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Comparing DHS Component Funding, FY2023: In Brief

August 22, 2022

Congressional Research Service
https://crsreports.congress.gov
R47220

CRS REPORT
Prepared for Members and
Committees of Congress

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

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

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

The FY2023 DHS Appropriations Process

Annual Appropriations

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

- On June 24, 2022, the House Committee on Appropriations marked up H.R. 8257, its version of the Department of Homeland Security Appropriations Act, 2023. H.Rept. 117-396 was filed on July 1, 2022. Committee-reported H.R. 8257 included $60.27 billion in adjusted net discretionary budget authority. This was

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

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

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

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

$3.64 billion above the level requested by the Administration and $2.65 billion above the FY2022 enacted level of annual appropriations.

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

    > "It is my hope that by releasing these bills, and making clear what the priorities of Senate Democrats are, we can take a step closer toward reaching a bipartisan compromise after months of stalled negotiations ... I look forward to continuing to work with my dear friend, Vice Chairman Shelby, and I encourage good faith, bipartisan negotiations on toplines to resume with the urgency that this moment requires."[6]

  - Vice Chairman[7]Senator Richard Shelby criticized the move as partisan, stating,

    > "Democrats must commit to a bipartisan framework that abandons poison pills, preserves legacy riders, and demonstrates a serious commitment to our military."[8]

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

DHS Budgetary Resources: Beyond the Score

Discussion regarding annual appropriations often centers on the total level of appropriations provided in the bill or how the bill scores against budget limitations. However, this "score" does not represent the total budget authority provided to DHS, or controlled[9] through appropriations bills and reports.

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

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

[6] U.S. 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.

[7] This is the title for the leader of the minority party on the Senate Appropriations Committee.

[8] U.S. Senate Committee on Appropriations, "Shelby: Democrats' Partisan Bills Threaten FY23 Appropriations Process," press release, July 28, 2022, https://www.appropriations.senate.gov/news/minority/shelby-democrats-partisan-bills-threaten-fy23-appropriations-process.

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

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

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

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

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

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

- The relative magnitude of disaster spending (which encompasses the mandatory, disaster relief designated, and most of the supplemental funding for FEMA) compared with other DHS funding priorities;
- The nominal increases provided by both House and Senate appropriators for all DHS operational components above the requested level (although the relative size of the increases vary), with H.R. 8257 including larger increases for the USCG and TSA, while the Senate committee majority draft including a larger increase for CBP;

[10] While no new supplemental appropriations measures have been enacted for FY2023, this column shows advance appropriations made in FY2022 that will be available in FY2023 where applicable.

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

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

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

- The Administration's proposal to provide additional offsetting fee revenue to support TSA, and how appropriations measures needed to include additional discretionary funding to maintain the proposed budget in the absence of authorization to provide those additional revenues; and
- FY2023 supplemental and advance appropriations provided for FEMA in P.L. 117-58, the Infrastructure Investment and Jobs Act, Division J.[14]

Table 1, which follows immediately thereafter, provides a complete breakdown of the total budget authority provided for FY2023 outlined in appropriations committee tables for *all* DHS components, arranged by FY2022 enacted annual net discretionary budget authority.

Some DHS components have access to funding beyond the budget authority that is controlled for reprogramming through the aforementioned detail tables in appropriations committee reports. Although some of the mandatory spending for DHS, including many fee-funded programs, is reflected in the tables, much of DHS's mandatory spending is not, and is therefore not reflected in **Figure 1** or **Table 1**. This includes spending on flood insurance claims, as well as trust funds for the Coast Guard and the Secret Service. Information on this type of mandatory spending can be found in the Administration's budget request.[15]

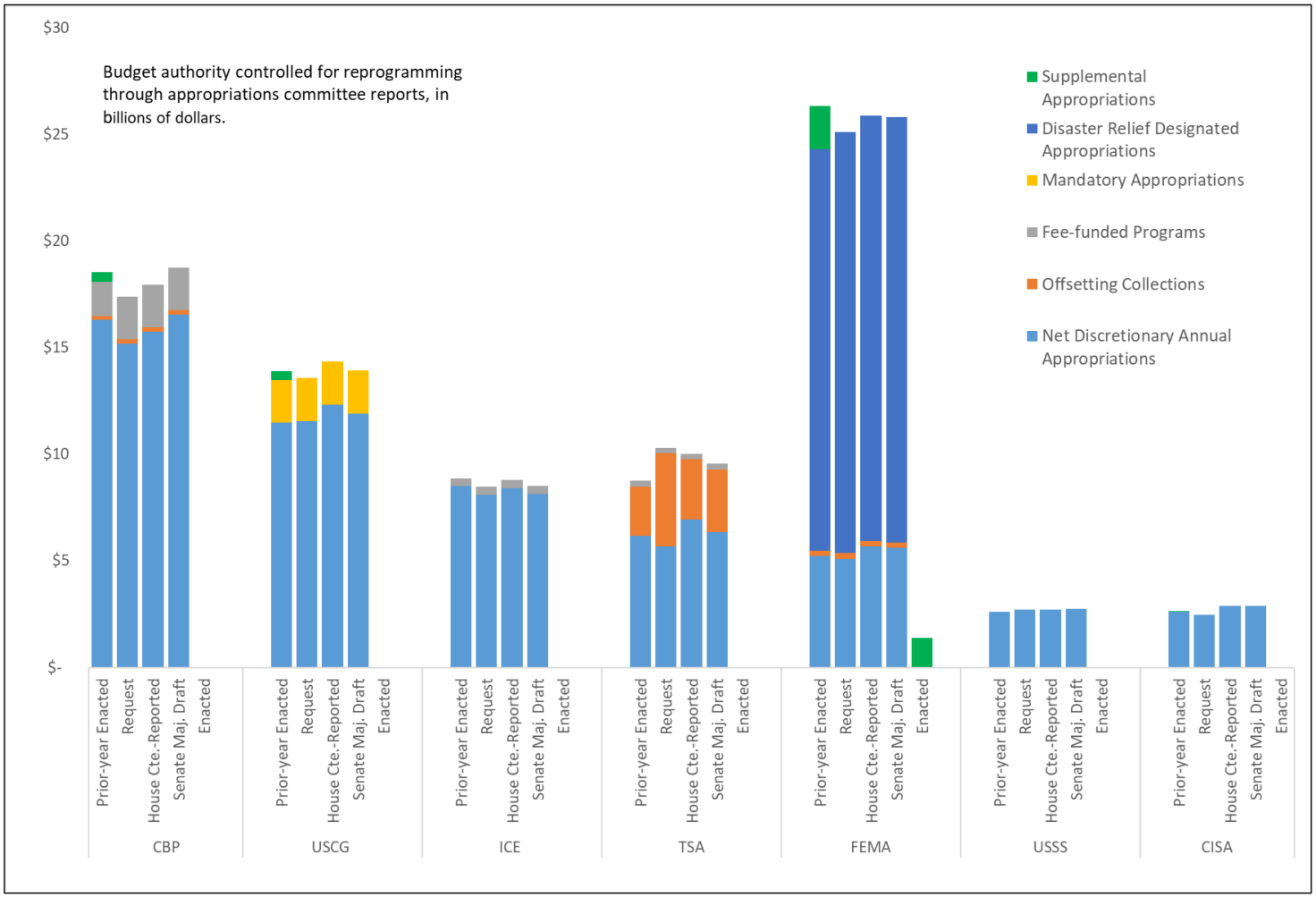
Likewise, the detail tables and the figures and tables based upon them in this report do not reflect reimbursements between components for services provided, such as payments from partner agencies to the Federal Law Enforcement Training Center for the cost of training programs. Information on these resources can be found in the DHS annual budget justifications submitted to Congress.[16]

[14] $20 million in advance appropriations for CISA are available in FY2023 as well, but are not visible in the figure. See **Table 1**.

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

[16] The FY2023 DHS budget justification can be found at https://www.dhs.gov/publication/congressional-budget-justification-fiscal-year-fy-2023.

Figure 1. DHS Budget Authority by Selected Component, FY2022-FY2023



Source: See **Table 1**.

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

Table 1. DHS Budget Authority by Component, FY2022-FY2023

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

Component/ Funding Aspect	FY2022 Enacted (Annual and Supplemental)	FY2023 Request	HAC-Reported H.R. 8257	SAC Majority Draft (S. 4678)[a]	FY2023 Enacted[b]
CBP	**18,524,103**	**17,395,892**	**17,934,027**	**18,747,649**	**-**
Net Discretionary Funding	16,287,069	15,191,905	15,730,040	16,543,662	-
Offsetting Collections	206,000	213,000	213,000	213,000	-
Fee-funded Programs	1,601,034	1,990,987	1,990,987	1,990,987	-
Supplemental Appropriations	430,000	-	-	-	-
USCG	**13,891,792**	**13,583,656**	**14,361,296**	**13,932,926**	**-**
Net Discretionary Funding	11,490,273	11,535,242	12,312,882	11,884,512	-
Offsetting Collections	4,000	4,000	4,000	4,000	-
Mandatory Appropriations	1,963,519	2,044,414	2,044,414	2,044,414	-
Supplemental Appropriations	434,000	-	-	-	-
ICE	**8,877,494**	**8,479,500**	**8,775,939**	**8,518,652**	**-**
Net Discretionary Funding	8,497,884	8,099,890	8,396,329	8,139,042	-
Fee-funded Programs	379,610	379,610	379,610	379,610	-
TSA	**8,743,461**	**10,301,602**	**10,026,084**	**9,548,452**	**-**
Net Discretionary Funding	6,177,461	5,685,602	6,930,084	6,339,952	-
Offsetting Collections	2,310,000	4,360,000	2,840,000	2,952,500	-
Fee-funded Programs[c]	256,000	256,000	256,000	256,000	-
FEMA	**26,339,379**	**25,097,670**	**25,873,440**	**25,801,881**	**1,400,000**
Net Discretionary Funding	5,242,043	5,099,040	5,669,810	5,598,251	-
Offsetting Collections	248,336	258,630	258,630	258,630	-
Disaster Relief Designated	18,799,000	19,740,000	19,945,000	19,945,000	-
Supplemental Appropriations	2,050,000	-	-	-	1,400,000
USSS	**2,611,888**	**2,703,509**	**2,727,509**	**2,733,923**	**-**
Net Discretionary Funding	2,611,888	2,703,509	2,727,509	2,733,923	-

Component/ Funding Aspect	FY2022 Enacted (Annual and Supplemental)	FY2023 Request	HAC-Reported H.R. 8257	SAC Majority Draft (S. 4678)[a]	FY2023 Enacted[b]
CISA	**2,648,656**	**2,483,592**	**2,900,692**	**2,884,750**	**20,000**
Net Discretionary Funding	2,593,656	2,483,592	2,900,692	2,884,750	-
Supplemental Appropriations	55,000	-	-	-	20,000
MD	**3,962,209**	**4,439,282**	**4,497,857**	**4,422,124**	**-**
Net Discretionary Funding	2,259,325	2,325,803	2,384,378	2,308,645	-
Offsetting Collections	1,653,384	2,113,479	2,113,479	2,113,479	-
Emergency Annual Appropriations	49,500	-	-	-	-
S&T	**1043,903**	**901,291**	**963,777**	**941,856**	**-**
Net Discretionary Funding	886,403	901,291	963,777	941,856	-
Supplemental Appropriations	157,500	-	-	-	-
CWMD	**452,011**	**428,972**	**428,972**	**430,972**	**-**
Net Discretionary Funding	452,011	428,972	428,972	430,972	-
USCIS	**5,424,641**	**5,991,606**	**5,773,277**	**5,962,689**	**-**
Net Discretionary Funding	409,504	913,622	695,293	884,705	-
Fee-funded Programs	4,822,137	5,077,984	5,077,984	5,077,984	-
Supplemental Appropriations	193,000	-	-	-	-
FLETC	**355,636**	**396,547**	**396,547**	**396,547**	**-**
Net Discretionary Funding	355,636	396,547	396,547	396,547	-
A&O[d]	**298,171**	**341,159**	**341,159**	**341,159**	**-**
Net Discretionary Funding	298,171	341,159	341,159	341,159	-
OSEM	**418,509**	**316,180**	**394,765**	**326,045**	**-**
Net Discretionary Funding	271,053	316,180	394,765	326,045	-
Supplemental Appropriations	147,456	-	-	-	-
OIG	**205,359**	**214,879**	**218,379**	**214,879**	**-**
Net Discretionary Funding	205,359	214,879	218,379	214,879	-

Component/ Funding Aspect	FY2022 Enacted (Annual and Supplemental)	FY2023 Request	HAC-Reported H.R. 8257	SAC Majority Draft (S. 4678)[a]	FY2023 Enacted[b]
TOTAL NET DISCRETIONARY B.A. + DISASTER RELIEF AND EMERGENCY FUNDING, DHS	**84,774,912**	**83,326,342**	**85,864,725**	**85,455,509**	**1,420,000**

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

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

a. This bill is identical to the committee majority draft as released, as is provided for simplified reference.

b. This represents only appropriations provided thus far for FY2023 for DHS (advance appropriations included in P.L. 117-58, Division J).

c. The Aviation Security Capital Fund, which had been recorded as mandatory spending, is now included as part of fee-funded programs, for congruence with the committee reports.

d. "Analysis and Operations" is the name provided in the budget justification. This component is referred to in the House-reported bill as Intelligence, Analysis and Situational Awareness, and in the Senate draft as Intelligence, Analysis, and Operational Coordination.

DHS Appropriations: Comparing Scores

It is often useful to present comparative analysis to put enacted annual funding levels for given DHS components in context. **Table 2** and **Table 3** show congressional action (by the House Appropriations Committee and the Senate Appropriations Committee majority, respectively) on net discretionary annual FY2023 appropriations for DHS distributed by departmental component in comparison to two common baselines described below.

Each table presents an analysis of a component's net discretionary annual appropriations—appropriations provided from the Treasury that are not offset by other incoming resources or given special exemption.[17] Comparison is drawn between two common baselines that are also shown in **Table 1**—the FY2022 enacted funding level and the FY2023 requested funding level. In **Table 2** and **Table 3**, the first column of figures shows the position reflected in either the House-reported bill or the Senate majority committee draft. Changes from that level are reflected in thousands of dollars, and then as a percentage. The components are ordered from largest to smallest by FY2022 enacted funding level.

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

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

Table 2. House Appropriations Committee-reported DHS Annual Discretionary Appropriations, FY2023, Compared

(net discretionary budget authority, in thousands of dollars)

Component	House Appropriations Committee-reported H.R. 8257	Compared to FY2023 Annual Request		Compared to FY2022 Annual Enacted	
		$	%	$	%
CBP	15,730,040	538,135	3.5%	(557,029)	(3.4%)
USCG	12,312,882	777,640	6.7%	822,609	7.2%
ICE	8,396,329	296,439	3.7%	(101,555)	(1.2%)
TSA	6,930,084	1,244,482	21.9%	752,623	12.2%
FEMA	5,669,810	570,770	11.2%	427,767	8.2%
USSS	2,727,509	24,000	0.9%	115,621	4.4%
CISA	2,900,692	417,100	16.8%	307,036	11.8%
MD	2,384,378	58,575	2.5%	125,053	5.5%
S&T	963,777	62,486	6.9%	77,374	8.7%
CWMD	428,972	-	0.0%	(23,039)	(5.1%)
USCIS	695,293	(218,329)	(23.9%)	285,789	69.8%
FLETC	396,547	-	0.0%	40,911	11.5%
A&O[a]	341,159	-	0.0%	42,988	14.4%
OSEM	394,765	78,585	24.9%	123,712	45.6%
OIG	218,379	3,500	1.6%	13,020	6.3%

Source: CRS analysis of P.L. 117-103, Division F, and its explanatory statement; and H.R. 8257 and H.Rept. 117-396.

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

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

Table 3. Senate Appropriations Committee Majority Draft DHS Annual Discretionary Appropriations, FY2023, Compared

(net discretionary budget authority, in thousands of dollars)

Component	Senate Appropriations Committee Majority Draft (S. 4678)[a]	Compared to FY2023 Annual Request		Compared to FY2022 Annual Enacted	
		$	%	$	%
CBP	16,543,662	1,351,757	8.9%	256,593	1.6%
USCG	11,884,512	349,270	3.0%	394,239	3.4%
ICE	8,139,042	39,152	0.5%	(358,842)	(4.2%)
TSA	6,339,952	654,350	11.5%	162,491	2.6%
FEMA	5,598,251	499,211	9.8%	356,208	6.8%
USSS	2,733,923	30,414	1.1%	122,035	4.7%
CISA	2,884,750	401,158	16.2%	291,094	11.2%
MD	2,308,645	(17,158)	(0.7%)	49,320	2.2%
S&T	941,856	40,565	4.5%	55,453	6.3%
CWMD	430,972	2,000	0.5%	(21,039)	(4.7%)
USCIS	884,705	(28,917)	(3.2%)	475,201	116.0%
FLETC	396,547	-	0.0%	40,911	11.5%
A&O[b]	341,159	-	0.0%	42,988	14.4%
OSEM	326,045	9,865	3.1%	54,992	20.3%
OIG	214,879	-	0.0%	9,520	4.6%

Source: CRS analysis of P.L. 117-103, Division F, and its explanatory statement; and the Senate Appropriations Committee majority-produced draft appropriations bill and explanatory statement released on July 28, 2022.

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

a. This bill is identical to the committee majority draft as released, as is provided for simplified reference.

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

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