



## Senate Amendment 2137 to H.R. 3684, the Infrastructure Investment and Jobs Act, as Proposed on August 1, 2021

The Congressional Budget Office estimates that over the 2021-2031 period, enacting Senate Amendment 2137 to H.R. 3684 would decrease direct spending by \$110 billion, increase revenues by \$50 billion, and increase discretionary spending by \$415 billion. On net, the legislation would add \$256 billion to projected deficits over that period.

The legislation would provide \$382.9 billion in contract authority (a form of mandatory budget authority) for a variety of transportation programs over the 2022-2026 period. Under the rules governing baseline projections that are specified in the Balanced Budget and Emergency Deficit Control Act of 1985, this estimate incorporates an assumption that the contract authority of about \$79.9 billion that would be provided in 2026 (the final year of the authorization) would also be provided in each subsequent year. CBO therefore estimates that an additional \$399.6 billion in contract authority would be available over the 2027-2031 period, for a total of \$782.5 billion over the 10-year period. Over the 2022-2031 period, that total would be \$196.5 billion more than the amount in CBO's July 2021 baseline.

Spending from contract authority is controlled by obligation limitations specified in annual appropriation acts; therefore, the outlays for most surface transportation programs are considered discretionary and will be accounted for in a future appropriation bill that sets those limits. CBO estimates that outlays from obligation limitations equal to all of the available contract authority would total \$362.7 billion over the 2021-2031 period: \$287.0 billion for Federal Highway Administration programs, \$66.5 billion for Federal Transit Administration programs, \$4.3 billion for Federal Motor Carrier Safety Administration programs, and \$4.9 billion for National Highway Traffic Safety Administration programs. Some of those outlays would result from contract authority and obligation limitations already projected in CBO's baseline.<sup>1</sup>

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1. For more information on the split budgetary classification of surface transportation programs funded from the Highway Trust Fund, see Congressional Budget Office, *The Highway Trust Fund and the Treatment of Surface Transportation Programs in the Federal Budget* (June 2014), [www.cbo.gov/publication/45416](https://www.cbo.gov/publication/45416).

Senate Amendment 2137 to H.R. 3684 would impose intergovernmental and private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). CBO estimates that the aggregate cost of the intergovernmental mandates would fall below the annual threshold in UMRA (\$85 million in 2021, adjusted annually for inflation) and that the aggregate cost of the private-sector mandates would exceed the UMRA threshold (\$170 million in 2021, adjusted annually for inflation). The mandates would include new regulatory and administrative requirements for Amtrak and rail passenger carriers and railcar manufacturers; new vehicle safety standards for cars, limousines, and commercial vehicles; and requirements for commercial vehicle and car manufacturers to install equipment using certain new technology. They also would extend the collection period for certain coal-mining reclamation fees and renew certain fees to be paid for merchandise and by passengers entering the country and certain fees collected by the Federal Communications Commission. They would increase fees paid by companies that transport hazardous materials. Grants authorized under division B would offset some of the costs associated with implementing those requirements. The legislation also would preempt some state, local, and tribal laws that could otherwise cause government agencies to disclose information to the public.

The Infrastructure Investment and Jobs Act is authorizing legislation; however, consistent with section 901 of title IX of division J of the legislation and in consultation with the Senate Committee on the Budget, CBO treats division J as appropriation legislation. Also, in keeping with the same section, CBO's estimate of discretionary spending accounts for funds rescinded under section 90007 of division I that were previously designated by the Congress as an emergency requirement, in keeping with section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Enacting this legislation would create macroeconomic effects that in turn would cause budgetary feedback. CBO has not estimated those effects or their budgetary consequences for this legislation.

CBO has not determined whether enacting Senate Amendment 2137 to H.R. 3684 would increase on-budget deficits by more than \$5 billion in any of the four consecutive 10-year periods beginning in 2032.



**Table 1.**

**Summary of Estimated Budgetary Effects of Senate Amendment 2137 to H.R. 3684, the Infrastructure Investment and Jobs Act, as Proposed on August 1, 2021**

By Fiscal Year, Millions of Dollars												2021- 2026	2021- 20231
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031		
<b>Increases or Decreases (-) in Direct Spending</b>													
Changes in Direct Spending													
Estimated Budget Authority	0	-6,592	1,490	387	-262	15,191	16,957	15,150	15,288	19,925	-9,221	10,214	68,315
Estimated Outlays	0	-9,911	-23,877	-17,013	-19,248	-5,603	-3,815	-5,650	-5,542	-1,189	-17,775	-75,650	-109,619
<b>Increases in Revenues</b>													
Changes in Revenues													
Estimated Revenues	0	8,495	1,071	2,842	4,157	4,657	4,966	5,331	5,658	6,071	6,430	21,221	49,681
<b>Increases in Discretionary Spending</b>													
Changes in Discretionary Spending													
Budget Authority	0	162,996	70,088	68,497	68,057	66,215	1,989	2,025	2,072	2,145	2,222	435,853	446,306
Estimated Outlays	0	14,044	33,918	49,058	61,144	69,961	62,556	50,082	34,651	23,322	16,712	228,125	415,448
<b>Net Increases or Decreases (-) in the Deficit</b>													
<b>Total Changes</b>	<b>0</b>	<b>-4,362</b>	<b>8,970</b>	<b>29,203</b>	<b>37,739</b>	<b>59,701</b>	<b>53,775</b>	<b>39,101</b>	<b>23,451</b>	<b>16,062</b>	<b>-7,493</b>	<b>131,254</b>	<b>256,148</b>
<i>On-Budget</i>	0	-4,362	8,970	29,203	37,739	59,706	53,800	39,156	23,535	16,182	-7,358	131,259	256,572
<i>Off-Budget</i>	0	0	0	0	0	-5	-25	-55	-84	-120	-135	-5	-424

Sources: Congressional Budget Office; staff of the Joint Committee on Taxation.

Components may not sum to totals because of rounding; enactment is assumed on October 1, 2021.

Senate Amendment 2137 to H.R. 3684 would provide contract authority (a form of mandatory budget authority) over the 2022-2026 period for the Department of Transportation to continue funding highway and transit system construction programs, motor carrier safety programs, and highway and motor vehicle safety programs funded from the Highway Trust Fund.

Historically, the contract authority provided in transportation legislation has been controlled by limitations on obligations contained in annual appropriation acts. CBO expects that the practice would continue under Senate Amendment 2137 to H.R. 3684; thus, CBO's estimate of mandatory outlays under the bill is significantly lower than the contract authority provided. For more information on the split budgetary classification of surface transportation programs funded from the Highway Trust Fund, see Congressional Budget Office, *The Highway Trust Fund and the Treatment of Surface Transportation Programs in the Federal Budget* (June 2014), [www.cbo.gov/publication/45416](https://www.cbo.gov/publication/45416).

**Table 2.**
**Senate Amendment 2137 to H.R. 3684, the Infrastructure Investment and Jobs Act, as Proposed on August 1, 2021**
**Estimated Changes in Direct Spending and Revenues**

	By Fiscal Year, Millions of Dollars											2021- 2026	2021- 2031
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031		
Increases or Decreases (-) in Direct Spending													
DIVISION A—SURFACE TRANSPORTATION													
TITLE I—Federal-Aid Highways <sup>a,b</sup>													
Contract Authority for Programs Funded by the Highway Trust Fund													
Estimated Budget Authority	0	11,107	12,399	13,730	14,948	16,291	16,291	16,291	16,291	16,291	16,291	68,475	149,931
Estimated Outlays	0	0	0	0	0	0	0	0	0	0	0	0	0
TITLE II—Transportation Infrastructure Finance and Innovation <sup>b,c</sup>													
Budget Authority	0	0	0	0	0	0	0	0	0	0	0	0	0
Estimated Outlays	0	0	8	14	7	3	1	1	1	0	0	31	33
DIVISION A Total													
Estimated Budget Authority	0	11,107	12,399	13,730	14,948	16,291	16,291	16,291	16,291	16,291	16,291	68,475	149,931
Estimated Outlays	0	0	8	14	7	3	1	1	1	0	0	31	33
DIVISION B—SURFACE TRANSPORTATION INVESTMENT ACT OF 2021													
TITLE I—Multimodal and Freight Transportation <sup>d,e</sup>													
Budget Authority	0	0	0	0	0	0	0	0	0	0	0	0	0
Estimated Outlays	0	1	3	3	3	3	2	1	1	1	1	15	22
TITLE II—Rail <sup>e</sup>													
Estimated Budget Authority	0	1	*	*	*	*	*	*	*	*	*	3	5
Estimated Outlays	0	*	1	*	*	*	*	*	*	*	*	2	4
TITLE III—Motor Carrier Safety <sup>a,e</sup>													
Contract Authority for Programs Funded by the Highway Trust Fund													
Estimated Budget Authority	0	180	198	216	233	251	251	251	251	251	251	1,078	2,332
Estimated Outlays	0	0	0	0	0	0	0	0	0	0	0	0	0
TITLE IV—Highway and Motor Vehicle Safety <sup>a,e</sup>													
Contract Authority for Programs Funded by the Highway Trust Fund													
Estimated Budget Authority	0	189	214	236	259	281	281	281	281	281	281	1,178	2,583
Estimated Outlays	0	0	0	0	0	0	0	0	0	0	0	0	0
TITLE VI—Hazardous Materials <sup>e</sup>													
Emergency Preparedness													
Estimated Budget Authority	0	-1	-1	-1	-1	-1	-1	-1	-1	-1	0	-6	-10
Estimated Outlays	0	-12	-7	-4	-1	*	*	*	*	*	*	-24	-24
DIVISION B Total													
Estimated Budget Authority	0	369	411	451	491	531	531	531	531	531	532	2,253	4,910
Estimated Outlays	0	-11	-3	-1	2	3	2	1	1	1	1	-7	2
DIVISION C—TRANSIT <sup>a</sup>													
Contract Authority for Programs Funded by the Highway Trust Fund													
Estimated Budget Authority	0	3,205	3,484	3,840	4,129	4,492	4,492	4,492	4,492	4,492	4,492	19,150	41,610
Estimated Outlays	0	0	0	0	0	0	0	0	0	0	0	0	0

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	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031			
Increases or Decreases (-) in Direct Spending														
DIVISION D—ENERGY <sup>f</sup>														
TITLE I—Grid Infrastructure and Resiliency														
Transmission Facilitation Program <sup>g</sup>														
Estimated Budget Authority	0	0	160	780	780	780	780	175	170	165	160	2,500	3,950	
Estimated Outlays	0	0	115	675	745	775	785	180	175	170	165	2,310	3,785	
Power Marketing Administration Transmission Borrowing Authority <sup>h</sup>														
Estimated Budget Authority	0	80	120	170	250	230	160	160	160	170	170	850	1,670	
Estimated Outlays	0	80	120	170	250	230	160	160	160	170	170	850	1,670	
Title I Total														
Estimated Budget Authority	0	80	280	950	1,030	1,010	940	335	330	335	330	3,350	5,620	
Estimated Outlays	0	80	235	845	995	1,005	945	340	335	340	335	3,160	5,455	
TITLE VII—Abandoned Mine Land Reclamation <sup>i</sup>														
Estimated Budget Authority	0	47	50	74	109	137	153	166	175	177	171	417	1,259	
Estimated Outlays	0	47	29	69	113	143	154	167	174	175	172	401	1,243	
TITLE XII—Miscellaneous														
Extension of Secure Rural Schools														
Estimated Budget Authority	0	195	195	195	0	0	0	0	0	0	0	585	585	
Estimated Outlays	0	195	195	195	0	0	0	0	0	0	0	585	585	
DIVISION D Total														
Estimated Budget Authority	0	322	525	1,219	1,139	1,147	1,093	501	505	512	501	4,352	7,464	
Estimated Outlays	0	322	459	1,109	1,108	1,148	1,099	507	509	515	507	4,146	7,283	
DIVISION G—OTHER AUTHORIZATIONS														
TITLE I—Indian Water Rights Settlement Completion Fund														
Budget Authority	0	2,500	0	0	0	0	0	0	0	0	0	2,500	2,500	
Estimated Outlays	0	288	350	350	228	119	120	104	102	338	103	1,335	2,102	
TITLE III—Reforestation														
Estimated Budget Authority	0	102	104	105	107	110	115	120	124	129	134	528	1,150	
Estimated Outlays	0	10	36	57	78	95	107	110	114	118	125	276	850	
TITLE X—Asset Concessions														
Budget Authority	0	20	20	20	20	20	0	0	0	0	0	100	100	
Estimated Outlays	0	2	6	16	18	19	17	13	3	1	0	61	95	
DIVISION G Total														
Estimated Budget Authority	0	2,622	124	125	127	130	115	120	124	129	134	3,128	3,750	
Estimated Outlays	0	300	392	423	324	233	244	227	219	457	228	1,672	3,047	

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	By Fiscal Year, Millions of Dollars											2021- 2026	2021- 2031
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031		
Increases or Decreases (-) in Direct Spending													
DIVISION H—REVENUE PROVISIONS <sup>j</sup>													
TITLE III—Customs User Fees													
Estimated Budget Authority	0	0	0	0	0	0	0	0	0	0	-6,177	0	-6,177
Estimated Outlays	0	0	0	0	0	0	0	0	0	0	-6,177	0	-6,177
TITLE VI—Other Provisions <sup>k</sup>													
Estimated Budget Authority	0	0	0	0	0	0	0	0	0	0	0	0	0
Estimated Outlays	0	0	0	0	0	0	-16	-41	-77	-112	-158	0	-404
DIVISION H Total													
Estimated Budget Authority	0	0	0	0	0	0	0	0	0	0	-6,177	0	-6,177
Estimated Outlays	0	0	0	0	0	0	-16	-41	-77	-112	-6,335	0	-6,581
DIVISION I—OTHER MATTERS <sup>l</sup>													
Extension of Direct Spending Reductions Through Fiscal Year 2031													
Estimated Budget Authority	0	0	0	0	0	0	0	0	0	1,200	-21,764	0	-20,564
Estimated Outlays	0	0	0	0	0	0	0	0	0	700	-9,431	0	-8,731
Strategic Petroleum Reserve													
Estimated Budget Authority	0	0	0	0	0	0	0	-1,470	-1,530	-1,580	-1,520	0	-6,100
Estimated Outlays	0	0	0	0	0	0	0	-1,470	-1,530	-1,580	-1,520	0	-6,100
Manufacturer Rebates for Unused Drugs in Medicare Part B													
Estimated Budget Authority	0	0	-180	-250	-280	-310	-350	-400	-410	-460	-520	-1,020	-3,160
Estimated Outlays	0	0	-180	-250	-280	-310	-350	-400	-410	-460	-520	-1,020	-3,160
Extension of Enterprise Guarantee Fees <sup>m</sup>													
Estimated Budget Authority	0	-2,900	-3,300	-3,200	-2,500	-2,100	-1,800	-1,500	-1,300	-1,200	-1,200	-14,000	-21,000
Estimated Outlays	0	-2,900	-3,300	-3,200	-2,500	-2,100	-1,800	-1,500	-1,300	-1,200	-1,200	-14,000	-21,000
Delaying Rule Affecting Treatment of Certain Rebates for Prescription Drugs													
Estimated Budget Authority	0	0	-11,973	-15,528	-18,316	-4,990	0	0	0	0	0	-50,807	-50,807
Estimated Outlays	0	0	-11,973	-15,528	-18,316	-4,990	0	0	0	0	0	-50,807	-50,807
Rescission of COVID-19 Appropriations <sup>n</sup>													
Estimated Budget Authority	0	-21,367	0	0	0	0	0	0	0	0	0	-21,367	-21,367
Estimated Outlays	0	-7,630	-9,300	400	405	410	420	440	460	480	485	-15,715	-13,430
Spectrum Auctions <sup>o</sup>													
Estimated Budget Authority	0	50	0	0	0	0	-3,415	-3,415	-3,415	10	10	50	-10,175
Estimated Outlays	0	8	20	20	2	0	-3,415	-3,415	-3,415	10	10	50	-10,175
DIVISION I Total													
Estimated Budget Authority	0	-24,217	-15,453	-18,978	-21,096	-7,400	-5,565	-6,785	-6,655	-2,030	-24,994	-87,144	-133,173
Estimated Outlays	0	-10,522	-24,733	-18,558	-20,689	-6,990	-5,145	-6,345	-6,195	-2,050	-12,176	-81,492	-113,403
Total Changes in Direct Spending													
Estimated Budget Authority	0	-6,592	1,490	387	-262	15,191	16,957	15,150	15,288	19,925	-9,221	10,214	68,315
Estimated Outlays	0	-9,911	-23,877	-17,013	-19,248	-5,603	-3,815	-5,650	-5,542	-1,189	-17,775	-75,650	-109,619

**Table 2.**

**Senate Amendment 2137 to H.R. 3684, the Infrastructure Investment and Jobs Act, as Proposed on August 1, 2021**

**Estimated Changes in Direct Spending and Revenues**

	By Fiscal Year, Millions of Dollars											2021-	2021-
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2026	2031
	Increases or Decreases (-) in Revenues												
<b>DIVISION D—ENERGY</b>													
<b>TITLE V—Energy Efficiency and Building Infrastructure</b>	0	0	*	*	-1	-3	-3	-3	-3	-3	-3	-5	-19
<b>TITLE VII—Abandoned Mine Land Reclamation<sup>p</sup></b>	0	114	107	97	87	85	84	84	84	83	82	490	907
<b>DIVISION D Total</b>	0	114	107	97	86	82	81	81	81	80	79	485	888
<b>DIVISION E—DRINKING WATER AND WASTEWATER INFRASTRUCTURE<sup>q</sup></b>													
<b>TITLE I—Drinking Water</b>	0	*	-2	-9	-23	-44	-70	-96	-114	-123	-125	-78	-606
<b>TITLE II—Clean Water</b>	0	*	-1	-6	-15	-29	-48	-68	-82	-88	-90	-51	-427
<b>DIVISION E Total</b>	0	*	-3	-15	-38	-73	-118	-164	-196	-211	-215	-130	-1,035
<b>DIVISION H—REVENUE PROVISIONS</b>													
<b>TITLE II—Chemical Superfund</b>	0	453	1,174	1,457	1,497	1,537	1,579	1,621	1,665	1,710	1,756	6,119	14,450
<b>TITLE IV—Bond Provisions</b>	0	-6	-25	-53	-81	-109	-135	-161	-186	-209	-233	-275	-1,198
<b>TITLE VI—Other Provisions</b>	0	7,934	-179	1,368	2,724	3,279	3,652	4,082	4,449	4,873	5,222	15,126	37,406
<i>On-budget</i>	0	7,934	-179	1,368	2,724	3,274	3,627	4,027	4,365	4,753	5,087	15,121	36,982
<i>Off-budget</i>	0	0	0	0	0	5	25	55	84	120	135	5	424
<b>DIVISION H Total</b>	0	8,381	970	2,772	4,140	4,707	5,096	5,542	5,928	6,374	6,745	20,970	50,658
<b>DIVISION J—APPROPRIATIONS</b>													
<b>TITLE III—Energy and Water Development and Related Agencies<sup>r</sup></b>	0	*	-3	-12	-31	-59	-93	-128	-155	-172	-179	-104	-830
<b>Total Changes in Revenues</b>	<b>0</b>	<b>8,495</b>	<b>1,071</b>	<b>2,842</b>	<b>4,157</b>	<b>4,657</b>	<b>4,966</b>	<b>5,331</b>	<b>5,658</b>	<b>6,071</b>	<b>6,430</b>	<b>21,221</b>	<b>49,681</b>
<i>On-Budget</i>	0	8,495	1,071	2,842	4,157	4,652	4,941	5,276	5,574	5,951	6,295	21,216	49,257
<i>Off-Budget</i>	0	0	0	0	0	5	25	55	84	120	135	5	424

Sources: Congressional Budget Office; staff of the Joint Committee on Taxation.

Components may not sum to totals because of rounding; enactment is assumed on October 1, 2021; \* = between -\$500,000 and \$500,000.



**Table 2.**  
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**Estimated Changes in Direct Spending and Revenues**  
**Notes**

- a. The legislation would provide \$382.9 billion in contract authority (a form of mandatory budget authority) for a variety of transportation programs over the 2022-2026 period. Under the rules governing baseline projections that are specified in the Balanced Budget and Emergency Deficit Control Act of 1985, this estimate incorporates an assumption that the contract authority of about \$79.9 billion that would be provided in 2026 (the final year of the authorization) would also be provided in each subsequent year. CBO therefore estimates that an additional \$399.6 billion in contract authority would be available over the 2027-2031 period, for a total of \$782.5 billion over the 10-year period. Over the 2022-2031 period, that total would be \$196.5 billion more than the amount in CBO's July 2021 baseline.

Spending from contract authority is controlled by obligation limitations specified in annual appropriation acts; therefore, the outlays for most surface transportation programs are considered discretionary and will be accounted for in a future appropriation bill that sets those limits. CBO estimates that outlays from obligation limitations equal to all of the available contract authority would total \$362.7 billion over the 2021-2031 period: \$287.0 billion for Federal Highway Administration programs, \$66.5 billion for Federal Transit Administration programs, \$4.3 billion for Federal Motor Carrier Safety Administration programs, and \$4.9 billion for National Highway Traffic Safety Administration programs. Some of those outlays would result from contract authority and obligation limitations already projected in CBO's baseline.

- b. For additional information, see Congressional Budget Office, cost estimate for S. 1931, the Surface Transportation Reauthorization Act (July 15, 2021), [www.cbo.gov/publication/57357](https://www.cbo.gov/publication/57357).
- c. Section 12001 would allow the Department of Transportation to use unspent balances from the Transportation Infrastructure Finance and Innovation Act program to subsidize loans for airport construction projects authorized under the bill.





- d. Title I of division B would authorize the Department of Transportation to use unobligated balances to help state, local, and tribal governments to develop projects that would be eligible for other department programs and to refund premiums paid by borrowers under the Railroad Rehabilitation and Improvement Financing program.
- e. For additional information, see Congressional Budget Office, cost estimate for S. 2016, the Surface Transportation Investment Act (June 16, 2021), [www.cbo.gov/publication/57359](https://www.cbo.gov/publication/57359).
- f. Section 40304 would authorize various forms of financial assistance for carbon capture infrastructure projects and would authorize appropriations for such purposes. It includes provisions authorizing contractual obligations and loan commitments in excess of the amounts provided in appropriation acts, subject to certain conditions. CBO estimates that the use of that indefinite obligational authority would increase outlays by \$500 million, an increase of about 20 percent relative to the amounts authorized to be appropriated. Implementation of those initiatives is contingent on funds provided in appropriation legislation. Because division J would appropriate funds to carry out section 40304, those additional costs are attributed to division J.
- g. CBO estimates that implementing section 40106 would increase net direct spending by \$3.8 billion over 2021-2031 period. That cost reflects both the cash flows from the use of borrowing authority and expected spending for governmental projects. CBO expects that those costs would be largely offset in subsequent decades by income collected from the sale of transmission services.
- h. Section 40110 would increase the amount that the Bonneville Power Administration can borrow from the Treasury for its electric power system. Under current law, that agency is permitted to have up to \$7.7 billion in Treasury debt outstanding at any time; the legislation would increase that limit to \$17.7 billion. CBO estimates that increasing the Bonneville Power Authority's borrowing authority would result in higher capital spending or lower collections than would otherwise occur under current law, resulting in a net increase in outlays of \$1.7 billion over the 2021-2031 period.
- i. This proposal also would affect revenues.



- j. The estimated budget effects for tax provisions were provided by the staff of the Joint Committee on Taxation. See Joint Committee on Taxation, *Estimated Revenue Effects of the Provisions in Division H of an Amendment in the Nature of a Substitute to H.R. 3684, Offered by Ms. Sinema, Mr. Portman, Mr. Manchin, Mr. Cassidy, Mrs. Shaheen, Ms. Collins, Mr. Tester, Ms. Murkowski, Mr. Warner and Mr. Romney, the "Infrastructure Investment and Jobs Act,"* JCX-33-21 (August 3, 2021), [www.jct.gov/publications/2021/jcx-33-21](http://www.jct.gov/publications/2021/jcx-33-21).
- k. Because the Pension Benefit Guaranty Corporation has permanent authority to spend from its revolving funds, enacting this provision would not provide budget authority.
- l. Section 90003 states that expanded unemployment compensation as extended by the American Rescue Plan Act of 2021 is now expected to cost \$53 billion less than originally estimated. Those lower outlays are incorporated into CBO's July 2021 baseline and thus are not shown here as a reduction in spending attributable to this bill.
- m. Under section 90005, Fannie Mae and Freddie Mac would be required to increase—by an average of 10 basis points—the guarantee fee they assess on loans included in mortgage-backed securities over the 2022-2032 period. The guarantee fee was established in 2011 and is scheduled to expire in 2021. CBO considers Fannie Mae and Freddie Mac to be governmental entities.
- n. Title IX of division I would rescind certain unobligated balances related to the government's response to the coronavirus pandemic. It also would expand the purposes for which certain funding provided under section 5002(b) of the American Rescue Plan Act of 2021 could be spent. Taken as a whole, CBO estimates, the resulting net reductions in budget authority and outlays over the 2022-2031 period would total \$35,220 million and \$13,783 million, respectively. Consistent with section 901 of title IX of division J of Senate Amendment 2137 to H.R. 3684 and in consultation with the Senate Committee on the Budget, CBO treats a portion of those estimated reductions in spending as changes in discretionary spending (see Table 3).



More specifically, over the 2022-2031 period, CBO estimates, enacting title IX of division I would reduce mandatory budget authority and outlays by \$21,367 million and \$13,430 million, respectively. Of those amounts, CBO estimates that \$4,366 million in budget authority would be rescinded from amounts that were designated by the Congress as an emergency requirement in keeping with section 4(g) of the Statutory-Pay-As-You-Go Act of 2010 and with section 4112(a) of H. Con. Res. 71 (115th Congress), the Concurrent Resolution on the Budget for Fiscal Year 2018. CBO estimates that rescinding those emergency-designated balances would not affect outlays.

Title IX of division I also would reduce discretionary budget authority and outlays by \$13,853 million and \$353 million, respectively (see Table 3). Those amounts were designated by the Congress as an emergency requirement in keeping with section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

- o. Section 90008 would extend the Federal Communications Commission's authority to auction electromagnetic spectrum licenses from September 30, 2022, to a period ending seven years after the date of enactment to make the spectrum available on a shared basis between federal and nonfederal users in the 3.1-3.45 megahertz band, subject to certain conditions.
- p. This title also would affect direct spending.
- q. Some of the funds authorized to be appropriated under titles I and II for grants to state revolving funds would be used by state and local governments to leverage additional funds. CBO expects that those governments would issue tax-exempt bonds that the staff of the Joint Committee on Taxation estimates would reduce federal revenues by about \$1 billion over the 2021-2031 period. For additional information, see Congressional Budget Office, *CBO's Estimate of Effects on Revenues of Senate Amendment 1460 for S. 914, the Drinking Water and Wastewater Infrastructure Act of 2021* (April 27, 2021), [www.cbo.gov/publication/57178](https://www.cbo.gov/publication/57178).
- r. Section 614 of title VI of division J would authorize appropriations for the Environmental Protection Agency to make grants to state revolving funds that would be used by state and local governments to



leverage additional funds to carry out capital projects. Assuming the appropriation of such amounts, CBO expects that those governments would issue tax-exempt bonds, which the staff of the Joint Committee on Taxation estimates would reduce federal revenues by about \$830 million over the 2021-2031 period. Because division J is considered appropriation legislation, that change in revenues is not shown in Table 3, consistent with scorekeeping guideline 3. However, to fully show the deficit effect of the legislation, CBO has shown those revenue changes in this table.

**Table 3.**
**Senate Amendment 2137 to H.R. 3684, the Infrastructure Investment and Jobs Act, as Proposed on August 1, 2021**
**Estimated Discretionary Spending Under Division J, Appropriations**

	By Fiscal Year, Millions of Dollars											2021- 2026	2021- 2031	
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031			
Increases or Decreases (-) in Discretionary Spending Designated as an Emergency Requirement														
DIVISION J—APPROPRIATIONS														
TITLE I—Agriculture, Rural Development, Food and Drug Administration, and Related Agencies														
Rural Utilities Service														
Budget Authority	0	2,000	0	0	0	0	0	0	0	0	0	2,000	2,000	
Estimated Outlays	0	80	180	300	360	360	300	200	120	40	20	1,280	1,960	
Natural Resources Conservation Service														
Budget Authority	0	918	0	0	0	0	0	0	0	0	0	918	918	
Estimated Outlays	0	51	119	159	159	138	119	65	25	0	0	626	835	
National Institute of Food and Agriculture														
Budget Authority	0	5	5	0	0	0	0	0	0	0	0	10	10	
Estimated Outlays	0	2	3	2	2	1	0	0	0	0	0	10	10	
Title I Total														
Budget Authority	0	2,923	5	0	0	0	0	0	0	0	0	2,928	2,928	
Estimated Outlays	0	133	302	461	521	499	419	265	145	40	20	1,916	2,805	
TITLE II—Commerce, Justice, Science, and Related Agencies														
National Oceanic and Atmospheric Administration														
Budget Authority	0	771	550	550	550	541	0	0	0	0	0	2,962	2,962	
Estimated Outlays	0	269	564	558	592	545	226	112	29	14	9	2,528	2,918	
National Telecommunications and Information Administration														
Budget Authority	0	45,986	549	549	549	549	0	0	0	0	0	48,182	48,182	
Estimated Outlays	0	247	2,700	7,380	9,690	11,780	9,300	4,960	1,345	210	0	31,797	47,612	
Department of Commerce, Office of Inspector General														
Budget Authority	0	14	1	1	1	1	0	0	0	0	0	18	18	
Estimated Outlays	0	6	5	3	2	2	0	0	0	0	0	18	18	
Title II Total														
Budget Authority	0	46,771	1,100	1,100	1,100	1,091	0	0	0	0	0	51,162	51,162	
Estimated Outlays	0	522	3,269	7,941	10,284	12,327	9,526	5,072	1,374	224	9	34,343	50,548	
TITLE III—Energy and Water Development and Related Agencies														
Army Corps of Engineers														
Budget Authority	0	14,969	1,080	1,050	0	0	0	0	0	0	0	17,099	17,099	
Estimated Outlays	0	401	954	1,435	1,573	1,560	1,139	846	680	576	576	5,923	9,740	
Bureau of Reclamation														
Budget Authority	0	1,660	1,660	1,660	1,660	1,660	0	0	0	0	0	8,300	8,300	
Estimated Outlays	0	83	249	349	448	531	598	747	664	664	664	1,660	4,997	
Central Utah Project														
Budget Authority	0	50	0	0	0	0	0	0	0	0	0	50	50	
Estimated Outlays	0	10	16	16	8	0	0	0	0	0	0	50	50	

**Table 3.**
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	By Fiscal Year, Millions of Dollars											2021-	2021-
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2026	2031
Increases or Decreases (-) in Discretionary Spending Designated as an Emergency Requirement													
Department of Energy, Energy Programs <sup>a</sup>													
Estimated Budget Authority	0	18,166	13,588	10,769	10,821	9,063	0	0	0	0	0	62,407	62,407
Estimated Outlays	0	419	3,426	7,493	10,220	10,176	9,897	8,251	5,555	2,946	1,535	31,734	59,918
Western Area Power Administration													
Estimated Budget Authority	0	500	0	0	-20	-40	-60	-80	-90	-75	-58	440	77
Estimated Outlays	0	0	100	100	80	60	-10	-55	-75	-70	-53	340	77
Department of Energy, Office of Inspector General													
Budget Authority	0	18	12	10	11	9	0	0	0	0	0	60	60
Estimated Outlays	0	4	17	16	11	10	2	0	0	0	0	58	60
Appalachian Regional Commission													
Budget Authority	0	200	200	200	200	200	0	0	0	0	0	1,000	1,000
Estimated Outlays	0	22	62	104	146	172	164	130	90	50	25	506	965
Other Regional Authorities and Commissions													
Budget Authority	0	381	0	0	0	0	0	0	0	0	0	381	381
Estimated Outlays	0	25	47	84	82	79	34	14	7	5	2	317	379
Title III Total													
Estimated Budget Authority	0	35,944	16,540	13,689	12,672	10,892	-60	-80	-90	-75	-58	89,737	89,374
Estimated Outlays	0	964	4,871	9,597	12,568	12,588	11,824	9,933	6,921	4,171	2,749	40,588	76,186
TITLE IV—Financial Services and General Government													
Federal Communications Commission													
Budget Authority	0	14,200	0	0	0	0	0	0	0	0	0	14,200	14,200
Estimated Outlays	0	5,680	7,100	1,420	0	0	0	0	0	0	0	14,200	14,200
Federal Buildings Fund													
Budget Authority	0	3,418	0	0	0	0	0	0	0	0	0	3,418	3,418
Estimated Outlays	0	171	513	684	684	684	513	169	0	0	0	2,736	3,418
Rescission, Small Business Administration													
Budget Authority	0	-13,500	0	0	0	0	0	0	0	0	0	-13,500	-13,500
Estimated Outlays	0	0	0	0	0	0	0	0	0	0	0	0	0
Other													
Budget Authority	0	22	1	1	1	0	0	0	0	0	0	25	25
Estimated Outlays	0	17	6	1	1	0	0	0	0	0	0	25	25
Title IV Total													
Estimated Budget Authority	0	4,140	1	1	1	0	0	0	0	0	0	4,143	4,143
Estimated Outlays	0	5,868	7,619	2,105	685	684	513	169	0	0	0	16,961	17,643

**Table 3.**
**Senate Amendment 2137 to H.R. 3684, the Infrastructure Investment and Jobs Act, as Proposed on August 1, 2021**
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	By Fiscal Year, Millions of Dollars											2021- 2026	2021- 2031
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031		
Increases or Decreases (-) in Discretionary Spending Designated as an Emergency Requirement													
TITLE V—Department of Homeland Security													
U.S. Customs and Border Protection													
Budget Authority	0	429	0	0	0	0	0	0	0	0	0	429	429
Estimated Outlays	0	268	53	53	20	20	15	0	0	0	0	414	429
Coast Guard													
Budget Authority	0	433	0	0	0	0	0	0	0	0	0	433	433
Estimated Outlays	0	19	67	94	107	77	43	17	4	0	0	364	428
Federal Emergency Management Agency													
Budget Authority	0	1,994	1,396	1,296	1,096	997	0	0	0	0	0	6,779	6,779
Estimated Outlays	0	197	481	907	1,230	1,310	1,046	772	476	222	75	4,125	6,716
Cybersecurity and Infrastructure Security Agency													
Budget Authority	0	55	20	20	20	20	0	0	0	0	0	135	135
Estimated Outlays	0	24	31	23	21	20	11	3	0	0	0	119	133
Research and Development, Science, and Technology													
Budget Authority	0	158	0	0	0	0	0	0	0	0	0	158	158
Estimated Outlays	0	16	32	47	47	16	0	0	0	0	0	158	158
Department of Homeland Security, Office of Inspector General													
Budget Authority	0	8	4	4	4	3	0	0	0	0	0	23	23
Estimated Outlays	0	7	5	4	4	3	0	0	0	0	0	23	23
Title V Total													
Budget Authority	0	3,077	1,420	1,320	1,120	1,020	0	0	0	0	0	7,957	7,957
Estimated Outlays	0	531	669	1,128	1,429	1,446	1,115	792	480	222	75	5,203	7,887
TITLE VI—Department of the Interior, Environment, and Related Agencies													
Department of the Interior													
Office of Surface Mining Reclamation and Enforcement													
Budget Authority	0	11,237	0	0	0	0	0	0	0	0	0	11,237	11,237
Estimated Outlays	0	23	226	373	531	678	757	757	757	757	757	1,831	5,616
U.S. Geological Survey													
Budget Authority	0	239	69	69	69	64	0	0	0	0	0	510	510
Estimated Outlays	0	70	134	113	99	73	17	3	1	0	0	489	510
U.S. Fish and Wildlife Service													
Budget Authority	0	91	91	91	91	91	0	0	0	0	0	455	455
Estimated Outlays	0	14	41	68	82	91	77	50	23	9	0	296	455
Bureau of Indian Affairs													
Budget Authority	0	93	93	93	93	93	0	0	0	0	0	465	465
Estimated Outlays	0	35	60	80	90	97	56	30	16	1	0	362	465
Departmental Offices, Salaries and Expenses													
Budget Authority	0	335	141	141	141	141	0	0	0	0	0	899	899
Estimated Outlays	0	32	97	133	168	170	128	92	57	21	0	600	898

**Table 3.**
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	By Fiscal Year, Millions of Dollars											2021- 2026	2021- 2031	
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031			
Increases or Decreases (-) in Discretionary Spending Designated as an Emergency Requirement														
Wildland Fire Management														
Budget Authority	0	406	262	262	262	262	0	0	0	0	0	1,454	1,454	
Estimated Outlays	0	161	267	291	262	262	158	53	0	0	0	1,243	1,454	
Energy Community Revitalization Program														
Budget Authority	0	4,654	0	0	0	0	0	0	0	0	0	4,654	4,654	
Estimated Outlays	0	234	1,076	1,146	1,122	935	94	47	0	0	0	4,513	4,654	
Department of the Interior, Office of Inspector General														
Budget Authority	0	82	2	2	2	2	0	0	0	0	0	90	90	
Estimated Outlays	0	72	11	3	2	2	0	0	0	0	0	90	90	
Environmental Protection Agency <sup>b</sup>														
Estimated Budget Authority	0	14,055	11,809	13,173	13,950	14,003	2,049	2,105	2,162	2,220	2,280	66,990	77,806	
Estimated Outlays	0	1,043	5,109	9,137	11,886	12,936	12,883	9,917	5,934	3,631	2,622	40,111	75,098	
Forest Service														
Budget Authority	0	1,666	945	945	945	945	0	0	0	0	0	5,446	5,446	
Estimated Outlays	0	525	830	978	919	940	642	367	174	57	14	4,192	5,446	
Indian Health Service														
Budget Authority	0	700	700	700	700	700	0	0	0	0	0	3,500	3,500	
Estimated Outlays	0	140	420	560	665	700	560	280	140	35	0	2,485	3,500	
Title VI Total														
Estimated Budget Authority	0	33,558	14,112	15,476	16,253	16,301	2,049	2,105	2,162	2,220	2,280	95,700	106,516	
Estimated Outlays	0	2,349	8,271	12,882	15,826	16,884	15,372	11,596	7,102	4,511	3,393	56,212	98,186	
TITLE VII—Labor, Health and Human Services, Education, and Related Agencies														
Administration for Children and Families														
Budget Authority	0	100	100	100	100	100	0	0	0	0	0	500	500	
Estimated Outlays	0	67	97	99	100	100	33	3	1	0	0	463	500	
Rescission, Office of Elementary and Secondary Education														
Budget Authority	0	-353	0	0	0	0	0	0	0	0	0	-353	-353	
Estimated Outlays	0	-42	-97	-97	-71	-46	0	0	0	0	0	-353	-353	
Title VII Total														
Budget Authority	0	-253	100	100	100	100	0	0	0	0	0	147	147	
Estimated Outlays	0	25	0	2	29	54	33	3	1	0	0	110	147	



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	By Fiscal Year, Millions of Dollars											2021- 2026	2021- 2031
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031		
Increases or Decreases (-) in Discretionary Spending Designated as an Emergency Requirement													
TITLE VIII—Transportation, Housing and Urban Development, and Related Agencies													
Office of the Secretary													
Budget Authority	0	4,800	4,800	4,800	4,800	4,800	0	0	0	0	0	24,000	24,000
Estimated Outlays	0	122	702	1,737	2,460	3,732	4,219	3,770	2,976	1,791	1,016	8,753	22,525
Federal Aviation Administration													
Budget Authority	0	4,000	4,000	4,000	4,000	4,000	0	0	0	0	0	20,000	20,000
Estimated Outlays	0	130	800	2,030	2,960	3,440	3,530	3,080	1,920	990	470	9,360	19,350
Federal Highway Administration													
Budget Authority	0	9,454	9,454	9,454	9,455	9,455	0	0	0	0	0	47,272	47,272
Estimated Outlays	0	492	1,390	3,460	6,079	7,970	8,254	7,668	5,682	3,082	1,210	19,391	45,287
Federal Motor Carrier Safety Administration													
Budget Authority	0	135	134	135	134	135	0	0	0	0	0	673	673
Estimated Outlays	0	23	94	108	116	122	103	34	19	11	5	463	635
National Highway Traffic Safety Administration													
Budget Authority	0	322	322	322	322	321	0	0	0	0	0	1,609	1,609
Estimated Outlays	0	51	202	274	299	316	241	127	59	19	3	1,142	1,591
Federal Railway Administration													
Budget Authority	0	13,200	13,200	13,200	13,200	13,200	0	0	0	0	0	66,000	66,000
Estimated Outlays	0	2,640	4,952	5,847	5,642	6,522	3,502	3,920	4,755	5,765	6,373	25,603	49,918
Federal Transit Administration													
Budget Authority	0	4,250	4,250	4,250	4,250	4,250	0	0	0	0	0	21,250	21,250
Estimated Outlays	0	191	755	1,389	2,004	2,918	3,306	3,026	2,649	2,087	1,197	7,257	19,522
Pipeline and Hazardous Materials Safety Administration													
Budget Authority	0	200	200	200	200	200	0	0	0	0	0	1,000	1,000
Estimated Outlays	0	0	4	30	70	130	180	190	176	130	70	234	980
Maritime Administration													
Budget Authority	0	475	450	450	450	450	0	0	0	0	0	2,275	2,275
Estimated Outlays	0	3	18	67	172	329	419	437	392	279	122	589	2,238
Total, Title VIII													
Budget Authority	0	36,836	36,810	36,811	36,811	36,811	0	0	0	0	0	184,079	184,079
Estimated Outlays	0	3,652	8,917	14,942	19,802	25,479	23,754	22,252	18,628	14,154	10,466	72,792	162,046
DIVISION J TOTAL													
Estimated Budget Authority	0	162,996	70,088	68,497	68,057	66,215	1,989	2,025	2,072	2,145	2,222	435,853	446,306
Estimated Outlays	0	14,044	33,918	49,058	61,144	69,961	62,556	50,082	34,651	23,322	16,712	228,125	415,448

Sources: Congressional Budget Office; staff of the Joint Committee on Taxation.

Estimates are relative to CBO's July 2021 baseline; enactment is assumed on October 1, 2021.



**Table 3.**  
**Senate Amendment 2137 to H.R. 3684, the Infrastructure Investment and Jobs Act, as Proposed on August 1, 2021**  
**Estimated Discretionary Spending Under Division J, Appropriations**  
**Notes**

The Infrastructure Investment and Jobs Act is authorizing legislation; consistent with section 901 of title IX of division J of the legislation and in consultation with the Senate Committee on the Budget, CBO treats division J as appropriation legislation. Also, in keeping with section 901 of title IX of division J, CBO's estimate of discretionary spending accounts for funds rescinded under section 90007 of division I that were previously designated by the Congress as an emergency requirement in keeping with section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Almost all discretionary spending resulting from division J is designated as emergency spending pursuant to section 4112(a) of H. Con. Res 71 (115th Congress), the Concurrent Resolution on the Budget for Fiscal Year 2018, and to section 251(b) of the Deficit Control Act. One provision—section 613 of title VI of division J—would increase nonemergency discretionary spending. That provision would make excise taxes credited to the Hazardous Substances Superfund available for spending, without further appropriation, in the year after such taxes are credited to that fund. CBO estimates that the provision would have no effect in 2022 but would increase budget authority and outlays, respectively, by \$16,925 million and \$14,393 million over the 2023-2031 period.

- a. Section 40304 would authorize various forms of financial assistance for carbon capture infrastructure projects and would authorize appropriations for such purposes. It includes provisions authorizing contractual obligations and loan commitments in excess of the amounts provided in appropriation acts, subject to certain conditions. CBO estimates that the use of that indefinite obligational authority would increase outlays by \$500 million, an increase of about 20 percent relative to the amounts authorized to be appropriated. Implementation of those initiatives is contingent on funds provided in appropriation legislation. Because division J would appropriate funds to carry out section 40304, those additional costs are attributed to division J.



- b. Section 614 of title VI of division J would authorize appropriations for the Environmental Protection Agency to make grants to state revolving funds that would be used by state and local governments to leverage additional funds to carry out capital projects. Assuming the appropriation of such amounts, CBO expects that those governments would issue tax-exempt bonds, which the staff of the Joint Committee on Taxation estimates would reduce federal revenues by about \$830 million over the 2021-2031 period. Because division J is considered appropriation legislation, that change in revenues is not shown in this table, consistent with scorekeeping guideline 3. However, to fully show the deficit effect of the legislation, CBO has shown those revenue changes in Table 2.