

BUDGET WEEK

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HOUSE COMMITTEE ON THE BUDGET
Majority Caucus • Jim Nussle, *Chairman*

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Summarizing budgetary issues in legislation
scheduled for the House floor

30 September 2002

Week of 30 September 2002

SUSPENSION CALENDAR

- 1) ***Mosquito Abatement for Safety and Health Act*** (H.R. 4793). 
This bill authorizes the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, to make grants on a matching funds basis to political subdivisions of States for establishing and operating mosquito control programs to prevent mosquito-borne diseases – including the costs of purchasing or updating equipment and laboratory facilities. Priority is given to areas where the incidence of mosquito-borne disease is relatively substantial. The Congressional Budget Office [CBO] estimates that implementing this bill would require the appropriation of \$130 million in fiscal year 2003 and \$681 million for fiscal years 2003-2007. Enactment of this bill will not increase direct spending – spending not subject to appropriation – or reduce revenues. This bill does not violate the Congressional Budget Act.
- 2) ***Health Care Safety Net Improvement Act*** (H.R. 3450). 
This bill amends the Public Health Service Act [PHSA] to increase the authorization of appropriations for health centers for fiscal years 1997-2002 and authorize such appropriations as may be necessary for such centers for fiscal years 2003-2006. It broadens the scope of “required primary health services” and “additional health services.” It provides grants for management networks, expanded delivery of health care services in rural areas, and telehealth programs, and it expands the availability of dental health services. At the time of publication, a cost estimate was not available. It is not expected that enactment of this bill to have any impact on direct spending or revenue. The bill is not expected to violate the Congressional Budget Act.
- 3) ***Recognizing the Devastating Impact of Fragile X*** (H.Res. 398). 
This resolution has no budgetary implications.
- 4) ***Expressing the Sense of Congress With Respect to the Disease Endometriosis*** (H.Con.Res. 291). 
This resolution has no budgetary implications.
- 5) ***Rare Diseases Act of 2002*** (H.R. 4013). 
This bill amends the Public Health Service Act [PHSA] to establish an Office of Rare Diseases at the National Institutes of Health and provide for rare disease regional centers of excellence. It

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PLEASE NOTE: This document addresses budgetary issues only. It should not be taken to express 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. **Note:** Floor schedules and legislative details are subject to change after publication.

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

sets forth the duties of that Office and regional centers, including research and educational duties and established a definition for rare diseases. The bill authorizes appropriations for fiscal years 2003-2006. At the time of publication, a cost estimate was not available. It is not expected that enactment of this bill to have any impact on direct spending or revenue. The bill is not expected to violate the Congressional Budget Act.

6) **Rare Diseases Orphan Product Development Act of 2002.** (H.R. 4014). 

This bill amends the Orphan Drug Act to authorize appropriations for fiscal years 2002-2006 for grants and contracts for the development of drugs for rare diseases and conditions. The bill would authorize the appropriation of \$25 million a year for fiscal years 2003 through 2006. This bill does not affect direct spending or revenue, and does not violate the Congressional Budget Act.

7) **Canceling Loans to Allow School Systems to Attract Classroom Teachers Act** (H.R. 5091). 

This bill establishes two new forgiveness programs for Federal student loans. The first is a new discretionary program allowing the Secretary of Education to pay up to \$17,500 of Federal student loan debt for qualified teachers. The other is a mandatory program requiring the Secretary of Education to discharge or cancel the outstanding Federal student loan debt of the spouses and some parents of police officers, firefighters, rescue and safety personnel, and members of the Armed Forces who died or became permanently and totally disabled as a result of the terrorist attacks of 11 September 2001. CBO has not been able to ascertain the student loan debt of eligible survivors who would be covered by this provision; but the number of people affected is likely to be small, and CBO estimates that canceling such debts would result in negligible Federal costs. Nevertheless, because the Committee on Education and the Workforce has no authority to increase direct spending, this bill violates section 302(f) of the Congressional Budget Act.

8) **Recognizing the contributions of Hispanic-Serving Institutions** (H.Res. 561). 

This resolution has no budgetary implications.

9) **Honoring Cael Sanderson for his Perfect Collegiate Wrestling Record** (H.Res. 399). 

This resolution has no budgetary implications.

10) **Expressing the Sense of the Congress Regarding Personal Safety for Children, and for Other Purposes** (H.Con.Res. 484). 

This resolution has no budgetary implications.

11) **Recognizing the Importance of Teaching United States History in Elementary and Secondary Schools, and for Other Purposes** (H.Con.Res. 451). 

This resolution has no budgetary implications.

12) **Unlawful Internet Gambling Funding Prohibition Act** (as amended) (H.R. 556). 

This bill prohibits gambling businesses from accepting credit cards, checks, or other bank instruments from gamblers who illegally bet over the Internet. The bill also authorizes the agencies that regulate insured depository institutions to issue cease-and-desist orders against institutions that knowingly facilitate Internet gambling. The bill's provisions, as they apply to financial institutions, would be enforced by the Office of the Comptroller of the Currency [OCC], the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation [FDIC], the Office of Thrift Supervision [OTS], and the National Credit Union Administration [NCUA]. The NCUA, the OTS, and the OCC charge fees to cover all their administrative costs; therefore, any additional spending by these agencies to implement the bill would have no net budgetary effect. That is not the case, however, with the FDIC, which uses deposit insurance premiums paid by all banks to cover the expenses it incurs to supervise State-chartered banks. The bill would cause a small increase in FDIC spending, but would not affect its premium income. As a result,

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CBO estimates the bill will increase direct spending by less than \$500,000 a year over the 2003-2007 period. Because the budget resolution (H.Con.Res. 353, as deemed by the House) allocates no additional budget authority to the Committee on Financial Services to increase direct spending, this bill violates section 302(f) of the Congressional Budget Act.

Budgetary effects on the Federal Reserve are recorded as changes in revenue (governmental receipts). Based on information from the Federal Reserve, CBO estimates that enacting this would reduce such revenue by less than \$500,000 a year over the 2003-2007 period. The reduction in revenue would not cause revenue to be lower than provided for in the budget resolution currently in force.

13) ***Honoring Johnny Unitas and Extending Condolences to His Family on His Passing*** (H.Res. 538) 

This resolution has no budgetary implications.

14) ***Robert Wayne Jenkins Station Designation Act*** (H.R. 4851) 

This bill has no budgetary implications.

15) ***Congratulating the Players, Management, Staff, and Fans of the Oakland Athletics Organization for Setting the Major League Baseball Record for the Longest Winning Streak by an American League Baseball Team*** (H.Res. 530) 

This resolution has no budgetary implications.

16) ***Protection of Family Farmers Act of 2002*** (H.R. 5472) 

This bill would extend chapter 12 of title 11 of the U.S. Code for 6 months, from 1 January 2003 through 1 July 2003. Chapter 12 – which was created by the Bankruptcy Judges, United States Trustees, and Family Farmer Bankruptcy Act of 1986 (Public Law 99-554) – specifies bankruptcy procedures available only to family farmers with regular annual income and is intended to facilitate an efficient and expeditious bankruptcy process.

At the time of publication, a cost estimate was not available. CBO estimates that enacting H.R. 5472 would result in a negligible loss of receipts in 2003. Based on information from the Executive Office of the United States Trustees, CBO expects that, without the temporary extension of chapter 12, family farmers filing for bankruptcy would split their filings about evenly between chapter 11 and chapter 13. Chapter 12 has a \$200 filing fee and does not require the bankrupt party to pay quarterly fees to the government. Chapter 11, in contrast, requires an \$800 filing fee as well as quarterly filing fees. (On average, \$1,000 is collected per case.) Chapter 13 requires only a \$155 filing fee.

Because this bill lies within the jurisdiction of the Judiciary Committee – whose 302(a) allocation is zero – enactment of this bill will cause the Committee to exceed its allocation by generating a reduction in fees (offsetting collections or revenue). Exceeding the committee allocation will result in a violation of section 302(f) of the Congressional Budget Act.

17) ***To Suspend for a Period of 6 Months the Determination of the Librarian of Congress of July 8, 2002, Relating to Rates and Terms for the Digital Performance of Sound Recordings and Ephemeral Recordings*** (H.R. 5469) 

Section 112 and section 114 of title 17 of the United States Code shall not apply to rates and terms for digital performance of sound recordings and ephemeral recordings during the 6-month period beginning on 20 October 2002. At the time of publication, a cost estimate was not available. According to CBO, enactment of this bill will have no impact on the Federal budget.

18) ***Federal Courts Improvement Act of 2002***. (H.R. 4125) 

This bill amends, sets forth, or modifies various provisions regarding judicial process including provisions concerning bankruptcy administrator authority, conditions of

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probation and supervised release, automatic excuse from jury service, wiretap order reporting requirements, public drawing requirements for the selection of juror wheels and supplemental fee for petit jurors serving on lengthy trials. It also sets forth and modifies various provisions regarding judicial personnel administration, benefits, and protections.

At the time of publication, a cost estimate was not available. According to CBO, enactment of this bill would require approximately \$14 million to 19 million a year in appropriations (discretionary spending) and would increase direct spending by about \$300,000 in 2003 and \$400,000 a year thereafter.

Because this bill lies within the jurisdiction of the Judiciary Committee – whose 302(a) allocation does not allow for additional spending without being offset – enactment of this bill will cause the Committee to exceed its allocation by increasing direct spending (spending not subject to appropriation). Exceeding the committee allocation will result in a violation of section 302(f) of the Congressional Budget Act.

19) ***Remote Sensing Applications Act of 2002*** (H.R. 2426). 

This bill directs the Administrator of the National Aeronautics and Space Administration to establish a program of grants for pilot projects to explore the integrated use of sources of remote sensing and other geospatial information to address State, local, regional, and tribal agency needs. A sum of \$15 million a year is authorized to be appropriated to carry out this grant program. The bill does not increase direct spending or reduce revenue.

20) ***Charles "Pete" Conrad Astronomy Awards Act*** (H.R. 5303). 

This bill authorizes the Administrator of the National Aeronautics and Space Administration to establish an awards program in honor of Charles "Pete" Conrad, astronaut and space scientist, for recognizing the discoveries made by amateur astronomers of asteroids with near-Earth orbit trajectories. A sum of \$10,000 each for 2003 and 2004 is authorized to carry out this awards program. The bill does not increase direct spending or decrease revenue.

21) ***Expressing Support for the Goals and Ideas of a Day of Tribute to All Firefighters Who Have Died in the Line of Duty and Recognizing the Important Mission of the National Fallen Firefighters Foundation in Assisting Family Members to Overcome the Loss of Their Fallen Heroes*** (H.Con.Res. 476). 

This resolution has no budgetary implications.

22) ***Miscellaneous Trade and Technical Corrections Act of 2002*** (H.R. 5385). 

This bill makes various changes to trade laws and specifically tariff schedules. For example, it strikes a number of expired provisions from statute and suspends the duty on select products that have no domestic production. It also includes an extension of Normal Trade Relations with the Federal Republic of Yugoslavia. Most of the changes are highly technical, but there may be some revenue loss associated with the overall measure. Any revenue losses related to the changes in trade laws are not expected to cause revenue to be less than that provided for in the budget resolution.

23) ***Houses of Worship Political Speech Protection Act*** (H.R. 2357). 

This legislation amends the Internal Revenue Code to permit a church to participate or intervene in a political campaign and maintain its tax-exempt status as long as such participation is not a substantial part of its activities. Although CBO had not completed an estimate of the legislation, any revenue losses related to the changes in tax laws are expected to be insignificant, and are not expected to cause revenue to be less than that provided for in the budget resolution.

24) ***Cedar Creek Battlefield and Belle Grove Plantation National Historical Park Act*** (H.R. 4944). 

This bill establishes the Cedar Creek Battlefield and Belle Grove Plantation National

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Historical Park as a unit of the National Park System. The bill authorizes such sums as are necessary to carry out its provisions. A cost estimate was not available at the time of publication; but the Budget Committee believes that this bill will not increase direct spending or reduce revenue.

25) *Civil War Battlefield Preservation Act of 2002* (H.R. 5125). 

This bill amends the American Battlefield Protection Act of 1996 to direct the Secretary of the Interior, acting through the American Battlefield Protection Program, to establish a battlefield acquisition grant program under which the Secretary may provide grants to State or local governments to share the costs of acquiring interests in eligible sites for the preservation and protection of those sites. The bill authorizes the appropriation of \$10 million a year for fiscal years 2004-2008 to carry out this grant program. The bill does not increase direct spending or decrease revenue.

26) *To Direct the Secretary of the Interior to Disclaim Any Federal Interest in Lands Adjacent to Spirit Lake and Twin Lakes in the State of Idaho Resulting from Possible Omission of Lands from an 1880 Survey* (H.R. 4874). 

This bill authorizes the appropriation of \$400,000 for the Secretary of the Interior to survey certain lands in Idaho. Assuming appropriation of that amount, CBO estimates that the Bureau of Land Management would complete that work during fiscal year 2003. Once the surveys have been finalized, the bill directs the Secretary to issue a disclaimer of interest to some of the surveyed lands which have long been claimed by private landowners based on an erroneous federal survey prepared in 1880. By issuing such a disclaimer, the Secretary would allow those landowners to establish clear title to their lands. This bill does not increase direct spending or reduce revenue.

27) *Red Rock Canyon National Conservation Area Protection and Enhancement Act of 2002* (H.R. 4141). 

This bill directs the Secretary of the Interior to accept an offer by the Howard Hughes Corporation to convey to the United States certain high-ground lands at the eastern edge of the Red Rock Canyon National Conservation Area and to convey in return specified Federal lands to the Corporation and as well to Clark County, Nevada.

28) *Federal-Utah State Trust Lands Consolidation Act* (H.R. 4968). 

This bill establishes that the State of Utah, the Department of the Interior, and the Department of Agriculture have agreed to exchange certain Federal lands in the State of Utah for certain Utah State lands. The bill also directs the Federal Government to share in any payments pursuant to the Agreement with the State of Utah as bonus bids, rental, and royalties are shared under the Mineral Leasing Act. CBO estimates that the bill could reduce direct spending if oil-shale deposits are developed because the Federal Government would receive a portion of the income from developing the resource. The Federal Government currently has no authority to develop the resource. This bill does not increase direct spending or reduce revenue.

29) *Central Utah Project Completion Act Amendments Act* (H.R. 4129). 

This bill makes several amendments to the Central Utah Project Completion Act. These amendments include provisions that would make certain Federal planning and development costs nonreimbursable, and remove a deadline for the prepayment of water project construction costs under existing authority. CBO estimates that enacting this bill will result in a loss of offsetting receipts (a credit against direct spending) of nearly \$3 million in fiscal years 2004-2007, and a loss of about \$43 million over the 50-year period beginning in fiscal year 2004. This bill would reduce by \$3 million the Resources Committee's \$700-million allocation, which was intended to accommodate borrowing authority for the Bonneville Power Administration. Enacting this bill would mean that \$3 million is no longer available for this purpose. This bill does not violate the Congressional Budget Act.

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30) **Education Land Grant Conveyance Review Cost Act** (H.R. 3802). 

The Education Land Grant Act authorizes the Secretary of Agriculture to convey Federal lands to school districts at nominal cost. The act specifies that applicants must pay for any surveys required to complete such conveyances. This bill amends that act to require the Secretary of Agriculture to pay for such surveys. CBO estimates that less than \$500,000 would be spent in fiscal year 2003 if sufficient funds are appropriated. The bill does not increase direct spending or reduce revenue.

31) **Calling for the Full Appropriation of the State and Tribal Shares of the Abandoned Mine Reclamation Fund** (H.Con.Res. 425). 

This resolution has no budgetary effect.

32) **Coal Accountability and Retired Employee Act for the 21st Century** (H.R. 3813). 

The manager's amendment to this bill requires the Office of Surface Mining to transfer, to the United Mine Workers of America Combined Benefit Fund [CBF] any remaining interest credited to the Abandoned Mine Reclamation Fund when CBF expenditures exceed revenues in 2002 or 2003. CBO estimates that the CBF will record a deficit of net assets in 2002 and in each year thereafter. CBO estimates that an additional \$71 million in 2003 would be transferred to the CBF, assuming that the reclamation fees paid by coal companies to the AMR Fund expire in 2004 as scheduled and that no discretionary appropriations are made from the fund after fiscal year 2002. By themselves, the transfers, from one Federal budget account to another, would not affect the budget totals. But they provide additional resources to the CBF, which would otherwise run out of money to pay health benefits to retired mine workers and their dependents. Although a CBO estimate was not available for the manager's amendment, the Budget Committee believes that those transfers would result in additional benefit payments of about \$70 million over the 2003-2007 period. There is sufficient allocation to cover the cost of the bill, but it will come out of amounts assumed for the Bonneville Power Authority's borrowing authority. This bill does not violate the Congressional Budget Act.

33) **Southern Campaign of the Revolution Heritage Area Study Act** (H.R. 4830). 

This bill directs the Secretary of the Interior to study the suitability and feasibility of designating specified South Carolina counties, and, possibly, North Carolina sites, as the Southern Campaign of the Revolution Heritage Area. The bill does not increase direct spending or decrease revenue.

34) **Andersonville National Historic Site Boundary Adjustment Act** (H.R. 4692). 

This bill authorizes the addition of 20 acres to the Andersonville National Historic Site in Georgia. The bill does not increase direct spending or reduce revenues.

35) **Cherokee, Choctaw, and Chickasaw Nations Claims Settlement Act** (H.R. 3534). 

This bill ratifies a settlement of the Cherokee, Choctaw, and Chickasaw Nations' claims to certain lands along the Arkansas River. Under the bill, the tribes would extinguish their claims upon payment by the Federal Government of \$49 million to compensate them for the mismanagement of tribal resources along the Arkansas River. The bill does not increase direct spending or reduce revenue.

36) **House Resolution of Expedited Special Elections** (pursuant to unanimous consent) (H.Res. 559). 

This resolution expresses the sense of the House of Representatives that each State should examine its existing statutes, practices, and procedures governing special elections so that, in the event of a catastrophe, vacancies in the House of Representatives may be filled in a timely fashion. This resolution has no budgetary effect.

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LEGISLATION CONSIDERED UNDER A RULE

Bill: *Expressing the Sense of the House That Congress Should Complete Action on H.R. 4019, Making Marriage Tax Relief Permanent* (H.Res. 543). 

Committee: Ways and Means

Summary: The resolution expresses the sense of the House of Representatives that Congress should complete action on H.R. 4019 (permanent marriage penalty tax relief) and present it to the President before adjournment of the 107th Congress.

Cost: The resolution does not cause direct spending to increase or revenue to be reduced.

Budget Act: This resolution does not violate the Congressional Budget Act.

Bill: *Making Continuing Appropriations for the Fiscal Year 2003.*

Committee: Appropriations

Summary: The text of this measure was unavailable at the time of the preparation of this *Budget Week*. The bill is necessary because none of the regular appropriations bills for fiscal year 2003 – which begins on 1 October – has been enacted. This measure provides appropriations for Government agencies for an interim period identified in the bill.

Cost: Under congressional procedures, the amount appropriated is “annualized,” which makes the assumption that, though an expiration date is included, the bill extends for the entire year. Assuming the continuing resolution merely extends the previous CR for another week, it is expected to be \$744.3 billion in new budget authority. Nevertheless, were the Defense and Military Construction Appropriation bills to be enacted, the resulting expected level would exceed the amount in the budget resolution by \$8.2 billion.

Budget Act: If the level of the continuing resolution is set at fiscal year 2002 amounts, the annualized figure would currently not exceed the amount provided for in the fiscal year 2003 budget. This assumes that spending for Defense and Military Construction remains at the 2002 levels rather than the higher amount provided in those two appropriations bills currently in conference. As noted above, were these bills to be enacted with the continuing resolution at this level, the budget resolution level of discretionary spending would be exceeded.

Bill: *Pledge of Allegiance Reaffirmation Act* (S.2690) 

Committee: Judiciary

Summary: This bill affirms the reference to one Nation under God in the Pledge of Allegiance.

Cost: Enactment of this bill has no budgetary implications.

Budget Act: This bill does not violate the Congressional Budget Act.