



THE DIRECTOR

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

January 8, 2002

The Honorable Richard B. Cheney
President of the Senate
Washington, D.C. 20515

Dear Mr. President:

Enclosed are appropriations reports, as required by the Balanced Budget and Emergency Deficit Control Act of 1985 (section 251(a)(7)), as amended, for P.L. 107-73, the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2002; P.L. 107-76, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2002; and P.L. 107-77, the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2002.

Sincerely,

A handwritten signature in dark ink, appearing to read "ME Daniels Jr", written in a cursive style.

Mitchell E. Daniels, Jr.
Director

Enclosure

Identical Letter Sent to The Honorable J. Dennis Hastert



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The Honorable J. Dennis Hastert
Speaker of the House of
Representatives
Washington, D.C. 20515

Dear Mr. Speaker:

Enclosed are appropriations reports, as required by the Balanced Budget and Emergency Deficit Control Act of 1985 (section 251(a)(7)), as amended, for P.L. 107-73, the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2002; P.L. 107-76, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2002; and P.L. 107-77, the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2002.

Sincerely,

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Director

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Table 1.
Estimates Contained in P.L. 107-73
Departments of Veterans Affairs and Housing and Urban Development,
and Independent Agencies Appropriations Act, 2002
(in millions of dollars)

	FY 2002	
	BA	OL
<u>EMERGENCY APPROPRIATIONS</u>		
CBO ESTIMATE, EMERGENCY SPENDING.....	1,500	---
<u>Technical Outlay Estimating Difference:</u>		
Federal Emergency Management Agency:		
Disaster relief -- contingent emergency.....	---	525
OMB estimates that \$525 million will be outlayed from the \$1.5 billion provided in contingent emergency funds. CBO does not estimate any outlays in FY 2002 from these funds.		
	-----	-----
OMB ESTIMATE, EMERGENCY SPENDING.....	1,500	525
<u>OTHER DISCRETIONARY APPROPRIATIONS</u>		
CBO ESTIMATE, OTHER DISCRETIONARY SPENDING.....	83,934	88,431
<u>Scorekeeping Differences:</u>		
Department of Housing and Urban Development:		
FHA general and special risk, negative subsidies-offsetting receipts program account.....	-24	-44
OMB and CBO have different estimates of the negative subsidy that this program generates. OMB estimates \$245 million, or \$20 million (BA and OL) more than CBO (\$225 million). In addition, there is bill language providing a \$20 million contingency for FHA administrative expenses. CBO assumes that some of this contingency will be met (i.e., larger volume) and thus scores it at \$4 million. OMB estimates that the contingency will not be required. In addition, CBO scores \$30 million in prior-year outlays from an FY 2001 emergency appropriation and OMB estimates only \$10 million for the same account.		
Guarantees of mortgage-backed securities loan guarantee program account.....	28	28
OMB and CBO have differing assumptions on how much negative subsidy this program will generate. CBO estimates \$382 million in negative subsidy and OMB estimates \$354 million.		
FHA-mutual mortgage insurance program account/financing account/liquidating account.....	-179	-180
OMB and CBO have different estimates of the negative subsidy that this program will generate. OMB estimates negative subsidies at \$2,501 million and CBO estimates \$2,323 million for a difference of \$178 million in BA and OL. There is also language in the bill providing for a \$16 million contingency for FHA administrative expenses. CBO assumes that some of this contingency will be met (i.e. larger volume) and thus scores it at \$1 million in BA and OL. OMB estimates that the contingency will not be required. In addition, CBO uses a slightly higher cumulative first-year outlay rate than OMB for administrative and contract expenses.		

Table 1.
Estimates Contained in P.L. 107-73
Departments of Veterans Affairs and Housing and Urban Development,
and Independent Agencies Appropriations Act, 2002
(in millions of dollars)

	<u>FY 2002</u>	
	<u>BA</u>	<u>OL</u>
Mobile home inspection and monitoring fees.....	8	6
<p>Enactment of the FY 2002 appropriations for this account nullifies FY 2001 authorizing legislation that provided for the collection and spending of fees. The difference in BA and OL reflect CBO scoring effects in FY 2002 preventing the spending of these fees. OMB does not score effects of the FY 2001 authorizing legislation in FY 2002, but CBO does.</p>		
Native Hawaiian Housing Loan Guarantee Fund.....	1	---
<p>OMB scores \$1 million for this new account. CBO scores the same \$1 million in the Indian Housing Loan Guarantee Fund account until an official account for the Native Hawaiian Housing Loan Guarantee Fund is established with Treasury.</p>		
Indian Housing Loan Guarantee Fund Program account.....	-1	1
<p>CBO scores an additional \$1 million in this account for the Native Hawaiian Housing Loan Guarantee Fund (see above). Both OMB and CBO do not estimate any new outlays for this additional \$1 million. OMB assumes a first-year rate of 17 percent for the rest of the BA for this account, compared to a 90 percent rate used by CBO resulting in \$4 million more in new outlays for CBO. However, OMB estimates \$5 million more in outlays from prior-year balances than CBO.</p>		
Department of Veterans Affairs:		
Medical care collections-offsetting receipts.....	71	71
<p>OMB and CBO have different assumptions for the collection of third-party fees. CBO assumes that VA will collect \$691 million, while OMB estimates \$620 million in collections.</p>		
Medical care.....	-71	89
<p>The BA difference results from differences in estimates of spending from offsetting collections (see above). CBO estimates \$71 million more in spending from collections than OMB. In addition, OMB has lower estimates of outlays from new authority (-\$293 million) and higher estimates of outlays from prior-year authority (\$382 million) than CBO. The difference in outlays is less than 0.5 percent of the almost \$22 billion available in total BA for this account.</p>		
Environmental Protection Agency:		
Registration fees (section 423).....	25	25
<p>OMB and CBO differ on the scoring of these governmental receipts. OMB scores section 423 at \$25 million in BA and OL because the provision, in an appropriations act, changes mandatory governmental receipts. Thus, the provision is scored as a discretionary cost. CBO scores the change in governmental receipts as PAYGO.</p>		

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Estimates Contained in P.L. 107-73
Departments of Veterans Affairs and Housing and Urban Development,
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(in millions of dollars)

	<u>FY 2002</u>	
	<u>BA</u>	<u>OL</u>
Federal Emergency Management Agency:		
Disaster relief.....	-50	-373
<p>OMB scores the transfers of \$25 million to the Flood Map Modernization account and \$25 million to the Emergency Management Planning and Assistance account. CBO maintains these amounts in this parent account. CBO estimates zero outlays from new budget authority. OMB assumes \$214 million in new outlays or a 35 percent first-year outlay rate for the \$611 million in remaining in BA provided in FY 2002. However, CBO estimates a total of \$587 million more in outlays from prior-year balances.</p>		
National flood insurance fund.....	-7	-4
<p>OMB scores \$7 million from the total amount appropriated as a transfer to the Flood Map Modernization fund (see below), as provided in the bill. CBO scores the same amount for the flood map modernization fund in this account. OMB assumes a slightly higher new outlay rate resulting in \$1 million more in new outlays. However, CBO assumes \$5 million more in outlays from prior-year balances.</p>		
Flood map modernization fund.....	32	14
<p>OMB scores a \$25 million transfer to this account from the Disaster Relief Fund and CBO maintains the amount in the parent account. OMB also scores \$7 million of the total amount appropriated for the national flood insurance fund as a transfer to this account (see above), as provided in the bill. CBO scores the same amounts in the parent account. OMB assumes a 44 percent new outlay rate for the amounts transferred to this account resulting in \$14 million new outlays.</p>		
Emergency management and planning assistance.....	25	34
<p>OMB scores a \$25 million transfer to this account from the Disaster Relief Fund and CBO maintains the amount in the parent account. (see above). OMB assumes \$12 million in new outlays from the additional BA in this account from the transfer. OMB also estimates \$22 million more in outlays from prior-year balances than CBO.</p>		
National Science Foundation:		
Research and related activities.....	---	18
<p>OMB assumes a first-year outlay rate of 23.5 percent and CBO assumes a rate of 25 percent. OMB also estimates \$19 million more in outlays from prior-year balances than CBO.</p>		
CBO rounding adjustment.....	-2	---
<p>CBO uses this account to bring account level detail (tracked in thousands) in line with the bill total (tracked in millions).</p>		

Table 1.
Estimates Contained in P.L. 107-73
Departments of Veterans Affairs and Housing and Urban Development,
and Independent Agencies Appropriations Act, 2002
(in millions of dollars)

	FY 2002	
	BA	OL

Technical Outlay Estimating Differences:

Department of Housing and Urban Development:

Housing certificate fund.....	---	300
CBO and OMB have different assumptions for outlay rates from new appropriations and prior-year balances. In addition, CBO scores \$152 million in outlay savings for a 50-percent reduction in contingency funds, which are held by public housing authorities. CBO assumes a behavioral effect from this reduction in contingency funds, which could cause public housing authorities to issue fewer section 8 vouchers, resulting in fewer section 8 recipients successfully signing leases. OMB does not assume any behavioral effects. In total, OMB has lower estimates of outlays from new authority (-\$4,758 million) and higher estimates of outlays from prior-year authority (\$5,058 million) than CBO. The difference in outlays is less than two percent of the total budget authority appropriated in this account for FY 2002.		
Other assisted housing programs.....	---	32
OMB has higher estimates of outlays from prior-year authority (\$32 million) than CBO.		
Public housing operating fund.....	---	47
OMB has higher estimates of outlays from prior-year authority (\$47 million) than CBO.		
Revitalization of severely distressed public housing (HOPE IV).....	---	84
The difference is a result of different assumptions relating to when demolition, construction, or rehabilitation of units will begin using prior-year balances.		
Public housing capital fund.....	---	-31
OMB has higher estimates of outlays from new authority (\$76 million) and lower estimates of outlays from prior-year authority (-\$107 million) than CBO.		
Community development block grants.....	---	133
OMB has higher estimates of outlays from prior-year authority (\$133 million) than CBO.		
Homeless assistance grants.....	---	173
OMB has higher estimates of outlays from prior-year authority (\$173 million) than CBO.		
Home investment partnership program.....	---	254
OMB has higher estimates of outlays from new authority (\$7 million) and higher estimates of outlays from prior-year authority (\$247 million) than CBO.		
Housing opportunities for persons with AIDS.....	---	-13
OMB has lower estimates of outlays from prior-year authority (-\$13 million) than CBO.		
Brownfields redevelopment.....	---	7
OMB has higher estimates of outlays from prior-year authority (\$7 million) than CBO.		
Housing for special populations.....	---	131
OMB has higher estimates of outlays from prior-year authority (\$131 million) than CBO.		

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	FY 2002	
	<u>BA</u>	<u>OL</u>
Research and technology.....	---	11
OMB has lower estimates of outlays from new authority (-\$3 million) and higher estimates of outlays from prior-year authority (\$14 million) than CBO.		
Fair housing activities.....	---	-7
OMB has lower estimates of outlays from prior-year authority (-\$7 million) than CBO.		
Lead hazard reduction.....	---	-30
OMB has lower estimates of outlays from new authority (-\$15 million) and lower estimates of outlays from prior-year authority (-\$15 million) than CBO.		
Office of Inspector General.....	---	-9
OMB has lower estimates of outlays from new authority (-\$2 million) and lower estimates of outlays from prior-year authority (-\$7 million) than CBO.		
Department of Health and Human Services:		
Agency for Toxic Substance and Disease Registry.....	---	-16
OMB has lower estimates of outlays from prior-year authority (-\$16 million) than CBO.		
National Institutes of Health.....	---	7
OMB has higher estimates of outlays from new authority (\$3 million) and higher estimates of outlays from prior-year authority (\$4 million) than CBO.		
Community Development Financial Institutions Fund:		
Community Development Financial Institutions fund program account.....	---	8
OMB has lower estimates of outlays from new authority (-\$14 million) and higher estimates of outlays from prior-year authority (\$22 million) than CBO.		
Department of Veterans Affairs:		
Medical and prosthetic research.....	---	12
OMB has higher estimates of outlays from new authority (\$38 million) and lower estimates of outlays from prior-year authority (-\$26 million) than CBO.		
Construction, major projects.....	---	-44
OMB has lower estimates of outlays from prior-year authority (-\$44 million) than CBO.		
Parking revolving fund.....	---	-6
OMB has lower estimates of outlays from new authority (-\$1 million) and lower estimates of outlays from prior-year authority (-\$5 million) than CBO.		
Environmental Protection Agency:		
State and tribal assistance grants.....	---	-51
OMB has lower estimates of outlays from new authority (-\$16 million) and lower estimates of outlays from prior-year authority (-\$35 million) than CBO.		

Table 1.
Estimates Contained in P.L. 107-73
Departments of Veterans Affairs and Housing and Urban Development,
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(in millions of dollars)

	FY 2002	
	BA	OL
Science and technology.....	---	85
OMB has higher estimates of outlays from new authority (\$109 million) and lower estimates of outlays from prior-year authority (-\$24 million) than CBO.		
Environmental programs and management.....	---	93
OMB has higher estimates of outlays from new authority (\$66 million) and higher estimates of outlays from prior-year authority (\$27 million) than CBO.		
Leaking underground storage trust fund.....	---	5
OMB has higher estimates of outlays from new authority (\$19 million) and lower estimates of outlays from prior-year authority (-\$14 million) than CBO.		
Oil spill response.....	---	7
OMB has higher estimates of outlays from prior-year authority (\$7 million) than CBO.		
Federal Emergency Management Agency:		
Office of Cerro Grande Fire Claims.....	---	79
OMB has higher estimates of outlays from prior-year authority (\$79 million) than CBO.		
National flood mitigation fund.....	---	-3
OMB has lower estimates of outlays from new authority (-\$3 million) than CBO.		
Emergency management planning and assistance.....	---	1
OMB and CBO have different assumptions of outlays from prior-year balances.		
National Aeronautics and Space Administration:		
Science, aeronautics and technology.....	---	-35
OMB has lower estimates of outlays from new authority (-\$46 million) and higher estimates of outlays from prior-year authority (\$11 million) than CBO. Total outlays for OMB and CBO differ by 0.4 percent in this \$7.9 billion account.		
Human space flight.....	---	138
OMB has lower estimates of outlays from new authority (-\$200 million) and higher estimates of outlays from prior-year authority (\$338 million) than CBO.		
National Science Foundation:		
Major research equipment.....	---	-14
OMB has lower estimates of outlays from new authority (-\$20 million) and higher estimates of outlays from prior-year authority (\$6 million) than CBO.		
Research and related activities.....	---	96
OMB has lower estimates of outlays from new authority (-\$83 million) and higher estimates of outlays from prior-year authority (\$179 million) than CBO.		
Education and human resources.....	---	52
OMB has higher estimates of outlays from prior-year authority (\$52 million) than CBO.		

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	<u>FY 2002</u>	
	<u>BA</u>	<u>OL</u>
Corporation for National and Community Service:		
National and community service programs, operating expenses..... OMB has higher estimates of outlays from new authority (\$39 million) and lower estimates of outlays from prior-year authority (-\$63 million) than CBO.	---	-24
Gifts and contributions..... OMB has higher estimates of outlays from prior-year authority (\$67 million) than CBO.	---	67
American Battle Monuments Commission OMB has higher estimates of outlays from new authority (\$2 million) than CBO.	---	2
Other technical outlay estimating differences.....	---	11
TOTAL DIFFERENCES	-144	1,237
OMB ESTIMATE, OTHER DISCRETIONARY SPENDING	83,790	89,668

Table 2.
Estimates Contained in P.L. 107-76
Agriculture, Rural Development, Food and Drug Administration, and
Related Agencies Appropriations Act, 2002
(in millions of dollars)

	FY 2002	
	BA	OL
<u>OTHER DISCRETIONARY APPROPRIATIONS</u>		
CBO ESTIMATE, OTHER DISCRETIONARY SPENDING.....	16,018	16,216
<u>Scorekeeping Differences:</u>		
Department of Agriculture:		
Departmental Administration:		
Agriculture buildings and facilities and rental payments.....	1	5
Budget authority difference is due to rounding. CBO estimates lower outlays from new authority (\$34 million difference) and higher outlays from prior-year balances (-\$29 million difference) than OMB.		
Animal and Plant Health Inspection Service:		
Animal and Plant Health Inspection Service Salaries and Expenses.....	146	284
The FY 2002 Budget proposed a reclassification of \$196 million for pest eradication efforts from mandatory to discretionary. Of the total amount requested, Congress provided \$50 million and the difference of \$146 million is scored by OMB as a transfer from CCC. CBO scores the \$146 million as mandatory. CBO estimates lower outlays from new authority (\$128 million difference) and lower outlays from prior-year balances (\$156 million difference) than OMB.		
Farm Service Agency:		
Commodity Credit Corporation Fund.....	-15	-21
Budget authority difference is due to OMB and CBO scoring several CCC-related general provisions differently. CBO scores budget authority and outlays of \$15 million for a provision extending dairy price supports. OMB does not score the provision because administrative changes have resulted in lower purchase prices for non-fat dry milk and, as a result, costs are not expected to rise above the baseline. CBO also assumes \$10 million more in outlays from prior-year balances for citrus canker eradication than OMB, and OMB assumes \$4 million more in outlays associated with specialty commodity assistance than CBO.		
Rural Utilities Service:		
Rural Electrification and Telephone Loans, Negative Subsidies.....	-8	-8
CBO estimates a lower subsidy rate than OMB.		
Rural Electrification & Telecommunications Loans Program.....	2	15
The budget authority difference is due to a negative subsidy being scored by CBO as part of the total appropriation. CBO estimates lower outlays from new authority (\$6 million difference) and lower outlays from prior-year balances (\$9 million difference) than OMB.		

Table 2.
Estimates Contained in P.L. 107-76
Agriculture, Rural Development, Food and Drug Administration, and
Related Agencies Appropriations Act, 2002
(in millions of dollars)

	FY 2002	
	<u>BA</u>	<u>OL</u>
Rural Housing Service:		
Rural Housing Insurance Fund Program Account.....	1	2
The budget authority difference is due to rounding that occurs as a result of sub-account splits. In addition, CBO estimates lower outlays from new authority (\$18 million difference) and higher outlays from prior-year balances (-\$16 million difference) than OMB.		
Food and Nutrition Service:		
Food Stamp Program.....	67	18
Although the account is mandatory under the 1990 BEA, the bill funds several activities in this account that are controllable by the appropriations process. These activities are either new to the account since the 1990 BEA was enacted or have been expanded above the baseline levels that preceded the 1990 BEA and are not assumed in OMB's mandatory baseline. OMB scores these activities as discretionary. Additionally, OMB and CBO score different BA savings (a difference of \$48 million) resulting from a provision in the FY 2002 Agriculture Appropriations Act that limits the amount of mandatory Employment and Training carryover balances that are available for obligation in the bill.		
Child Nutrition Programs.....	8	5
Although the account is mandatory under the 1990 BEA, the bill funds several activities in this account that are controllable by the appropriations process. These activities are either new to the account since the 1990 BEA was enacted or have been expanded above the baseline levels that preceded the 1990 BEA and are not assumed in OMB's mandatory baseline. OMB scores these activities as discretionary. CBO scores only the new activities to the account as discretionary and the remainder as mandatory.		
Denali Commission:		
Denali Commission.....	-11	-11
OMB scores the Denali Commission in the Energy/Water Appropriations Act while CBO scores this in the Agriculture Appropriations Act.		
CBO rounding adjustment.....	-2	---
CBO uses this account to bring account level detail (tracked in thousands) in line with the bill total (tracked in millions).		
<u>Technical Outlay Estimating Differences:</u>		
Department of Agriculture:		
Office of the Secretary:		
Fund for Rural America.....	---	-45
OMB assumes a first-year spendout rate of 100 percent and CBO assumes a first-year spendout rate of 40 percent. This rate difference means that CBO estimates higher outlays from mandatory savings (-\$45 million difference in outlays from new authority) than OMB.		

Table 2.
Estimates Contained in P.L. 107-76
Agriculture, Rural Development, Food and Drug Administration, and
Related Agencies Appropriations Act, 2002
(in millions of dollars)

	<u>FY 2002</u>	
	<u>BA</u>	<u>OL</u>
Agricultural Research Service:		
Agricultural Research Service.....	---	32
CBO estimates lower outlays from new authority (\$40 million difference) and higher outlays from prior-year balances (-\$8 million difference) than OMB.		
Cooperative State Research, Education, and Extension Service:		
Extension Activities.....	---	44
CBO estimates higher outlays from new authority (-\$27 million difference) and lower outlays from prior-year balances (\$71 million difference) than OMB.		
Food Safety and Inspection Service:		
Food Safety and Inspection.....	---	18
CBO estimates higher outlays from new authority (-\$4 million difference) and lower outlays from prior-year balances (\$22 million difference) than OMB.		
Risk Management Agency:		
Risk Management Agency, Administrative/ Operating Expenses.....	---	18
CBO estimates higher outlays from new authority (-\$14 million difference) and lower outlays from prior-year balances (\$32 million difference) than OMB.		
Farm Service Agency:		
Farm Service Agency Salaries and Expenses.....	---	41
CBO estimates higher outlays from new authority (-\$45 million difference) and lower outlays from prior-year balances (\$86 million difference) than OMB.		
Natural Resources Conserveation Service:		
Emergency Conservation Program.....	---	11
CBO estimates lower outlays from prior-year balances than OMB.		
Conservation Operations.....	---	23
CBO estimates lower outlays from new authority (\$63 million difference) and higher outlays from prior-year balances (-\$40 million difference) than OMB.		
Rural Development:		
Rural Development Salaries and Expenses.....	---	-40
OMB assumes a first-year spendout rate of 84 percent for budget authority and offsetting collections whereas CBO assumes a first-year spendout rate of 90 percent for budget authority and 100 percent for offsetting collections. In addition, CBO estimates higher outlays from new authority (-\$85 million difference) and lower outlays from prior-year balances (\$45 million difference) than OMB.		

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Estimates Contained in P.L. 107-76
Agriculture, Rural Development, Food and Drug Administration, and
Related Agencies Appropriations Act, 2002
(in millions of dollars)

	<u>FY 2002</u>	
	<u>BA</u>	<u>OL</u>
Rural Housing Service:		
Rental Assistance Program.....	---	39
CBO estimates lower outlays from new authority (\$1 million difference) and lower outlays from prior-year balances (\$38 million difference) than OMB.		
Rural Business-Cooperative Service:		
Rural Empowerment Zones/Enterprise Community Grants.....	---	22
CBO estimates lower outlays from new authority (\$5 million difference) and lower outlays from prior-year balances (\$17 million difference) than OMB.		
Foreign Agricultural Service:		
P.L. 480 Grants - Titles I and II.....	---	57
CBO estimates lower outlays from prior-year balances than OMB.		
P.L. 480 Program Account.....	---	140
CBO estimates lower outlays from new authority (\$6 million difference) and lower outlays from prior-year balances (\$134 million difference) than OMB.		
Department of Health and Human Services:		
Food and Drug Administration:		
FDA Salaries and Expenses.....	---	20
CBO estimates lower outlays from new authority (\$18 million difference) and lower outlays from prior-year balances (\$2 million difference) than OMB.		
Other technical and estimating differences.....	---	66
TOTAL DIFFERENCES.....	189	735
OMB ESTIMATE, OTHER DISCRETIONARY SPENDING.....	16,207	16,951

Table 3.
Estimates Contained in P.L. 107-77
Departments of Commerce, Justice, and State, the Judiciary, and
Related Agencies Appropriations Act, 2002
(in millions of dollars)

	FY 2002	
	BA	OL
<u>CONSERVATION CATEGORY APPROPRIATIONS</u>		
CBO ESTIMATE, CONSERVATION CATEGORY SPENDING.....	438	363
<u>Technical Outlay Estimating Differences:</u>		
Department of Commerce:		
Operations, Research and Facilities.....	---	-12
CBO has higher estimates of outlays from new authority (-\$18 million), but lower estimates of outlays from prior-year authority (\$6 million) than OMB.		
Pacific Coastal Salmon Recovery.....	---	23
OMB has higher estimates of outlays from new authority (\$74 million), but lower estimates of outlays from prior-year authority (-\$51 million) than CBO.		
Procurement, Acquisition, and Construction.....	---	-5
OMB has lower estimates of outlays from new authority (-\$3 million) and lower estimates of outlays from prior-year authority (-\$2 million) than CBO.		
OMB ESTIMATE, CONSERVATION CATEGORY SPENDING.....	438	369
<u>OTHER DISCRETIONARY APPROPRIATIONS</u>		
CBO ESTIMATE, OTHER DISCRETIONARY SPENDING.....	38,218	38,484
<u>Scorekeeping Differences:</u>		
Department of Justice:		
Salaries and expenses, General Administration.....	-16	-10
CBO scores the Legal Activities Office Automation activity under this account, while OMB scores it in the Salaries and Expenses account for Legal Activities. In addition, OMB has lower estimates of outlays from new authority (-\$15 million) and higher estimates of outlays from prior-year authority (\$5 million) than CBO.		
Salaries and expenses, Legal Activities Salaries and Expenses.....	16	5
CBO scores the Legal Activities Office Automation activity under General Administration Salaries and Expenses, while OMB scores it in the Salaries and Expenses account for Legal Activities. In addition, OMB has higher estimates of outlays from new authority (\$14 million) and lower estimates of outlays from prior-year authority (-\$9 million) than CBO.		
Salaries and expenses, Antitrust Division	-49	-42
OMB and CBO have different estimates of fees that will be collected in this account. In addition, OMB has lower estimates of outlays from new authority (-\$49 million) and higher estimates of outlays from prior-year authority (\$7 million) than CBO.		

Table 3.
Estimates Contained in P.L. 107-77
Departments of Commerce, Justice, and State, the Judiciary, and
Related Agencies Appropriations Act, 2002
(in millions of dollars)

	FY 2002	
	BA	OL
Salaries and expenses, United States Marshals Service..... OMB and CBO have a rounding difference in budget authority. In addition, OMB has higher estimates of outlays from new authority (\$1 million) and higher estimates of outlays from prior-year authority (\$11 million) than CBO.	1	12
Office of Justice Programs: Crime Victims Fund..... CBO updated its estimate of collections, while OMB must continue to use the estimate of collections published in the FY 2002 Budget. In addition, OMB has lower estimates of outlays from prior-year authority (-\$226 million) than CBO.	94	-226
Department of Commerce:		
Patent and Trademark Office..... OMB and CBO have different estimates of fees that will be collected in this account. In addition, OMB has lower estimates of outlays from new authority (-\$36 million), but higher estimates of outlays from prior-year authority (\$54 million) than CBO.	-148	18
Procurement, Acquisition and Construction..... OMB and CBO have a rounding difference in budget authority. In addition, OMB has lower estimates of outlays from new authority (-\$38 million), but higher estimates of outlays from prior-year authority (\$46 million) than CBO.	1	8
Operations, Research, and Facilities..... OMB reflects the \$3 million transfer from the Coastal Zone Management Fund in this account, while CBO scores it within the stated appropriation. OMB and CBO agree there is a \$1 million rounding difference in BA. In addition, OMB has lower estimates of outlays from new authority (-\$166 million), and higher estimates of outlays from prior-year authority (\$160 million) than CBO.	4	-6
Department of State:		
Diplomatic and Consular Programs..... CBO scores an authorized \$4 million transfer from this account to Emergencies in the Diplomatic and Consular Service; OMB does not. OMB also includes \$5 million in deferred fee spending; CBO scores this as a separate advance appropriation (see below). In addition, OMB has lower estimates of outlays from new authority (-\$30 million), and higher estimates of outlays from prior-year authority (\$526 million) than CBO.	9	496
Diplomatic and Consular Programs -- Advance Appropriation..... CBO scores \$5 million in deferred fee spending as an advanced appropriation, OMB does not. In addition, OMB has lower estimates of outlays from new authority (-\$4 million) and outlays from prior-year authority (-\$1 million) than CBO.	-5	-5
Emergencies in the Diplomatic and Consular Service..... CBO scores the net effect of authorized transfers from the Diplomatic and Consular Programs account (\$4 million) and the Repatriation Loans Program Account (\$1 million); OMB scores these amounts in the originating account. In addition, OMB has lower estimates of outlays from new authority (-\$2 million) and lower estimates of prior-year authority (\$3 million) than CBO.	-3	1

Table 3.
Estimates Contained in P.L. 107-77
Departments of Commerce, Justice, and State, the Judiciary, and
Related Agencies Appropriations Act, 2002
(in millions of dollars)

	FY 2002	
	BA	OL
Repatriation Loans Program Account..... CBO scores the budget authority and outlays from an authorized transfer from the Emergencies in the Diplomatic and Consular Service in this account; OMB scores it in the originating account.	-1	-1
Federal Trade Commission:		
Salaries and Expenses..... OMB and CBO have different estimates of offsetting collections. In addition, OMB has lower estimates of outlays from new authority (-\$50 million) and lower estimates of outlays from prior-year authority (-\$2 million) than CBO.	-49	-52
Judicial Branch:		
Courts of Appeals, District Courts, and Other Judicial, S&E..... OMB scores judges salaries as mandatory; CBO scores judges salaries as discretionary. This accounts for the \$9 million budget authority difference. In addition, OMB has lower estimates of outlays from new authority (-\$83 million) and higher estimates of outlays from prior-year authority (\$60 million) than CBO.	-9	-23
Securities and Exchange Commission:		
Salaries and Expenses..... OMB higher estimates of outlays from new authority (\$257 million), but lower estimates of outlays from prior-year authority (-\$51 million) than CBO.	169	206
Small Business Administration:		
Disaster Loans..... OMB and CBO have a rounding difference in budget authority. In addition, OMB has lower estimates of outlays from new authority (-\$4 million) than CBO.	1	-4
CBO rounding adjustment..... CBO uses this account to bring account level detail (tracked in thousands) in line with the bill total (tracked in millions).	-4	0
<u>Technical Outlay Estimating Differences:</u>		
Department of Justice:		
General Administration: Counterterrorism fund..... OMB has higher estimates of outlays from prior-year authority (\$12 million) than CBO.	---	12
General Administration: Narrowband communications..... OMB has higher estimates of outlays from new authority (\$5 million) and outlays from prior-year authority (\$41 million) than CBO.	---	46
General Administration: Telecommunications carrier compliance fund..... OMB has lower estimates of outlays from prior-year authority (-\$98 million) than CBO.	---	-98

Table 3.
Estimates Contained in P.L. 107-77
Departments of Commerce, Justice, and State, the Judiciary, and
Related Agencies Appropriations Act, 2002
(in millions of dollars)

	FY 2002	
	BA	OL
Justice Assistance.....	---	194
OMB has higher estimates of outlays from prior-year authority (\$194 million) than CBO.		
Juvenile Justice Programs.....	---	124
OMB has higher estimates of outlays from new authority (\$30 million) and outlays from prior-year authority (\$94 million) than CBO.		
U.S. Trustee System Fund.....	---	-13
OMB has lower estimates of outlays from prior-year authority (-\$13 million) than CBO.		
FBI: Salaries and expenses.....	---	-145
OMB has lower estimates of outlays from new authority (-\$152 million), but higher estimates of outlays from prior-year authority (\$7 million).		
FBI: Construction.....	---	27
OMB has higher estimates of outlays from prior-year authority (\$27 million) than CBO.		
DEA: Salaries and expenses.....	---	-104
OMB has lower estimates of outlays from new authority (-\$74 million) and outlays from prior-year authority (-\$30 million) than CBO.		
INS: Salaries and Expenses.....	---	-28
OMB has lower estimates of outlays from prior-year authority (-\$28 million) than CBO.		
INS: Net of Immigration Support and Immigration User Fees.....	---	-29
OMB has lower estimates of outlays from prior-year authority (-\$29 million) than CBO.		
INS: Construction.....	---	62
OMB has higher estimates of outlays from prior-year authority (\$62 million) than CBO.		
Federal Prison System: Buildings and facilities.....	---	-29
OMB has lower estimates of outlays from prior-year authority (-\$29 million) than CBO.		
Federal Prison System: Salaries and expenses.....	---	-49
OMB has lower estimates of outlays from prior-year authority (-\$49 million) than CBO.		
Office of Justice Programs: Weed and Seed Program fund.....	---	11
OMB has higher estimates of outlays from prior-year authority (\$11 million) than CBO.		
Office of Justice Programs: State and local law enforcement assistance.....	---	1,229
OMB has lower estimates of outlays from new authority (-\$1 million) but higher estimates of outlays from prior-year authority (\$1,230 million) than CBO.		
Office of Justice Programs: Community oriented policing services.....	---	-307
OMB has lower estimates of outlays from new authority (-\$74 million) and outlays from prior-year authority (-\$233 million) than CBO.		
Office of Justice Programs: Violent Crime Reduction Programs.....	---	-920
OMB has lower estimates of outlays from prior-year authority (-\$920 million) than CBO.		

Table 3.
Estimates Contained in P.L. 107-77
Departments of Commerce, Justice, and State, the Judiciary, and
Related Agencies Appropriations Act, 2002
(in millions of dollars)

	<u>FY 2002</u>	
	<u>BA</u>	<u>OL</u>
Department of Commerce:		
Departmental Management: Emergency steel loan program account.....	---	-51
OMB has lower estimates of outlays from prior-year authority (-\$51 million) than CBO.		
Economic Development Administration: Economic Development Assistance.....	---	48
OMB has higher estimates of outlays from prior-year authority (\$48 million) than CBO.		
National Institute of Standards and Technology: Industrial technology services.....	---	62
OMB has higher estimates of outlays from new authority (\$2 million) and prior-year authority (\$60 million) than CBO.		
Census: Periodic Census.....	---	-15
OMB has higher estimates of outlays from new authority (\$39 million) but lower estimates of outlays from prior-year authority (-\$54 million) than CBO.		
NOAA: Promote and Develop Fishery Products.....	---	57
OMB has higher estimates of outlays from new authority (\$37 million) and outlays from prior-year authority (\$20 million) than CBO.		
PTO Unapportioned Fees.....	---	-64
OMB estimates zero for prior-year outlays while CBO estimates prior-year outlays of \$64 million.		
Department of State:		
Administration of Foreign Affairs: Capital Investment Fund.....	---	46
OMB has a higher first-year spend-out rate (50 percent vs. 34 percent) generating higher estimates of outlays from new authority (\$33 million), along with higher estimates than CBO of outlays from prior-year authority (\$13 million).		
Administration of Foreign Affairs: Educational and Cultural Exchange Programs.....	---	36
OMB has a higher estimate of outlays from prior-year authority (\$36 million) than CBO. This is the result of a high level of unexpended authority from transfers into the account.		
Administration of Foreign Affairs: Embassy security, construction and maintenance.....	---	154
OMB has a slightly lower estimate of outlays from new authority (-\$4 million) but a higher estimate of outlays from prior-year authority (\$158 million) than CBO.		
International Organizations and Conferences: International Peacekeeping Activities.....	---	23
OMB and CBO have different first-year spendout rates (98 percent versus 83 percent), generating higher first-year OMB outlay estimates (\$126 million) than CBO. OMB also has a lower estimate of prior-year outlays (-\$103 million) than CBO.		
International Organizations and Conferences: Contributions to Int. Organizations.....	---	15
OMB has a higher estimates of outlays from prior-year authority (\$15 million) than CBO.		

Table 3.
Estimates Contained in P.L. 107-77
Departments of Commerce, Justice, and State, the Judiciary, and
Related Agencies Appropriations Act, 2002
(in millions of dollars)

	FY 2002	
	<u>BA</u>	<u>OL</u>
Small Business Administration:		
Salaries and Expenses.....	---	51
OMB has a higher estimate of outlays from new authority (\$11 million) and a higher estimate of outlays from prior-year authority (\$40 million) than CBO.		
Department of Transportation: Maritime Administration		
Maritime Administration Operating Differential Subsidies.....	---	17
OMB has a higher estimate of outlays from prior-year authority (\$17 million) than CBO.		
Maritime Administration Guaranteed Loan Program Account.....	---	27
OMB has a higher estimate of outlays from new authority (\$24 million) and a higher estimate of outlays from prior-year authority (\$3 million) than CBO.		
Federal Communications Commission:		
Salaries and Expenses.....	---	21
OMB has a higher estimate of outlays from new authority (\$35 million) and a lower estimate of outlays from prior-year authority (-\$14 million) than CBO.		
Other outlay estimating differences.....	---	60
TOTAL DIFFERENCES.....	11	847
OMB ESTIMATE, NON-DEFENSE DISCRETIONARY SPENDING.....	38,229	39,331

Table 4.
ENACTED APPROPRIATIONS AS OF NOVEMBER 28, 2001
(in millions of dollars)

	<u>FY 2001</u>		<u>FY 2002</u>	
	BA	Outlays	BA	Outlays
Highway Category Spending				
Highway Category spending limits ¹	---	26,920	---	28,489
Total Enacted, Highway Category Spending.....	---	26,897	---	---
Total Enacted, Highway Category Spending.....	-----	-----	-----	-----
Total Enacted, Highway Category Spending.....	---	26,897	---	---
Appropriations over/under (-) spending limits.....				
	---	-23	---	-28,489
Mass Transit Category Spending				
Mass Transit Spending Limits ¹	---	4,639	---	5,275
Total Enacted, Mass Transit Spending.....	---	4,639	---	---
Total Enacted, Mass Transit Category Spending.....	-----	-----	-----	-----
Total Enacted, Mass Transit Category Spending.....	---	4,639	---	---
Appropriations over/under (-) spending limits.....				
	---	---	---	-5,275
Conservation Category Spending				
Conservation Spending Limits ¹	N/A	N/A	1,760	1,232
Amount Previously Enacted.....	N/A	N/A	1,320	1,104
Amount Provided in P.L. 107-77, Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2002.....	N/A	N/A	438	369
Total Enacted, Conservation Category Spending.....	-----	-----	1,758	1,473
Total Enacted, Conservation Category Spending.....	N/A	N/A	1,758	1,473
Appropriations over/under (-) spending limits.....				
	N/A	N/A	-2	241

Table 4.
ENACTED APPROPRIATIONS AS OF NOVEMBER 28, 2001
(in millions of dollars)

	<u>FY 2001</u>		<u>FY 2002</u>	
	BA	Outlays	BA	Outlays
Other Discretionary Spending				
Other Discretionary Spending Limits ¹	640,803	620,392	546,945	537,383
Amount Previously Enacted.....	640,801	620,350	72,985	72,061
Amount Provided in P.L. 107-73, Departments of Veteran's Affairs, and Housing and Urban Development, and Independent Agencies Appropriations Act, 2002.....	N/A	N/A	85,290	90,193
Amount Provided in P.L. 107-76, Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2002.....	N/A	N/A	16,207	16,951
Amount Provided in P.L. 107-77, Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2002.....	N/A	N/A	38,229	39,331
	-----	-----	-----	-----
Total Enacted, Other Discretionary Spending.....	640,801	620,350	212,711	218,536

Appropriations over/under (-) spending limits.....	-2	-42	-334,234	-318,847
---	----	-----	----------	----------

Total Discretionary Spending				
Total Discretionary Spending limits ¹	640,803	651,951	548,705	572,379
Amount Previously Enacted.....	640,801	651,886	74,305	73,165
Amount Provided in P.L. 107-73, Departments of Veteran's Affairs, and Housing and Urban Development, and Independent Agencies Appropriations Act, 2002.....	N/A	N/A	85,290	90,193
Amount Provided in P.L. 107-76, Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2002.....	N/A	N/A	16,207	16,951

Table 4.
ENACTED APPROPRIATIONS AS OF NOVEMBER 28, 2001
(in millions of dollars)

	<u>FY 2001</u>		<u>FY 2002</u>	
	BA	Outlays	BA	Outlays
Amount Provided in P.L. 107-77, Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2002.....	N/A	N/A	38,667	39,700
Total Enacted, Total Discretionary Spending.....	640,801	651,886	214,469	220,009
Appropriations Over/Under (-) Spending Limits.....	-2	-65	-334,236	-352,370

¹ FY 2001 and FY 2002 limits are the limits included in the August Update Report that was transmitted to the Congress on August 22, 2001. They include: enacted emergency appropriations and released contingent emergency appropriations, as permitted under the Budget Enforcement Act (BEA) of 1997.



CONGRESSIONAL BUDGET OFFICE
U.S. CONGRESS
WASHINGTON, DC 20515

Dan L. Crippen
Director

November 15, 2001

Honorable Mitchell E. Daniels Jr.
Director
Office of Management and Budget
Washington, DC 20503

Dear Mr. Daniels:

The Congressional Budget Office, after consultation with the Committees on the Budget of the House of Representatives and the Senate, provides the enclosed estimates of budget authority, outlays, and revenues for the following bills:

- P.L. 107-63, the Department of Interior and Related Agencies Appropriation Act, 2002;
- P.L. 107-64, the Military Construction Appropriations Act, 2002;
- P.L. 107-66, the Energy and Water Development Appropriations Act, 2002;
- P.L. 107-67, the Treasury and General Government Appropriations Act, 2002;
- P.L. 107-68, the Legislative Branch Appropriations Act, 2002; and
- H.R. 2620, the Departments of Veterans' and Housing and Urban Development and Independent Agencies Appropriations Act, 2002.

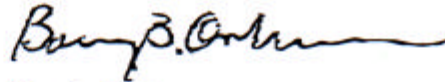
These estimates are required by section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985.

Honorable Mitchell E. Daniels Jr.

Page 2

This information has been provided to OMB staff, and we will be happy to provide additional information if necessary. The CBO staff contacts are Jodi Capps (for Interior), Bob Sempsey (for Military Construction), Amy Wendholt (for Energy and Water), Catherine Little (for Treasury, and Veterans' and Housing and Urban Development), and Janet Airis (for Legislative Branch). They can be reached at 226-2850.

Sincerely,



DL Dan L. Crippen
Director

Table 1. Estimated Discretionary Budgetary Impact of Fiscal Year 2002 Appropriations Bills as Passed by the Congress, Through November 9, 2001

	Fiscal Year 2002, in Millions of Dollars					
	Non-Emergencies		Emergencies		Total	
	BA	Outlays	BA	Outlays	BA	Outlays
Discretionary Appropriations						
Interior (P.L. 107-63)						
General purpose						
Conservation	17,400	16,699	400	289	17,800	16,988
Subtotal	<u>1,320</u>	<u>1,029</u>	<u>0</u>	<u>0</u>	<u>1,320</u>	<u>1,029</u>
	18,720	17,728	400	289	19,120	18,017
Military Construction (P.L. 107-64)	10,500	9,190	0	0	10,500	9,190
Energy and Water (P.L. 107-66)	24,596	24,770	0	0	24,596	24,770
Treasury (P.L. 107-67)	17,069	16,256	0	0	17,069	16,256
Legislative Branch (P.L. 107-68)	2,974	2,941	0	0	2,974	2,941
Veterans' and Housing and Urban Development (H.R. 2620)	<u>83,934</u>	<u>88,463</u>	<u>1,500</u>	<u>0</u>	<u>85,434</u>	<u>88,463</u>
Total	157,793	159,348	1,900	289	159,693	159,637

SOURCE: Congressional Budget Office.

NOTES: BA = Budget Authority

P.L. = Public Law

Figures include outlays resulting from appropriations provided in prior years.

Table 2. Estimated Pay-As-You-Go Budgetary Impact of Fiscal Year 2002 Appropriations Bills as Passed by the Congress, Through November 9, 2001

	By Fiscal Year, in Millions of Dollars									
	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Pay-As-You-Go Estimate—Changes in Receipts										
Botanic Garden gifts and donations (Legislative Branch)	2	0	0	0	0	0	0	0	0	0
EPA registration fees	-24	0	0	0	0	0	0	0	0	0
Manufactured housing fees (Veterans' and Housing and Urban Development)	-8	-9	-9	-10	-10	-10	-11	-11	-11	-12
Total Changes	-30	-9	-9	-10	-10	-10	-11	-11	-11	-12

SOURCE: Congressional Budget Office.

NOTE: Only amounts in the budget year and the subsequent four years are counted for purposes of enforcing pay-as-you-go procedures.



CONGRESSIONAL BUDGET OFFICE
U.S. CONGRESS
WASHINGTON, DC 20515

Dan L. Crippen
Director

November 19, 2001

Honorable Mitchell E. Daniels Jr.
Director
Office of Management and Budget
Washington, DC 20503

Dear Mr. Daniels:

The Congressional Budget Office, after consultation with the Committees on the Budget of the House of Representatives and the Senate, provides the enclosed estimates of budget authority and outlays for H.R. 2330, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2002; and H.R. 2500, the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2002. These estimates are required by section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985.

This information has been provided to OMB staff, and we will be happy to provide additional information if necessary. The CBO staff contacts are Jodi Capps (for Agriculture) and Virginia Myers (for Commerce). They can be reached at 226-2850.

Sincerely,


Dan L. Crippen

Enclosure

Table 1. Estimated Discretionary Budgetary Impact of H.R. 2330 and H.R. 2500.

	Fiscal Year 2002, in Millions of Dollars					
	Non-Emergencies		Emergencies		Total	
	BA	Outlays	BA	Outlays	BA	Outlays
Discretionary Appropriations						
Agriculture, Rural Development, and Food and Drug Administration (H.R. 2330)						
General purpose	16,018	16,282	0	0	16,018	16,282
Commerce, Justice, State, and the Judiciary (H.R. 2500)						
Defense	631	695	0	0	631	695
General purpose	37,651	37,853	0	0	37,651	37,853
Conservation	<u>438</u>	<u>363</u>	<u>0</u>	<u>0</u>	<u>438</u>	<u>363</u>
Subtotal	38,720	38,911	0	0	38,720	38,911
Total	54,674	55,129	0	0	54,674	55,129

SOURCE: Congressional Budget Office.

NOTES: BA = Budget Authority

P.L. = Public Law

Estimates include budget authority and outlays resulting from appropriations provided in prior years.