

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

24 June 2002

Week of 24 June 2002

SUSPENSION CALENDAR

- 1) To Revoke a Public Land Order With Respect to Certain Lands Erroneously Included in the Cibola National Wildlife Refuge, California** (H.R. 3937). 
This bill revokes Public Land Order 3442, dated August 21, 1964, insofar as it applies to specified lands in Imperial Valley, CA (lands erroneously included in Cibola National Wildlife Refuge). This bill does not increase direct spending – spending not subject to appropriations – or decrease revenue.
- 2) Glen Canyon National Recreation Area Boundary Revision Act of 2002** (H.R. 3786). 
This bill authorizes the Secretary of the Interior to acquire approximately 152 acres of private land (appraised at \$836,000) in exchange for approximately 370 acres of Federal land (appraised at \$278,000) within the boundary of Glen Canyon National Recreation Area in the States of Utah and Arizona. Under current law, the National Park Service is required to make a cash equalization payment to the land owner for the difference in the appraised value, about \$560,000. This payment would be subject to appropriations. The bill also increases the ceiling on the amount of total acreage allowed in the recreation area. This bill does not increase direct spending or decrease revenue.
- 3) New River Gorge Boundary Act of 2002** (H.R. 3858). 
This bill amends the National Parks and Recreation Act of 1978 to modify the boundaries of the New River Gorge National River in West Virginia. It directs the Secretary of the Interior to complete a land exchange in the vicinity of Beauty Mountain in Fayette County to acquire specified land that lies adjacent to the river's boundary in exchange for specified land within such boundary. This bill does not increase direct spending or decrease revenue.
- 4) To Provide for an Independent Investigation of Forest Service Firefighter Deaths That Are Caused by Wildfire Entrapment or Burnover** (H.R. 3971). 
This bill requires the Inspector General of the Department of Agriculture to investigate (independent of any Forest Service investigation) and report to Congress and the Secretary of Agriculture on each fatality of a Forest Service officer or employee that occurs due to wildfire entrapment or burnover. This bill does not increase direct spending or decrease revenue.
- 5) To Improve Access to Physicians in Medically Underserved Areas** (H.R. 4858). 
This bill amends the Immigration and Nationality Act to extend until 2004 authority for 2-year foreign residency waivers a State may request with respect to J visa medical graduate aliens. In addition,

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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.

it increases the number of such waivers. A cost estimate was unavailable, but the Budget Committee believes enactment of the bill could generate a small amount of additional Immigration and Naturalization Service fees, which are treated as revenue, in fiscal year 2003. This bill does not violate the Congressional Budget Act.

6) ***Lifetime Consequences for Sex Offenders Act of 2002*** (H.R. 4679). 

This bill amends the Federal criminal code to make the authorized term of supervised release for specified sex offense any term of years or life. At the time of publication, a cost estimate was unavailable; but the Congressional Budget Office [CBO] believes that enactment of this bill could result in an increase in the collection of criminal fines. The Budget Committee considers criminal fines to be too speculative to estimate, and does not take them into account for purposes of enforcement. The bill would not violate the Congressional Budget Act.

7) ***Child Obscenity and Pornography Prevention Act of 2002*** (H.R. 4623). 

This bill amends the Federal criminal code to prevent trafficking in child pornography and obscenity; to proscribe pandering and solicitation relating to visual depictions of minors engaging in sexually explicit conduct; and to prevent the use of child pornography and obscenity to facilitate crimes against children. At the time of publication, a cost estimate was unavailable; but CBO believes enactment of this bill could result in an increase in the collection of criminal fines. The Budget Committee considers criminal fines to be too speculative to estimate, and does not take them into account for purposes of enforcement. The bill would not violate the Congressional Budget Act.

8) ***Sex Tourism Prohibition Improvement Act of 2002*** (H.R. 4477). 

This bill amends Federal criminal code provisions prohibiting traveling in interstate or foreign commerce for the purpose of engaging in an illicit sexual act with a juvenile to prohibit: traveling into the United States for such purposes; traveling in foreign commerce and engaging in such sexual conduct; or arranging, inducing, procuring, or facilitating such travel. At the time of publication, a cost estimate was unavailable; but CBO believes enactment of this bill could result in an increase in the collection of criminal fines. The Budget Committee considers criminal fines to be too speculative to estimate, and does not take them into account for purposes of enforcement. The bill would not violate the Congressional Budget Act.

9) ***Social Security Program Protection Act of 2002*** (H.R. 4070). 

This bill adds mechanisms to existing law to help collect misused benefits, enhance oversight, and increase penalties for fraud. The bill is designed to protect Social Security beneficiaries against the misappropriation of their payments by representative guardians appointed to manage the beneficiaries' finances when they are unable to do so for themselves. It is expected to raise \$90 million in revenue over the 5-year period. These savings will accrue to the Social Security Trust funds, which are categorized as off budget. In addition, there will be on-budget savings of \$75 million over the 5-year period. The bill does not violate the Congressional Budget Act.

10) ***Congratulating the Navy League of the United States on the Occasion of the Centennial of the Organization's Founding*** (H.Con.Res. 416). 

This resolution has no budgetary implications.

11) ***Designating an Official Flag of the Medal of Honor and Providing for Presentation of That Flag to Each Recipient of that Medal of Honor*** (H.J.Res. 95). 

This resolution has no budgetary implications.

12) ***Commending the Patriotic Contributions of Roofing Professionals Involved in the Rebuilding of the Pentagon.*** 

This resolution has no budgetary implications.

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13) ***The Frank Sinatra Post Office Building Designation Act*** (H.R. 3034). 
This bill has no budgetary implications.

LEGISLATION CONSIDERED UNDER A RULE

Bill: ***Medicare Modernization and Prescription Drug Act of 2002*** (H.R. 4954). 

Committee: Ways and Means/Energy and Commerce

Summary: During the week of 17 June, the Committees on Ways and Means and Energy and Commerce reported similar versions of H.R. 4954, the Medicare Modernization and Prescription Drug Act of 2002. H.R. 4954 modernizes the Medicare Program, establishes a prescription drug benefit, and makes adjustments to Medicare provider payment levels. Most of the cost of the legislation is due to the prescription drug benefit, although the bill also contains substantial payment increases for Medicare providers, including rural health care providers. The modernization provisions in the bill include a Medicare+Choice competition program, regulatory reform, and endorsement of the President's prescription drug discount card.

Cost: Though the final CBO estimate has yet to be released, the Budget Committee estimates that the measure will comply with the parameters in the House-passed budget resolution (H.Con.Res. 353), which allowed for \$5 billion in fiscal year 2003 and \$350 billion over 10 years "for Medicare modernization, a prescription drug benefit, and adjustments to Medicare on a fee-for-service, capitated, or other basis."

Budget Act: In the budget resolution for fiscal year 2003 – which the House has deemed to be in force in the absence of a conference report on the budget resolution – a special allocation was provided to the Ways and Means and Energy and Commerce Committees for the purpose of providing Medicare reforms and a prescription drug benefit. Related to this special allocation is the reserve fund of \$350 billion that may be released for these purposes. A reserve fund is an amount of budget authority held back from the allocation to a committee or committees that then may be released by the Chairman of the Budget Committee to be used for a specific measure reported by the committee or committees involved. Because the bill is expected to comply with the provisions of the reserve fund, the Chairman of the Budget Committee will adjust the appropriate allocations of budget authority to that special allocation provided by that resolution. Once this has occurred, the bill will not violate section 302(f) of the Budget Act and will be able to be considered without points of order being raised against it. [The Budget Committee will publish a Legislative Update on this bill later this week.]

Bill: ***Department of Defense Appropriations Act for Fiscal Year 2003.***

Committee: Appropriations

Summary: This measure funds the military activities of the Department of Defense [DOD]. This funding includes operation and maintenance of weapons and facilities, weapons procurement, pay and benefits for military personnel, and research and development. Though most of the budget authority is provided to the DOD, certain other agencies receive appropriations as well. For example, small amounts are provided to the Central Intelligence Agency [CIA] retirement fund and classified amounts for national foreign intelligence activities administered by the CIA.

Cost: At the time of publication, the Appropriations Committee had not released the CBO estimate of this bill.

Budget Act: Because the CBO estimate is not available, it has not been determined whether this appropriations bill is within its 302(b) allocation. But preliminary estimates indicate this measure will comply with the 302(b) allocations approved by the Appropriations Committee on 24 June 2002, and hence will not be subject to a point of order under

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section 302(f) of the Budget Act. The measure includes no advance appropriations, and no spending designated as an emergency.

Bill: *Military Construction Appropriations Act for Fiscal Year 2003.*

Committee: Appropriations

Summary: This measure provides the main funding for the maintenance of the Department of Defense's physical infrastructure. The bill funds construction projects and real property maintenance of the active Army, Navy, Marine Corps, and Air Force, and their reserve components; additional defense-wide construction; U.S. contributions to the NATO Security Investment Program and military family housing operations and construction. The bill also provides appropriations for the Base Realignment and Closure [BRAC] account, which finances most base realignment and closure costs, including construction of new facilities for transferred personnel and functions and environmental cleanup at closing sites.

Cost: At the time of publication, the Appropriations Committee had not released the CBO estimate of this bill.

Budget Act: Because the CBO estimate is not available, it has not been determined whether this appropriations bill is within its 302(b) allocation. But preliminary estimates indicate this measure will comply with the 302(b) allocations approved by the Appropriations Committee on 24 June 2002, and hence will not be subject to a point of order under section 302(f) of the Budget Act. The measure includes no advance appropriations, and no spending designated as an emergency.