



# BUDGET WEEK

Committee on the Budget • Majority Caucus  
U.S. House of Representatives  
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Summarizing budgetary issues in legislation  
scheduled for the House floor

4 October 2004

Week of 4 October 2004

## SUSPENSION CALENDAR

- 1) ***Petrified Forest National Park Expansion Act of 2003*** (H.R. 1630).   
This bill authorizes the Secretary of the Interior to revise the boundary of the Petrified Forest National Park in Arizona to include an additional 127,400 acres. Implementing the bill will cost approximately \$20 million over the 2005-09 period, subject to appropriations. The bill does not affect direct spending – spending not subject to appropriations – or revenue.
- 2) ***Taunton, Massachusetts Special Resources Study Act*** (H.R. 2129).   
This bill directs the Department of the Interior to conduct a special resource study to determine the feasibility and suitability of designating certain historic buildings and areas of Taunton, MA, as a unit of the National Park System. The bill requires the department to report its findings and recommendations within 3 years of receiving funding for the study. The bill neither increases direct spending nor reduces revenue.
- 3) ***Lincoln County Conservation, Recreation, and Development Act of 2004*** (H.R. 4593).   
This bill makes several changes to programs to manage Federal land in Nevada, including:
  - 1) authorizing the Secretary of the Interior to sell about 100,000 acres of land in Lincoln County and spend the proceeds, without further appropriation, for resource management and administrative expenses; and
  - 2) designating roughly 720,000 acres of land as wilderness and releasing about 245,000 acres of other land from wilderness study status. Selling the land in Lincoln County will increase offsetting receipts (a credit against direct spending) by a total of \$9 million over the 2005-14 period, but the Interior Department is expected to spend those proceeds in the year of collection, resulting in no net change in direct spending. Also, by increasing the amount of land designated as wilderness, H.R. 4593 will increase Federal spending for land management by \$1 million annually, subject to appropriations. The bill does not affect revenue.
- 4) ***A Bill to Facilitate the Resolution of a Minor Boundary Encroachment on Lands of the Union Pacific Railroad Company in Tipton, California, Which Were Originally Conveyed by the United States as Part of the Right-of-way Granted for the Construction of Transcontinental Railroads*** (H.R. 4817).   
This bill does not affect direct spending or revenue.
- 5) ***Recognizing That November 2, 2003, Shall Be Dedicated to "A Tribute to Survivors" at the United States Holocaust Memorial Museum*** (S.Con.Res. 76).   
This resolution has no budget implications.

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**PLEASE NOTE:** This document addresses budgetary issues only. It should not be taken to address support or opposition on any other grounds. A green flag indicates no serious budgetary or budget compliance concerns. A yellow flag indicates moderate or potential problems. A red flag indicates serious problems. **Also note:** Floor schedules and legislative details are subject to change after publication.

This document was prepared by the majority staff of the Committee on the Budget, U.S. House of Representatives. It has not been approved by the full committee and therefore may not reflect the views of all the committee's members.

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6) **Edward H. McDaniel American Legion Post No. 22 Land Conveyance Act** (S. 1521). 

The bill directs the Secretary of the Interior to convey, for no consideration, 4.5 acres of land in Nye County, NV, to the Edward H. McDaniel American Legion Post. The Bureau of Land Management's administrative costs will be negligible and subject to appropriations. The bill does not affect direct spending or revenue.

7) **Tapoco Project Licensing Act of 2004** (S. 2319). 

The bill authorizes the Secretary of the Interior to exchange 100 acres of land within the Great Smoky Mountains National Park in Tennessee for 186 acres of other land, owned by Alcoa Power Generating Inc. [APGI], within the authorized boundary of that park. APGI will use the land it receives for the Tapoco Hydroelectric Project. The bill authorizes \$6 million over 2005-09 for this purpose, subject to appropriations. The bill does not affect direct spending or revenue.

8) **To Amend the Reclamation Wastewater and Groundwater Study and Facilities Act to Authorize the Secretary of the Interior to Participate in the Brownsville Public Utility Board Water Recycling and Desalinization Project** (H.R. 2960). 

This bill authorizes the Secretary of the Interior to participate in the design, planning, and construction of facilities to reclaim, reuse, and treat water in cooperation with the Brownsville Public Utility Board in Texas. The Federal share of the cost of the project is not to exceed 25 percent, or a maximum of \$20 million, subject to appropriations. The bill does not increase direct spending or reduce revenue.

9) **Provo River Project Transfer Act** (H.R. 3391).

This bill conveys the Provo Reservoir Canal and the Pleasant Grove Property to the Provo River Water Users Association. It also conveys the Salt Lake Aqueduct to the Metropolitan Water District of Salt Lake and Sandy, UT. It confirms that all existing contracts are not impaired in any way. It requires payment of the net value of the land – accounting for inflation on return on investment – minus a deduction for reimbursements described in the Contributed Funds Act Agreement. Though no official estimate is available, the bill is not expected to have any net effect on direct spending, or to reduce revenue.

10) **To Authorize the Secretary of the Interior to Construct Facilities to Provide Water for Irrigation, Municipal, Domestic, Military, and Other Uses from the Santa Margarita River, California, and for Other Purposes** (H.R. 4389).

At the time of publication of this *Budget Week*, no cost estimate for H.R. 4389 was available. The House Resources Committee estimates that construction of the facilities would cost \$60 million, subject to appropriations. The legislation is not expected to increase direct spending or reduce revenue.

11) **To Direct the Secretary of the Interior to Convey Certain Land Held in Trust for the Paiute Indian Tribe of Utah to the City of Richfield, Utah** (H.R. 3982). 

This bill directs the Secretary of the Interior to convey 3 acres of land held in trust for the Paiute Indian Tribe of Utah to Richfield, UT, for use by a local municipal airport. Because the bill would require the city to pay all costs related to the conveyance, there would be no Federal administrative costs for the transfer. The bill neither increases direct spending nor reduces revenue.

12) **Alaska Native Allotment Subdivision Act** (S. 1421). 

The bill allows Alaska Natives, subject to approval by the Secretary of the Interior, to legally subdivide certain parcels of land that have been allotted to them by the Federal Government. Under current law, Federal restrictions against alienation and taxation prohibit individuals from subdividing those lands in accordance with State and local law. The bill has no significant impact on Federal spending and does not affect revenue.

13) **Noxious Weed Control Act of 2004** (S. 144). 

The bill requires the Secretary of the Interior to establish a program to provide assistance through States to eligible weed management entities to control

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or eradicate harmful, nonnative weeds on public and private land. It authorizes \$10 million in 2005 and \$139 million over 2005-09, subject to appropriations. S. 144 does not affect direct spending or revenue.

14) ***A Bill to Transfer Federal Lands Between the Secretary of Agriculture and the Secretary of the Interior*** (S. 1814). 

The bill transfers, from the Secretary of the Interior to the Secretary of Agriculture, administrative jurisdiction over the Mingo Job Corps Civilian Conservation Center, located in Missouri. The bill does not affect direct spending or revenue.

15) ***Congratulating the American Dental Association for Sponsoring the Second Annual "Give Kids a Smile" Program Which Emphasizes the Need to Improve Access to Dental Care for Children, and Thanking Dentists for Volunteering Their Time to Help Provide Needed Dental Care*** (H.Res. 567). 

This resolution has no budget implications.

16) ***Southern Ute and Colorado Intergovernmental Agreement Implementation Act of 2003*** (S. 551). 

This bill authorizes the Environmental Protection Agency [EPA] to treat the Southern Ute Tribe as a State for carrying out Clean Air Act programs on the Tribe's reservation, pursuant to an intergovernmental agreement entered into by the Tribe and the State of Colorado. The Tribe will be able to administer Federal air quality programs within the exterior boundaries of its reservation according to standards set by a joint Tribal-State commission. The bill neither increases direct spending nor reduces revenue.

17) ***North Korean Human Rights Act of 2004*** (H.R. 4011). 

This bill expresses the Sense of Congress on human rights in North Korea, the role of the United Nations and conditions for increased humanitarian assistance inside North Korea. It authorizes the President to provide grants to promote human rights, democracy, rule of law and the development of a market economy and authorizes \$124 million each year over the 2005-08 period, subject to appropriations. The bill does not increase direct spending or reduce revenue.

18) ***Urging the Government of Ukraine to Ensure a Democratic, Transparent, and Fair Election Process for the Presidential Election on October 31, 2004*** (H.Con.Res. 415). 

This resolution has no budget implications.

19) ***Belarus Democracy Act of 2003*** (H.R. 854). 

The bill authorizes the President to support Belarusian groups that are committed to the support of democratic processes. It creates economic sanctions (subject to repeal under certain conditions) on Belarus and prohibits senior Belarusian leaders and their immediate relations from entering the United States. This bill would cost \$23 million over the 2005-09 period, subject to appropriations.

20) ***Expressing the Sense of Congress Regarding Oppression by the Government of the People's Republic of China of Falun Gong in the United States and in China*** (H.Con.Res. 304). 

This resolution has no budget implications.

21) ***Commending the People and Government of Greece for the Successful Completion of the 2004 Summer Olympic Games*** (H.Res. 774). 

This resolution has no budget implications.

22) ***Expressing the Sense of Congress with Regard to Providing Humanitarian Assistance to Countries of the Caribbean Devastated by Hurricanes Charley, Frances, Ivan, and Jeanne*** (H.Con.Res. 496). 

This resolution has no budget implications.

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23) **To Amend H.J.Res 107, as enacted** (H.R. 5202). 

H.J.Res. 107 provided temporary (through

20 November ) appropriations to allow the government to continue spending at the current rate of operations while fiscal year 2005 appropriations bills are in conference. This formulation allows one-time fiscal year 2004 supplemental spending to be continued, which causes the bill to exceed the spending limits for discretionary appropriations set by the budget resolution (S.Con.Res. 95). The Office of Management and Budget [OMB] has established a list of supplemental spending that should be continued for the period of the continuing resolution; this bill (H.R. 5202) provides that only this supplemental spending can be continued, and that other supplemental appropriations are not available under the continuing resolution. Enactment of this legislation will bring the cost of fiscal year 2005 discretionary appropriations within the limits set by the budget resolution.

**LEGISLATION CONSIDERED UNDER A RULE**

**Bill:** ***Bankruptcy Judgeship Act of 2003*** (S. 878). 

**Committee:** Judiciary

**Summary:** This bill authorizes 47 additional district court judges and 11 additional circuit court judges. Because the salaries and benefits of such judges are considered mandatory, adding more judges would increase direct spending.

**Cost:** According to the Congressional Budget Office [CBO], the bill, as reported, will increase direct spending by \$3 million in 2005, by \$40 million over the 2006-09 period, and by \$90 million over the 2006-2014 period for the salaries and benefits of the judges who would be authorized by the act.

**Budget Act:** The bill, as reported, would cause the Committee on the Judiciary to exceed its 302(a) allocations for the 5-year period of fiscal years 2005-09, and would be subject to a point of order under section 302(f) of the Budget Act. This section prohibits the consideration of legislation that exceeds a committee's allocation in either the first year or over 5 years. Although the budget resolution accommodated additional judges, this measure exceeds what was provided for.

The Committee on the Judiciary has agreed to a Manager's Amendment that will bring the bill into compliance with its 302(a) allocation. The amended bill is expected to cost approximately \$3 million in fiscal year 2005 and \$22 million over the 5-year period. Because Budget Act points of order are applied against the consideration of a bill as reported, the bill will still be in violation of 302(f) even with the Manager's Amendment, but the cost of the bill after adoption of that amendment will bring the bill under the Committee's allocation, and it is expected that it will pass the House in compliance with the budget resolution.

**[Note: additional legislation will be addressed in a forthcoming *Budget Week Update*.]**

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**Prepared by** ..... **The Committee on the Budget**