressing government priorities.

Retirement Processing—OPM is expected to continue to submit monthly reports on the pace of retirement processing.

The Explanatory Statement also said with regard to the OPM directives:

Unless otherwise noted, the language set forth in H.Rept. 117-393 carries the same weight as language included in this joint explanatory statement and should be complied with unless specifically addressed to the contrary in this joint explanatory statement. While some language is repeated for emphasis, it is not intended to negate the language referred to above unless expressly provided herein.⁴⁷

⁴⁷ Explanatory Statement, p. S8479; see H.Rept. 117-393, pp. 95-99, for the directives to OPM.

Office of Special Counsel⁴⁸

The Office of Special Counsel (OSC) is an independent federal investigative and prosecutorial agency whose mission is to safeguard the merit system by protecting federal employees and applicants from prohibited personnel practices, especially reprisal for whistleblowing.⁴⁹

The President requested FY2023 appropriations of \$32 million. This amount was an increase of \$1.6 million from the FY2022 enacted amount of \$30.4 million. The House-passed H.R. 8294 included the same amount as the request. The Senate subcommittee chair's bill was \$86,000 below the request. P.L. 117-328 appropriated \$31.9 million, the same as the Senate subcommittee chair's bill.

Morris K. Udall and Stewart L. Udall Foundation⁵⁰

The Morris K. Udall and Stewart L. Udall Foundation is an independent executive agency with multiple missions.⁵¹ In 1992, Congress established the foundation to promote leadership and education in health care and natural resources, especially for Native Americans, in honor of Congressman Morris K. Udall.⁵² In 1998, Congress established the Udall Foundation's United States Institute for Environmental Conflict Resolution (now known as the John S. McCain III National Center for Environmental Conflict Resolution, or National Center), which assists federal agencies in environmental conflict resolution.⁵³ In 2009, Congress added Morris K. Udall's brother, Stewart L. Udall, to honor his legacy as a Member of Congress, Secretary of the Interior, environmental lawyer, and author.⁵⁴ Since the Udall Foundation's establishment, Congress has authorized appropriations for set periods.⁵⁵

The foundation receives appropriations into two funds: the Morris K. Udall and Stewart L. Udall Trust Fund and the Environmental Dispute Resolution Fund (EDRF). Appropriations made to the trust fund are added to the fund's corpus and invested. Annual interest revenues earned on the trust fund are used for three of the Udall Foundation's education programs: the Native American Graduate Fellowship, Parks in Focus, and scholarships. In addition, not less than 20% of the annual interest revenues from the trust fund are allocated to the National Center.⁵⁶

The EDRF is used for the National Center's annual operations and for 85% of Udall Foundation expenses shared with the education programs.⁵⁷ Congress has treated appropriations to the EDRF differently than those made to the trust fund. First, appropriations made to the EDRF are available for direct expenditure and remain available until expended. In addition, Congress has authorized the Udall Foundation to accept and retain fees in the EDRF, in addition to its appropriations, for

⁴⁸ This section authored by Barbara L. Schwemle.

⁴⁹ Division A, Title X, Section 1097(n)(1) of P.L. 115-91, the National Defense Authorization Act for Fiscal Year 2018, enacted on December 12, 2017 (5 U.S.C. §5509), reauthorized the Office of Special Counsel through FY2023.

⁵⁰ This section authored by Mariel J. Murray.

⁵¹ Statutory authorities are codified at Title 20, Sections 5601-5609, of the *U.S. Code*.

⁵² P.L. 102-259.

⁵³ P.L. 105-156.

⁵⁴ P.L. 111-90.

⁵⁵ In P.L. 116-94, Congress reauthorized appropriations from FY2020 until FY2023. In the 118th Congress, S. 1311, which would reauthorize appropriations through FY2028, passed the Senate. The companion bill, H.R. 2882, is pending in subcommittee.

⁵⁶ See 20 U.S.C. §5605.

⁵⁷ Morris K. Udall and Stewart L. Udall Foundation, "Udall Foundation FY2024 Congressional Budget Justification," p. 4, <https://www.udall.gov/CJ>.

the National Center’s environmental collaboration and conflict resolution project and training services.⁵⁸

The President requested \$5.7 million for the foundation for FY2023. The House-passed H.R. 8294 would have appropriated the \$5.7 million requests, while the Senate subcommittee chair’s bill would have appropriated \$5.3 million. P.L. 117-328 appropriated \$5.7 million for FY2023.

National Archives and Records Administration⁵⁹

The National Archives and Records Administration (NARA) is an independent agency created to preserve the U.S. government’s records, oversee recordkeeping in various government agencies, and make government records publicly available.

The President requested \$449.5 million for NARA for FY2023. The House-passed H.R. 8294 would have appropriated \$451.8 million, while the Senate subcommittee chair’s bill included \$478.5 million. P.L. 117-328 appropriated the \$490.3 million.

National Credit Union Administration⁶⁰

The National Credit Union Administration (NCUA) is an independent federal agency funded largely by the credit unions it charters, insures, and regulates. The NCUA manages the Community Development Revolving Loan Fund (CDRLF), established in 1979, to assist officially designated *low-income* credit unions in providing basic financial services to low-income communities. Low-interest loans and grants are made available to assist these credit unions. Loans are normally repaid in five years, although shorter repayment periods may be considered. Grants have been provided for a variety of purposes, including improving operations and technical assistance. In addition to funds provided for specifically in appropriations acts, earnings generated from the CDRLF may be available to fund loans or grants.

The President requested \$4.0 million for the CDRLF for FY2023. The House-passed H.R. 8294 would have appropriated \$4.0 million as requests, while the Senate subcommittee chair’s bill included \$3.0 million. P.L. 117-328 appropriated \$3.5 million.

Office of Government Ethics⁶¹

The Office of Government Ethics (OGE) is an independent federal agency, established by the Ethics in Government Act of 1978, charged with promulgating rules and regulations pertaining to financial disclosure, conflict of interest, and ethics in the executive branch.⁶²

OGE is headed by a director who is appointed to a five-year term by the President with Senate confirmation. OGE provides education and training to executive branch ethics officials. According to OGE, it “does not adjudicate complaints, investigate matters within the jurisdiction of Inspectors General and other authorities, or prosecute ethics violations.”⁶³

⁵⁸ See 20 U.S.C. §5607a.

⁵⁹ This section authored by Meghan Stuessy.

⁶⁰ This section authored by Darryl Getter. For more information on the NCUA and credit unions, see CRS In Focus IF11713, *Introduction to Financial Services: Credit Unions*, by Darryl E. Getter.

⁶¹ This section authored by Jacob Straus. For more information on OGE, see CRS In Focus IF10634, *Office of Government Ethics: A Primer*, by Jacob R. Straus.

⁶² 5 U.S.C. §§13121-13126; and 5 C.F.R. Part 2600.

⁶³ OGE, “What We Do,” https://oge.gov/web/oge.nsf/about_what-we-do.

For FY2023, the President requested \$22.4 million for OGE, a \$3.2 million increase from the FY2022 enacted amount. The House-passed H.R. 8294 would have appropriated \$25.4 million, while the Senate subcommittee chair's bill included \$20.1 million. P.L. 117-238 appropriated \$24.5 million.

Privacy and Civil Liberties Oversight Board⁶⁴

The Privacy and Civil Liberties Oversight Board (PCLOB) was originally established in 2004 by the Intelligence Reform and Terrorism Prevention Act⁶⁵ as an agency within the Executive Office of the President.⁶⁶ PCLOB was reconstituted as an independent agency within the executive branch by the Implementing Recommendations of the 9/11 Commission Act of 2007.⁶⁷ The five-member board assumed its new status on January 30, 2008. Its FY2009 appropriation was its first funding as an independent agency.

The PCLOB is directed to (1) ensure that privacy and civil liberties concerns are appropriately considered in laws, regulations, and executive branch policies related to protecting the nation against terrorism; (2) review laws, regulations, and executive branch policies related to protecting the nation from terrorism, including information-sharing guidelines; and (3) analyze and review actions the executive branch takes to protect the nation from terrorism, ensuring that the need for such actions is balanced with the need to protect privacy and civil liberties. In addition, the PCLOB is directed to (1) advise the executive branch on issues concerning privacy and civil liberties and (2) provide annual reports to Congress detailing the board's activities during the year. Upon request, PCLOB members appear and testify before congressional committees.

For FY2023, the President requested \$10.7 million for the PCLOB, a \$0.9 million increase from the FY2022 enacted amount. The House-passed H.R. 8294 would have appropriated \$10.7 million, while the Senate subcommittee chair's bill included \$10.6 million. P.L. 117-328 appropriated \$10.6 million.

Public Company Accounting Oversight Board⁶⁸

The Public Company Accounting Oversight Board (PCAOB)⁶⁹ was created by the Sarbanes-Oxley Act of 2002⁷⁰ as a nonprofit corporation to provide independent oversight of audits of companies listed on public exchanges. Amendments in the Dodd-Frank Act provided that the PCAOB is generally funded outside the appropriations process through the annual accounting support fees assessed on public companies and other issuers, as well as fees on brokers and dealers registered with the SEC.

Sarbanes-Oxley created a merit scholarship for undergraduate and graduate students enrolled in accredited accounting degree programs that was to be funded by monetary penalties imposed by the PCAOB, notwithstanding other requirements of the act. The scholarship program is

⁶⁴ This section authored by Garrett Hatch.

⁶⁵ P.L. 108-458.

⁶⁶ 118 Stat. 3638 at 3684.

⁶⁷ P.L. 110-53; 121 Stat. 266 at 352.

⁶⁸ This section authored by Raj Gnanarajah.

⁶⁹ For more information about Public Company Accounting Oversight Board (PCAOB), see CRS Report R44894, *Accounting and Auditing Regulatory Structure: U.S. and International*, by Raj Gnanarajah.

⁷⁰ P.L. 107-204; 15 U.S.C. §7219.

administered by an outside vendor under the rules established by the PCAOB.⁷¹ In the past, annual FSGG appropriations bills provided specific authority for the board to obligate funds for the scholarship up to the amount of the total in monetary penalties. In Section 620 of P.L. 116-93, this authority was provided for FY2021 and “each fiscal year thereafter.” Subsequent FSGG bills have not contained specific language on the PCAOB scholarships, although the amount is still included in the committee reports. For FY2023, this amount was \$2.0 million in the tables accompanying the House committee report and final explanatory statement.

Securities and Exchange Commission⁷²

The SEC administers and enforces federal securities laws to protect investors from fraud, to ensure that corporate securities’ sellers disclose accurate financial information, and to maintain fair and orderly trading markets. The SEC’s budget is set through the normal appropriations process, but under the Dodd-Frank Act, the agency’s appropriations are offset by fees it collects from securities exchanges on stock sales and certain other securities transactions on those exchanges. The collections go directly to the Department of the Treasury. To achieve the offset, the act requires the agency to adjust its fees, making the agency’s budget deficit neutral.

The President’s FY2023 request for the SEC totaled \$2.2 billion with \$57.4 million specifically available for a replacement lease for the agency’s Washington, DC, headquarters. The House-passed bill would have also appropriated \$2.2 billion, while the Senate subcommittee chair’s bill included the same amount with an additional \$3.4 million for the SEC’s San Francisco regional office. P.L. 117-328 appropriated \$2.2 billion, including the funding for the DC and San Francisco offices.

Selective Service System⁷³

The Selective Service System (SSS) is an independent federal agency operating with permanent authorization under the Military Selective Service Act.⁷⁴ It is not part of the Department of Defense, but its mission is to serve the military’s emergency manpower needs by conscripting personnel when directed by Congress and the President. Most males ages 18-25 and living in the United States are required to register with the SSS. The induction of men into the military via Selective Service (i.e., the draft) terminated in 1973 and has not been renewed. In January 1980, President Carter asked Congress to authorize standby draft registration of both men and women. Congress approved funds for male-only registration in June 1980.⁷⁵

In the National Defense Authorization Act for FY2022 (P.L. 117-81), Congress enacted several provisions requiring the SSS to conduct certain reviews and mobilization exercises. For FY2023, the President requested \$29.7 million in funding, a \$500,000 increase over the FY2022 appropriation. The House-passed bill would have appropriated \$29.3 million, while the Senate subcommittee chair’s bill included \$31.7 million. P.L. 117-328 appropriated \$31.7 million.

⁷¹ PCAOB, *PCAOB Scholarship Program*, https://pcaobus.org/About/Pages/Academic_Scholarship.aspx.

⁷² This section authored by Eva Su. For more information on the SEC, see CRS In Focus IF11714, *Introduction to Financial Services: The Securities and Exchange Commission (SEC)*, by Eva Su.

⁷³ This section authored by Kristy Kamarck.

⁷⁴ 50 U.S.C. §§3801 et seq.

⁷⁵ For more information on the SSS and recent legislation, see CRS Report R44452, *The Selective Service System and Draft Registration: Issues for Congress*, by Kristy N. Kamarck; and CRS Insight IN11973, *FY2023 NDAA: Selective Service and Draft Registration*, by Kristy N. Kamarck.

Small Business Administration⁷⁶

The Small Business Administration (SBA) administers a number of programs to assist small businesses. For example, the SBA (1) guarantees loans made by banks and other financial institutions to small businesses; (2) makes low-interest loans to small businesses, nonprofit organizations, and households that are victims of natural disasters and acts of terrorism; (3) finances training and technical assistance programs for small business owners and prospective owners; (4) oversees several small business federal contracting programs; and (5) serves as an advocate for small business within the federal government.

P.L. 117-328 appropriated \$1.2 billion for the SBA in FY2023. That amount included \$326.0 million for salaries and expenses, \$320.0 million for entrepreneurial development programs, \$179.7 million for congressionally directed spending, \$179.0 million for the costs of administering SBA's disaster loan programs, \$165.3 million for business loan program administration, \$32.0 million for the SBA OIG, \$10.2 million for the Office of Advocacy (an independent office within the SBA), and \$6.0 million for credit subsidy costs of direct loans to microloan intermediaries.

SBA's largest access to capital programs—the 7(a) and 504 loan guarantee programs and the Small Business Investment Company (SBIC) program—generally operate without credit subsidies and therefore do not receive annual appropriations. Congress controls the size of those programs through annual program authorizations. P.L. 117-328 authorized total lending in FY2023 of \$35 billion for 7(a); \$15 billion for 504 (combining the authorization's "standard" and refinance loans, which are new for FY2023); and \$5 billion for SBIC. Overall direct lending to microloan intermediaries is based on the amount of lending that SBA can undertake within the \$6 million appropriation for loan subsidy costs. In FY2022, the \$6 million SBA received for microloan intermediary lending loan subsidy costs supported \$110 million in direct lending to intermediaries.

In addition to the regular appropriations for FY2023, the Fiscal Responsibility Act of 2023 (P.L. 118-5) included five rescissions from the unobligated balances of direct appropriations that the SBA previously received for several COVID-19-related relief programs.⁷⁷

⁷⁶ This section authored by Corinne Blackford and Anthony Cilluffo. For additional information concerning the SBA's programs, see CRS Report RL33243, *Small Business Administration: A Primer on Programs and Funding*, by Robert Jay Dilger, R. Corinne Blackford, and Anthony A. Cilluffo. For additional information concerning the SBA's budget, see CRS Report R43846, *Small Business Administration (SBA) Funding: Overview and Recent Trends*, by Robert Jay Dilger, R. Corinne Blackford, and Anthony A. Cilluffo.

⁷⁷ Specific rescissions included the following: *Section 22* rescinded unobligated balances from amounts appropriated by the American Rescue Plan Act of 2021 (P.L. 117-2) for Targeted Economic Injury Disaster Loan (EIDL) Advance and funds for the SBA disaster loan program (which includes, but is not limited to, EIDLs); *Section 23* rescinded unobligated balances from amounts appropriated by the CARES Act (P.L. 116-136) for SBA's COVID-19 EIDL program; *Section 47* rescinded unobligated balances from amounts appropriated by the CARES Act (P.L. 116-136) for Emergency EIDL grants; *Section 49* rescinded unobligated balances from amounts appropriated by the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (Title III of Division N of P.L. 116-260) for technical assistance grants to microloan intermediaries; *Section 52* rescinded unobligated balances from amounts appropriated by the American Rescue Plan Act for the Restaurant Revitalization Fund.

U.S. Postal Service⁷⁸

The U.S. Postal Service (USPS) generates almost all of its funding—over \$78 billion annually—by charging mail users for the costs of the services it provides.⁷⁹ Congress, however, does provide annual appropriations to compensate USPS for revenue it forgoes in providing free mailing privileges to the blind⁸⁰ and overseas voters.⁸¹ Congress authorized appropriations for these purposes in the 1993 Revenue Forgone Reform Act.⁸² This act also permitted Congress to provide USPS with a \$29 million annual reimbursement until 2035 to compensate for providing additional below-cost postal services during the act’s phase-in period.⁸³ Funds appropriated to the USPS for the annual reimbursement and revenue forgone are deposited in the Postal Service Fund (PSF), an off-budget revolving fund composed of revenue from the sale of postal products and services.⁸⁴ The PSF is used to pay the operating expenses of USPS, the U.S. Postal Service Office of Inspector General (USPSOIG), and the Postal Regulatory Commission (PRC).⁸⁵

The Postal Accountability and Enhancement Act (PAEA), which was enacted on December 20, 2006, first affected the postal appropriations process in FY2009. These processes were amended by the Postal Service Reform Act (PSRA), which was enacted on April 6, 2022. Under the PAEA, the USPSOIG must submit its budget request directly to Congress and to OMB. The law requires that funding for the USPSOIG be provided out of the PSF and that its budget be treated as a component of USPS’s budget.⁸⁶ Under the PSRA, the PRC submits its budget to USPS, and it may be adjusted by the Postal Governors.⁸⁷ Funding for the PRC is still provided out of the PSF. However, the PSRA removed the PRC’s budget from the appropriations process.

⁷⁸ This section authored by Michelle Christensen. See CRS Report RS21025, *The Postal Revenue Forgone Appropriation: Overview and Current Issues*, by Michelle D. Christensen.

⁷⁹ USPS, *2022 Annual Report, SEC Form 10-K*, November 10, 2022, p. 18, <https://about.usps.com/what/financials/10k-reports/fy2022.pdf>.

⁸⁰ 84 Stat. 757; 39 U.S.C. §3403. See also USPS, *Mailing Free Matter for Blind and Visually Handicapped Persons: Questions and Answers*, October 2015, http://about.usps.com/publications/pub347/pub347_v03_revision_102015.htm.

⁸¹ Members of the Armed Forces and U.S. citizens who live abroad are eligible to register and vote absentee in federal elections under the provisions of the Uniformed and Overseas Citizens Absentee Voting Act of 1986 (42 U.S.C. §1973ff-ff-6).

⁸² P.L. 103-123, Title VII; 107 Stat. 1267; 39 U.S.C. §2401(c)-(d). Also see CRS Report RS21025, *The Postal Revenue Forgone Appropriation: Overview and Current Issues*, by Michelle D. Christensen.

⁸³ Ibid. During the phase-in period—1991 to 1998—the USPS continued to provide below-cost postage to certain mailers (e.g., nonprofit organizations). See USPS, *2017 Annual Report, SEC Form 10-K*, November 14, 2017, p. 71.

⁸⁴ 39 U.S.C. §2003; OMB, Circular No. A-11, “Preparation, Submission, and Execution of the Budget: Section 20—Terms and Concepts,” June 2018, p. 40, <https://www.whitehouse.gov/wp-content/uploads/2018/06/a11.pdf>.

⁸⁵ Ibid. The PRC is an independent agency responsible for regulatory oversight of USPS, including USPS’s compliance with applicable laws and its process for setting postal rates. See PRC, “About the Postal Regulatory Commission,” <https://www.prc.gov/about>.

⁸⁶ P.L. 109-435; 120 Stat. 3240-3241.

⁸⁷ P.L. 117-108. Prior to enactment of the PAEA, both the USPSOIG and the PRC submitted their budget requests to the USPS’s Board of Governors. Accordingly, past presidential budgets did not include the USPSOIG’s or PRC’s funding requests or report on their current and estimated appropriations levels.

Table 6. U.S. Postal Service Appropriations, FY2022-FY2023

Millions of Dollars

Agency	FY2022 Enacted	FY2023 Request	House-Passed H.R. 8294	Senate-Subcommittee Chair	FY2023 Enacted
USPS Payment into the PSF (Annual Appropriation)	52.6	50.3	56.3	50.3	50.3
PRC (via Transfer from PSF)	17.5	20.3	NA	NA	NA
USPSOIG (via Transfer from PSF)	262.0	271.0	271.0	271.0	271.0

Sources: OMB, *Appendix, Budget of the United States, FY2023*; P.L. 117-103; P.L. 117-328 and Explanatory Statement; S. 4685 and Senate committee chair draft report; H.R. 8294 and H.Rept. 117-393.

Payment to the PSF for Revenue Forgone

For FY2023, the President requested \$50.3 million for the PSF, which is about \$2.3 million less than the USPS's FY2022 appropriation. In the 117th Congress, H.R. 8294 as passed by the House would have appropriated \$56.3 million, which included \$6 million above the requested amount to fund pilot programs for postal banking services.⁸⁸ The Senate subcommittee chair's bill omitted the postal banking pilot and would have appropriated \$50.3 million. P.L. 117-328 appropriated the requested amount of \$50.3 million for the PSF.

U.S. Postal Service Office of Inspector General

For FY2023, the President requested \$271 million for the USPSOIG, which is \$9 million more than the USPSOIG's FY2022 appropriation. In the 117th Congress, H.R. 8294 as passed by the House, the Senate subcommittee chair's bill, and the enacted P.L. 117-328 included the requested \$271 million for the USPSOIG.

Postal Regulatory Commission

For FY2023, the President requested \$20.3 million for the PRC, which is about \$2.8 million more than its FY2022 appropriation. Under the PSRA, funding for the PRC is no longer subject to annual appropriations. For this reason, P.L. 117-328 includes no funding for the PRC.

USPS Policy Provisions

The President's FY2023 budget supported Congress's efforts to improve USPS's operational and financial outlook through its "bipartisan support" for the PSRA, which had not yet been enacted at the time of the President's budget submission.⁸⁹

⁸⁸ H.Rept. 117-393, p. 115.

⁸⁹ OMB, *Appendix, Budget of the United States, FY2023*, p. 1308.

Additionally, the President’s budget contained a legislative proposal intended to strengthen the services USPS offers to “support secure, free and fair elections.”⁹⁰ The proposal includes free ballot materials and reduced mail costs for other election mail plus operational changes to improve USPS’s ability to “expeditiously deliver and receive mail in underserved areas.”⁹¹ The budget includes a cost estimate of \$5 billion over a 10-year period.

The budget also recommends several long-standing postal policy provisions, which are also included in the House-passed and Senate subcommittee versions of the bill and the enacted P.L. 117-328, such as:

- requiring USPS to continue providing mail for overseas voting and mail for the blind free of charge,
- prohibiting appropriated funds from being used to charge fees to child support enforcement agencies seeking the addresses of postal customers,
- prohibiting funds from being used to consolidate or close small rural and other small post offices; and
- requiring USPS to continue offering the Multinational Species Conservation Funds Semipostal Stamp for sale.⁹²

United States Tax Court⁹³

A court of record under Article I of the Constitution, the United States Tax Court (USTC) is an independent judicial body that has jurisdiction over various tax matters as set forth in Title 26 of the *United States Code*. The court is headquartered in Washington, DC, but its judges conduct trials in many cities across the country.

The USTC was appropriated \$210.8 million in FY2022, including the regular and supplemental appropriations. The President requested \$57.3 million for FY2023. The House-passed bill, Senate subcommittee chair’s bill, and enacted P.L. 117-328 include the requested \$57.3 million.

General Provisions Government-Wide⁹⁴

The FSGG Appropriations Act includes general provisions that are applicable government-wide. Most of the provisions include language that has appeared under the General Provisions title for a number of years because Congress has decided to reiterate the language rather than make the provisions permanent. An Administration’s proposed government-wide general provisions for a fiscal year are generally included in the budget appendix.⁹⁵

⁹⁰ OMB, *Appendix, Budget of the United States, FY2023*, p. 1309.

⁹¹ OMB, *Appendix, Budget of the United States, FY2023*, p. 1309.

⁹² OMB, *Appendix, Budget of the United States, FY2023*, p. 1309; P.L. 117-328 and Explanatory Statement; S. 4685 and Senate committee chair draft report; H.R. 8294 and H.Rept. 117-393. The President’s budget also includes a long-standing recommendation that USPS continue to provide six-day delivery of mail. This language was routinely included in USPS’s annual appropriation. However, the PSRA includes a requirement that USPS, with certain exceptions, provide mail delivery “at least six days per week.”

⁹³ This section authored by Garrett Hatch.

⁹⁴ This section authored by Barbara L. Schwemle.

⁹⁵ For FY2023, the provisions are in OMB, *Appendix, Budget of the U.S. Government, Fiscal Year 2023*, pp. 7-10.

The House-passed H.R. 8294 and the Senate subcommittee chair's bill included several new general provisions that were not enacted.⁹⁶

P.L. 117-328 continued the general provisions that were enacted in P.L. 117-103 and included the following new provision:

- Section 748 requires that in the event of a violation of the Impoundment Control Act of 1974,⁹⁷ the President or the head of the relevant department or agency is required to report immediately to Congress all relevant facts and a statement of actions taken. The House and Senate Committees on Appropriations and the Comptroller General are to receive a copy of the report on the same date it is transmitted to Congress.

⁹⁶ See, U.S. House Committee on Rules, Committee Print 117-55, Text of the Transportation, Housing and Urban Development, Agriculture, Rural Development, Energy and Water Development, Financial Services and General Government, Interior, Environment, Military Construction, and Veterans Affairs Appropriations Act, 2023, Showing the text of H.R. 8294, H.R. 8239, H.R. 8255, H.R. 8254, H.R. 8262, and H.R. 8238, as reported, with modifications, July 8, 2022, pp. S8502-S8503, <https://www.congress.gov/117/cprt/HPRT47956/CPRT-117HPRT47956.pdf>. U.S. Senate Committee on Appropriations, Explanatory Statement for Financial Services and General Government Appropriations Bill, 2023, July 28, 2022, pp. 113-116, <https://www.appropriations.senate.gov/imo/media/doc/FSGGFY23RPT.pdf>.

⁹⁷ For more on the Impoundment Control Act of 1974, see CRS Report R46417, *Congress's Power Over Appropriations: Constitutional and Statutory Provisions*, by Sean M. Stiff.

Author Information

Baird Webel, Coordinator
Acting Section Research Manager

Kristy N. Kamarck
Specialist in Military Manpower

R. Corinne Blackford
Analyst in Small Business and Economic
Development Policy

Rena S. Miller
Specialist in Financial Economics

Michelle D. Christensen
Analyst in Government Organization and
Management

Mariel J. Murray
Specialist in Natural Resources Policy

Anthony A. Cilluffo
Analyst in Public Finance

Barbara L. Schwemle
Analyst in American National Government

Patricia Moloney Figliola
Specialist in Internet and Telecommunications
Policy

Karen L. Shanton
Analyst in American National Government

R. Sam Garrett
Specialist in American National Government

Jacob R. Straus
Specialist on the Congress

Raj Gnanarajah
Analyst in Financial Economics

Meghan M. Stuessy
Analyst in Government Organization and
Management

Gary Guenther
Analyst in Public Finance

Ben Wilhelm
Analyst in Government Organization and
Management

Garrett Hatch
Specialist in American National Government

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