



## Budget Digest – Week of February 29

### Unauthorized Appropriations

**What is an unauthorized appropriation?** This term refers to programs and activities that have been funded with discretionary appropriations even though their specific authorization of appropriations has expired. These authorizations typically set a specific dollar amount that may be appropriated, and specify the length of time funds can be used—for example 1-year, multiyear, or until expired.

**What is the current amount of unauthorized appropriations?** According to a recent CBO [report](#), there is over \$310 billion of unauthorized appropriations for fiscal year 2016 spanning 256 laws and 15 House authorizing committees. Over half—or \$160 billion—of the unauthorized amount is for programs whose expired authorization is over 10 years old. Over the past decade, about 1/4 of total discretionary appropriations has been unauthorized on average, mostly for non-defense programs. This year, about 57 percent of total non-defense spending was unauthorized.

Largest Unauthorized Programs	Amount (billions)	Oldest Unauthorized Programs	Last Authorized
Veterans' Programs	61.4	Legal Services Corporation	1980
State Department & International Assistance	44.7	Federal Election Commission	1981
NIH & Other Health Programs	40.0	EPA: Toxic Substances Programs	1983
Housing Programs	33.6	Power Marketing Administrations	1984
Department of Justice Programs	27.2	Federal Energy Regulatory Commission	1984
NASA Programs	18.6	Department of Energy, various programs	1984

**Are there rules against unauthorized appropriations?** Yes. Rule XXI, clause 2(a)(1) says, “An appropriation may not be reported in a general appropriation bill, and may not be in order as an amendment thereto, for an expenditure not previously authorized by law, except to continue appropriations for public works and objects that are already in progress.” This rule was first established in 1837 and has been modified on various occasions.