

OMB FINAL SEQUESTRATION REPORT FOR
FISCAL YEAR 2001

COMMUNICATION

FROM

THE DIRECTOR, THE OFFICE OF
MANAGEMENT AND BUDGET

TRANSMITTING

THE FINAL OMB SEQUESTRATION REPORT TO THE PRESIDENT
AND CONGRESS FOR FISCAL YEAR 2001



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EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, January 16, 2001.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Enclosed please find the OMB Final Sequestration Report to the President and Congress for fiscal year 2001, as required by the Budget Enforcement Act of 1990 (BEA), as amended.

The report provides current estimates of the status of discretionary spending and the discretionary limits. It also provides the status of pay-as-you-go legislation. Comparisons with the estimates provided by the Director of the Congressional Budget Office in his report are also included.

Based on the estimates contained in this report, neither discretionary nor pay-as-you-go sequesters are required.

Sincerely,

JACOB J. LEW,
Director.

Enclosure.

Identical Letter Sent to The President of the United States and
The Honorable Albert Gore.

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OMB FINAL SEQUESTRATION REPORT
TO THE PRESIDENT AND CONGRESS
FOR FISCAL YEAR 2001



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET



THE DIRECTOR

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D. C. 20503

January 16, 2001

The President
The White House
Washington, DC 20500

Dear Mr. President:

Enclosed please find the *OMB Final Sequestration Report to the President and Congress for fiscal year 2001*, as required by the Budget Enforcement Act of 1990 (BEA), as amended.

The report provides current estimates of the status of discretionary spending and the discretionary limits. It also provides the status of pay-as-you-go legislation. Comparisons with the estimates provided by the Director of the Congressional Budget Office in his report are also included.

Based on the estimates contained in this report, neither discretionary nor pay-as-you-go sequesters are required.

Sincerely,

A handwritten signature in black ink, appearing to read "J Lew", with a long horizontal flourish extending to the right.

Jacob J. Lew
Director

Enclosure

Identical Letter Sent to The Honorable Albert Gore
and The Honorable J. Dennis Hastert

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GENERAL NOTES

1. All years referred to are fiscal years unless otherwise noted.
2. Details in the tables and text may not add to totals due to rounding.

I. OVERVIEW

The Budget Enforcement Act of 1997 (BEA of 1997) extended and modified the expiring enforcement requirements of the Budget Enforcement Act of 1990 (BEA of 1990). The BEA of 1997 established limits, or "caps," for discretionary spending through 2002. It also extended the pay-as-you-go (PAYGO) requirement that legislation affecting direct spending or receipts not result in net costs to the Federal Government. The Transportation Equity Act for the 21st Century (TEA-21) further modified the discretionary spending limits and created new limits for highway and mass transit spending. The 2001 Interior Appropriations Act (P.L. 106-291) added a conservation spending category to the existing caps for 2002 through 2006. The 2001 Foreign Operations and Related Agencies Appropriations Act (P.L.

106-429) increased the Other Discretionary Category by \$95.9 billion in budget authority and \$58.6 billion in outlays. In addition, the 2001 Consolidated Appropriations Act (P.L. 106-554) required that OMB change the PAYGO balance for 2001 to zero.

The BEA requires that OMB issue reports on the overall status of discretionary and pay-as-you-go legislation. An across-the-board reduction of non-exempt spending, known as "sequestration," enforces compliance with these constraints. The end-of-session report, which OMB is required to issue after Congress adjourns *sine die*, determines whether or not a sequester is required. This report, which covers legislation enacted in the second session of the 106th Congress, indicates that no sequester is required for either mandatory or discretionary programs.

II. DISCRETIONARY SEQUESTRATION REPORT

Discretionary programs are funded annually through the appropriations process. The scorekeeping guidelines accompanying the Budget Enforcement Act (BEA) identify accounts with discretionary resources. The BEA limits, or caps, budget authority and outlays available for discretionary programs each year through 2002. For 2000, the BEA divided discretionary spending into two categories: violent crime reduction spending and all other discretionary spending. For 2001 and 2002, the BEA specified a single category for all discretionary spending. The Transportation Equity Act for the 21st Century (TEA-21) established two additional categories for highway and mass transit outlays for 1999 through 2003. P.L. 106-291, the 2001 Interior and Related Agencies Appropriations Act, added a new category for conservation spending with limits on budget authority and outlays from 2002 through 2006.

In addition, P.L. 106-429, the 2001 Foreign Operations Appropriations Act, established a

revised discretionary spending limit for 2001 appropriations. Specifically, section 701 of the Act set the budget authority limit at \$637.0 billion and the outlay limit at \$612.7 billion. Additionally, the Act prohibits OMB from making adjustments for emergency requirements in this report.

OMB monitors compliance with the discretionary spending limits throughout the year. Appropriations that cause a breach in the budget authority or outlay limits trigger a sequester to eliminate that breach. The law, however, does not require that Congress appropriate the full amount available under the discretionary limits.

Table 1 summarizes changes to the caps since 1990, and includes the conservation category, which was established by P.L. 106-291, that runs through 2006. Table 1 also includes the revised limit for 2001 established in P.L. 106-429.

Table 1. HISTORICAL SUMMARY OF CHANGES TO DISCRETIONARY SPENDING LIMITS—Continued
(In billions of dollars)

	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002
Adjustment for conservation limits established by P.L. 106-291 ⁴	BA	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	OL	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Total adjustments	BA	45.3	33.2	24.2	14.3	-6.7	7.5	11.6	2.9	50.2	47.6	98.8
	OL	37.2	20.8	16.4	12.8	7.9	5.4	6.3	12.3	24.9	40.0	80.4
Final Sequestration Report spending limits⁵ ..	BA	537.0	536.6	535.7	525.1	511.0	526.6	539.7	533.5	583.2	584.8	640.8
	OL	551.6	545.7	550.4	547.6	548.7	552.7	553.6	560.2	584.2	604.2	644.8

N/A = Not applicable.
¹ \$50 million or less.
² P.L. 104-19, Emergency Supplemental Appropriations for Additional Disaster Assistance, for Anti-Terrorism Initiatives, for Assistance in the Recovery from the Tragically, the OMB directed the Secretary to make adjustments to the bill to reflect the downward adjustment in the discretionary spending limits for 1995-1998. The adjustments include the amount of reductions in new budget authority and outlays for discretionary programs resulting from the provisions of the bill, other than emergency appropriations.
³ Sec. 8101(a) of P.L. 105-178, the Transportation Equity Act for the 21st Century (TEA-21), which was signed by the President on June 6, 1998, established two new discretionary spending categories: Highway and Mass Transit. Sec. 8101(b) of TEA-21 provided for an offsetting adjustment in the existing discretionary spending limits for 2001 in addition to the new categories.
⁴ Sec. 701 of P.L. 106-429, the Foreign Operations and Related Agencies Appropriations Act, 2001, included revised budget authority and outlay caps for 2001 in addition to the new categories.
⁵ Title VIII of P.L. 106-291, the Interior and Related Agencies Appropriations Act, 2001, created a new conservation category with limits on budget authority and outlays for 2002-2006.
⁶ Reflects combined Defense Discretionary, Non-Defense Discretionary, Violent Crime Reduction, Highway Category, Mass Transit Category, and Conservation Category spending limits.

Table 2. DISCRETIONARY SPENDING LIMITS
(In millions of dollars)

		2000	2001	2002
VIOLENT CRIME REDUCTION SPENDING				
Update Report Violent Crime Reduction Spending Limits	BA	4,500	N/A	N/A
	OL	6,344	N/A	N/A
Adjustments for the Final Sequestration Report:				
No Adjustments	BA		N/A	N/A
	OL		N/A	N/A
Final Sequestration Report Violent Crime Reduction Spending Limits	BA	4,500		
	OL	6,344		
HIGHWAY CATEGORY				
Update Report Highway Category Spending Limits	BA			
	OL	24,574	26,920	27,925
Adjustments for the Final Sequestration Report:				
No Adjustments	BA		N/A	N/A
	OL		N/A	N/A
Final Sequestration Report Highway Category Spending Limits	BA			
	OL	24,574	26,920	27,925
MASS TRANSIT CATEGORY				
Update Report Mass Transit Category Spending Limits	BA			
	OL	4,117	4,639	5,419
Adjustments for the Final Sequestration Report:				
No Adjustments	BA		N/A	N/A
	OL		N/A	N/A
Final Sequestration Report Mass Transit Category Spending Limits	BA			
	OL	4,117	4,639	5,419
CONSERVATION CATEGORY				
Update Report Conservation Category Spending Limits	BA	N/A	N/A	N/A
	OL	N/A	N/A	N/A
Adjustments for the Final Sequestration Report:				
Federal and State Land and Water Conservation Fund subcategory	BA	N/A	N/A	540
	OL	N/A	N/A	
State and Other Conservation subcategory	BA	N/A	N/A	300
	OL	N/A	N/A	
Urban and Historic Preservation subcategory	BA	N/A	N/A	160
	OL	N/A	N/A	
Payments in Lieu of Taxes subcategory	BA	N/A	N/A	50
	OL	N/A	N/A	
Federal Deferred Maintenance subcategory	BA	N/A	N/A	150
	OL	N/A	N/A	
Coastal Assistance subcategory	BA	N/A	N/A	440
	OL	N/A	N/A	
Unallocated	BA	N/A	N/A	120
	OL	N/A	N/A	
Subtotal, Adjustments for the Final Sequestration Report	BA	N/A	N/A	1,760
	OL	N/A	N/A	1,232
Final Sequestration Report Conservation Category Spending Limits	BA	N/A	N/A	1,760
	OL	N/A	N/A	1,232

Table 2. DISCRETIONARY SPENDING LIMITS—Continued

(In millions of dollars)

		2000	2001	2002
OTHER DISCRETIONARY SPENDING				
Update Report Other Discretionary Spending Limits	BA	580,289	541,095	550,333
	OL	569,224	554,133	539,457
Adjustments for the Final Sequestration Report:				
EITC Tax Compliance Initiative	BA	N/A	145	.....
	OL	N/A	145	.....
Continuing Disability Reviews	BA	N/A	450	.....
	OL	N/A	405	45
Adoption Incentive Payments	BA	N/A	20	.....
	OL	N/A	2	11
Special Budget Authority Allowance for Rounding	BA	N/A	3,188	.....
	OL	N/A	.....	.....
Special Outlay Allowance	BA	N/A	.....	.....
	OL	N/A	.....	.....
Adjustment to reach spending limits mandated in P.L. 106-429	BA	N/A	95,905	N/A
	OL	N/A	58,562	N/A
Subtotal, Adjustments for the Final Sequestration Report	BA	.....	99,708	.....
	OL	.....	59,114	56
Final Sequestration Report Other Discretionary Spending Limits	BA	580,289	640,803	550,333
	OL	569,224	613,247	539,513
TOTAL DISCRETIONARY SPENDING				
Preview Report Total Discretionary Spending Limits	BA	570,972	541,095	550,333
	OL	599,948	578,838	570,575
Update Report Total Discretionary Spending Limits	BA	584,789	541,095	550,333
	OL	604,259	585,692	572,801
Final Sequestration Report Total Discretionary Spending Limits	BA	584,789	640,803	552,093
	OL	604,259	644,806	574,089

N/A=Not applicable.

Adjustments to discretionary limits.—Section 251(b)(2) of the BEA authorizes certain adjustments after the enactment of appropriations. As discussed above, OMB is prohibited from making adjustments for emergency requirements in this report. The permitted section 251(b)(2) adjustments include:

Continuing Disability Reviews.—Funding for additional continuing disability reviews (CDRs) under the heading, "Limitation on Administrative Expenses," for the Social Security Administration. The law limits adjustments to the budget authority and outlay estimates authorized in P.L. 105-33, the Balanced Budget Act of 1997. CDRs are conducted to verify that recipients of Social Security disability insurance benefits and Supplemental Security Income benefits for persons with disabilities are

still disabled. The 2001 Consolidated Appropriations Act provided \$450 million for CDRs.

Earned Income Tax Credit (EITC) Compliance Initiative.—Funding for EITC compliance initiatives, including the detection and enforcement of EITC eligibility rules in order to reduce EITC overclaims. Adjustments are limited to the budget authority and outlay estimates authorized in P.L. 105-33. The 2001 Treasury and General Government Appropriations Act provided \$145 million for EITC compliance.

Adoption Incentive Payments.—The Adoption and Safe Families Act of 1997 authorizes bonus payments to States that increase the number of adoptions from the foster care system. The Act provides for a discretionary cap adjustment for appropriations up to \$20 mil-

lion annually from 1999 through 2003. It is assumed that the cost of adoption bonuses will be offset by reductions in mandatory foster care costs. The \$20 million requested was included in the 2001 Consolidated Appropriations Act.

Special Outlay Allowance.—This allowance was included in the BEA to cover technical scoring differences that result when OMB scoring exceeds CBO scoring. If, in any year, outlays for a discretionary spending category exceed the spending limit for the category, but new budget authority does not exceed the limit for that category, the special outlay allowance may be used. The outlay adjustment is the amount of the excess spending over the limit.

The adjustment can not exceed 0.5 percent of the sum of the adjusted discretionary spending limits on outlays for that fiscal year. OMB does not estimate that the special outlay allowance will be required.

Adjustment for Rounding.—Public Law 106-429, the 2001 Foreign Operations Appropriations Act, included a provision allowing OMB to adjust the 2001 limit on budget authority for the discretionary category upward by 0.5 percent, resulting in an increase of \$3.188 billion.

Status of FY 2000 discretionary appropriations.—Table 3 summarizes the status of enacted 2000 discretionary appropriations, relative to the discretionary caps.

Table 3. SUMMARY OF 2000 DISCRETIONARY APPROPRIATIONS

(In millions of dollars)

	BA	Outlays
Violent Crime Reduction Spending		
Adjusted discretionary spending limits	4,500	6,344
Total enacted	4,500	6,344
Spending over/under (-) limits		
Highway Category		
Adjusted discretionary spending limits		24,574
Total enacted		24,574
Spending over/under (-) limits		
Mass Transit Category		
Adjusted discretionary spending limits		4,117
Total enacted		4,117
Spending over/under (-) limits		
Other Discretionary Spending		
Adjusted discretionary spending limits	580,289	569,224
Total enacted	582,648	576,089
Spending over/under (-) limits *	2,359	6,865
Total Discretionary Spending—All Categories		
Adjusted discretionary spending limits	584,789	604,259
Total enacted	587,148	611,124
Spending over/under (-) limits *	2,359	6,865

* Any sequestration resulting from spending included in P.L. 106-246 (the Emergency Supplemental Act, 2000) is barred.

Status of FY 2001 discretionary appropriations.—Table 4 summarizes OMB scoring of the 2001 appropriations bills.

OMB estimates that spending in the highway, mass transit, and other discretionary

categories are within the budget authority and outlay limits set in the BEA, as amended by P.L. 106-429. OMB estimates that a sequester will not be required for any of the discretionary categories.

Table 4. SUMMARY OF 2001 APPROPRIATIONS ACTION
(In millions of dollars)

	BA	Outlays
OTHER DISCRETIONARY		
Agriculture and Rural Development	19,623	16,476
Commerce, Justice, State and the Judiciary	38,024	38,799
Defense	287,593	276,398
District of Columbia	446	442
Energy and Water Development	23,591	22,962
Foreign Operations	14,901	15,131
Interior and Related Agencies	18,874	16,435
Labor, HHS, and Education	108,943	99,382
Legislative	2,576	2,604
Military Construction	8,935	8,634
Transportation and Related Agencies	17,254	17,229
Treasury, Postal Service, and General Govern- ment	15,627	15,223
Veterans Affairs, HUD, Independent Agencies	82,374	87,381
Miscellaneous Provisions	-519	-583
2001 effects of the 2000 emergency supplemental appropriations	-3,984	-5,730
Total, Other Discretionary Spending	634,258	610,783
Final Sequestration Report Other Discretionary Limits	640,803	613,247
CONGRESSIONAL ACTION OVER/UNDER(-) LIMITS		
	-6,545	-2,464
HIGHWAY CATEGORY		
Transportation and Related Agencies		26,897
Total, Highway Category Spending		26,897
Final Sequestration Report Highway Category Limits		26,920
CONGRESSIONAL ACTION OVER/UNDER(-) LIMITS		
		-23

**Table 4. SUMMARY OF 2001 APPROPRIATIONS.
ACTION—Continued**

(In millions of dollars)

	BA	Outlays
MASS TRANSIT CATEGORY		
Transportation and Related Agencies		4,639
Total, Mass Transit Category Spending		4,639
Final Sequestration Report Mass Transit Category Limits		4,639
CONGRESSIONAL ACTION OVER/UNDER(-) LIMITS		
TOTAL, DISCRETIONARY SPENDING		
Total, Discretionary Spending	634,258	642,319
Final Sequestration Report Discretionary Spending Limits	640,803	644,806
CONGRESSIONAL ACTION OVER(+)/ UNDER(-) LIMITS		
	-6,545	-2,487

Comparison of OMB and CBO discretionary limits.—Section 254(d)(5) of the BEA requires this report to explain the differences between OMB and CBO estimates for discretionary spending limits. Table 5 compares

OMB and CBO limits for 2000 through 2002. CBO uses the discretionary limits from OMB's sequestration update report as a starting point for adjustments in its end-of-session sequestration report.

Table 5. COMPARISON OF OMB AND CBO DISCRETIONARY SPENDING LIMITS

(In millions of dollars)

	2000	2001	2002
Violent Crime Reduction			
CBO Final Sequestration Report limits:			
BA	4,500	N/A	N/A
OL	6,344	N/A	N/A
OMB Final Sequestration Report limits:			
BA	4,500	N/A	N/A
OL	6,344	N/A	N/A
Difference:			
BA			
OL			
Highway Category			
CBO Final Sequestration Report limits:			
BA			
OL	24,574	26,920	27,925
OMB Final Sequestration Report limits:			
BA			
OL	24,574	26,920	27,925

**Table 5. COMPARISON OF OMB AND CBO
DISCRETIONARY SPENDING LIMITS—Continued**
(In millions of dollars)

	2000	2001	2002
Difference:			
BA			
OL			
Mass Transit Category			
CBO Final Sequestration Report limits:			
BA			
OL	4,117	4,639	5,419
OMB Final Sequestration Report limits:			
BA			
OL	4,117	4,639	5,419
Difference:			
BA			
OL			
Conservation Category			
CBO Final Sequestration Report limits:			
BA	N/A	N/A	1,760
OL	N/A	N/A	1,232
OMB Final Sequestration Report limits:			
BA	N/A	N/A	1,760
OL	N/A	N/A	1,232
Difference:			
BA	N/A	N/A	
OL	N/A	N/A	
Other Discretionary			
CBO Final Sequestration Report limits:			
BA	580,289	640,800	550,564
OL	569,224	613,226	541,433
OMB Final Sequestration Report limits:			
BA	580,289	640,803	550,333
OL	569,224	613,247	539,513
Difference:			
BA		3	-231
OL		21	-1,920
Total Discretionary Spending Limits			
CBO Final Sequestration Report limits:			
BA	584,789	640,800	552,324
OL	604,259	644,785	576,009
OMB Final Sequestration Report limits:			
BA	584,789	640,803	552,093
OL	604,259	644,806	574,089
Difference:			
BA		3	-231
OL		21	-1,920

III. PAY-AS-YOU-GO SEQUESTRATION REPORT

Pay-as-you-go enforcement covers direct spending and receipts legislation. The BEA defines direct spending as entitlement authority, the food stamp program, and budget authority provided by law other than in appropriations acts. The following are exempt from the pay-as-you-go scorecard: Social Security, the Postal Service, legislation specifically designated as an emergency requirement, and legislation fully funding the Federal Government's commitment to protect insured deposits.

The BEA requires that, in total, receipts and direct spending legislation not result in a net cost. If such legislation yields a net cost, and if the President and Congress do not fully offset it by other legislative savings, the law requires that a sequester of non-exempt direct spending programs offset the net cost.

The BEA requires that OMB submit a report to Congress that estimates the resulting change in outlays or receipts for the current year, the budget year, and the following four years for enacted direct spending and receipts legislation. The estimates, which must

rely on the economic and technical assumptions underlying the most recent President's budget, determine whether the pay-as-you-go requirement is met. The pay-as-you-go process requires that OMB maintain a "scorecard" that shows the cumulative net cost of such legislation.

Table 6 presents OMB estimates of pay-as-you-go legislation included in the individual bill reports. In total, these bills have resulted in net costs of \$42 million in 2000 and \$10,500 million in 2001. (As required by the BEA, the 2000 total reflects only Acts added to the scorecard after the 2000 final sequestration report was issued.) Under the BEA, the 2000 and 2001 totals are combined when determining the need for sequestration. The table indicates that a combined balance of \$10,542 million was on the pay-as-you-go scorecard prior to the adjustment required by the 2001 Consolidated Appropriations Act. Because that Act reset the 2001 balance to zero, no sequester is required for mandatory programs. The table also shows the CBO estimate for each Act as it was reported in CBO's pay-as-you-go bill reports.

Table 6. NET COST OF PAY-AS-YOU-GO LEGISLATION ENACTED IN 2000
 2nd Session of the 106th Congress
 (In millions of dollars)

Report Number	Act Number	Act Title	2000	2001	2002	2003	2004	2005	2006-2008
502	P.L. 106-171 S. 1723	Electronic Benefit Transfer Interoperability and Portability Act OMB estimate	0	1	1	1	1	1	5
		CBO estimate	0	1	1	1	1	1	5
503	P.L. 106-176 H.R. 149	Omnibus Parks Technical Corrections Act OMB estimate	2	3	1	0	0	0	6
		CBO estimate	3	6	4	2	0	0	15
504	P.L. 106-181 H.R. 1000	Wendell H. Ford Aviation Investment and Reform Act OMB estimate	*	*	*	*	*	*	*
		CBO estimate	0	2	5	7	9	11	34
505	P.L. 106-180 S. 376	Open-market Reorganization for the Betterment of International Telecommunications Act OMB estimate	0	0	0	0	0	0	0
		CBO estimate	0	0	0	5	5	5	15
506	P.L. 106-185 H.R. 1658	Civil Asset Forfeiture Reform Act OMB estimate	0	40	8	1	1	1	51
		CBO estimate	0	40	8	1	1	1	51
507	P.L. 106-200 H.R. 434	Trade and Development Act of 2000 OMB estimate	40	477	588	638	671	657	3,069
		CBO estimate	60	395	512	548	578	561	2,652
508	P.L. 106-221 S. 356	Wellton-Mohawk Transfer Act OMB estimate	0	0	-2	0	0	0	-2
		CBO estimate	0	0	-2	0	0	0	-2
509	P.L. 106-224 H.R. 2859	Agricultural Risk Protection Act of 2000 OMB estimate	0	738	1,408	1,480	1,585	1,633	6,895
		CBO estimate	0	672	1,469	1,806	1,682	1,770	7,219
510	P.L. 106-248 S. 1982	Valles Caldera Preservation Act OMB estimate	0	-1	-2	1	0	1	-1
		CBO estimate	0	-1	-2	1	0	1	-1
511	P.L. 106-249 S. 996	Griffin Project Prepayment and Conveyance Act OMB estimate	0	-103	9	9	9	9	-87
		CBO estimate	0	-103	9	9	9	9	-87
512	P.L. 106-253 H.R. 4437	Semipostal Authorization Act OMB estimate	0	-2	-2	1	2	1	0
		CBO estimate	0	-2	-2	1	2	1	0
513	P.L. 106-265	Long-Term Care Security Act and Federal Erroneous Retirement Coverage Corrections Act OMB estimate	0	7	21	-22	1	2	9
		CBO estimate	0	3	23	-16	5	5	20
514	P.L. 106-279 H.R. 2969	Intercountry Adoption Act OMB estimate	0	-5	-5	-5	-5	-5	-25
		CBO estimate	0	0	0	0	0	0	0

Table 6. NET COST OF PAY-AS-YOU-GO LEGISLATION ENACTED IN 2000—Continued
 2nd Session of the 106th Congress
 (In millions of dollars)

Report Number	Act Number	Act Title	2000	2001	2002	2003	2004	2005	2000-2005
515	P.L. 106-380 H.R. 4919	Security Assistance Act of 2000 OMB estimate	0	1	0	0	0	0	1
		CBO estimate	0	6	5	5	0	0	16
516	P.L. 106-298 H.R. 2752	Lincoln County Land Act of 2000 OMB estimate	0	*	*	*	*	*	*
		CBO estimate	0	-3	1	0	2	2	2
NA	P.L. 106-303 H.R. 4642	An act to make certain personnel flexibilities available to the GAO OMB estimate	OMB does not consider this bill to be PAYGO						
		CBO estimate	0	0	9	10	8	2	29
517	P.L. 106-310 H.R. 4365	Children's Health Act OMB estimate	0	2	3	2	*	0	7
		CBO estimate	0	2	8	7	10	10	37
518	P.L. 106-311 H.R. 6362	Increase in H-1B Visa Petition Fees OMB estimate	0	-74	-127	-68	159	82	-28
		CBO estimate	0	-64	-151	-81	165	96	-35
519	P.L. 106-313 S. 2045	American Competitiveness in the Twenty-first Century OMB estimate	0	-113	-66	-36	128	65	-22
		CBO estimate	0	-126	-77	-67	145	78	-37
520	P.L. 106-329 H.R. 4226	Black Hills National Forest and Rocky Mountain Research Station Improvement Act OMB estimate	0	-1	-1	0	0	0	-2
		CBO estimate	0	-1	-1	0	0	0	-2
NA	P.L. 106-346 H.R. 4475	Department of Transportation Appropriations Act OMB estimate	OMB does not consider this bill to be PAYGO						
		CBO estimate	0	460	640	165	0	0	1,265
521	P.L. 106-354 H.R. 4386	Breast and Cervical Cancer Prevention and Treatment Act OMB estimate	0	20	30	45	70	85	250
		CBO estimate	0	15	35	50	65	85	250
522	P.L. 106-361 H.R. 206	Federal Employee Theft Savings Plan Amendments OMB estimate	0	-6	-5	-5	-1	1	-16
		CBO estimate	0	3	7	7	8	9	34
523	P.L. 106-362 H.R. 1656	The Ivanpah Valley Airport Public Lands Transfer Act OMB estimate	0	0	-6	0	0	2	-4
		CBO estimate	0	0	-6	0	0	2	-4
524	P.L. 106-366 H.R. 2994	Conveyance of the Middle Loop Division of the Missouri River Basin Project OMB estimate	0	-5	0	0	0	0	-5
		CBO estimate	0	-5	0	0	0	0	-5
525	P.L. 106-375 H.R. 4239	National Museum of the American Indian Commemorative Coin Act of 2000 OMB estimate	0	-3	2	0	0	0	-1
		CBO estimate	0	-3	2	0	0	0	-1

Table 6. NET COST OF PAY-AS-YOU-GO LEGISLATION ENACTED IN 2000—Continued
 2nd Session of the 106th Congress
 (In millions of dollars)

Report Number	Act Number	Act Title	2000	2001	2002	2003	2004	2005	2000-2005
526	P.L. 106-376 H.R. 4389	Northern Colorado Water Conservancy District Conveyance OMB estimate	0	-2	0	0	0	0	-2
		CEO estimate	0	-2	0	0	0	0	-2
527	P.L. 106-386 H.R. 3244	Victims of Trafficking and Violence Protection Act OMB estimate	0	404	26	8	14	18	470
		CEO estimate	0	342	66	8	13	17	446
528	P.L. 106-392 H.R. 2348	Cost Sharing for the Endangered Fish Recovery Programs for the Upper Colorado and San Juan Basins OMB estimate	0	8	8	10	9	8	43
		CEO estimate	0	8	8	10	9	9	44
529	P.L. 106-393 H.R. 2389	Secure Rural Schools and Community Self-Determination Act of 2000 OMB estimate	0	21	242	268	261	256	1,030
		CEO estimate	0	21	256	270	277	282	1,106
530	P.L. 106-394 H.R. 2842	Federal Employees Health Benefits Children's Equity Act of 2000 OMB estimate	0	1	1	2	3	3	10
		CEO estimate	0	-1	-2	-3	-4	-3	-13
531	P.L. 106-398 H.R. 4205	National Defense Authorization Act for Fiscal Year 2001 OMB estimate	0	428	853	5,694	5,883	6,112	18,970
		CEO estimate	0	-22	360	6,165	6,611	7,053	20,167
532	P.L. 106-417 S. 406	Alaska Native and American Indian Direct Reimbursement Act OMB estimate	0	4	5	10	13	15	47
		CEO estimate	0	9	8	8	8	8	41
533	P.L. 106-419 S. 1402	Veterans Benefits and Health Care Improvement Act of 2000 OMB estimate	0	219	280	-77	-45	-22	335
		CEO estimate	0	154	277	-103	-86	-91	151
534	P.L. 106-424 S. 2412	National Transportation Safety Board Amendments Act OMB estimate	0	17	17	17	17	17	85
		CEO estimate	0	12	12	12	13	13	62
535	P.L. 106-425 S. 2937	Santo Domingo Pueblo Claims Settlement Act of 2000 OMB estimate	0	8	0	0	0	0	8
		CEO estimate	0	8	0	0	0	0	8
536	P.L. 106-435 H.R. 3679	2002 Winter Olympic Commemorative Coin Act OMB estimate	0	0	-5	3	0	0	-2
		CEO estimate	0	0	-5	3	0	0	-2
537	P.L. 106-458 S. 1088	Arizona National Forest Improvement Act OMB estimate	0	-5	0	1	3	2	1
		CEO estimate	0	-5	0	1	3	2	1
538	P.L. 106-469 H.R. 2884	Energy Act of 2000 OMB estimate	0	0	0	0	0	0	0
		CEO estimate	0	0	0	0	0	0	0

Table 6. NET COST OF PAY-AS-YOU-GO LEGISLATION ENACTED IN 2000—Continued
 2nd Session of the 106th Congress
 (In millions of dollars)

Report Number	Act Number	Act Title	2000	2001	2002	2003	2004	2005	2010-2005
539	P.L. 106-473	Grain Standards and Warehouse Improvement Act	0	50	0	0	0	0	0
	H.R. 4788	OMB estimate	0	1	0	0	0	0	1
540	P.L. 106-476	Tariff Suspension and Trade Act of 2000	0	63	44	43	22	14	185
	H.R. 4866	OMB estimate	0	25	12	12	12	13	75
541	P.L. 106-508	Export Administration Modification Act	0	0	0	-1	-1	*	-2
	H.R. 5239	OMB estimate	0	0	0	-1	-1	*	-2
542	P.L. 106-512	Farmville Bond Conveyance Act	0	-43	3	3	4	4	-23
	S. 1474	OMB estimate	0	-42	3	3	4	4	-25
543	P.L. 106-519	FSC Recal and Extraterritorial Income Exclusion Act	0	320	355	380	465	420	1,900
	H.R. 4986	OMB estimate	0	153	315	348	384	423	1,623
544	P.L. 106-526	Hand Pine Nursery Land Conveyance Act	0	0	-2	2	0	0	0
	S. 1926	OMB estimate	0	0	-2	2	0	0	0
545	P.L. 106-541	Water Resources Development Act of 2000	0	1	6	17	21	17	62
	S. 2795	OMB estimate	0	2	6	13	23	18	69
546	P.L. 106-554	Consolidated Appropriations Act, 2001	0	7,170	11,510	9,551	9,595	11,237	49,463
	H.R. 4071	OMB estimate	0	4,916	8,650	5,374	4,162	4,138	25,940
547	P.L. 106-566	Hawaii Water Resources Act of 2000	0	5	5	5	5	5	25
	S. 1694	OMB estimate	0	5	5	5	5	5	25
548	P.L. 106-569	Omnibus Indian Advancement Act	0	8	0	0	0	0	8
	H.R. 5528	OMB estimate	0	8	0	0	0	0	8
549	P.L. 106-571	Federal Physicians Comparability Allowance Amendments of 2000	0	-1	-1	-1	-1	-1	-5
	H.R. 207	OMB estimate	0	-4	-1	-1	-1	-1	-8
550	P.L. 106-573	Instalment Tax Correction Act	0	781	864	499	130	18	2,282
	H.R. 3594	OMB estimate	0	1,120	394	243	70	8	1,841
651	P.L. 106-677	California Trail Interpretive Center Act	0	0	0	-3	3	0	0
	S. 2749	OMB estimate	0	0	0	-3	3	0	0

Table 6. NET COST OF PAY-AS-YOU-GO LEGISLATION ENACTED IN 2000--Continued
 2nd Session of the 106th Congress
 (In millions of dollars)

Report Number	Act Number	Act Title	2000	2001	2002	2003	2004	2005	2000-2005
552	P.L. 106-569 H.R. 5640	American Homeownership and Economic Opportunity Act of 2000	0	55	5	5	4	4	-73
		OMB estimate	0	55	5	5	4	4	73
		Total legislation enacted in the 2nd session of the 106th Congress:	42	10,500	16,053	18,465	19,396	20,673	85,069
		OMB estimate	63	7,763	12,884	14,651	14,296	14,551	64,116
		CEO estimate							
		OMB balance for sequester		10,542					
		Remove balances for 2001 pursuant to P.L. 106-584:							
		OMB estimate		-10,542	0	0	0	0	-10,542
		CEO estimate		-7,824	0	0	0	0	-7,824
		Current balances:							
		OMB estimate	0	16,053	18,465	18,465	19,396	20,673	74,527
		CEO estimate	0	12,884	14,651	14,651	14,296	14,551	56,292

**Table 7. PAY-AS-YOU-GO LEGISLATION WITH IMPACT OF \$500,000 OR LESS
ENACTED IN 2000—SECOND SESSION OF THE 106TH CONGRESS**

Public Law Number	Act Number	Act Title
P.L. 106-172	H.R. 2130	Hillary J. Farias and Samantha Reid Date-Rape Drug Prohibition Act
P.L. 106-175	H.R. 3557	Congressional gold medal to John Cardinal O'Connor
P.L. 106-177	H.R. 764	Child Abuse Prevention and Enforcement Act
P.L. 106-182	H.R. 5	Senior Citizens' Freedom to Work Act
Pvt. L. 106-4	S. 452 ¹	Private relief for Belinda McGregor
P.L. 106-202	S. 2323 ¹	Worker Economic Opportunity Act
P.L. 106-206	H.R. 154	To allow the Secretary of the Interior and the Secretary of Agriculture to establish a fee system for commercial filming activities on Federal and, and for other purposes
P.L. 106-207	H.R. 371	Hmong Veterans' Naturalization Act
P.L. 106-210	H.R. 1832	Muhammad Ali Boxing Reform Act
P.L. 106-214	H.R. 3293 ¹	Vietnam Veterans Memorial Commemorative Plaque
P.L. 106-220	S. 291	Carlsbad Irrigation Project Acquired Land Transfer Act
P.L. 106-225	H.R. 3642	To authorize the President to award posthumously a gold medal on behalf of the Congress to Charles M. Schulz
P.L. 106-229	S. 761	Electronic Signatures in Global and National Commerce Act
P.L. 106-230	H.R. 4762	To amend the Internal Revenue Code of 1986 to require 527 organizations to disclose their political activities
P.L. 106-247	S. 148	Neotropical Migratory Bird Conservation Act
P.L. 106-250	H.R. 3544	Pope John Paul II Congressional Gold Medal Act
P.L. 106-251	H.R. 3591	Congressional gold medal to former President Ronald Reagan and his wife Nancy Reagan
P.L. 106-252	H.R. 4391	Mobile Telecommunications Sourcing Act
P.L. 106-254	H.R. 1791	Federal Law Enforcement Animal Protection Act of 2000
P.L. 106-255	H.R. 4249 ¹	Cross-Border Cooperation and Environmental Safety in Northern Europe Act of 2000
P.L. 106-257	S. 1629	Oregon Land Exchange Act of 2000
P.L. 106-271	S. 1117 ²	Corinth Battlefield Preservation Act
P.L. 106-283	S. 430 ¹	Kaks Tribal Corporation Land Transfer Act
P.L. 106-286	H.R. 4444	To authorize extension of nondiscriminatory treatment to the People's Republic of China
Pvt. L. 106-6	H.R. 3363	Private relief for Akal Security, Incorporated
P.L. 106-292	H.R. 4115	U.S. Holocaust Memorial Authorizations
P.L. 106-294	S. 704	Federal Prisoner Health Care Copayment Act
Pvt. L. 106-7	S. 302 ¹	Private relief for Keantha Poole-Christian
P.L. 106-301	H.R. 4579	Utah West Desert Land Exchange Act of 2000
P.L. 106-309	H.R. 1143	Microenterprise for Self-Reliance and International Anti-Corruption Act of 2000
P.L. 106-330	H.R. 4285	Texas National Forest Improvements
P.L. 106-332	H.R. 4435	To classify certain boundaries on the map relating to Unit NC-01 of the Coastal Barrier Resources System
P.L. 106-348	H.R. 1509	I.J.P.F. Memorial Act
P.L. 106-351	H.R. 3676	Santa Rosa and San Jacinto Mountains National Monument Act
P.L. 106-352	H.R. 4063	Rosie the Riveter/World War II Home Front National Historical Park
P.L. 106-353	H.R. 4275	Colorado Canyons National Conservation Area and Black Ridge Canyons Wilderness Act
P.L. 106-355	H.R. 4613	National Historic Lighthouse Preservation Act
P.L. 106-360	H.R. 34	Technical corrections to Coastal Barrier Resources system map
P.L. 106-365	H.R. 2879	Martin Luther King, Jr. Plaque
P.L. 106-368	H.R. 3236	Weber Basin Project Authorization Act
P.L. 106-378	H.R. 4681	Adjustment of status for certain Syrian nationals
P.L. 106-380	H.R. 5212	Veterans' Oral History Project Act
P.L. 106-390	H.R. 707	Disaster Mitigation Act
P.L. 106-391	H.R. 1654	NASA Authorization Act
P.L. 106-395	H.R. 2883	Child Citizenship Act
P.L. 106-396	H.R. 3767	Visa Waiver Permanent Program Act
P.L. 106-399	H.R. 4828	Steens Mountain Cooperative
P.L. 106-404	H.R. 209	Technology Transfer Commercialization Act
P.L. 106-406	H.R. 2961	International Patient Act

Table 7. PAY-AS-YOU-GO LEGISLATION WITH IMPACT OF \$500,000 OR LESS ENACTED IN 2000—SECOND SESSION OF THE 106TH CONGRESS—Continued

Public Law Number	Act Number	Act Title
P.L. 106-407	H.R. 3069	Southeast Federal Center Public-Private Development Act
P.L. 106-408	H.R. 3671	Fish and Wildlife Programs Improvement and National Wildlife Refuge System Centennial Act
P.L. 106-409	H.R. 4068	Religious Workers Act
P.L. 106-411	H.R. 4320	Great Ape Conservation Act
P.L. 106-413	H.R. 4850	Veterans' Compensation Cost-of-Living Adjustment Act
P.L. 106-414	H.R. 5164	Transportation Recall Enhancement, Accountability, and Documentation Act
P.L. 106-415	H.R. 5234	Hmong Veterans' Naturalization Act Amendments
P.L. 106-420	S. 1455	College Scholarship Fraud Prevention Act
P.L. 106-430	H.R. 5178	Needlestick Safety and Prevention Act
P.L. 106-434	H.R. 3667	Land Conveyance in San Bernardino National Forest
P.L. 106-443	H.R. 5083 ²	Extend lease to City of South Gate, California for elementary schools
P.L. 106-447	S. 614	Indian Tribal Regulatory Reform and Business Development Act
P.L. 106-448	S. 2812	Waiver of oath of renunciation and allegiance for naturalization of aliens having certain disabilities
Pvt. L. 106-8	H.R. 3646 ¹	For the relief of certain Persian Gulf evacuees
P.L. 106-450	H.R. 1651	Fishermen's Protective Act Amendments
P.L. 106-455	S. 501 ²	Glacier Bay Fisheries Act
P.L. 106-456	S. 503 ¹	Spanish Peaks Wilderness Act of 2000
P.L. 106-463	S. 2300	Coal Market Competition Act
P.L. 106-465	S. 2950 ²	Sand Creek Massacre National Historic Site Establishment Act of 2000
P.L. 106-467	H.R. 1235	Solano County Water Agency
P.L. 106-469	H.R. 2884	Energy Act of 2000
P.L. 106-474	H.R. 4846	National Recording Preservation Act
P.L. 106-475	H.R. 4864 ²	Veterans Claims Assistance Act
P.L. 106-479	H.R. 5331	Memorial and Gardens to honor and commemorate Frederick Douglass
P.L. 106-484	S. 484	Bring Them Home Alive Act
P.L. 106-485	S. 610	Convey Land in Washakie County and Big Horn County, Wyoming to Westside Irrigation District
P.L. 106-483	S. 1778	Cascade Reservoir land exchange
P.L. 106-494	S. 1894	Provide for the Conveyance of certain lands to Park County, Wyoming
Pvt. L. 106-9	H.R. 660 ¹	For the private relief of Ruth Hairston
Pvt. L. 106-10	H.R. 848 ¹	For the relief of Sepandan Farnia and Farbod Farnia
Pvt. L. 106-11	H.R. 3184 ¹	For the relief of Zohreh Farhnag Ghahfarokhi
Pvt. L. 106-12	H.R. 3414 ¹	For the relief of Luis A. Leon-Molina; Ligia Padron, Juan Leon Padron, Remy Leon Padron, Manuel Leon Padron, and Luis Leon Padron
Pvt. L. 106-13	H.R. 5266 ¹	For the relief of Saeed Rezaei
P.L. 106-504	H.R. 2462	An Act to Amend the Organic Act of Guam
P.L. 106-510	S. 938 ²	Hawaii Volcanoes National Park
P.L. 106-511	S. 964 ¹	Cheyenne River Sioux Tribe
P.L. 106-513	S. 1482	National Marine Sanctuaries Amendments Act
P.L. 106-518	S. 2915	Federal Courts Improvement Act
P.L. 106-523	S. 768	Military Extraterritorial Jurisdiction Act
P.L. 106-524	S. 1670 ²	Fort Matanzas National Monument
P.L. 106-527	S. 2020 ¹	An act to adjust the boundary of the Natchez Trace Parkway, Mississippi
P.L. 106-528	S. 2440	Airport Security Improvement Act of 2000
P.L. 106-530	S. 2547	Great Sand Dunes National Park Act
P.L. 106-532	S. 2773	Dairy Market Enhancement Act of 2000
P.L. 106-533	H.R. 2789	Congressional Recognition for Excellence in Arts Education Act
P.L. 106-536	S. 3239	Special immigration status for broadcasters
P.L. 106-538	H.R. 2941	To establish the Las Cienegas National Conservation Area in the State of Arizona
Pvt. L. 106-14	S.11 ¹	For the relief of Wei Jingsheng
Pvt. L. 106-15	S. 150 ¹	For the relief of Marina Khalina and her son, Albert Maftakhov
Pvt. L. 106-16	S. 276 ¹	For the relief of Sergio Lozano
Pvt. L. 106-17	S.785	For the relief of Frances Schochenmaier and Mary Hudson
Pvt. L. 106-18	S. 869 ¹	For the relief of Mina Vahedi Notash

Table 7. PAY-AS-YOU-GO LEGISLATION WITH IMPACT OF \$500,000 OR LESS ENACTED IN 2000—SECOND SESSION OF THE 106TH CONGRESS—Continued

Public Law Number	Act Number	Act Title
Pvt. L. 106-19	S. 1078 ¹	For the relief of Mrs. Elizabeth Eka Bassey, Emmanuel O. Paul Bassey, and Mary Idongesit Paul Bassey
Pvt. L. 106-20	S. 1513 ¹	For the relief of Jacqueline Salinas and her children, Gabriela Salinas, Alejandro Salinas, and Omar Salinas
Pvt. L. 106-21	S. 2000 ¹	For the relief of Guy Taylor
Pvt. L. 106-22	S. 2002 ¹	For the relief of Tony Lara
Pvt. L. 106-23	S. 2019 ¹	For the relief of Malia Miller
Pvt. L. 106-24	S. 2289 ¹	For the relief of Jose Guadalupe Tellez Pinales
P.L. 106-544	H.R. 3048	Presidential Threat Protection Act
P.L. 106-546	H.R. 4649	DNA Analysis Backlog Elimination Act
P.L. 106-547	H.R. 4827	Enhanced Federal Security Act
P.L. 106-549	S. 2594	Use of Mancos Project Water Facilities
P.L. 106-550	S. 3137	James Madison Commemorative Commission Act
P.L. 106-551	H.R. 3514	Chimpanzee Health
P.L. 106-557	H.R. 5461	Shark Finning Prohibition Act
P.L. 106-560	S. 1898	Jeanna's Act
P.L. 106-562	H.R. 1653	Pribilof Islands Transition Act and Coral Reef Conservation Act
P.L. 106-565	S. 2885	Jamestown 400th Commemoration Commission Act
P.L. 106-567	H.R. 5630	Intelligence Authorizations
P.L. 106-570	S. 2943	International Malaria Control Act of 2000
P.L. 106-575	H.R. 4655	Lake Tahoe Basin Forest Land Conveyance
P.L. 106-578	S. 2924	Internet false identification prevention act of 2000
P.L. 106-579	H.R. 3181	National moment of remembrance act

¹OMB does not consider this bill as subject to pay-as-you-go requirements; CBO does.

²CBO does not consider this bill as subject to pay-as-you-go requirements; OMB does.

Comparison with CBO estimates.—The BEA requires that OMB explain differences with CBO estimates of enacted pay-as-you-go legislation. The largest differences between OMB and CBO for legislation enacted in the second session of the 106th Congress are for the 2001 Consolidated Appropriations Act and the 2001 National Defense Authorization Act.

The Consolidated Appropriations Act directed OMB to score certain direct spending and receipts provisions in the Act as pay-as-you-go. OMB scored net costs of \$49.5 billion over 2001 through 2005 for this bill, while CBO scored net costs of \$26.9 billion. The difference of \$22.5 billion was primarily the result of scoring differences for the Medicaid and Medicare provisions. CBO's scoring of the net impact for the Medicaid, SCHIP, and other health provisions was \$19.1 billion below OMB, largely due to different estimates for the provision requiring the Department of Health and Human Services to publish a regulation curbing States' inappropriate use of provider upper payment limits (UPL) under the Medicaid program. CBO assumed

higher State UPL spending in its baseline than OMB, and as a result, estimated higher savings from the provision. For the Medicare provisions, CBO scored \$2.8 billion lower net costs than OMB due to different baseline assumptions and different technical estimates for several provisions. In addition, CBO scored costs of \$1.3 billion for roll back of Federal employee retirement contributions to the Transportation Appropriations Act. OMB scored costs of \$1.2 billion for that provision to this Act as directed.

For the 2001 National Defense Authorization Act, OMB scored net costs of \$19.0 billion over 2001 through 2005, while CBO scored net costs of \$20.2 billion. The scoring difference was largely due to different assumptions about the new military healthcare entitlement. OMB estimated lower mandatory healthcare costs due to different assumptions about the utilization rate, continued access to discounted pharmaceuticals, and the share of health spending the Department of Defense will shift to the mandatory program.

More detail on differences in other bills is available in the separate reports issued subsequent to enactment of each bill.

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