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REQUEST FOR FY 2005 BUDGET AMENDMENTS

COMMUNICATION

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

A REQUEST FOR FY 2005 SUPPLEMENTAL APPROPRIATIONS FROM THE LEGISLATIVE BRANCH AND THE JUDICIAL BRANCH

MARCH 3, 2005.—Referred to the Committee on Appropriations and ordered to be printed

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THE WHITE HOUSE,
Washington, March 2, 2005.

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

DEAR MR. SPEAKER: As a matter of comity, I am transmitting to the Congress, without modification, the enclosed requested amounts from the Legislative Branch and the Judicial Branch for FY 2005.

The details of these requests are set forth in the enclosed letter from the Director of the Office of Management and Budget.

Sincerely,

GEORGE W. BUSH.

[Estimate No. 2, 109th Cong., 1st Sess.]

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, March 2, 2005.

The PRESIDENT,
The White House.

Submitted for your consideration for transmittal to the Congress are FY 2005 proposals, totaling $161.3 million, which have been requested by the Legislative Branch and the Judicial Branch.

As described below and in more detail in the enclosures, the requests include the following:

Legislative Branch

As requested by the Legislative Branch, an additional $59.5 million is proposed for the Capitol Police, including: $36.5 million for salaries, to provide workforce staffing and overtime resources to meet security needs; and $23.0 million to fund mission-related activities for protecting the Legislative Branch.

Judicial Branch

As requested by the Judicial Branch, an additional $101.8 million is proposed for the Courts of Appeals, District Courts, and Other Judicial Services for unforeseen workload costs associated with recent Supreme Court decisions and the recently enacted Class Action Fairness Act of 2005.

As a matter of comity only, I recommend that you transmit these proposals to the Congress.

Sincerely,

JOSHUA B. BOLTEN,
Director.

Enclosures.

LEGISLATIVE BRANCH

CAPITOL POLICE

SALARIES

For an additional amount for salaries of employees of the Capitol Police, including overtime, hazardous duty pay differential, and Government contributions for health, retirement, social security, professional liability insurance, and other applicable employee benefits, $36,483,000, to remain available until expended.

As requested by the Legislative Branch, this proposal would provide additional funds to the Capitol Police's Salaries account. The funding would provide workforce staffing and overtime resources to support law enforcement, security, emergency preparedness, screening, interdiction, and hazardous material/device response operations.

This proposal would increase FY 2005 outlays by $12 million.

LEGISLATIVE BRANCH

CAPITOL POLICE

GENERAL EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for necessary expenses of the Capitol Police related to emergency expenses for the security of the United States Capitol complex, $23,044,000, to remain available until expended: Provided. That funds under this heading may be transferred to the Architect of the Capitol to provide support for security enhancements, subject to the approval of the Committees on Appropriations of the Senate and the House of Representatives.

As requested by the Legislative Branch, this proposal would provide additional funds to the Capitol Police's General Expenses account for the continuance of operational capabilities, assets, and services to support the mission of protecting the Legislative Branch.

This proposal would increase FY 2005 outlays by $11 million.

JUDICIAL BRANCH

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Salaries and Expenses, Courts of Appeals, District Courts, and Other Judicial Services" for unforeseen costs associated with recent Supreme Court decisions and recently enacted legislation, $101,800,000, to remain available until September 30, 2006: Provided, That notwithstanding section 302 of Division B, Public Law 108–447, such sums shall be available for

transfer to accounts within the Judiciary subject to section 605 of said Act.

As requested by the Judicial Branch, this proposal would provide additional funds for costs associated with the Supreme Court's recent twin majority opinions in *United States* v. *Booker* and *United States* v. *Fanfan*. This decision, which made the U.S. Sentencing Guidelines advisory and certain sentence enhancements under the Guidelines unconstitutional, will have an immediate impact on the Judiciary's workload. In addition to increased workload associated with pending and new cases, a significant number of Federal inmates are expected to seek relief by asking the district and appellate courts to reconsider their sentences.

This request would also cover the costs associated with the Class Action Fairness Act of 2005, signed into law on February 18, 2005. The Congressional Budget Office estimates that as a result of this legislation about 300 additional class action cases would be heard in Federal court each year.

This proposal would increase FY 2005 outlays by $76 million.

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