

Discretionary Appropriations Enacted by Congress for the Federal Judiciary (FY2023)

January 20, 2023

This Insight provides information related to FY2023 appropriations for the [federal judiciary](#). Funds for the judicial branch are included annually in the Financial Services and General Government (FSGG) appropriations bill. The bill provides funding for the [U.S. Supreme Court](#) and [other federal courts](#); judicial administration; the [U.S. Sentencing Commission](#); [federal defender organizations](#); [judicial security](#); and juror [fees and allowances](#).

Submission of FY2023 Budget Request and Final Enactment of FY2023 Regular Appropriations for the Judiciary

The [judiciary's FY2023 budget request](#) was [submitted to Congress on March 28, 2022](#). By law, the President includes, without change, the appropriations request submitted by the judiciary in the annual budget submission to Congress.

The judiciary's FY2023 budget request included \$8.64 billion in discretionary funds, representing an 8.2% increase over the FY2022 enacted level of \$7.99 billion in discretionary funds provided in the FY2022 Consolidated Appropriations Act (P.L. 117-103).

The FY2023 budget request also included \$767.2 million in mandatory appropriations used to meet the constitutional and statutory obligations associated with paying the salaries and benefits of certain types of judges and also to provide funds for judicial retirement accounts. Mandatory appropriations are not included in the figures reported below.

The final FY2023 amount enacted by Congress for the federal judiciary was \$8.46 billion in discretionary funds and was included as part of Division E in the FY2023 Consolidated Appropriations Act (P.L. 117-328).

Percentage of Judiciary's FY2023 Request Enacted by Congress

Table 1 reports the amounts included in the federal judiciary's FY2023 appropriations request and the corresponding FY2023 amounts enacted by Congress. **Table 1** does not include \$19.4 million appropriated in FY2022 by the Supreme Court Security Funding Act (P.L. 117-167) and which remains

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available for use through the end of FY2023. The table and subsequent calculations also do not include \$112.5 million in supplemental funds for court security provided by the Continuing Appropriations and Ukraine Supplemental Appropriations Act, 2023 (P.L. 117-180).

The [House-passed total](#) appropriated for the judiciary was \$8.45 billion while \$8.48 billion was included in the [Senate majority-introduced](#) bill (these figures are not included in **Table 1**). Ultimately Congress enacted \$8.46 billion, or 97.9%, of the judiciary's FY2023 discretionary budget request of \$8.64 billion. The amount enacted by Congress represents a 5.9% increase over the discretionary appropriations amount enacted for FY2022 (which was \$7.99 billion).

Table 1. Judiciary Appropriations FY2023: Amounts Requested and Enacted
(in millions of dollars)

Account	FY2023 Request	FY2023 Enacted
Supreme Court (total)	\$140.70	\$138.80
<i>Salaries and Expenses</i>	<i>\$107.20</i>	<i>\$109.55</i>
<i>Buildings and Grounds</i>	<i>\$33.50</i>	<i>\$29.25</i>
Court of Appeals for the Federal Circuit	\$36.40	\$36.74
Court of International Trade	\$21.40	\$21.26
Courts of Appeals, District Courts, and Other Judicial Services (total)	\$8,276.80	\$8,106.12
<i>Salaries and Expenses</i>	<i>\$5,973.30</i>	<i>\$5,905.06</i>
<i>Defender Services</i>	<i>\$1,461.70</i>	<i>\$1,382.68</i>
<i>Court Security</i>	<i>\$785.60</i>	<i>\$750.16</i>
<i>Fees of Jurors and Commissioners</i>	<i>\$45.70</i>	<i>\$58.24</i>
<i>Vaccine Injury Compensation Trust Fund</i>	<i>\$10.50</i>	<i>\$9.98</i>
Administrative Office of the U.S. Courts	\$111.30	\$102.67
Federal Judicial Center	\$33.50	\$34.26
Sentencing Commission	\$21.90	\$21.64
TOTAL	\$8,642.00	\$8,461.49

Sources: [FY2023 Congressional Budget Summary](#); H.R. 2617, FY2023 Consolidated Appropriations Act (P.L. 117-328).

Note: See text of Insight for description of supplemental appropriations not included in **Table 1**.

The enacted FY2023 amount for 9 of the 12 individual accounts is, in each case, at least 95% of the judiciary's FY2023 request for that particular account. For example, for the *Court Security* account, Congress provided \$750.16 million—representing 95.5% of the judiciary's FY2023 request of \$785.60 million.

The three accounts for which Congress appropriated less than 95% of the judiciary's FY2023 request were the *Supreme Court—Building and Grounds* (87.3% of the judiciary's request was enacted), *Administrative Office of U.S. Courts* (92.2%), and *Defender Services* (94.6%).

Altogether, for eight accounts, Congress appropriated less than the amount requested by the judiciary in its FY2023 budget submission. Those accounts include the three accounts identified in the paragraph above and the *Vaccine Injury Compensation Trust Fund* (95.0%), *Court Security* (95.5%), *Sentencing Commission* (98.8%), *Salaries and Expenses—Courts of Appeals, District Courts, and Other Judicial Services* (98.9%), and *Court of International Trade* (99.3%) accounts.

For four accounts, Congress appropriated more than the amount requested by the judiciary in its FY2022 budget submission: *Fees of Jurors and Commissioners* (+27.4% more than requested); *Federal Judicial Center* (+2.3%); *Salaries and Expenses—Supreme Court* (+2.2%); and *Court of Appeals for the Federal Circuit* (+0.9%).

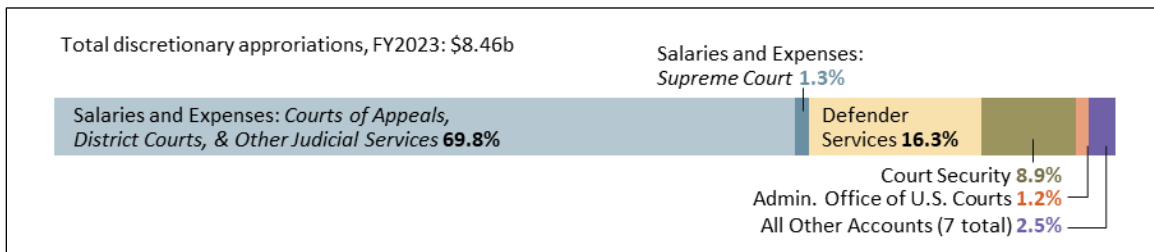
Largest Discretionary Accounts for FY2023

Figure 1 shows, for the total discretionary amount *enacted* by Congress for FY2023, the percentage breakdown of the total by the enacted amounts for the 12 judiciary accounts listed in **Table 1** (excluding the two total amounts reported in the table for the Supreme Court and the Courts of Appeals, District Courts, and Other Judicial Services).

Of the appropriated funds enacted by Congress for the judiciary's FY2023 budget, the greatest percentage was for the *Salaries and Expenses—Courts of Appeals, District Courts, and Other Judicial Services* account—representing 69.8% of the total enacted amount of \$8.46 billion. The second-greatest percentage was for the *Defender Services* account, representing 16.3% of the enacted amount. The third-greatest percentage was for the *Court Security* account, representing 8.9% of the enacted amount. Altogether, these three accounts represent 95.0% of the judiciary's FY2023 budget enacted by Congress.

The amounts appropriated for the *Salaries and Expenses—Supreme Court* and *Administrative Office of the U.S. Courts* accounts represent 1.3% and 1.2%, respectively, of the amount enacted by Congress for FY2023. The remaining 2.5% of the FY2023 enacted amount was for the other seven accounts listed in **Table 1** (*Building and Grounds—Supreme Court, Court of Appeals for the Federal Circuit, Court of International Trade, Fees of Jurors and Commissioners, Vaccine Injury Compensation Trust Fund, Federal Judicial Center, and Sentencing Commission*).

Figure 1. Percentage of Enacted Discretionary Appropriations by Account
(FY2023)



Source: Congressional Research Service.

Note: Supplemental appropriations not included in **Figure 1**.

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