



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

THE DIRECTOR

October 13, 2020

The Honorable Nancy Pelosi
Speaker of the House of Representatives
U.S. House of Representatives
Washington, D.C. 20515

Dear Madam 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 (CBO) 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 Continuing Appropriations Act, 2021 (Division A of Public Law 116-159, the Continuing Appropriations Act, 2021 and Other Extensions Act). The President signed the Act into law on October 1, 2020. This report does not include estimates of continuing appropriations for FY 2021 provided in division A of the Act. The remaining divisions of the Act have no budgetary effects counted towards the discretionary spending limits.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Vought".

Russell T. Vought
Director

Enclosure

Identical Letter Sent to The Honorable Michael R. Pence

Table 1.
CBO Estimates Compared to OMB Estimates for Division A of Public Law 116-159,
Continuing Appropriations Act, 2021
(in millions of dollars)

	Enacted Budget Authority	
	2020	2021
<u>DEFENSE CATEGORY DISCRETIONARY APPROPRIATIONS</u>		
<i>Defense Category - Emergency Requirement Appropriations</i>		
CBO ESTIMATE, DEFENSE DISCRETIONARY - EMERGENCY APPROPRIATIONS ¹	---	---
<u>Scorekeeping Differences:</u>		
NO BUDGET AUTHORITY DIFFERENCES		
<i>Section 126 of the Act rescinds 2020 emergency balances from the Department of Defense- Other Department of Defense-Office of the Inspector General (OIG) account and appropriates an equal amount of emergency funding to the OIG account with an extended period of availability. Both OMB and CBO score the budget authority impacts of this as netting to zero.</i>		
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TOTAL DIFFERENCES	---	---
OMB ESTIMATE, DEFENSE DISCRETIONARY - EMERGENCY APPROPRIATIONS	---	---
<u>NON-DEFENSE CATEGORY DISCRETIONARY APPROPRIATIONS</u>		
CBO ESTIMATE, NON-DEFENSE DISCRETIONARY - BASE APPROPRIATIONS ¹	---	---
<u>Scorekeeping Differences:</u>		
Department of Energy:		
Power Marketing Administration:		
Colorado River Basins Power Marketing Fund, Western Area Power Administration (WAPA).....	+21	---
<i>Section 127 of the Act prohibits WAPA from making a debt repayment to the Treasury in fiscal year 2020. OMB estimated that WAPA would make a \$21 million payment in 2020 and scored the payment as a savings to the Energy and Water Development and Related Agencies Appropriations Act, 2020 (Division C of Public Law 116-94). OMB therefore scores this provision as a \$21 million cost. CBO did not estimate that WAPA would make a debt repayment in 2020 in its scoring of Division C of Public Law 116-94 and therefore scores no cost for this provision.</i>		
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TOTAL DIFFERENCES	+21	---
OMB ESTIMATE, NON-DEFENSE DISCRETIONARY - BASE APPROPRIATIONS	21	---
<u>SUMMARY</u>		
CBO ESTIMATE, 2020 SUPPLEMENTAL APPROPRIATIONS ¹	---	---
<i>CBO Defense Category Emergency Subtotal</i>	---	---
<i>CBO Non-Defense Category Subtotal</i>	---	---
TOTAL DIFFERENCES	+21	---
<i>Defense Category Emergency Differences</i>	---	---
<i>Non-Defense Category Differences</i>	+21	---
OMB ESTIMATE, 2020 SUPPLEMENTAL APPROPRIATIONS	21	---
<i>OMB Defense Category Emergency Subtotal</i>	---	---
<i>OMB Non-Defense Category Subtotal</i>	21	---

¹ CBO data received by OMB on September 23, 2020.

Table 2.
Enacted Appropriations as of September 30, 2020 ¹
(in millions of dollars)

	Enacted Budget Authority	
	2020	2021
DEFENSE CATEGORY		
Discretionary spending limit ²	756,606	671,500
Appropriations previously enacted ³	756,599	---
Newly enacted base Defense appropriations:		
None	---	---
Defense appropriations over (+)/under (-) spending limit.....	-7	-671,500
NON-DEFENSE CATEGORY		
Discretionary spending limit ²	1,155,491	626,500
Appropriations previously enacted ³	1,155,491	---
Newly enacted base Non-Defense appropriations:		
Amounts provided in Division A of Public Law 116-XX, Continuing Appropriations Act, 2021.....	+21	---
Total, all previously enacted and newly enacted base Non-Defense appropriations	1,155,512	---
Non-Defense appropriations over (+)/under (-) spending limit ⁴	+21	-626,500

Notes:

1 Enacted appropriations reflect OMB scoring of supplemental amounts in division A of Public Law 116-159, the Continuing Appropriations Act, 2021.

2 The FY 2020 and FY 2021 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 2021* (see OMB's website: <https://www.whitehouse.gov/omb/legislative/sequestration-reports-orders/>).

3 Appropriations previously enacted for 2020 reflect OMB scoring of the Consolidated Appropriations Act, 2020 (Public Law 116-93), the Further Consolidated Appropriations Act, 2020 (Public Law 116-94), the USMCA Supplemental Appropriations Act, 2019 (title IX of Public Law 116-113), the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (division A of Public Law 116-123); the Second Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (division A of Public Law 116-127); the Emergency Appropriations for Coronavirus Health Response and Agency Operations (division B of Public Law 116-136); and the Additional Emergency Appropriations for Coronavirus Response (Division B of Public Law 116-139). The seven-day-after reports for these Acts are on the OMB website: <https://www.whitehouse.gov/omb/legislative/budget-enforcement-act-7-day-reports/>.

4 This table currently shows that enacted appropriations are over the Non-Defense cap by \$21 million. However, this excess is the result of a scoring difference with CBO in base non-defense budget authority that is summarized in the seven-day-after report for Public Law 116-159. Section 747 in division C of Public Law 116-93 includes a technical allowance that permits a cap adjustment for such estimating differences in 2020 and this adjustment will be made in OMB's Final Sequestration Report for 2021. The adjustment in the Non-Defense category is expected to be equal to the amount by which the budget authority exceeds the discretionary spending limit in that category because the entire overage is due to estimating differences with CBO.