



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

October 2, 2018

THE DIRECTOR

The Honorable Paul D. Ryan
Speaker of the House of Representatives
Washington, D.C. 20515

Dear Mr. Speaker:

Section 251(a)(7) of the Balanced Budget and Emergency Deficit Control Act of 1985 requires that the Office of Management and Budget (OMB) submit a report to the Congress on discretionary appropriations legislation within seven calendar days of enactment (excluding Saturdays, Sundays, and legal holidays). The "Seven-Day-After" report must contain the OMB and Congressional Budget Office estimates of discretionary new budget authority provided by the legislation and an explanation of any differences between the two estimates.

Enclosed is the Seven-Day-After report for the Energy and Water, Legislative Branch, and Military Construction and Veterans Affairs Appropriations Act, 2019 (Public Law 115-244). The President signed this Act into law on September 21, 2018. The enclosed report includes separate appropriations reports on each of the following three appropriations bills contained in the separate divisions of this Act:

1. Energy and Water Development and Related Agencies Appropriations Act, 2019 (Division A) – Table 1, page 1;
2. Legislative Branch Appropriations Act, 2019 (Division B) – Table 2, page 4; and
3. Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2019 (Division C) – Table 3, page 6.

Sincerely,

Mick Mulvaney
Director

Enclosure

Table 1.
CBO Estimates Compared to OMB Estimates for Division A of Public Law 115-244
Energy and Water Development and Related Agencies Appropriations Act, 2019
(in millions of dollars)

	2019 Enacted Budget Authority
<u>DEFENSE CATEGORY DISCRETIONARY APPROPRIATIONS</u>	
<i><u>Defense Category-Base Appropriations</u></i>	
CBO ESTIMATE, DEFENSE CATEGORY - BASE APPROPRIATIONS ¹	22,440
NO BUDGET AUTHORITY DIFFERENCES	
OMB ESTIMATE, DEFENSE CATEGORY - BASE APPROPRIATIONS.....	22,440
<u>NON-DEFENSE CATEGORY DISCRETIONARY APPROPRIATIONS</u>	
<i><u>Non-Defense Category-Base Appropriations</u></i>	
CBO ESTIMATE, NON-DEFENSE CATEGORY - BASE APPROPRIATIONS ¹	22,200
<u>Scorekeeping Differences:</u>	
Department of Energy:	
Energy Programs:	
Title 17 Innovative Technology Loan Program.....	+12
CBO has a higher estimate of administrative fees (-\$15 million) than OMB (-\$3 million) in 2019.	
Fees and Recoveries, Federal Energy Regulatory Commission.....	-16
CBO scores collections in excess of spending for the account as mandatory, while OMB scores collections in excess of spending as discretionary.	
Power Marketing Administration (PMAs):	
Operation and Maintenance, Southwestern Power Administration.....	-41
Under a scorekeeping agreement that has been in place for some time, both OMB and CBO have credited mandatory receipts collected by the PMAs as discretionary offsetting collections against spending authority for purchase power and wheeling (PPW). In 2019, CBO is crediting only \$10 million in receipts as discretionary and due to PPW in this account, since they believe the difference is collected pursuant to other authorities. This results in CBO scoring a +\$40 million additional cost to the PMAs. OMB counts all of the receipts as PPW and credits them as discretionary, resulting in offsetting collections and spending authority for PPW activities netting to zero. In addition, OMB and CBO have a -\$1 million budget authority difference due to rounding. CBO rounds the appropriation and collections separately in millions, whereas OMB subtracts the collections in thousands and then rounds the net appropriation.	

**CBO Estimates Compared to OMB Estimates for Division A of Public Law 115-244
Energy and Water Development and Related Agencies Appropriations Act, 2019**
(in millions of dollars)

	2019 Enacted Budget Authority
Construction, Rehabilitation, Operation and Maintenance.....	-45
<p>Under a scorekeeping agreement that has been in place for some time, both OMB and CBO have credited mandatory receipts collected by the PMAs as discretionary offsetting collections against spending authority for purchase power and wheeling (PPW). In 2019, CBO is crediting only \$180 million in receipts as discretionary and due to PPW in this account, since they believe the difference is collected pursuant to other authorities. This results in CBO scoring a +\$45 million additional cost to the PMAs. OMB counts all of the receipts as PPW and credits them as discretionary, resulting in offsetting collections and spending authority for PPW activities netting to zero.</p>	
Colorado River Basins Power Marketing Fund, Western Area Power A.....	-23
<p>OMB assumes a -\$23 million repayment of debt to the Treasury in 2019, whereas CBO does not assume such repayment.</p>	
Falcon and Amistad Operating and Maintenance Fund.....	-1
<p>OMB and CBO have a -\$1 million budget authority difference due to rounding. CBO rounds the appropriation and collections separately in millions, whereas OMB subtracts the collections in thousands and then rounds the net appropriation.</p>	
Nuclear Regulatory Commission:	
Nuclear Facility Fees.....	-1
<p>The difference in fee estimates is due to rounding. OMB adds the fees in thousands from the Salaries and Expenses account and the Office of Inspector General account and then rounds, whereas CBO rounds the fees for each account separately.</p>	
Denali Commission:	
Denali Commission Trust Fund.....	+2
<p>Section 105 of Public Law 106-31 (1999 Emergency Supplemental Appropriations Act) allowed for a permanent annual appropriation of interest from the Denali Trust Fund. CBO scores that permanent appropriation to the Agriculture and Rural Development Appropriations Subcommittee because the legislative language making the appropriation was enacted in the Agriculture title of that bill. OMB instead scores the permanent appropriation to the Energy and Water Appropriations Subcommittee, which is the subcommittee of jurisdiction for the Denali Commission. In addition, OMB estimates \$2 million in interest in 2019, as reflected in their scoring of this bill. CBO estimates \$4 million in interest for 2019, which they charge to the Agriculture Subcommittee.</p>	
CBO Rounding Adjustment.....	+1
<p>CBO uses this account to reconcile the CBO total for the Act (tracked in millions) with the appropriations subcommittee's Comparative Statement of Budget Authority (CSBA) total (tracked in thousands). OMB scoring does not include such a reconciliation with the CSBA.</p>	
TOTAL DIFFERENCES.....	-112
OMB ESTIMATE, NON-DEFENSE CATEGORY - BASE APPROPRIATIONS.....	22,088

**CBO Estimates Compared to OMB Estimates for Division A of Public Law 115-244
Energy and Water Development and Related Agencies Appropriations Act, 2019**
(in millions of dollars)

	2019 Enacted Budget Authority
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SUMMARY

CBO TOTAL, ENERGY AND WATER APPROPRIATIONS ¹	44,640
<i>CBO Defense Category Subtotal</i>	22,440
<i>CBO Non-Defense Category Subtotal</i>	22,200
TOTAL DIFFERENCES	-112
<i>Defense Category Differences</i>	---
<i>Non-Defense Category Differences</i>	-112
OMB TOTAL, ENERGY AND WATER APPROPRIATIONS	44,528
<i>OMB Defense Category Subtotal</i>	22,440
<i>OMB Non-Defense Category Subtotal</i>	22,088

¹ CBO data received by OMB on September 11,2018.

Table 2.
CBO Estimates Compared to OMB Estimates for Division B of Public Law 115-244
Legislative Branch Appropriations Act, 2019
(in millions of dollars)

	2019 Enacted Budget Authority
<u>NON-DEFENSE CATEGORY DISCRETIONARY APPROPRIATIONS</u>	
<i>Non-Defense Category-Changes in Mandatory Programs (CHIMPs)</i>	
CBO ESTIMATE, NON-DEFENSE CATEGORY - CHIMPs ¹	-2
NO BUDGET AUTHORITY DIFFERENCES	
OMB ESTIMATE, NON-DEFENSE CATEGORY - CHIMPs.....	-2
<hr/> <i>Non-Defense Category-Base Discretionary Appropriations</i>	
CBO ESTIMATE, NON-DEFENSE CATEGORY - BASE APPROPRIATIONS ¹	4,838
<u>Scorekeeping Differences:</u>	
Office of Compliance: Awards and Settlements Funds	-1
CBO estimates that the Awards and Settlement account will receive \$1 million in 2019 from a permanent appropriation pursuant to section 415 of the Congressional Accountability Act of 1995 (Public Law 104-1; 2 U.S.C. 1415(a)). The Legislative Branch did not estimate any appropriation under this authority in the 2019 Budget and OMB scoring adopts this assumption.	
Architect of the Capitol: Senate Office Buildings	+1
OMB and CBO have a +\$1 million budget authority difference due to rounding. CBO splits the appropriation based on period of availability and rounds each amount before adding to a total for the account. OMB does not split the appropriation but rounds the total to the nearest whole million.	
Architect of the Capitol: House Office Buildings	+6
CBO estimates that the Architect of the Capitol will receive \$7 million in 2019 in leasing proceeds pursuant to section 176 of the 2017 Continuing Resolution (Division C of Public Law 114-223 as amended by Division A of Public Law 114-254). The Legislative Branch did not estimate any proceeds of leases in the 2019 Budget, and OMB's scoring adopts this assumption. There is an additional -\$1 million budget authority difference due to rounding. CBO splits the appropriation based on period of availability and rounds each amount before adding to a total for the account. OMB does not split the appropriation but rounds the total to the nearest whole million.	
Architect of the Capitol: Library Buildings and Grounds	+1
OMB and CBO have a +\$1 million budget authority difference due to rounding. CBO splits the appropriation based on period of availability and rounds each amount before adding to a total for the account. OMB does not split the appropriation but rounds the total to the nearest whole million.	

CBO Estimates Compared to OMB Estimates for Division B of Public Law 115-244
Legislative Branch Appropriations Act, 2019
(in millions of dollars)

	2019 Enacted Budget Authority
CBO Rounding Adjustment	+1
CBO uses this account to reconcile the CBO total for the Act (tracked in millions) with the Appropriations Committee's Comparative Statement of Budget Authority (CSBA) total (tracked in thousands). OMB scoring does not include a reconciliation with the CSBA.	
TOTAL, BASE DIFFERENCES	+8
OMB ESTIMATE, NON-DEFENSE CATEGORY- BASE APPROPRIATIONS	4,846

SUMMARY

CBO TOTAL, LEGISLATIVE BRANCH APPROPRIATIONS ¹	4,836
<i>CBO Defense Category Subtotal</i>	---
<i>CBO Non-Defense Category Subtotal (including CHIMPs)</i>	4,836
TOTAL DIFFERENCES	+8
<i>Defense Category Differences</i>	---
<i>Non-Defense Category Differences</i>	+8
OMB TOTAL, LEGISLATIVE BRANCH APPROPRIATIONS	4,844
<i>OMB Defense Category Subtotal</i>	---
<i>OMB Non-Defense Category Subtotal (including CHIMPs)</i>	4,844

¹ CBO data was received by OMB on September 11, 2018.

Table 3.
CBO Estimates Compared to OMB Estimates for Division C of Public Law 115-244
Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2019
(in millions of dollars)

	2019 Enacted Budget Authority
<u>DEFENSE CATEGORY DISCRETIONARY APPROPRIATIONS</u>	
<i>Defense Category-Base Discretionary Appropriations</i>	
CBO ESTIMATE, DEFENSE CATEGORY - BASE DISCRETIONARY APPROPRIATIONS ¹	10,332
<u>Scorekeeping Differences:</u>	
CBO Rounding Adjustment	+2
CBO uses this account to reconcile the CBO total for the Act (tracked in millions) with the Appropriations Subcommittee's Comparative Statement of Budget Authority (CSBA) total (tracked in thousands). OMB scoring does not include a reconciliation with the CSBA.	
OMB ESTIMATE, DEFENSE CATEGORY - BASE DISCRETIONARY APPROPRIATIONS	10,334
<i>Defense Category-Overseas Contingency Operations (OCO) Discretionary Appropriations</i>	
CBO ESTIMATE, DEFENSE CATEGORY - OCO DISCRETIONARY APPROPRIATIONS ¹	921
NO BUDGET AUTHORITY DIFFERENCES	
OMB ESTIMATE, DEFENSE CATEGORY - OCO DISCRETIONARY APPROPRIATIONS	921
<u>NON-DEFENSE CATEGORY DISCRETIONARY APPROPRIATIONS</u>	
<i>Non-Defense Category-Base Discretionary Appropriations</i>	
CBO ESTIMATE, NON-DEFENSE CATEGORY - BASE APPROPRIATIONS ¹	86,804
NO BUDGET AUTHORITY DIFFERENCES	
OMB ESTIMATE, NON-DEFENSE CATEGORY - BASE APPROPRIATIONS	86,804
<u>SUMMARY</u>	
CBO TOTAL, MILITARY CONSTRUCTION AND VETERANS AFFAIRS APPROPRIATIONS ¹	98,057
<i>CBO Defense Category Subtotal</i>	<i>10,332</i>
<i>CBO Defense Category OCO Subtotal</i>	<i>921</i>
<i>CBO Non-Defense Category Subtotal</i>	<i>86,804</i>
TOTAL DIFFERENCES	+2
<i>Defense Category Differences</i>	<i>+2</i>
<i>Defense Category OCO Differences</i>	<i>---</i>
<i>Non-Defense Category Differences</i>	<i>---</i>
OMB TOTAL, MILITARY CONSTRUCTION AND VETERANS AFFAIRS APPROPRIATIONS	98,059
<i>OMB Defense Category Subtotal</i>	<i>10,334</i>
<i>OMB Defense Category OCO Subtotal</i>	<i>921</i>
<i>OMB Non-Defense Category Subtotal</i>	<i>86,804</i>

¹ CBO data was received by OMB on September 11, 2018.

Table 4.
Enacted Appropriations as of September 25, 2018 ¹
(in millions of dollars)

	2019 Enacted Budget Authority
DEFENSE CATEGORY	
Discretionary Spending Limit ²	647,000
Appropriations previously enacted.....	---
Newly Enacted Base Defense Appropriations:	
Amounts provided in Division A of Public Law 115-244, the Energy and Water Development and Related Agencies Appropriations Act, 2019.....	22,440
Amounts provided in Division C of Public Law 115-244, the Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2019.....	10,334
Total, All Enacted Base Defense Appropriations.....	32,774
Defense Appropriations Over (+)/Under (-) spending limit ²	-614,226
NON-DEFENSE CATEGORY	
Discretionary Spending Limit ²	597,000
Appropriations previously enacted	---
Newly Enacted Base Non-Defense Appropriations:	
Amounts provided in Division A of Public Law 115-244, the Energy and Water Development and Related Agencies Appropriations Act, 2019.....	22,088
Amounts provided in Division B of Public Law 115-244, the Legislative Branch Appropriations Act, 2019.....	4,844
Amounts provided in Division C of Public Law 115-244, the Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2019.....	86,804
Total, All Enacted Base Non-Defense Appropriations.....	113,736
Non-Defense Appropriations Over (+)/Under (-) spending limit ²	-483,264

Table 4.
Enacted Appropriations as of September 25, 2018 ¹
(in millions of dollars)

	2019 Enacted Budget Authority
TOTAL DISCRETIONARY APPROPRIATIONS	
Discretionary Spending Limits ²	1,244,000
Appropriations previously enacted	---
Newly Enacted Base Appropriations:	
Amounts provided in Division A of Public Law 115-244, the Energy and Water Development and Related Agencies Appropriations Act, 2019.....	44,528
Amounts provided in Division B of Public Law 115-244, the Legislative Branch Appropriations Act, 2019.....	4,844
Amounts provided in Division C of Public Law 115-244, the Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2019.....	97,138
Total, All Enacted Discretionary Appropriations.....	146,510
Discretionary Appropriations Over (+)/Under (-) spending limits ²	-1,097,490
Defense Appropriations designated by the Congress and the President for Overseas Contingency Operations/Global War on Terrorism (OCO/GWOT) ³	
<i>Amounts provided in Division C of Public Law 115-244, the Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2019.....</i>	<i>921</i>

Notes:

- 1 Enacted appropriations reflect OMB scoring of discretionary appropriations in the Energy and Water, Legislative Branch, and Military Construction and Veterans Affairs Appropriations Act, 2019 (Public Law 115-244; "the Act").
- 2 The FY 2019 spending limits for the defense (or "revised security") and non-defense (or "revised nonsecurity") categories are equal to the amounts published in the *OMB Sequestration Update Report to the President and Congress for Fiscal Year 2019* (see OMB's website: <https://www.whitehouse.gov/omb/legislative/sequestration-reports-orders/>).
- 3 Section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (BBEDCA) authorizes an adjustment to the caps for appropriations that are designated by the Congress, and subsequently designated by the President, as emergency requirements or for OCO/GWOT. The Act included funding for OCO/GWOT activities with the appropriate designations and the President transmitted to the Congress on September 21, 2018 his subsequent designations of all of these amounts. All emergency requirement and OCO/GWOT amounts are summarized here and are not included in the totals displayed above that are counted against the base caps. The adjustments to the discretionary limits to reflect this spending are not included in this report but will be included in OMB's Final Sequestration Report for 2019.