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House of Representatives

The House met at 10 a.m.

Dr. Ivan N. Raley, Pastor, First Baptist Church, Byrdstown, Tennessee, offered the following prayer:

Our heavenly Father, as we gather in this historic and honored hall, with these whom You have chosen and our Nation has elected to serve in their place here in this special city, we come, Lord, humbly and devotedly before You.

Father, we are reminded in Your Word where a man who had been sick for 38 years met Your Son, Jesus, and when He met him and was asked if he would be made whole, he said he had no one.

Father, I believe that across this great Nation of ours there are tens of thousands of people who are looking to the men and women of this great hall and this great body and are saying, as clearly as the layman 2000 years ago, we need someone.

Father, touch each of these who have been elected, ordain them as Your servants and use them gloriously this day. May their voice be Yours. May their decisions be Yours.

Father, God bless this body. God bless America.

In Your holy name. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. FOLEY. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. FOLEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from California (Mrs. CAPPS) come forward and lead the House in the Pledge of Allegiance.

Mrs. CAPPS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

IN RECOGNITION OF DR. IVAN RALEY

(Mr. DAVIS of Tennessee asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAVIS of Tennessee. Mr. Speaker, I rise today in proud recognition of Dr. Ivan Raley. Dr. Raley is a native Tennessean who has selflessly served the people and the State of Tennessee as a pastor for the last 30 years. My local church, the First Baptist Church in Byrdstown, has been blessed as the home of Dr. Raley for the last 3 years, and today, following in the tradition established by Benjamin Franklin and our Founding Fathers, Dr. Raley delivered the opening prayer to the United States House of Representatives.

In addition to serving as pastor of my local church, Ivan Raley works as regional vice president of the Tennessee Baptist Children's Home, Inc. The Tennessee Baptist Children's Home was founded in Nashville, Tennessee, in 1891 to provide residential care to orphaned, neglected, abandoned and abused children while helping them become whole persons in the name of the Lord.

In my opinion, Dr. Raley is a rare individual who truly believes in serving his fellow man. By tirelessly spreading the message of faith, hope and caring for others, Dr. Raley has been able to help thousands of Tennesseans seek comfort in the Lord's arms. Dr. Raley understands that words like morals, values and faith are not just punch words that should be used shallowly for personal gain, but rather, they should be the foundation and driving force of every human life.

Dr. Raley knows that love lives in the heart of every individual, whether they be friend or stranger, and that when we know and accept this love, we will understand the blessing of life that God has given us.

I thank Dr. Raley for all he as done for me and my family and all he continues to do for the orphaned children in Tennessee.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain five 1-minute speeches on each side.

PUNTA GORDA POLICE DEPARTMENT STARTS ADOPT-AN-OFFENDER PROGRAM

(Mr. FOLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FOLEY. Mr. Speaker, the news coming out of Florida is distressing, the brutal murders and abductions of young girls.

Punta Gorda Police Department started a new program yesterday, Adopt-An-Offender, where police officers are placed with sexual offenders in the new program.

In a press conference Tuesday afternoon, Police Chief Chuck Rinehart commended all the officers of his department for 100 percent participation.

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After the recent murder, said the chief, of Jessica Lunsford, in Citrus County, the Punta Gorda Police Department decided they were unsatisfied with the way they were handling local sex offenders. The result was this program.

He said, ''We will work hand-in-hand with our local probation and parole officers to ensure that offenders and predators are following the lines drawn for them. The bottom line to offenders and predators: Don't cross the line.''

St. Lucie County Sheriff Ken Mascara and Under Sheriff Gary Wilson have had a similar program for some time.

I commend both of these agencies for their proactive leadership and urge all cities and counties to follow their lead. It is time we get tough. We should not expect people to register. We should be pursuing them. We should be following them. If they break the law, they should be back in jail.

IT IS TIME TO GET OUT OF IRAQ

(Mr. KUCINICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUCINICH. Mr. Speaker, yesterday's Washington Post carried two pages of pictures of our brave young men and women who were killed in Iraq.

This war is an abstraction for most Americans, but not for the families of those who made the ultimate sacrifice. The fallen soldiers' contributions will never be diminished. What they stood for is in the highest service to this Nation.

But we must ask questions of those who sent them, of those who would keep our troops there, of those who would send even more troops, of those who say, well, now that we are there, we must stay there. Such logic would have left us still fighting a war in Vietnam.

How can we move on to other matters in this Capitol when we are sending more men and women to die in a war that was based on a lie? This war has forever altered the lives of tens of thousands of families in this country and hundred of thousands in Iraq.

Enough is enough. It is time for an exit strategy. It is time to get out of Iraq.

WASTED PRESCRIPTION DRUGS

(Mr. MURPHY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MURPHY. Mr. Speaker, imagine this: A person in a nursing home receives a prescription for a 90-day supply of medication. A few days later, the physician changes that. What happened with those unused drugs? They are thrown away.

Millions of Federal and State dollars could be saved by restocking unused prescription drugs that are often thrown away by long-term care facilities when a patient changes prescriptions, passes away, is discharged or transfers.

What if these drugs could be restocked and safely used?

It has been estimated that restocking unused medications may save as much as $1 billion among the elderly Americans each year and up to $380 million in long-term care facilities alone.

The FDA issued an informal opinion allowing the restocking of drugs that meet safety guidelines; however, there is still wide disparity between what the States are doing. This confusion is costing the States and the Federal Government money.

Rather than flushing drugs down the drain each month and wasting money, I urge my colleagues to work with me and the States on uniformed standards for restocking drugs and to examine the new savings that can save money, improve lives, and improve health care.

For further information, I ask my colleagues to check out my Web site at murphy.house.gov of ways we can continue to save lives and money.

MEDICAID CUTS IN THE BUDGET

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, 44 Republicans wrote to the gentleman from Iowa (Mr. NUSSLE), the Committee on the Budget chairman, protesting the Medicaid cuts included in the House budget they had recently voted for. Their letter says, ''We strongly urge you to remove these reductions and the reconciliation instructions targeted at Medicaid.''

Their letter correctly notes that the policy should drive the budget and not the budget the policy. That is a good idea. Unfortunately, it seems like one that will not be followed in the impending budget deal.

I hope, Mr. Speaker, that if the budget conference report contains Medicaid cuts, these 44 Republican Members will not buckle to the pressure of the Republican leadership.

We all need to stand firm. Just issuing a letter against cuts in a budget you just voted for is not enough. It is important to follow up by not voting for the final bill if it contains the cuts you say you are against.

Cuts to Medicaid of this magnitude are going to have real harm to millions of real people. We should reject any budget that indiscriminately calls for millions of dollars in cuts to Medicaid.

LEGISLATIVE ACHIEVEMENT

(Mr. PRICE of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PRICE of Georgia. Mr. Speaker, it is hard to tell by reading the front pages of papers across the country, but the House has been racking up legislative accomplishments, one after another after another, most of the times with growing bipartisan support.

Look at just a few of the accomplishments in the first 100 days of this Congress.

Legal reform. The Class Action Fairness Act addresses the most serious lawsuit abuse by allowing larger interstate class action cases to be heard in Federal courts with a Consumer Class Action Bill of Rights.

Border security and immigration reform. The REAL ID Act completes the work of the 9/11 Commission recommendations by implementing reforms to strengthen our border security and better protect our homeland.

The death tax repeal. The permanent repeal of the death tax ends the unjust and unfair tax on millions.

Mr. Speaker, it is a great pleasure and a welcome sight to me to see my colleagues on the other side of the aisle join us to do the people's work. Let us continue that good work and tackle Social Security and tax reform.

THE REPUBLICANS' BUDGET ON AFRICAN AMERICAN AND HISPANIC COMMUNITIES AND CHILDREN

(Ms. LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LEE. Mr. Speaker, the Democratic leadership just released two reports that make clear just how much damage the Republican budget will do to the African American and Hispanic communities, as well as to children.

This budget fails to deliver $12 billion in proposed funding for education. If the President really meant that no child would be left behind, why are 3 million children not getting the help in reading and math that they deserve?

The budget fails to make health care accessible. With more than 20 million African Americans and Hispanics without health insurance, the Bush budget offers health care cuts that will increase the number of the uninsured.

President Bush claimed that his Social Security privatization plan would benefit African Americans because we have shorter life expectancies. The budget makes it clear that the President would rather exploit this issue to sell his privatization scheme than do something to help African Americans live longer.

This budget creates deficits, not jobs, and it favors tax cuts for the rich over making the American dream more accessible to all. Every American deserves better.

□ 1015

FIRST 100 DAYS OF CONGRESS MARKED BY LEGISLATIVE ACHIEVEMENT

(Mr. CONAWAY asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. CONAWAY. Mr. Speaker, in a community where overreaching and puffery is a state of art, it is always dangerous to begin to talk about things we have actually accomplished, but I want to join my colleague from Georgia in bragging about what this House has done in its first 100 days.

The leader of this House, the gentleman from Texas (Mr. DELAY), is in no small part responsible for the aggressive legislative agenda that we have accomplished. In addition to those acts that the gentleman from Georgia (Mr. PRICE) mentioned, we have also passed a supplemental appropriations act to provide the necessary funding for the fight in Iraq and Afghanistan and to continue the fight on the war on terrorism.

We have also passed and sent to the Senate a budget resolution, which includes reconciliation for the first time since 1997. We have also passed a highway bill, which will provide needed infrastructure improvements and growth for this country for the next 6 years. Again, sent to the Senate and we are awaiting their action. We have also passed and had the President sign a bankruptcy reform bill as well as the class action lawsuit reform.

So this House, in the first 100 days, has accomplished much and I am proud to be a part of that; and we should thank Leader DELAY for his leadership in that regard.

30TH ANNIVERSARY OF THE FALL OF SAIGON

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today in support of all the individuals who are taking part in events in this Nation's Capital, in Orange County, California, and all across our Nation to observe the fall of Saigon on April 30.

April 30, 1975, marked the beginning of a journey for many who sought refuge in an unknown land and an uncertain future. These individuals risked everything for a chance to live freely and provide better opportunities for their children and for their families.

In the 30 years since, most Vietnamese Americans have been able to rebuild their lives and to contribute to the diversity of this Nation. The world has changed since that fateful day; but one thing remains constant, Vietnamese Americans work tirelessly to promote freedom and democracy in Vietnam.

As we reflect on the anniversary, please join me and Vietnamese American communities in honoring the memory of those who lost their lives in this conflict and in celebrating the contributions of Vietnamese Americans across our Nation.

NORTH COLLEGE HILL TROJANS CELEBRATE STATE BASKETBALL CHAMPIONSHIP

(Mr. CHABOT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CHABOT. Mr. Speaker, this year in the State of Ohio's own version of March Madness, one team in my district, the North College Hill Trojans, celebrated the school's first State basketball championship by defeating second-ranked Ironton 71 to 65.

The Trojans left no doubt in people's minds that they were the best Division III basketball team in the State of Ohio, capping off an amazing 27 to 1 record by winning its final 21 games. Something tells me that the State of Ohio is going to be hearing a lot more from North College Hill in the years to come.

Four of the team's five starters were freshmen and sophomores, led by Ohio Mr. Basketball and first team All-USA Today team honoree O.J. Mayo. I want to congratulate head coach Jamie Mahaffey and all the rest of the coaching staff and every member of the North College Hill team on a job well done. I also want to congratulate the parents and the students and the fans for a great season.

Mr. Speaker, I would not at all be surprised if I am up here again next year at this time congratulating North College Hill on winning back-to-back State basketball championships.

SOCIAL SECURITY

(Ms. ROYBAL-ALLARD asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROYBAL-ALLARD. Mr. Speaker, Social Security is one of the most successful programs ever enacted by Congress. Through its guaranteed benefits and reliability, it has saved tens of millions of seniors from a life of poverty during their most vulnerable years.

To appreciate fully the importance of Social Security, one need only to have our grandparents talk about the tragic lives of many of our seniors prior to the 1935 passage of the Social Security Act. Yet the President's current proposal fails in its protection of our Nation's seniors by sacrificing the reliability of Social Security benefits for the highly risky scheme of private accounts, subject to the unpredictable fluctuations of the stock market. For that reason, it is no accident that seniors across the country are opposed to the President's ill advised and extremely risky Social Security proposal.

Let us reject the President's ideas and instead draft a plan to ensure the long-term solvency of Social Security and again give Americans the safety and confidence they have long enjoyed from the Social Security System.

WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. PUTNAM. Mr. Speaker, by the direction of the Committee on Rules, I call up House Resolution 242 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 242

Resolved, That the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported on the legislative day of April 28, 2005 (1) providing for consideration or disposition of a conference report to accompany the concurrent resolution (H. Con. Res. 95) establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010 or (2) establishing a separate order relating to budget enforcement.

The SPEAKER pro tempore (Mr. LATHAM). The gentleman from Florida (Mr. PUTNAM) is recognized for 1 hour.

Mr. PUTNAM. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the ranking member of the Committee on Rules, the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purposes of debate only.

(Mr. PUTNAM asked and was given permission to revise and extend his remarks.)

Mr. PUTNAM. Mr. Speaker, House Resolution 242 is a same-day rule. It waives clause 6(a) of rule XIII requiring a two-thirds vote to consider a rule on the same day it is reported from the Committee on Rules.

H. Res. 242 allows the House to consider the rule and conference report accompanying H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010 or establishing a separate order relating to budget enforcement.

Mr. Speaker, it is imperative we pass this same-day rule so that we may consider the congressional budget resolution today. Once the House completes consideration and passes the budget, we can send the budget resolution to the Senate. The Senate will then be in a position to consider, and hopefully pass, the budget resolution on Friday, before they recess next week.

I am pleased and excited at the prospect of the passage of this budget. For the first time since 1997, the budget includes reconciliation instructions to authorizing committees, calling for the reduced rate of growth of mandatory programs. Mandatory spending is the guaranteed spending that grows every year, mostly without reform or review.

It currently consumes 55 percent of our budget; and if it continues unchecked, it will reach 61 percent of the total Federal budget by 2015.

More than half of the government's spending today is essentially on automatic pilot. This is neither sound nor sustainable fiscal policy. Congress is on its way to losing control over the spending priorities that the people send us here to debate and review and vote on as entitlements squeeze the budget more and more. Reconciliation instructions are the critical step to beginning the process of getting mandatory spending back to a sustainable rate of growth.

These savings are an excellent precedent. My hope is that reconciliation instructions become a standard practice in this time of deficits. With budget deficits, it is imperative to get a handle on all spending, both discretionary and mandatory. This budget is an inauguration of true fiscal discipline in a period of restrained spending.

I want to commend the Committee on the Budget and its staff for their hard work through the night to get this budget resolution finished so that we may consider it today in preparation for the recess that the Senate intends to take next week. The House will be back to work next week.

The House Committee on Rules will be meeting later today to provide a rule for the consideration of the budget resolution. I am pleased that this same-day rule will help facilitate the timely deliberation of our budget. Mr. Speaker, I urge my colleagues to support this same-day rule so that we can move forward to the rule and eventually on to the conference report on the budget today.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman from Florida (Mr. PUTNAM), my good friend, for yielding me the customary 30 minutes; and I yield myself such time as I may consume.

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, well, here we are doing another martial law rule and we wait and wait for the conference committee to finish its work, the conference committee that, I might add, did not include a single Democrat, which is unusual. Let me say that again. This conference committee we are waiting for did not include a single Democrat.

Whenever we do a rule to waive two-thirds consideration, it means we will be rushing the underlying bill to the floor, giving the Members virtually no time at all to actually read the bill or determine what it is we are voting on. This time, we are waiting for the fiscal year 2006 budget conference, a bill that will spend more than 2 trillion taxpayer dollars.

Why are we rushing something that is so important and impacts virtually every American? Why do we not just follow the regular order of business set forth in the House rules and let the conference finish its work and file its report and give Members a minimum of 3 days, required by House rules, so they can read and understand the blueprint for spending the taxes? Is that too much to ask? After all, we only have a 2½-day workweek in the House, and certainly most Americans would not consider that a heavy workload, not compared to the ones they have anyway.

The situation we are faced with today is one that is all too familiar in the House. Yesterday, after 4 months of stonewalling, the majority finally acquiesced and reinstated the proper ethical standards for the House. But we did not find out about their intentions until the early afternoon. And less than 45 minutes later, we were in the Committee on Rules and asked to vote on a resolution we had never been given an opportunity to read.

When the gentleman from Florida (Mr. HASTINGS) made a motion for a brief adjournment from the Committee on Rules to give members and the gentleman from West Virginia (Mr. MOLLOHAN), the ranking member, time to read the new rules they were being asked to support, we were defeated on a party-line vote.

The bottom line, the majority, after 4 months, decided the new ethics rules had to be passed on an emergency status, in one day; and as a result, no one in the House was given an opportunity to read the legislation.

Where are these emergencies coming from? It is not an emergency the first week of January or February or March, or the first three weeks in April. And, unfortunately, these tactics and the poor administration of the House are all too common. Today, we are faced with a similar situation on the budget. The situation is sadly all too familiar to the Members of the body: a great crisis has arisen.

The majority expects the House to pass a budget today that no one has seen, and I would like to give a speech right now about what is and is not in that budget, but I am not able to because I have not seen the budget, nor has anyone else, not even the gentleman from South Carolina (Mr. SPRATT), the ranking member of the Committee on the Budget. It is truly a remarkable phenomenon that can only be found in Washington.

I guess this majority believes we should take everything they say at face value and we should trust them. However, we have had enough experience to know all too well we cannot do that. In fact, just yesterday on this very floor we discussed how the Committee on the Judiciary's majority staff grossly mischaracterized the work of several Democratic members of that committee. It was truly one of the most offensive acts I have witnessed in my 20 years in Congress and years before that in legislative bodies. And that was just yesterday.

□ 1030

In fact, early in the term I released a 147-page report about the unethical administration of the Congress by its leadership, filled to the brim with tactics just like the one we witnessed this past week and the one we are suffering under today.

That is why I have said and will continue to say that the manner in which this House is administered is not in keeping with democratic values that we as Americans share. We have a shortage of deliberation, democracy, and debate in the House of Representatives, and there is no relief in sight.

In fact, the leadership is asking this body to pass the congressional budget today, a bill which is probably the most important document we will pass in the entire session of the 109th Congress without even a single sheet of paper, and without even one day to review the hundreds of pages contained in the bill. It is the height of arrogance. This is not democracy under any definition of the word, and that is why I strongly oppose this rule and urge my colleagues to vote ''no.''

Mr. Speaker, I reserve the balance of my time.

Mr. PUTNAM. Mr. Speaker, I yield myself such time as I may consume.

To the gentlewoman from New York (Ms. SLAUGHTER), my good friend and distinguished colleague, I can certainly understand the gentlewoman's desire to read the completed conference report. I would just point out that the same-day rule was passed last night in the Committee on Rules as an accommodation to the entire House so we can facilitate the work, enable the budget conference report to be passed out of the House so that it can go to the Senate; because the Senate, apparently in need of a respite from their legislative productivity of the last several weeks, will be taking next week off.

So in order to get the budget process moving and give the Federal Government and the American people a blueprint of our priorities, we wanted to move this as expeditiously as possible and out of consideration for all Members to be able to get home to their districts and have the budget conference report get to the Senate and be passed out as soon as possible.

I certainly understand the gentlewoman's concern. I would like to see the conference report completed as quickly as possible. We fully expect that it will be today. The Committee on Rules will meet again where the gentlewoman and our other colleagues on the Committee on Rules will be able to consider the rule for the consideration of that conference report.

As to the facts and figures in the budget, apparently they are available as we heard during the 1-minute speeches from colleagues on the gentlewoman's side of the aisle. There were a number of challenges and concerns and problems that were discussed in disagreement with the proposed budget, so I assume that some Members have

managed to find the facts and figures and statistics that they are using to urge opposition to the budget. Apparently those figures are available.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me respond to the gentleman from Florida (Mr. PUTNAM) by saying his party controls the White House, the House, and the Senate. We should be able to expect a better, smoother process here. We should not have to be going to martial-law rules where we are going to bring up a budget on the same day when Members will not have a chance to go through it and read it.

A lot of us are getting our information from the newspapers because we do not get very much information from the other side of the aisle, and the newspapers tend to know more than we do, unfortunately.

We need to figure out a way, or the Republicans should figure out a way, since they control everything, to work better with themselves so we do not have to have a situation where major pieces of legislation come to the floor like this under same-day martial-law rules.

Mr. Speaker, I yield 7 minutes to the gentleman from South Carolina (Mr. SPRATT).

(Mr. SPRATT asked and was given permission to revise and extend his remarks.)

Mr. SPRATT. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, this is an outrage. This resolution shows nothing but contempt for the deliberative processes of the House. More than a month has passed since the House passed the Republican budget resolution by a narrow margin on this floor. In the House and in the Senate the budget resolution this year was on a fast track. We had minimal witnesses, fewer than any time I can recall; all, ostensibly, to get the work done by the Easter break.

Well, it has been a case of hurry up and wait. More than a month has passed. Only 2 days ago, after wasting a month, were conferees finally appointed; and yesterday we had our first and only conference committee meeting which essentially was a formality, a gesture taken to bless a done deal, because as we met, a conference report, without a conference committee, had been negotiated over the last 30 days and was coming close to agreement. All we met for was to give some semblance of collaboration to the budget process, but there has been absolutely no collaboration and no transparency.

We have second-hand reports as to what may be in this budget resolution coming here today which provides for the expenditure and the taxing of $2.6 trillion. That is what we are treating with such haste today. We have a little bit of insight into what it may contain, but we will not know until we can examine the budget resolution. And I was told last night by the chairman of the committee that we could not expect the conference report to come to the floor before midday because numerous changes had been negotiated into the agreement. I understand that. I simply would like the opportunity to examine the changes and weigh the bill in its entirety. This is no way to do the people's business. It is not the process that we all agreed upon.

When we laid down the House rules, we said when Members want to bring a conference report of consequence to the floor, it has to lay over for 3 days. That is being waived here today. This is not some inconsequential piece of legislation. We are not naming a Federal building here, we are deciding how we do the people's business with respect to the allocation of $2.6 trillion. It comes to this floor minutes after it has been filed, maybe an hour or two. This is no way to deal with something so consequential.

We have only minutes to flip through this conference report and find out what does it do to Medicaid. We had a very impassioned debate on the House floor just 2 days ago. We showed 44 Republican Members who had written a letter to their leadership saying do not whack into Medicaid. It is the health care of last resort for the neediest among us. If we are going to make changes, be careful.

Mr. Speaker, 44 Republican Members and an overwhelming majority voted that sentiment on the House floor, just as the Senate did when they eliminated the Medicaid cuts that were in the resolution that passed the House. What does it do to Medicaid? My strong suspicion is we will find that the will of this House and Senate has been ignored and that substantial cuts have been made in not just Medicaid but in Medicare, and in student loans and veterans health care, supplemental security income, the earned income tax credit, and other programs for the working poor. We will have minutes to find out what this resolution does.

It will be argued here on the House floor that all of these cuts are necessary because we have such a big deficit. Therefore, we have to cut the spending of this country, including entitlement programs on which people depend, in order to diminish the deficit. But the truth is this budget resolution, I fully expect, will be like the House resolution that passed a month ago and like the Senate resolution and like the President's budget, it will add to the deficit. It will not diminish the deficit. These cuts will not go to the bottom line. They will be used to offset tax cuts that are being proposed, once again knowing full well that these tax cuts will go straight to the bottom line and swell the deficit and make it larger. They want to do some tax cuts that will offset, at least partially, the effects of these tax cuts on the bottom line. But this budget resolution will make the deficit worse, not better. There is no question about it.

We do not have the opportunity to get here on the House floor and examine and explain that to people. I think it is fair to ask, for example, how do we justify a budget with a deficit of $427 billion this year and every year that this budget covers, all 5 years, how do we justify additional tax cuts that add to that deficit? And how do we run the government when we continually cut taxes?

One answer which is adopted and used in this budget resolution and on which we should debate closely on this House floor is you dip into the Social Security trust fund which has a surplus of $160 billion and use payroll taxes to make up for the income taxes that you are cutting and diminishing, and that is exactly what this budget resolution does.

So why is it not coming to the floor in the deliberate processes as prescribed by the House rules? Because they do not want the public or the House to see that this conference report does not reduce the deficit, it adds to the deficit. They do not want the House or the public to see that this conference report raids Social Security once again. It does not make Social Security solvent, it is a step backwards from solvency. They do not want the House to see or the public to see that this conference report will cut help to the working poor, it will cut inner-city and rural hospitals that depend on Medicaid, it will cut students loans and EITC. They do not want them to see that this is a budget resolution in name only. There is no plan and there is no process for reducing the deficit. That is why they are overriding the process of this House and showing such contempt for the deliberative procedures that we have laid down.

Mr. PUTNAM. Mr. Speaker, I yield myself such time as I may consume.

I certainly respect the views of the distinguished ranking member of the Committee on the Budget, the gentleman from South Carolina (Mr. SPRATT), who has worked very hard on the blueprint for the Federal Government. He enjoys an exceptional working relationship on the House Committee on the Budget. I think it has worked as well as that committee can possibly work under the gentleman's leadership and the chairmanship of the gentleman from Iowa (Mr. NUSSLE).

I would just say, as a conferee he is probably privy to more information about the status of the blueprint than I am, having been in the meeting and having been one of the three House conferees. Representing a third of our entire representation on that body, he certainly has had access to the information about the differences between the House views on the budget and the Senate views on the budget, and he has articulated them well.

Mr. SPRATT. Mr. Speaker, will the gentleman yield?

Mr. PUTNAM. I yield to the gentleman from South Carolina.

Mr. SPRATT. Mr. Speaker, I have not been to a conference meeting where

we discussed the contents of this. This is not a collaborative process, this is a unilateral process which makes it all the worse, to bring the conference report to the floor and cram it down, giving us no time to examine its contents.

Mr. PUTNAM. Mr. Speaker, reclaiming my time, I would simply point out the gentleman making up one-third of the entire delegation to the conference committee, the ranking member has certainly been a greater participant in that conference role than members on the majority side, other than the chairman and the gentleman from Wisconsin (Mr. RYAN).

Mr. Speaker, I know there is some interest on the part of both parties about the schedule for today and tomorrow as it relates to consideration of the budget conference report. We are considering the same-day rule now allowing an hour of debate. We will take up the rule, and then of course be able to debate the conference report.

After consulting with the majority leader, I can say with a strong level of confidence that we will not have votes tomorrow. The Committee on the Budget chairman has indicated he will have a conference report ready to file within the next hour or so, and we would hope to consider this conference report later this afternoon and conclude votes for the week by late afternoon or early evening, giving Members an opportunity to return to their districts.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the gentleman from Florida (Mr. PUTNAM) for clarifying the schedule, but it just seems to me that a budget resolution that deals with over $2.5 trillion deserves a little bit more attention by each Member in this House than what the leadership on that side of the aisle is giving us.

As the gentleman from South Carolina (Mr. SPRATT) pointed out, we have rules in this House that the other side of the aisle continues to break. One of those rules is that we are supposed to be able to read the legislation before we vote on it. We are supposed to understand what the impacts are. I would think that a concern on not only our side of the aisle, but I would think there are thoughtful Members on the gentleman's side of the aisle who would want to read and understand what the budget conference has decided. We are not going to know until this budget is filed. It is just frustrating. This is a big deal.

The other side of the aisle routinely waives the rules on major pieces of legislation and Members on both sides of the aisle have no idea what they are voting on. There are just the sound bites which the Republicans put on on how they defend this budget.

As the gentleman from South Carolina (Mr. SPRATT) pointed out, we are concerned that the budget resolution conference report is expected to mirror the President's budget by using every penny of the Social Security trust fund surplus to help finance the deficits that the other side has produced. That in our opinion is unacceptable.

This whole process is just bad. I wish this were just the exception to the rule, but it has become a pattern in this House. I know that your party is in control, but for the life of me I cannot understand why you want to undercut a deliberative process. What is wrong with having Members understand what they are voting on, participate in the debate and read the legislation? That should not be too much to ask; and, unfortunately, we are going to be denied that opportunity.

Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. SOLIS).

□ 1045

Ms. SOLIS. Mr. Speaker, I want to thank our ranking member on the Committee on Rules for yielding me this time for the opportunity to speak.

Mr. Speaker, I rise in opposition to the fiscally irresponsible Republican budget that is being presented here today. The Republican-passed budget claims to cut the deficit in half within 5 years, but instead will actually provide for a $150 billion worse deficit over 5 years.

And I hope that the American public is paying attention and will understand that the Bush administration and the Republican majority refuse to finance priorities that matter most to Americans, like jobs, cleaning the environment, and guaranteeing good health care.

The Republican budget will severely damage our Nation's health care system by cutting Medicaid by $10 billion. Medicaid is so important in my district. It helps to provide coverage for millions of low-income and elderly and disabled Americans. Medicaid cuts would shut the neediest individuals out of the public health insurance system and severely impact Latinos across the country.

Latinos have the highest uninsured rates. One out of every three Hispanics is without health insurance. Latinos are already marginalized from our Nation's safety net programs because they have been severely cut back. Despite this national tragedy, the proposed Republican budget would cut billions from Medicaid while doing nothing, or minimally nothing, to help health care to become more affordable for Americans. Medicaid cuts will shift costs to the States, and beneficiaries or health care providers, many of the doctors that serve in my district, will not receive sufficient funds to provide services to the very needy. And I have heard this over and over and over again, and we must stop the hemorrhaging. States will be forced to reduce Medicaid coverage or benefits, increasing the number of low-income Americans, not only Latinos but African Americans, who are uninsured and underinsured.

We must protect Medicaid and maintain the current Federal commitment to the public health insurance system. The low-income families in my district and throughout the country need to know that these programs can be there so that they can depend on them.

Mr. PUTNAM. Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I think it is important, when we begin to talk about inside-the-ballpark language, why we come to the floor of the House and challenge this process. It is almost like for those who have been in school to be taught a lesson at 9 o'clock in the morning and asked to take a 3-hour exam at 9:30 a.m. Although one may be very bright, it is important to deliberate and study, maybe digest, even, the information that is given.

Tomorrow I will meet with my constituents to talk with them about the devastating pathway that we have taken on Social Security, and now today I have to debate a budget resolution that has not even been given the light of day. No one has had the opportunity to review and find out whether or not this destructive Republican budget resolution undermines the very infrastructure of Social Security that is so very important to the American people.

We already know that after 60 days on the road that the administration has failed to convince anybody that the right way to go is a private savings account rather than finding a way to make Social Security solvent, for whether or not one is 21 years old or 30 years old or 100 years old, if we are granted to live that long, Social Security is necessary. This budget resolution makes the wrong choices. They have made the choice to give out reckless tax cuts, not the kind that help to shore up middle-class Americans; and while they make that choice, they then make another choice to underfund Social Security.

That is what is wrong with this budget resolution: the continuing use of moneys that should be utilized for Social Security. Of course, as we take dollars out, we have got an indebtedness on behalf of the United States of America. The crisis, of course, is that our President has gone to West Virginia and said that does not count. We Democrats believe we can put a budget resolution that provides solvency for Social Security, funds Medicaid, eliminates a $60 billion cut that will throw senior citizens out of nursing homes across America, and we believe that we can fund education and provide the resources that we need for our veterans and stop closing veterans hospitals.

But the choices over here are an insolvent Social Security, a $60 billion cut in Medicaid, and closing the doors on our veterans.

I have not taken a servicemen's oath, but when I listen to a young veteran talk to me about the oath of service or the oath that our soldiers take, willing to give the ultimate sacrifice, then I think today we need a little bit more light on this budget resolution to allow us to give a little bit more dignity to the returning veterans, the injured soldiers coming back as amputees, the widows and widowers who lost their loved ones who deserve to be funded for the rest of their lives.

There are flaws in this conference report; but most importantly, there is a major flaw in this budget. And I would hope that we would have the good sense to turn this back and give us the opportunity to serve the American people.

Mr. PUTNAM. Mr. Speaker, I yield myself such time as I may consume.

I just marvel that in this deep dark process that we are engaged in enough light has been cast to find all of the flaws in the budget. So on the one hand, there are tremendous problems with the budget that will be presented in the budget; and on the other hand, we do not know what is in the budget because there has been inadequate time.

I submit that the gentleman from Massachusetts (Mr. MCGOVERN) was right when he said that this is a big deal, it is an important issue. Having a blueprint, having a budget resolution for the Congress is hugely important so that we may avoid the omnibus at the end of the year, which also is open to the criticism that it is difficult to find everything that is in it when we have to pass and manage the government in that way. And the budget resolution lays forth a blueprint that enables the Committee on Appropriations to do their work and enables the American people to know what the priorities of their government are for that fiscal year.

Ms. JACKSON-LEE of Texas. Mr. Speaker, will the gentleman yield?

Mr. PUTNAM. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished gentleman for yielding to me.

I appreciate the tone of this debate, frankly. We have substantive disagreements. But the point that I was making about the light of day, and there certainly have been hearings. There is a conference report. But I believe that when they come to the floor and ask for a same-day consideration, they leave out the vast numbers of Members of the United States House of Representatives that have not been on the Committee on the Budget and therefore may not have the adequate time.

I hope that we can collegially work together to extend that time the next time we come to the floor on a serious matter.

Mr. PUTNAM. Mr. Speaker, reclaiming my time, I appreciate the sincerity of the gentlewoman from Texas. I would just point out that this is a tool that we are using to enable us to expedite the consideration of the budget conference report so that she can be with her constituents tomorrow to tell them all of her disagreements with our plans to reform Social Security.

Ms. JACKSON-LEE of Texas. Mr. Speaker, would the gentleman further yield?

Mr. PUTNAM. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Speaker, his genuine attitude is appreciated. I think the American people would welcome a closer study of this issue; and I thank him for allowing me to go home, however, and wake up the constituents of the 18th Congressional District for a fight to come in the future. And we will continue the fight. I thank the gentleman for yielding to me.

Mr. PUTNAM. Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Let me again just remind my friend from Florida we are relying on press accounts to try to figure out what is in this budget.

Mr. PUTNAM. Mr. Speaker, will the gentleman yield?

Mr. MCGOVERN. I yield to the gentleman from Florida.

Mr. PUTNAM. Mr. Speaker, their reliance on the press reports is much more favorable to their side than it would be for ours and a much more reliable source of information than it would be in our case.

Mr. MCGOVERN. Mr. Speaker, reclaiming my time, the gentleman's party controls everything. I thought he would be an expert on this budget by now, given the fact that all the decisions are being made in a very one-sided way.

And, again, some of us here are concerned about the potential Medicaid cuts. These cuts would impact real people. We are not going to know for sure what is in that budget until it is filed, and it just seems that we need to fix this process. And, again, I have to believe that there are people on his side of the aisle who feel as we do over here that there is nothing wrong with deliberating, there is nothing wrong with reading the bills before they come to the floor and understanding what, in fact, are in these bills.

And they are giving away tomorrow. We could be here tomorrow. There is no problem on our side about working tomorrow. But the bottom line is they are just kind of giving it away. We spend a lot of our legislative days doing nothing meaningful, quite frankly. It seems to me we could take some of that time, and we are going to be here all next week, to go over this in a very thoughtful way. But we are not going to be given that opportunity.

Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Wisconsin (Mr. KIND).

(Mr. KIND asked and was given permission to revise and extend his remarks.)

Mr. KIND. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I do rise in opposition to this martial law rule, and I would encourage my colleagues to vote against it because this budget resolution is a travesty; but what is even worse is the process in which this budget resolution is going to come before this body within the next day or so.

This is a $2.6 trillion document. This is going to establish the priorities and the important investments that we need to make as a Nation for the next fiscal year, and yet it is being written by a handful of people, mainly in the Speaker's office, at 2, 3, 4 o'clock in the morning, drafted by a bunch of staff people, and not one of us in this body will have the chance to thoroughly review it before we are asked to cast a vote on it. And that is a joke.

And what is even worse is that it basically adopts wholesale the budget parameters that the President had submitted earlier this year, which, by the way, was written by a bunch of unknown people in the President's Office of Management and Budget, which in essence now is drafting and writing these budget documents that the Congress is considering.

And I would defy any Member of this body to stand here today and claim with a straight face that they think this House and this Congress is a coequal branch of government today. We have ceded everything to the executive branch. Not only that, but just to a few enlightened individuals, it seems, to make these important decisions for the rest of the Nation. And we do not even have the common decency or courtesy to take the time to allow an important deliberative discussion about these priorities and allow a little bit more input from the various Members who want to be involved in this process for the sake of the people whom they are representing.

The resolution itself, I feel, lacks the vision that we need to deal with the challenges facing our Nation. Instead of the majority party and the President being so eager to dismantle the New Deal, we should be talking about offering the American people a new New Deal to prepare them for the challenges of a global marketplace, because it is here now. And yet the effort that we are making in regards to support for education and job-training programs is a joke, and it is not going to get us there to maintain our technological and scientific edge in the world when it comes to the competition of the jobs that are coming up.

This budget resolution that is coming before us allows the continuation of the exploding budget deficits. It automatically increases the debt ceiling for the fourth time in 4 years, and every Member should understand that, by voting for it, they are increasing the debt ceiling by another half a trillion dollars in this budget resolution.

It fails to adopt budget disciplinary rules such as pay-as-you-go for both the spending and the revenue side, rules that worked effectively in the 1990s that led us on a glidepath to 4 years of budget surpluses. It continues the raid on the Social Security, Medicare trust funds, being used for other purposes, either tax cuts that are primarily benefiting the most wealthy in this country or other spending priorities at a time when they are claiming that Social Security is in dire financial crisis; and there is no effort to try to repay those trust fund moneys.

I think we can offer the American people a more realistic vision of the challenges that I think we all appreciate on both sides of the aisle; and yet this budget that is going to be coming up before us, again mainly drafted in the dark wee hours of the early morning, lacks that vision. And it is not offering enough people in this country the hope or the optimism that we are going to be able to compete in the global marketplace in light of what other countries are doing.

Let us start over. There is no need to rush to get this done within the next day or even the next week. I would rather do it the right way than the wrong way, and there are too many missed opportunities in this budget resolution that is going to be coming up to be able to support it.

So, again, I oppose the process, the martial law rule that we are debating here this morning, and I oppose the substance of this budget resolution and encourage my colleagues to vote ''no.''

Mr. PUTNAM. Mr. Speaker, I yield myself such time as I may consume.

The gentleman is obviously very passionate about the views that he has on the direction this country should take, and I would encourage him to offer his new New Deal concept. But it is clear that his difference of opinion is about the substance of the budget, and this is a rule about the facilitation of consideration of that budget.

There was not a single person from his side of the aisle that voted for this budget in committee. There was not a single person from his side of the aisle who voted for this on the floor of this House. He knows that the Senate version differs greatly from the House version, and he knows that the House version differs greatly from the President's submission.

□ 1100

So there are three distinct visions out there that are being reconciled through this conference process that we will take up later today.

Mr. Speaker, I reserve the balance of my time.

Mr. McGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me say to the gentleman, first of all, he mentioned the three different versions of the budget that have been drafted. What worries me is that in all three versions, Medicare and Medicaid get whacked.

What everybody on our side has been talking about here today, even aside from the substance of what is in the ultimate budget, is the fact that there should be a process where people can read and understand what is in the budget before they vote on it. That should not be a big deal. The House rules say you are supposed to have 3 days, and you routinely waive those rules so that Members on our side, and even Members on your side, do not have a chance to even know what they are actually talking about when they get to the House floor to debate some of these major pieces of legislation. That is wrong.

Why do we have rules, if all you do is waive them all the time? We should be able to have a deliberative process. We should not have to do this. This should not be a controversial point. We should all be able to agree, no matter what we think about the substance of a bill, that we should be able to give Members an opportunity to look at what is in these bills.

Now, you have the votes to do whatever you want and you will ram this thing through, like you ram everything else through, and that is the way it goes. But let me close, and I say this with no disrespect to the gentleman, who I have great admiration for, and I am proud to serve with him on the Committee on Rules, but it is my view that your party is doing a lousy job running this government, and, quite frankly, this process stinks, and I would urge all my colleagues to vote ''no'' on this martial-law rule.

Mr. Speaker, I yield back the balance of my time.

Mr. PUTNAM. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman is entitled to his opinion, and we are here to deliberate it on the floor, a criticism that he has leveled against us. We are deliberating it under the same-day rule. He will be able to make that same charge to me and my party when we debate the rule, and he will be able to, along with the others who have managed to find their facts and figures about all the terrible, awful, horrible, no good things this budget will do that they have expressed on the floor of this House, they will be back to deliberate it when we take up the conference report.

There are very wide differences of opinion between these two parties. The budget is the vision, the blueprint, the spending priorities of this government for the fiscal year. Not one of your party voted for it in committee, not one of your party voted for it on the House floor, and I would dare say not one of you will vote for the conference report. I cannot speak to that, but if I were a betting man, I think it would be a pretty safe bet.

It is a reflection of the difference in philosophy about where we ought to be going as a government, and we are judged by the American people on that philosophy in this body every 2 years.

The gentleman from Wisconsin (Mr. KIND) made reference to a vision of a new New Deal. I am fairly confident there will not be a new New Deal in this budget conference report because that is a difference in philosophy.

We have put together in negotiations with the Senate a spending and budget package that gets our arms around mandatory spending, around discretionary spending, that looks for savings through the reconciliation process and attempts through economic growth and development to put in place an economy that allows everyone to succeed and find their piece of the American dream. Apparently you all disagree, and that is your right, and we have hours of this floor debate to go through these disagreements.

Mr. McGOVERN. Mr. Speaker, will the gentleman yield?

Mr. PUTNAM. I yield to the gentleman from Massachusetts.

Mr. McGOVERN. Mr. Speaker, is the gentleman suggesting that we should have the right to read legislation only if we pledge to support the legislation that comes to the floor? I am trying to understand, when the gentleman was going on about how he did not think any of our side would vote for the budget resolution, that may very well be true, but the point of this martial-law rule is to bring it up on the same day so we will not have an opportunity to fully read the entire budget. The rules of the House say we should have 3 days.

I am asking the gentleman, does he believe the rules should be waived and people should not have an opportunity to be able to read legislation if they will disagree with the gentleman's party?

Mr. PUTNAM. Mr. Speaker, reclaiming my time, as the gentleman knows, I voted for the same-day rule in the Committee on Rules, and, as I said earlier, it is to facilitate Members getting back to their district, like the gentlewoman from Texas (Ms. JACKSON-LEE) and the other Members who have expressed an interest in being back to talk about the issues going on before this Congress, whatever those issues may be, and whatever the individual Members' opinion of the outcome of those votes may also be.

Mr. McGOVERN. Mr Speaker, if the gentleman will yield further, what is wrong with us debating this next week?

Mr. PUTNAM. Mr. Speaker, reclaiming my time, as the gentleman knows, the Senate is taking a respite next week, apparently from their labors of legislative productivity, whereas the House will be in session. Our goal, knowing that April 15 was when we would have liked to have had this budget done, our goal is to facilitate getting this process along and pass the budget conference report out of this body so that the Senate may consider it before they go out for a week, because, as the gentleman knows, we are moving into the appropriations season and it is important that the American

people and the Congress have a budget blueprint in place.

This is an important process that we have in place. It is important, as a Committee on the Budget member, to me and to the entire House that we have in place a working budget, something that the government has not had every year, but I believe it is important that we should. I think it is important that we reconcile our differences with the Senate and move this along so that the House and Senate can take it up.

Mr. MCGOVERN. If the gentleman will yield one last time to me, I just want to make the point, and obviously it is falling on deaf ears today, but one of the things that concerns many of us is that what is happening today has become a pattern. Again, it impacts not only Members on our side, but also a lot of Members on your side.

Important pieces of legislation are coming to the floor and people have not had an opportunity to even look at them. That is a bad process. That is undermining the process.

Mr. PUTNAM. Mr. Speaker, reclaiming my time, the gentleman in his 30 minutes of debate has made the point that he is opposed to us facilitating consideration of this bill today so that Members can get home, and he has respectfully made his point. We have made ours.

Mr. PUTNAM. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. LATHAM). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 230, nays 199, not voting 5, as follows:

[Roll No. 146]

YEAS—230

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cox
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Portman
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—199

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—5

Brown, Corrine
Ford
Hyde
Rothman
Stark

□ 1134

Mr. LYNCH changed his vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.J. RES. 23

Mr. HASTINGS of Florida. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.J. Res. 23.

The SPEAKER pro tempore (Mr. LATHAM). Is there objection to the request of the gentleman from Florida?

There was no objection.

PERSONAL EXPLANATION

Mr. HASTINGS of Florida. Mr. Speaker, on rollcall 144, H.R. 748, final passage, I mistakenly voted ''yes.'' I request the RECORD reflect I intended to vote ''no.''

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 11 o'clock and 33 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1446

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. REHBERG) at 2 o'clock and 46 minutes p.m.)

CONFERENCE REPORT ON H. CON. RES. 95, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2006

Mr. NUSSLE submitted the following conference report and statement on the concurrent resolution (H. Con. Res. 95) establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010:

CONFERENCE REPORT (H. REPT. 109–62)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the concurrent resolution (H. Con. Res. 95), establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2006.

(a) DECLARATION.—The Congress declares that the concurrent resolution on the budget for fiscal year 2006 is hereby established and that the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010 are set forth.

(b) TABLE OF CONTENTS.—The table of contents for this concurrent resolution is as follows:

Sec. 1. Concurrent resolution on the budget for fiscal year 2006.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.
Sec. 102. Social security.
Sec. 103. Major functional categories.

TITLE II—RECONCILIATION AND REPORT SUBMISSIONS

Sec. 201. Reconciliation in the House of Representatives.
Sec. 202. Reconciliation in the Senate.

TITLE III—RESERVE FUNDS

Sec. 301. Adjustment for surface transportation.
Sec. 302. Reserve fund for the Family Opportunity Act.
Sec. 303. Reserve fund for the Federal Pell Grant Program.
Sec. 304. Reserve fund for the uninsured.
Sec. 305. Reserve fund for the disposal of underutilized Federal real property.
Sec. 306. Reserve fund for health information technology and pay-for-performance.
Sec. 307. Reserve fund for Asbestos Injury Trust Fund.
Sec. 308. Reserve fund for energy legislation.
Sec. 309. Reserve fund for the safe importation of prescription drugs.
Sec. 310. Reserve fund for the restoration of SCHIP funds.

TITLE IV—BUDGET ENFORCEMENT

Sec. 401. Restrictions on advance appropriations.
Sec. 402. Emergency legislation.
Sec. 403. Extension of senate enforcement.
Sec. 404. Discretionary spending limits in the Senate.
Sec. 405. Application and effect of changes in allocations and aggregates.
Sec. 406. Adjustments to reflect changes in concepts and definitions.
Sec. 407. Limitation on long-term spending proposals.
Sec. 408. Compliance with section 13301 of the Budget Enforcement Act of 1990.
Sec. 409. Exercise of rulemaking powers.
Sec. 410. Treatment of allocations in the House.
Sec. 411. Special procedures to achieve savings in mandatory spending through FY2014.

TITLE V—SENSE OF THE SENATE

Sec. 501. Sense of the Senate regarding unauthorized appropriations.
Sec. 502. Sense of the Senate regarding a commission to review the performance of programs.
Sec. 503. Sense of the Senate regarding TRICARE.
Sec. 504. Sense of the Senate regarding tribal colleges and universities.
Sec. 505. Sense of the Senate regarding social security restructuring.
Sec. 506. Sense of the Senate regarding funding for subsonic and hypersonic aeronautics research by the National Aeronautics and Space Administration.
Sec. 507. Sense of the Senate regarding the acquisition of the next generation destroyer (DDX).

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2005 through 2010:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2005: $1,483,658,000,000.
Fiscal year 2006: $1,589,892,000,000.
Fiscal year 2007: $1,693,246,000,000.
Fiscal year 2008: $1,824,274,000,000.
Fiscal year 2009: $1,928,678,000,000.
Fiscal year 2010: $2,043,916,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be reduced are as follows:

Fiscal year 2005: $366,000,000.
Fiscal year 2006: $17,758,000,000.
Fiscal year 2007: $26,006,000,000.
Fiscal year 2008: $11,935,000,000.
Fiscal year 2009: $27,553,000,000.
Fiscal year 2010: $22,466,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2005: $2,078,456,000,000.
Fiscal year 2006: $2,144,384,000,000.
Fiscal year 2007: $2,211,308,000,000.
Fiscal year 2008: $2,324,327,000,000.
Fiscal year 2009: $2,428,613,000,000.
Fiscal year 2010: $2,524,958,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2005: $2,056,006,000,000.
Fiscal year 2006: $2,161,420,000,000.
Fiscal year 2007: $2,215,361,000,000.
Fiscal year 2008: $2,305,908,000,000.
Fiscal year 2009: $2,411,288,000,000.
Fiscal year 2010: $2,514,745,000,000.

(4) DEFICITS (ON-BUDGET).—For purposes of the enforcement of this resolution, the amounts of the deficits (on-budget) are as follows:

Fiscal year 2005: $572,348,000,000.
Fiscal year 2006: $571,528,000,000.
Fiscal year 2007: $522,115,000,000.
Fiscal year 2008: $481,634,000,000.
Fiscal year 2009: $482,610,000,000.
Fiscal year 2010: $470,829,000,000.

(5) DEBT SUBJECT TO LIMIT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2005: $7,962,000,000,000.
Fiscal year 2006: $8,645,000,000,000.
Fiscal year 2007: $9,284,000,000,000.
Fiscal year 2008: $9,890,000,000,000.
Fiscal year 2009: $10,500,000,000,000.
Fiscal year 2010: $11,105,000,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2005: $4,689,000,000,000.
Fiscal year 2006: $5,082,000,000,000.
Fiscal year 2007: $5,409,000,000,000.
Fiscal year 2008: $5,677,000,000,000.
Fiscal year 2009: $5,927,000,000,000.
Fiscal year 2010: $6,150,000,000,000.

SEC. 102. SOCIAL SECURITY.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2005: $573,475,000,000.
Fiscal year 2006: $604,777,000,000.
Fiscal year 2007: $637,792,000,000.
Fiscal year 2008: $671,688,000,000.
Fiscal year 2009: $705,849,000,000.
Fiscal year 2010: $740,343,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2005: $398,088,000,000.
Fiscal year 2006: $415,993,000,000.
Fiscal year 2007: $429,254,000,000.
Fiscal year 2008: $443,235,000,000.
Fiscal year 2009: $460,443,000,000.
Fiscal year 2010: $479,412,000,000.

(c) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

Fiscal year 2005:
(A) New budget authority, $4,426,000,000.
(B) Outlays, $4,405,000,000.
Fiscal year 2006:
(A) New budget authority, $4,576,000,000.
(B) Outlays, $4,587,000,000.
Fiscal year 2007:
(A) New budget authority, $4,710,000,000.
(B) Outlays, $4,785,000,000.
Fiscal year 2008:
(A) New budget authority, $4,853,000,000.
(B) Outlays, $4,849,000,000.
Fiscal year 2009:
(A) New budget authority, $5,001,000,000.
(B) Outlays, $4,974,000,000.
Fiscal year 2010:
(A) New budget authority, $5,152,000,000.
(B) Outlays, $5,124,000,000.

SEC. 103. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2005 through 2010 for each major functional category are:

(1) National Defense (050):
Fiscal year 2005:
(A) New budget authority, $423,446,000,000.
(B) Outlays, $465,709,000,000.
Fiscal year 2006:
(A) New budget authority, $441,562,000,000.
(B) Outlays, $447,020,000,000.
Fiscal year 2007:
(A) New budget authority, $465,260,000,000.
(B) Outlays, $448,508,000,000.
Fiscal year 2008:
(A) New budget authority, $483,730,000,000.
(B) Outlays, $467,840,000,000.
Fiscal year 2009:
(A) New budget authority, $503,763,000,000.

(B) Outlays, $488,307,000,000.
Fiscal year 2010:
(A) New budget authority, $513,904,000,000.
(B) Outlays, $505,531,000,000.
(2) International Affairs (150):
Fiscal year 2005:
(A) New budget authority, $28,413,000,000.
(B) Outlays, $31,620,000,000.
Fiscal year 2006:
(A) New budget authority, $30,913,000,000.
(B) Outlays, $32,692,000,000.
Fiscal year 2007:
(A) New budget authority, $34,338,000,000.
(B) Outlays, $31,804,000,000.
Fiscal year 2008:
(A) New budget authority, $34,700,000,000.
(B) Outlays, $31,322,000,000.
Fiscal year 2009:
(A) New budget authority, $34,739,000,000.
(B) Outlays, $31,313,000,000.
Fiscal year 2010:
(A) New budget authority, $34,430,000,000.
(B) Outlays, $31,033,000,000.
(3) General Science, Space, and Technology (250):
Fiscal year 2005:
(A) New budget authority, $24,413,000,000.
(B) Outlays, $23,594,000,000.
Fiscal year 2006:
(A) New budget authority, $24,735,000,000.
(B) Outlays, $23,894,000,000.
Fiscal year 2007:
(A) New budget authority, $25,171,000,000.
(B) Outlays, $24,610,000,000.
Fiscal year 2008:
(A) New budget authority, $25,545,000,000.
(B) Outlays, $24,922,000,000.
Fiscal year 2009:
(A) New budget authority, $25,851,000,000.
(B) Outlays, $25,242,000,000.
Fiscal year 2010:
(A) New budget authority, $26,162,000,000.
(B) Outlays, $25,565,000,000.
(4) Energy (270):
Fiscal year 2005:
(A) New budget authority, $2,564,000,000.
(B) Outlays, $794,000,000.
Fiscal year 2006:
(A) New budget authority, $3,247,000,000.
(B) Outlays, $2,127,000,000.
Fiscal year 2007:
(A) New budget authority, $2,837,000,000.
(B) Outlays, $1,687,000,000.
Fiscal year 2008:
(A) New budget authority, $2,920,000,000.
(B) Outlays, $1,026,000,000.
Fiscal year 2009:
(A) New budget authority, $2,531,000,000.
(B) Outlays, $1,127,000,000.
Fiscal year 2010:
(A) New budget authority, $2,229,000,000.
(B) Outlays, $1,018,000,000.
(5) Natural Resources and Environment (300):
Fiscal year 2005:
(A) New budget authority, $32,504,000,000.
(B) Outlays, $31,163,000,000.
Fiscal year 2006:
(A) New budget authority, $30,021,000,000.
(B) Outlays, $32,016,000,000.
Fiscal year 2007:
(A) New budget authority, $30,389,000,000.
(B) Outlays, $31,622,000,000.
Fiscal year 2008:
(A) New budget authority, $30,458,000,000.
(B) Outlays, $31,938,000,000.
Fiscal year 2009:
(A) New budget authority, $31,212,000,000.
(B) Outlays, $32,182,000,000.
Fiscal year 2010:
(A) New budget authority, $30,754,000,000.
(B) Outlays, $31,763,000,000.
(6) Agriculture (350):
Fiscal year 2005:
(A) New budget authority, $30,151,000,000.
(B) Outlays, $28,550,000,000.
Fiscal year 2006:
(A) New budget authority, $29,420,000,000.
(B) Outlays, $28,476,000,000.
Fiscal year 2007:
(A) New budget authority, $27,130,000,000.
(B) Outlays, $25,948,000,000.
Fiscal year 2008:
(A) New budget authority, $25,274,000,000.
(B) Outlays, $24,225,000,000.
Fiscal year 2009:
(A) New budget authority, $25,631,000,000.
(B) Outlays, $24,738,000,000.
Fiscal year 2010:
(A) New budget authority, $25,357,000,000.
(B) Outlays, $24,627,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 2005:
(A) New budget authority, $16,804,000,000.
(B) Outlays, $11,302,000,000.
Fiscal year 2006:
(A) New budget authority, $10,772,000,000.
(B) Outlays, $5,562,000,000.
Fiscal year 2007:
(A) New budget authority, $10,074,000,000.
(B) Outlays, $4,929,000,000.
Fiscal year 2008:
(A) New budget authority, $10,040,000,000.
(B) Outlays, $4,250,000,000.
Fiscal year 2009:
(A) New budget authority, $10,667,000,000.
(B) Outlays, $3,768,000,000.
Fiscal year 2010:
(A) New budget authority, $14,565,000,000.
(B) Outlays, $6,393,000,000.
(8) Transportation (400):
Fiscal year 2005:
(A) New budget authority, $75,833,000,000.
(B) Outlays, $67,639,000,000.
Fiscal year 2006:
(A) New budget authority, $73,034,000,000.
(B) Outlays, $70,137,000,000.
Fiscal year 2007:
(A) New budget authority, $74,515,000,000.
(B) Outlays, $72,092,000,000.
Fiscal year 2008:
(A) New budget authority, $76,482,000,000.
(B) Outlays, $73,893,000,000.
Fiscal year 2009:
(A) New budget authority, $66,268,000,000.
(B) Outlays, $75,235,000,000.
Fiscal year 2010:
(A) New budget authority, $67,611,000,000.
(B) Outlays, $77,107,000,000.
(9) Community and Regional Development (450):
Fiscal year 2005:
(A) New budget authority, $23,007,000,000.
(B) Outlays, $20,756,000,000.
Fiscal year 2006:
(A) New budget authority, $14,493,000,000.
(B) Outlays, $18,323,000,000.
Fiscal year 2007:
(A) New budget authority, $14,510,000,000.
(B) Outlays, $17,180,000,000.
Fiscal year 2008:
(A) New budget authority, $14,597,000,000.
(B) Outlays, $15,779,000,000.
Fiscal year 2009:
(A) New budget authority, $14,735,000,000.
(B) Outlays, $14,706,000,000.
Fiscal year 2010:
(A) New budget authority, $14,755,000,000.
(B) Outlays, $14,402,000,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 2005:
(A) New budget authority, $94,026,000,000.
(B) Outlays, $92,805,000,000.
Fiscal year 2006:
(A) New budget authority, $97,364,000,000.
(B) Outlays, $91,463,000,000.
Fiscal year 2007:
(A) New budget authority, $90,395,000,000.
(B) Outlays, $91,045,000,000.
Fiscal year 2008:
(A) New budget authority, $90,450,000,000.
(B) Outlays, $89,335,000,000.
Fiscal year 2009:
(A) New budget authority, $90,665,000,000.
(B) Outlays, $88,826,000,000.
Fiscal year 2010:
(A) New budget authority, $90,124,000,000.
(B) Outlays, $88,646,000,000.
(11) Health (550):
Fiscal year 2005:
(A) New budget authority, $257,498,000,000.
(B) Outlays, $252,798,000,000.
Fiscal year 2006:
(A) New budget authority, $262,269,000,000.
(B) Outlays, $262,628,000,000.
Fiscal year 2007:
(A) New budget authority, $275,200,000,000.
(B) Outlays, $274,781,000,000.
Fiscal year 2008:
(A) New budget authority, $294,954,000,000.
(B) Outlays, $293,755,000,000.
Fiscal year 2009:
(A) New budget authority, $317,026,000,000.
(B) Outlays, $313,539,000,000.
Fiscal year 2010:
(A) New budget authority, $336,407,000,000.
(B) Outlays, $335,458,000,000.
(12) Medicare (570):
Fiscal year 2005:
(A) New budget authority, $292,587,000,000.
(B) Outlays, $293,587,000,000.
Fiscal year 2006:
(A) New budget authority, $331,181,000,000.
(B) Outlays, $330,944,000,000.
Fiscal year 2007:
(A) New budget authority, $371,875,000,000.
(B) Outlays, $372,167,000,000.
Fiscal year 2008:
(A) New budget authority, $395,312,000,000.
(B) Outlays, $395,364,000,000.
Fiscal year 2009:
(A) New budget authority, $420,234,000,000.
(B) Outlays, $419,828,000,000.
Fiscal year 2010:
(A) New budget authority, $448,111,000,000.
(B) Outlays, $448,442,000,000.
(13) Income Security (600):
Fiscal year 2005:
(A) New budget authority, $339,658,000,000.
(B) Outlays, $347,855,000,000.
Fiscal year 2006:
(A) New budget authority, $347,606,000,000.
(B) Outlays, $354,415,000,000.
Fiscal year 2007:
(A) New budget authority, $352,843,000,000.
(B) Outlays, $359,969,000,000.
Fiscal year 2008:
(A) New budget authority, $365,782,000,000.
(B) Outlays, $371,374,000,000.
Fiscal year 2009:
(A) New budget authority, $374,984,000,000.
(B) Outlays, $379,241,000,000.
Fiscal year 2010:
(A) New budget authority, $384,088,000,000.
(B) Outlays, $387,610,000,000.
(14) Social Security (650):
Fiscal year 2005:
(A) New budget authority, $15,849,000,000.
(B) Outlays, $15,849,000,000.
Fiscal year 2006:
(A) New budget authority, $15,991,000,000.
(B) Outlays, $15,991,000,000.
Fiscal year 2007:
(A) New budget authority, $17,804,000,000.
(B) Outlays, $17,804,000,000.
Fiscal year 2008:
(A) New budget authority, $19,868,000,000.
(B) Outlays, $19,868,000,000.
Fiscal year 2009:
(A) New budget authority, $21,843,000,000.
(B) Outlays, $21,843,000,000.
Fiscal year 2010:
(A) New budget authority, $24,129,000,000.
(B) Outlays, $24,129,000,000.
(15) Veterans Benefits and Services (700):
Fiscal year 2005:
(A) New budget authority, $69,448,000,000.
(B) Outlays, $68,873,000,000.
Fiscal year 2006:
(A) New budget authority, $68,994,000,000.
(B) Outlays, $68,365,000,000.
Fiscal year 2007:
(A) New budget authority, $66,434,000,000.
(B) Outlays, $66,168,000,000.

Fiscal year 2008:
(A) New budget authority, $69,561,000,000.
(B) Outlays, $69,387,000,000.
Fiscal year 2009:
(A) New budget authority, $70,074,000,000.
(B) Outlays, $69,791,000,000.
Fiscal year 2010:
(A) New budget authority, $70,172,000,000.
(B) Outlays, $69,900,000,000.
(16) Administration of Justice (750):
Fiscal year 2005:
(A) New budget authority, $39,731,000,000.
(B) Outlays, $39,440,000,000.
Fiscal year 2006:
(A) New budget authority, $40,984,000,000.
(B) Outlays, $42,382,000,000.
Fiscal year 2007:
(A) New budget authority, $41,531,000,000.
(B) Outlays, $42,593,000,000.
Fiscal year 2008:
(A) New budget authority, $42,172,000,000.
(B) Outlays, $42,791,000,000.
Fiscal year 2009:
(A) New budget authority, $42,743,000,000.
(B) Outlays, $42,920,000,000.
Fiscal year 2010:
(A) New budget authority, $43,001,000,000.
(B) Outlays, $42,944,000,000.
(17) General Government (800):
Fiscal year 2005:
(A) New budget authority, $16,765,000,000.
(B) Outlays, $17,673,000,000.
Fiscal year 2006:
(A) New budget authority, $17,909,000,000.
(B) Outlays, $18,398,000,000.
Fiscal year 2007:
(A) New budget authority, $17,829,000,000.
(B) Outlays, $17,758,000,000.
Fiscal year 2008:
(A) New budget authority, $17,285,000,000.
(B) Outlays, $17,289,000,000.
Fiscal year 2009:
(A) New budget authority, $17,140,000,000.
(B) Outlays, $16,956,000,000.
Fiscal year 2010:
(A) New budget authority, $16,733,000,000.
(B) Outlays, $16,580,000,000.
(18) Net Interest (900):
Fiscal year 2005:
(A) New budget authority, $267,982,000,000.
(B) Outlays, $267,982,000,000.
Fiscal year 2006:
(A) New budget authority, $310,774,000,000.
(B) Outlays, $310,774,000,000.
Fiscal year 2007:
(A) New budget authority, $360,512,000,000.
(B) Outlays, $360,512,000,000.
Fiscal year 2008:
(A) New budget authority, $398,347,000,000.
(B) Outlays, $398,347,000,000.
Fiscal year 2009:
(A) New budget authority, $427,735,000,000.
(B) Outlays, $427,735,000,000.
Fiscal year 2010:
(A) New budget authority, $455,167,000,000.
(B) Outlays, $455,167,000,000.
(19) Allowances (920):
Fiscal year 2005:
(A) New budget authority, $81,881,000,000.
(B) Outlays, $32,121,000,000.
Fiscal year 2006:
(A) New budget authority, $48,477,000,000.
(B) Outlays, $60,905,000,000.
Fiscal year 2007:
(A) New budget authority, −$4,076,000,000
(B) Outlays, $18,572,000,000.
Fiscal year 2008:
(A) New budget authority, −$7,670,000,000.
(B) Outlays, −$505,000,000.
Fiscal year 2009:
(A) New budget authority, −$8,352,000,000.
(B) Outlays, −$5,758,000,000.
Fiscal year 2010:
(A) New budget authority, −$9,294,000,000.
(B) Outlays, −$8,748,000,000.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2005:
(A) New budget authority, −$54,104,000,000.
(B) Outlays, −$54,104,000,000.
Fiscal year 2006:
(A) New budget authority, −$55,362,000,000.
(B) Outlays, −$55,362,000,000.
Fiscal year 2007:
(A) New budget authority, −$63,263,000,000.
(B) Outlays, −$64,388,000,000.
Fiscal year 2008:
(A) New budget authority, −$65,480,000,000.
(B) Outlays, −$66,292,000,000.
Fiscal year 2009:
(A) New budget authority, −$60,876,000,000.
(B) Outlays, −$60,251,000,000.
Fiscal year 2010:
(A) New budget authority, −$63,447,000,000.
(B) Outlays, −$62,822,000,000.

TITLE II—RECONCILIATION AND REPORT SUBMISSIONS

SEC. 201. RECONCILIATION IN THE HOUSE OF REPRESENTATIVES.

(a) SUBMISSIONS TO SLOW THE GROWTH IN MANDATORY SPENDING.—(1) Not later than September 16, 2005, the House committees named in paragraph (2) shall submit their recommendations to the House Committee on the Budget. After receiving those recommendations, the House Committee on the Budget shall report to the House a reconciliation bill carrying out all such recommendations without any substantive revision.

(2) INSTRUCTIONS.—

(A) COMMITTEE ON AGRICULTURE.—The House Committee on Agriculture shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $173,000,000 in outlays for fiscal year 2006 and $3,000,000,000 in outlays for the period of fiscal years 2006 through 2010.

(B) COMMITTEE ON EDUCATION AND THE WORKFORCE.—The House Committee on Education and the Workforce shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $992,000,000 in outlays for fiscal years 2005 and 2006 and $12,651,000,000 in outlays for the period of fiscal years 2005 through 2010.

(C) COMMITTEE ON ENERGY AND COMMERCE.—The House Committee on Energy and Commerce shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $2,000,000 in outlays for fiscal year 2006 and $14,734,000,000 in outlays for the period of fiscal years 2006 through 2010.

(D) COMMITTEE ON FINANCIAL SERVICES.—The House Committee on Financial Services shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $30,000,000 in outlays for fiscal year 2006 and $470,000,000 in outlays for the period of fiscal years 2006 through 2010.

(E) COMMITTEE ON THE JUDICIARY.—The House Committee on the Judiciary shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $60,000,000 in outlays for fiscal year 2006 and $300,000,000 in outlays for the period of fiscal years 2006 through 2010.

(F) COMMITTEE ON RESOURCES.—The House Committee on Resources shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $2,400,000,000 in outlays for the period of fiscal years 2006 through 2010.

(G) COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE.—The House Committee on Transportation and Infrastructure shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $12,000,000 in outlays for fiscal year 2006 and $103,000,000 in outlays for the period of fiscal years 2006 through 2010.

(H) COMMITTEE ON WAYS AND MEANS.—The House Committee on Ways and Means shall report changes in laws within its jurisdiction sufficient to reduce the deficit by $250,000,000 for fiscal year 2006 and $1,000,000,000 for the period of fiscal years 2006 through 2010.

(b) SUBMISSION PROVIDING FOR CHANGES IN REVENUE.—The House Committee on Ways and Means shall report to the House a reconciliation bill not later than September 23, 2005, that consists of changes in laws within its jurisdiction sufficient to reduce revenues by not more than $11,000,000,000 for fiscal year 2006 and by not more than $70,000,000,000 for the period of fiscal years 2006 through 2010.

(c) INCREASE IN STATUTORY DEBT LIMIT.—The Committee on Ways and Means shall report to the House a reconciliation bill not later than September 30, 2005, that consists solely of changes in laws within its jurisdiction to increase the statutory debt limit by $781,000,000,000.

(d)(1) Upon the submission to the Committee on the Budget of the House of a recommendation that has complied with its reconciliation instructions solely by virtue of section 310(b) of the Congressional Budget Act of 1974, the chairman of that committee may file with the House appropriately revised allocations under section 302(a) of such Act and revised functional levels and aggregates.

(2) Upon the submission to the House of a conference report recommending a reconciliation bill or resolution in which a committee has complied with its reconciliation instructions solely by virtue of this section, the chairman of the Committee on the Budget of the House may file with the House appropriately revised allocations under section 302(a) of such Act and revised functional levels and aggregates.

(3) Allocations and aggregates revised pursuant to this subsection shall be considered to be allocations and aggregates established by the concurrent resolution on the budget pursuant to section 301 of such Act.

SEC. 202. RECONCILIATION IN THE SENATE.

(a) SPENDING RECONCILIATION INSTRUCTIONS.—In the Senate, by September 16, 2005, the committees named in this section shall submit their recommendations to the Committee on the Budget. After receiving those recommendations, the Committee on the Budget shall report to the Senate a reconciliation bill carrying out all such recommendations without any substantive revision.

(1) COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY.—The Senate Committee on Agriculture, Nutrition, and Forestry shall report changes in laws within its jurisdiction sufficient to reduce outlays by $173,000,000 in fiscal year 2006, and $3,000,000,000 for the period of fiscal years 2006 through 2010.

(2) COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS.—The Senate Committee on Banking, Housing, and Urban Affairs shall report changes in laws within its jurisdiction sufficient to reduce outlays by $30,000,000 in fiscal year 2006, and $470,000,000 for the period of fiscal years 2006 through 2010.

(3) COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION.—The Senate Committee on Commerce, Science, and Transportation shall report changes in laws within its jurisdiction sufficient to reduce outlays by $10,000,000 in fiscal year 2006, and $4,810,000,000 for the period of fiscal years 2006 through 2010.

(4) COMMITTEE ON ENERGY AND NATURAL RESOURCES.—The Senate Committee on Energy and Natural Resources shall report changes in laws within its jurisdiction sufficient to reduce outlays by $2,400,000,000 for the period of fiscal years 2006 through 2010.

(5) COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS.—The Senate Committee on Environment and Public Works shall report changes in laws within its jurisdiction sufficient to reduce outlays by $4,000,000 in fiscal year 2006, and $27,000,000 for the period of fiscal years 2006 through 2010.

(6) COMMITTEE ON FINANCE.—The Senate Committee on Finance shall report changes in laws within its jurisdiction sufficient to reduce outlays by $10,000,000,000 for the period of fiscal years 2006 through 2010.

(7) COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS.—The Senate Committee on Health, Education, Labor, and Pensions shall report changes in laws within its jurisdiction sufficient to reduce outlays by $1,242,000,000 in fiscal years 2005 and 2006, and $13,651,000,000 for the period of fiscal years 2005 through 2010.

(8) COMMITTEE ON THE JUDICIARY.—The Senate Committee on the Judiciary shall report changes in laws within its jurisdiction sufficient to reduce outlays by $60,000,000 in fiscal year 2006, and $300,000,000 for the period of fiscal years 2006 through 2010.

(b) REVENUE RECONCILIATION INSTRUCTIONS.—The Committee on Finance shall report to the Senate a reconciliation bill not later than September 23, 2005 that consists of changes in laws within its jurisdiction sufficient to reduce the total level of revenues by not more than: $11,000,000,000 for fiscal year 2006, and $70,000,000,000 for the period of fiscal years 2006 through 2010.

(c) INCREASE IN STATUTORY DEBT LIMIT.—The Committee on Finance shall report to the Senate a reconciliation bill not later than September 30, 2005, that consists solely of changes in laws within its jurisdiction to increase the statutory debt limit by $781,000,000,000.

TITLE III—RESERVE FUNDS

SEC. 301. ADJUSTMENT FOR SURFACE TRANSPORTATION.

(a) IN GENERAL.—If the Committee on Transportation and Infrastructure of the House or the Committee on Environment and Public Works, the Committee on Banking, Housing, and Urban Affairs, or the Committee on Commerce, Science, and Transportation of the Senate reports a bill or joint resolution, or an amendment is offered thereto or a conference report is submitted thereon, that provides new budget authority for the budget accounts or portions thereof, for programs, projects, and activities for highways, highway safety, and transit in excess of—

(1) for fiscal year 2005, $46,094,000,000; or

(2) for fiscal year 2006, $47,008,000,000; or

(3) for fiscal years 2005 through 2009, $230,769,000,000;

the appropriate chairman of the Committee on the Budget may make the appropriate adjustments in allocations and aggregates and increase the allocation of new budget authority to such committees in amounts equal to the program increases proposed by the committee or committees of jurisdiction for fiscal years 2005 and 2006 and for the period of fiscal years 2005 through 2009. Adjustments shall be made only to the extent such excess is offset by a reduction in mandatory outlays from the highway trust fund or an increase in receipts that are appropriated to such fund for the applicable fiscal year caused by such legislation. In the Senate, any increase in receipts shall be reported by the Committee on Finance.

(b) ADJUSTMENT FOR OUTLAYS.—In the House and the Senate, for fiscal year 2006, and, as necessary, in subsequent fiscal years, if a bill or joint resolution is reported, or if an amendment is offered thereto or a conference report is submitted thereon, that changes obligation limitations such that the total limitations are in excess of $44,193,000,000 for fiscal year 2006, for programs, projects, and activities for highways, highway safety, and transit, and if legislation has been enacted that satisfies the conditions set forth in subsection (a) for such fiscal year, the appropriate chairman of the Committee on the Budget may increase the allocation of outlays and appropriate aggregates for such fiscal year, and, as necessary, in subsequent fiscal years, for the committees reporting such measures, by the amount of outlays that corresponds to such excess obligation limitations, but not to exceed the amount of such excess that was offset in 2006 pursuant to subsection (a). After the adjustment has been made, the Senate Committee on Appropriations shall report new section 302(b) allocations consistent with this section.

SEC. 302. RESERVE FUND FOR THE FAMILY OPPORTUNITY ACT.

If the Committee on Energy and Commerce of the House or the Committee on Finance of the Senate reports a bill or joint resolution or an amendment is offered thereto or a conference report is submitted thereon, that provides families of disabled children with the opportunity to purchase coverage under the medicaid coverage for such children (the Family Opportunity Act), and provided that, in the Senate, the committee is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974, the appropriate chairman of the Committee on the Budget may make the appropriate adjustments in allocations and aggregates to the extent that such legislation would not increase the deficit for fiscal year 2006 and for the period of fiscal years 2006 through 2010.

SEC. 303. RESERVE FUND FOR THE FEDERAL PELL GRANT PROGRAM.

If the appropriate committee of the House or Senate reports a bill or joint resolution, or an amendment is offered thereto or a conference report is submitted thereon, that eliminates the accumulated shortfall of budget authority resulting from insufficient appropriations of discretionary new budget authority previously enacted for the Federal Pell Grant Program for awards made through the award year 2005–2006, provided that, in the Senate the committee is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974, or in the House the measure would not increase the deficit, the appropriate chairman of the Committee on the Budget may make the appropriate adjustments in allocations and aggregates by the amount provided by that measure for that purpose, but not to exceed $4,300,000,000 in new budget authority for the fiscal year 2006.

SEC. 304. RESERVE FUND FOR THE UNINSURED.

If the Committee on Finance or the Committee on Health, Education, Labor, and Pensions of the Senate or the Committee on Energy and Commerce of the House reports a bill or joint resolution, or an amendment is offered thereto or a conference report is submitted thereon, that—

(1) addresses health care costs, coverage, or care for the uninsured;

(2)(A) provides safety net access to integrated and other health care services; or

(B) increases the number of people with health insurance, provided that such increase is not obtained primarily as a result of increasing premiums for the currently insured; and

(3) increases access to coverage through mechanisms that decrease the growth of health care costs, and may include tax- and market-based measures (such as tax credits, deductibility, regulatory reforms, consumer-directed initiatives, and other measures targeted to key segments of the uninsured, such as individuals without employer-sponsored coverage and college students and recent graduates),

provided that, in the Senate, the committee is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974, the chairman of the Committee on the Budget may make the appropriate adjustments in allocations and aggregates to the extent that such legislation would not increase the deficit for fiscal year 2006 and for the period of fiscal years 2006 through 2010.

SEC. 305. RESERVE FUND FOR THE DISPOSAL OF UNDERUTILIZED FEDERAL REAL PROPERTY.

If the Committee on Government Reform of the House reports a bill or joint resolution, or an amendment is offered thereto or a conference report is submitted thereon, that enhances the Government's real property disposal authority and generates discretionary savings, the chairman of the Committee on the Budget may make the appropriate adjustments in allocations and aggregates by the amount provided by that measure for that purpose, but not to exceed $50,000,000 in new budget authority and outlays flowing therefrom for fiscal year 2006, and $50,000,000 in new budget authority and outlays flowing therefrom for the period of fiscal years 2006 through 2010.

SEC. 306. RESERVE FUND FOR HEALTH INFORMATION TECHNOLOGY AND PAY-FOR-PERFORMANCE.

In the Senate, if the Committee on Finance or the Committee on Health, Education, Labor, and Pensions reports a bill or joint resolution, or if an amendment is offered thereto or if a conference report is submitted thereon, that—

(1) provides incentives or other support for adoption of modern information technology to improve quality in health care; and

(2) provides for performance-based payments that are based on accepted clinical performance measures that improve the quality in health care;

provided that the committee is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974, the chairman of the Committee on the Budget may make the appropriate adjustments in allocations and aggregates to the extent that such legislation would not increase the deficit for the period of fiscal years 2006 through 2010.

SEC. 307. RESERVE FUND FOR ASBESTOS INJURY TRUST FUND.

In the Senate, if the Committee on Judiciary reports legislation, or if an amendment is offered thereto or a conference report is submitted thereon, that—

(1) provides monetary compensation to impaired victims of asbestos-related disease who can establish that asbestos exposure is a substantial contributing factor in causing their condition;

(2) does not provide monetary compensation to the unimpaired claimants or those suffering from a disease who cannot establish that asbestos exposure was a substantial contributing factor in causing their condition; and

(3) is estimated to remain funded from nontaxpayer sources for the life of the fund; and

assuming the committee is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974, the chairman of the Committee on the Budget may make the appropriate adjustments in allocations and aggregates to the extent that such legislation would not increase the deficit for the period of fiscal years 2006 through 2056.

SEC. 308. RESERVE FUND FOR ENERGY LEGISLATION.

If a bill or joint resolution is reported, or an amendment is offered thereto or a conference report is submitted thereon, within the jurisdiction of the Committee on Energy and Natural Resources of the Senate, that provides for a national energy policy, provided that the committee is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974, the chairman of the Committee on the Budget may make the appropriate adjustments in allocations and aggregates by the amount provided by that measure for that purpose, but not to exceed $100,000,000 in new budget authority for fiscal year 2006 and the outlays flowing from that budget authority and $2,000,000,000 in new budget authority for the period of fiscal years 2006 through 2010 and the outlays flowing from that budget authority.

SEC. 309. RESERVE FUND FOR THE SAFE IMPORTATION OF PRESCRIPTION DRUGS.

If the Committee on Health, Education, Labor, and Pensions of the Senate reports a bill or joint resolution, or an amendment is offered thereto or a conference report is submitted thereon, that permits the safe importation of prescription drugs approved by the Food and Drug Administration from specified countries with strong safety laws, and provided that the committee is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974, the chairman of the Committee on

the Budget may make the appropriate adjustments in allocations and aggregates to the extent that such legislation would not increase the deficit for fiscal year 2006 and for the period of fiscal years 2006 through 2010.

SEC. 310. RESERVE FUND FOR THE RESTORATION OF SCHIP FUNDS.

If the Committee on Finance of the Senate reports a bill or joint resolution, or an amendment is offered thereto or a conference report is submitted thereon, that provides for the restoration of unexpended funds under the State Children's Health Insurance Program that reverted to the Treasury on October 1, 2004, and that may provide for the redistribution of such funds for outreach and enrollment as well as for coverage initiatives and provided that the committee is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974, the chairman of the Committee on the Budget may make the appropriate adjustments in allocations and aggregates to the extent that such legislation would not increase the deficit for fiscal year 2006 and for the period of fiscal years 2006 through 2010.

TITLE IV—BUDGET ENFORCEMENT

SEC. 401. RESTRICTIONS ON ADVANCE APPROPRIATIONS.

(a) IN THE HOUSE.—(1)(A) In the House, except as provided in paragraph (2), an advance appropriation may not be reported in a bill or joint resolution making a general appropriation or continuing appropriation, and may not be in order as an amendment thereto.

(B) Managers on the part of the House may not agree to a Senate amendment that would violate subparagraph (A) unless specific authority to agree to the amendment first is given by the House by a separate vote with respect thereto.

(2) In the House, an advance appropriation may be provided for fiscal year 2007 or 2008 for programs, projects, activities or accounts identified in the joint explanatory statement of managers accompanying this resolution under the heading ''Accounts Identified for Advance Appropriations'' in an aggregate amount not to exceed $23,158,000,000 in new budget authority.

(3) In this subsection, the term ''advance appropriation'' means any new budget authority provided in a bill or joint resolution making general appropriations or any new budget authority provided in a bill or joint resolution continuing appropriations for fiscal year 2006 that first becomes available for any fiscal year after 2006.

(b) IN THE SENATE.—(1) Except as provided in paragraph (2), it shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would provide an advance appropriation.

(2) An advance appropriation may be provided for the fiscal years 2007 and 2008 for programs, projects, activities, or accounts identified in the joint explanatory statement of managers accompanying this resolution under the heading ''Accounts Identified for Advance Appropriations'' in an aggregate amount not to exceed $23,158,000,000 in new budget authority in each year.

(3)(A) In the Senate, paragraph (1) may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under paragraph (1).

(B) A point of order under paragraph (1) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(C) If a point of order is sustained under paragraph (1) against a conference report in the Senate, the report shall be disposed of as provided in section 313(d) of the Congressional Budget Act of 1974.

(4) In this subsection, the term ''advance appropriation'' means any new budget authority provided in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2006 that first becomes available for any fiscal year after 2006, or any new budget authority provided in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2007, that first becomes available for any fiscal year after 2007.

SEC. 402. EMERGENCY LEGISLATION.

(a) IN THE HOUSE.—

(1) EXEMPTION OF OVERSEAS CONTINGENCY OPERATIONS.—(A) In the House, if any bill or joint resolution is reported, or an amendment is offered thereto or a conference report is filed thereon, that makes supplemental appropriations for fiscal year 2005 or fiscal year 2006 for contingency operations related to the global war on terrorism, then the new budget authority, new entitlement authority, outlays, and receipts resulting therefrom shall not count for purposes of sections 302, 303, 311, as appropriate, and 401 of the Congressional Budget Act of 1974 for the provisions of such measure that are designated pursuant to this subsection as making appropriations for such contingency operations.

(B) Amounts included in this resolution for the purpose set forth in subparagraph (A) shall be considered to be current law for purposes of the preparation of the current level of budget authority and outlays and the appropriate levels shall be adjusted upon the enactment of such bill.

(2) EXEMPTION OF EMERGENCY PROVISIONS.—In the House, if a bill or joint resolution is reported, or an amendment is offered thereto or a conference report is filed thereon, that designates a provision as an emergency requirement pursuant to this subsection, then the new budget authority, new entitlement authority, outlays, and receipts resulting therefrom shall not count for purposes of sections 302, 303, 311, as appropriate, and 401 of the Congressional Budget Act of 1974.

(3) DESIGNATIONS.—In the House, if a provision of legislation is designated as an emergency requirement under this subsection, the committee report and any statement of managers accompanying that legislation shall include an explanation of the manner in which the provision meets the criteria in subsection (c). If such legislation is to be considered by the House without being reported, then the committee shall cause the explanation to be published in the Congressional Record in advance of floor consideration.

(b) IN THE SENATE.—

(1) AUTHORITY TO DESIGNATE.—With respect to a provision of direct spending or receipts legislation or appropriations for discretionary accounts that the Congress designates as an emergency requirement in such measure, the amounts of new budget authority, outlays, and receipts in all fiscal years resulting from that provision shall be treated as an emergency requirement for the purpose of this subsection.

(2) EXEMPTION OF EMERGENCY PROVISIONS.—Any new budget authority, outlays, and receipts resulting from any provision designated as an emergency requirement, pursuant to this subsection, in any bill, joint resolution, amendment, or conference report shall not count for purposes of sections 302 and 311 of the Congressional Budget Act of 1974 and section 404 of this resolution (relating to discretionary spending limits in the Senate) and section 505 of the Concurrent Resolution on the Budget for Fiscal Year 2004, H. Con. Res. 95 (relating to the paygo requirement in the Senate).

(3) DESIGNATIONS.—If a provision of legislation is designated as an emergency requirement under this subsection, the committee report and any statement of managers accompanying that legislation shall include an explanation of the manner in which the provision meets the criteria in subsection (c).

(4) DEFINITIONS.—In this subsection, the terms ''direct spending'', ''receipts'', and ''appropriations for discretionary accounts'' means any provision of a bill, joint resolution, amendment, motion, or conference report that affects direct spending, receipts, or appropriations as those terms have been defined and interpreted for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

(5) POINT OF ORDER.—When the Senate is considering a bill, resolution, amendment, motion, or conference report, if a point of order is made by a Senator against an emergency designation in that measure, that provision making such a designation shall be stricken from the measure and may not be offered as an amendment from the floor.

(6) WAIVER AND APPEAL.—Paragraph (5) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(7) DEFINITION OF AN EMERGENCY DESIGNATION.—For purposes of paragraph (5), a provision shall be considered an emergency designation if it designates any item as an emergency requirement pursuant to this subsection.

(8) FORM OF THE POINT OF ORDER.—A point of order under paragraph (5) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(9) CONFERENCE REPORTS.—If a point of order is sustained under paragraph (5) against a conference report, the report shall be disposed of as provided in section 313(d) of the Congressional Budget Act of 1974.

(10) EXCEPTION FOR DEFENSE SPENDING.—Paragraph (5) shall not apply against an emergency designation for a provision making discretionary appropriations under the defense function (050).

(11) EXEMPTION OF OVERSEAS CONTINGENT OPERATIONS.—

(A) IN GENERAL.—In the Senate, if a bill, joint resolution, amendment, or a conference report makes supplemental appropriations for fiscal year 2006 for overseas contingency operations related to the global war on terrorism, then the new budget authority, new entitlement authority, and outlays resulting from the provisions of such measure that are designated pursuant to this subsection as making appropriations for such contingency operations—

(i) shall not count for purposes of sections 302 and 311 of the Congressional Budget Act of 1974; and

(ii) shall not count for the purpose of section 404 of this resolution (relating to discretionary spending limits in the Senate) and section 505 of the Concurrent Resolution on the Budget for Fiscal Year 2004, H. Con. Res. 95 (relating to the pay-go requirement).

(B) LIMITATION.—The amounts that are not counted for purposes of this subsection shall not exceed $50,000,000,000 in new budget authority and outlays associated with the budget authority.

(c) CRITERIA.—

(1) IN GENERAL.—For purposes of this section, any provision is an emergency requirement if the situation addressed by such provision is—

(A) necessary, essential, or vital (not merely useful or beneficial);

(B) sudden, quickly coming into being, and not building up over time;

(C) an urgent, pressing, and compelling need requiring immediate action;

(D) subject to paragraph (2), unforeseen, unpredictable, and unanticipated; and

(E) not permanent, temporary in nature.

(2) UNFORESEEN.—An emergency that is part of an aggregate level of anticipated emergencies,

particularly when normally estimated in advance, is not unforeseen.

SEC. 403. EXTENSION OF SENATE ENFORCEMENT.

(a) EXTENSION.—Notwithstanding any provision of the Congressional Budget Act of 1974, subsections (c)(2) and (d)(3) of section 904 of the Congressional Budget Act of 1974 shall remain in effect for purposes of Senate enforcement through September 30, 2010.

(b) IN GENERAL.—

(1) UNFUNDED MANDATES.—Section 425(a)(1) and (2) of the Congressional Budget Act of 1974 shall be subject to the waiver and appeal requirements of subsections (c)(2) and (d)(3) of section 904 of the Congressional Budget Act of 1974.

(2) CONSIDERATION OF BUDGET LEGISLATION.—Section 303 of the Congressional Budget Act of 1974 shall be subject to the waiver and appeal requirements of subsections (c)(2) and (d)(3) of section 904 of the Congressional Budget Act of 1974. For the purpose of Section 303, the year covered by the resolution shall be construed as the upcoming fiscal year only.

(3) APPLICATION TO RECONCILIATION.—This subsection shall not apply to any legislation reported pursuant to reconciliation directions contained in a concurrent resolution on the budget.

(4) EFFECTIVE DATE.—This subsection shall remain in effect for purposes of Senate enforcement through September 30, 2010.

SEC. 404. DISCRETIONARY SPENDING LIMITS IN THE SENATE.

(a) DISCRETIONARY SPENDING LIMITS.—In the Senate and as used in this section, the term ''discretionary spending limit'' means—

(1) for fiscal year 2006, $842,265,000,000 in new budget authority and $916,081,000,000 in outlays for the discretionary category;

(2) for fiscal year 2007, $866,038,000,000 in new budget authority for the discretionary category; and

(3) for fiscal year 2008, $887,005,000,000 in new budget authority for the discretionary category; as adjusted in conformance with the adjustment procedures in subsection (d).

(b) ADJUSTMENTS TO DISCRETIONARY SPENDING LIMITS.—

(1) CONTINUING DISABILITY REVIEWS.—If a bill or joint resolution is reported making appropriations for fiscal year 2006 that appropriates $412,000,000 for continuing disability reviews for the Social Security Administration, and provides an additional appropriation of $189,000,000 for continuing disability reviews for the Social Security Administration, then the allocation to the Senate Committee on Appropriations shall be increased by $189,000,000 in budget authority and outlays flowing from the budget authority for fiscal year 2006.

(2) INTERNAL REVENUE SERVICE TAX ENFORCEMENT.—If a bill or joint resolution is reported making appropriations for fiscal year 2006 that appropriates $6,447,000,000 for enhanced tax enforcement to address the ''Federal tax gap'' for the Internal Revenue Service, and provides an additional appropriation of $446,000,000 for enhanced tax enforcement to address the ''Federal tax gap'' for the Internal Revenue Service, then the allocation to the Senate Committee on Appropriations shall be increased by $446,000,000 in budget authority and outlays flowing from the budget authority for fiscal year 2006.

(3) HEALTH CARE FRAUD AND ABUSE CONTROL PROGRAM.—If a bill or joint resolution is reported making appropriations for fiscal year 2006 that appropriates $80,000,000 to the health care fraud and abuse control program at the Department of Health and Human Services, then the allocation to the Senate Committee on Appropriations shall be increased by $80,000,000 in budget authority and outlays flowing from the budget authority for fiscal year 2006.

(4) UNEMPLOYMENT INSURANCE IMPROPER PAYMENTS.—If a bill or joint resolution is reported making appropriations for fiscal year 2006 that appropriates $10,000,000 for unemployment insurance improper payments reviews for the Department of Labor, and provides an additional appropriation of $40,000,000 for unemployment insurance improper payments reviews for the Department of Labor, then the allocation to the Senate Committee on Appropriations shall be increased by $40,000,000 in budget authority and outlays flowing from the budget authority for fiscal year 2006.

(c) DISCRETIONARY SPENDING POINT OF ORDER IN THE SENATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, it shall not be in order in the Senate to consider any bill or joint resolution (or amendment, motion, or conference report on that bill or joint resolution) that would cause the discretionary spending limits in this section to be exceeded.

(2) WAIVER.—This subsection may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(3) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(d) PROCEDURE FOR ADJUSTMENTS.—

(1) IN GENERAL.—

(A) CHAIRMAN.—After the reporting of a bill or joint resolution, or the offering of an amendment thereto or the submission of a conference report thereon, the chairman of the Committee on the Budget may make the adjustments set forth in subparagraph (B) for the amount of new budget authority in that measure (if that measure meets the requirements set forth in paragraph (2)) and the outlays flowing from that budget authority.

(B) MATTERS TO BE ADJUSTED.—The adjustments referred to in subparagraph (A) are to be made to—

(i) the discretionary spending limits, if any, set forth in the appropriate concurrent resolution on the budget;

(ii) the allocations made pursuant to the appropriate concurrent resolution on the budget pursuant to section 302(a) of the Congressional Budget Act of 1974; and

(iii) the budgetary aggregates as set forth in the appropriate concurrent resolution on the budget.

(2) AMOUNTS OF ADJUSTMENTS.—The adjustment referred to in paragraph (1) shall be an amount provided for the fiscal year 2006 pursuant to subsection (b).

(3) REPORTING REVISED SUBALLOCATIONS.—Following any adjustment made under paragraph (1), the Committee on Appropriations of the Senate shall report appropriately revised suballocations under section 302(b) of the Congressional Budget Act of 1974 to carry out this subsection.

SEC. 405. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution—

(1) the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the appropriate Committee on the Budget; and

(2) such chairman may make any other necessary adjustments to such levels, including adjustments necessary, and in the House separate allocations, to reflect the timing of responses to reconciliation directives pursuant to sections 201 and 202 of this resolution.

SEC. 406. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

(a) IN GENERAL.—Upon the enactment of a bill or joint resolution providing for a change in concepts or definitions, the appropriate chairman of the Committee on the Budget shall make adjustments to the levels and allocations in this resolution in accordance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002).

(b) PELL GRANTS.—

(1) BUDGET AUTHORITY.—If appropriations of discretionary new budget authority enacted for the Federal Pell Grant Program are insufficient to cover the full cost of Pell Grants in the upcoming award year, adjusted for any cumulative funding surplus or shortfall from prior years, the budget authority counted against the bill for the Pell Grant Program shall be equal to the adjusted full cost.

(2) APPLICATION.—This subsection shall apply only to new Pell Grant awards approved in legislation for award year 2006–2007 and subsequent award years and shall not apply to the cumulative shortfall through award year 2005–2006.

(3) ESTIMATES.—The estimate of the budget authority associated with the full cost of Pell Grants shall be based on the maximum award and any changes in eligibility requirements, using current economic and technical assumptions and as determined pursuant to scorekeeping guidelines, if any.

SEC. 407. LIMITATION ON LONG-TERM SPENDING PROPOSALS.

(a) CONGRESSIONAL BUDGET OFFICE ANALYSIS OF PROPOSALS.—The Director of the Congressional Budget Office shall, to the extent practicable, prepare for each bill or joint resolution reported from committee (except measures within the jurisdiction of the Committee on Appropriations), or amendments thereto or conference reports thereon, an estimate of whether the measure would cause, relative to current law, a net increase in direct spending in excess of $5 billion in any of the four 10-year periods beginning in fiscal year 2016 through fiscal year 2055.

(b) POINT OF ORDER.—In the Senate, it shall not be in order to consider any bill, joint resolution, amendment, motion, or conference report that would cause a net increase in direct spending in excess of $5 billion in any of the four 10-year periods beginning in 2016 through 2055.

(c) WAIVER.—This section may be waived or suspended only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(d) APPEALS.—An affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(e) DETERMINATIONS OF BUDGET LEVELS.—For purposes of this section, the levels of net direct spending shall be determined on the basis of estimates provided by the Committee on the Budget of the Senate.

(f) APPLICATION TO RECONCILIATION.—This section shall not apply to any legislation reported pursuant to reconciliation directions contained in a concurrent resolution on the budget.

(g) SUNSET.—This section shall expire on September 30, 2010.

SEC. 408. COMPLIANCE WITH SECTION 13301 OF THE BUDGET ENFORCEMENT ACT OF 1990.

(a) IN GENERAL.—In the House and the Senate, notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974 and section 13301 of the Budget Enforcement Act of 1990, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocation under section 302(a) of the Congressional Budget Act of 1974 to the Committee on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration.

(b) SPECIAL RULE.—In the House, for purposes of applying section 302(f) of the Congressional Budget Act of 1974, estimates of the level of total new budget authority and total outlays provided by a measure shall include any discretionary amounts provided for the Social Security Administration.

SEC. 409. EXERCISE OF RULEMAKING POWERS.

Congress adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the Senate and the House, respectively, and as such they shall be considered as part of the rules of each House, or of that House to which they specifically apply, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change those rules (so far as they relate to that house) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 410. TREATMENT OF ALLOCATIONS IN THE HOUSE.

(a) IN GENERAL.—In the House, the Committee on Appropriations may make a separate suballocation for appropriations for the legislative branch for the first fiscal year of this resolution. Such suballocation shall be deemed to be made under section 302(b) of the Congressional Budget Act of 1974 and shall be treated as such a suballocation for all purposes under section 302 of such Act.

(b) DISPLAY OF COMMITTEE ALLOCATIONS.—An allocation to a committee under section 302(a) of the Congressional Budget Act of 1974 may display an amount to reflect a committee's instruction under the reconciliation process, but it shall not constitute an allocation within the meaning of section 302 of such Act. Changes in levels of direct spending achieved in a reconciliation bill submitted pursuant to title II of this resolution shall not be included in current levels of new budget authority and outlays for purposes of enforcing an allocation under 302(a) of such Act.

SEC. 411. SPECIAL PROCEDURES TO ACHIEVE SAVINGS IN MANDATORY SPENDING THROUGH FY2014.

(a) SENSE OF CONGRESS.—The Congress finds that—

(1) the share of the budget consumed by mandatory spending has been growing since the mid-1970s, and now is about 54 percent;

(2) this portion of the budget is continuing to grow, crowding out other priorities and threatening overall budget control;

(3) mandatory spending is intrinsically difficult to control;

(4) these programs are subject to a variety of factors outside the control of Congress, such as demographics, economic conditions, and medical prices;

(5) Congress should make an effort at least every other year, to review mandatory spending;

(6) the reconciliation process set forth in the Congressional Budget Act of 1974 is a viable tool to reduce the rate of growth in mandatory spending; and

(7) concurrent resolutions on the budget for fiscal years 2007 through 2010 should include reconciliation instructions to committees, every other year, pursuant to section 310(a) of the Congressional Budget Act of 1974 to achieve significant savings in mandatory spending.

TITLE V—SENSE OF THE SENATE

SEC. 501. SENSE OF THE SENATE REGARDING UNAUTHORIZED APPROPRIATIONS.

It is the sense of the Senate that Congress should—

(1) preclude consideration of any bill, joint resolution, motion, amendment, or conference report that would provide an appropriation, in whole or in part, for programs not specifically authorized by law or Treaty stipulation, or the amount of which exceeds the amount specifically authorized by law or Treaty stipulation, or that would provide a limited tax benefit as defined by the Line Item Veto Act of 1996 (Public Law 104–130); and

(2) determine a method for effectively containing the extraordinary growth in unauthorized earmarks.

SEC. 502. SENSE OF THE SENATE REGARDING A COMMISSION TO REVIEW THE PERFORMANCE OF PROGRAMS.

It is the sense of the Senate that a commission should be established to review Federal agencies, and programs within such agencies, including an assessment of programs on an accrual basis, and legislation to implement those recommendations, with the express purpose of providing Congress with recommendations, to realign or eliminate Government agencies and programs that are wasteful, duplicative, inefficient, outdated, irrelevant, or have failed to accomplish their intended purpose.

SEC. 503. SENSE OF THE SENATE REGARDING TRICARE.

It is the sense of the Senate that Congress should provide sufficient funding to the Department of Defense to offer members of the Reserve Component continuous access to TRICARE, for a premium, regardless of their activation status.

SEC. 504. SENSE OF THE SENATE REGARDING TRIBAL COLLEGES AND UNIVERSITIES.

It is the sense of the Senate that—

(1) this resolution recognizes the funding challenges faced by tribal colleges, and universities and assumes that equitable consideration will be provided to them through funding of the Tribally Controlled College or University Assistance Act, the Equity in Educational Land Grant Status Act, title III of the Higher Education Act of 1965, and the National Science Foundation, Department of Defense, and Housing and Urban Development Tribal College and University Programs; and

(2) such equitable consideration reflects the intent of Congress to continue to work toward statutory Federal funding authorization goals for tribal colleges and universities.

SEC. 505. SENSE OF THE SENATE REGARDING SOCIAL SECURITY RESTRUCTURING.

It is the sense of the Senate that—

(1) the President, the Congress, and the American people including seniors, workers, women, minorities, and disabled persons should work together at the earliest opportunity to enact legislation to achieve a solvent and permanently sustainable Social Security system;

(2) Social Security reform must—

(A) protect current and near retirees from any changes to Social Security benefits;

(B) reduce the pressure on future taxpayers and on other budgetary priorities;

(C) provide benefit levels that adequately reflect individual contributions to the Social Security system; and

(D) preserve and strengthen the safety net for vulnerable populations including the disabled and survivors.

SEC. 506. SENSE OF THE SENATE REGARDING FUNDING FOR SUBSONIC AND HYPERSONIC AERONAUTICS RESEARCH BY THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.

It is the sense of the Senate that—

(1) the level of funding provided for the Aeronautics Mission Directorate within the National Aeronautics and Space Administration should be increased by $1,582,700,000 between fiscal year 2006 and fiscal year 2010; and

(2) the increases provided should be applied to the Vehicle Systems portion of the Aeronautics Mission Directorate budget for use in subsonic and hypersonic aeronautical research.

SEC. 507. SENSE OF THE SENATE REGARDING THE ACQUISITION OF THE NEXT GENERATION DESTROYER (DDX).

(a) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) it is ill-advised for the Department of Defense to pursue a winner-take-all strategy for the acquisition of destroyers under the next generation destroyer (DDX) program; and

(2) the amounts identified in this resolution assume that the Department of Defense will not acquire any destroyer under the next generation destroyer program through a winner-take-all strategy.

(b) WINNER-TAKE-ALL STRATEGY DEFINED.—In this section, the term ''winner-take-all strategy'', with respect to the acquisition of destroyers under the next generation destroyer program, means the acquisition (including design and construction) of such destroyers through a single shipyard.

And the Senate agree to the same.

JIM NUSSLE,
JIM RYUN,
Managers on the Part of the House.

JUDD GREGG,
PETE DOMENICI,
CHUCK GRASSLEY,
WAYNE ALLARD,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on disagreeing votes of the two Houses on the amendment of the Senate to the concurrent resolution (House Concurrent Resolution 95), establishing the congressional budget for the United States Government for fiscal year 2006, and setting forth appropriate budgetary levels for each of fiscal years 2007 through 2010, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The Senate amendment struck all out of the House resolution after the resolving clause and inserted a substitute text.

The House recedes from its disagreement to the amendment of the Senate with an amendment which is a substitute for the House resolution and the Senate amendment. The differences between the House bill, the Senate amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clarifying changes.

DISPLAYS AND AMOUNTS

The required contents of concurrent budget resolutions are set forth in section 301(a) of the Congressional Budget Act of 1974. The years in this document are fiscal years unless otherwise noted.

Both the House-passed and Senate-passed budget resolutions, as well as this conference report, retain the conventional budget function structure of past resolutions. These amounts are not binding; they are intended to provide an overall accounting of estimated spending requirements and priorities according to major categories of government activities. The budget resolution is the only legislative vehicle that reflects such a global assessment of the demands on Federal resources.

The treatment of budget function levels in the respective budget resolutions and the conference report is as follows:

HOUSE RESOLUTION

In the House resolution, the discretionary amounts in each function (amounts controlled through the annual appropriations process) are, in general, the President(s recommended functional levels, for the budget year and the outyears, as re-estimated by the Congressional Budget Office [CBO]. In certain functions, the discretionary figures are modified to account for congressional policy judgments.

For mandatory spending—spending not controlled by annual appropriations—the amounts in the function are, in general, current-law levels as estimated by CBO. In some cases, these levels are adjusted to accommodate certain legislative initiatives. In addition, the Allowances function (Function 920) calls for a reduction in total projected mandatory spending of $68 billion over 5 years, to be achieved through the reconciliation process (see title II). Although specific amounts of the total savings are assigned to specific authorizing committees in reconciliation, the savings amounts are not allocated among specific budget functions. The intent is to assure the widest possible discretion among authorizing committees. Although each authorizing committee in reconciliation is assigned a savings amount, nothing in the budget functions constrains any committee(s policy choices to achieve those savings.

The House resolution also adjusts levels for the current year, fiscal year 2005, to accommodate $81.1 billion in supplemental funding for military operations in Iraq and Afghanistan, and other enacted legislation.

SENATE AMENDMENT

The Senate amendment includes all the items required under section 301(a) of the Congressional Budget Act. The Senate amendment sets ''first-year'' levels for both 2005 and 2006, as the conference report on the 2005 budget resolution was not adopted by the Senate.

CONFERENCE AGREEMENT

In the conference agreement, discretionary spending amounts are generally the President(s recommended levels, for the budget year and the outyears, as re-estimated by CBO. In certain functions, the discretionary figures are modified to account for congressional policy judgments.

For mandatory spending, the functional amounts are generally current-law levels as estimated by CBO. In some cases, these levels are adjusted to accommodate certain legislative initiatives. In addition, the Allowances function (Function 920) calls for a reduction in total projected mandatory spending outlays of $34.7 billion over 5 years, to be achieved through the reconciliation process (see title II). Although specific portions of this savings amount are assigned to specific authorizing committees in reconciliation, the savings amounts are not allocated among budget functions. The intent is to assure the widest possible discretion among authorizing committees. Although each authorizing committee in reconciliation is assigned a savings amount, nothing in the budget functions constrains any committee(s policy choices to achieve those savings.

The conference agreement also adjusts levels for the current year, fiscal year 2005, to accommodate $81.9 billion in supplemental funding for military operations in Iraq and Afghanistan.

AGGREGATE AND FUNCTION LEVELS

The following tables are included in this section:

Conference Report on the Fiscal Year 2006 Budget Resolution: Total Spending and Revenues.

Conference Report on the Fiscal Year 2006 Budget Resolution: Discretionary Spending

Conference Report on the Fiscal Year 2006 Budget Resolution: Mandatory Spending

House-Passed Fiscal Year 2006 Budget Resolution: Total Spending and Revenues

House-Passed Fiscal Year 2006 Budget Resolution: Discretionary Spending

House-Passed Fiscal Year 2006 Budget Resolution: Mandatory Spending

Senate-Passed Fiscal Year 2006 Budget Resolution: Total Spending and Revenues

Senate-Passed Fiscal Year 2006 Budget Resolution: Discretionary Spending

Senate-Passed Fiscal Year 2006 Budget Resolution: Mandatory Spending

FUNCTIONS AND REVENUES

Pursuant to section 301(a)(3) of the Budget Act, the budget resolution must set appropriate levels for each major functional category based on the 302(a) allocations and the budgetary totals.

The respective levels of the House resolution, the Senate amendment, and the Conference Agreement for each major budget function, as well as revenue totals, are discussed in the following section. A summary of the overall budget policy is as follows:

Total spending is $2.562 trillion in budget authority [BA] and $2.577 trillion in outlays in fiscal year 2006, and $13.878 trillion in BA and $13.840 trillion in outlays over 2006–10.

Discretionary spending for fiscal year 2006 totals $843.0 billion in BA and $947.3 billion in outlays. These two aggregate amounts (minus cap adjustments in the Senate) are allocated to the Appropriations Committees to be suballocated among their respective appropriations subcommittees. This sum can accommodate the President's recommendation for $419.5 billion for national defense, $32.5 billion for homeland security, and $391.1 billion for other discretionary spending. The total excludes a sum of $50 billion toward supplemental funding for military operations in Iraq and Afghanistan.

Mandatory spending totals $1.669 trillion in BA and $1.598 trillion in outlays in fiscal year 2006, and $9.401 trillion in BA and $9.068 trillion in outlays over 2006–10. This includes $34.7 billion in reconciled mandatory outlay savings over the 5–year period. The total of these savings is reflected in Function 920, and divided among authorizing committees in the reconciliation directives of this conference report. Specific policies will be determined by the committees of jurisdiction.

Revenue totals $2.195 trillion in fiscal year 2006, and $12.440 trillion over 5 years. The conference agreement includes tax reductions of $17.8 billion in fiscal year 2006, and $105.7 billion over 5 years. Of these amounts, the agreement reconciles $11.0 billion in tax reduction in 2006, and $70.0 billion over 5 years. The conference report assumes that tax rates are not increased (as they would be under current law). Specific tax relief policies will be determined by the Committee on Ways and Means in the House, and the Committee on Finance in the Senate.

The conference report reduces the budget deficit from $382.7 billion (3.0 percent of gross domestic product [GDP]) in fiscal year 2006, to $210.9 billion (1.3 percent of GDP) in 2010.

The following section describes the conference report's revenue and spending levels according to the budget's functional categories.

REVENUE

SUMMARY

The component of the budget resolution designated as revenue reflects all of the Federal Government's various tax receipts that are classified as ''on budget.'' This includes individual income taxes; corporate income taxes; excise taxes, such as the gasoline tax; and other taxes, such as estate and gift taxes. The component of social insurance taxes that is collected for the Social Security system—the Old Age and Survivors and Disability Insurance [OASDI] payroll tax—is ''off budget.'' The remaining social insurance taxes (the Hospital Insurance [HI] payroll tax portion of Medicare, the Federal Unemployment Tax Act [FUTA] payroll tax, railroad retirement and other retirement systems) are all on budget. Customs duties, tariffs, and other miscellaneous receipts also are included in the revenue function. Pursuant to the Congressional Budget Act of 1974 and the Budget Enforcement Act of 1990, Social Security payroll taxes, which constitute slightly more than a quarter of all Federal receipts, are not included in the budget resolution.

HOUSE RESOLUTION

The budget resolution calls for $1.590 trillion in on-budget revenue for fiscal year 2006, and $9.080 trillion over 2006–10. Total revenue in the budget resolution is $2.195 trillion for fiscal year 2006 and $12.441 trillion over 2006–10. The resolution assumes tax reductions of $16.623 billion for fiscal year 2006 and $105.715 billion over 2006–10—principally the result of preventing automatic tax increases that otherwise would occur. Of these amounts, the resolution reconciles $16.623 in tax reduction in 2006, and $45.0 billion over 5 years.

For a complete summary of the House-passed revenue levels, see H. Rept. 109–17.

SENATE AMENDMENT

The Senate-passed budget resolution includes $1.589 trillion in on budget revenue for 2006, and $9.057 trillion over 2006–10. Total revenue in the budget resolution is $2.193 trillion for fiscal year 2006 and $12.418 trillion over 2006–10. The resolution assumes policies with a revenue impact of $19.016 billion for fiscal year 2006 and $128.580 billion over 2006–10. The Senate resolution assumes that tax rates are not increased (as they would be under current law). The resolution assumes a modest reduction in revenues, relative to the baseline, that balances the need for fiscal responsibility with the need to continue the modest tax rates necessary for economic growth and job creation.

During Senate consideration of the budget resolution, the Senate adopted the Bunning amendment, which reduced revenues by $63.9 billion over 2006–10, and the Kennedy amendment, which increased revenues by $5.5 billion over 2006–10.

CONFERENCE AGREEMENT

The conference agreement includes $1.6 trillion in on-budget revenue for 2006, and $9.1 trillion over 2006–10. Total revenue is $2.2 trillion for fiscal year 2006 and $12.4 trillion over 2006–10. The agreement includes tax reductions of $17.8 billion for fiscal year 2006 and $105.7 billion over 2006–10. Of these, the agreement reconciles $11.0 billion in revenue reductions in fiscal year 2006, and $70.0 billion over 2006–10.

The conference report assumes that tax rates are not increased (as they would be under current law). Specific tax relief policies will be determined by the Committee on Ways and Means in the House, and the Committee on Finance in the Senate.

NATIONAL DEFENSE: FUNCTION 050

FUNCTION SUMMARY

The National Defense function includes funds to develop, maintain, and equip the military forces of the United States. More than 95 percent of the funding in this function goes to Department of Defense [DOD] military activities; the remaining funding in the function applies to atomic energy defense activities of the Department of Energy, and other defense-related activities.

HOUSE RESOLUTION

The resolution calls for a total of $441.6 billion in BA and $475.6 billion in outlays in fiscal year 2006, and $2,408.2 billion in BA and

$2,402.4 in outlays over 5 years. The outlay figures include the fiscal year 2005 supplemental. Elsewhere (in Function 920) the resolution includes $50 billion for fiscal year 2006 in anticipation of additional needs in Afghanistan, Iraq, and the global war on terrorism. For a complete summary of the House-passed function levels, including the discretionary and mandatory spending breakdown, see H. Rept. 109–17.

SENATE AMENDMENT

The Senate amendment reflects a total of $491.6 billion in BA and $496.1 billion in outlays in fiscal year 2006, and $2,458 billion in BA and $2,450.8 billion in outlays over 5 years. These totals include an anticipated fiscal year 2006 supplemental appropriation.

CONFERENCE AGREEMENT

The totals for this function appear in the budget resolution conference agreement tables. These levels accommodate the President's request for national defense. Elsewhere (in Function 920) the agreement includes $50 billion for fiscal year 2006 in anticipation of additional needs in Afghanistan, Iraq, and the global war on terrorism. (The agreement also adjusts the Function 920 levels for the current year, fiscal year 2005, to accommodate $81.9 billion in supplemental funding for military operations in Iraq and Afghanistan, and other enacted legislation.)

The mandatory figures reflect the Congressional Budget Office [CBO] baseline levels.

The conference conferees understand the Navy may review whether advance appropriations can improve its procurement of ships and provide savings as it designs its 2007 budget. In addition, the conferees intend to request the Government Accountability Office [GAO] to assess the implications of using advance appropriations to procure ships.

INTERNATIONAL AFFAIRS: FUNCTION 150

FUNCTION SUMMARY

This function includes international development and humanitarian assistance; international security assistance; the conduct of foreign affairs; foreign information and exchange activities; and international financial programs. The major agencies in this function include the Department of Agriculture, the Department of State, the Department of the Treasury, the United States Agency for International Development, and the Millennium Challenge Corporation.

HOUSE RESOLUTION

The resolution calls for $31.7 billion in BA and $35.2 billion in outlays in fiscal year 2006, and $171.9 billion in BA and $164.6 billion in outlays over 5 years. The function totals are $171.9 billion in BA and $164.6 billion in outlays over 5 years. The discretionary component of these amounts is the President(s recommended level, as re-estimated by the Congressional Budget Office, with the following adjustments: the starting level was reduced by $1.2 billion; and a further reduction was made with the adoption of the Bradley amendment, which shifted $229 million in fiscal year 2006 and $1.15 billion over 5 years to function 700 to provide for an increase in the Department of Veterans Affairs(medical care funding.

For a complete summary of the House-passed function levels, including the discretionary and mandatory spending breakdown, see H. Rept. 109–17.

SENATE AMENDMENT

The Senate amendment reflects a total of $32.9 billion in BA and $35.4 billion in outlays in fiscal year 2006, and $180.6 billion in BA and $171.2 billion in outlays over 5 years.

CONFERENCE AGREEMENT

The totals for this function appear in the budget resolution conference agreement tables. Mandatory spending figures are the CBO baseline levels.

The conference agreement recognizes the importance of the Global Fund and its role in eradicating HIV/AIDS, tuberculosis, and malaria and encourages the Appropriations Committees to ensure the U.S. is able to donate the maximum allowed (a one-to-two ratio for U.S./international contributions) by law (Public Law 108–25).

GENERAL SCIENCE, SPACE, AND TECHNOLOGY: FUNCTION 250

FUNCTION SUMMARY

The largest component of this function—about two-thirds of total spending—is for the space flight, research, and supporting activities of the National Aeronautics and Space Administration. The function also contains general science funding, including the budgets for the National Science Foundation, and the fundamental science programs of the Department of Energy.

HOUSE RESOLUTION

The resolution calls for a total of $24.7 billion in BA and $23.9 billion in outlays in fiscal year 2006, and $127.5 billion in budget authority and $124.2 billion in outlays over 5 years. Within Function 250, the Budget Committee assumes full funding of the President's request for NASA. For a complete summary of the House-passed function levels, including the discretionary and mandatory spending breakdown, see H. Rept. 109–17.

SENATE AMENDMENT

The Senate amendment reflects a total of $24.7 billion in BA and $23.9 billion in outlays in fiscal year 2006, and $128.3 billion in BA and $124.9 billion in outlays over 5 years.

CONFERENCE AGREEMENT

The totals for this function appear in the budget resolution conference agreement tables. Discretionary spending levels for both the budget year and the out years are the President's recommended levels, as re-estimated by CBO. Mandatory spending reflects the CBO baseline levels.

ENERGY: FUNCTION 270

FUNCTION SUMMARY

This function includes civilian energy and environmental program of the Department of Energy [DOE] (it does not include DOE's national security activities—the National Nuclear Security Administration—which are in Function 050, or its basic research and science activities, which are in Function 250). Function 270 also includes the Rural Utilities Service of the Department of Agriculture, the Tennessee Valley Authority, the Federal Energy Regulatory Commission, and the Nuclear Regulatory Commission.

HOUSE RESOLUTION

The resolution calls for a total of $3.1 billion in budget authority and $2.0 billion in outlays in fiscal year 2006, and $11.8 billion in budget authority and $5 billion in outlays over 5 years. The resolution could accommodate a comprehensive energy bill. This is reflected in the allocation to the Committee on Energy and Commerce, which is free to determine its own policies within the allocation limits. For a complete summary of the House-passed function levels, including the discretionary and mandatory spending breakdown, see H. Rept. 109–17.

SENATE AMENDMENT

The Senate amendment reflects a total of $3.2 billion in BA and $2.1 billion in outlays in fiscal year 2006, and $13.8 billion in BA and $7.0 billion in outlays over 5 years.

CONFERENCE AGREEMENT

The totals for this function appear in the budget resolution conference agreement tables. Discretionary spending levels for both the budget year and the outyears are the President's recommended levels, as re-estimated by CBO. The mandatory spending figures reflect the CBO baseline, adjusted to accommodate the spending components of a comprehensive energy bill. The conference agreement also includes a reserve fund in the Senate for such legislation. In addition, the agreement includes mandatory levels in Function 920 (Allowances). These levels reflect the sum of the reconciliation savings targets set for authorizing committees to achieve in spending programs under their jurisdictions. How these changes would affect programs in various functions will depend on the actual reconciliation legislation that is enacted.

NATURAL RESOURCES AND ENVIRONMENT: FUNCTION 300

FUNCTION SUMMARY

The Natural Resources and Environment function consists of water resources, conservation, land management, pollution control and abatement, and recreational resources. Major departments and agencies in this function are the Department of the Interior, including the National Park Service, the Bureau of Land Management, the Bureau of Reclamation, and the Fish and Wildlife Service; conservation-oriented and land management agencies within the Department of Agriculture including the Forest Service; the National Oceanic and Atmospheric Administration in the Department of Commerce; the Army Corps of Engineers; and the Environmental Protection Agency.

HOUSE RESOLUTION

The resolution calls for a total of $30.5 billion in budget authority and $32.3 billion in outlays in fiscal year 2006, and $155.3 billion in budget authority and $161.6 billion in outlays over 5 years. The discretionary level in this function for fiscal year 2006 is the President's recommended level, as re-estimated by the Congressional Budget Office, with an increase to accommodate additional budget authority. For a complete summary of the House-passed function levels, including the discretionary and mandatory spending breakdown, see H. Rept. 109–17.

SENATE AMENDMENT

The Senate amendment reflects a total of $30.0 billion in BA and $32.0 billion in outlays in fiscal year 2006, and $152.5 billion in BA and $159.0 billion in outlays over 5 years.

CONFERENCE AGREEMENT

The totals for this function appear in the budget resolution conference agreement tables. Discretionary spending levels for both the budget year and the outyears are the President's recommended levels, as re-estimated by CBO. Mandatory spending reflects the CBO baseline levels, with an adjustment to accommodate several small environmental and resource-related initiatives. In addition, the conference agreement includes mandatory levels in Function 920 (Allowances). These levels reflect the sum of the reconciliation savings targets set for authorizing committees to achieve in spending programs under their jurisdictions. How these changes would affect programs in various functions will depend on the actual reconciliation legislation that is enacted.

AGRICULTURE: FUNCTION 350

FUNCTION SUMMARY

The Agriculture function includes funds for direct assistance and loans to food and fiber producers, export assistance, market information, inspection services, and agricultural research. Farm policy is driven by the Farm Security and Rural Investment Act of 2002, which provides producers with continued planting flexibility while protecting them against unique uncertainties

such as poor weather conditions and unfavorable market conditions.

Homeland security spending in this function includes funding for the Department of Agriculture and the Department of Homeland Security (including the Agriculture and Plant Health Inspection Service).

HOUSE RESOLUTION

The resolution calls for $29.5 billion in budget authority and $28.5 billion in outlays in fiscal year 2006, and $133.1 billion in budget authority and $128.3 billion in outlays over 5 years. For a complete summary of the House-passed function levels, including the discretionary and mandatory spending breakdown, see H. Rept. 109–17.

SENATE AMENDMENT

The Senate amendment reflects a total of $29.1 billion in BA and $28.1 billion in outlays in fiscal year 2006, and $129.3 billion in BA and $124.4 billion in outlays over 5 years.

CONFERENCE AGREEMENT

The totals for this function appear in the budget resolution conference agreement tables. Discretionary spending levels for both the budget year and the outyears are the President's recommended levels, as re-estimated by CBO. Mandatory spending reflects the CBO baseline levels. In addition, the conference agreement includes mandatory levels in Function 920 (Allowances). These levels reflect the sum of the reconciliation savings targets set for authorizing committees to achieve in spending programs under their jurisdictions. How these changes would affect programs in various functions will depend on the actual reconciliation legislation that is enacted.

COMMERCE AND HOUSING CREDIT: FUNCTION 370

FUNCTION SUMMARY

The Commerce and Housing Credit function includes four components: mortgage credit (usually negative budget authority because receipts tend to exceed the losses from defaulted mortgages); the Postal Service (mostly off budget); deposit insurance; and other advancement of commerce (the majority of the discretionary and mandatory spending in this function).

The mortgage credit component of this function includes housing assistance through the Federal Housing Administration, the Government National Mortgage Association [Ginnie Mae], and rural housing programs of the Department of Agriculture. The function also includes net postal service spending and spending for deposit insurance activities of banks, thrifts, and credit unions. Finally, most, but not all, of the Commerce Department is provided for in this function, including the International Trade Administration, the Bureau of Economic Analysis, the Patent and Trademark Office, the National Institute of Standards and Technology, the National Telecommunications and Information Administration, and the Bureau of the Census; as well as independent agencies such as the Securities and Exchange Commission, the Commodity Futures Trading Commission, the Federal Trade Commission, the Federal Communications Commission, and the majority of the Small Business Administration.

More than two-thirds of the spending in Function 370 is out of the FCC's Universal Service Fund. This fund collects receipts (which appear in roughly offsetting amounts on the revenue side of the budget) raised by certain telecommunications operators from charges on their customers to promote service to low-income users and high-cost areas, as well as new services.

HOUSE RESOLUTION

For on-budget amounts, the resolution calls for $10.8 billion in budget authority and $5.6 billion in outlays in fiscal year 2006, and $56.1 billion in budget authority and $24.9 billion in outlays over 5 years. For a complete summary of the House-passed function levels, including the discretionary and mandatory spending breakdown, see H. Rept. 109–17.

SENATE AMENDMENT

The Senate amendment reflects a total of $5.8 billion in BA and $0.5 billion in outlays in fiscal year 2006, and $33.4 billion in BA and $3.2 billion in outlays over 5 years.

CONFERENCE AGREEMENT

The totals for this function appear in the budget resolution conference agreement tables. Discretionary spending levels for both the budget year and the outyears are the President's recommended levels, as re-estimated by CBO. Mandatory spending reflects the CBO baseline levels. In addition, the conference agreement includes mandatory levels in Function 920 (Allowances). These levels reflect the sum of the reconciliation savings targets set for authorizing committees to achieve in spending programs under their jurisdictions. How these changes would affect programs in various functions will depend on the actual reconciliation legislation that is enacted.

TRANSPORTATION: FUNCTION 400

FUNCTION SUMMARY

The Transportation function includes ground, air, water and other transportation funding. The major agencies and programs in this function include the Department of Transportation (including the Federal Aviation Administration; the Federal Highway Administration; the Federal Transit Administration; highway, motor carrier, rail and pipeline safety programs; and the Maritime Administration), the aeronautical activities of the National Aeronautics and Space Administration, and the National Railroad Passenger Corporation.

Homeland security spending in this function includes funding for the Department of Homeland Security (including the Federal Air Marshals, the Transportation Security Administration and the U.S. Coast Guard) and the Department of Transportation.

HOUSE RESOLUTION

The resolution calls for $70.0 billion in budget authority and $70.4 billion in outlays in fiscal year 2006, and $353.8 billion in budget authority and $369.8 billion in outlays over 5 years. The mandatory component consists of CBO baseline levels adjusted to accommodate the anticipated reauthorization of TEA–21. For a complete summary of the House-passed function levels, including the discretionary and mandatory spending breakdown, see H. Rept. 109–17.

SENATE AMENDMENT

The Senate amendment reflects a total of $69.7 billion in BA and $69.8 billion in outlays in fiscal year 2006, and $379.6 billion in BA and $368.6 billion in outlays over 5 years.

CONFERENCE AGREEMENT

The totals for this function appear in the budget resolution conference agreement tables. The conference agreement reflects funding levels for fiscal years 2005–09 consistent with a $284-billion surface transportation bill. The agreement also includes a contingency procedure should additional resources be made available to the Highway Trust Fund. In addition, the conference agreement includes mandatory levels in Function 920 (Allowances). These levels reflect the sum of the reconciliation savings targets set for authorizing committees to achieve in spending programs under their jurisdictions. How these changes would affect programs in various functions will depend on the actual reconciliation legislation that is enacted.

COMMUNITY AND REGIONAL DEVELOPMENT: FUNCTION 450

FUNCTION SUMMARY

The Community and Regional Development function includes programs that provide Federal funding for economic and community development in both urban and rural areas, including: Community Development Block Grants [CDBGs]; the non-power activities of the Tennessee Valley Authority; the non-roads activities of the Appalachian Regional Commission; the Economic Development Administration [EDA]; and partial funding for the Bureau of Indian Affairs.

Homeland Security spending in this function includes the State and Local Government grant programs of the Department of Homeland Security.

HOUSE RESOLUTION

The resolution calls for a total of $14.2 billion in budget authority [BA] and $18.5 billion in outlays in fiscal year 2006, and $71.5 billion in BA and $80.2 billion in outlays over 5 years. The discretionary component of these amounts was increased in fiscal year 2006 to accommodate higher appropriations for programs such as the Community Development Block Grant. For a complete summary of the House-passed function levels, including the discretionary and mandatory spending breakdown, see H. Rept. 109–17.

SENATE AMENDMENT

The Senate amendment reflects a total of $15.2 billion in BA and $18.4 billion in outlays in fiscal year 2006, and $68.4 billion in BA and $78.4 billion in outlays over 5 years, including an amendment adopted on the Senate floor to increase the levels in this function by $1.5 billion above the President's request for the CDBG program, and other related economic and community development programs, in 2006.

CONFERENCE AGREEMENT

The totals for this function appear in the budget resolution conference agreement tables. The discretionary levels for both the budget year and the outyears are the President's recommended levels, as re-estimated by CBO, with the following adjustment: the levels are $1.5 billion higher than the President's request to maintain economic and community development programs such as CDBG at 2005 levels. Mandatory spending levels reflect the CBO baseline. In addition, the conference agreement includes mandatory levels in Function 920 (Allowances). These levels reflect the sum of the reconciliation savings targets set for authorizing committees to achieve in spending programs under their jurisdictions. How these changes would affect programs in various functions will depend on the actual reconciliation legislation that is enacted.

EDUCATION, TRAINING, EMPLOYMENT AND SOCIAL SERVICES: FUNCTION 500

FUNCTION SUMMARY

The function titled Education, Training, Employment, and Social Services primarily covers Federal spending within the Departments of Education, Labor, and Health and Human Services for programs that directly provide—or assist States and localities in providing—services to young people and adults. Its activities provide developmental services to low-income children; support programs for disadvantaged and other elementary and secondary school students; make grants and loans to post secondary students; and maintain job-training and employment services.

HOUSE RESOLUTION

The resolution calls for $92.0 billion in budget authority and $91.0 billion in outlays in fiscal year 2006, and $451.7 billion in budget authority and $446.7 billion in outlays

over 5 years. For a complete summary of the House-passed function levels, including the discretionary and mandatory spending breakdown, see H. Rept. 109–17.

SENATE AMENDMENT

The Senate amendment reflects a total of $98.4 billion in BA and $88.5 billion in outlays for fiscal year 2006, and $460.0 billion in BA and $450.3 billion in outlays over 5 years.

CONFERENCE AGREEMENT

The totals for this function appear in the budget resolution conference agreement tables. Discretionary spending levels for both the budget year and the outyears reflect the President's recommended levels, as re-estimated by CBO, with the following adjustments: the discretionary levels are increased by $1.04 billion in BA in fiscal year 2006 for Department of Education programs. These increases include $0.6 billion above the President's request to maintain funding for Community Development Block Grants at 2005 levels, and an additional $0.4 billion to accommodate a $100 increase in Pell Grants in 2006. Mandatory spending levels reflect the CBO baseline, adjusted to support state-based abstinence grants. The conference agreement also includes a reserve fund to accommodate potential legislation addressing the shortfall in BA in the Pell Grant Program, and procedures modifying the budgetary treatment of Pell Grant funding. In addition, the conference agreement includes mandatory levels in Function 920 (Allowances). These levels reflect the sum of the reconciliation savings targets set for authorizing committees to achieve in spending programs under their jurisdictions. How these changes would affect programs in various functions will depend on the actual reconciliation legislation that is enacted.

Although the Congress strongly supports the Federal student loan programs, it is increasingly concerned that the subsidy estimates for the Ford Direct Loan Program do not reflect the program's true cost to the Federal Government. For example, the President's 2006 budget reveals that although the program was expected to result in a net savings of $2 billion from its inception through fiscal year 2004, the actual experience is that the program resulted in a net cost to taxpayers of $3 billion over the same period. This represents a $5-billion underestimate of the program's actual cost to taxpayers over roughly 10 years. Accordingly, the Congress supports the administration's continuing efforts to direct the Department of Education to refine and improve its cost estimating techniques for this program.

The Congress believes it is important for estimates to be corrected for all known deficiencies so that the decision makers have sufficient information to compare the cost to taxpayers of competing policy options, and large-scale structural reform proposals, in the student loan programs.

HEALTH: FUNCTION 550

FUNCTION SUMMARY

This function consists of health care services, including Medicaid, the Nation's major program covering medical and long-term care costs for low-income persons; the State Children's Health Insurance Program [SCHIP], health research and training, including the National Institutes of Health [NIH] and substance abuse prevention and treatment; and consumer and occupational health and safety, including the Occupational Safety and Health Administration. Medicaid represents 71 percent of the spending in this function.

Homeland security activities and agencies in this category include Project Bioshield, the National Institutes of Health, the National Institute of Allergy and Infectious Diseases, the Food Safety and Inspection Service, and the Food and Drug Administration.

HOUSE RESOLUTION

The resolution calls for a total of $262.2 billion in BA and $262.5 billion in outlays in fiscal year 2006, and $1,486 billion in BA and $1,480.3 billion in outlays over 5 years. For a complete summary of the House-passed function levels, including the discretionary and mandatory spending breakdown, see H. Rept. 109–17.

SENATE AMENDMENT

The Senate amendment reflects a total of $264.0 billion in BA and $264.3 billion in outlays in fiscal year 2006, and $1,489.3 billion in BA and $1,483.2 billion in outlays over 5 years.

CONFERENCE AGREEMENT

The totals for this function appear in the budget resolution conference agreement tables. Discretionary spending levels for both the budget year and the outyears reflect the President's recommended levels, as re-estimated by CBO. Mandatory spending levels reflect the CBO baseline, and the conference agreement contains reserve funds for the Family Opportunity Act and for health coverage for the uninsured. The agreement also contains reserve funds in the Senate for importation of prescription drugs, for the restoration of funds for the State Children's Health Insurance Program, and for health information technology and pay-for-performance. In addition, the conference agreement includes mandatory levels in Function 920 (Allowances). These levels reflect the sum of the reconciliation savings targets set for authorizing committees to achieve in spending programs under their jurisdictions. How these changes would affect programs in various functions will depend on the actual reconciliation legislation that is enacted. No savings are assumed in fiscal year 2006 in the Medicaid Program.

MEDICARE: FUNCTION 570

FUNCTION SUMMARY

This function consists entirely of the Medicare Program. It reflects the Medicare Part A Hospital Insurance [HI] Program, Part B Supplementary Medical Insurance [SMI] Program, Part C Medicare Advantage Program, and Part D Prescription Drug Benefit, as well as premiums paid by qualified aged and disabled beneficiaries. On 8 December 2003, Congress and the President enacted the Medicare Prescription Drug, Improvement, and Modernization Act [MMA]. MMA changed Medicare Part C from the Medicare+Choice Program to the Medicare Advantage Program and added the Part D Prescription Drug Benefit to the Medicare Program.

HOUSE RESOLUTION

The resolution calls for $331.2 billion in budget authority and $330.9 billion in outlays in fiscal year 2006, and $1,966.7 billion in budget authority and $1,966.7 billion in outlays over 5 years. For a complete summary of the House-passed function levels, including the discretionary and mandatory spending breakdown, see H. Rept. 109–17.

SENATE AMENDMENT

The Senate amendment reflects a total of $331.2 billion in BA and $331.0 billion in outlays in fiscal year 2006, and $1,966.9 billion in BA and $1,967.0 billion in outlays over 5 years.

CONFERENCE AGREEMENT

The totals for this function appear in the budget resolution conference agreement tables. The discretionary spending levels reflect the President's recommended levels, as re-estimated by CBO. The mandatory figures reflect CBO baseline levels.

INCOME SECURITY: FUNCTION 600

FUNCTION SUMMARY

The Income Security function includes most of the Federal Government's income support programs. These include: general retirement and disability insurance (excluding Social Security)—mainly through the Pension Benefit Guaranty Corporation [PBGC]—and benefits to railroad retirees. Other components are Federal employee retirement and disability benefits (including military retirees); unemployment compensation; low-income housing assistance, including section 8 housing; food and nutrition assistance, including food stamps and school lunch subsidies; and other income security programs.

This last category includes: Temporary Assistance to Needy Families [TANF], the Government's principal welfare program; Supplemental Security Income; spending for the refundable portion of the Earned Income Credit; and the Low Income Home Energy Assistance Program.

HOUSE RESOLUTION

The resolution calls for $347.2 billion in budget authority and $354.1 billion in outlays in fiscal year 2006, and $1,823.1 billion in budget authority and $1,850.0 billion in outlays over 5 years. The discretionary component for fiscal year 2006 is the President's recommended level, as re-estimated by the Congressional Budget Office, reduced by $0.1 billion to accommodate increased funding for community and regional development programs in Function 450. For a complete summary of the House-passed function levels, including the discretionary and mandatory spending breakdown, see H. Rept. 109–17.

SENATE AMENDMENT

The Senate amendment reflects a total of $347.4 billion in BA and $353.4 billion in outlays in fiscal year 2006, and $1,824.9 billion in BA and $1,846.4 billion in outlays over 5 years.

CONFERENCE AGREEMENT

The totals for this function appear in the budget resolution conference agreement tables. Discretionary spending levels, for both the budget year and the outyears, reflect the President's recommended levels, as re-estimated by CBO. Mandatory spending reflects the CBO baseline levels, adjusted to accommodate reauthorization of Temporary Assistance for Needy Families. In addition, the conference agreement includes mandatory levels in Function 920 (Allowances). These levels reflect the sum of the reconciliation savings targets set for authorizing committees to achieve in spending programs under their jurisdictions. How these changes would affect programs in various functions will depend on the actual reconciliation legislation that is enacted.

SOCIAL SECURITY: FUNCTION 650

FUNCTION SUMMARY

This function consists of the Social Security Program, or Old Age, Survivors, and Disability Insurance [OASDI]. It is the largest budget function in terms of outlays, and provides funds for the Government's largest entitlement program. Under provisions of the Congressional Budget Act and the Budget Enforcement Act, Social Security trust funds are considered to be off budget. But a small portion of spending within Function 650 (including general fund transfers of taxes paid on Social Security benefits (is on budget. The presentations below, therefore, refer to only the on-budget portion of Function 650.

HOUSE RESOLUTION

The resolution calls for $15.9 billion in on-budget budget authority and $15.9 billion in outlays in fiscal year 2006, and $99.1 billion in

budget authority and $99.1 billion in outlays over 5 years. (The corresponding unified budget totals would be $547.0 billion and $544.9 billion in outlays in fiscal year 2006, and $3,020.2 billion in BA and $3,007.4 billion in outlays over 5 years.) For a complete summary of the House-passed function levels, including the discretionary and mandatory spending breakdown, see H. Rept. 109–17.

SENATE AMENDMENT

The Senate amendment reflects a unified total of $546.8 billion in BA and $544.8 billion in outlays in fiscal year 2006, and $3,021.3 billion in BA and $3,008.4 billion in outlays over 5 years.

CONFERENCE AGREEMENT

The totals for this function appear in the budget resolution conference agreement tables. The unified discretionary spending levels, for both the budget year and the outyears, are at the CBO baseline levels. The mandatory spending figures reflect the CBO baseline levels.

VETERANS BENEFITS AND SERVICES: FUNCTION 700

FUNCTION SUMMARY

This function includes funding for the Department of Veterans Affairs [VA], which provides benefits to veterans who meet various eligibility rules. Benefits range from income security for veterans, principally disability compensation and pensions; veterans education, training, and rehabilitation services; hospital and medical care for veterans; and other veterans' benefits and services, such as home loan guarantees. There are about 24.8 million veterans.

HOUSE RESOLUTION

The resolution calls for $68.9 billion in budget authority and $68.1 billion in outlays in fiscal year 2006, and $344.7 billion in budget authority and $342.9 billion in outlays over 5 years. The discretionary component reflects an increase over the President's level, as re-estimated by the Congressional Budget Office. Specifically, the Chairman's Mark increased budget authority over the President's recommended levels by $68 million in fiscal year 2006 and $609 million over the period 2006–10. In addition, During markup, the Budget Committee adopted an amendment by Mr. Bradley further increasing budget authority by $229 million for fiscal year 2006 and $1.145 billion over the period 2006–10. As a result, the reported resolution includes an increase in total veterans budget authority of $297 million in fiscal year 2006 over the President's request.

For a complete summary of the House-passed function levels, including the discretionary and mandatory spending breakdown, see H. Rept. 109–17.

SENATE AMENDMENT

The Senate amendment reflects a total of $69.0 billion in BA and $68.4 billion in outlays in fiscal year 2006, and $344.7 billion in BA and $343.0 billion in outlays over 5 years.

CONFERENCE AGREEMENT

The totals for this function appear in the budget resolution conference agreement tables. The discretionary spending levels, for both the budget year and the outyears, reflect the President's recommended levels, as re-estimated by CBO, with the following adjustments: the levels are increased to provide for an additional $410 million in BA Veterans' Medical Care in fiscal year 2006.

Mandatory spending figures reflect the CBO baseline levels.

ADMINISTRATION OF JUSTICE: FUNCTION 750

FUNCTION SUMMARY

This function supports the majority of Federal justice and law enforcement programs and activities. This includes funding for the Department of Justice, as well as the financial law enforcement activities of the Department of the Treasury, Federal courts and prisons, and criminal justice assistance to State and local governments.

Homeland security spending in this function includes funding for the law enforcement and border protection activities of the Department of Homeland Security and the counterterrorism activities of the Department of Justice and the Department of the Treasury.

HOUSE RESOLUTION

The resolution calls for $40.8 billion in budget authority and $42.3 billion in outlays in fiscal year 2006, and $209.7 billion in budget authority and $213 billion in outlays over 5 years. The discretionary component for fiscal year 2006 is the President's recommended level, as re-estimated by the Congressional Budget Office, with an adjustment for the Federal Judiciary to grow at the rate of inflation. For a complete summary of the House-passed function levels, including the discretionary and mandatory spending breakdown, see H. Rept. 109–17.

SENATE AMENDMENT

The Senate amendment reflects a total of $42.0 billion in BA and $42.9 billion in outlays in fiscal year 2006, and $213.0 billion in BA and $216.0 billion in outlays over 5 years.

CONFERENCE AGREEMENT

The totals for this function appear in the budget resolution conference agreement tables. Discretionary spending levels, for both the budget years and the outyears, reflect the President's recommended levels, as re-estimated by CBO. The conference agreement also contains a reserve fund in the Senate for the Asbestos Injury Trust Fund. Mandatory spending figures reflect the CBO baseline. In addition, the conference agreement includes mandatory levels in Function 920 (Allowances). These levels reflect the sum of the reconciliation savings targets set for authorizing committees to achieve in spending programs under their jurisdictions. How these changes would affect programs in various functions will depend on the actual reconciliation legislation that is enacted.

GENERAL GOVERNMENT: FUNCTION 800

FUNCTION SUMMARY

General Government consists of the activities of the Legislative Branch; the Executive Office of the President; general tax collection and fiscal operations of the Department of Treasury (including the Internal Revenue Service); the Office of Personnel Management, and the property and personnel costs of the General Services Administration; general purpose fiscal assistance to States, localities, the District of Columbia, and U.S. territories; and other general Government activities.

HOUSE RESOLUTION

The resolution calls for $18 billion in budget authority and $18.3 billion in outlays in fiscal year 2006, and $88.5 billion in budget authority and $88.5 billion in outlays over 5 years. For a complete summary of the House-passed function levels, including the discretionary and mandatory spending breakdown, see H. Rept. 109–17.

SENATE AMENDMENT

The Senate amendment reflects a total of $18.1 billion in BA and $18.4 billion in outlays in fiscal year 2006, and $91.8 billion in BA and $91.6 billion in outlays over 5 years.

CONFERENCE AGREEMENT

The totals for this function appear in the budget resolution conference agreement tables. Discretionary spending levels, for both the budget year and the outyears, reflect the President's recommended levels, as re-estimated by CBO, with adjustments to accommodate changes in Function 500, Education, Labor, Employment, and Social Services; and in Function 650, Social Security. Mandatory spending figures reflect the CBO baseline, adjusted for several intergovernmental provisions. The conference agreement also contains a reserve fund in the House of Representatives for Federal property disposal. In addition, the conference agreement includes mandatory levels in Function 920 (Allowances). These levels reflect the sum of the reconciliation savings targets set for authorizing committees to achieve in spending programs under their jurisdictions. How these changes would affect programs in various functions will depend on the actual reconciliation legislation that is enacted.

NET INTEREST: FUNCTION 900

FUNCTION SUMMARY

This function includes net interest, which is the interest paid on the Federal Government's borrowing less the interest received by the Federal Government from trust fund investments and loans to the public. It is a mandatory payment, with no discretionary components.

HOUSE RESOLUTION

The resolution calls for $214.0 billion in unified budget authority and outlays in fiscal year 2006, and $1,357.9 billion in budget authority and outlays over 5 years. For a complete summary of the House-passed function levels, see H. Rept. 109–17.

SENATE AMENDMENT

The Senate amendment reflects a total of $214.0 billion in BA and $214.0 billion in outlays in fiscal year 2006, and $1,365.5 billion in BA and $1,365.5 billion in outlays over 5 years.

CONFERENCE AGREEMENT

The totals for this function appear in the budget resolution conference agreement tables. No mandatory assumptions are reflected in this function.

ALLOWANCES: FUNCTION 920

FUNCTION SUMMARY

The Allowances function is used for planning purposes to address the budgetary effects of proposals or assumptions that cross various other budget functions. Once such changes are enacted, the budgetary effects are distributed to the appropriate budget functions.

HOUSE RESOLUTION

The function totals are $47.903 billion in budget authority and $24.359 billion in outlays in fiscal year 2006; and $9.963 billion in budget authority and −$16.969 billion in outlays for 2006–10. The figures include $50.0 billion in discretionary budget authority and $32.0 billion in outlays in fiscal year 2006 toward likely costs for continuing military operations in Afghanistan and Iraq. The figures also include proposed mandatory savings of $2.097 in budget authority and $7.641 in outlays in fiscal year 2006, and $40.037 billion in budget authority and $66.969 billion in outlays for 2006–10. For a complete summary of the House-passed function totals, including the discretionary and mandatory spending breakdown, see H. Rept. 109–17.

SENATE AMENDMENT

The Senate amendment reflects a total of −$6.1 billion in BA and −$3.2 billion in outlays in fiscal year 2006, and −$6.3 billion in BA and −$6.1 billion in outlays over 5 years.

CONFERENCE AGREEMENT

The agreement calls for a total of $48.5 billion in budget authority and $60.9 billion in outlays in fiscal year 2006, and $19.1 billion in BA and $64.5 billion in outlays over 5 years. The discretionary levels are $50.0 billion in

BA and $62.4 billion in outlays in fiscal year 2006, and $50.0 billion in BA and $99.1 billion in outlays over 5 years. Mandatory amounts are −$1.5 billion in BA and −$1.5 billion in outlays in fiscal year 2006, and $30.9 billion in BA and $34.7 billion in outlays over 5 years.

These figures are derived as follows:

The conference report calls for $50.0 billion in discretionary budget authority and $62.4 billion in outlays in fiscal year 2006. This is to anticipate the likelihood of supplemental appropriations for continuing military operations in Afghanistan and Iraq. It is an estimate for anticipated annual costs. It is an attempt not to predetermine the scope or intensity of operations, troop levels, or which weapons and supplies the Department of Defense will need, but rather to make the budget reflect a likely future expenditure. Over 5 years, outlays from the 2006 budget authority total $50.0 billion.

The conference agreement also adjusts levels for the current year, fiscal year 2005, to accommodate $81.9 billion in supplemental funding for military operations in Iraq and Afghanistan.

The function also reflects a net reduction of $34.7 billion in outlays over 5 years in projected mandatory spending called for in the conference report. The budget recognizes the significance and rapid growth of mandatory spending—spending not subject to annual appropriations—which now consumes about 55 percent of total Federal spending (excluding interest). Total mandatory spending (including interest) is growing at a rate of about 6.4 percent per year. At its current rate, net non-interest mandatory spending will consume 61 percent of total spending in just 10 years—increasingly crowding out other priorities. Spending control depends on controlling the rate of mandatory spending growth. Therefore, to slow the growth of total mandatory spending, the conference agreement includes reconciliation directives to a range of authorizing committees (see the Reconciliation discussion in this report), the sum of which is reflected in this function. The committees are free to legislate savings provisions in any of the mandatory programs in their jurisdictions, so long as they achieve their respective reconciliation targets.

UNDISTRIBUTED OFFSETTING RECEIPTS: FUNCTION 950

FUNCTION SUMMARY

This function consists of receipts to the Treasury. Receipts recorded in this function are either intrabudgetary (a payment from one Federal agency to another, such as agency payments to the retirement trust funds) or proprietary (a payment from the public for some kind of business transaction with the Government). The main types of receipts recorded in this function are: the payments Federal employees and agencies make to employee retirement trust funds; payments made by companies for the right to explore and produce oil and gas on the Outer Continental Shelf, and payments by those who bid for the right to buy or use public property or resources, such as the electromagnetic spectrum. These receipts are treated as negative spending.

HOUSE RESOLUTION

The resolution calls for a total of −$67.1 billion in unified budget authority and −$67.1 billion in outlays in fiscal year 2006 (with the minus signs again indicating receipts into the Treasury.) The function totals are −$375.7 billion in budget authority and −$376.4 billion in outlays over 5 years. For a complete summary of the House-passed function levels, including the discretionary and mandatory spending breakdown, see H. Rept. 109–17.

SENATE AMENDMENT

The Senate amendment reflects a total of −$67.1 billion in BA and −$67.1 billion in outlays in fiscal year 2006, and −$385.1 billion in BA and −$385.8 billion in outlays over 5 years.

CONFERENCE AGREEMENT

The totals for this function appear in the budget resolution conference agreement tables. The discretionary levels, for both the budget year and the outyears, reflect the President's recommended levels, as re-estimated by CBO. Mandatory spending levels reflect the CBO baseline. In addition, the conference agreement includes mandatory levels in Function 920 (Allowances). These levels reflect the sum of the reconciliation savings targets set for authorizing committees to achieve in spending programs under their jurisdictions. How these changes would affect programs in various functions will depend on the actual reconciliation legislation that is enacted.

FISCAL YEAR 2006 BUDGET RESOLUTION CONFERENCE AGREEMENT
TOTAL SPENDING AND REVENUES

[In billions of dollars]

Fiscal year	2005	2006	2007	2008	2009	2010	2006–2010
Summary							
Total Spending:							
BA	2,479.210	2,562.363	2,642.332	2,771.425	2,893.177	3,008.522	13,877.819
OT	2,454.699	2,577.400	2,644.200	2,750.392	2,872.905	2,995.181	13,840.078
On-Budget:							
BA	2,078.456	2,144.384	2,211.308	2,324.327	2,428.613	2,524.958	11,633.590
OT	2,056.006	2,161.420	2,215.361	2,305.908	2,411.288	2,514.745	11,608.722
Off-Budget:							
BA	400.754	417.979	431.024	447.098	464.564	483.564	2,244.229
OT	398.693	415.980	428.839	444.484	461.617	480.436	2,231.356
Revenues:							
Total	2,057.133	2,194.669	2,331.038	2,495.962	2,634.527	2,784.259	12,440.455
On-Budget	1,483.658	1,589.892	1,693.246	1,824.274	1,928.678	2,043.916	9,080.006
Off-Budget	573.475	604.777	637.792	671.688	705.849	740.343	3,360.449
Surplus/Deficit (−):							
Total	−397.566	−382.731	−313.162	−254.430	−238.378	−210.922	−1,399.623
On-Budget	−572.348	−571.528	−522.115	−481.634	−428.610	−470.829	−2,528.716
Off-Budget	174.782	188.797	208.953	227.204	244.232	259.907	1,129.093
Debt Held by the Public (end of year)	4,689	5,082	5,409	5,677	5,927	6,150	na
Debt Subject to Limit (end of year)	7,962	8,645	9,284	9,890	10,500	11,105	na
By Function							
National Defense (050):							
BA	423.446	441.562	465.260	483.730	503.763	513.904	2,408.219
OT	465.709	447.020	448.508	467.840	488.307	505.531	2,357.206
International Affairs (150):							
BA	28.413	30.913	34.338	34.700	34.739	34.430	169.120
OT	31.620	32.962	31.804	31.322	31.313	31.033	158.434
General Science, Space, and Technology (250):							
BA	24.413	24.735	25.171	25.545	25.851	26.162	127.464
OT	23.594	23.894	24.610	24.922	25.242	25.565	124.233
Energy (270):							
BA	2.564	3.247	2.837	2.920	2.531	2.229	13.764
OT	0.794	2.127	1.687	1.026	1.127	1.018	6.985
Natural Resources and Environment (300):							
BA	32.504	30.021	30.389	30.458	31.212	30.754	152.834
OT	31.163	32.016	31.622	31.938	32.182	31.763	159.521
Agriculture (350):							
BA	30.151	29.420	27.130	25.274	25.631	25.357	132.812
OT	28.550	28.476	25.948	24.225	24.738	24.627	128.014
Commerce and Housing Credit (370):							
BA	13.004	6.172	4.874	6.440	6.867	10.465	34.818
OT	7.502	0.962	−0.271	0.650	−0.032	2.293	3.602
On-budget:							
BA	16.804	10.772	10.074	10.040	10.667	14.565	56.118
OT	11.302	5.562	4.929	4.250	3.768	6.393	24.902
Off-budget:							
BA	−3.800	−4.600	−5.200	−3.600	−3.800	−4.100	−21.300
OT	−3.800	−4.600	−5.200	−3.600	−3.800	−4.100	−21.300
Transportation (400):							
BA	75.833	73.034	74.515	76.482	66.268	67.611	357.910
OT	67.639	70.137	72.092	73.893	75.235	77.107	368.464
Community and Regional Development (450):							
BA	23.007	14.493	14.510	14.597	14.735	14.755	73.090
OT	20.756	18.323	17.180	15.779	14.706	14.402	80.390
Education, Training, Employment and Social Services (500):							
BA	94.026	97.364	90.395	90.450	90.665	90.124	458.998
OT	92.805	91.463	91.045	89.335	88.826	88.646	449.315
Health (550):							
BA	257.498	262.269	275.200	294.954	317.026	336.407	1,485.856

FISCAL YEAR 2006 BUDGET RESOLUTION CONFERENCE AGREEMENT
TOTAL SPENDING AND REVENUES—Continued

[In billions of dollars]

Fiscal year	2005	2006	2007	2008	2009	2010	2006–2010
OT	252.798	262.628	274.781	293.755	313.539	335.458	1,480.161
Medicare (570):							
BA	292.587	331.181	371.875	395.312	420.234	448.111	1,966.713
OT	293.587	330.944	372.167	395.364	419.828	448.442	1,966.745
Income Security (600):							
BA	339.658	347.606	352.843	365.782	374.984	384.088	1,825.303
OT	347.855	354.415	359.969	371.374	379.241	387.610	1,852.609
Social Security (650):							
BA	522.557	546.809	572.203	600.483	633.133	668.691	3,021.319
OT	520.496	544.810	570.018	597.869	630.186	665.563	3,008.446
On-budget:							
BA	15.849	15.991	17.804	19.868	21.843	24.129	99.635
OT	15.849	15.991	17.804	19.868	21.843	24.129	99.635
Off-budget:							
BA	506.708	530.818	554.399	580.615	611.290	644.562	2,921.684
OT	504.647	528.819	552.214	578.001	608.343	641.434	2,908.811
Veterans Benefits and Services (700):							
BA	69.448	68.994	66.434	69.561	70.074	70.172	345.235
OT	68.873	68.365	66.168	69.387	69.791	69.900	343.611
Administration of Justice (750):							
BA	39.731	40.984	41.531	42.172	42.743	43.001	210.431
OT	39.440	42.382	42.593	42.791	42.920	42.944	213.630
General Government (800):							
BA	16.765	17.909	17.829	17.285	17.140	16.733	86.896
OT	17.673	18.398	17.758	17.289	16.956	16.580	86.981
Net Interest (900):							
BA	176.982	214.274	254.812	281.847	299.135	313.567	1,363.635
OT	176.982	214.274	254.812	281.847	299.135	313.567	1,363.635
On-budget:							
BA	267.982	310.774	360.512	398.347	427.725	455.167	1,952.535
OT	267.982	310.774	360.512	398.347	427.725	455.167	1,952.535
Off-budget:							
BA	−91.000	−96.500	−105.700	−116.500	−128.600	−141.600	−588.900
OT	−91.000	−96.500	−105.700	−116.500	−128.600	−141.600	−588.900
Allowances (920):							
BA	81.881	48.477	−4.076	−7.670	−8.352	−9.294	19.085
OT	32.121	60.905	18.572	−0.505	−5.758	−8.748	64.466
Undistributed Offsetting Receipts (950):							
BA	−65.258	−67.101	−75.738	−78.897	−75.202	−78.745	−375.683
OT	−65.258	−67.101	−76.863	−79.709	−74.577	−78.120	−376.370
On-budget:							
BA	−54.104	−55.362	−63.263	−65.480	−60.876	−63.447	−308.428
OT	−54.104	−55.362	−64.388	−66.292	−60.251	−62.822	−309.115
Off-budget:							
BA	−11.154	−11.739	−12.475	−13.417	−14.326	−15.298	−67.255
OT	−11.154	−11.739	−12.475	−13.417	−14.326	−15.298	−67.255

FISCAL YEAR 2006 BUDGET RESOLUTION CONFERENCE AGREEMENT
DISCRETIONARY SPENDING

[In billions of dollars]

Fiscal year	2005	2006	2007	2008	2009	2010	2006–2010
Summary							
Total Spending:							
BA	921.917	893.020	866.038	887.005	910.515	920.227	4,476.805
OT	961.641	979.260	937.599	936.596	951.089	967.365	4,771.909
Defense:							
BA	421.642	438.973	462.597	481.043	500.969	511.018	2,394.600
OT	463.887	444.398	445.816	465.130	485.494	502.628	2,343.466
Nondefense:							
BA	500.275	454.047	403.441	405.962	409.546	409.209	2,082.205
OT	497.754	534.862	491.783	471.466	465.595	464.737	2,428.443
By Function							
National Defense (050):							
BA	421.642	438.973	462.597	481.043	500.969	511.018	2,394.600
OT	463.887	444.398	445.816	465.130	485.494	502.628	2,343.466
International Affairs (150):							
BA	30.019	31.369	33.526	33.873	33.898	33.573	166.239
OT	36.182	35.794	34.392	33.868	33.882	33.620	171.556
General Science, Space, and Technology (250):							
BA	24.295	24.605	25.058	25.426	25.732	26.042	126.863
OT	23.516	23.815	24.523	24.829	25.142	25.462	123.771
Energy (270):							
BA	3.807	4.536	3.756	3.873	3.803	3.664	19.632
OT	3.785	4.742	4.150	3.864	3.841	3.740	20.337
Natural Resources and Environment (300):							
BA	31.306	27.975	27.945	27.968	27.903	27.484	139.275
OT	31.035	30.339	29.296	28.954	28.658	27.988	145.235
Agriculture (350):							
BA	5.725	5.365	5.663	5.705	5.717	5.661	28.111
OT	5.754	5.817	5.586	5.613	5.625	5.640	28.281
Commerce and Housing Credit (370):							
BA	1.849	0.864	0.991	1.050	1.500	5.206	9.611
OT	1.543	1.099	1.332	1.066	1.273	4.123	8.893
On-budget:							
BA	1.849	0.864	0.991	1.050	1.500	5.206	9.611
OT	1.543	1.099	1.332	1.066	1.273	4.123	8.893
Off-budget:							
BA	.....	.....	.....	.....	.....	.....	.....
OT	.....	.....	.....	.....	.....	.....	.....
Transportation (400):							
BA	25.305	21.607	21.668	22.075	22.469	23.805	111.624
OT	65.517	67.949	69.939	71.644	73.078	74.999	357.609
Community and Regional Development (450):							
BA	22.676	14.009	14.365	14.532	14.671	14.688	72.265
OT	20.314	18.564	17.313	15.863	14.892	14.584	81.216
Education, Training, Employment and Social Services (500):							
BA	79.556	79.139	76.214	76.173	76.023	75.218	382.767
OT	79.217	79.961	78.691	76.769	75.884	75.389	386.694
Health (550):							
BA	54.368	50.912	50.268	50.558	52.862	50.265	254.865
OT	51.012	51.730	51.138	50.608	50.551	50.577	254.604
Medicare (570):							
BA	4.000	5.061	4.987	4.991	4.975	4.895	24.909
OT	3.989	4.855	4.991	5.002	4.978	4.912	24.738

FISCAL YEAR 2006 BUDGET RESOLUTION CONFERENCE AGREEMENT
DISCRETIONARY SPENDING—Continued

[In billions of dollars]

Fiscal year	2005	2006	2007	2008	2009	2010	2006–2010
Income Security (600):							
BA	46.056	47.256	46.436	46.465	46.319	45.630	232.106
OT	54.294	54.275	53.535	52.143	50.891	49.356	260.200
Social Security (650):							
BA	4.426	4.576	4.710	4.853	5.001	5.152	24.292
OT	4.405	4.587	4.785	4.849	4.974	5.124	24.319
On-budget:							
BA	.....	.....	.....	.....	.....	.....	.....
OT	.....	.....	.....	.....	.....	.....	.....
Off-budget:							
BA	4.426	4.576	4.710	4.853	5.001	5.152	24.292
OT	4.405	4.587	4.785	4.849	4.974	5.124	24.319
Veterans Benefits and Services (700):							
BA	30.861	31.851	30.957	30.893	30.691	30.068	154.460
OT	30.327	31.252	30.775	30.822	30.526	29.922	153.297
Administration of Justice (750):							
BA	38.733	38.848	40.758	41.494	42.151	42.502	205.753
OT	38.363	41.076	41.295	41.837	42.378	42.501	209.087
General Government (800):							
BA	15.412	16.085	16.149	16.042	15.839	15.363	79.478
OT	16.380	16.594	16.070	15.901	15.699	15.263	79.527
Allowances (920):							
BA	81.881	50.000	.....	.....	.....	.....	50.000
OT	32.121	62.424	23.982	7.843	3.331	1.544	99.124
Undistributed Offsetting Receipts (950):							
BA	.....	−0.011	−0.010	−0.009	−0.008	−0.007	−0.045
OT	.....	−0.011	−0.010	−0.009	−0.008	−0.007	−0.045
On-budget:							
BA	.....	−0.011	−0.010	−0.009	−0.008	−0.007	−0.045
OT	.....	−0.011	−0.010	−0.009	−0.008	−0.007	−0.045
Off-budget:							
BA	.....	.....	.....	.....	.....	.....	.....
OT	.....	.....	.....	.....	.....	.....	.....

FISCAL YEAR 2006 BUDGET RESOLUTION CONFERENCE AGREEMENT
MANDATORY SPENDING

[In billions of dollars]

Fiscal year	2005	2006	2007	2008	2009	2010	2006–2010
Summary							
Total Spending:							
BA	1,557.293	1,669.343	1,776.294	1,884.420	1,982.662	2,088.295	9,401.014
OT	1,493.058	1,598.140	1,706.601	1,813.796	1,921.816	2,027.816	9,068.169
On-Budget:							
BA	1,160.965	1,255.940	1,349.980	1,442.175	1,523.099	1,609.883	7,181.077
OT	1,098.770	1,186.747	1,282.547	1,374.161	1,465.173	1,552.504	6,861.132
Off-Budget:							
BA	396.328	413.403	426.314	442.245	459.563	478.412	2,219.937
OT	394.288	411.393	424.054	439.635	456.643	475.312	2,207.037
By Function							
National Defense (050):							
BA	1.804	2.589	2.663	2.687	2.794	2.886	13.619
OT	1.822	2.622	2.692	2.710	2.813	2.903	13.740
International Affairs (150):							
BA	−1.606	−0.456	0.812	0.827	0.841	0.857	2.881
OT	−4.562	−2.832	−2.588	−2.546	−2.569	−2.587	−13.122
General Science, Space, and Technology (250):							
BA	0.118	0.130	0.113	0.119	0.119	0.120	0.601
OT	0.078	0.079	0.087	0.093	0.100	0.103	0.462
Energy (270):							
BA	−1.243	−1.289	−0.919	−0.953	−1.272	−1.435	−5.868
OT	−2.991	−2.615	−2.463	−2.838	−2.714	−2.722	−13.352
Natural Resources and Environment (300):							
BA	1.198	2.046	2.444	2.490	3.309	3.270	13.559
OT	0.128	1.677	2.326	2.984	3.524	3.775	14.286
Agriculture (350):							
BA	24.426	24.055	21.467	19.569	19.914	19.696	104.701
OT	22.796	22.659	20.362	18.612	19.113	18.987	99.733
Commerce and Housing Credit (370):							
BA	11.155	5.308	3.883	5.390	5.367	5.259	25.207
OT	5.959	−0.137	−1.603	−0.416	−1.305	−1.830	−5.291
On-budget:							
BA	14.955	9.908	9.083	8.990	9.167	9.359	46.507
OT	9.759	4.463	3.597	3.184	2.495	2.270	16.009
Off-budget:							
BA	−3.800	−4.600	−5.200	−3.600	−3.800	−4.100	−21.300
OT	−3.800	−4.600	−5.200	−3.600	−3.800	−4.100	−21.300
Transportation (400):							
BA	50.528	51.427	52.847	54.407	43.799	43.806	246.286
OT	2.122	2.188	2.153	2.249	2.157	2.108	10.855
Community and Regional Development (450):							
BA	0.331	0.484	0.145	0.065	0.064	0.067	0.825
OT	0.442	−0.241	−0.133	−0.084	−0.186	−0.182	−0.826
Education, Training, Employment and Social Services (500):							
BA	14.470	18.225	14.181	14.277	14.642	14.906	76.231
OT	13.588	11.502	12.354	12.566	12.942	13.257	62.621
Health (550):							
BA	203.130	211.357	224.932	244.396	264.164	286.142	1,230.991
OT	201.786	210.898	223.643	243.147	262.988	284.881	1,225.557
Medicare (570):							
BA	288.587	326.120	366.888	390.321	415.259	443.216	1,941.804
OT	289.598	326.089	367.176	390.362	414.850	443.530	1,942.007
Income Security (600):							
BA	293.602	300.350	306.407	319.317	328.665	338.458	1,593.197
OT	293.561	300.140	306.434	319.231	328.350	338.254	1,592.409
Social Security (650):							
BA	518.131	542.233	567.493	595.630	628.132	663.539	2,997.027
OT	516.091	540.223	565.233	593.020	625.212	660.439	2,984.127
On-budget:							
BA	15.849	15.991	17.804	19.868	21.843	24.129	99.635
OT	15.849	15.991	17.804	19.868	21.843	24.129	99.635
Off-budget:							
BA	502.282	526.242	549.689	575.762	606.289	639.410	2,897.392
OT	500.242	524.232	547.429	573.152	603.369	636.310	2,884.492
Veterans Benefits and Services (700):							
BA	38.587	37.143	35.477	38.668	39.383	40.104	190.775

FISCAL YEAR 2006 BUDGET RESOLUTION CONFERENCE AGREEMENT
MANDATORY SPENDING—Continued

[In billions of dollars]

Fiscal year	2005	2006	2007	2008	2009	2010	2006–2010
OT	38.546	37.113	35.393	38.565	39.265	39.978	190.314
Administration of Justice (750):							
BA	0.998	2.136	0.773	0.678	0.592	0.499	4.678
OT	1.077	1.306	1.298	0.954	0.542	0.443	4.543
General Government (800):							
BA	1.353	1.824	1.680	1.243	1.301	1.370	7.418
OT	1.293	1.804	1.688	1.388	1.257	1.317	7.454
Net Interest (900):							
BA	176.982	214.274	254.812	281.847	299.135	313.567	1,363.635
OT	176.982	214.274	254.812	281.847	299.135	313.567	1,363.635
On-budget:							
BA	267.982	310.774	360.512	398.347	427.735	455.167	1,952.535
OT	267.982	310.774	360.512	398.347	427.735	455.167	1,952.535
Off-budget:							
BA	−91.000	−96.500	−105.700	−116.500	−128.600	−141.600	−588.900
OT	−91.000	−96.500	−105.700	−116.500	−128.600	−141.600	−588.900
Allowances (920):							
BA		−1.523	−4.076	−7.670	−8.352	−9.294	−30.915
OT		−1.519	−5.410	−8.348	−9.089	−10.292	−34.658
Undistributed Offsetting Receipts (950):							
BA	−65.258	−67.090	−75.728	−78.888	−75.194	−78.738	−375.638
OT	−65.258	−67.090	−76.853	−79.700	−74.569	−78.113	−376.325
On-budget:							
BA	−54.104	−55.351	−63.253	−65.471	−60.868	−63.440	−308.383
OT	−54.104	−55.351	−64.378	−66.283	−60.243	−62.815	−309.070
Off-budget:							
BA	−11.154	−11.739	−12.475	−13.417	−14.326	−15.298	−67.255
OT	−11.154	−11.739	−12.475	−13.417	−14.326	−15.298	−67.255

FISCAL YEAR 2006 BUDGET RESOLUTION AS PASSED BY THE HOUSE
TOTAL SPENDING AND REVENUES

[In billions of dollars]

Fiscal year	2005	2006	2007	2008	2009	2010	2006–2010
Summary							
Total Spending:							
BA	2,471.111	2,553.527	2,630.115	2,761.537	2,894.637	3,010.943	13,850.759
OT	2,451.244	2,570.621	2,635.179	2,742.732	2,864.079	2,987.327	13,799.938
On-Budget:							
BA	2,070.357	2,135.290	2,199.074	2,314.562	2,430.359	2,527.892	11,607.177
OT	2,052.551	2,154.404	2,206.300	2,298.338	2,402.719	2,507.365	11,569.126
Off-Budget:							
BA	400.754	418.237	431.041	446.975	464.278	483.051	2,243.582
OT	398.693	416.217	428.879	444.394	461.360	479.962	2,230.812
Revenues:							
Total	2,057.446	2,194.781	2,331.157	2,496.038	2,634.611	2,784.345	12,440.932
On-Budget	1,483.971	1,589.905	1,693.266	1,824.251	1,928.663	2,043.903	9,079.988
Off-Budget	573.475	604.876	637.891	671.787	705.948	740.442	3,360.944
Surplus/Deficit (−):							
Total	−393.798	−375.840	−304.022	−246.694	−229.468	−202.982	−1,359.006
On-Budget	−568.580	−564.499	−513.034	−474.087	−474.056	−463.462	−2,489.138
Off-Budget	174.782	188.659	209.012	227.393	244.588	260.480	1,130.132
Debt Held by the Public (end of year)	4,685	5,071	5,389	5,649	5,891	6,105	na
Debt Subject to Limit (end of year)	7,958	8,635	9,264	9,862	10,464	11,060	na
By Function							
National Defense (050):							
BA	500.621	441.562	465.260	483.730	503.763	513.904	2,408.219
OT	497.196	475.603	460.673	471.003	489.220	505.908	2,402.407
International Affairs (150):							
BA	32.085	31.718	34.835	35.197	35.237	34.928	171.915
OT	32.166	35.097	33.359	32.397	32.115	31.643	164.611
General Science, Space, and Technology (250):							
BA	24.413	24.735	25.171	25.545	25.851	26.162	127.464
OT	23.594	23.894	24.610	24.922	25.242	25.565	124.233
Energy (270):							
BA	2.564	3.147	2.362	2.445	2.056	1.754	11.764
OT	0.794	2.027	1.212	0.551	0.652	0.543	4.985
Natural Resources and Environment (300):							
BA	32.527	30.513	30.883	30.952	31.706	31.248	155.302
OT	31.168	32.276	32.046	32.402	32.663	32.254	161.641
Agriculture (350):							
BA	30.151	29.480	27.190	25.334	25.691	25.417	133.112
OT	28.550	28.507	25.999	24.281	24.796	24.687	128.270
Commerce and Housing Credit (370):							
BA	13.004	6.172	4.874	6.440	6.867	10.465	34.818
OT	7.502	0.962	−0.271	0.650	−0.032	2.293	3.602
On-Budget:							
BA	16.804	10.772	10.074	10.040	10.667	14.565	56.118
OT	11.302	5.562	4.929	4.250	3.768	6.393	24.902
Off-Budget:							
BA	−3.800	−4.600	−5.200	−3.600	−3.800	−4.100	−21.300
OT	−3.800	−4.600	−5.200	−3.600	−3.800	−4.100	−21.300
Transportation (400):							
BA	72.506	70.007	70.130	70.501	70.911	72.254	353.803
OT	67.703	70.393	72.421	74.167	75.500	77.356	369.837
Community and Regional Development (450):							
BA	23.007	14.179	14.196	14.283	14.421	14.441	71.520
OT	20.756	18.461	17.413	15.727	14.491	14.140	80.232
Education, Training, Employment and Social Services (500):							
BA	94.001	91.978	89.925	89.980	90.194	89.652	451.729
OT	92.798	90.981	90.360	88.864	88.363	88.181	446.749
Health (550):							
BA	257.469	262.151	275.220	295.010	317.113	336.523	1,486.017
OT	252.770	262.513	274.801	293.810	313.625	335.574	1,480.323
Medicare (570):							
BA	292.587	331.181	371.875	395.312	420.234	448.111	1,966.713
OT	293.587	330.944	372.167	395.364	419.828	448.442	1,966.745
Income Security (600):							
BA	339.057	347.218	352.416	365.343	374.529	383.590	1,823.096
OT	347.754	354.055	359.566	370.830	378.609	386.978	1,850.038
Social Security (650):							
BA	522.557	546.967	572.120	600.260	632.747	668.078	3,020.172
OT	520.496	544.947	569.958	597.679	629.829	664.989	3,007.402
On-Budget:							
BA	15.849	15.891	17.704	19.768	21.743	24.029	99.135

FISCAL YEAR 2006 BUDGET RESOLUTION AS PASSED BY THE HOUSE
TOTAL SPENDING AND REVENUES—Continued

[In billions of dollars]

Fiscal year	2005	2006	2007	2008	2009	2010	2006–2010
OT	15.849	15.891	17.704	19.768	21.743	24.029	99.135
Off-Budget:							
BA	506.708	531.076	554.416	580.492	611.004	644.049	2,921.037
OT	504.647	529.056	552.254	577.911	608.086	640.960	2,908.267
Veterans Benefits and Services (700):							
BA	69.448	68.881	66.321	69.448	69.961	70.059	344.670
OT	68.873	68.148	66.014	69.258	69.672	69.787	342.879
Administration of Justice (750):							
BA	39.817	40.840	41.390	42.031	42.602	42.860	209.723
OT	39.501	42.268	42.463	42.650	42.779	42.803	212.963
General Government (800):							
BA	16.748	18.017	17.956	17.570	17.587	17.408	88.538
OT	17.656	18.308	17.999	17.555	17.378	17.216	88.456
Net Interest (900):							
BA	176.942	213.979	254.097	280.694	297.562	311.572	1,357.904
OT	176.942	213.979	254.097	280.694	297.562	311.572	1,357.904
On-Budget:							
BA	267.942	310.479	359.797	397.194	426.162	453.172	1,946.804
OT	267.942	310.479	359.797	397.194	426.162	453.172	1,946.804
Off-Budget:							
BA	−91.000	−96.500	−105.700	−116.500	−128.600	−141.600	−588.900
OT	−91.000	−96.500	−105.700	−116.500	−128.600	−141.600	−588.900
Allowances (920):							
BA	−3.135	47.903	−10.368	−9.641	−9.193	−8.738	9.963
OT	−3.304	24.359	−2.845	−10.363	−13.636	−14.484	−16.969
Undistributed Offsetting Receipts (950):							
BA	−65.258	−67.101	−75.738	−78.897	−75.202	−78.745	−375.683
OT	−65.258	−67.101	−76.863	−79.709	−74.577	−78.120	−376.370
On-Budget:							
BA	−54.104	−55.362	−63.263	−65.480	−60.876	−63.447	−308.428
OT	−54.104	−55.362	−64.388	−66.292	−60.251	−62.822	−309.115
Off-Budget:							
BA	−11.154	−11.739	−12.475	−13.417	−14.326	−15.298	−67.255
OT	−11.154	−11.739	−12.475	−13.417	−14.326	−15.298	−67.255

FISCAL YEAR 2006 BUDGET RESOLUTION AS PASSED BY THE HOUSE
DISCRETIONARY SPENDING

[In billions of dollars]

Fiscal year	2005	2006	2007	2008	2009	2010	2006–2010
Summary							
Total Spending:							
BA	921.153	893.020	866.038	887.005	910.515	920.227	4,476.805
OT	961.683	979.549	938.535	936.992	951.327	967.610	4,774.013
Defense:							
BA	498.817	438.973	462.597	481.043	500.969	511.018	2,394.600
OT	495.374	472.981	457.981	468.293	486.407	503.005	2,388.667
Nondefense:							
BA	422.336	454.047	403.441	405.962	409.546	409.209	2,082.205
OT	466.309	506.568	480.554	468.699	464.920	464.605	2,385.346
By Function							
National Defense (050):							
BA	498.817	438.973	462.597	481.043	500.969	511.018	2,394.600
OT	495.374	472.981	457.981	468.293	486.407	503.005	2,388.667
International Affairs (150):							
BA	33.691	32.174	34.023	34.370	34.396	34.071	169.034
OT	36.728	37.929	35.947	34.943	34.684	34.230	177.733
General Science, Space, and Technology (250):							
BA	24.295	24.605	25.058	25.426	25.732	26.042	126.863
OT	23.516	23.815	24.523	24.829	25.142	25.462	123.771
Energy (270):							
BA	3.807	4.536	3.756	3.873	3.803	3.664	19.632
OT	3.785	4.742	4.150	3.864	3.841	3.740	20.337
Natural Resources and Environment (300):							
BA	31.329	28.475	28.445	28.468	28.403	27.984	141.775
OT	31.040	30.607	29.726	29.424	29.145	28.485	147.387
Agriculture (350):							
BA	5.725	5.425	5.723	5.765	5.777	5.721	28.411
OT	5.754	5.848	5.637	5.669	5.683	5.700	28.537
Commerce and Housing Credit (370):							
BA	1.849	0.864	0.991	1.050	1.500	5.206	9.611
OT	1.543	1.099	1.332	1.066	1.273	4.123	8.893
On-budget:							
BA	1.849	0.864	0.991	1.050	1.500	5.206	9.611
OT	1.543	1.099	1.332	1.066	1.273	4.123	8.893
Off-budget:							
BA							
OT							
Transportation (400):							
BA	25.466	21.607	21.668	22.075	22.469	23.805	111.624
OT	65.581	68.205	70.268	71.918	73.343	75.248	358.982
Community and Regional Development (450):							
BA	22.676	13.695	14.051	14.218	14.357	14.374	70.695
OT	20.314	18.702	17.546	15.811	14.677	14.322	81.058
Education, Training, Employment and Social Services (500):							
BA	79.556	78.103	75.794	75.753	75.602	74.796	380.048
OT	79.217	79.502	78.041	76.338	75.464	74.968	384.313
Health (550):							
BA	54.368	50.912	50.268	50.558	52.862	50.265	254.865
OT	51.012	51.730	51.138	50.608	50.551	50.577	254.604
Medicare (570):							
BA	4.000	5.061	4.987	4.991	4.975	4.895	24.909
OT	3.989	4.855	4.991	5.002	4.978	4.912	24.738
Income Security (600):							
BA	46.056	47.115	46.295	46.324	46.178	45.489	231.401
OT	54.294	54.203	53.416	52.011	50.754	49.216	259.600
Social Security (650):							
BA	4.426	4.734	4.627	4.630	4.615	4.539	23.145
OT	4.405	4.724	4.725	4.659	4.617	4.550	23.275
On-budget:							
BA							
OT							
Off-budget:							
BA	4.426	4.734	4.627	4.630	4.615	4.539	23.145
OT	4.405	4.724	4.725	4.659	4.617	4.550	23.275

FISCAL YEAR 2006 BUDGET RESOLUTION AS PASSED BY THE HOUSE
DISCRETIONARY SPENDING—Continued

[In billions of dollars]

Fiscal year	2005	2006	2007	2008	2009	2010	2006–2010
Veterans Benefits and Services (700):							
BA	30.861	31.738	30.844	30.780	30.578	29.955	153.895
OT	30.327	31.035	30.621	30.693	30.407	29.809	152.565
Administration of Justice (750):							
BA	38.819	38.713	40.623	41.359	42.016	42.367	205.078
OT	38.424	40.971	41.170	41.702	42.243	42.366	208.452
General Government (800):							
BA	15.412	16.301	16.298	16.331	16.291	16.043	81.264
OT	16.380	16.612	16.333	16.171	16.126	15.904	81.146
Allowances (920):							
BA		50.000					50.000
OT		32.000	11.000	4.000	2.000	1.000	50.000
Undistributed Offsetting Receipts (950):							
BA		−0.011	−0.010	−0.009	−0.008	−0.007	−0.045
OT		−0.011	−0.010	−0.009	−0.008	−0.007	−0.045
On-budget:							
BA		−0.011	−0.010	−0.009	−0.008	−0.007	−0.045
OT		−0.011	−0.010	−0.009	−0.008	−0.007	−0.045
Off-budget:							
BA							
OT							

FISCAL YEAR 2006 BUDGET RESOLUTION AS PASSED BY THE HOUSE
MANDATORY SPENDING

[In billions of dollars]

Fiscal year	2005	2006	2007	2008	2009	2010	2006–2010
Summary							
Total Spending:							
BA	1,549.958	1,660.507	1,764.077	1,874.532	1,984.122	2,090.716	9,373.954
OT	1,489.561	1,591.072	1,696.644	1,805.740	1,912.752	2,019.717	9,025.925
On-Budget:							
BA	1,153.630	1,247.004	1,337.663	1,432.187	1,524.459	1,612.204	7,153.517
OT	1,095.273	1,179.579	1,272.490	1,366.005	1,456.009	1,544.305	6,818.388
Off-Budget:							
BA	396.328	413.503	426.414	442.345	459.663	478.512	2,220.437
OT	394.288	411.493	424.154	439.735	456.743	475.412	2,207.537
By Function							
National Defense (050):							
BA	1.804	2.589	2.663	2.687	2.794	2.886	13.619
OT	1.822	2.622	2.692	2.710	2.813	2.903	13.740
International Affairs (150):							
BA	−1.606	−0.456	0.812	0.827	0.841	0.857	2.881
OT	−4.562	−2.832	−2.588	−2.546	−2.569	−2.587	−13.122
General Science, Space, and Technology (250):							
BA	0.118	0.130	0.113	0.119	0.119	0.120	0.601
OT	0.078	0.079	0.087	0.093	0.100	0.103	0.462
Energy (270):							
BA	−1.243	−1.389	−1.394	−1.428	−1.747	−1.910	−7.868
OT	−2.991	−2.715	−2.938	−3.313	−3.189	−3.197	−15.352
Natural Resources and Environment (300):							
BA	1.198	2.038	2.438	2.484	3.303	3.264	13.527
OT	0.128	1.669	2.320	2.978	3.518	3.769	14.254
Agriculture (350):							
BA	24.426	24.055	21.467	19.569	19.914	19.696	104.701
OT	22.796	22.659	20.362	18.612	19.113	18.987	99.733
Commerce and Housing Credit (370):							
BA	11.155	5.308	3.883	5.390	5.367	5.259	25.207
OT	5.959	−0.137	−1.603	−0.416	−1.305	−1.830	−5.291
On-budget:							
BA	14.955	9.908	9.083	8.990	9.167	9.359	46.507
OT	9.759	4.463	3.597	3.184	2.495	2.270	16.009
Off-budget:							
BA	−3.800	−4.600	−5.200	−3.600	−3.800	−4.100	−21.300
OT	−3.800	−4.600	−5.200	−3.600	−3.800	−4.100	−21.300
Transportation (400):							
BA	47.040	48.400	48.462	48.426	48.442	48.449	242.179
OT	2.122	2.188	2.153	2.249	2.157	2.108	10.855
Community and Regional Development (450):							
BA	0.331	0.484	0.145	0.065	0.064	0.067	0.825
OT	0.442	−0.241	−0.133	−0.084	−0.186	−0.182	−0.826
Education, Training, Employment and Social Services (500):							
BA	14.445	13.875	14.131	14.227	14.592	14.856	71.681
OT	13.581	11.479	12.319	12.526	12.899	13.213	62.436
Health (550):							
BA	203.101	211.239	224.952	244.452	264.251	286.258	1,231.152
OT	201.758	210.783	223.663	243.202	263.074	284.997	1,225.719
Medicare (570):							
BA	288.587	326.120	366.888	390.321	415.259	443.216	1,941.804
OT	289.598	326.089	367.176	390.362	414.850	443.530	1,942.007
Income Security (600):							
BA	293.001	300.103	306.121	319.019	328.351	338.101	1,591.695
OT	293.460	299.852	306.150	318.819	327.855	337.762	1,590.438
Social Security (650):							
BA	518.131	542.233	567.493	595.630	628.132	663.539	2,997.027
OT	516.091	540.223	565.233	593.020	625.212	660.439	2,984.127
On-budget:							
BA	15.849	15.891	17.704	19.768	21.743	24.029	99.135
OT	15.849	15.891	17.704	19.768	21.743	24.029	99.135
Off-budget:							
BA	502.282	526.342	549.789	575.862	606.389	639.510	2,897.892
OT	500.242	524.332	547.529	573.252	603.469	636.410	2,884.992
Veterans Benefits and Services (700):							
BA	38.587	37.143	35.477	38.668	39.383	40.104	190.775
OT	38.546	37.113	35.393	38.565	39.265	39.978	190.314
Administration of Justice (750):							
BA	0.998	2.127	0.767	0.672	0.586	0.493	4.645
OT	1.077	1.297	1.293	0.948	0.536	0.437	4.511
General Government (800):							
BA	1.336	1.716	1.658	1.239	1.296	1.365	7.274
OT	1.276	1.696	1.666	1.384	1.252	1.312	7.310
Net Interest (900):							
BA	176.942	213.979	254.097	280.694	297.562	311.572	1,357.904
OT	176.942	213.979	254.097	280.694	297.562	311.572	1,357.904
On-budget:							
BA	267.942	310.479	359.797	397.194	426.162	453.172	1,946.804

FISCAL YEAR 2006 BUDGET RESOLUTION AS PASSED BY THE HOUSE
MANDATORY SPENDING—Continued

[In billions of dollars]

Fiscal year	2005	2006	2007	2008	2009	2010	2006–2010
OT	267.942	310.479	359.797	397.194	426.162	453.172	1,946.804
Off-budget:							
BA	−91.000	−96.500	−105.700	−116.500	−128.600	−141.600	−588.900
OT	−91.000	−96.500	−105.700	−116.500	−128.600	−141.600	−588.900
Allowances (920):							
BA	−3.135	−2.097	−10.368	−9.641	−9.193	−8.738	−40.037
OT	−3.304	−7.641	−13.845	−14.363	−15.636	−15.484	−66.969
Undistributed Offsetting Receipts (950):							
BA	−65.258	−67.090	−75.728	−78.888	−75.194	−78.738	−375.638
OT	−65.258	−67.090	−76.853	−79.700	−74.569	−78.113	−376.325
On-budget:							
BA	−54.104	−55.351	−63.253	−65.471	−60.868	−63.440	−308.383
OT	−54.104	−55.351	−64.378	−66.283	−60.243	−62.815	−309.070
Off-budget:							
BA	−11.154	−11.739	−12.475	−13.417	−14.326	−15.298	−67.255
OT	−11.154	−11.739	−12.475	−13.417	−14.326	−15.298	−67.255

FISCAL YEAR 2006 BUDGET RESOLUTION
SENATE PASSED RESOLUTION
Total Spending and Revenues
(In billions of dollars)

Fiscal year			2005	2006	2007	2008	2009	2010	2006-10
Summary									
Spending	Total	BA	2,475.713	2,559.780	2,641.632	2,776.347	2,917.629	3,034.882	13,930.270
		OT	2,454.687	2,561.664	2,658.130	2,760.037	2,880.404	3,006.929	13,867.164
	On-Budget	BA	2,074.959	2,141.801	2,210.608	2,329.249	2,453.065	2,551.318	11,686.041
		OT	2,055.994	2,145.684	2,229.291	2,315.553	2,418.787	2,526.493	11,635.808
	Off-Budget	BA	400.754	417.979	431.024	447.098	464.564	483.564	2,244.229
		OT	398.693	415.980	428.839	444.484	461.617	480.436	2,231.356
Revenues	Total		2,057.383	2,193.423	2,343.482	2,482.973	2,623.089	2,774.603	12,417.570
	On-budget		1,483.908	1,588.646	1,705.690	1,811.285	1,917.240	2,034.260	9,057.121
	Off-budget		573.475	604.777	637.792	671.688	705.849	740.343	3,360.449
Deficit (-)	**Total**		**-397.304**	**-368.241**	**-314.648**	**-277.064**	**-257.315**	**-232.326**	**-1,449.594**
	On-budget		-572.086	-557.038	-523.601	-504.268	-501.547	-492.233	-2,578.687
	Off-budget		174.782	188.797	208.953	227.204	244.232	259.907	1,129.093
Debt Held by the Public (end of year)			4,688.918	5,067.403	5,395.305	5,686.105	5,955.749	6,199.346	
Debt Subject to Limit (end of year)			7,961.738	8,637.186	9,288.652	9,931.410	10,574.984	11,210.426	
By Function									
National Defense (050)		BA	498.761	491.562	465.260	483.730	503.763	513.904	2,458.219
		OT	496.928	496.117	479.984	479.730	489.146	505.872	2,450.849
International Affairs (150)		BA	34.707	32.885	36.580	37.131	37.171	36.862	180.629
		OT	32.425	35.388	34.556	33.972	33.847	33.436	171.199
General Science, Space, and Technology (250)		BA	24.413	24.735	25.294	25.796	26.102	26.413	128.340
		OT	23.594	23.894	24.672	25.095	25.472	25.808	124.941
Energy (270)		BA	2.564	3.247	2.859	2.923	2.534	2.232	13.795
		OT	0.794	2.127	1.698	1.035	1.132	1.022	7.014
Natural Resources and Environment (300)		BA	32.527	30.005	30.373	30.446	31.115	30.609	152.548
		OT	31.168	31.973	31.556	31.846	32.051	31.604	159.030
Agriculture (350)		BA	30.151	29.087	26.245	24.492	24.845	24.584	129.253
		OT	28.550	28.143	25.057	23.434	23.950	23.854	124.438
Commerce and Housing Credit (370)	Total	BA	13.004	5.763	4.666	6.215	6.613	10.170	33.427
		OT	7.502	0.517	-0.436	0.467	0.322	2.299	3.169
	On-budget	BA	16.804	10.363	9.866	9.815	10.413	14.270	54.727
		OT	11.302	5.117	4.764	4.067	4.122	6.399	24.469
	Off-budget	BA	-3.800	-4.600	-5.200	-3.600	-3.800	-4.100	-21.300
		OT	-3.800	-4.600	-5.200	-3.600	-3.800	-4.100	-21.300
Transportation (400)		BA	72.506	69.683	71.030	74.489	81.524	82.867	379.593
		OT	67.663	69.789	71.013	72.755	75.693	79.335	368.585
Community and Regional Development (450)		BA	23.007	15.208	13.118	13.272	13.410	13.430	68.438
		OT	20.756	18.425	17.416	15.546	13.816	13.198	78.401
Education, Training, Employment and Social		BA	94.026	98.387	89.909	90.600	90.762	90.369	460.027
Services (500)		OT	92.805	88.496	94.077	89.917	89.173	88.679	450.342
Health (550)		BA	257.498	263.962	275.711	295.315	317.433	336.858	1,489.279
		OT	252.799	264.301	275.158	293.927	313.894	335.893	1,483.173
Medicare (570)		BA	292.587	331.240	371.899	395.362	420.284	448.161	1,966.946
		OT	293.587	331.003	372.186	395.408	419.877	448.492	1,966.966
Income Security (600)		BA	339.651	347.395	352.633	365.775	374.946	384.137	1,824.886
		OT	347.850	353.429	358.674	370.107	377.951	386.269	1,846.430
Social Security (650)	Total	BA	522.557	546.809	572.203	600.483	633.133	668.691	3,021.319
		OT	520.496	544.810	570.018	597.869	630.186	665.563	3,008.446
	On-budget	BA	15.849	15.991	17.804	19.868	21.843	24.129	99.635
		OT	15.849	15.991	17.804	19.868	21.843	24.129	99.635
	Off-budget	BA	506.708	530.818	554.399	580.615	611.290	644.562	2,921.684
		OT	504.647	528.819	552.214	578.001	608.343	641.434	2,908.811
Veterans Benefits and Services (700)		BA	69.448	68.994	66.181	69.458	69.971	70.069	344.673
		OT	68.873	68.365	65.931	69.257	69.680	69.794	343.027
Administration of Justice (750)		BA	39.819	42.024	41.751	42.607	43.178	43.436	212.996
		OT	39.502	42.889	42.952	43.287	43.428	43.448	216.004

FISCAL YEAR 2006 BUDGET RESOLUTION
SENATE PASSED RESOLUTION
Total Spending and Revenues
(In billions of dollars)

Fiscal year			2005	2006	2007	2008	2009	2010	2006-10
General Government (800)		BA	16.765	18.074	18.074	19.753	17.772	18.092	91.765
		OT	17.673	18.381	18.048	19.693	17.545	17.894	91.561
Net Interest (900)	Total	BA	176.980	213.951	254.166	281.779	300.089	315.525	1,365.510
		OT	176.980	213.951	254.166	281.779	300.089	315.525	1,365.510
	On-budget	BA	267.980	310.451	359.866	398.279	428.689	457.125	1,954.410
		OT	267.980	310.451	359.866	398.279	428.689	457.125	1,954.410
	Off-budget	BA	-91.000	-96.500	-105.700	-116.500	-128.600	-141.600	-588.900
		OT	-91.000	-96.500	-105.700	-116.500	-128.600	-141.600	-588.900
Allowances (920)		BA	--	-6.130	-0.032	-0.032	-0.032	-0.032	-6.258
		OT	--	-3.233	-1.183	-1.028	-0.489	-0.186	-6.119
Undistributed Offsetting Receipts (950)	Total	BA	-65.258	-67.101	-76.288	-83.247	-76.984	-81.495	-385.115
		OT	-65.258	-67.101	-77.413	-84.059	-76.359	-80.870	-385.802
	On-budget	BA	-54.104	-55.362	-63.813	-69.830	-62.658	-66.197	-317.860
		OT	-54.104	-55.362	-64.938	-70.642	-62.033	-65.572	-318.547
	Off-budget	BA	-11.154	-11.739	-12.475	-13.417	-14.326	-15.298	-67.255
		OT	-11.154	-11.739	-12.475	-13.417	-14.326	-15.298	-67.255

FISCAL YEAR 2006 BUDGET RESOLUTION
SENATE PASSED RESOLUTION
Discretionary Spending
(In billions of dollars)

Fiscal year			2005	2006	2007	2008	2009	2010	2006-10
		Summary							
Total Spending		BA	921.917	898.818	868.473	891.445	914.956	925.009	4,498.701
		OT	961.635	968.577	950.818	943.993	953.426	972.571	4,789.385
Defense		BA	496.957	488.973	462.597	481.043	500.969	511.018	2,444.600
		OT	495.106	493.495	477.292	477.020	486.333	502.969	2,437.109
Non-defense		BA	424.960	409.845	405.876	410.402	413.987	413.991	2,054.101
		OT	466.529	475.082	473.526	466.973	467.093	469.602	2,352.276
		By Function							
National Defense (050)		BA	496.957	488.973	462.597	481.043	500.969	511.018	2,444.600
		OT	495.106	493.495	477.292	477.020	486.333	502.969	2,437.109
International Affairs (150)		BA	36.313	33.341	35.768	36.304	36.330	36.005	177.748
		OT	36.987	38.220	37.144	36.518	36.416	36.023	184.321
General Science, Space, and Technology (250)		BA	24.295	24.605	25.181	25.677	25.983	26.293	127.739
		OT	23.516	23.815	24.585	25.002	25.372	25.705	124.479
Energy (270)		BA	3.807	4.536	3.778	3.876	3.806	3.667	19.663
		OT	3.785	4.742	4.161	3.873	3.846	3.744	20.366
Natural Resources and Environment (300)		BA	31.329	28.105	28.214	28.378	28.313	27.894	140.904
		OT	31.040	30.442	29.515	29.285	29.035	28.385	146.662
Agriculture (350)		BA	5.725	5.365	5.689	5.761	5.773	5.717	28.305
		OT	5.754	5.817	5.606	5.660	5.679	5.696	28.458
Commerce and Housing Credit (370)	Total	BA	1.849	1.007	0.995	1.059	1.509	5.215	9.785
		OT	1.543	1.170	1.379	1.117	1.290	4.133	9.089
	On-budget	BA	1.849	1.007	0.995	1.059	1.509	5.215	9.785
		OT	1.543	1.170	1.379	1.117	1.290	4.133	9.089
	Off-budget	BA	--	--	--	--	--	--	--
		OT	--	--	--	--	--	--	--
Transportation (400)		BA	25.466	21.607	21.776	22.292	22.686	24.022	112.383
		OT	65.541	67.609	68.877	70.523	73.553	77.244	357.806
Community and Regional Development (450)		BA	22.676	14.724	12.973	13.207	13.346	13.363	67.613
		OT	20.314	18.666	17.549	15.630	14.002	13.380	79.227
Education, Training, Employment and Social		BA	79.556	85.207	76.546	76.766	76.453	75.761	390.733
Services (500)		OT	79.217	81.314	82.621	77.764	76.484	75.630	393.813
Health (550)		BA	54.368	52.548	50.522	51.063	53.367	50.770	258.270
		OT	51.012	53.343	51.258	50.925	51.005	51.066	257.597
Medicare (570)		BA	4.000	5.061	5.012	5.041	5.025	4.945	25.084
		OT	3.989	4.855	5.011	5.046	5.027	4.962	24.901
Income Security (600)		BA	46.056	47.256	46.672	46.931	46.785	46.096	233.740
		OT	54.294	54.275	53.671	52.482	51.313	49.799	261.540
Social Security (650)	Total	BA	4.426	4.576	4.710	4.853	5.001	5.152	24.292
		OT	4.405	4.587	4.785	4.849	4.974	5.124	24.319
	On-budget	BA	--	--	--	--	--	--	--
		OT	--	--	--	--	--	--	--
	Off-budget	BA	4.426	4.576	4.710	4.853	5.001	5.152	24.292
		OT	4.405	4.587	4.785	4.849	4.974	5.124	24.319

FISCAL YEAR 2006 BUDGET RESOLUTION
SENATE PASSED RESOLUTION
Discretionary Spending
(In billions of dollars)

Fiscal year			2005	2006	2007	2008	2009	2010	2006-10
Veterans Benefits and Services (700)		BA	30.861	31.851	30.704	30.790	30.588	29.965	153.898
		OT	30.327	31.252	30.538	30.692	30.415	29.816	152.713
Administration of Justice (750)		BA	38.821	39.897	40.984	41.935	42.592	42.943	208.351
		OT	38.425	41.592	41.659	42.339	42.892	43.011	211.493
General Government (800)		BA	15.412	16.300	16.394	16.510	16.470	16.222	81.896
		OT	16.380	16.627	16.360	16.305	16.287	16.077	81.656
Allowances (920)		BA	--	-6.130	-0.032	-0.032	-0.032	-0.032	-6.258
		OT	--	-3.233	-1.183	-1.028	-0.489	-0.186	-6.119
Undistributed Offsetting Receipts (950)	Total	BA	--	-0.011	-0.010	-0.009	-0.008	-0.007	-0.045
		OT	--	-0.011	-0.010	-0.009	-0.008	-0.007	-0.045
	On-budget	BA	--	-0.011	-0.010	-0.009	-0.008	-0.007	-0.045
		OT	--	-0.011	-0.010	-0.009	-0.008	-0.007	-0.045
	Off-budget	BA	--	--	--	--	--	--	--
		OT	--	--	--	--	--	--	--

FISCAL YEAR 2006 BUDGET RESOLUTION
SENATE PASSED RESOLUTION
Mandatory Spending
(In billions of dollars)

Fiscal year			2005	2006	2007	2008	2009	2010	2006-10
Summary									
Spending	Total	BA	1,553.796	1,660.962	1,773.159	1,884.902	2,002.673	2,109.873	9,431.569
		OT	1,493.052	1,593.087	1,707.312	1,816.044	1,926.978	2,034.358	9,077.779
	On-budget	BA	1,157.468	1,247.559	1,346.845	1,442.657	1,543.110	1,631.461	7,211.632
		OT	1,098.764	1,181.694	1,283.258	1,376.409	1,470.335	1,559.046	6,870.742
	Off-budget	BA	396.328	413.403	426.314	442.245	459.563	478.412	2,219.937
		OT	394.288	411.393	424.054	439.635	456.643	475.312	2,207.037
By Function									
National Defense (050)		BA	1.804	2.589	2.663	2.687	2.794	2.886	13.619
		OT	1.822	2.622	2.692	2.710	2.813	2.903	13.740
International Affairs (150)		BA	-1.606	-0.456	0.812	0.827	0.841	0.857	2.881
		OT	-4.562	-2.832	-2.588	-2.546	-2.569	-2.587	-13.122
General Science, Space, and Technology (250)		BA	0.118	0.130	0.113	0.119	0.119	0.120	0.601
		OT	0.078	0.079	0.087	0.093	0.100	0.103	0.462
Energy (270)		BA	-1.243	-1.289	-0.919	-0.953	-1.272	-1.435	-5.868
		OT	-2.991	-2.615	-2.463	-2.838	-2.714	-2.722	-13.352
Natural Resources and Environment (300)		BA	1.198	1.900	2.159	2.068	2.802	2.715	11.644
		OT	0.128	1.531	2.041	2.561	3.016	3.219	12.368
Agriculture (350)		BA	24.426	23.722	20.556	18.731	19.072	18.867	100.948
		OT	22.796	22.326	19.451	17.774	18.271	18.158	95.980
Commerce and Housing Credit (370)	Total	BA	11.155	4.756	3.671	5.156	5.104	4.955	23.642
		OT	5.959	-0.653	-1.815	-0.650	-0.968	-1.834	-5.920
	On-budget	BA	14.955	9.356	8.871	8.756	8.904	9.055	44.942
		OT	9.759	3.947	3.385	2.950	2.832	2.266	15.380
	Off-budget	BA	-3.800	-4.600	-5.200	-3.600	-3.800	-4.100	-21.300
		OT	-3.800	-4.600	-5.200	-3.600	-3.800	-4.100	-21.300
Transportation (400)		BA	47.040	48.076	49.254	52.197	58.838	58.845	267.210
		OT	2.122	2.180	2.136	2.232	2.140	2.091	10.779
Community and Regional Development (450)		BA	0.331	0.484	0.145	0.065	0.064	0.067	0.825
		OT	0.442	-0.241	-0.133	-0.084	-0.186	-0.182	-0.826
Education, Training, Employment and Social		BA	14.470	13.180	13.363	13.834	14.309	14.608	69.294
Services (500)		OT	13.588	7.182	11.456	12.153	12.689	13.049	56.529
Health (550)		BA	203.130	211.414	225.189	244.252	264.066	286.088	1,231.009
		OT	201.787	210.958	223.900	243.002	262.889	284.827	1,225.576
Medicare (570)		BA	288.587	326.179	366.887	390.321	415.259	443.216	1,941.862
		OT	289.598	326.148	367.175	390.362	414.850	443.530	1,942.065
Income Security (600)		BA	293.595	300.139	305.961	318.844	328.161	338.041	1,591.146
		OT	293.556	299.154	305.003	317.625	326.638	336.470	1,584.890
Social Security (650)	Total	BA	518.131	542.233	567.493	595.630	628.132	663.539	2,997.027
		OT	516.091	540.223	565.233	593.020	625.212	660.439	2,984.127
	On-budget	BA	15.849	15.991	17.804	19.868	21.843	24.129	99.635
		OT	15.849	15.991	17.804	19.868	21.843	24.129	99.635
	Off-budget	BA	502.282	526.242	549.689	575.762	606.289	639.410	2,897.392
		OT	500.242	524.232	547.429	573.152	603.369	636.310	2,884.492
Veterans Benefits and Services (700)		BA	38.587	37.143	35.477	38.668	39.383	40.104	190.775
		OT	38.546	37.113	35.393	38.565	39.265	39.978	190.314
Administration of Justice (750)		BA	0.998	2.127	0.767	0.672	0.586	0.493	4.645
		OT	1.077	1.297	1.293	0.948	0.536	0.437	4.511

FISCAL YEAR 2006 BUDGET RESOLUTION
SENATE PASSED RESOLUTION
Mandatory Spending
(In billions of dollars)

Fiscal year			2005	2006	2007	2008	2009	2010	2006-10
General Government (800)		BA	1.353	1.774	1.680	3.243	1.302	1.870	9.869
		OT	1.293	1.754	1.688	3.388	1.258	1.817	9.905
Net Interest (900)	Total	BA	176.980	213.951	254.166	281.779	300.089	315.525	1,365.510
		OT	176.980	213.951	254.166	281.779	300.089	315.525	1,365.510
	On-budget	BA	267.980	310.451	359.866	398.279	428.689	457.125	1,954.410
		OT	267.980	310.451	359.866	398.279	428.689	457.125	1,954.410
	Off-budget	BA	-91.000	-96.500	-105.700	-116.500	-128.600	-141.600	-588.900
		OT	-91.000	-96.500	-105.700	-116.500	-128.600	-141.600	-588.900
Allowances (920)		BA	--	--	--	--	--	--	--
		OT	--	--	--	--	--	--	--
Undistributed Offsetting Receipts (950)	Total	BA	-65.258	-67.090	-76.278	-83.238	-76.976	-81.488	-385.070
		OT	-65.258	-67.090	-77.403	-84.050	-76.351	-80.863	-385.757
	On-budget	BA	-54.104	-55.351	-63.803	-69.821	-62.650	-66.190	-317.815
		OT	-54.104	-55.351	-64.928	-70.633	-62.025	-65.565	-318.502
	Off-budget	BA	-11.154	-11.739	-12.475	-13.417	-14.326	-15.298	-67.255
		OT	-11.154	-11.739	-12.475	-13.417	-14.326	-15.298	-67.255

RECONCILIATION INSTRUCTIONS

The reconciliation process set forth in section 310 of the Congressional Budget Act of 1974 provides Congress with expedited procedures to achieve changes in spending and revenues. Using the reconciliation procedures, Congress directs its committees to submit legislation to achieve specified changes in laws within their respective jurisdictions to their respective Budget Committees or, if only one committee is so reconciled, to report the changes directly to the House or Senate by a date certain.

HOUSE RESOLUTION

Section 201: Reconciliation in the House

The House amendment provides instructions for two reconciliation bills. The first instructs nine authorizing committees to achieve specified savings in direct spending; the second provides for a reduction in revenue.

The committees may make whatever changes in law they deem appropriate to meet the specified amount of savings for fiscal year 2006 and for the period of fiscal years 2006 through 2010. (1) The Agriculture Committee is instructed to reduce direct spending from current law levels by $797 million in 2006 and $5.278 billion for fiscal years 2006–2010; (2) the Education and Workforce Committee is instructed to reduce direct spending from current law levels by $2.097 billion in fiscal year 2006 and $21.410 billion for fiscal years 2006–2010; (3) the Energy and Commerce Committee is instructed to reduce direct spending from current law levels by $630 million in fiscal year 2006 and $20.002 billion for fiscal years 2006–2010; (4) the Financial Services Committee is instructed to reduce direct spending from current law levels by $30 million in fiscal year 2006 and $270 million for fiscal years 2006–2010; (5) the Judiciary Committee is instructed to reduce direct spending from current law levels by $123 million in fiscal year 2006 and $603 million for fiscal years 2006–2010; (6) the Resources Committee is instructed to reduce direct spending from current law levels by $96 million in fiscal year 2006 and $1.413 billion for fiscal years 2006–2010; (7) the Transportation and Infrastructure Committee is instructed to reduce direct spending from current law levels by $12 million in fiscal year 2006 and $103 million for fiscal years 2006–2010; (8) the Veterans' Affairs Committee is instructed to reduce direct spending from current law levels by $155 million in fiscal year 2006 and $798 million for fiscal years 2006–2010; and, (9) the Committee on Ways and Means is instructed to reduce the deficit by $3.907 billion in fiscal year 2006 and by $18.680 billion for fiscal years 2006–2010.

In the House-passed budget resolution, the first reconciliation submissions must be transmitted to the Budget Committee by September 16, 2005.

The second reconciliation instruction directs the Committee on Ways and Means to report a measure to reduce taxes by $16.623 billion in 2006 and by $45.000 billion for fiscal years 2006–2010. These amounts are sufficient to accommodate an extension of certain expiring tax provisions from the 2001 Economic Growth and Tax Relief Reconciliation Act and the 2003 Jobs and Growth Tax Relief Reconciliation Act, and certain other tax relief.

The second reconciliation bill must be reported by the Ways and Means Committee to the House floor by June 24, 2005.

SENATE AMENDMENT

Section 201: Reconciliation in the Senate

The Senate amendment contains instructions for three separate bills. The first instruction directs six authorizing committees to submit to the Senate Committee on the Budget, changes in laws by June 6, 2005, sufficient to reduce outlays by $2.46 billion in fiscal year 2006, and $17 billion for the period of fiscal years 2006 through 2010.

[In billions of dollars]

Outlay reduction targets	*Fiscal Years 2006–2010*
Agriculture, Nutrition and Forestry	2.8
Banking, Housing, and Urban Affairs	0.27
Commerce, Science, and Transportation	2.6
Energy and Natural Resources	2.7
Environment and Public Works	0.1
Health, Education, Labor, and Pensions	8.6
Total Outlay Target	17

The second instruction directs the Senate Committee on Finance to report to the Senate changes in law to reduce the total level of revenues by not more than $19.016 billion for fiscal year 2006, and $128.580 billion for the period of fiscal years 2006 through 2010, no later than September 7, 2005.

The third instruction directs the Senate Committee on Finance to report to the Senate a bill to increase the statutory limit on the debt by $446.464 billion no later than September 16, 2005.

CONFERENCE AGREEMENT

Section 201: Reconciliation in the House

The conference agreement provides for three reconciliation bills, and provides instructions to House committees to make changes in programs within their jurisdiction to achieve the levels provided for in the budget resolution.

Section 201(a) directs eight committees to slow the growth of mandatory spending in programs within their jurisdiction. (1) The Agriculture Committee is instructed to reduce direct spending from current law levels by $173 million in 2006 and $3 billion for fiscal years 2006–2010; (2) the Education and Workforce Committee is instructed to reduce direct spending from current law levels by $992 million in fiscal year 2005 and 2006, and $12.651 billion for fiscal years 2005–2010; (3) the Energy and Commerce Committee is instructed to reduce direct spending from current law levels by $2 million in fiscal year 2006 and $14.734 billion for fiscal years 2006–2010; (4) the Financial Services Committee is instructed to reduce direct spending from current law levels by $30 million in fiscal year 2006 and $470 million for fiscal years 2006–2010; (5) the Judiciary Committee is instructed to reduce direct spending from current law levels by $60 million in fiscal year 2006 and $300 million for fiscal years 2006–2010; (6) the Resources Committee is instructed to reduce direct spending from current law levels by $2.4 billion for fiscal years 2006–2010; (7) the Transportation and Infrastructure Committee is instructed to reduce direct spending from current law levels by $12 million in fiscal year 2006 and $103 million for fiscal years 2006–2010; (8) the Committee on Ways and Means is instructed to reduce the deficit by $250 million in fiscal year 2006 and by $1 billion for fiscal years 2006–2010. These changes are to be submitted to the House Budget Committee by September 16, 2005.

Section 201(b) instructs the House Committee on Ways and Means to report a reconciliation bill to the House floor by September 23, 2005; this measure is to reduce the level of revenue collected by the Federal government by $11 billion in fiscal year 2006 and by $70 billion for fiscal years 2006–2010.

Section 201(c) instructs the House Committee on Ways and Means to report a reconciliation bill to change the public debt limit to $8.965 trillion by September 30, 2005.

Section 201(d) gives the Chairman of the House Committee on the Budget authority similar to that afforded to the Chairman of the Senate Budget Committee under the Congressional Budget Act, to make adjustments in the allocations and aggregates subsequent to the enactment of reconciliation if the effect of complying with reconciliation instructions resulted in a mix of outlay and revenue levels not contemplated by the budget resolution, but nevertheless deficit-neutral.

Section 202: Reconciliation in the Senate

The conference agreement adopts the form of the Senate-passed resolution and provides for three reconciliation bills. The first instruction directs eight authorizing committees to report to the Senate Committee on the Budget, changes in laws by September 16, 2005 sufficient to reduce outlays by $1.5 billion in fiscal year 2006, and $34.7 billion for the period of fiscal years 2006 through 2010.

[In billions of dollars]

Outlay reduction targets	*Fiscal Years 2006–2010*
Agriculture, Nutrition, and Forestry	3.0
Banking, Housing, and Urban Affairs	0.5
Commerce, Science, and Transportation	4.8
Energy and Natural Resources	2.4
Environment and Public Works	0.03
Finance	10.0
Health, Education, Labor, and Pensions	13.7
Judiciary	0.3
Total Outlay Target	34.7

The second instruction directs the Senate Committee on Finance to report to the Senate changes in law to reduce the total level of revenues by not more than $11.0 billion for fiscal year 2006, and $70.0 billion for the period of fiscal years 2006 through 2010, not later than September 23, 2005.

The third instruction directs the Senate Committee on Finance to report to the Senate a bill to increase the statutory limit on the debt by $781 billion not later than September 30, 2005.

FISCAL YEAR 2006 BUDGET RESOLUTION CONFERENCE AGREEMENT—RECONCILIATION INSTRUCTIONS BY HOUSE AUTHORIZING COMMITTEE

	2006	2006–2010
Submissions to Slow the Growth in Mandatory Spending and to Achieve Deficit Reduction (Due September 16, 2005) [By fiscal year in millions of dollars of outlays]		
Committee on Agriculture	−173	−3,000
Committee on Education and the Workforce	−992	−12,651
Committee on Energy and Commerce	−2	−14,734
Committee on Financial Services	−30	−470
Committee on the Judiciary	−60	−300
Committee on Resources	--	−2,400
Committee on Transportation and Infrastructure	−12	−103
Committee on Ways and Means	−250	−1,000

FISCAL YEAR 2006 BUDGET RESOLUTION CONFERENCE AGREEMENT—RECONCILIATION INSTRUCTIONS BY HOUSE AUTHORIZING COMMITTEE—Continued

	2006	2006–2010
Total	−1,519	−34.658
Submission Providing for Changes in Revenue (Due September 23, 2005)[By fiscal year in millions of dollars]		
Ways and Means	−11,000	−70,000
Increase in Statutory Debt Limit (Due September 30, 2005)[By fiscal year in millions of dollars]		
Ways and Means	781,000	

SENATE RECONCILIATION INSTRUCTIONS

[In billions of dollars]

Committee	2006	2006–2010
Agriculture	−0.173	−3.000
Banking	−0.030	−0.470
Commerce	−0.010	−4.810
Energy	0.000	−2.400
Environment	−0.004	−0.027
Finance	0.000	−10.000
Judiciary	−0.060	−0.300
HELP	−1.242	−13.651
Total	−1.519	−34.658

RESERVE FUNDS

A budget resolution does not become law and cannot amend law. However, pursuant to section 301(b)(4) of the Congressional Budget Act, some provisions in the resolution may affect the consideration of legislation in order to implement and enforce the underlying policy assumptions, if any. The conference agreement contains a number of provisions which implement policies assumed in this resolution.

In general, a reserve fund (or discretionary adjustment) permits the Chairman of the Committee on the Budget to increase the section 302 allocations and other appropriate levels set out in this resolution, including, in the Senate, the discretionary spending limits, once certain conditions have been met. The authority to make these adjustments is solely within the discretion of the Chairman and may be made when the committee of jurisdiction reports a measure that satisfies the conditions set out in the reserve fund.

HOUSE RESOLUTION

Section 301: Contingency procedure for surface transportation

This section of the House resolution permits the Chairman of the Committee on the Budget to adjust the appropriate levels in the budget resolution to accommodate legislation increasing spending for highway and transit programs above the levels in the budget resolution to the extent there are offsets for the additional spending.

Subsection (a) permits the Chairman of the Committee on the Budget to increase the Committee on Transportation and Infrastructure?s allocation for legislation that increases mandatory contract authority for highway and transit programs financed out of the Highway Trust Fund. In order to make the adjustment, the additional spending must be offset by a reduction in mandatory outlays out of the Fund or receipts appropriated to the Fund.

Because any additional contract authority provided pursuant to subsection (a) would be made available for obligation through a change in obligation limitations, subsection (b) permits the Chairman of the Committee on the Budget to increase the Appropriations Committee?s allocation of discretionary outlays to the extent legislation increases the obligation limits for highway programs above the levels assumed in the budget resolution. In order to make the adjustment, legislation must first be enacted in compliance with subsection (a).

SENATE AMENDMENT

Section 301: Reserve Fund for Health Information Technology and Pay-for-Performance

The Senate amendment includes a deficit-neutral reserve fund for health information technology.

To qualify for the reserve fund, legislation from the Health, Education, Labor and Pensions Committee or the Finance Committee must include language that provides incentives or other support for adoption of information technology to improve quality in health care; and provides for performance-based payments that are based on accepted clinical performance measures and improve the quality in healthcare.

The reserve fund permits the Budget Chairman to adjust allocation levels and would assist the HELP and Finance Committees to work together to craft legislation.

The Committee intends to enforce five-year budget neutrality in the evaluation of legislation that would qualify for this reserve fund.

Section 302: Reserve Fund for Asbestos Injury Trust Fund

The Senate amendment includes a deficit-neutral reserve fund for asbestos injury compensation legislation. The committee recognizes the urgent need for litigation reform for victims of asbestos exposure. The committee intends any asbestos compensation fund to protect the budget and taxpayers from a financial obligation associated with outstanding claims, debt of the fund and interest on such debt.

Section 303: Reserve Fund for the Uninsured

The Senate amendment includes a deficit-neutral reserve fund for legislation that would addresses health care costs, coverage, or care for the uninsured. The legislation could improve the safety net by providing the uninsured with access to integrated and other health care services. The legislation could also increase the number of people who have health insurance directly or through reform mechanisms that are designed to reduce the growth of health care costs. Such mechanisms may include tax- and market-based measures, such as tax credits, deductibility, regulatory reforms, consumer-directed initiatives, and other measures targeted to key segments of the uninsured, such as individuals without employer-sponsored coverage and college students and recent graduates. However, the resolution provides that any measure designed to increase coverage for certain populations not achieve this result primarily by increasing premiums for the currently insured, as might result from a measure that permits preferential regulation for select groups and results in adverse selection.

The reserve fund allows the Chairman to adjust applicable allocations and aggregates to accommodate this legislation if the Committee on Finance or the Committee on Health, Education, Labor, and Pensions reports a bill that meets the standards of this reserve fund.

Section 304: Reserve Fund for Land and Water Conservation Fund

The Senate amendment includes a reserve fund stipulating that if legislation is enacted that opens ANWR to drilling, an amount equal to $1.05 billion of the associated receipts will be devoted to appropriations for the Land and Water Conservation Programs, the Forest Legacy Program, and the Coastal and Estuarine Land Protection Program ($350 million per year in 2008, 2009, and 2010).

Section 305: Reserve Fund for the Federal Pell Grant Program

The Senate amendment includes a reserve fund for $4.3 billion in budget authority only for legislation that retires the existing shortfall in budget authority for Pell Grant funding.

Section 306: Reserve Fund for Higher Education

The Senate amendment includes a reserve fund ($5.510 billion in budget authority and $5.006 billion in outlays over the 2006–2010 period) to cover the new costs of initiatives in the reauthorization of the Higher Education Act to provide increased access to college for low- and middle-income students.

Section 307: Reserve Fund for Energy Legislation

The Senate amendment includes a reserve fund for energy policy legislation, which totals $0.1 billion in budget authority for 2006 and $2.0 billion in budget authority for the 2006–2010 period (and associated outlays).

Section 308: Reserve Fund for Safe Importation of Prescription Drugs

The Senate amendment includes a reserve fund in relation to the importation of FDA-approved prescription drugs from specified foreign countries. If the Committee on Health, Education, Labor, and Pensions produces legislation that allows for the safe importation of prescription drugs, the Budget Committee Chairman may revise the Committee on Health, Education, Labor, and Pension's allocations to reflect the savings associated with this legislation.

Section 309: Adjustment for Surface Transportation

The Senate amendment includes a mechanism to increase allocations of contract authority and outlays for the relevant committees that report legislation relating to the reauthorization of and appropriation for surface transportation programs, provided that

the reauthorization (by virtue of a title reported by the Committee on Finance) makes available new net resources for the highway trust fund that offset the resulting outlays—without increasing the deficit.

Section 310: Reserve fund for the bipartisan Medicaid commission

The Senate amendment includes a reserve fund for legislation that creates a bipartisan commission charged with reviewing and recommending long term goals for the effective operation of Medicaid.

Section 311: Deficit neutral reserve fund for patriotic employers of national guardsmen and reservists

The Senate amendment includes a reserve fund for deficit-neutral legislation that provides a 50-percent tax credit to employees who are on active duty status as members of the Guard or Reserve to make up the difference between the employee's civilian pay and military pay and/or for compensation paid to a worker hired to replace an active duty Guard or Reserve employee.

Section 312: Deficit neutral reserve fund for the Family Opportunity Act

The Senate amendment includes a reserve fund for deficit-neutral legislation that provides families of disabled children with the opportunity to purchase Medicaid coverage.

Section 313: Deficit neutral reserve fund for the restoration of SCHIP funds

The Senate amendment includes a reserve fund for deficit-neutral legislation that provides for the restoration of unexpended funds under the State Children's Health Insurance Program that reverted to the Treasury on October 1, 2004 and that may provide for the redistribution of such funds for outreach and enrollment as well as for coverage initiatives.

Section 314: Reserve fund for funding of Hope credit

The Senate amendment includes a reserve fund for deficit-neutral legislation that increases the Hope credit to $4,000 and makes the credit available for 4 years.

Section 315: Deficit neutral reserve fund for influenza vaccine shortage prevention

The Senate amendment includes a reserve fund for deficit-neutral legislation that increases the participation of manufacturers in the production of influenza vaccine, and bioterror countermeasures, increase research and innovation in new technologies for the development of influenza vaccine, and enhances the ability of the United States to track and respond to domestic influenza outbreaks as well as pandemic containment efforts.

Section 316: Reserve fund for extension of treatment of combat pay for earned income and child tax credits

The Senate amendment includes a reserve fund for deficit neutral legislation that makes permanent the taxpayer election to treat combat pay otherwise excluded from gross income under section 112 of Internal Revenue Code as earned income for purposes of the earned income credit and makes the permanent the treatment of such combat pay as earned income for purposes of the child tax credit.

CONFERENCE AGREEMENT

Section 301: Adjustment for Surface Transportation

Section 301 of the conference agreement is similar to section 301 of the House resolution and section 309 of the Senate amendment and allows for adjustments to committee allocations for changes in surface transportation policy to the extent that amounts in excess of those assumed in this resolution must be offset by new revenues or a reduction in trust fund mandatory outlays.

Section 302: Reserve fund for the Family Opportunity Act

Section 302 of the conference agreement retains the language of section 312 of the Senate amendment which provides for a reserve fund for legislation to enable the expansion of Medicaid coverage for children with special needs to permit their parents to purchase such coverage—with a modification. The conference agreement applies in both the House of Representatives and the Senate and permits the appropriate Budget Committee chairman to adjust committee allocations and other appropriate budgetary aggregates and allocations for legislation that is reported (and amendments thereto, or any conference report thereon) from the Senate Finance Committee, or the House Committee on Energy and Commerce, if the committees report legislation that expands Medicaid coverage for children with special needs to permit their parents to purchase such coverage. In order for the adjustments to be made, the Senate Finance Committee must be within its 302 allocation, and the legislation reported by committees in both Houses must be deficit neutral in fiscal year 2006 and for the period of fiscal years 2006 through 2010.

Section 303: Reserve fund for the Federal Pell Grant Program

Section 303 retains the language of section 305 of the Senate amendment which establishes a reserve fund for a measure that provides appropriations for the shortfall within the Federal Pell Grant program, with certain modifications. The reserve fund in the conference agreement applies in both the House of Representatives and the Senate and permits the appropriate Budget Committee chairman to adjust committee allocations and other appropriate budgetary aggregates and allocations by up to $4.3 billion in budget authority for the purpose of repaying the Pell shortfall. It may apply to a measure reported by the Appropriations Committee of either House, or by the relevant authorizing committee, though it is intended that the spending associated with this reserve fund be classified as mandatory. In order for the adjustments to be made, the committee in the Senate must be within its 302 allocations, and the legislation reported by a committee in the House must be deficit-neutral in fiscal year 2006 and the period of fiscal years 2006 through 2010.

A change in the way new Pell Grant spending is estimated is included in the ''Budget Enforcement'' of this conference agreement.

Guidelines for estimating a bill, joint resolution, amendment or conference report providing budget authority for the shortfall in the Federal Pell Grant Program:

Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report No. 105–217, the provisions of any bill or joint resolution, amendment offered thereto or conference report submitted thereon, that provides budget authority for the shortfall in the Federal Pell Grant program, shall be treated as direct spending, under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985, by the Congressional Budget Office, and by the Chairmen of the House and Senate Budget Committees, as appropriate, under the Congressional Budget Act of 1974.

Section 304: Reserve fund for the uninsured

The conference agreement retains the Senate (section 303) reserve fund for legislation relating to health insurance for the uninsured. The reserve fund is deficit-neutral. The reserve fund in the conference agreement applies in both the House of Representatives and the Senate.

Section 305: Reserve fund for the disposal of underutilized Federal real property

Section 304 establishes a reserve fund in the House of Representatives for Federal real property disposal. If the House Committee on Government Reform reports a bill designed to enhance the ability of the Federal government to dispose of unused and underutilized Federal real property assets, then the House Budget Committee Chairman may increase the allocation to that committee by $50 million in fiscal year 2006, and by the same amount over five years.

The Federal government is one of the world's largest real property owners with a real estate portfolio of over 3.2 billion square feet consisting of nearly 525,000 buildings valued at over $328 billion. The proposed reserve fund would facilitate the consideration of legislation to remove barriers that discourage the disposal of unneeded property and create incentives to encourage agencies to dispose of such property at fair market value, thereby increasing receipts to the Federal treasury.

Section 306: Reserve fund for health information technology and pay-for-performance

The conference agreement retains the language of section 301 of the Senate amendment, which establishes a reserve fund for health information technology and pay-for-performance, with a modification. The reserve fund in the conference agreement applies to the Senate and permits the Budget Committee chairman to adjust committee allocations and other appropriate budgetary aggregates and allocations for such purpose, except that the legislation must be deficit-neutral for the period of fiscal years 2006 through 2010.

Section 307: Reserve fund for Asbestos Injury Trust Fund

The conference agreement retains with modification the Senate reserve fund (section 302) for legislation relating to the asbestos injury trust fund, which provides for monetary compensation to impaired victims of asbestos-related disease who can establish that asbestos exposure is a substantial contributing factor in causing their condition, does not compensate unimpaired claimants or those suffering from a disease who cannot establish asbestos exposure was a substantial factor causing their disease and is estimated to remain funded from non-taxpayer sources for the life of the fund. Assuming the Committee is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974 the Chairman of the Budget Committee may make the appropriate adjustments in allocations and aggregates to the extent that such legislation would not increase the deficit for the period of fiscal years 2006–2056.

Section 308: Reserve fund for energy legislation

The conference agreement retains the Senate (section 307) reserve fund for legislation relating to national energy policy.

Section 309: Reserve fund for the safe importation of prescription drugs

The conference agreement retains the Senate (section 308) reserve fund for legislation relating to the safe importation of prescription drugs. The reserve fund is deficit-neutral.

Section 310: Reserve fund for the restoration of SCHIP funds

The conference agreement retains the Senate (section 309) reserve fund for legislation relating to the restoration of SCHIP funds. The reserve fund is deficit-neutral.

BUDGET ENFORCEMENT

Under section 301 of the Budget Act, the budget resolution may include special procedures to enforce the spending and revenue levels contained in the resolution and the allocations found in the accompanying joint statement of managers.

HOUSE RESOLUTION

Section 401: Emergency legislation

Section 401 provides Congress with the authority to designate spending provisions as ''emergencies.'' It adopts criteria for evaluating emergency spending. It also exempts from budget controls supplemental appropriations for the Department of Defense for contingency operations related to the global war on terrorism.

Section 401(a) provides a special exemption from budget controls for a supplemental spending measure for the Department of Defense for ''contingency operations related to the global war on terrorism.'' Though $50 billion has been budgeted for fiscal year 2006 in the budget resolution for this purpose, the final amount has yet to be determined. The final level of the supplemental will depend on the President's request and the response of the Appropriations committees of the House and the Senate.

Subsection (b) exempts spending designated as an emergency from points of order and other provisions of the Congressional Budget Act.

Section 402: Compliance with section 13301 of the Budget Enforcement Act of 1990

This section provides authority to include the administrative expenses related to Social Security in the allocation to the Appropriations Committee. This language is necessary to ensure that the Appropriations Committee retains control of administrative expenses through the Congressional budget process.

Section 403: Application and effect of changes in allocations and aggregates

This section sets forth the procedures for making adjustments for the reserve funds included in this resolution. Subsection (a)(1) and (2) provide that the adjustments may only be made during the interval that the legislation is under consideration and do not take effect until the legislation is actually enacted. This is approximately consistent with the procedures for making adjustments for various initiatives under section 314 of the Congressional Budget Act.

Subsection (a)(3) provides that in order to make the adjustments provided for in the reserve funds, the Chairman of the House Budget Committee is directed to insert these adjustments in the Congressional Record.

Subsection (b) clarifies that any adjustments made under any of the reserve funds in the resolution have the same effect as if they were part of the original levels set forth in section 101.

Subsection (c) clarifies that the House Budget Committee determines the levels and estimates used to enforce points of order, as is the case for enforcing budget-related points of order.

Section 404: Restrictions on advance appropriations

The section includes a general restriction that limits the programs that may receive an advance appropriation and the total level of such appropriations. Advance appropriations may be provided for the accounts in appropriation bills identified under the section ''Accounts Identified Advanced Appropriations'' in this Joint Statement of Managers on the Conference Report on the Budget Resolution in the section detailing the conference agreement. The amount in the House resolution was limited for these accounts to $23.568 billion in budget authority. The amount is essentially the same as provided in previous budget resolutions, but it was adjusted to reflect advance appropriations provided for any year.

The section defines an ''advance appropriation'' as any new discretionary budget authority making general appropriations or continuing appropriations for fiscal year 2006 that first becomes available for any fiscal year after 2006.

Section 405: Special rule in the house for certain 302(b) suballocations

Under section 302(b) of the Congressional Budget Act of 1974, the Appropriations Committee suballocates its section 302(a) allocation among its various subcommittees. The recent reorganization of the House Appropriations subcommittees, however, eliminated the subcommittee responsible for legislative branch appropriations. To allow the House Appropriations Committee to report a bill providing legislative branch appropriations and then go to conference with the Senate on that bill, a special rule was required that allows the House Appropriations Committee to make a section 302(b) suballocation for legislative branch operations.

Section 406: Special procedures to achieve savings in mandatory spending through fiscal year 2014

Section 406 describes the sense of Congress that during the four fiscal years following the budget year, at least every other concurrent resolution on the budget should include reconciliation instructions to authorizing committees to achieve significant savings in mandatory spending.

SENATE AMENDMENT

Section 401: Restrictions on advance appropriations

The Senate amendment includes language limiting the use of advance appropriations. This restriction was first included in the fiscal year 2001 budget resolution and was included and revised in the conference agreements for the 2002, 2004, and 2005 resolutions as well. The Senate amendment restricts advance appropriations to an annual limit of $23.393 billion to both the fiscal years 2006 and 2007 appropriation bills and limits permissible advance appropriations to those programs that are listed in the statement of managers accompanying the conference report on the budget resolution.

The list of permissible advances in the respective appropriations bill is as follows:

ACCOUNTS IDENTIFIED FOR ADVANCE APPROPRIATIONS

Interior: Elk Hills
Labor, HHS:
Corporation for Public Broadcasting
Employment and Training Administration
Education for the Disadvantaged
School Improvement
Children and Family Services (Head Start)
Special Education
Vocational and Adult Education
Transportation, Treasury:
Payment to Postal Service
Section 8 Renewals

Section 402: Emergency legislation

In general, the Senate's emergency rule addresses three issues with respect to emergency spending: the ability to designate spending as an emergency, the restatement of the Senate point of order with respect to the use of that designation, and the exemption of defense appropriations and overseas contingent operations from that point of order.

Section 403: Supermajority Enforcement

Section 403 of the Senate amendment extends the 60-vote requirement for points of order, waivers and appeals with respect to those budget-related points of order for which this requirement would have expired on September 30, 2008 for an additional two years (until September 30, 2010).

Section 403 also extends the supermajority enforcement of waivers and appeals to the unfunded mandates points of order (section 425(a)(1) and (2) of the Congressional Budget Act of 1974) for five years (until September 30, 2010). For the past 10 years, these points of order could have been waived by a simple majority vote.

Section 404: Discretionary spending limits in the Senate

Section 404 of the Senate amendment sets out congressional discretionary spending limits for the first three years covered by the 2006 budget resolution (fiscal years 2006, 2007 and 2008) with respect to both budget authority and outlays for the first year, and budget authority for the second and third years. Since the advent of statutory discretionary spending limits in 1990, a majority of budget resolution conference reports have included language dealing with 'congressional caps.'

Section 404 of the Senate amendment sets the following amounts as the discretionary spending limits:

For fiscal year 2006: $848.1 billion in new budget authority and $916.4 billion in outlays for the discretionary category.

For fiscal year 2007: $868.5 billion in new budget authority for the discretionary category.

For fiscal year 2008: $891.4 billion in new budget authority for the discretionary category.

The Senate amendment also provides for a number of cap adjustments. The cap adjustments permit the chairman of the Committee on the Budget to increase the discretionary spending limit, the section 302(a) allocation to the Committee on Appropriations, and any other appropriate levels in the resolution if an appropriations bill provides additional resources for the programs specified in the adjustment. The resolution allows for adjustments to discretionary spending limits for four program integrity programs: continuing disability reviews, internal revenue service tax enforcement, health care fraud and abuse control, and unemployment insurance improper payments.

Section 405: Application and effect of changes in allocations and aggregates

The Senate amendment also provides for a number of cap adjustments. The cap adjustments permit resolution retains language from previous resolutions clarifying the process for implementing any adjustment made pursuant to the reserve funds and discretionary adjustments and the status of these adjusted levels. It also clarifies that the Budget Committee determines scoring for purposes of points of order.

Section 406: Adjustments to reflect changes in concepts and definitions

Section 406(a) of the Senate amendment also allows adjustments for changes in budgetary concepts. It provides that upon enactment of legislation that changes funding of an existing program from discretionary to mandatory (or vice versa) the chairman of the Committee on the Budget will adjust the levels in this budget resolution (including the discretionary spending limits) to reflect such a change.

Section 406(b) sets forth a change in the way the Federal Pell Grant Program should be estimated upon the adoption of the FY 2006 budget resolution.

Section 407: Limitation on long-term spending proposals

Section 407 creates a new point of order against legislation that would cause a net increase in direct spending in excess of

$5,000,000,000 in any of the four ten-year periods beginning in 2016 through 2055, as measured against current out-year estimates prepared by the Congressional Budget Office.

The point of order may be waived by 60 votes. An appeal of the ruling of the chair also requires 60 votes. The section will remain in effect until September 30, 2010.

Section 408: Exercise of rulemaking powers.

The Senate amendment restates the Congress? authority to legislate its rules of procedure.

CONFERENCE AGREEMENT

Section 401: Restrictions on advance appropriations

Section 401 reflects an overall limit on advance appropriations of $23.158 billion in fiscal year 2007, which is the same limit on advance appropriations as has been included in all previous limitations on advance appropriations in past budget resolutions.

The list of permissible advances is as follows:

ACCOUNTS IDENTIFIED FOR ADVANCE APPROPRIATIONS IN THE SENATE

Defense: Shipbuilding and Conversion, Navy
Interior: Elk Hills.
Labor, HHS:
Corporation for Public Broadcasting
Employment and Training Administration
Education for the Disadvantaged
School Improvement
Children and Family Services (Head Start)
Special Education
Vocational and Adult Education
Transportation, Treasury: Payment to Postal Service
Veterans, HUD: Section 8 Renewals

ACCOUNTS IDENTIFIED FOR ADVANCE APPROPRIATIONS IN THE HOUSE

PART A: ADVANCE APPROPRIATIONS FOR FISCAL YEAR 2007

Elk Hills
Employment and Training Administration
Education for the Disadvantaged
School Improvement
Child and Family Services [Head Start]
Special Education
Vocational and Adult Education
Payment to Postal Service
Section 8 Renewals
Shipbuilding and Conversion, Navy

PART B: ADVANCE APPROPRIATIONS FOR FISCAL YEAR 2008

Corporation for Public Broadcasting

Section 402: Emergency legislation

Section 402(a) of the conference agreement largely follows section 401 of the House resolution with respect to the rule on emergency spending and the designation for contingency operations related to the global war on terrorism.

Section 402(b) follows the Senate amendment with regard to emergency spending and its exemption for overseas contingent operations.

Section 402(c) of the conference agreement sets forth common criteria for both Houses of Congress for spending that may be properly defined as an emergency requirement. In order to trigger the exemptions included in this section in either the House of Representatives or the Senate, spending must be 'designated by the Congress to be emergency legislation pursuant to section 402 of H. Con. Res. 95.'

Section 403: Extension of Senate enforcement

Section 403 of the conference agreement contains language similar to section 403 of the Senate amendment. It extends voting requirements applicable to Senate budget enforcement procedures.

Section 404: Discretionary spending limits in the Senate

Section 404 of the conference agreement retains the language of section 404 of the Senate amendment, with adjusted figures to reflect the conference agreement.

Section 405: Application and effect of changes in allocations and aggregates

Section 405 of the conference agreement retains the language of section 403 of the House resolution (which is identical to section 405 of the Senate amendment) clarifying both the process for making adjustments under the reserve funds and the status of the adjusted levels. It also determines scoring for purposes of enforcing budget related points of order.

Section 406: Adjustments to reflect changes in concepts and definitions

The House recedes to the Senate on section 406 of the Senate amendment with an amendment. Subsection 406(a) authorizes the chairmen of the Committees on the Budget of the House and the Senate to adjust the resolution to take into account changes in budgetary concepts and definitions upon enactment of such legislation.

Subsection 406(b) retains the language from section 406 of the Senate amendment regarding a change in the rules used to estimate the annual cost of the Federal Pell Grant program, and made it applicable in both the House of Representatives and the Senate.

Section 407: Limitation on long-term spending proposals.

Section 407(a) requires that the Director of the Congressional Budget Office prepare for the House and Senate, an analysis of measures that would cause a net increase in direct spending in excess of $5,000,000,000 in any of the four ten-year periods beginning in 2016 through 2055.

Section 407(b) creates a new point of order in the Senate against any legislation that exceeds the threshold specified in subsection (a). The point of order may be waived and the rulings of the chair may be appealed by 60 votes.

The section remains in effect until September 30, 2010.

Section 408: Compliance with section 13301 of the Budget Enforcement Act of 1990

Section 408 of the conference agreement retains the language of section 402 of the House resolution, and applies it to the Senate. That section provides for the budgetary treatment of discretionary spending for the Social Security Administration.

Section 409: Exercise of rulemaking powers

In section 409, the House recedes to section 408 of the Senate amendment, which affirms that the budget resolution is an act of congressional rulemaking and subject to revisions by either House. Section 409 of the conference agreement states the authority by which Congress adopts the various budgetary enforcement rules and procedures for the consideration of certain legislation set out in the budget resolution.

Section 410: Treatment of allocations in the House

This section is identical to section 405 of the House-passed budget resolution, and applies only in the House of Representatives, and adds a clarification on the display of allocations to authorizing committees made pursuant to section 302(a) of the Congressional Budget Act of 1974.

Section 411: Special procedures to achieve savings in mandatory spending through 2014

This section is identical to section 406 of the House-passed budget resolution, and applies only in the House of Representatives.

SENSES OF THE HOUSE AND SENATE

HOUSE RESOLUTION

The House resolution contains one section (in title IV of that resolution) that included a 'Sense of the House.'

SENATE AMENDMENT

The Senate amendment contains twenty-eight sections dealing with 'Sense of the Senate' provisions that were adopted either during the committee consideration of the resolution or during consideration on the Senate floor:

Section 501: Sense of the Senate regarding unauthorized appropriations
Section 502: Sense of the Senate regarding a commission to review the performance of programs
Section 503: Sense of the Senate regarding Tricare
Section 504: Sense of the Senate regarding restraining Medicaid growth
Section 505: Sense of the Senate regarding tribal colleges and universities
Section 506: Sense of the Senate regarding support for the President's request to concentrate Federal funds for State and local homeland security assistance programs on the highest threats, vulnerabilities, and needs
Section 507: Sense of the Senate rejecting proposed elimination of per diem reimbursement to State nursing homes in the President's budget
Section 508: Sense of the Senate regarding Impact Aid
Section 509: Sense of the Senate regarding mandatory agricultural programs
Section 510: Sense of the Senate regarding social security restructuring
Section 511: Sense of the Senate that failing to address social security will result in massive debt, deep benefit cuts and tax increases
Section 512: Sense of the Senate regarding the State Criminal Alien Assistance Program
Section 513: Sense of the Senate regarding funding for subsonic and hypersonic aeronautics research by the National Aeronautics and Space Administration
Section 514: Sense of the Senate concerning children with HIV/AIDS
Section 515: Sense of the Senate regarding the acquisition of the next generation destroyer (DDX)
Section 516: Sense of the Senate on reducing the tax on social security benefits
Section 517: Sense of the Senate on the crime victims fund
Section 518: Sense of the Senate supporting funding for HIDTAS
Section 519: Sense of the Senate regarding the need for a comprehensive, coordinated, and integrated national ocean policy
Section 520. United States response to global HIV/AIDS, tuberculosis, and malaria
Section 521. Offset for increases in funding for the Cops Methamphetamine Enforcement and Clean Up Program
Section 522: Sense of the Senate regarding foreign-owned debt
Section 523: Sense of the Senate regarding tax relief to encourage charitable giving
Section 524: Sense of the Senate regarding water infrastructure
Section 525: Sense of the Senate regarding funding of administrative costs of Social Security Administration
Section 526: Sense of the Senate concerning comparative effectiveness studies
Section 527: Sense of the Senate regarding the Advanced Technology Program
Section 528: Sense of the Senate with respect to pension reform

CONFERENCE AGREEMENT

The conference agreement contains the following provisions:

Section 501: Sense of the Senate regarding unauthorized appropriations

Section 502: Sense of the Senate regarding a commission to review the performance of programs

Section 503: Sense of the Senate regarding Tricare

Section 504: Sense of the Senate regarding tribal colleges and universities

Section 505: Sense of the Senate regarding social security restructuring

Section 506: Sense of the Senate regarding funding for subsonic and hypersonic aeronautics research by the National Aeronautics and Space Administration

Section 507: Sense of the Senate regarding the acquisition of the next generation destroyer (DDX)

ALLOCATIONS

As required in section 302 of the Congressional Budget Act, the joint statement of managers includes an allocation, based on the conference agreement, of total budget authority and total budget outlays among each of the appropriate committees. The allocations are as follow:

ALLOCATION OF SPENDING AUTHORITY TO HOUSE APPROPRIATIONS COMMITTEE

[In millions of dollars]

	2005	2006
Discretionary Action:		
BA	840,036	843,020
OT	929,520	916,836
Current Law Mandatory:		
BA	483,881	528,504
OT	460,908	510,843

ALLOCATIONS OF SPENDING AUTHORITY TO HOUSE COMMITTEES OTHER THAN APPROPRIATIONS

[In millions of dollars]

	2005	Total 2005–2009	2006	Total 2006–2010
Agriculture Committee				
Current Law:				
BA	25,410	101,716	25,882	82,931
OT	25,320	101,173	25,244	82,359
Reconciliation:				
BA			−173	−3,000
OT			−173	−3,000
Reauthorizations:				
BA		82,160		131,495
OT		80,586		129,886
Armed Services Committee				
Current Law:				
BA	85,355	473,465	91,209	494,600
OT	85,245	473,045	91,129	494,215
Committee on Education and the Workforce				
Current Law:				
BA	9,726	47,046	9,080	47,155
OT	9,564	46,462	8,215	47,512
Discretionary Action:				
BA		400	100	500
OT		400	100	500
Reconciliation:				
BA			−966	−8,971
OT			−992	−12,651
Reauthorizations:				
BA		11,219	2,720	14,657
OT		8,797	1,088	12,061
Energy and Commerce Committee				
Current Law:				
BA	161,936	1,155,178	207,337	1,293,242
OT	161,946	1,157,483	207,955	1,295,935
Discretionary Action:				
BA		1,525	100	2,000
OT		1,525	100	2,000
Reconciliation:				
BA			−2	−14,844
OT			−2	−14,734
Reauthorizations:				
BA		10,080		15,120
OT		5,985		10,845
Financial Services Committee				
Current Law:				
BA	5,364	17,669	3,193	15,258
OT	3,218	−2,737	−116	−8,873
Reconciliation:				
BA			−60	−300
OT			−30	−470
Government Reform Committee				
Current Law:				
BA	70,524	382,713	75,531	398,024
OT	69,395	369,316	70,624	382,349
Discretionary Action:				
BA		50	50	50
OT		50	50	50
Committee on House Administration				
Current Law:				
BA	77	370	72	366
OT	20	325	15	323
Committee on Homeland Security				
Current Law:				
BA	1,217	6,054	1,262	6,051
OT	1,109	6,057	1,157	6,205
International Relations Committee				
Current Law:				
BA	10,782	61,081	11,532	63,726
OT	11,051	59,403	11,939	60,966
Judiciary Committee				
Current Law:				
BA	5,192	27,222	6,519	27,264
OT	5,159	27,013	5,664	29,983
Discretionary Action:				
BA		6	6	6
OT		6	6	6
Reconciliation:				
BA			−60	−300
OT			−60	−300

ALLOCATIONS OF SPENDING AUTHORITY TO HOUSE COMMITTEES OTHER THAN APPROPRIATIONS—Continued

[In millions of dollars]

	2005	Total 2005–2009	2006	Total 2006–2010
Resources Committee				
Current Law:				
BA	5,612	24,776	5,245	22,912
OT	4,354	22,534	4,699	22,350
Discretionary Action:				
BA	6	45	8	50
OT	6	45	8	50
Reconciliation:				
BA				−2,400
Ot				−2,400
Science Committee				
Current Law:				
BA	119	604	131	606
OT	79	442	80	467
Small Business Committee				
Current Law:				
BA	1,702	1,702		
OT	1,702	1,702		
Transportation and Infrastructure Committee				
Current Law:				
BA	41,675	104,284	17,141	77,176
Ot	11,526	67,912	14,097	71,000
Discretionary Action:				
BA	3,488	12,238	3,027	4,107
OT				
Reconciliation:				
BA			−12	−100
OT			−12	−103
Reauthorizations:				
BA	14,449	195,237	43,347	227,835
OT	58	1,955	262	2,515
Veterans' Affairs Committee				
Current Law:				
BA	2,162	7,265	1,293	6,327
OT	2,191	7,438	1,353	6,498
Reauthorizations:				
BA		5,890	558	9,011
OT		5,726	538	8,796
Ways and Means Committee				
Current Law:				
BA	653,873	3,796,797	690,460	4,066,577
OT	656,155	3,803,436	692,761	4,071,184
Discretionary Action:				
BA	554	1,800	350	1,537
OT	64	1,558	346	1,914
Reconciliation:				
BA			−250	−1,000
OT			−250	−1,000
Reauthorizations:				
BA	7,954	89,139	19,622	102,030
OT	5,681	84,462	17,299	99,617

SENATE COMMITTEE BUDGET AUTHORITY AND OUTLAY ALLOCATIONS PURSUANT TO SECTION 302 OF THE CONGRESSIONAL BUDGET ACT BUDGET YEAR TOTAL 2005

[in billions of dollars]

Committee	Direct spending jurisdiction		Entitlements funded in annual appropriaitons acts	
	Budget authority	Outlays	Budget authority	Outlays
Appropriations				
General Purpose Discretionary	840.036	929.520		
Memo:				
on-budget	835.610	925.115		
off-budget	4.426	4.405		
Agriculture, Nutrition, and Forestry	25.258	25.148	71.954	49.563
Armed Services	85.351	85.240	0.041	0.061
Banking, Housing and Urban Affairs	14.779	6.052	0.000	−0.047
Commerce, Science, and Transportation	13.635	8.218	1.082	0.889
Energy and Natural Resources	5.124	3.922	0.004	0.005
Environment and Public Works	39.395	2.056	0.000	0.000
Finance	820.963	821.355	350.443	350.266
Foreign Relations	10.785	11.054	0.172	0.172
Governmental Affairs	71.750	70.621	18.219	18.219
Judiciary	6.009	6.076	0.578	0.564
Health, Education, Labor, and Pensions	13.952	13.946	3.988	3.889
Rules and Administration	0.076	0.019	0.113	0.112
Intelligence	0.000	0.000	0.239	0.239
Veterans' Affairs	2.161	2.190	36.996	36.924
Indian Affairs	0.555	0.562	0.000	0.000
Small Business	1.702	1.702	0.000	0.000
Unassigned to Committee	−434.360	−420.248	0.000	0.000
Total	677.135	637.913	483.829	460.856

SENATE COMMITTEE BUDGET AUTHORITY AND OUTLAY ALLOCATIONS PURSUANT TO SECTION 302 OF THE CONGRESSIONAL BUDGET ACT—BUDGET YEAR TOTAL 2006

[In billions of dollars]

Committee	Direct spending jurisdiction		Entitlements funded in annual appropriations acts	
	Budget authority	Outlays	Budget authority	Outlays
Appropriations:				
General Purpose Discretionary	842.265	916.081		
Memo:				
on-budget	837.689	911.494		
off-budget	4.576	4.587		
Agriculture, Nutrition, and Forestry	25.721	25.061	69.535	50.456

SENATE COMMITTEE BUDGET AUTHORITY AND OUTLAY ALLOCATIONS PURSUANT TO SECTION 302 OF THE CONGRESSIONAL BUDGET ACT—BUDGET YEAR TOTAL 2006—Continued

[In billions of dollars]

Committee	Direct spending jurisdiction		Entitlements funded in annual appropriations acts	
	Budget authority	Outlays	Budget authority	Outlays
Armed Services	91.206	91.125	0.040	0.060
Banking, Housing and Urban Affairs	13.507	2.957	0.000	−0.014
Commerce, Science, and Transportation	13.078	7.575	0.928	0.921
Energy and Natural Resources	4.600	4.135	0.054	0.060
Environment and Public Works	39.389	2.154	0.000	0.000
Finance	921.381	923.335	401.199	401.160
Foreign Relations	11.532	11.939	0.174	0.174
Governmental Affairs	74.698	71.791	18.611	18.611
Judiciary	7.387	6.528	0.580	0.592
Health, Education, Labor, and Pensions	13.180	11.578	4.100	3.979
Rules and Administration	0.072	0.015	0.118	0.117
Intelligence	0.000	0.000	0.245	0.245
Veterans' Affairs	1.293	1.353	36.198	36.108
Indian Affairs	0.559	0.547	0.000	0.000
Small Business	0.000	0.000	0.000	0.000
Unassigned to Committee	−496.329	−484.403	0.000	0.000
TOTAL	721.274	675.690	531.782	512.469

SENATE COMMITTEE BUDGET AUTHORITY AND OUTLAY ALLOCATIONS PURSUANT TO SECTION 302 OF THE CONGRESSIONAL BUDGET ACT 5-YEAR TOTAL: 2006–2010

[in billions of dollars]

Committee	Direct spending jurisdiction		Entitlements funded in annual appropriations acts	
	Budget authority	Outlays	Budget authority	Outlays
Agriculture, Nutrition, and Forestry	111.747	111.108	341.876	260.136
Armed Services	494.585	494.199	0.200	0.270
Banking, Housing and Urban Affairs	74.258	9.668	0.000	−0.028
Commerce, Science, and Transportation	68.875	40.886	5.076	5.054
Energy and Natural Resources	19.461	18.898	0.268	0.277
Environment and Public Works	180.812	9.994	0.000	0.000
Finance	5505.551	5517.365	2424.576	2423.728
Foreign Relations	63.726	60.966	0.794	0.794
Governmental Affairs	402.936	387.261	99.879	99.879
Judiciary	32.071	31.766	2.941	2.979
Health, Education, Labor, and Pensions	68.205	62.245	21.289	20.734
Rules and Administration	0.366	0.323	0.640	0.639
Intelligence	0.000	0.000	1.314	1.314
Veterans' Affairs	6.327	6.498	185.814	185.182
Indian Affairs	2.555	2.682	0.000	0.000
Small Business	0.000	0.000	0.000	0.000

Pay-as-You-Go Scorecard for the Senate Reflecting Levels for the Conference Agreement:

[In billions of dollars, fiscal years]

2005	0.436
2006	16.849
2006–2010	75.580
2011–2015	274.999

ECONOMIC ASSUMPTIONS

Section 301(g)(2) of the Congressional Budget Act requires that the joint explanatory statement accompanying a conference report on a budget resolution set forth the common economic assumptions upon which the joint statement and conference report are based. The Conference Agreement is built upon the economic forecasts developed by the Congressional Budget Office and presented in CBO's 'The Budget and Economic Outlook: Fiscal Years 2006–2015' (January 2005).

HOUSE RESOLUTION

CBO's economic assumptions were used.

SENATE AMENDMENT

CBO's economic assumptions were used.

CONFERENCE AGREEMENT

CBO's economic assumptions were used.

ECONOMIC ASSUMPTIONS OF THE BUDGET RESOLUTION

[Calendar years 2005–2010]

	2005	2006	2007	2008	2009	2010
Real GDP (percentage change year over year)	3.8	3.7	3.7	3.4	3.1	2.9
GDP Price Index (percentage change year over year)	1.8	1.5	1.7	1.8	1.8	1.8
Consumer Price Index (percentage change year over year)	2.4	1.9	2.1	2.2	2.2	2.2
Unemployment Rate (percent, annual average)	5.2	5.2	5.2	5.2	5.2	5.2
3-month Treasury Bill Rate (percent, annual average)	2.8	4.0	4.6	4.6	4.6	4.6
10-year Treasury Note Yield (percent, annual average)	4.8	5.4	5.5	5.5	5.5	5.5

PUBLIC DEBT: AMENDING THE STATUTORY LIMIT PURSUANT TO HOUSE RULE XXVII

The adoption of this conference agreement by the two Houses would result in the engrossment of a House Joint Resolution adjusting the level of the statutory limit on the public debt pursuant to House Rule XXVII. In consonance with clause 3 of that rule, the conferees contemplate a joint resolution of the following form:

Resolved, by the Senate and the House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 3101 of title 31, United States Code, is amended by striking out the dollar limitation contained in such subsection and inserting in lieu thereof $8,965,000,000,000.

If the joint resolution is enacted to raise the debt limit to the level contemplated by this conference agreement, the limit will be increased from $8.184 trillion to $8.965 trillion, an increase of $781 billion.

Legislative jurisdiction over the public debt remains with the Finance Committee in the Senate and the Committee on Ways and Means in the House.

JIM NUSSLE,
JIM RYUN,
Managers on the Part of the House.

JUDD GREGG,
PETE DOMENICI,
CHUCK GRASSLEY,
WAYNE ALLARD,
Managers on the Part of the Senate.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 47 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1651

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LAHOOD) at 4 o'clock and 51 minutes p.m.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H. CON. RES. 95, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2006

Mr. PUTNAM, from the Committee on Rules, submitted a privileged report (Rept. No. 109–63) on the resolution (H. Res. 248) waiving points of order against the conference report to accompany the concurrent resolution (H. Con. Res. 95) establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, and for other purposes, which was referred to the House Calendar and ordered to be printed.

Mr. PUTNAM. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 248 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 248

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the concurrent resolution (H. Con. Res. 95) establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read. The conference report shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget.

Sec. 2. (a) During the One Hundred Ninth Congress, except as provided in subsection (c), a motion that the Committee of the Whole rise and report a bill to the House shall not be in order if the bill, as amended, exceeds an applicable allocation of new budget authority under section 302(b) of the Congressional Budget Act of 1974, as estimated by the Committee on the Budget.

(b) If a point of order under subsection (a) is sustained, the Chair shall put the question: ''Shall the Committee of the Whole rise and report the bill to the House with such amendments as may have been adopted notwithstanding that the bill exceeds its allocation of new budget authority under section 302(b) of the Congressional Budget Act of 1974?'' Such question shall be debatable for 10 minutes equally divided and controlled by a proponent of the question and an opponent but shall be divided without intervening motion.

(c) Subsection (a) shall not apply—

(1) to a motion offered under clause 2(d) of rule XXI; or

(2) after disposition of a question under subsection (b) on a given bill.

(d) If a question under subsection (b) is decided in the negative, no further amendment shall be in order except—

(1) one proper amendment, which shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole; and

(2) pro forma amendments, if offered by the chairman or ranking minority member of the Committee on Appropriations or their designees, for the purpose of debate.

The SPEAKER pro tempore. The gentleman from Florida (Mr. PUTNAM) is recognized for 1 hour.

Mr. PUTNAM. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. PUTNAM asked and was given permission to revise and extend his remarks.)

Mr. PUTNAM. Mr. Speaker, it is a great day in this House and a great day for our Nation and an honor to kick off the debate about the fiscal blueprint, that our conference of the House and the Senate has come together to set forth the priorities for our Nation.

House Resolution 248 is a closed rule that provides for consideration of the conference report on House Concurrent Resolution 95, establishing the congressional budget for the United States Government for fiscal year 2006 and setting forth appropriate budgetary levels for fiscal years 2007 through 2010.

As a member of both the Committee on Rules and the Committee on the Budget, I am pleased to bring this resolution to the floor for its consideration. The rule provides for 1 hour of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget. The rule waives all points of order against the conference report and against its consideration. It provides that the conference report shall be considered as read.

Importantly, section 2 of the resolution is a valuable addition to the rules and process of the House. I appreciate the work that a number of Members in the House have put into this effort. Specifically, the gentleman from Texas (Mr. HENSARLING), the gentleman from Indiana (Mr. PENCE), and the gentleman from Illinois (Mr. KIRK) particularly have fought for budget process reform and, with the leadership of the gentleman from California (Chairman DREIER) and the gentleman from Iowa (Chairman NUSSLE), have included it. Congress in this resolution makes a strong commitment to enforcing fiscal responsibility with the addition of a separate order for the 109th Congress. The resolution creates a point of order in the Committee of the Whole against a motion to rise and report a general appropriations bill if that legislation, as amended, is in breach of its 302(b) budget allocation. Any Member of either side of the aisle, on the Committee on the Budget or not, on the Committee on Rules or not, may raise this point of order.

A breach in allocation will be determined by the Chair, based on estimates provided by the Committee on the Budget as is currently prescribed in the Budget Act.

If the Chair sustains the point of order, the Chair would put the question to the Committee, and there would then follow 10 minutes of debate on the question, equally divided.

At the conclusion of the debate, the Chair would put the question to the whole Committee. If the motion to rise and report were defeated, then no further amendment shall be in order except one proper amendment equally divided and debated and multiple pro forma amendments, if offered by the chairman and ranking minority member of the Committee on Appropriations, for the purpose of debate.

This point of order is only applicable once for a given bill and does not apply to a motion offered under clause 2(d) of rule XXI.

The congressional budget is the ultimate enforcement tool, allowing Congress to clearly identify its priorities, to lay out that fiscal blueprint and vision for the coming fiscal year. It lays out the plan for how America's tax dollars will be spent. It allows us at a time of war to ensure that our Nation's soldiers, Guardsmen, Reservists, sailors, Marines, Coast Guardsmen are equipped and trained and supported, prioritizing guarantees that our economy continues to expand, providing jobs and opportunities for more Americans to achieve their piece of the American Dream each and every day. It is a tool that allows us to make certain that our government acts in a fiscally responsible manner to ensure opportunities and safety for future generations of Americans.

This added point of order gives one more enforcement mechanism to ensure that Congress spends responsibly and follows the priorities set forth in the congressional budget. Just as small businesses and large businesses, families and individuals sit down on a regular basis and review their budget and, despite the pressure, have to stick to it, so should Congress.

Mr. Speaker, I am proud to be a member of the Committee on the Budget that this year reported out a historic blueprint that sets in motion a path to cutting the deficit both in dollars and as a percentage of our gross domestic product, a percentage of our economy. This budget wisely targets both discretionary and mandatory spending in an effort to do that and in establishing priorities.

□ 1700

The Committee on the Budget calls for a reduction in total nondefense, non-homeland security discretionary spending. That has not been done since President Reagan was in the White House. And for the first time since 1997, the budget includes reconciliation instructions to authorizing committees calling for a reduction in the rate of growth in mandatory programs.

Mandatory spending is the guaranteed spending, the entitlement spending, if you will, that grows each and every year, largely without congressional reform or review. Today it consumes 55 percent of the budget, and if

it continues unchecked, it will reach nearly two-thirds of the entire Federal budget by 2015.

It is unacceptable that more than half of the government's spending today is largely on automatic pilot. This is neither sound policy nor sustainable fiscal policy, and Congress is on its way to losing control over spending priorities as entitlements squeeze the budget more and more.

These reconciliation instructions embodied in this conference report are the vital step to begin the process of getting mandatory spending back to growth at a sustainable rate and continuing to lead us on that path toward cutting the deficit in half in 5 years.

I am hopeful that while the authorizing committees are reviewing their programs, they would also conclude that a number of these mandatory programs would be better suited as discretionary, and therefore subject to continued oversight by the Congress.

I am proud of the work the Committee on the Budget has done this year. I thank the gentleman from Iowa (Mr. NUSSLE) for his tremendous, steadfast, fair, balanced and honorable leadership of that committee and for driving us forward with a fiscal discipline that brings us to this point of consideration of the conference report on the budget.

I urge Members to support the rule and the underlying conference report.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from Florida for yielding me the customary 30 minutes, and yield myself such time as I may consume.

Mr. Speaker, every Republican Congress has its winners and its losers, and no where is that more apparent than in the budget. Looking at this budget, we could clearly see that those losing far outnumber those winning. The winners are millionaires and billionaires who will benefit from repeal of the estate tax, the credit card companies who make billions off of bankruptcy legislation, and oil and gas companies given subsidies by the energy bill while oil is at $55 a barrel.

The losers in the budget are anyone who relies on Medicare, Medicaid or Social Security, and our Nation's veterans desperately needing health care funding, families with seniors who depend on Social Security, and any family that might have a child in need of a student loan.

Those are the winners and losers chosen by this budget, and each and every one of America's hardworking men and women are in one of these two categories.

I would ask my fellow Americans, which category do you fall into? If you are a millionaire, a billionaire or a senior executive at a major credit card company, insurance company or pharmaceutical company, chances are very high you are a winner. Likewise, if you are a foreign financial institution, you are likely a winner, because you will be granted even more opportunities to buy your own piece of America's skyrocketing debt.

On the other hand, if you are part of the hardworking American middle-class, you are likely one of the many who will lose out. The debt your children will have to pay likely exceeds the amount of money you have saved for their college education. Gas prices will continue to rise as your tax dollars go to fund incentives for oil companies. And the benefits and programs that your parents and relatives depend on to make ends meet, as well as the resources that your children will depend on to get funding for a college education, are being slashed in order to give more of your money to the winners, a group which should be easy to recognize at this point.

Now, if you are a member of the working class or the working poor, or if you are a single mother, there should be no doubt in your mind; of course, you are a loser in this budget. And, likewise, if you are a senior citizen, you depend on Social Security, middle aged, a young person counting on Social Security to be there when you retire, you lose out more than anyone in this budget.

In fact, just as Republicans scheme to privatize Social Security and decry that financial crisis with the right hand, they have been raiding the Social Security surplus since Bush took office with the left. I believe that as of this budget, all of the Social Security surplus will be gone.

Remember all that talk about the lockbox? Well, I guess the lock has been broken. We do not need a security camera to see who has been getting away with all the loot. On this President's watch, fiscal year 2002, 2003, 2004, 2005, every penny of the Social Security trust fund has been spent to finance deficits for a 4-year total of $635 billion. That is billion with a B. That is a staggering betrayal of the trust given by the American people.

And what about the new budget resolution that we consider today? It spends 100 percent of the Social Security surplus. This budget, when projected over the next 10 years, spends a total of $2.6 trillion from the Social Security surplus. That is the retirement security of America's middle class. And they have the gall to wonder why so many fiscally responsible Democrats have objected to these irresponsible tax cuts that benefit the rich.

I think it is time that we slowed things down and explain to our friends across the aisle what fiscal responsibility is and what it is not. Fiscal responsibility does not include giving away the store, regardless of whether the consequences will be in 5 years or 10 years or 20 years. It means to look and plan for the future so there is an opportunity available for generations yet to come.

Being fiscally responsible does not mean mortgaging the future of this country on the backs of our children and grandchildren. It means providing adequate funding for schools and health care and retirement security.

It does not include asking the American people to pay for the tax cuts given to the millionaires and billionaires. It means giving a break to folks who work hard day in and day out to put food on the table for themselves and their children.

And, most of all, being fiscally responsible does not include robbing the Social Security trust fund blind.

So, as I am sure everyone can see with this budget, the people who need our help the most lose out.

It does not have to be this way. There was a choice. The Democratic alternative offered by the gentleman from South Carolina (Mr. SPRATT) would have made us proud and protected the core principles that we say we fight for in this institution, such as great schools, good jobs, secure retirements and quality health care.

It would have brought the budget back into balance by 2012 and reinstated the budget enforcement rules to protect Social Security and increased our commitment to education, protected our Nation's veterans and eliminated the cuts to Medicare and Medicaid. That is the kind of budget I wish we were considering. That is the kind of budget that the hardworking men and women of America want from their Congress. They want a fair approach that gets us back to fiscal sanity.

Much like the President's Social Security proposal, this budget is the wrong bill at the wrong time and will hurt a vast majority of our Americans, and I urge all my colleagues to defeat this conference report.

Mr. Speaker, I reserve the balance of my time.

Mr. PUTNAM. Mr. Speaker, I am pleased to yield 3 minutes to a distinguished physician, the gentleman from Georgia (Mr. GINGREY), a member of the Committee on Rules.

Mr. GINGREY. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise today in support of the fiscal 2006 budget conference report. I would also like to take this opportunity to express my support for permanent budget reform that will enable us to further restrain the growth of the Federal Government and Federal spending.

Like many of my colleagues, I believe that streamlining the budget and eliminating the deficit are absolutely necessary and essential to the continued growth of our economy. While I might not agree with every detail of this conference report, and I even believe that a few more dollars could be saved, we must accept this compromise between the House and the Senate as a solid step in the right direction.

Failure to pass a budget should not and cannot be an option. Only with the passage of this budget can we move forward with a blueprint to advance further fundamental reforms and save

more of the people's money. Therefore, this budgetary blueprint will enable us to strengthen fiscal discipline, without endangering the current opportunity for budget reconciliation.

Mr. Speaker, I am amazed by some of my colleagues who continue their steady drumbeat of support for increased taxes and increased spending. This is a dangerous philosophy, and will only destroy jobs and opportunities for working Americans. We cannot tax and spend the deficit away, Mr. Speaker. We cannot strengthen the economy with a tax-and-spend mentality.

Mr. Speaker, we in the majority will never, let me repeat, never accept tax-and-spend policies as fiscally sound and fundamentally fair for the American taxpayer.

The other side tries to hide their intentions for increased taxes by using phrases like ''rolling back the tax cuts.'' But, Mr. Speaker, they cannot fool the American people, because when they say ''rolling back,'' they mean increasing taxes for working Americans and small businesses.

''Rolling back'' means killing the almost 2.5 million jobs created over the past year. ''Rolling back'' means reversing the economic growth that has helped improve the lives of all Americans. ''Rolling back'' the tax cuts means rolling over the American taxpayer, and, Mr. Speaker, that would be simply unacceptable.

Like the President, I reject any attempt to raise taxes. This budget does not raise taxes. It does, however, provide for continued tax relief. From tax cuts on capital gains and dividends, to relief to the alternative minimum tax, this budget puts money back into the pockets of American workers while funding our Nation's priorities and cutting the budget deficit.

This budget also ensures the continued strength of our Armed Forces and homeland security through providing an increase in defense and homeland spending.

Mr. Speaker, for the first time since 1997, this budget will include instructions for the Congress to find savings and mandatory spending this year, and additional savings over the next 5 years.

This budget makes dramatic strides to reduce spending, and it forces Congress to tighten its belt and to eliminate waste, fraud and abuse.

Again, Mr. Speaker, I want to express my support and encourage my colleagues to support this budget conference report.

Ms. SLAUGHTER. Mr. Speaker, I yield 2½ minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, the Rules Committee, or should I say the Break-the-Rules Committee, is at it again. Here we are taking up a bill that adds to the deficit and cuts billions of dollars from the safety net that protects the most vulnerable people in our country. We are considering this bill under a martial-law rule and without the 3 days required by the House rules so that Members can actually read and analyze this bill for themselves.

What is the big hurry, Mr. Speaker? The House is in session all next week. We do not need to ram this important bill through like this.

I have an idea. Let us take the weekend and actually read the budget. Let us figure out what it really means. Let us listen to our constituents before we vote on this conference report.

Perhaps the Republican leadership is concerned that the more the American people learn about what is in this budget, the less they will like it. We know that this budget resolution includes upwards of $40 billion, maybe more, worth of budget cuts, and we know that the people affected by these cuts are those who can least afford it.

With passage of this budget, the Republican leadership will deny school breakfasts and school lunches to hungry children. They will deny health care to people who cannot afford health insurance. They will deny poor, pregnant women and infant children food and nutrition advice through the WIC program. Of course, they will deny the wealthiest few in this country their huge tax cuts.

To make matters worse, this is not a balanced budget. It is not even close. It continues to burden our children and grandchildren with record debt.

Mr. Speaker, the Reverend Jim Wallis recently issued a statement in reaction to this budget entitled ''Budgets Are Moral Documents . . . and There is Still Time to Speak.''

He writes, ''Poverty reduction should be a moral imperative in politics. A budget that scapegoats the poor, fattens the rich and asks for sacrifice mostly from those who can least afford it, is a moral outrage. These budget priorities would cause the prophets to rise up in righteous indignation, as should we. Our Nation deserves better vision.''

Mr. Speaker, this budget creates a government without a conscience, and we must do better. I urge my colleagues to reject the rule and reject this budget conference report.

Mr. Speaker, I include Reverend Wallis' article for the RECORD.

[From Convener of Call to Renewal, Apr. 27, 2005]

BUDGETS ARE MORAL DOCUMENTS . . . AND THERE IS STILL TIME TO SPEAK

(By Jim Wallis)

The biblical prophets frequently spoke to rulers and kings, and usually spoke for the dispossessed, widows and orphans, the hungry, the homeless, the helpless, the least, last, and lost. People of faith are called to speak in the same ways.

Budgets are moral documents that reflect the values and priorities of a family, church, organization, city, state, or nation. Examining budget priorities is a moral and religious concern. According to press accounts, the final budget resolution could include cuts to Medicaid of $10 billion; cuts of $6 billion to programs that empower the poor, disabled, abused and neglected—the least, last and lost; and billions in cuts to food stamps. These are misguided priorities. Cutting pro-work and pro-family supports for the less fortunate jeopardizes the common good. This approach is not value-based and does not square with our moral and religious convictions.

To add what some reports say could be $70 billion more in tax cuts for the wealthy at the same time shows that this budget has not received enough moral scrutiny. Our political leadership's tax cut mentality ignores ''the least of these''—leaving them with crumbs from the feast of the comfortable. And it does nothing to help our deficit problems. Religious communities spoke clearly in the past years about the perils of a domestic policy based primarily on tax cuts for the rich, program cuts for low-income people, and an expectation of faith-based charity. We speak clearly now against budget proposals asking that the cost of the deficit be borne by the poor, who are not to blame and can least afford it.

Poverty reduction should be a moral imperative in politics. A budget that scapegoats the poor, fattens the rich, and asks for sacrifice mostly from those who can least afford it is a moral outrage. These budget priorities would cause the prophets to rise up in righteous indignation, as should we. Our nation deserves better vision.

People of faith will continue to speak for the least, the last and the lost. We urge congressional leaders to join us by opposing budget resolutions that place basic human needs at risk. Will leaders who can positively impact the budget debate do so? It's not too late to ''Speak out for those who cannot speak, for the rights of all the destitute. Speak out, judge righteously, defend the rights of the poor and needy.'' (Proverbs 31:8–9).

Mr. PUTNAM. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Ohio (Mr. BOEHNER), the distinguished chairman of the Committee on Education and the Workforce.

Mr. BOEHNER. Mr. Speaker, let me thank my colleague from Florida for yielding.

Mr. Speaker, I rise in support of the rule for the budget for fiscal year 2006 and stand firmly behind our effort to exercise fiscal responsibility when it comes to spending taxpayers' hard-earned dollars.

I came to Congress in part because I believed Federal spending had gotten out of hand. The Federal Government was growing by leaps and bounds, and as government grew larger, it was crowding out the private sector, the engine that drives our Nation's growth and prosperity. I was concerned about that, and I still am.

We have done a lot of good things since the American people put a new majority in charge in 1994. We have repeatedly reduced the tax burden on families and entrepreneurs, we have reformed the welfare system, we have reformed elementary and secondary education. The government has continued to grow, and this budget is a chance for us to renew America's confidence and prove that we still have the courage to lead.

□ 1715

I want to recognize my colleague, the chairman of the House Committee on

the Budget, the gentleman from Iowa (Mr. NUSSLE), for taking a firm stand against out-of-control Federal spending by crafting the resolution we have before us. He and the leadership on both sides have worked hard to bring us to this point.

There is no question that this budget is going to require us to make some difficult choices. We are going to look closely at how we are spending taxpayers' money and how we can do better. I applaud the gentleman from Iowa (Mr. NUSSLE) for putting us on this path. It is time for us to get serious about fiscal discipline.

Under this budget resolution, my committee is being asked to play a large role in reining in spending; and my response is that we want to be a part of the solution, and we will be part of the solution. The time has come to make the tough choices, because there is a bigger picture that we cannot afford to ignore. We are going to look at each program in our jurisdiction with a skeptical eye. Instead of asking why should we not spend more on this program, I think we are going to ask, why should we not spend less.

Our committee has undertaken a bold agenda for reform in the last 4 years, and we will continue down that path into the future. We will be working to improve education from early childhood programs under Head Start, to helping students pursue a college education under the Higher Education Act, and we will continue to fight for secure access to health care and retirement security in a changing economy.

However, we cannot allow ourselves to believe that our commitment to reform is measured by how much money we throw at the problems facing our Nation. Instead, we will judge our success by what we demand in return for our investment, which has always been about achieving results for American taxpayers.

Mr. Speaker, I am proud to support a responsible budget that shows our resolve to rein in Federal spending. The budget is about setting priorities, and it is about showing leadership. I support this bill, and I urge my colleagues to do the same.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Florida (Mr. HASTINGS).

Mr. HASTINGS of Florida. Mr. Speaker, I thank my good friend, the gentlewoman from New York (Ms. SLAUGHTER), for yielding me this time; and before the chairman of the Committee on Education and the Workforce leaves, when he says that his committee is being asked to play a large role, the amount of that large role over the next 6 years is $12.7 billion. Now, that has to come out of the education budget somewhere. I cannot identify where it may come from, but the fact of the matter is it is going to be a cut.

Expressing their concern that the other body is not in session next week, our colleagues on the other side are forcing Members to consider a budget that was just filed at 2:45 this afternoon. I am curious how my colleagues expect the Members to educate themselves on this budget, and do not tell me, well, it has been in conference, because all of us know the mishmash that takes place there. Are they supposed to educate themselves by reading the titles and the tables of contents? If that is how I lived my life, then I would still think that J.D. Salinger's ''Catcher in the Rye'' is about a baseball player who loves to eat deli.

The truth of the matter is, our colleagues may not want us to know all that is in this particular budget.

Typically, the Committee on Rules reports a closed rule for conference reports, but the House and Senate Republicans have settled on a $2.6 trillion budget that increases the deficit, includes spending cuts that fall the hardest on those with the least in our society, and provides for more tax cuts that this country cannot afford. I do not know what part of not having guns and butter all of us do not understand in this body.

Regarding the deficit, the fiscal year 2006 Republican budget makes no attempt to rein in the nearly $400 billion projected deficit for this year. I maintain that the deficit is exactingly the largest problem that this Nation has and is the most difficult for Republicans and Democrats, liberals and conservatives, to explain to the American people. But without PAYGO in this budget, without some consideration being given in a serious way to the deficit, we can all expect that there are going to be real problems.

I believe this budget neglects America's children, neglects our seniors and veterans. I believe it underfunds our domestic priorities by billions, including veterans benefits; our education system; and perhaps most importantly during this dangerous time in history, homeland security.

Finally, the process by which we are bringing this to the floor is skewered in favor of Members not having sufficient time. America's budget problems are not going to go away, no matter how quickly we ram budgets through here in the House of Representatives.

Mr. PUTNAM. Mr. Speaker, I am pleased to yield 2 minutes to my colleague on the Committee on the Budget, the gentleman from New Hampshire (Mr. BRADLEY).

Mr. BRADLEY of New Hampshire. Mr. Speaker, I thank the gentleman from Florida for yielding me this time.

I rise, Mr. Speaker, to support the budget because it is good for our country. I also rise to commend the hard work, the determination, the integrity of our chairman, the gentleman from Iowa (Chairman NUSSLE); and I also want to salute the fine work and the honesty and the integrity of the Senate budget Chair, the Senator from my State, Senator GREGG.

Why is this budget so important to our Nation? We need to reduce our budget deficit; and our budget, this budget, puts us on a path to do that. We need to establish fiscal restraint, and this budget actually cuts nondefense discretionary spending for the first time in years. It also slows the rate of growth of entitlement spending. Let me repeat this, because it is being portrayed as a cut. It is not a cut. It is slowing the rate of growth of entitlement spending, and allowing us, through the Commission on Medicaid, to do a better job of delivering services, better health care to those people who need it the most.

Very importantly, this budget allows our economy to grow. Since we instituted the tax cuts in this very Chamber, 3 million new jobs have been created in our country. We need to continue down this path of growing jobs.

Perhaps most importantly, this budget provides for our national security. It increases defense spending; it honors our troops and the commitments of our Nation's veterans by spending nearly $1 billion more on veterans benefits, without a copayment and without an enrollment fee.

Mr. Speaker, this is an excellent job. I commend it to my colleagues, and I urge their support for this budget.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentlewoman from California (Ms. MATSUI).

(Ms. MATSUI asked and was given permission to revise and extend her remarks.)

Ms. MATSUI. Mr. Speaker, I rise in opposition to this rule and the underlying budget conference agreement.

More than a month ago, the House passed a concurrent budget resolution that left average Americans out in the cold. The budget slashed domestic programs for education, health care, and veterans health benefits in order to make room for more tax cuts for the wealthiest Americans. I voted against it because I thought it left out the needs of the middle class and working families and would hurt my constituents in my hometown of Sacramento.

Today we are considering the conference agreement to that budget which has been negotiated in secret over the past several weeks and rushed to the floor without time for Members to even read through it. But it appears that these several weeks have not yielded many improvements. The cuts to the most vulnerable are still there. The cuts to education are still there. And it still favors big oil companies at the expense of our natural treasures by allowing drilling in ANWR.

More fundamentally, Mr. Speaker, this is a budget agreement without courage. During President Clinton's administration, Congress took up the hard work involved in weighing our Nation's competing priorities, and it meant that we were able to create a Social Security surplus for future generations in a very responsible manner. But it has been just the opposite under this Republican majority. They are spending every dollar of the Social Security surplus in order to finance their

deficits and their tax breaks for the wealthiest of Americans.

Just as irresponsibly, this budget is trying to hide the President's plan to privatize Social Security. The President wants to divert Social Security payroll taxes out of the Social Security system and into private accounts. Replacing a guaranteed benefit with the risks of Wall Street is bad public policy. It would mean an average benefit reduction of $152,000. It is not surprising that the American people have rejected it. We should be strengthening Social Security's fundamental commitment made from one generation to another instead of weakening it.

Conveniently, the budget agreement before us ducks responsibility for this reckless plan. We know that privatizing Social Security would require borrowing $2 trillion over the next 10 years, debt borrowed against our children and our grandchildren. Not surprisingly, this inconvenient reality is left out of the conference report.

Mr. Speaker, the budget is our Federal Government's statement of priorities. Crafting it involves tough choices among many competing and worthwhile programs. Nonetheless, Democratic priorities are clear: making health care more affordable, strengthening Social Security, investing in our local communities. I do not believe this budget has these priorities in mind, and I urge my colleagues to vote against this misguided agreement.

Mr. PUTNAM. Mr. Speaker, I am pleased to yield 3 minutes to another aged and crusty Member of the House, a leader on fiscal policy, the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Mr. Speaker, I thank the elderly gentleman from Florida for yielding me this time.

Mr. Speaker, I wish to speak in favor of this rule and in favor of this budget. It all comes down to priorities, Mr. Speaker: how are we going to balance the budget. There are different ways of doing it. We believe the way to balance the budget is grow the economy and create more jobs and control spending. What the other side has said they want to do is raise taxes. You can raise taxes, but you will hurt jobs.

What we have done in the last year is remarkable, Mr. Speaker. The budget deficit has gone down from a projected $521 billion, down by 20 percent over the last year, to $412 billion, largely because of increased jobs and economic activity.

Now, what we want to do to ensure that we cut the deficit in half over 5 years and, hopefully, exceed that goal is control spending. For the first time since the Reagan administration, we are actually going to reduce nonsecurity discretionary spending, an actual reduction in expenditures on nonsecurity discretionary spending. That is a great step in the right direction.

For the first time since 1997, we are actually going to address entitlement reform. Fifty-four percent of the Federal budget, Mr. Speaker, is on auto pilot, our entitlements. We are finally going to be trying to control the growth of entitlements. Is it Draconian? Hardly. We are growing entitlements at 5.6 percent instead of 5.7 percent over the next 10 years. In fact, those who say that this bill cuts Medicaid are simply missing the mark. Medicaid is going to grow at 7.3 percent instead of 7.6 percent. So for the next 5 years, Medicaid will spend $1,112,808,000,000. That is $1,112,800,000. Instead, Medicaid will now spend $1,102,800,000,000. We are talking about growing Medicaid at 7.3 percent instead of 7.6 percent. We are talking about getting a handle on out-of-control spending so we can control spending to reduce the deficit.

It is all about priorities, Mr. Speaker. We believe that the money that is made in America, the money that comes to the Federal Government through revenues is not our money, it is our constituents' money, it is the taxpayers' money. We believe we have an obligation to be good stewards of taxpayers' dollars. We believe that there is waste, fraud, and abuse in the Federal Government; and we believe that everything the Federal Government is doing is not being done exactly right, that we can reform, get better use of our tax dollars, and get better savings so that we can get rid of this budget deficit. We have already reduced the deficit by 20 percent.

We need to keep good jobs, keep the economy growing, and control spending. That is exactly what this budget does. It has unprecedented advances. The first time we are actually getting some spending control on mandatory spending since 1997; the first time we are actually reducing nonsecurity spending and discretionary since the Reagan administration.

It is a good budget, and I urge its support.

Ms. SLAUGHTER. Mr. Speaker, I yield 4 minutes to the gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, it has been more than a month since the House and Senate both passed budget resolutions on a fast track, but it was only Tuesday of this week that the House finally got around to appointing conferees. We had the first and only meeting of the conference yesterday amid reports that a conference report was almost a done deal.

□ 1730

The meeting was a formality, to give some semblance of collaboration to the budget process. But there has been no collaboration. There has been no transparency. This conference report was prepared by Republicans and their staff behind closed doors, at times and places unknown to me, even though I am a conferee. So not surprisingly, this conference report does not reflect the resolution that we would have passed had we been full partners in this process.

Let me tell you what this conference report is not. This is not a budget that follows the will of the House as expressed 2 days ago in the motion to instruct conferees. Two days ago, 348 Members of the House voted emphatically against Medicaid cuts. The conferees disdained the instruction and whacked Medicaid anyway for $10 billion.

So this is a budget with spending cuts, and the Republicans will tell you that these are necessary to reduce the deficit. But in this budget, the spending cuts do not go to the bottom line and reduce the deficit dollar for dollar. They will be used to offset tax cuts so that they will at least partially offset their impact on the bottom line of the budget, because, you see, this budget does not make the bottom line better. It does not make the deficit better. It makes it worse.

The government faces a deficit this year of $427 billion. Now, you would think that with deficits of this size, that the budget would be used to make the bottom line smaller not larger, but not this budget. It does just the opposite. This will make the budget $167 billion worse on the bottom line over the next 5 years than the CBO baseline budget.

I have right here what we could put together as quickly as possible, given the short amount of time we have had, a back-of-the-envelope analysis. Let me go through it bullet by bullet. The House-passed budget produced deficits of $127 billion above the deficit in CBO's current services baseline forecast.

This report, this conference report produces deficits that are $40 billion greater than the House-passed budget; $167 billion above the CBO baseline. This does not improve the deficit problem. It makes it worse.

The conference report calls for $35 billion in reconciled spending cuts, compared with $69 billion in reconciled spending cuts in the House budget resolution. That $35 billion difference accounts for most of the $40 billion difference in total deficits.

In the conference report, there are cuts in nondiscretionary spending, big cuts, $150 billion over 5 years. But they are virtually offset with defense discretionary spending increases, so these two accounts in discretionary spending are basically a wash. And as for the tax cuts, they remain at $106 billion.

So what we have here is a budget that does not help the situation. This is a budget that hurts the situation. And let me mention one particular aspect where harm is done that is wholly unnecessary.

Everybody knows that we have a problem with Social Security, looming insolvency. Call it a crisis, call it a problem. You would think that a budget of this kind would at least, if it did not have a grand solution, would at

least do no further harm. But instead, this budget, in order to pay for the reduction in income taxes, reaches into the Social Security trust fund, takes out $160 billion and spends that entire trust fund surplus for the operation of the government, not for Social Security benefits.

This is not a step forward for Social Security. This is a step backward. And it is just another reason that we should all, all of us, oppose this bill. It is bad in substance. It's bad process.

Mr. PUTNAM. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Texas (Mr. HENSARLING) who has been a leader in budget process reform and in fiscal discipline.

Mr. HENSARLING. Mr. Speaker, I rise today in very strong support of this conference report. And I also want to congratulate the gentleman from Iowa (Mr. NUSSLE), the chairman of the Budget Committee, who I know is on the floor now.

Mr. Speaker, I believe he probably has the most difficult job that one has in the United States House of Representatives; and that is, each one of us, 435 of us, have opinions about how much money we should take from American families and spend in government, and once we get that money what should we spend it on.

And certainly I have my opinions. I believe we need to do more to protect the family budget from the Federal budget. And at the same time there are some categories of government I wish we could spend more money on. I believe that there is still more we could do in policing our border, more we can do in veterans health care.

But I strongly support this budget for several reasons. Number one, a budget is a whole lot more than just numbers. It is more than just an accounting green eye-shade function. It is about priorities. It is about vision.

This is a budget that provides for the common defense. This is a budget that helps us fight and win this war on terror. It is a budget that promotes economic growth.

Under this Republican administration's economic policies, we have come out of the recession. We have created 3 million jobs. We are giving Americans jobs and growth and hope and opportunity. And this budget protects that.

And perhaps also, very important and very historic, this budget provides for something we call reconciliation. Now, in Washington terms, that is kind of an insider baseball term. But what it means is we start the process to reform our entitlement spending.

Now, why is that important?

Our friends on the other side of the aisle are always talking about how, for some reason, their budget is fiscally responsible and ours is not. But right now we have Medicare; over the next decade it is growing to grow at 9 percent a year. Medicaid is going to grow at almost 8 percent a year. Social Security is growing at 5½ percent a year. The General Accounting Office tells us that if we do not reform these programs, that we are on a glide path to where our children and our grandchildren will have to see their taxes increased 2½ times. This is fiscally responsible?

Sure. We can balance the budget in 2040. All we do is we leave spending on automatic pilot, and we raise taxes on our children and grandchildren 2½ times.

Mr. Speaker, I see nothing fiscally responsible in that approach. And this is why I am a strong supporter of this. And I believe we must start the process of reform. Our children and grandchildren are facing this legacy, this sea, this tsunami of red ink. There is a question of generational fairness here.

And Mr. Speaker, many of us in this Chamber know that we can get better retirement security at a lesser cost. We can get better health care at a lesser cost if we just have different policies. I mean, right now we know, we know that if we will embrace real Social Security personal accounts with real assets that owners can work and have a nest egg, that they can get more, greater retirement security than what present Social Security is promising and cannot deliver.

Now, our friends on the other side of the aisle will find fault in this budget in a couple of ways. And I have been listening to the debate. They say tax relief is why we have these massive budget deficits.

Well, unfortunately, they have not looked at the latest Treasury reports. We have actually cut marginal rates. And guess what? We have more tax revenue because people have incentives to go opt and create new small businesses and to expand and to hire new people. Again, look at the facts. The facts are indisputable. We have cut marginal tax rates, and we increase more tax revenue.

But say that we believe in their theory, that tax relief is actually part of the problem. Say tax relief was just a line item that said the office of widget control.

Well, if you look very closely at what this budget does, it provides $16.6 billion in tax relief versus $2.5 trillion in spending. That is less than 1 percent. So somehow less than 1 percent of the Federal budget supposed to cause all these problems? I do not think so. In this case, tax relief has proven to be part of the deficit solution, not the deficit problem.

And when it comes to the deficit, the deficit is really a symptom. It is spending that is the disease. And without real reform, without real reconciliation, we do not get it, Mr. Speaker, and this is why I am so strongly in favor of this budget resolution.

And once again I congratulate our great chairman, the gentleman from Iowa (Mr. NUSSLE) for the work he has done.

Ms. SLAUGHTER. Mr. Speaker, I yield 30 seconds to the gentleman from South Carolina (Mr. SPRATT) for a response.

Mr. SPRATT. Mr. Speaker, let me respond to the gentleman's contention about taxes. When the Bush administration presented its tax package, they told us that the revenues produced by the individual income tax in 2004 would be $1,118,000,000,000. In fact, in 2004 revenues produced by the individual income tax were just over $810 billion. There was a $300 billion shortfall in revenues beneath the projection of the Bush administration, which accounts for three-fourths of the deficit, $412 billion deficit in 2004.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. LEVIN).

(Mr. LEVIN asked and was given permission to revise and extend his remarks.)

Mr. LEVIN. Mr. Speaker, once again, the Republican majority has written a budget that uses every penny, every penny of the Social Security surplus. I went back and read what the President said March 22, 2001. ''The budget I set up says the payroll taxes are only going to be spent on one thing, and that is Social Security.'' Once again, the President is not keeping that commitment.

The budget, this budget of yours, raids Social Security in 2006, 2007, 2008, 2009, 2010. That is reform? That is regression. And for every year covered by this budget, every penny comes out of the Social Security surplus, every penny.

Now, it was not many weeks ago the President went to West Virginia. And we all read about it. He went to the bureau that holds the trust fund documents of the Social Security, and he said, ''There is no trust fund, just IOUs.''

I could not disagree with the President more. Those bonds held by the trust fund are backed by the full faith and credit of the United States. So the problem is not with Social Security or the trust fund, it is with the fiscal irresponsibility of this administration.

I remember 1993, when many of us joined to put this country on the path of fiscal responsibility. And we faced not deficits, but surpluses, not using Social Security.

But then the Republican majority comes here, and the Bush administration, and they push through a number of measures, including the irresponsible tax cuts, with the results that the gentleman from South Carolina (Mr. SPRATT) has just indicated. And we warned you, more red ink. And you did not listen.

So last year, we have a deficit of $412 billion. But if you do not include Social Security, it is $567 billion. That is reform?

This same lack of fiscal discipline will result in an even larger deficit this year. This has to stop. It has to stop. And we can do that tonight.

I urge the House to reject this irresponsible budget, defeat the previous question and demand a budget that does not raid the Social Security trust fund.

Mr. PUTNAM. Mr. Speaker, I yield myself such time as I may consume.

I would remind the gentleman that the Social Security bonds are still backed by the full faith and credit of the United States. And unlike the other side of the aisle, this side of the aisle is concerned not just about Social Security for today's seniors, who are perfectly cared for if you are 50 and older, but for tomorrow's seniors as well, those students who are graduating from college today who will retire 15 years after the system has gone bust if action is not taken.

One side has plans, competing plans even, a variety of plans. The other side is in denial.

Mr. Speaker, I am pleased to yield 2½ minutes to the distinguished member of the Committee on Ways and Means, the gentleman from Kentucky (Mr. LEWIS).

Mr. LEWIS of Kentucky. Mr. Speaker, the full faith and credit of the United States Government. Of course the question is, who is the government? Well, the government would be the taxpayers of the United States. They are the ones who have to back up all the spending that goes on here in Washington, D.C.

For 40 years the Democrats controlled Congress. They did not mind spending Social Security, every dime of it, in any way they wanted to. In fact, the Democrats, for 40 years, set us on a path of an unlimited credit card without the assets to back it up.

Just recently, before the Ways and Means Committee, we had the Comptroller General of the General Accountability Office, David Walker. And David Walker testified that right now the United States needs $43 trillion to meet the unfunded liabilities and debt. That is four times the size of the American economy. That is scary.

□ 1745

Now, David Walker was appointed by Bill Clinton. David Walker is a nonpartisan independent, and he says that we have got to get control of mandated spending, entitlements. This budget is starting to get real. Because if we do not face this challenge, then our children and our grandchildren are going to face, as was described a little earlier, an economic tsunami. I can see the ocean going out now if we are talking about $43 trillion of unfunded liabilities and debts. The question is when will the wave come back in.

We have got to get serious. We have got to be nonpartisan and work together to solve some of these issues, or we are going to have a terrible, terrible tragedy in this country. So it is time to get real. We have to get control of spending in this country. And by the year 2020, Mr. Walker says that all the funds coming into the general Treasury will be consumed by entitlements and interest on the debt. There will be nothing left over for discretionary spending and for Congress to make decisions.

By the year 2040 all the money coming into the Federal Treasury will be consumed by the interest. We will lose Medicare, Medicaid, Social Security, period, if we do not get real and reform the process.

Ms. SLAUGHTER. Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts (Mr. NEAL).

Mr. NEAL of Massachusetts. Mr. Speaker, I want to thank the gentlewoman from New York (Ms. SLAUGHTER) for yielding me time.

It is curious to me, each speaker that has come to the Republican side in the last half hour since we have debated the rule is introduced as an expert on fiscal policy, an expert on fiscal policy.

Look at the deficit that they have run up. Look at where we find ourselves today, two wars and five tax cuts; and they present themselves to the people as an expert on fiscal policy.

Mr. Speaker, in the election of the year 2000, there was a lot of mocking about the term the ''lockbox.'' It made great play even on ''Saturday Night Live.''

Let me tell you what they have done. Over the next 10 years Social Security will raise $2.6 trillion for the trust fund. This Republican budget spends every cent of that surplus. That means that we need this money to provide benefits to retirees, and guess how we are going to do it? We are going to borrow the money. And we are going to do just what we have been doing since they have been in charge, and then we are going to increase our indebtedness to the Chinese and to the Japanese.

Everybody knows this for what it is. It is unsound policy. The first Bush budget promised that ''none of the Social Security surpluses will be used to fund other spending initiatives or tax relief.''

That is what they said. Let us give you the record. It is the polar opposite. After acknowledging the importance of keeping the trust fund secure, they have raided every single cent of the trust fund in the fiscal year 2002 budget to pay for their tax cuts that, by the way, went to the top 1 percent of wage earners in America.

Well, let us have another refresher here in recent history. In fiscal year 2003 the same thing happened. The Republicans spent every cent of the Social Security trust fund surplus. In 2004 they spent every cent of the Social Security trust fund surplus. And in 2005 they intend to spend every cent of the Social Security trust fund surplus. So over these last 4 years the Republicans' budgets have spent $635 billion of the Social Security trust fund on huge tax cuts for the wealthiest among us.

Only in Washington could you lop $2 trillion off the Federal budget with tax cuts for the wealthiest Americans and then in the next breath say Social Security is in danger.

We have got to do something to fix Social Security after they have raided the trust fund. Now, after draining the Social Security trust fund, the President then says, Social Security is going bankrupt. His strategy is failing on every front. It is failing his fiscal policy with record deficits. By the way, this is from a Republican Party that at one time spoke to fiscal rectitude.

It is failing politically because the American people who are paying attention, and they all are, are rejecting the Social Security trust fund because they know the trust fund account has been raided by the majority party.

We know we will have to do some adjustments to Social Security to strengthen it, but look what their answer is: raid the trust fund. We have offered a budget alternative that would begin to shore up Social Security. Our plan offers tough budget rules that would force Congress to pay for new spending or tax cuts that would pull money out of the Social Security trust funds.

I want to say something, Mr. Speaker. In the 17 years that I have been in this House, this is absolutely the worst budget that has been presented. There is not even competition for how bad this budget proposal is, and they do it on the backs of the Social Security trust fund.

So let me close on the basis on which I began, and I would like to have them answer this question: two wars, and five tax cuts.

Mr. PUTNAM. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would remind the House of what this budget is since we have heard what it is not. It accommodates the tax relief that was passed by this House on a bipartisan basis. It fully supports national defense with an increase of nearly 5 percent. Homeland security expenses are dealt with with an increase of 2.3 percent, and an overall nonsecurity, nondefense discretionary spending reduction of less than 1 point, something that, if you only heard the other side, you would believe would lead to massive chaos in the streets, the sky falling and ruin of biblical proportions.

I only wonder what will be said next year. What type of analogy or metaphor will top that of this year? This is a budget that is responsible, that lays out priorities for a Nation and is one that gives a vision, a direction for the country towards cutting the deficit in half in 5 years, by dealing not just with discretionary spending but with mandatory as well, and in doing so by reducing the rate of growth.

Something that is lost in this debate is that it is not even a net cut. It is only a Washington, D.C. cut when you are going up 7.3 percent instead of 7.5 percent and accused of making cuts. This is a budget that meets the needs of our national defense. It creates a climate of opportunity and growth for small businesses and individuals who are working every day to be a part of the American Dream and to achieve their goals that they have set out to achieve and take risks and seek capital and take on new employees and buy

equipment. It allows them to continue to do that.

It has an eye towards future generations. It is not a budget about today or about the selfishness of one generation over another, but looking ahead multiple generations and saying, how do we deal with problems that we know nonpartisan experts in these areas, the comptroller general, think tanks of all shapes and sizes and stripes say in 2040, you have a major problem in Social Security. What are you going to do for that first year, teacher? What are you going to do for that student who is graduating from high school this year who will retire years after the system has become insolvent if we fail to act?

On this side you see a variety of opinions, in fact, even clashing ideas about ways to address the problem. And on the other side there is silence. The party that gave us a pillar of domestic policy is in denial about a problem that will affect future generations, and I believe that is a tragedy.

This budget is a budget for today, tomorrow, and decades to come.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Speaker, I thank the gentlewoman for yielding me time.

What our friends on the majority side are doing would be downright funny if it were not so downright tragic. The motion that we are here taking a $2.6 trillion budget with less than 3 hours to look at it is not laughable. It is disgusting.

We tried at the beginning of this year to enforce the 3-day rule except for cases where a supermajority could be obtained. You denied that. I challenge you to go home to your rotary clubs, your town halls, your citizens groups and say, friends, the United States Congress led by the Republican majority passed a $2.6 trillion budget and the Members had 3 hours to look at it. Be honest with your constituents. Say, I read that entire budget in those 3 hours we had. Be honest with your constituents and tell them how much of that Social Security trust fund you are borrowing to disguise your spending and to disguise the cost of your deficit.

You folks ran on a platform back in 1993 where you said if legislation cannot pass 3 days of scrutiny, it should not be enacted into law. That is the case today with this budget.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Florida (Mr. PUTNAM) has 1½ minutes remaining.

Mr. PUTNAM. Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. The gentlewoman from New York (Ms. SLAUGHTER) has 3½ minutes remaining.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, I thank the gentlewoman from New York (Ms. SLAUGHTER) for yielding me time.

The Republicans have a view that is unstated, if you repeat something that is untrue over and over again, people will believe it to be true.

And take the signature line of my friends on the majority, this budget will cut the deficit in half in 5 years. It is not true. There is no year-to-year deficit that ever gets to that point, and this budget does not do it. What they did is they puffed up the deficit number, the projection, a year and a half ago. They puffed up that number and now they are talking about a reduction from that puffed up number. It simply is not true.

But what I really want to talk about is Medicaid, what you are doing to Medicaid with this budget. We now know that the Medicaid cuts in this House reconciliation bill could be as high as the entire Energy and Commerce instruction to reduce $14.7 billion over 5 years.

Two days ago this body passed a motion to protect Medicaid by an overwhelming vote of 348 to 72, 152 Republicans joined all Democrats to oppose cuts to Medicaid. And so what do we get? We get a budget that is going to reduce Medicaid by a substantial amount of money, $10 billion, $14 billion, we do not know. Any cut to Medicaid is a significant hit on our States.

But the bottom line is Republicans today with no notice, with a few hours notice of this budget, will troop down here and they will vote for a budget resolution that cuts Medicaid, and two days ago they all stood up and said, oh, no, no, no, we are opposed to Medicaid cuts. That is what we have got here.

If this budget could stand the light of day, an extended light of day, frankly, we would see more time than 3 hours to review it. But the bottom line is cuts to Medicaid will have a devastating effect on our society. They will make the system less viable for health care providers. They will have an impact on seniors and impoverished children.

This budget is an outrage and should be rejected.

The SPEAKER pro tempore. The gentlewoman from New York (Ms. SLAUGHTER) has 1½ minutes remaining.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me close this debate by urging Members to vote ''no'' on the previous question so I can modify the rule to allow the House to reject this flawed budget conference report and require the House Committee on the Budget to produce a new Federal budget that does not raid the Social Security trust fund.

Mr. Speaker, since President Bush took office, Republican budgets have spent every penny of Social Security trust surplus in order to finance the deficits and pay for their tax cuts.

While the President travels the country trying and failing to convince Americans that privatizing Social Security is a good idea, his tax cuts continue to pile up the IOUs in the Social Security trust fund.

We need a budget that will bring back budget enforcement, to protect the Social Security surplus and return the budget to balance by 2012.

The Spratt budget would put us back on the path to fiscal solvency and that is the kind of budget America needs and deserves, not the budget before us today.

Please vote ''no'' on the previous question so we can protect Social Security and begin restoring some fiscal sanity to the Nation.

□ 1800

Mr. Speaker, I ask unanimous consent to insert the text of the amendment immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mr. PUTNAM. Mr. Speaker, I yield the remaining time to the gentleman from California (Mr. DREIER), my distinguished chairman of the Committee on Rules.

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, I thank my friend for yielding me time, and congratulate him on the fine job that he has done on this and as a member of the Committee on the Budget, as well as the Committee on Rules.

This a great day, Mr. Speaker. We are at the point where, once again, we are continuing to do the work of the American people. We have spent weeks and months focused on this very important budget issue. We have now seen both houses of Congress address these questions, and we have come together with a conference agreement.

It is a conference agreement which is going to allow us to focus on a number of priorities of the Federal Government, that is, our national defense and our homeland security, but at the same time we are focused on very important societal needs that are out there, as well as the fiscal responsibility.

We know that economic growth is a very important part of that, and as I listen to my colleagues decry this issue of spending and deficits and all, we know that the single most important thing we can do to deal with this deficit issue is to continue to see the economy grow, and that is exactly what the tax cuts in this measure will do, as they have done. In fact, in last year's budget, we saw the deficit $109 billion lower than anticipated. Why? Because of the economic growth that followed our tax cuts.

Mr. Speaker, this is a very fair rule allowing a conference agreement. Members have had a great deal of time over the past several weeks and months to focus on this issue. Let us continue to do what we have done throughout this great 109th Congress: Get the work of the American people done.

I thank my friend for yielding me time.

The material previously referred to by Ms. SLAUGHTER is as follows:

PREVIOUS QUESTION FOR H. CON. RES. 95—CONFERENCE REPORT ON THE FY2006 CONCURRENT BUDGET RESOLUTION

Strike all after the resolved clause and insert:

That the House finds the following:

(1) From 2002 through 2005, the Republicans in Congress have spent every dollar of the $637 billion of Social Security trust fund surpluses on tax cuts and other purposes unrelated to Social Security.

(2) The 2006 Republican Congressional budget resolution conference agreement spends every dollar of the projected $1.1 trillion Social Security surpluses over the next five years on tax cuts and other purposes unrelated to Social Security.

Sec. 2. That upon adoption of this resolution the conference report to accompany the concurrent resolution (H. Con. Res. 95) establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010 is hereby rejected.

Sec. 3. The Committee on the Budget is directed to report a new concurrent resolution on the budget pursuant to section 301 of the Congressional Budget Act of 1974 that does not raid Social Security surpluses by diverting these funds for purposes other than Social Security, and stipulates that Social Security payroll contributions will be used solely for the purpose of providing retirement, disability and survivor benefits.

I want to close this debate by urging members to vote no on the previous question so I can will modify this rule to allow the House to reject this flawed budget conference report and at the same time require the House Budget Committee to produce a new federal budget that does not raid the Social Security trust funds.

Mr. Speaker, since President Bush took office, Republican budgets have spent every penny of the Social Security Trust Fund surplus in order to finance their deficits and pay for their tax cuts. While the President travels the country trying, and failing, to convince Americans that privatizing Social Security is a good idea, his tax cuts continue to pile up the IOU's in the Social Security trust funds.

We need a budget that will bring back budget enforcement to protect the Social Security surplus and return the federal budget to balance by 2012. Mr. Spratt's budget would put us back on the path to fiscal solvency, and that is the kind of budget America needs, not the budget that is before us today.

Vote "no" the previous question so that we can protect Social Security and begin restoring some fiscal sanity to this nation.

I ask unanimous consent to insert the text of the previous question immediately prior to the vote.

Mr. PUTNAM. Mr. Speaker, all time on our side having expired, I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clauses 8 and 9 of rule XX, this 15-minute vote on ordering the previous question on H. Res. 248 will be followed by 5-minute votes, as ordered, on adopting the resolution and approving the Journal.

The vote was taken by electronic device, and there were—yeas 228, nays 196, not voting 10, as follows:

[Roll No. 147]

YEAS—228

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cox
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Portman
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—196

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—10

Clyburn
Cunningham
Doggett
Filner
Flake
Ford
Meeks (NY)
Moran (VA)
Paul
Rothman

□ 1827

Mr. DAVIS of Illinois changed his vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall No. 147, I was in my Congressional District on official business. Had I been present, I would voted "nay."

Mr. MORAN of Virginia. Mr. Speaker, on rollcall No. 147, I was detained and missed the vote. Had I been present, I would have voted "nay."

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the pending business is the question of the Speaker's approval of the Journal of the last day's proceedings.

The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. PUTNAM. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 345, noes 75, answered ''present'' 1, not voting 14, as follows:

[Roll No. 148]

AYES—345

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Berman
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Cox
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Foley
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Green (WI)
Green, Al
Gutierrez
Hall
Harman
Harris
Hastert
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Istook
Jackson (IL)
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Keller
Kildee
Kilpatrick (MI)
King (IA)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Lantos
LaTourette
Leach
Lee
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Matheson
Matsui
McCaul (TX)
McCollum (MN)
McCrery
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Napolitano
Neugebauer
Ney
Northup
Nunes
Nussle
Obey
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (PA)
Petri
Pickering
Pitts
Poe
Pombo
Pomeroy
Porter
Portman
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Salazar
Sánchez, Linda T.
Sanders
Saxton
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stearns
Sweeney
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tierney
Towns
Turner
Upton
Van Hollen
Velázquez
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weldon (FL)
Weldon (PA)
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NOES—75

Baird
Baldwin
Becerra
Berry
Brady (PA)
Capuano
Costello
Crowley
DeFazio
English (PA)
Fitzpatrick (PA)
Fossella
Gibbons
Graves
Green, Gene
Grijalva
Gutknecht
Hart
Hastings (FL)
Hefley
Hinchey
Hulshof
Issa
Jackson-Lee (TX)
Jones (NC)
Kelly
Kennedy (MN)
Kennedy (RI)
Kind
Kucinich
Larsen (WA)
Larson (CT)
Latham
Levin
LoBiondo
Markey
Marshall
McCarthy
McCotter
McDermott
McGovern
McNulty
Moore (KS)
Moore (WI)
Nadler
Neal (MA)
Norwood
Oberstar
Olver
Otter
Peterson (MN)
Platts
Pryce (OH)
Ramstad
Sabo
Sanchez, Loretta
Schakowsky
Scott (VA)
Slaughter
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tiberi
Udall (CO)
Udall (NM)
Visclosky
Waters
Weiner
Weller
Wu

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—14

Berkley
Boehner
Bonilla
Clyburn
Cunningham
Doggett
Filner
Flake
Ford
Jefferson
King (NY)
Paul
Rothman
Sullivan

□ 1837

Mr. MARCHANT changed his vote from ''no'' to ''aye.''

So the Journal was approved.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall No. 148, I was in my Congressional District on official business. Had I been present, I would have voted "no."

PERSONAL EXPLANATION

Mr. MURPHY. Mr. Speaker, during rollcall vote No. 144 on H.R. 748, my vote was incorrectly recorded as a ''no'' vote when it should have been recorded as a ''yes'' vote.

ANNOUNCEMENT OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Mr. CONYERS. Mr. Speaker, pursuant to clause 2(a)(1) of rule IX, I rise to give notice of my intent to raise a question of the privileges of the House.

Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Michigan (Mr. CONYERS) will appear in the RECORD at this point.

The form of the resolution is as follows:

H. RES. —

Whereas the Committee on the Judiciary conducted a markup of the bill H.R. 748, the ''Child Interstate Abortion Notification Act,'' on Wednesday, April 13, 2005 and ordered the bill reported on that same day;

Whereas the Committee on the Judiciary subsequently reported H.R. 748 to the House on Thursday, April 21, 2005, with an accompanying report designated House Report 109–51;

Whereas, during the markup of H.R. 748, Representatives Nadler, Scott, and Jackson-Lee offered in good faith a total of five amendments to the bill, all of which failed on party-line votes;

Whereas, because Representatives Nadler, Scott, and Jackson-Lee called for recorded votes on their amendments, under section 3(b) of Rule XIII, the votes were published in House Report 109–51;

Whereas, although it is the long and established practice in House reports to describe recorded votes with objective, nonargumentative captions, the Committee on the Judiciary majority departed from this practice in House Report 109–51 by captioning these five amendments with inflammatory, inaccurate captions implying that these three Members of Congress condoned the criminal behavior of ''sexual predators'';

Whereas, as one example, while an objective, nonargumentative description of one of

Representative Nadler's amendments would read, ''exempts a grandparent or adult sibling from the criminal and civil provisions of the bill,'' and is in fact the language the Committee on the Judiciary used to caption this amendment in past reports on this legislation, the caption in House Report 109–51 was instead, ''Mr. Nadler offered an amendment that would have exempted sexual predators from prosecution under the bill if they were grandparents or adult siblings of a minor.'' (Similar problems occured in describing amendments offered by Representatives Scott and Jackson-Lee);

Whereas, when Representative Sensenbrenner, the Chairman of the Committee on the Judiciary, was asked about this language and given the opportunity to correct it, both in the Committee on Rules and on the House floor, he instead explained that it was his purpose and intention to include these derogatory and inaccurate captions in House Report 109–51;

Whereas, committee reports are official congressional documents to which American citizens will refer when seeking to interpret the bills they accompany;

Whereas, although the committee markup and reporting process gives Members ample opportunity to debate, characterize, and criticize each other's views, committees have a ministerial, institutional responsibility to accurately report the proceedings of committee activities;

Whereas the vote captions published in House Report 109–51 appear to be purposefully inaccurate and misleading, and therefore belittle the dignity of the House and undermine the integrity of the proceedings of the House; and

Whereas this unprecedented manipulation of a traditionally nonpartisan portion of a committee report constitutes an abuse of power by the majority of the Committee on the Judiciary: Now, therefore, be it

Resolved, That the House of Representatives—

(1) finds that the Committee on the Judiciary purposefully and deliberately mischaracterized the above-mentioned votes in House Report 109–51; and

(2) directs the chairman of such committee to report to the House a supplement to House Report 109–51 that corrects the record by describing the five amendments with nonargumentative, objective captions.

The SPEAKER pro tempore. The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 513

Mr. BECERRA. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 513.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

PERSONAL EXPLANATION

Ms. CORRINE BROWN of Florida. Mr. Speaker, I was unavoidably detained and was unable to return to Washington to vote on April 26, 2005 through April 28, 2005.

Had I been present, I would have voted as follows:

Roll No. 133, "yes";
Roll No. 134, "yes";
Roll No. 135, "yes";
Roll No. 136, "yes";
Roll No. 137, "yes";
Roll No. 138, "no";
Roll No. 139, "no";
Roll No. 140, "yes";
Roll No. 141, "yes";
Roll No. 142, "yes";
Roll No. 143, "yes";
Roll No. 144, "no";
Roll No. 145, "yes";
Roll No. 146, "no".

CONFERENCE REPORT ON H. CON. RES. 95, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2006

Mr. NUSSLE. Mr. Speaker, pursuant to House Resolution 248, I call up the conference report on the concurrent resolution (H. Con. Res. 95) establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 248, the conference report is considered as having been read.

(For conference report and statement, see prior proceedings of the House of today.)

The SPEAKER pro tempore. The gentleman from Iowa (Mr. NUSSLE) and the gentleman from South Carolina (Mr. SPRATT) each will control 30 minutes.

The Chair recognizes the gentleman from Iowa (Mr. NUSSLE).

Mr. NUSSLE. Mr. Speaker, I yield myself 9 minutes.

Mr. Speaker, before I begin with the opening, let me just thank our staff. We have to make a lot of decisions around here, and we put together the policy and make the votes, but the staff makes it all come together in the document that we review today, as well as the work of the Committee on the Budget. I thank Jim Bates who is the majority staff director, who has done an excellent job this year, and Tom Kahn on the minority side who has done an excellent job. Both their staffs do a great job on behalf of the budget, the Senate staff in putting this together working with Chairman GREGG and the Senate Budget Committee, and our leadership staff that is here that works the floor and helps us put this all together. They do an excellent job. It is a big job putting together a budget.

But if there was ever a time that we needed a plan and we need a budget, this is the time. We have seen what it is like in years past when we do not have budgets, when we are not able to come together. And yes, the House has been able to manage the process. We have been able to keep the line on discretionary spending, but we need to do more this year. We need a fiscal blueprint. We have enormous and quickly growing sets of challenges, and we do not have infinite resources with which to meet them. We can and will meet those challenges with a fiscal blueprint, with a budget.

But in order to do that, we have to make some tough choices. We cannot say yes to everything. There is going to be a lot of debate today where Members say you did not say yes to this, you did not say yes to that, you did not give enough here, you did not give enough there, or you gave too much over here. That is the whole budget in a nutshell, is that no one is going to be perfectly satisfied with either how much you spend on one side or how much or how little you take from the other side of the ledger. No one will be satisfied, but it needs to be put in writing. It needs to be a fence around our process. We need a plan.

I am extremely pleased that we have brought our plan and our conference report here today. It was not easy to get to this position. I thank the gentleman from Illinois (Mr. HASTERT); the gentleman from Texas (Mr. DELAY), the majority leader; the members of my committee; the gentleman from Wisconsin (Mr. RYAN), a member of the conference. I thank the gentleman from South Carolina (Mr. SPRATT), my friend and colleague. He will remind us that he was not a party to this conference in the way that either one of us would have liked, but I would like to thank his partnership and the way we run the committee.

Mr. Speaker, we have work to do, and I believe it can continue in a very positive way today if we pass this resolution.

Last year we were able to reduce the deficit 20 percent. We need to continue that work. We need to continue the strength of this country. We need to continue the growth of our economy. We need to continue the restraint of spending for deficit reduction. These are our highest national priorities, and if these priorities are not met, none of the rest of the priorities will be met.

All of the programs, all of the areas of government, none of them can happen if our economy is not strong, if our Nation is not strong, if our freedom is not protected, and if we do not have a fiscal blueprint to surround us. These are our fiscal priorities as we move forward.

Let me talk about the conference report that we are bringing today. First, the budget fully accommodates the President's request for defense and homeland security. That is our number one job. None of the rest of the discussion matters if we do not protect the country. In addition, it provides for $50 billion in emergency supplementals looking forward, recognizing that we have a continuing obligation in our global war on terror.

Second, the budget continues our successful economic policies, including

tax relief, spending restraint, and deficit reduction to ensure a strong, sustained economic growth and job creation dynamic. This is why we are doing it, so that people can continue to find the opportunities to earn the money to take care of themselves and their families and their communities first before the IRS and the Federal Government takes a portion of that out here for the national priorities. People have an obligation to manage their affairs first, and we allow that here.

Finally, the budget takes a critical, I think, next step, because we made the first step last year in reducing the unsustainable rate of Federal spending and our deficit. We take the next step this year to reduce that deficit.

Last year we wrote and passed in this House and actually stuck to a budget that for the first time in a long time called for a little restraint in our discretionary spending. When the books were closed at the end of the year, we saw the deficit go down. The deficit went down. In fact, the reduction of the deficit last year alone was 20 percent, still way too high, a deficit still way too high by my count, by the count of my colleagues, by the President, and by the other body. But during a war, during a time of new national priorities such as homeland security, it is not unusual that we made a determination to borrow some money in the short term to shore that up.

□ 1845

But we also have to continue the work that we started last year on reducing that deficit.

This year this budget takes the necessary steps to get our spending back on a sustainable path and to continue to reduce that deficit. On the discretionary side, this budget will actually reduce the overall amount of nonsecurity discretionary spending. The nondefense discretionary spending will actually be reduced, something we have not seen done on this floor or in this government since Ronald Reagan was in town, the last time that we had an actual reduction in the nondefense discretionary.

But more important than that, this budget begins the process of addressing the growth in the automatic spending, what we call mandatory spending, the spending that continues year after year unless we reform the programs that underlie that spending. And this year this is a reform budget. This is a budget that allows us to continue on the path that we need to head. Mandatory spending is growing out of control. We know it, Governors know it, the President knows it, the other body knows it, our committees know it. What we have not had is the mechanism to do something about it.

Let me show how mandatory spending is growing. If we look at this chart, we will see that back in 1995, the automatic spending was almost half of the budget. Now it is over half, about 55 percent of the budget. And if we do nothing, it will eventually take two thirds of the budget by 2015 alone, meaning mandatory spending will crowd out things like national defense, homeland security, education, transportation, the environment, health care. A number of important issues that we need to be focusing on will be enveloped by the mandatory spending side of the ledger without reform. And these programs in many instances are plainly not working.

I think of a senior citizen sitting in a hallway of a nursing home in Iowa and wondering whether or not that senior is getting the best quality care for the huge increases and the unsustainable growth that we find in Medicaid. And I do not see that being the case. Is the quality there? Is the program being delivered in the best possible way? And for that one instance and thousands of others that are out there we need to focus programs on doing a better job for the money that is put forth in order to meet the needs of some of our most vulnerable citizens; children who are poor, people with disabilities, seniors who are either locked in poverty or unable to meet their needs. We have got to handle the mandatory growth in this budget and do so in a way that provides the reform to make sure that the needs of the people that these programs were intended to meet, that those needs are met. And that is the reason that we bring this budget forth.

Mr. Speaker, I reserve the balance of my time.

Mr. SPRATT. Mr. Speaker, I yield myself 5 minutes and 15 seconds.

Mr. Speaker, basically, the budget before us is the President's budget sent to us a couple of months ago, subject to a few puts and takes. Unfortunately, neither the President nor the Republicans in the House nor the Republicans in the Senate have done what was done for years in good budget practice, and that is run their numbers out for 10 years. They simply give us a 5-year display of their numbers and that conveniently avoids showing the effect, the enormous effect, on the budget of having the renewal of the tax cuts after the year 2010.

But if Members want to see basically where this budget will take us, they can look in CBO's analysis done in the early part of March required by law of the President's budget because it basically is the same as the President's budget. They do not have to read past Page 2 in this analysis of the President's budget. And when they do, they will see that if we follow the path that the President is proposing, we will add $5.135 trillion to the national debt to the United States between now and 2015, over the next 10 years.

But that calculation does not include anything for fixing the AMT, which CBO tells us will cost $642 billion in revenues; and it includes nothing for deployment of our troops in Iraq and Afghanistan after 2005, which CBO calculates at $384 billion; and it includes nothing for partial privatization of Social Security even though the President estimates it will cost $774 billion.

When we add all of those things in and calculate their effect on the budget, here is what happens. I have sat here for the last hour, heard Member after Member on the other side saying we have got a budget that will cut the deficit in half over the next 5 years. Here is what happens: take it from CBO, make these two or three noncontroversial adjustments to their number, and see what happens. The deficit never gets below $362 billion. At the end of the time frame, it is $621 billion, $7 trillion of additional debt. That is where we are headed. That is where this train will take us if we adopt this budget resolution today.

Do the Members believe me?

Let me show which side should be regarded as credible. Let us just look back at the recent past. When Bill Clinton came to office, the deficit was $290 billion. Awaiting him was the biggest deficit in our Nation's peacetime history. We passed the Clinton budget, and every year thereafter the bottom line of the budget got better for 8 straight years until in the year 2000 we had a surplus, 5 years ago, of $236 billion. Every year since, the bottom line of the budget has gotten worse.

And I have got a much simpler, more emphatic way to describe the effects of it. This chart right here shows us how much we have had to raise the statutory ceiling on the permissible amount of debt that the United States can incur, the debt ceiling, over the first Bush administration. And guess what. In this budget resolution too. Over the first Bush administration, in 4 years there were three increases in the debt ceiling that totaled $2.234 trillion. It is a matter of record. That is where the budget took us over the last 4 years. And this budget, vote for this budget resolution and buried in it is a provision which will increase the debt ceiling of the United States by another $781 billion. Members are voting for that if they vote for this resolution tonight, a total over 5 years of $3.015 trillion increase in the national debt of the United States. Incredible.

But as I said, that is not all. Read chart two, Page 2 in the CBO report, and they will see it goes on and on and on. We stack debt on top of debt.

I have heard people come out here and say we are flush with revenues in the aftermath of these tax cuts, we have had a rejuvenation of revenues. Here is the truth if Members want a very simple back-of-the-envelope form: this is where the Bush administration told us we would be if we passed their tax cuts. We would have, in the year 2004, $1.118 trillion in individual income taxes. And here is what the actual take was last year: $811 billion. That $300 billion shortfall in revenues accounts for three-fourths of the $412 billion deficit last year.

People may ask, and I think it is fair for all of us to ask, how do we run a

$427 billion deficit and still have room for additional tax cuts which the Republicans are pushing in this budget resolution, another $106 billion of tax cuts pushed in this budget resolution? There is one short answer, a simple step: when we do not have the income taxes because we cut these taxes, we go to the Social Security trust fund, and there is a surplus there of $160 billion. We reach into the surplus not this year but next year and every year for 10 years to come as far as the horizon can see, and this is what happens: every year this budget resolution will result in the consumption of the Social Security surplus. With the problems we have got in Social Security, surely we should have one rule until we finally find the grand solution, that is, do no harm. This bill does harm year after year after year because it raids the Social Security trust fund.

Mr. Speaker, I reserve the balance of my time.

Mr. NUSSLE. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BARTON), the distinguished chairman of the Committee on Energy and Commerce, which has jurisdiction over the Medicaid program.

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Speaker, I rise in support of the budget resolution that we are going to vote on here in about 30 or 45 minutes because we are a body about solutions. If we do not pass the budget, we have no opportunity to solve some of the problems that face our great Nation.

The committee that I chair does have jurisdiction over the Medicaid program and a large portion of the Medicare program, as well as telecommunications and energy. And in the instructions for reconciliation in this budget, we are asked to try to find savings of approximately $20 billion over the next 5 years.

For those who are not familiar with the arcane process of reconciliation, it is very similar to what happens when a husband and wife have a spat and they get mad and they do not talk to each other for a while. Eventually they reconcile. They come back together. That is what we do here in this body. We do it between the Committee on Appropriations and the authorizing committees, and we also do it between the House and the Senate. We fight all year, but at the end of the year, we are going to have a reconciliation. We are going to come forward, hopefully on a bipartisan basis; and we are going to say we want some solutions to some of these problems.

The Medicaid program is a $300 billion-a-year program. It is about 60 percent funded by the Federal taxpayers and about 40 percent funded by State taxpayers. Twenty-nine States in the last 3 years have frozen their Medicaid populations. The State of Tennessee, for example, has kicked 323,000 people off their Medicaid rolls because they just did not have the money.

There are a lot of good ideas out there in terms of things we could do to reform Medicaid. We are not talking about trying to do things to kick people off the rolls. We are talking about things like letting people stay at home instead of having to go to a nursing home to get long-term care. We are talking about giving the States the flexibility perhaps to decide how to price some of their pharmaceuticals. We are talking about commonsense things like people that have some assets, getting them to use reverse mortgages on their homes so they can stay and live at home and not have to hide that or sell that home and then go into a nursing home.

So I know it is difficult, but this is a budget about solutions. And I hope that we will pass it so that we can begin the reconciliation process at the appropriate time with the other body.

Mr. Speaker, I rise today in support of this budget resolution. On March 17, this House voted 218 to 214 in support of a budget that instructed the Committee on Energy and Commerce to find $20 billion in savings. Members at that time recognized the importance of reducing the rapid rate of growth in entitlement programs like Medicaid. As the House and Senate reconcile our two budgets, we need to continue to be diligent and stay on the path of fiscal responsibility.

Opponents of this resolution argue that any budget resolution that allows for Medicaid reforms will cause untold suffering for Medicaid beneficiaries. This argument ignores the fundamental truth that these beneficiaries are already suffering. In Tennessee and Missouri, over three hundred thousand beneficiaries are going to lose their health coverage, due to the out-of-control growth in Medicaid costs. Other States are imposing restrictions on benefits, including limits on the total number of prescriptions a beneficiary can receive per month and restricting access to other basic services.

Without Congressional action, these problems are just going to get worse. Mississippi's Medicaid program ran out of money last year, and they were almost unable to pay their providers. Unfortunately, the current Medicaid program traps beneficiaries in a second rate health program, where too often they cannot get access to quality care or manage their chronic conditions.

These problems stem in large part from the explosive growth in Medicaid spending. From 2000 to 2003 alone, Medicaid spending grew at an average rate of 10 percent each year. Neither the States nor the Federal Government can sustain these rates of spending growth. That is why Governor Mark Warner (D–VA) recently warned that "we are on our way to a meltdown" on Medicaid.

By including Medicaid reforms in the budget, we're attempting to save this important program. Our efforts will not cut Medicaid, but only slow its rate of growth. In 1993, Medicaid spending was approximately $132 billion. By 2003, the program had more than doubled, and it is expected to cost $5 trillion over the next 10 years. The Office of Management and Budget (OMB) projects that Medicaid will "grow more rapidly than the economy over the next several decades and . . . add substantially to the overall budget deficit."

I take Medicaid reform extremely seriously. There are 46 million people out there who depend on the Medicaid program, and I don't want to let them down. That is why I have been working with members of Congress, Secretary Mike Leavitt, and several key Governors to identify solutions to the problems that face Medicaid. Over the next few months, my Committee will hold several additional hearings on different aspects of Medicaid reform. Yesterday, we held our first Medicaid hearing this year on long-term care. These hearings and the additional work we are doing will lead to a reform proposal that can strengthen and improve the Medicaid program. The Energy & Commerce Committee is doing its job. I would urge Members of Congress to do theirs and vote against this budget.

Mr. SPRATT. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. MENENDEZ), the distinguished chairman of the House Democratic Caucus.

Mr. MENENDEZ. Mr. Speaker, the Nation's $2.6 trillion budget was filed just over 3 hours ago, and we have not even had a chance to review it. But from press reports this budget adds more than $4 trillion to the deficit in the next 10 years without even including the enormous costs that have been left out of the budget such as funding for continued military operations in Iraq and Afghanistan.

So let us be clear that when Members come to the floor representing their constituencies, they should understand that a vote for this budget resolution is a vote to increase the debt ceiling of the United States to $8.6 trillion. This will ensure that our tax dollars do not go to Social Security and Medicare or to investing in our people, but to simply paying interest on this debt that Republicans continue to raise without any concern about future generations.

By not restoring the budget enforcement rules, the rules that say we have to pay for the expenditures of the Nation as we go, they continue to spend wildly, making tax cuts for the wealthy permanent, and driving us and the deficit into deeper debt, a debt that will not educate one child, provide life-saving health care to someone who needs it, or treat and care for those veterans that are returning from war.

This budget only guarantees that the middle class will be further squeezed. It does nothing to help these families provide quality affordable health care for them and their children nor make a college education more affordable nor ensure a secure retirement nor lower the prices of gasoline that have reached an all-time high. These are not the values we share.

Republican priorities are making the wealthy tax cuts permanent regardless of the damage that will be caused not only to the citizens and families of this country but to the Nation's economic well-being.

I urge my colleagues to vote against this conference report. It may be the last opportunity to preserve America's future and the intergenerational responsibility this Republican majority cares nothing about.

□ 1900

Mr. NUSSLE. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. RYUN), a conferee and a member of the Committee on the Budget.

Mr. RYUN of Kansas. Mr. Speaker, I thank the chairman for yielding and for all his hard work on this budget.

Mr. Speaker, there is no greater priority in this budget than ensuring America's strength and security. As became painfully clear when we were attacked on September 11, our Nation had severe defense and homeland security deficits that had to be addressed immediately.

Since that day, Congress has shown that we are more than willing to spend whatever is needed to protect and defend our Nation and support the needs of our troops. We have invested nearly $2 trillion for the critical building, rebuilding and across-the-board updating necessary to provide for the defense and for homeland security, and this year's budget builds on the substantial progress we have already made.

Our national defense base budget continues the multiyear plan to enable the military both to fight the war against terrorism now and to transform our military to counter unconventional threats in the future.

This budget fully accommodates the President's request for the Department of Defense and increases discretionary spending by 4.8 percent. It also proposes a sustained average increase of 3 percent over the next 5 years, not including supplementals, following on the heels of a 35 percent increase between 2001 and 2005.

We have also included in our budget $50 billion to provide for the ongoing war against terrorism. We provide for an increase of 8.6 percent in homeland security funding. About 55 percent of that will go to the Department of Homeland Security, with other homeland security-related funding going to the Department of Defense with 19 percent, Department of Health And Human Services with 9 percent, the Department of Justice with 6 percent, and the remaining being spread throughout the government.

These funds will work to meet the needs in three key strategic areas of our homeland security, including preventing attacks, reducing vulnerabilities and ensuring preparedness.

An increase in this year's budget, rather large, at the same time follows on the heels of truly massive increases in the past few years. Since 2001, we have increased homeland security spending an average of about 20 percent per year to get us to where we are now. And we have invested more than $50 billion to create the Department of Homeland Security, reorganized 22 agencies consisting of 180,000 employees and their missions, and invested heavily to protect homeland security against threats such as bioterrorism.

Again, there is no higher priority in this budget, or certainly in the budgets of the past years, than providing what is needed to protect and defend our Nation and support our troops.

I urge my colleagues to support this budget.

Mr. SPRATT. Mr. Speaker, I yield 4 minutes to the gentleman from Maryland (Mr. HOYER), the distinguished whip.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding me this time. Very frankly, I listened to the Republican comments about this budget, and I cannot decide whether it is George Orwell or Lewis Carroll who is writing their stuff: Up is down; down is up; black is white; huge deficits are really savings. My, my, my.

Mr. Speaker, it is very tempting to come to the House floor today and to focus solely on the numbers; to focus on the fact that in just 4 short years the Republican Party has turned a projected 10-year budget surplus of $5.6 trillion in surplus into a projected deficit of $4 trillion; to focus on the fact that this year OMB projects a record budget deficit of $427 billion, and it will actually be over half a trillion dollars, the third record deficit in a row; to focus on the fact that since 2001, this Republican Party has added more than $2.2 trillion to the national debt, now $8.2 trillion, and that Republicans will increase the debt ceiling by another $780 billion this year in this budget.

It is tempting, Mr. Speaker, to let this important debate revolve around numbers, but I think the American people want the big picture, and here is the unvarnished truth: This budget conference report is the absolute epitome of unfairness and irresponsibility.

At a time of exploding deficits and debt, this conference report calls for another $70 billion in tax cuts, with nearly 75 percent of those tax breaks going to the wealthiest 3 percent of Americans. At the very same time, it calls for $10 billion cut to Medicaid. I would presume that the 43 people plus the gentlewoman from New Mexico (Mrs. WILSON) who signed this letter and said ''don't cut Medicaid,'' I would presume all 44 of those Republicans will vote ''no'' on this budget. We will see.

It also calls for cuts to student loans, food stamps, pension benefits and other national priorities. I suggest to my friend the majority leader, who was concerned rightfully about the vulnerable, those, Mr. Leader, are the vulnerable. They are let down in this budget.

Furthermore, this conference report not only fails to arrest our exploding deficit, it makes it worse, increasing the deficit by some $168 billion over the next 5 years. And while the Republican Party tries to convince the American people that Social Security faces an imminent crisis, the Republican conference report would spend every last nickel of the Social Security trust fund; every last nickel.

Now, let me refer the gentleman from Iowa (Mr. NUSSLE) to comments I am sure that are emblazoned upon his brain: ''The Congress will protect 100 percent of the Social Security and Medicare trust funds. Period. No speculation. No supposition. No projections. Jim Nussle, July 11, 2001.''

Mr. Speaker, let me remind my friends that the other side of the aisle on seven different times between 1999 and 2001, House Republicans voted to protect our Social Security surplus. They could do it because of the Clinton surpluses. They could do it because of the Clinton surpluses.

But over the last 4 years, when you controlled this House, the Presidency, and the Senate, you could not do it. You have not done it. You have spent every nickel and decimated the lockbox.

The chairman of the Committee on the Budget boldly proclaimed in 2001 again, ''We will not touch a nickel of Social Security.'' He touches every nickel tonight.

What the Nation has seen over the last 4 years is nothing short of full-scale retreat from fiscal responsibility and the imposition of Republican policies that will immorally force our children to pay our bills, because we are not paying for what we propose buying tonight. This conference report is the latest example of that irresponsibility.

I urge my colleagues in all good conscience, vote ''no.''

Mr. NUSSLE. Mr. Speaker, I yield 30 seconds to the gentleman from Texas (Mr. DELAY), our distinguished majority leader.

Mr. DELAY. Mr. Speaker, first I want to congratulate the chairman of the Committee on the Budget and every member of Committee on the Budget for doing a fantastic job under very difficult circumstances. Also I want to say it is a day of small miracles.

First, we hear that the Democrats all of a sudden have become fiscally responsible. I have been here 20 years. I have lived through their fiscal responsibility. On the one hand, they do not like tax relief to grow the economy; on the other hand, they do not like spending cuts. So, how in the world are you going to balance the budget?

Secondly, in eastern Arkansas, ornithologists are confirming the rediscovery of the Ivory-Billed Woodpecker, a species of birds long feared extinct. Meanwhile, here in Washington, the House and Senate have agreed on a resolution that will provide for reforms in Federal entitlement programs, a fiscal strategy whose prospects for survival critics said were not much better than the survival of the Ivory-Billed Woodpecker.

Now that the final details of the budget conference report have been negotiated, we can say for sure that this budget before us today is the best since the historic Balanced Budget Act of 1997.

I mentioned the mandatory spending reforms before, Mr. Speaker, but they merit further explanation. These entitlement programs deserve reform. The Medicaid system is antiquated and the

quality of care is not being brought to the people that need it. It needs to be reformed so that we can get that health care to them. These reforms are necessary in other programs that are at the same time popular but rife with waste. It is time to implement these reforms. These reforms are therefore necessary if we are going to get our arms around the deficit.

The needed belt-tightening this year will help build momentum toward more savings in the future as we slow the overall rate of growth of the Federal Government. That is how we balanced the budget in the 1990s, by holding down spending and growing the economy.

Just this week, we received more evidence of the fruit of our strategy. New home sales last month increased by 12.2 percent over last year, and the Commerce Department reports that the United States gross domestic product grew at 3.1 percent for the first quarter of 2005, marking the 14th consecutive quarter of real growth and the 8th straight above 3 percent.

Meanwhile, the budget agreement holds overall discretionary spending growth to 2 percent, that is including the war spending, and provides for a real cut, a real cut, in nonsecurity discretionary spending. That is what makes them squawk, because we are trying to hold down spending. And at the same time, it provides for continued pro-growth tax policies over the next 5 years.

The bottom line, Mr. Speaker, is that this budget meets all of our current needs, makes realistic assumptions about emerging challenges, takes real aim at waste and fraud and will cut the deficit in half in 5 years, all in a time of war.

This is the budget that the American people voted for when they returned a Republican House, a Republican Senate and a Republican White House last November. It is the next step in our long-term plan to reform government at every level to better serve the American people.

For 10 years, this Republican majority has built an historic record of economic and fiscal accomplishments, and the proof is in the pudding: 17 million new jobs, 14 million new homeowners, low inflation, a 24 percent increase in the GDP, the first balanced budget in a generation, smaller welfare rolls and fewer families living in poverty.

So looking at today's budget, Mr. Speaker, some might say that fiscal accountability is back in the Republican Congress, but as the evidence bears out, like that rediscovered woodpecker, it never left.

Mr. SPRATT. Mr. Speaker, I yield 30 seconds to the gentlewoman from California (Ms. PELOSI), the distinguished minority leader of the House.

Ms. PELOSI. Mr. Speaker, I thank the distinguished gentleman from South Carolina (Mr. SPRATT) for yielding me time, and also, more importantly, for his very distinguished service to our country through his leadership on issues relating to our budget and other matters of concern to working families in America. I thank him for his great leadership.

Mr. Speaker, I rise in opposition to this misguided budget resolution because it is a missed opportunity. Instead of strengthening Social Security, this budget spends 100 percent of the Social Security surplus, $160 billion for this year alone, on tax cuts to the wealthiest Americans. Instead of being an engine of growth, this budget and its deficits will put the brake on job creation.

Do not take it from me. Chairman Greenspan said just recently, ''The Federal budget deficit is on an unsustainable path in which large deficits result in rising interest rates and ever-growing interest payments that augment deficits in future years. Unless this trend is reversed, at some point these deficits would cause the economy to stagnate, or worse.''

A missed opportunity, because instead of being a blueprint of positive initiatives for the future, this budget is an assault on our values. The budget calls for $10 billion in Medicaid cuts, maybe more, despite the fact that both this House and the other body explicitly rejected such cuts. That is a cut that is deeper than was even originally proposed by the President.

Republicans must explain to the American people, who oppose Medicaid cuts by 4 to 1, why they insist on slashing funds for sick children, seniors in nursing homes and the disabled. Governors across the country, both Democrat and Republican, oppose these cuts, because they know the devastating impact they will have on Americans, more than 1 million of whom will likely lose their health coverage.

The reckless Republican budget does not stop with cuts in Medicaid and Social Security.

□ 1915

Its wrong priorities mean cuts in education, medicare, student loans, and changes in the pension guarantee program which will cause American workers to lose their pensions.

Democrats have a better idea. During the last years of President Clinton's administration, the entire Social Security trust fund surplus was saved, and we were on a budget path to continue saving that money. We were on a path of $5.6 trillion in surplus. America would have been debt-free by 2008. Think of it: our country would have been debt-free by 2008. No more spending a big chunk of our budget on debt service interest payments which soon will be bigger than all of our domestic discretionary spending. But the Republicans have turned that $5.6 trillion surplus into a $4 trillion deficit; a $10 trillion, I repeat, a $10 trillion failure of leadership on the part of the Republicans.

This budget we are passing today will pass mountains of debt on to our children and grandchildren, jeopardizing economic security by increasing our debt to China and Japan and other foreign investors. The Republican budget does not do justice, it does great harm, to our country. Instead of being a statement of our values, the Republican budget is an assault on our values.

I urge my colleagues to return to fiscal discipline, to honor our values, and to oppose this disgraceful Republican budget.

Mr. NUSSLE. Mr. Speaker, I yield 2 minutes to the distinguished majority whip, the gentleman from Missouri (Mr. BLUNT).

Mr. BLUNT. Mr. Speaker, I thank the chairman for yielding me this time. I also want to congratulate him on the great work he has done on this budget. The budget is always a hard thing for us to do because you can always find something in the budget that is not exactly what you would have wanted there. But, Mr. Speaker, I think the gentleman from Iowa and his committee and the conference committee have done a great job of bringing a budget that really reflects the values of our country.

We provide the resources for our men and women in uniform and for homeland security to protect America at this dangerous time. We do the things that grow the economy and create jobs by ensuring that taxes on job creation and on American families are not automatically raised over the next 5 years. We restrain government spending, and we reduce the deficit with the first reduction in nonsecurity discretionary spending since Reagan was President, and the first proposal for mandatory savings in 8 years. This budget sets the framework for the spending and tax policies we pursue this year.

For our friends on the other side who oppose this budget, really, what is the plan that they would have? Do we want fewer funds for the armed services and homeland security? Do we want tax increases on businesses and families, particularly on small businesses and families who have that 10 percent bracket, and other things we have added? Do we want even more government spending that will only increase the deficit?

This is a good budget, I say to my colleagues, for our country. We need to adopt this budget and set these priorities for America: create jobs, control spending, and support our Armed Forces.

Mr. Speaker, I encourage support of this conference report.

Mr. SPRATT. Mr. Speaker, I yield 1 minute and 15 seconds to the gentleman from Alabama (Mr. DAVIS).

Mr. DAVIS of Alabama. Mr. Speaker, a minute is not a long time, but I want to spend it for thanking the gentleman from South Carolina (Mr. SPRATT) for building unanimity on this side of the House. I make that observation because, frankly, this is only the second time on a major vote this year that this side of the House will have been

united, and that is in large tribute to the gentleman's good work, but it speaks to something else.

To everyone in this caucus, to everyone in every corner of America who styles himself or herself as progressive, if you want to know if Democrats still stand together, if you want to know if we still have a common ground, I submit that you see it in the debate over this budget. The common ground that we occupy is in defense of 46,000 families in Mississippi who have been cut from the Medicaid rolls; 300,000 families in Tennessee who have been cut from the Medicaid rolls; 13.5 million children in this country who live below the poverty line who cannot stand to see subsistence programs cut further; millions of veterans who cannot stand to see their premiums rise; and it is a common ground for everyone who believes in a more generous, more responsible, more inclusive America.

So I thank the gentleman for building that unanimity, and I hope it stands for the whole country to see. As it is so often said by the leader on the other side, there are profound differences between these two parties. We stand for a fairer country. They stand for a narrower country and a narrower vision, and I hope the people will take note of that.

Mr. NUSSLE. Mr. Speaker, we stand for growing the economy; and to speak about that, let me yield 2 minutes to the gentleman from Florida (Mr. CRENSHAW), a member of the committee.

Mr. CRENSHAW. Mr. Speaker, let me just say, over the last 4 years our economy has faced some pretty serious challenges; but, today, the consensus of both the private and public forecasters is that our economy is in a sustained expansion, with solid growth of real GDP and payroll jobs, unemployment rate at its lowest point in 4 years, and inflation remaining relatively in check.

Let me give some highlights of this economic success. Real GDP has increased for 14 consecutive quarters, including the first quarter of 2005 when it grew at 3.1 percent and, last year, the average growth was 4.4 percent, and that is the best it has done in 5 years. As my colleagues know, homeownership has continued to be at an all-time high, 69 percent. Housing construction continues at record paces. New home sales are up again in March, over 12 percent, another record high, and the unemployment rate is down to 5.2 percent. That is lower than the decade average in the 1970s, the 1980s, and the 1990s.

These figures are not just abstractions. They represent something real that is happening in our economy: real growth, real job creation. And this budget that we are going to pass today ensures that we are doing everything that we can do to support the sustained growth in job creation which is so critical to our Nation and its people.

This year's budget is not an easy budget, but the steps it takes to keep taxes and spending down are critical to a strong economy and a better life for all Americans.

Mr. SPRATT. Mr. Speaker, I yield 1½ minutes to the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Mr. Speaker, on the floor of the House a couple of days ago, the gentleman from Iowa (Chairman NUSSLE) said the Nation's Governors support cuts in Medicaid funding. In fact, the Nation's Governors wrote a letter to all of us as House Members opposing those cuts.

Then 2 days ago, 348 House Members instructed House negotiators to keep Medicaid cuts out of the final budget resolution. The gentleman from Iowa (Chairman NUSSLE), one of the House negotiators, joined the chorus and actually instructed himself to say no to the Medicaid cuts. Apparently, the gentleman from Iowa (Chairman NUSSLE) changed his mind; he flip flopped and ignored our, his, all of our instructions, because he agreed to a budget resolution that includes at least $10 billion, maybe as much as $14 billion, in Medicaid cuts, significantly more than the President and a whole lot more than the Senate made a decision about.

Now it is time for the other 347 Members in this body to decide if they too will reverse their positions and flip flop and endorse the Medicaid cuts. After all, Mr. Speaker, no one really likes a flip flopper.

Now, the budget, Mr. Speaker, is a moral document which illustrates our values and demonstrates our priorities. Tonight, this House is about to cut medical services for 50 million of the most vulnerable Americans, at the same time giving multinational corporations and billionaires another $106 billion in tax cuts. How can any Member of this body go home and tell our constituents, I took health care away from impoverished children and home care away from impoverished seniors, but do not worry, I gave Ken Lay another tax cut.

Mr. Speaker, we should begin this process by voting overwhelmingly to protect Medicaid, as we did 2 days ago.

Mr. NUSSLE. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. PUTNAM), a member of the committee.

Mr. PUTNAM. Mr. Speaker, as we are all aware, we have spent a great deal these past few years to secure our Nation in the wake of the September 11 terrorist attacks. On 9/11, our priorities shifted because they had to, but we in Congress failed to make up for our enormous new fiscal responsibilities by reining in the growth in other parts of the budget. Over the last decade, we have increased our discretionary domestic spending programs almost across the board at double, triple, or even quadruple the rate of inflation. Even without 9/11, these rates were unsustainable.

Look at this chart. Overall discretionary spending growth since 1994, not including emergency spending, a very steep line. On average, we have increased discretionary spending by just over 6 percent per year for a decade.

Let us look at two areas of specific discretionary spending. Education: in the past 5 years, the Republican Congress has increased education funding by an average of 9.1 percent per year. Over this same period, spending for the Department of Education has increased almost 60 percent. In fact, aside from the Department of Homeland Security, the Department of Education has grown faster than any other agency during this period. Despite the rhetoric about irreparable harm to children, the Education Department is well funded.

Veterans: since 1995, when the Republicans took control of the Congress, total spending on veterans has increased from $38 billion to almost $68 billion. That is a 77 percent increase, compared with a 40 percent increase over the previous 10-year period. Since 1995, we have increased payments per individual veteran by an average of 103 percent.

The discretionary portion of this budget continues to recognize and fund our nonsecurity domestic priorities, but does so in a way by reducing domestic nonsecurity spending by eight-tenths of a percent. It recognizes the need to get our deficit under control. That is the right thing to do. We have to stop judging success by the amount of dollars going into the program. We have to pass this responsible budget.

Mr. SPRATT. Mr. Speaker, I yield myself 15 seconds to respond to the gentleman.

This chart clearly shows, Mr. Speaker, where the increases in spending have come. They have been supported by the Bush administration and supported by both sides of the aisle because they have gone to national defense, homeland defense, and response to 9/11. Ninety to 95 percent of the spending increases in the discretionary accounts over and above current services have gone to these programs in these 4 fiscal years. You supported it, the President sought it, and we have done it because we had to do it.

Mr. Speaker, I yield 1½ minutes to the gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. Mr. Speaker, I would like to thank my colleague from South Carolina for yielding me this time. I rise in opposition to this economic blueprint which, for 3 years in a row, adds over $400 billion each year to the Nation's deficit, running a structural, basically putting in place structural deficits that added up to $2 trillion in over 4 years to our Nation's debt. All the while that we have added $2 trillion to the Nation's debt, we have taken every penny out of the Social Security surplus; $700 billion in 4 years. We have not left a single dime in there. Every penny we have taken out of Social Security.

And while we have taken that $700 billion out of the Social Security surplus and have run up $2 trillion to the

Nation's economy, to the debt, we have lost 2.7 million manufacturing jobs in 4 years; 43 million Americans are now without health care; and incomes are falling behind, in the last few years, behind inflation.

That is the economic record of this budget; and rather than change directions, rather than launching in a new way to help Americans, what are we doing? The same old same old that will get the same results. The one thing that will always be said about this economic blueprint and this economic strategy is that we will forever be in your debt, and that will be the record of this economic strategy. That is what you will leave us.

So while you produce a $2.7 trillion budget, you did not even meet the President's request for college assistance and Pell grants for $5.4 billion.

□ 1930

You cut $10 billion from health care. And your economic strategy has left people without jobs, without health care, without the ability to pay for higher education, and their incomes are falling.

Mr. NUSSLE. Mr. Speaker, I yield 2½ minutes to the gentleman from Mississippi (Mr. WICKER) and a member of the committee.

Mr. WICKER. Mr. Speaker, I support this budget because it represents at least a small step in coming to grips with mandatory spending. As a member of the Budget Committee and the Appropriations Committee, I have seen firsthand that we spend the vast majority of our time fighting over discretionary spending, those 11 appropriations bills which we must pass each year. But that type of spending makes up only one-third of our total spending.

Entitlement spending continues to grow with no restraint. We have allowed mandatory spending to be on autopilot, and now it consumes 55 percent of our total budget. It is time we wake up and take control of this spending.

Today our mandatory spending not only is growing at a rate far beyond what any of us could have imagined, it is also growing at a rate far beyond our means to sustain it.

Left unchecked, over 62 percent of our total budget will be mandatory spending by the year 2015 as this chart explains. This will place an unsustainable burden on our economy and eventually crowd out other priorities like education, transportation, and veterans programs.

This trend can easily be seen in some of our larger mandatory programs. Student loan growth is more than 10 percent a year. During the past decade, Medicare has grown by 88 percent. Medicaid has more than doubled.

These are popular and valuable programs, Mr. Speaker, but these growth rates cannot be sustained. We need to slow the growth rate so that we can save the programs.

Despite what Members have said tonight, this budget does not contain cuts in mandatory spending. We are enacting commonsense reforms that slow the growth rate and improve care. Mandatory spending will continue to grow every year of this budget.

We cannot put off this program any longer. It is becoming more serious and difficult to control with each passing year. There is nothing more irresponsible than doing nothing.

Our budget makes the tough choice to begin dealing with this problem now. It takes the critical step in slowing the growth of spending by including reconciliation instructions to the authorizing committees to find a specified amount of savings in the mandatory programs under their jurisdiction. In total, these savings would slow the growth of our mandatory spending by about one-tenth of 1 percent over 5 years. That is all. And while that may not sound like much, it is a critical first step.

Mr. SPRATT. Mr. Speaker, I yield a minute to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Speaker, I rise in rejection of this budget resolution because it continues to mortgage our children's future. A vote for this budget resolution tonight is a vote to continue the record budget deficits that we have seen over the last 4 years. A vote for this budget tonight is a vote that continuously raises the national debt automatically by a half a trillion dollars in this budget resolution for the fourth year in a row.

A vote for this budget continues the raid on the Social Security trust funds. And a vote for this budget continues our reliance on Japan and China being the largest purchaser of our government deficits today.

It also fails to invest in our students and our work force who need to compete in a 21st century global economy by cutting the education workforce by $12.7 billion.

Mr. Speaker, I believe we can do better for our children, for our students, for the workers of this country. Reject this budget resolution.

Mr. NUSSLE. Mr. Speaker, I yield 1 minute to the gentleman from Indiana (Mr. PENCE).

(Mr. PENCE asked and was given permission to revise and extend his remarks.)

Mr. PENCE. Mr. Speaker, President Bush sent to Capitol Hill earlier this year a strong conservative budget that represented a good start down the road toward fiscal discipline. And the House Budget Committee, under the skillful leadership of the gentleman from Iowa (Mr. NUSSLE), began a process not so much of writing a Federal budget, as of truly changing the way we spend the people's money.

Now, I would agree with my colleague who spoke just before me, that we can do better and we will do better. But this budget that we will adopt today is a good start. And most especially, from our perspective, it is important that we pass this budget because it includes not only new restraints, actual cuts in nondefense spending, actual savings in entitlements, but it gives Members of Congress the power to put our fiscal house in order by bringing with it today the new protection known as ''point-of-order protection,'' that any Member of Congress can now go to the floor for major spending bills and raise a procedural point to enforce the budget that we are adopting today.

This budget is a good start, however modest, down the road toward fiscal discipline. And with the power to enforce it we are changing the way we spend the people's money.

Mr. SPRATT. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, sadly, this partisan, fiscally irresponsible budget does not reflect the values of the American people. It locks in place massive deficits for as far as the eye can see, thus hurting our Nation's economic growth and harming Social Security.

This budget is neither compassionate nor conservative. And it is certainly not a faith-based initiative. No major religious faith would ask the most from those who have the least, while asking the least from those who have the most. Yet, that is what this budget does.

This budget will deny nursing home care to seniors and health care to children and the disabled. And this budget makes a mockery of the American principle of shared sacrifice during a time of war. How? By cutting veterans benefits by $13.5 billion over the next 5 years.

Yet, at the same time it says to those making a million dollars a year in dividend income, you can still keep every dime of your $220,000 a year tax break. Where is the fairness in that?

I guess we can welcome home our Iraqi war veterans with two signs. One says welcome home, and thanks for serving our country. The other says, by the way, we are going to be cutting your veterans health care benefits by $13.5 billion over the next 5 years. What a welcome home.

This budget does not reflect the decency of American family values. Americans deserve better.

Mr. NUSSLE. Mr. Speaker, I yield 1½ minutes to the gentleman from Indiana (Mr. BUYER), the distinguished chairman of the Veterans Affairs Committee.

Mr. BUYER. Mr. Speaker, this budget reflects our military values to ensure that health care for our service disabled, special needs and indigent veterans remain the highest priority of our Nation. With an increase of nearly $1 billion in discretionary spending, this budget will fund care for our veterans, including those now serving from service in the war on terror.

Mr. Speaker, you asked us to examine the system that serves America's veterans. We are doing so. Yet, it is not

timely to carry out the mandatory savings that you originally had asked. There will be no increase in copays and no enrollment fees at this time. We must work with Secretary Nicholson and Senator CRAIG to develop a clear picture and craft a good legislative product to eliminate inefficiencies, waste and fraud in the VA for discretionary savings. And we will produce that product for you.

I am hopeful that the veterans service organizations will take part in this endeavor. After all, it was the VFW Commander in Chief John Furgess who told Congress last month that the VA must ''start acting like a business and create a corporate culture of accountability that rewards success and penalizes failure.''

With $3 billion in uncollected debt in the VA, he is right. To ensure sustainable quality health care, we must make the best use of every technology enhancement, every sound management practice, every dollar entrusted to us by the taxpayer, and utilize every good example to find elsewhere in the health care and business sectors.

Mr. Speaker, we have a strong veterans budget from the President, and we have further strengthened that budget, and we have increased it over time.

If you can see this, since 1995, over 77 percent increase. And I am really proud of the work of the Budget Committee.

Mr. SPRATT. Mr. Speaker, before yielding to the gentlewoman from California (Mrs. CAPPS), I yield 30 seconds to the gentleman from Texas (Mr. EDWARDS) to respond to the last speaker.

Mr. EDWARDS. Mr. Speaker, I have great respect for the last speaker, the gentleman from Indiana (Mr. BUYER), the chairman of the Committee on Veterans' Affairs. But the gentleman failed to point out this budget cuts veterans benefits by $13.5 billion over the next 5 years.

Perhaps the Republicans and the Republican leadership in this House think that is a fair deal for veterans. I would be willing to bet that America's veterans would say it is a bad deal. It is an unfair deal for America's veterans.

Mr. BUYER. Mr. Speaker, will the gentleman yield? Where does the gentleman get that number?

Mr. EDWARDS. It is in your budget.

Mr. BUYER. Where does the gentleman find the number?

Mr. EDWARDS. If the leadership had given us more than 3 hours to look at the bill before voting on it, perhaps we all could have seen that fact.

Mr. BUYER. The gentleman from Texas cannot make up numbers.

Mr. SPRATT. Mr. Speaker, I yield a minute to the gentlewoman from California (Mrs. CAPPS).

(Mrs. CAPPS asked and was given permission to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, I rise in strong opposition to this conference report. The budget is a clear demonstration of misplaced priorities.

I believe the budget will cut taxes by some 70 to $100 billion. Most of those tax cuts will go to the extremely wealthy in our society.

At the same time, the budget will cut Medicaid, which provides health care for the poorest in our society. And just who are the poor people that Medicaid helps: 28 million poor children, 16 million working parents, 6 million elderly, 9 million disabled.

Each of us represents a share of these people in our community. Their faces should be before us as we cast our vote this evening. This budget vote gives us a moral choice. We can keep cutting taxes that help mostly the well-off in our society, or we can ensure that the most vulnerable are provided with adequate health care. I urge my colleagues to vote ''no'' on this unfair budget.

Mr. NUSSLE. Mr. Speaker, I yield myself 15 seconds to just point out, because there has been some question, so let us get the facts. The budget calls for veterans increases; fiscal year 2005 will be $30 billion; fiscal year 2006, $31.8 billion. It is an increase of almost a billion dollars, or a 3.2 percent increase. That is an increase. So there may be some other facts on the floor, but let us look at the facts in the budget.

Mr. Speaker, I reserve the balance of my time.

Mr. SPRATT. Mr. Speaker, before yielding to the ranking member of the Committee on Agriculture, I yield 30 seconds to the gentleman from Texas (Mr. EDWARDS) to respond.

Mr. EDWARDS. Mr. Speaker, the people who wrote this budget may not like it. I know America's veterans will not like it. But the fact is, the truth is that this budget cuts veterans health care benefits compared to today's benefits by $13.5 billion once you take into account inflation. That is a reality. That is the truth. And that number does not even count the increasing number of veterans that need VA health care, which is 300,000 veterans this year, 300,000 veterans next year, so the real story is even worse than 13.5 billion in cuts.

Mr. NUSSLE. Mr. Speaker, I yield myself 15 seconds. This is veterans medical care before and after 1995, and that is what we are going to increase that beyond. I can understand when you want to put, you know, some kind of magical inflation number that you have just pulled out of the air and then make up a number. That is a different issue.

The budget has an increase for veterans. They deserve it, and that is what we are going to pass.

Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. DEAL).

Mr. DEAL of Georgia. Mr. Speaker, as a member of the Committee on Energy and Commerce, the Committee that has jurisdiction over the issue of Medicaid, I would like to talk about that subject for just a minute, the most expensive health care program we have in this country, costing over $300 billion last year alone.

The question is, where are the Governors on this issue? Sure, every Governor would like to have more Federal dollars. But the truth is that they are telling us they cannot really afford, in a matching program as Medicaid, the money that we are providing in many instances now. That is why a Democratic Governor of Tennessee is having to cut over 323,000 recipients off the Medicaid rolls. That is why the same pattern is being repeated in other States.

What would they rather have more than more money or a normal growth pattern? They want reform. The only way we are going to get reform of the Medicaid system is to pass this budget resolution.

Why does it need reform? Every State is now spending more on their contribution to Medicaid than they are spending on elementary education and on secondary education. It is on a road to disaster. The Comptroller General tells us that. Governors say it is something that is going to melt down and take all of their State budgets unless we have reform.

If you want to go home and explain to your Governor and to your people why you voted against an opportunity to reform the most expensive part of their State budget, then vote against the budget resolution.

If you want to vote for reforms that will include increasing personal responsibility which, when your hospitals tell you that over half of their emergency room visits are for nonemergency reasons, and that the majority of those are Medicaid recipients, simply because there is no personal responsibility built in the program, and you want that to be the status quo, then vote against the budget resolution.

If you want what every Governor is saying, on a Democrat and Republican basis together, if you want reform of this program, vote for the budget resolution.

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Mr. NUSSLE. Mr. Speaker, how much time remains?

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Iowa (Mr. NUSSLE) has 3½ minutes remaining. The gentleman from South Carolina (Mr. SPRATT) has 9¼ minutes remaining.

Mr. SPRATT. Mr. Speaker, I yield 15 seconds to myself.

Mr. Speaker, the numbers that the gentleman from Texas (Mr. EDWARDS) was citing come from a document that we have prepared that compares the conference report with the Congressional Budget Office's current services baseline. And by that comparison, this conference report falls $13.504 billion below current services over the next 5 years.

Mr. Speaker, I yield 1 minute to the gentleman from Minnesota (Mr. PETERSON), the ranking Democrat on the Committee on Agriculture.

Mr. PETERSON of Minnesota. Mr. Speaker, in 2002 we passed a bipartisan farm bill that has been successful. In the first 3 years of the bill, we saved 40 percent below what we spent the 3 years of the last farm bill. We saved $15 billion below what was projected to be in the farm bill. Yet, unbelievably, they are asking us to open this bill up and cut another $3 billion out of the bill.

I do not think anybody can tell me any other part of the government that saves money during this period of time, and we were promised during that conference that we were not going to change this bill. Farmers made decisions based on the fact that the farm bill was going to be there for 5 years. So this is absolutely the wrong thing for us to do.

The Committee on Appropriations has already capped some of the programs in the farm bill in the last 2 go-arounds. We think this is unfair. This breaks a contract that we have with the American farmers. For those of you who represent farm country, I can tell you most of your farm groups are opposed to making these cuts to the farm program that are being proposed in this budget.

Mr. NUSSLE. Mr. Speaker, I reserve the balance of my time.

Mr. SPRATT. Mr. Speaker, I yield 1¼ minutes to the gentlewoman from Pennsylvania (Ms. SCHWARTZ).

Ms. SCHWARTZ of Pennsylvania. Mr. Speaker, since coming to Congress, I have been struck by the majority party's spending policies. Under their watch, the Nation's debt has grown by $2.2 trillion over the last 4 years. The annual deficit is averaging more than $200 billion and this year's budget is no different, spending more than we are bringing in and increasing the Nation's debt. In fact, this budget will allow for $412 billion in deficit spending, increasing the interest that we are paying on our Nation's debts, interest that already totals more than we are spending on education, the environment and veterans.

I was proud to join my Democratic colleagues in putting forward better ways to refocus our spending and investments on the priorities that matter to everyday lives of Americans: keeping and creating new jobs, lowering the cost of health care, and providing for a safe and secure homeland.

We put forward an alternative budget that would have balanced the Federal Government's checkbook by 2012, something the Republican budget fails to do, while meeting our basic obligations to hardworking Americans. These efforts were, unfortunately, rejected along party lines.

Mr. Speaker, the time has come for us to lead not just with words, but in deeds. This means enacting a spending plan that will meet basic budgetary principles of meeting our obligations, working within our resources, and making smart investments. I urge a ''no'' vote on this resolution so we can return to negotiations and return to fiscal discipline.

Mr. Speaker, I rise in strong opposition to the resolution.

Two weeks ago, the House passed legislation aimed at promoting and encouraging personal financial responsibility. Yet, we are on the cusp of enacting a fiscal year 2006 budget that is fiscally-unsound.

It is a budget that prioritizes tax cuts to the wealthiest Americans and largest corporations at the expense of creating opportunities for hard-working Americans and helping people meet their responsibilities. It is a budget that puts political expediency over honest budgeting by failing to acknowledge future increases in the deficit and neglecting to live within available revenues. It is a budget that will allow the government to increase spending and implement new tax cuts without finding a way to pay for the associated costs.

Mr. Speaker, I supported the bankruptcy bill because I believe people who have the means available have an obligation to meet their financial obligations. However, just as we are asking individual Americans to take responsibility for their spending decisions, so must the Federal Government.

Since coming to Congress, I've been struck by the majority party's spending policies. Under their watch, the nation's debt has grown by $2.2 trillion over the last four years, with annual deficits averaging more than $200 billion. And this year's budget is no different; spending more that we are bringing in and increasing the Nation's debt. In fact, this budget will allow for $412 billion in deficit spending. Increasing the interest we are paying on our Nation's debt; interest that already totals more than we are spending on education, the environment or our veterans.

My colleagues, our decisions have consequences, and the consequences of this budget will be felt by every American. Our first-responders will go without equipment needed to keep communities, and themselves, safe from harm. Our veterans will be subjected to health care fees or reduced benefits. Our best and brightest will continue to struggle to afford a college degree. And some of our Nation's disabled and sickest citizens will continue to go without needed medical care and services unless our State and local governments pick up the costs.

During committee consideration of the budget resolution, I was proud to join my Democratic colleagues in putting forward better ways to re-focus our spending and investments on the priorities that matter to the everyday lives of Americans—keeping and creating new jobs, lowering the costs of health care and providing for a safe and secure homeland. We put forward an alternative budget, one that would have balanced the Federal Government's checkbook by 2012—something the Republican budget fails to do—while better meeting our obligations to hard-working Americans. These efforts were, unfortunately, rejected along party lines.

Mr. Speaker, the time has come for us to lead not just in words, but in deeds. That means enacting a spending plan that meets basic budgetary principles of meeting one's obligations, working within the resources you have and making smart investments that will ensure the Nation's current and future fiscal well-being.

I urge a "no" vote on this resolution so that we can return to the negotiating table and find a better way; one that represents a true commitment to sound budgetary principles and fiscal responsibility. One that funds the right priorities, makes the right investments and in so doing builds a Nation that is strengthened rather than weakened by the decisions we make today.

Mr. SPRATT. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, I want to thank the gentleman from South Carolina (Mr. SPRATT) for yielding me time and for his leadership.

I rise to oppose this budget conference report and support and remind you of the budget priorities which were identified in the Congressional Black Caucus budget alternative.

At a time when 48 million Americans, 7.5 million of these Americans are African Americans, mind you, they have no health insurance. The health care cuts in this budget will increase the number of the uninsured. At a time now when our inner cities are crumbling, and they are truly crumbling, this budget cuts funding for community and small business development.

At a time when we face the real threat of terrorism, this budget wastes billions of dollars on an unnecessary missile defense system while leaving likely targets like our Nation's ports defenseless.

The Congressional Black Caucus, if you remember, offered a fiscally responsible alternative. It addressed the health care disparities in our Nation. It provided funding for community and for small business development, and it provided for real national security that included economic security.

Mr. SPRATT. Mr. Speaker, I yield 1 minute to the gentleman from Washington (Mr. MCDERMOTT).

(Mr. MCDERMOTT asked and was given permission to revise and extend his remarks.)

Mr. MCDERMOTT. Mr. Speaker, this is a big day. Gas is at $2.50 a gallon. The President's Social Security road show is a shambles. His numbers are falling in the polls. Iraq has more violence. The Japanese are loaning us $450 billion to cover our loans on our deficit. And the Rubber Stamp Congress is back in shape. They are all here with their stamp to give the President exactly what he needs.

Now, in about 40 minutes he is going to come on TV. This tells you how bad it is. The President is in such terrible shape he has got to go on TV and start his magic act. He has got to try to convince the people that the gasoline is not $2.50 a gallon or that we are not borrowing $450 billion from the Japanese.

That is the problem you have got with this budget. And what are you doing? You are rubber-stamping cutting the safety net in shreds. You are going after the poor, the sick, the elderly, anybody who cannot fight back.

Mr. SPRATT. Mr. Speaker, I yield 1¼ minutes to the gentlewoman from South Dakota (Ms. HERSETH).

Ms. HERSETH. Mr. Speaker, I thank the distinguished gentleman from South Carolina (Mr. SPRATT) for yielding me time.

Mr. Speaker, I rise today to convey my disappointment with the decision of the conferees to ignore the clear and bipartisan wishes of the vast majority of the Members of this body to restore crucial Medicaid funding to this budget.

Tuesday night I offered a motion that passed overwhelmingly to instruct the conferees to restore cuts to Medicaid and include a $1.5 million reserve fund for the creation of a bipartisan Medicaid commission.

We know that Governors across the country are opposed to Medicaid cuts because these cuts will pass the burden directly on to States, to providers, and to the millions of Americans whose health care depends on Medicaid.

In a statement released this morning, the National Governors Association made clear its position has not changed. It states: ''Medicaid reform must be driven by good policy and not the Federal budget process.''

I want to be clear. No one is saying that we do not need to reform Medicaid. No one is saying we should not be trying to find savings or to make Medicaid more efficient. And, yes, let us find proposals to improve the program. But let us not let arbitrary budget cuts drive the reform. Let us not just cut the budget and call it reform. And let us not rashly and substantially decrease funding without adequate time to deliberate meaningful reform measures and without some time to implement those measures.

A majority of this body agrees, a majority of the Senate agrees, a majority of the Governors agree, and a majority of Americans agree. That is a pretty clear mandate. And for the conferees to ignore these clear majorities it is irresponsible.

I urge the 348 Members who voted in favor of the motion on Tuesday to vote against this conference report tonight.

Mr. SPRATT. Mr. Speaker, I yield 1 minute to the gentleman from Mississippi (Mr. TAYLOR).

Mr. TAYLOR of Mississippi. Mr. Speaker, not that long ago, my colleague came to the House floor wearing a paper bag on his head because he was ashamed that House Members were spending more money than they had in their accounts down here in the House bank.

I would remind my colleague that since the President's budget of May 9, 2001, our Nation has spent $2.135 trillion that we do not have.

I would also remind my colleagues that buried in this bill, on the very last page of the bill, the second to last paragraph reads: ''If the joint resolution is enacted to raise the debt limit to the level contemplated by this conference agreement, the limit will be increased from $8 trillion 184 billion to $8 trillion 965 billion.'' An increase of $781 billion of new debt.

Now, you have heard a lot of talk about cutting the budget. If we are cutting the budget and cutting the deficit, why does the chairman seek an increase in the debt limit?

I would welcome the chairman to respond to my question because I think it is something that is in the bill and it deserves answering.

Mr. SPRATT. Mr. Speaker, I yield 1 minute to the gentleman from Washington (Mr. INSLEE).

(Mr. INSLEE asked and was given permission to revise and extend his remarks.)

Mr. INSLEE. Mr. Speaker, one of the reasons the majority does not allow us or Americans to read this bill before we vote on it is because there is some little nasty surprises in it. One of those little nasty surprises buried on page 30 is a provision that allows through congressional skullduggery getting around the rules to try to drill in the Arctic that could not pass the other Chamber on an up-or-down vote.

On page 30, they essentially try to work around on a midnight deal the right for checks and balances and a filibuster in the other Chamber that could not pass under regular rules in the United States Senate.

Those who believe that we have better options than drilling in the Arctic and destroying a provision set up by Ike Eisenhower and defended by every President since should vote ''no'' on this budget. No matter what you think of the fiscal issue, vote ''no'' tonight.

Take out this legislative flea on the back of this bill and preserve the Arctic. Vote ''no.''

The SPEAKER pro tempore. The gentleman from South Carolina (Mr. SPRATT) has 1½ minutes remaining.

Mr. SPRATT. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, this is not a budget that follows the will of the House. That is the first problem with it.

The will was expressed 2 days ago. Two days ago, 348 Members voted emphatically against any Medicaid cuts. The conferees disdained that instruction and whacked $10 billion out of Medicaid.

This is a budget that does contain spending cuts, but in this budget the spending cuts do not go to the bottom line and reduce the deficit dollar for dollar. Basically, what they do is offset partially the tax cuts that are also called for. Consequently, this budget is not a budget that will bring the deficit into balance. We have a deficit of $427 billion this year.

I said earlier, do not take it from me. Take it from CBO. Read their analysis of the President's budget. This is basically the President's budget with some puts and takes. They project that over the next 10 years, if you follow that budget, we will incur $5.130 trillion.

This budget resolution, if Members vote for it, includes an increase in the statutory debt ceiling of almost $800 billion. That is the course we are on, stacking debt on top of debt.

Now, one would think with all the problems we have got we would do something about the deficit in this budget, but this budget does not make the deficit better. It adds $167 billion to the CBO baseline deficit over the next 5 years and worse in the second 5 years. We are just kicking the can down the road, and this budget very conveniently avoids the huge mountains just over the crest of the horizon.

So if you want to vote for a balanced budget, vote down this budget resolution. If you want to vote against accumulating debt on debt and leaving our children with mountains of debt, vote against this budget resolution. Send the budget conferees back to work with something that is respectable and deserving of our vote.

The SPEAKER pro tempore. The gentleman from Iowa (Mr. NUSSLE) has 3½ minutes remaining.

Mr. NUSSLE. Mr. Speaker, I yield the balance of my time to the gentlewoman from New Mexico (Mrs. WILSON), a real leader on our side when it comes to Medicaid reform.

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Mrs. WILSON of New Mexico. Mr. Speaker, I thank the chairman for the time.

We have heard references tonight to the financial condition of this country in the summer of 2001 and the fact that we have bigger deficits today. Most of us in this chamber were here on a cool September morning when the world changed. Any other country in the world would still be on its knees, but America is back on its feet, in part because of the leadership of this body, and all of us should be proud of that.

All of my colleagues in this chamber know that I was very concerned about Medicaid. It is the safety net for people in this country who are very vulnerable, and it is very important to the Americans who depend upon it. We have worked together, and I wanted to thank the chairman for allowing a budget that will put us on the path to reform which can drive the budget. Let policy drive the budget and not the other way around.

There are no reductions in the projected growth of Medicaid in fiscal year 2006, and this budget funds a commission, a bipartisan commission, to put us on the path for reform.

Annual increases in Medicaid are 7.1 percent over the next 5 years. But why does all this matter? All of us have stories from the people we have met who have touched our lives.

I was at a rehab hospital not too long ago in New Mexico and a doctor came up to me. He had been treating a patient that morning who was a diabetic, who was eligible for Medicaid. He had had both of his legs amputated, and he said: Mrs. Wilson, this morning I taught my patient how to use a glucometer to monitor his disease. Can you tell me why is it that we have a Federal Medicaid program that will pay $28,000 to a hospital to cut a guy's

legs off but I need a waiver from the Federal rules to help him learn to monitor his disease? Today I am teaching how to go back home and live on his own, even though he is in a wheelchair.

We deserve Medicaid reform for the people who depend upon it. We deserve a system that is not prejudiced toward institutional care for our parents when we all know that they want to stay in their own homes for as long as they can.

We deserve a Medicaid system that does not encourage States to take foster children and put them into residential treatment centers and define them as mentally ill and that allows States to use that money to recruit and support foster parents, so that teenagers can have families, real forever families, instead of learning the new rules on the wall of their latest institutional placement.

That is why we need Medicaid reform. Our chairman has brought us a budget bill that protects our country, that supports our troops and puts us on the path toward real reform, and I would ask my colleagues to vote for it.

Mr. HASTERT. Mr. Speaker, I want to thank Chairman NUSSLE and all the members of the Budget Committee for their tireless work. This budget agreement is a major accomplishment made possible by them.

Our nation is at a pivotal point. We are at war around the globe as our brave armed forces continue to root out unscrupulous terrorists. We have an economy, stymied after the September 11th attacks, now recovering and gaining strength, as long as we continue our pro-growth agenda. And we have decades-old entitlement programs that are overdue for some much-needed improvements and reforms.

House Republicans have demonstrated fiscal discipline and leadership, keeping America on course towards a strong economy. This budget agreement commits the Congress and the federal government to spend less while still addressing our nation's priorities. It ensures a safe and secure future for America's families by reforming and improving important programs like Medicaid, fully supporting our military at home and overseas, and protecting our homeland. It keeps our promise to reduce the deficit by half while providing tax relief for American families.

We should do everything within our power to make certain that the terrorist attacks of 2001 never happen again in this country. This budget keeps that commitment, but it also rightly calls for spending restraint in the rest of the budget. We no longer live in an era of surpluses. Our efforts to fight terrorism have left us with a big deficit. We need to spend less money, and this budget spends less money.

My colleagues on the other side of the aisle, by tradition, would argue that the solution is to tax families more so that the government has more to spend. I could not disagree more. Higher taxes kill jobs, hurt families and stifle growth. Those who would be hit hardest by the flawed policy of the other side are our small businesses. They make up 99 percent of all businesses in America. They're the mom and pop stores, the family business started out of the garage. They would suffer if this House picked up the tax-and-spend banner of the other side.

My friends, America's future growth depends on its ability to be stable, secure and economically prosperous. The budget agreement on the floor firmly places our nation on that path. Any other proposals move us backwards, towards bigger government, bigger tax burdens and a bigger fiscal mess.

Mr. UDALL of Colorado. Mr. Speaker, I cannot vote for this conference report.

It not only is no better than the version of the budget resolution previously passed by the House, it is significantly worse in several ways.

In my opinion, it reflects only the priorities of the Republican leadership, not the right priorities for our country.

Over the last five years the federal budget has reversed a decade of progress that saw the budget go from the $290 billion deficit when President Clinton took office to a surplus of $236 billion in 2000, which was where things stood when the current President Bush came to office.

Since then, we have gone from projected surpluses to undeniable deficits. The toxic combination of recession, necessary spending for defense and homeland security, and excessive and unbalanced tax cuts have taken us to the largest deficits in our Nation's history—a $375 billion deficit two years ago, a deficit of $412 billion last year, and for this year, according to the Bush Administration itself, a deficit of $427 billion.

That is three record-setting years in a row. And, regrettably, this conference report reflects neither a serious effort to reduce deficits nor an attempt to increase fairness.

According to the nonpartisan Congressional Budget Office, following the path suggested by the Bush Administration and this budget resolution will add $5.135 trillion to our national debt over the next 10 years.

It is true that the Republican leadership claims this conference report will put us on the path to cut the deficit in half by 2009. But this bit of Enron bookkeeping rests on omitting enormous predictable costs—including the $200 billion five-year cost of fixing the Alternative Minimum Tax and realistic five-year costs for military activities in Iraq.

And this conference report not only fails to recognize the deficit as a problem, it sets the stage for new tax cuts for selected beneficiaries. In all, these could amount to as much as $106 billion over the next five years, and the tax-writing committees are instructed to report bills worth $70 billion in the next few months.

Further, the conference report sets the stage for reducing the ability of States, local governments, and charities to provide essential services to the many thousands of families who are struggling to stay above water in this time of a sluggish recovery from recession. I do not think this is the right way to go.

I also have very serious concerns about other aspects of this conference report.

For one thing, it continues the pattern of spending 100 percent of the Social Security surplus—a total of $2.6 trillion over the next 10 years. We cannot continue on this reckless and irresponsible fiscal path. That is why I supported an effort to require the Budget Committee to instead bring forward a conference report that would ensure that the Social Security surplus would not be spent for any purpose other than Social Security. Unfortunately, the Republican leadership opposed that effort, and it was not successful.

In addition, the conference report calls for $34.7 billion in mandatory spending reductions, including $10 billion in Medicaid cuts and billions in other cuts that could affect pension programs, student loans, and food stamps.

And further, on top of the cuts in social services, the conference report cuts discretionary spending on environmental and natural resource programs to the extent that over the next five years funding for these programs would be cut 21 percent below the level needed to maintain current status.

These punitive cuts threaten a wide range of programs that ensure the health of our communities and protect our natural resources. Among the programs that could be most severely affected are clean water infrastructure investments, the Land and Water Conservation Fund, oceans and coastal protection, and agricultural conservation.

Finally, the budget resolution clearly will pave the way for legislation as a part of the reconciliation process to open the coastal plain of the Arctic National Wildlife Refuge for oil drilling. I cannot support this.

When the House first debated this budget resolution, I supported an alternative that would have provided more resources for important priorities and would have laid the basis for more responsible tax policy. It was better fiscally and better in terms of the education of our children, the health care of our veterans, the development of our communities, and the quality of our environment.

Unfortunately, that alternative was not adopted—and this conference report not only does not resemble that alternative, in several respects it is even worse than the House-passed resolution. As a result, I must vote against it.

Mr. MORAN of Virginia. Mr. Speaker, I rise in opposition to the 2006 budget conference report. I believe that the federal budget is a reflection of values and priorities, and that the spending choices made in the 2006 budget bring into focus where this administration and House of Representatives leadership's priorities lie. Frankly, this budget is a travesty, and it's going to cost the American people dearly, and seriously imperil our nation's economic and national security.

The budget makes tax cuts for the most affluent members of our society a top priority. By contrast, it shortchanges investments in our future and fails to honor past commitments to our veterans, seniors, and those in need.

Mr. Speaker, this budget is surely not what the American people bargained for. Given what we know about our America's financial situation—a national debt approaching $8 trillion, interest payments of $280 billion, weakening economy, growing health care needs, a weak dollar, and weakening economy—why would the Republican leadership continue to cut taxes for the wealthy? The House voted two weeks ago to eliminate the estate tax.

The conference report will take $40 billion from programs for the poor, much of it in from Medicaid, yet it protects $70 billion in new tax cuts for the wealthy. After the five year budget window, these tax cuts will balloon, costing $1.5 trillion over the next 10 years. It's sad that we're debating how much to cut from Medicaid, TANF and other programs for the poor, yet few of my colleagues on the other side of the isle are criticizing the additional tax cuts in this budget.

According to the Congressional Budget Office, independent CBO projections show that the proposed budget would add another $5.135 trillion to the national debt over the next 10 years, a more than 50 percent increase over the current total. If Congress passes the President's Social Security plan, then you can add several trillion more to that figure.

The Administration has cleverly (and dishonestly) hidden both the projected cost of the war in Iraq and the plan to take money out of Social Security from its budget documents. They have to know that the costs, in the long run, will be exceedingly high. Yet they stubbornly continue to cut taxes for high income tier individuals, shifting the burden on the already squeezed middle class and poor. These fiscal policies, I contend, are without precedent in their level of irresponsibility.

In an attempt to hide the full ramification of the budget, documents submitted by the White House and the resolution adopted by the House purposely withheld cost estimates of the war in Iraq and the President's Social Security privatization plan. According to the Congressional Budget Office (CBO), when you combine the cost of the war with that of the plan to privatize Social Security and other unstated expenses such as relief from the Alternative Minimum Tax, you get a deficit that moves from $427 billion in fiscal 2006 to $621 billion in 2015.

When President Bush assumed office in 2001 we had a projected budget surplus of $236 billion. Not only do I oppose these fiscally irresponsible policies that will produce growing deficits and debt, I object to the false claim that non-defense discretionary spending programs are responsible for the budget deficits. While these programs ate the principal target of the proposed spending cuts, the total non-defense discretionary budget is at the lowest level in the past 30 years.

I urge a ''no'' vote on this sham conference report.

Mr. BLUMENAUER. Mr. Speaker, the fiscal 2006 budget resolution is based on false economies and false promises. This budget provides tax cuts for the rich while adding to our national deficit, cutting billions from critical programs such as Medicare and short-changing national priorities such as community development and housing, education, and environmental protection.

Cutting vital programs does nothing to solve our problems. Congressional leadership and the administration are simply not owning up to their responsibilities to the American public. I will not support any budget framework that pretends that we have more funding than we do while at the same time cutting programs that help our families and communities.

The administration's tax cuts give over $70 million in benefits to those who need them the least. Yet nothing is being done to address the long-term costs of fixing the Alternative Minimum Tax—a tax that continues to force middle-income families to pay higher taxes. This budget will put our country deeper into debt, mortgaging the future for our children and grandchildren. This is wrong.

This budget resolution also sets the stage for drilling in the Arctic National Wildlife Refuge, which would be a travesty. Not only is this policy incredibly shortsighted in terms of the real energy needs of this country, it is unconscionable that Congress is making a decision of this magnitude in a budget resolution.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today being very disturbed with the direction that the Republican Party and this administration is taking our great Nation. The reason for my concern is the Budget Conference Report which stands before this body today. Sadly, this body has just now received a copy of the Budget Conference Report. It's truly tragic to think that this piece of legislation actually affects every single American and yet here we are in the 'people's house' and there is no real deliberation on this monumental bill. The Budget Conference Report clearly does not improve upon the severely flawed Republican budget, which barely passed in the House a little more than a month ago. The needs of average Americans are still ignored. The interests of a wealthy few outweigh the needs of an entire Nation in this budget. I say this not out of partisanship, but from a statement of the facts. I want to highlight a few areas in this Budget Conference Report that are particularly egregious.

This President and the majority party in this body have spent so much time talking about their record on education and as hard as I try I can not see what they have to be proud of. It is one thing to address areas of critical need with rhetoric, but to advocate a policy and then not fund it sufficiently is plain irresponsible. This Budget Conference Report eliminates 48 education programs that receive $4.3 billion this year. These eliminations include wiping out $1.3 billion for all vocational education programs, $522 million for all education technology programs, and $29 million for all civic education programs. The budget eliminates other large programs including the Even Start family literacy program ($225 million) and State grants for safe and drug-free schools and communities ($437 million). The President's budget cuts 2006 funding for the Department of Education by $1.3 billion below the amount needed to maintain purchasing power at the current level, and by $530 million below the 2005 enacted level of $56.6 billion. This is the first time since 1989 that an administration has submitted a budget that cuts the Department's funding. This administration and the majority in this Congress promised to leave no child behind, but clearly they have reneged on their promise.

Our brave American veterans are another group who were outraged by the President's budget and will unfortunately be disappointed with the Budget Conference Report. I hear so much in this body from the majority party about the greatness of our Armed Forces, and their rights, but again it's just empty rhetoric on their part. Those brave men and women fighting on the front lines in our War Against Terror will come back home and find that the Republican Party looks at them differently once they become veterans. Almost all veterans need some form of health care, some will need drastic care for the rest of their lives because of the sacrifice they made in war, but the Republican Party continues to turn a blind eye to their needs. The fact is that $3.2 billion more than the current budget proposal is needed just to maintain the current level of health care programs for veterans.

The entire Department of Veteran's Affairs is going to suffer because of the Republican agenda. I have heard from veterans groups throughout my district in Houston and I am sure each Member of this body has heard from groups in their own district because veterans are one group that come from all parts of this Nation. These brave veterans have told me their stories of how they are suffering now with the current state of Veterans Affairs, I am going to have trouble telling them that not only will things continue to stay bad but if this Budget Conference Report passes this body things will only continue to get worse. That is not what our returning soldiers from Iraq and Afghanistan should have to look forward to, a future where their needs are not only unprovided for, but are in fact ignored.

Education and Veterans Affairs make up only two areas where the Budget Conference Report fails Americans. The truth is there are many other programs and services vital to our Nation that are at risk because of the Republican agenda. At this point, an average American may be asking why the Republican Party finds it necessary to cut so many fundamental programs. The answer is simple, yet disturbing; the majority party is cutting important programs in order to finance all their irresponsible tax cuts. They will continue to make the argument that tax cuts provide stimulus for our economy, but millions of unemployed Americans will tell you otherwise. In fact the Congressional Budget Office itself said ''tax legislation will probably have a net negative effect on saving, investment, and capital accumulation over the next 10 years.''

While the Republican Party continues its offensive for irresponsible tax policies they allow our national deficit to grow increasingly larger. When President Bush came into office he inherited a budget surplus of $236 billion in 2000. Now, however, this administration has raided those surpluses and its fiscally irresponsible tax policies have driven the country ever deeper into debt. A $5.6 trillion 10-year projected surplus for the period 2002–2011 has been converted into a projected deficit for the same period of $3.9 trillion—a reversal of $9.5 trillion. Much like the President's budget, the Budget Conference Report before us omits the longer-term costs of either the war in Iraq or fixing the AMT, yet still tries to make claims of reducing the deficit. It is clear that the Republican Party is hiding from the American people. This President and this majority in Congress have yet to advocate a fiscal policy that helps average Americans. Special interests have become king in this Budget Conference Report at the price of sound fiscal policies.

This body was made to stand for the will of all Americans; if we allow this budget proposal to take effect we will have failed our mandate. I for one will not stand by silently; I have a duty to my constituents and indeed to all Americans to work for their well being and I will continue to honor that duty.

Mr. LANGEVIN. Mr. Speaker, tonight I rise in strong opposition to H. Con. Res. 95, the Republican Budget Conference Report. During House consideration of the budget last month, we had the opportunity to pass the Spratt Substitute, which contained thoughtful policies to balance the budget by 2012 without individual tax rate increases or harmful cuts to security, health care, education, veterans' benefits, and other programs that improve the quality of life for Rhode Island's working families. Unfortunately, these responsible ideas were cast aside in favor of the Republican values we have before us today: tax cuts for the wealthy paid for by slashing programs that Rhode Islanders depend on.

While the Republicans claim that budget cuts are needed to return to fiscal discipline, they forget their own policies caused today's financial problems. Without the tax cuts for the wealthiest 1 percent of Americans enacted since 2001, our nation's fiscal health would be much rosier, and the neediest and most vulnerable Americans would not be forced to sacrifice. Their fiscal year 2006 budget proposal continues to move in the wrong direction, and next year's deficit will likely be the largest in history, with more than $400 billion added to the national credit card.

Unfortunately, the budget before us today lacks the vision needed to move our country forward. In addition to driving us further into debt, H. Con. Res. 95 also contains vast cuts to programs that benefit the working class. Most troubling is a $10 billion cut to Medicaid, which will place an enormous burden on Rhode Island. My state has successfully leveraged federal Medicaid dollars and currently offers health care coverage to many vulnerable, low-income pregnant women, parents of young children, and other groups not included in the federal mandate. Without sufficient Medicaid funding, these people would likely join the increasing ranks of the uninsured.

In addition, this budget implements a multitude of other cuts proposed by the President. These cuts include reductions in law enforcement and firefighter funding, the elimination of 48 education programs, and new fees for veterans' health care. Clearly, these reductions are not the priorities of the American people.

The Republican blueprint does not make us safer or healthier, prepare children for the future, or honor veterans. By continuing failed tax policies while cutting effective programs that Rhode Islanders depend on, their proposal is a misguided and unjust starting point. As Democrats show, it is possible to create a realistic blueprint that is fiscally responsible and is built around the needs of the American people. I urge my colleagues to reject the Conference Report on H. Con. Res. 95.

Mr. MARKEY. Mr. Speaker, I rise today in opposition to the Republican Budget Conference Report.

The Republican budget makes huge cuts to critical programs for the poor and the most vulnerable in our country in order to give away $106 billion in tax cuts to the wealthiest in our society.

The Republican budget instructs the Energy and Commerce committee to cut $14.7 billion, of which at least $10 billion is supposed to be cut from the Medicaid program that serves nearly 50 million Americans. Medicaid provides health care not only to poor moms and kids, but also to the elderly and the disabled.

The Republicans will tell you that they have to cut Medicaid because we are in state of fiscal crisis. And it's true we are in the midst of crisis. But it is a manufactured crisis.

If you add up all the spending that Congress has approved since 2001, you will see that: 48 percent of all the spending has gone to tax cuts, 37 percent has gone to Defense and Homeland Security, and only 15% has gone to Domestic programs.

It is clear when you look at these numbers that the deficit did not balloon upward due to social programs, or even the war in Iraq. The deficit came from the Republican's irresponsible tax giveaways to help their fat cat friends get fatter and fatter and fatter.

This Republican budget asks the mothers and grandmothers in the nursing home, the disabled children, the poor, those with Alzheimer's and Parkinson's disease, to sacrifice their health and dignity in order to finance the tax cuts of the wealthiest 1 percent in this country.

It asks those who have nothing to sacrifice everything, and those who have everything to sacrifice nothing.

This budget is about giving $106 billion away in tax cuts, cutting up to $14.7 billion from the Medicaid program.

I urge my colleagues to vote ''no'' on this shortsighted, fiscally irresponsible, and immoral budget.

Mr. MARKEY. Mr. Speaker, I rise today in opposition to the Republican Budget Conference Report.

One of the most egregious offenses committed in the Republican Budget is the proposal to open the Arctic National Wildlife Refuge to oil and gas drilling.

Although a budget should have nothing to do with controversial environmental policy decisions, this budget would open the Arctic National Wildlife Refuge through backdoor budget chicanery. In poll after poll, the American people have expressed their disapproval of using the budget to decide such a contentious issue. The Republican Majority knows that it cannot pass this measure as standalone legislation. By shoehorning the Arctic Refuge into the budget, they are making an end-run around the legislative process, knowing that it cannot pass in the Senate any other way.

While the budget claims that oil leases from the Arctic Refuge will generate $2.4 billion in revenue, this appears to be a case of gross deception and misinformation.

When the President's Office of Management and Budget was asked why it is assuming that the oil leases in the Refuge will sell for amounts that are hundreds of times greater than the average North Slope lease over the last 15 years, OMB passed the buck—they said, ''Go ask Interior; we don't know.''

Ladies and gentleman, we deserve more than such dodges and lame excuses. This Republican budget will destroy forever the wilderness quality of one of God's most magnificent ecological systems on the basis of illusory economic projections.

I urge my colleagues to vote ''no'' on this shortsighted, fiscally irresponsible, and immoral budget.

Ms. KILPATRICK of Michigan. I rise in opposition to the resolution. It is punitive to low-income families. The conference agreement proposes cuts totaling $10 billion in Medicaid. It also calls for significant cuts in domestic programs.

In addition to cuts in Medicaid services, the resolution also calls for cuts in education, including student loans, the Earned Income Tax Credit, and large tax cuts. At a time when we need to add jobs to the economy, the budget agreement cuts back on funding for adult and vocational education. Finally, the budget resolution conference report requires drastic increases in the premiums paid by employers to the Pension Benefit Guaranty Corporation (PBGC). These premium increases will drive many employers to exit the defined benefit pension system, thereby undermining the retirement security for millions of workers and retirees and ultimately weakening the PBGC.

The tax cuts called for in the resolution total $100 billion over five years, but will balloon to $1.4 trillion when stretched out over a 10–year period through 2015. Despite all the domestic program cuts, the tax cuts will make the budget deficit picture worse, not better.

The $2.56 trillion budget agreement cuts domestic spending below Fiscal Year 2005 levels. It does this without making any progress on reducing record level budget deficits. Supporters of the budget resolution, spin this document as a vehicle for bringing the budget deficit into check, but do not be persuaded by that argument. The Republican leadership have made the same argument in the last three budget cycles and look at their performance: more record budget deficits.

It took this country 204 years to run up a public debt of $1 trillion. Under this administration, under this Republican Congress, we are adding $l trillion to the public debt every 18 months. Over the last four years, we have added $2.2 trillion to the national debt.

What concerns me most about this budget is that it signals the call of retreat. It is a blue print for disinvesting in the programs that make our economy and our people competitive in the global marketplace. We cannot build a stronger economy and create good paying jobs if we cut programs for worker education and job training—critical programs that invest in our human capital resources—the future American workforce.

This budget does not represent the values of my district, nor does it represent the priorities of the American people. Is there any wonder that poll after poll has registered declining public confidence in the direction of our economy and the nation's spending priorities. The real test of this budget resolution will come when we attempt to pass the 10 appropriations bills later this year. I predict a tough time ahead because it will be difficult to obtain the consensus needed to pass the spending bills that will keep the government running.

For these reasons, I urge my colleagues to vote against this conference report.

Mr. EVANS. Mr. Speaker, I rise in opposition to H. Con. Res. 95.

The GOP budget resolution will leave Department of Veterans Affairs programs $2 billion short of meeting the needs of our veterans. VA will not be able to make critical program enhancements for servicemembers returning from Iraq and Afghanistan and it is even deficient to maintain current services.

The Bush Administration's budget submission for FY 2006 requested less than half of a one-percent increase for its health care services. This budget offers us about a one to two-percent increase. VA has testified that it requires a 13- to 14-percent increase just to adjust for the growth in VA enrollment partly due to the rising tide of uninsured and underinsured Americans and medical inflation rates often approaching eight percent.

Mr. Chairman, I joined every Democrat on the Veterans Affairs Committee in asking our Budget Committee to add $3.2 billion to our budget for America's veterans. Earlier measures offered by Mr. OBEY and Mr. SPRATT on the floor of this House would have supported increased amounts of funding for our veterans, but these efforts have been soundly rejected by Republicans in favor of tax cuts and the funding we must provide to our troops in Afghanistan and Iraq. Ironically, when the troops return from these deployments, they will find a health care system that is not adequately funded to address their needs.

The President's budget has proposals that are anathema to many veterans. In addition to

the increased copayments, new enrollment fees, and draconian reductions in long-term care programs, it would force VA to shoulder even greater ''management efficiencies''—a myth which many in this Congress continue to believe. At this point, ''management efficiencies'' must be viewed as what they truly are—cuts in services to veterans, longer queues for care, and fewer points of access for care than veterans have been promised or deserve.

Republicans seem to have bought into many of these fantasies. Democrats have not been involved in the preparation of the conference package and are being forced to vote with little review of it. An $872 million increase over the President's budget is a minimal increase in the total amount of funding available for veterans programs. This may only be enough to compensate VA for once again rejecting the proposals the President has sent up to increase copayments for pharmaceutical drugs and charge new enrollment fees.

It is not enough to restore long-term care services, to bolster mental health programs for our returning troops, or to better ensure that veterans' claims can be administered on a timely basis. It will not fill the deficits created from unspecified management efficiencies. It will not be adequate to allow for growth in medical inflation or veterans enrollment. It will not allow VA to make critical investments in its aging medical infrastructure.

The Senate has at least rejected House budget reconciliation instructions that would have forced Congress to make $155 million in cuts to veterans' benefits in fiscal year 2006 and almost $800 million in cuts by fiscal year 2011.

America's veterans deserve our eternal support and gratitude, and we should reflect this gratitude by providing adequate funds for the programs that serve them and help them readjust to their lives as civilians. This budget resolution fails our Nation's heroes and we should be ashamed if we pass it.

Mr. KIRK. Mr. Speaker, as Congress moves toward passing the fiscal year (FY) 2006 budget, I would like to address my thoughts and concerns on two aspects of this proposal.

First, this budget will reduce the deficit. The resolution caps discretionary spending at $843 billion and cuts the deficit in half over the next 5 years. We will reach our deficit reduction goals through a combination of policies that encourage economic growth and fiscal discipline that slows the growth of mandatory spending by 0.1 percent over five years. Without this restraint, the federal deficit would continue to grow.

I am very disappointed with one aspect of the budget agreement. The original House passed budget did not include language to open the Arctic National Wildlife Refuge (ANWR) for oil and gas exploration, while the Senate's budget did. The Concurrent Budget Resolution deleted the Senate language. Several weeks ago we debated the Energy Bill (H.R. 6). On April 20, 2005, the House considered the Markey amendment that would have protected ANWR from oil and gas drilling. I voted for the Markey amendment to protect the wilderness. When the amendment failed, I voted against the House Energy Bill. I will continue to oppose proposals to open the Refuge to drilling.

This Budget Resolution includes reconciliation instructions for the House Resources Committee to find $2.4 billion in savings from programs under their jurisdiction. The Resources Committee should find savings from programs outside the ANWR. They can do this and should not rely on the speculative revenues of oil yet to be discovered.

Since my election to Congress, I have voted consistently to protect ANWR from oil and gas exploration. I have voted to protect ANWR for two main reasons. First, ANWR is among the last untouched natural landscapes in the entire United States. Once ANWR is open for exploration, its natural landscape will be changed forever. Second, any oil found in ANWR will not put the United States on a path to energy independence or lower gas prices one cent. The United States Geological Survey estimates that the supply of oil in ANWR is totally inadequate to meet our nation's growing energy needs. More importantly for the current energy debate, oil from ANWR is more than 10 years away from hitting domestic markets. ANWR will not solve our domestic energy issues.

Mr. Speaker, the budget is not the forum for a debate on ANWR—its main purpose is to cut the deficit.

I will support the budget because it moves us toward a balanced budget by reducing spending by 1 percent. And I will continue to oppose legislation that opens ANWR to drilling.

Mr. ETHERIDGE. Mr. Speaker, I rise in strong opposition to this misguided resolution that represents a missed opportunity to address some of America's most pressing problems in a fair and equitable manner.

The budget is much more than just a government document; it is a statement of our nation's priorities and values. This budget fails the test of moral leadership by increasing the burdens on the poor, the middle class and those families struggling to get into the middle class. The American people deserve better.

I am tremendously proud that in my first term as the Second District's Representative, Congress and the President balanced the budget for the first time in a generation. Until just a few years ago, the budget remained balanced and the surpluses we produced were being used to pay down the national debt and strengthen the solvency of Social Security. But this Administration and its allies the Republican Congressional Leadership have squandered the budget surpluses on wasteful tax policies and are running record budget deficits as far as the eye can see. That's just plain wrong.

This budget resolution contains deep cuts in services to the most vulnerable in our society, including Medicaid, which provides medical care to 870,000 poor children in North Carolina. This budget resolution continues to shortchange the No Child Left Behind education reform law, which is now $39 billion below budget. This budget spends more than three times in taxpayer funds on interest on the national debt as we are investing in education on the federal level. Folks, cutting our investments in education is like eating our seedcorn. This budget resolution eliminates proven programs and cuts essential services like law enforcement and Border Patrol. And this budget resolution makes the deficit bigger not smaller while automatically raising the limit on the national debt which is increasingly held by foreign countries.

Instead of this wrongheaded budget resolution, Congress and the White House should work together to balance the budget with real PAYGO enforcement rules, provide middle class families tax relief and make real investments in our nation's future through science, technology, agriculture and health care.

Mr. Speaker, I urge my colleagues to join me in rejecting this budget resolution.

Mr. MACK. Mr. Speaker, I rise today to express my strong support for the Conference Report for the Concurrent Resolution on the Budget for Fiscal Year 2006.

When I was elected to Congress last year I pledged to the people of Southwest Florida that I would work to help reduce the size and cost of the Federal Government while preserving the services that people need.

For years Congress allowed spending to grow uncontrollably—25 percent since 2001—creating a deficit of almost $500 billion. That's wrong.

If our children and grandchildren are to inherit a free, secure, and prosperous Nation, we must restore fiscal discipline and responsibility.

As a member of the Budget Committee, I am proud to have had a seat at the table as we took a first step forward in this critical effort.

This budget begins to exercise fiscal restraint by slowing the growth of both mandatory and discretionary spending while allowing room to fund our national priorities.

It is the first budget since 1997 to include reconciliation instructions so that we can slow the rate of growth in rapidly expanding mandatory programs. It roughly freezes non-defense, non-homeland security discretionary spending. At the same time, it provides ample resources for our defense abroad and security at home.

I congratulate the Chairman and the Conference Committee for ensuring these elements remain in the budget, and I look forward to working with my colleagues to achieve a balanced budget that funds our national priorities without raising taxes.

Mr. Speaker, I urge my colleagues to vote for this resolution.

Mr. DINGELL. Mr. Speaker, I rise today to speak out against this budget resolution. This budget provides $105.7 billion in tax cuts to the wealthiest Americans, above the $1.9 trillion already bestowed upon them since 2001. This additional fiscal irresponsibility in the face of huge deficits is ample reason to oppose the resolution.

But this resolution goes further—it takes from the poor to give to the rich by shredding our healthcare safety net. This resolution will result in $10 billion in cuts to Medicaid, and possibly more because the instruction to the Committee on Energy and Commerce is for $14.7 billion, and the Committee might cut even more.

I agree with many of my colleagues that we need to consider every dollar we spend in these times of high deficits. This is exactly why our scarce resources should go to the most vulnerable among us. Medicaid provides healthcare to more than 52 million of the sickest and poorest Americans, including 25 million children, 14 million low-income adults (the majority of whom work), five million low-income seniors, and eight million individuals with disabilities.

A bipartisan majority of both the House and Senate have called for no cuts to Medicaid. The National Governors Association opposes the cuts. And nearly 1,000 state organizations

and more than 800 national organizations have voiced opposition to these cuts.

Medicaid is not the problem. It has done a better job at holding down costs than private insurance by almost half. And Medicaid is absorbing the costs of care not covered by Medicare.

These reconciliation instructions will increase the number of uninsured, create job losses in the healthcare sector, and result in payment reductions to doctors and other healthcare providers who care for Medicaid patients. Such cuts will also undermine community health centers that depend so much on Medicaid to survive.

We must get our priorities straight. This budget resolution fails to do that. Two days ago, 348 Members said "no" to Medicaid cuts in a non-binding motion to instruct. I urge my colleagues to stick to their guns, and vote "no" on this budget resolution.

The SPEAKER pro tempore (Mr. LAHOOD). All time for debate has expired.

Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, this 15-minute vote on the conference report on House Concurrent Resolution 95 will be followed by a 5-minute vote ordered on H. Res. 210.

The vote was taken by electronic device, and there were—yeas 214, nays 211, not voting 10, as follows:

[Roll No. 149]

YEAS—214

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cox
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goodlatte
Granger
Graves
Hall
Harris
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson, Sam
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Portman
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—211

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bass
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chandler
Clay
Cleaver
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Frank (MA)
Gonzalez
Goode
Gordon
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Simmons
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—10

Clyburn
Cunningham
Doggett
Filner
Flake
Ford
Jefferson
Paul
Rothman
Towns

□ 2035

So the conference report was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall, No. 149, on H. Con Res. 95, I was in my Congressional District on official business. Had I been present, I would have voted "nay."

SUPPORTING GOALS OF WORLD INTELLECTUAL PROPERTY DAY

The SPEAKER pro tempore (Mr. THORNBERRY). The unfinished business is the question of suspending the rules and agreeing to the resolution, H. Res. 210.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and agree to the resolution, H. Res. 210, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 315, nays 0, not voting 119, as follows:

[Roll No. 150]

YEAS—315

Abercrombie
Aderholt
Akin
Alexander
Andrews
Bachus
Baird
Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Bean
Beauprez
Berry
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonilla
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Bradley (NH)
Brady (PA)
Brady (TX)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Calvert
Camp
Cantor
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chocola
Cleaver
Coble
Cole (OK)
Conaway
Conyers
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
DeGette
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Emerson
Engel
English (PA)
Eshoo
Evans
Farr
Fattah
Feeney
Ferguson
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gohmert
Gonzalez
Goodlatte
Granger
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Holt
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inslee

Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Jindal
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
Langevin
Lantos
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren, Zoe
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Markey
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McIntyre
McKinney
McMorris
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murtha
Musgrave
Myrick
Napolitano
Ney
Norwood
Nussle
Oberstar
Obey
Ortiz
Osborne
Otter
Owens
Pallone
Pascrell
Pastor
Payne
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Portman
Price (GA)
Pryce (OH)
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ruppersberger
Rush
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Saxton
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sherman
Sherwood
Shimkus
Shuster
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stearns
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Walden (OR)
Wasserman Schultz
Waters
Watson
Waxman
Weiner
Weldon (PA)
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—119

Ackerman
Allen
Baca
Baker
Barrett (SC)
Bass
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Boehlert
Bonner
Boyd
Brown (OH)
Brown (SC)
Burton (IN)
Butterfield
Buyer
Cannon
Capito
Capps
Capuano
Chandler
Clay
Clyburn
Cooper
Cox
Cunningham
Davis (FL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
Delahunt
Dicks
Doggett
Doyle
Emanuel
Etheridge
Everett
Filner
Flake
Ford
Gallegly
Gingrey
Goode
Gordon
Graves
Hayes
Hinchey
Honda
Inglis (SC)
Israel
Jefferson
Johnson (CT)
Johnson (IL)
Jones (OH)
King (NY)
LaHood
Larsen (WA)
Larson (CT)
Lewis (GA)
Linder
Lowey
Lynch
Maloney
Marshall
McHugh
McKeon
Meehan
Menendez
Millender-McDonald
Miller, Gary
Murphy
Nadler
Neal (MA)
Neugebauer
Northup
Nunes
Olver
Oxley
Paul
Pearce
Pelosi
Peterson (PA)
Price (NC)
Putnam
Radanovich
Rangel
Reyes
Rogers (AL)
Rogers (KY)
Rothman
Ryan (OH)
Ryan (WI)
Sanchez, Loretta
Sanders
Schakowsky
Scott (GA)
Shadegg
Shaw
Shays
Simmons
Slaughter
Stark
Strickland
Taylor (NC)
Tiberi
Tierney
Towns
Turner
Velázquez
Walsh
Wamp
Watt
Weldon (FL)
Weller

□ 2042

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 150, on H.R. 210, I was in my Congressional District on official business. Had I been present, I would have voted "yea."

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent from this Chamber today. I would like the record to show that, had I been present, I would have voted "yea" on rollcall vote No. 150.

GENERAL LEAVE

Mr. NUSSLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Concurrent Resolution 95, the conference report on the budget just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a concurrent resolution of the following title in which the concurrence of the House is requested.

S. Con. Res. 29. Concurrent resolution providing for a conditional adjournment or recess of the Senate.

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, I rise for the purpose of inquiring of the deputy majority whip the schedule for the coming week.

Mr. CANTOR. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Virginia.

Mr. CANTOR. Mr. Speaker, the House will convene on Tuesday at 2 p.m. for legislative business. We will consider several measures under suspension of the rules. A final list of those bills will be sent to Members' offices by the end of the week. Any votes called on those measures will be rolled until 6:30 p.m.

On Wednesday and Thursday, the House will convene at 10 a.m. for legislative business. We may consider additional legislation under suspension of the rules, as well as two bills under a rule, H.R. 1185, the Federal Deposit Insurance Reform Act, and H.R. 366, the Vocational and Technical Education For the Future Act.

Mr. HOYER. Mr. Speaker, I thank the gentleman for the information.

Does the gentleman know which day we will consider the vocational education bill?

Mr. CANTOR. We plan to consider the vocational education bill on Wednesday, and the deposit insurance reform bill on Thursday.

Mr. HOYER. Can the gentleman tell me what type of rule is anticipated? Will it be open or modified open rules on these two bills?

Mr. CANTOR. Mr. Speaker, I would defer that decision to the Committee on Rules, but believe they will make a number of amendments in order on each bill.

Mr. HOYER. I thank the gentleman for that information.

I note, Mr. Deputy Whip, that the supplemental is not on the announcement, is apparently not on the calendar for next week. Obviously this is a very important bill. It is a very important bill to our country and our troops. We passed this bill some time ago. Can the gentleman tell us when that bill might be before us?

Mr. CANTOR. Mr. Speaker, I tell the gentleman from Maryland, the minority whip, that the conference committee has met a number of times this week and I believe they are narrowing in on agreement. The gentleman from California (Chairman LEWIS) has informed us that his goal is to reach an agreement with the Senate in time to file a conference report on Monday which would allow the House to consider it as early as Wednesday.

Mr. HOYER. Mr. Speaker, I thank the gentleman for that information. Before we conclude, I would like to ask a couple of questions. I understand the gentleman may not know the answers.

Our side, as you probably know, is very concerned about what transpired this week on the Child Interstate Abortion Notification Act. We are very concerned because three Members on our side offered amendments. Those amendments were pretty straightforward, subject to, obviously, an up-or-down vote. They were allowed by the Committee on Rules. But the report of the Committee on the Judiciary starkly mischaracterized those amendments. As the gentleman knows, a motion has been filed on those. A ruling was not made in order as to whether or not that filing will be in order Tuesday or the next day. We raised this issue at the time of the consideration of the bill. We raised it again, the gentleman from Michigan (Mr. CONYERS), the ranking member on the Committee on the Judiciary raised it.

Has the gentleman had an opportunity to discuss this, and does the gentleman know whether or not there is a possibility or probability that what we believe to be egregious language that was substituted for a

straight definition, which, by the way, the Committee on Rules did correctly, but which the Committee on the Judiciary did not, does the gentleman know whether that is being corrected?

□ 2045

Mr. CANTOR. Mr. Speaker, I tell the gentleman from Maryland that the chairman of the Committee on the Judiciary takes a position that everything was done correctly and in order and is looking forward to a debate on the floor on the resolution late Tuesday afternoon.

Mr. HOYER. Late Tuesday afternoon?

Mr. CANTOR. Yes, Mr. Speaker.

Mr. HOYER. Mr. Speaker, does the gentleman know how late that will be? Of course, votes will not be scheduled until 6:30, so most Members will not be back.

Mr. CANTOR. Mr. Speaker, I think we can work that out, but I believe around 5 or 5:30 the debate will take place.

Mr. HOYER. I appreciate that information, Mr. Speaker. I will certainly notify the gentleman from Michigan (Mr. CONYERS) and the gentleman from Virginia (Mr. SCOTT), one of the sponsors; the gentleman from New York (Mr. NADLER), another one of the sponsors; and the gentlewoman from Texas (Ms. JACKSON-LEE), another one of the sponsors. I regret that we need to go ahead with the issue of the privileges of the House. I will tell the gentleman I do not know that I have seen an amendment as mischaracterized as this amendment was, and I was hopeful that we could simply resolve it. But if that cannot be done, then we will have to have it subject to debate.

I thank the gentleman for his information.

Mr. CANTOR. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Virginia.

Mr. CANTOR. Mr. Speaker, I thank the gentleman for yielding to me. I will tell the gentleman, again, that the chairman feels that all was in order and we will debate the question on the floor Tuesday afternoon.

Mr. HOYER. Mr. Speaker, I thank the gentleman for that information.

CONGRATULATIONS TO THE HONORABLE ROB PORTMAN

(Mr. CANTOR asked and was given permission to address the House for 1 minute.)

Mr. CANTOR. Mr. Speaker, it is with great pride and a little bit of sorrow that I rise this evening to recognize the fact that this may very well be one of the last nights for one of our very esteemed colleagues to serve on the floor of this great House.

I have gotten to know the gentleman from Ohio (Mr. PORTMAN) over the last several years. I have had the privilege of serving with him on the Committee on Ways and Means and at the Republican leadership table. I do not believe that there is a finer or more dedicated public servant to serve in this House. There is no question that he has the respect of all of our colleagues on both sides of the aisle for his seriousness of purpose, for his understanding of the issues, and mastery of the legislative process. It will truly be a loss for us in the House, but we are also fortunate as Americans that the gentleman from Ohio (Mr. PORTMAN) will go on to serve this great country and serve our President hopefully in the very near future.

So it is with a bittersweet good-bye that I do say and congratulate the gentleman from Ohio (Mr. PORTMAN).

Mr. EHLERS. Mr. Speaker, will the gentleman yield?

Mr. CANTOR. I yield to the gentleman from Michigan.

Mr. EHLERS. Mr. Speaker, I thank the gentleman for yielding to me.

I would just like to add my voice, and I know the Chamber is not as full as it should be for this occasion, but I have served in public office for approximately 30 years. I am relatively quiet, but I do a lot of observation. And I have noticed over the years that there are some people who are simply very outstanding by making a lot of noise but not doing much.

The people I prefer, whom I have observed also, are those who do a great deal but do not make a lot of noise about it. And the gentleman from Ohio (Mr. PORTMAN) is in the latter category. I have watched him over the years I have been here. An outstanding person, very hard worker, always behind the scenes, not asking for credit or bragging about what he has done. This is what makes the government work. This is what made the House work. And I want to express my appreciation to the gentleman from Ohio (Mr. PORTMAN) and wish him the best of everything in his new position. I am sure he will do equally well in that position and will continue to serve this country well.

Mr. CANTOR. Mr. Speaker, I yield to the gentleman from Florida (Mr. FOLEY), another fellow member of the Committee on Ways and Means.

Mr. FOLEY. Mr. Speaker, I thank the gentleman for yielding to me.

I too want to commend the gentleman from Ohio (Mr. PORTMAN), particularly his family for willingly sacrificing him both to the service in this Congress as well as the endeavor he is about to undertake.

The President chose wisely. The gentleman from Ohio (Mr. PORTMAN) has been one of the most intellectually honest, sincere members of our committee. He has tackled the tough issues. He has faced them head on. He comes from a very important State. He understands the dynamics of trade. It is good to have a friend at Trade. I am particularly delighted.

But I honestly and sincerely wish him God's blessing as he proceeds to help our Nation, strengthen our economy, deal with our allies, create new opportunities. We are blessed with the fact that when trade is done mutually and satisfactorily, we open up democracies. We change patterns of behavior. We bring down the walls of communism by opening the hearts, the minds, and the wallets of the oppressed.

So his job is significant, it is important, and he is not only suitable to the task, but he is genuinely one of the best representatives our President could have chosen. And I wish him God speed.

ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENTS TO H.R. 1185, FEDERAL DEPOSIT INSURANCE REFORM ACT OF 2005

Mr. SESSIONS. Madam Speaker, the Committee on Rules may meet the week of May 2 to grant a rule which could limit the amendment process for floor consideration of H.R. 1185, the Federal Deposit Insurance Reform Act of 2005.

Any Member wishing to offer an amendment should submit 55 copies of the amendment and one copy of a brief explanation of the amendment to the Committee on Rules in room H–312 of the Capitol by noon on Tuesday, May 3, 2005. Members should draft their amendments to the bill as reported by the Committee on Financial Services on April 27, 2005. Members are advised that the report of the Committee on Financial Services is expected to be filed tomorrow, Friday, April 29. And Members are also advised that the text of the reported bill should be available for their review on the Web sites of the Committee on Financial Services and the Committee on Rules by Friday, April 29, 2005.

Members should use the Office of Legislative Counsel to ensure that their amendments are drafted in the most appropriate format and should check with the Office of the Parliamentarian to be certain their amendments comply with the rules of the House.

ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENTS TO H.R. 366, VOCATIONAL AND TECHNICAL EDUCATION FOR THE FUTURE ACT

Mr. SESSIONS. Madam Speaker, the Committee on Rules may meet the week of May 2 to grant a rule which could limit the amendment process for floor consideration of H.R. 366, the Vocational and Technical Education for the Future Act. The Committee on Education and the Workforce ordered the bill reported on May 9 and filed its report with the House on March 17.

Any Member wishing to offer an amendment should submit 55 copies of the amendment and one copy of a brief explanation of the amendment to the Committee on Rules in room H–312 of the Capitol by noon on Tuesday, May 3.

Members should draft their amendments to the text of the bill as reported by the Committee on Education and the Workforce.

Members should use the official Office of Legislative Counsel to ensure that their amendments are drafted in the most appropriate format. Members are also advised to check with the Office of the Parliamentarian to be certain their amendments comply with the rules of the House.

ADJOURNMENT TO MONDAY, MAY 2, 2005, AND HOUR OF MEETING ON TUESDAY, MAY 3, 2005

Mr. SESSIONS. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. on Monday next and, further, when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, May 3, 2005, for morning hour debate.

The SPEAKER pro tempore (Miss McMorris). Is there objection to the request of the gentleman from Texas?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. SESSIONS. Madam Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

PROVIDING FOR CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE

The SPEAKER pro tempore laid before the House the following privileged Senate concurrent resolution (S. Con. Res. 29) providing for a conditional adjournment or recess of the Senate.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 29

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns at the close of business on Thursday, April 28, 2005, Friday, April 29, 2005, Saturday, April 30, 2005, or Sunday, May 1, 2005, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until Monday, May 9, 2005, at a time to be specified by the Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate or his designee, after consultation with the Minority Leader, shall notify the Members of the Senate to reassemble whenever, in his opinion, the public interest shall warrant it.

The SPEAKER pro tempore. Without objection, the Senate concurrent resolution is concurred in.

There was no objection.

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE HONORABLE NANCY PELOSI, DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE DEMOCRATIC LEADER,
Washington, DC, April 28, 2005.

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

DEAR MR. SPEAKER: Pursuant to section 101(f)(3) of the Ticket to Work and Work Incentives Improvement Act of 1999 (42 U.S.C. 1320b–19), I hereby appoint Ms. Loretta Goff of New York to the Ticket to Work and Work Incentives Advisory Panel.

Best regards,

NANCY PELOSI.

COMMUNICATION FROM THE HONORABLE NANCY PELOSI, DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House a communication from the Honorable NANCY PELOSI, Democratic Leader:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE DEMOCRATIC LEADER,
Washington, DC, April 28, 2005.

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

DEAR MR. SPEAKER: Pursuant to (2 U.S.C. 88b–3), I hereby appoint Rep. Dale E. Kildee of Michigan to the House of Representatives Page Board.

Best regards,

NANCY PELOSI.

HONORING OUR SERVICEMEN AND WOMEN

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Madam Speaker, this has been quite a week here in the House. And I think that so many of my colleagues have noted how we hear from constituents about how feistily we come to the floor and how we debate and how we discuss the issues and the policies of the day and even tonight as we have stood to honor one of our colleagues who is taking on a new challenge. And I think it is so appropriate, Madam Speaker, that we recognize the fact that we do this because we are free. We are a free people. And we do it because we live in a Nation where men and women choose to sacrifice their lives, their time, their talent to preserve that freedom.

I noticed in The Washington Post today there is a great article about the Iraqi Army, now over 150,000 strong, being trained by American men and women in uniform who have chosen, who have chosen, to serve their Nation.

Madam Speaker, in Tennessee we have the 278th regiment that is on the Iraq-Iran border training many of these new Iraqi military men. And I want to honor them in their service and all of our men and women and say ''thank you'' and God speed for the good work they do in preserving freedom.

LET US PASS A BUDGET THAT WORKS FOR ALL OF AMERICA

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Madam Speaker, we had quite a trying week.

Many of us see things from a different perspective. I am hoping that we will be able to correct some of the flaws that we found in the debate this week. And particularly I thought it was important to reflect on what kind of budget was just passed in a very close vote, 211 to 214, clearly a divided Congress on whether or not this budget helps any of the Americans that we try to uplift.

This is a budget that cuts Medicaid by $10 billion. This is a budget that protects over $70 billion in tax cuts. This is a budget that will see many veterans hospitals and their services cut. One of the more moving experiences I had was to hear a veteran ask the question, ''Do you not care?''

□ 2100

Are we not concerned about the veterans coming back, many of them traumatized, many of them amputees, many of them who have experienced other soldiers or veterans in Afghanistan or Iraq that committed suicide?

We have a chance to do this over again. This conference report, frankly, does not answer the concerns of the American people. I am glad to have voted no. I hope we find it in our hearts to really stand up for the American people who count and pass a budget in the future that works for all of America.

DAVID WILKINS NOMINATED AMBASSADOR TO CANADA

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, last night President Bush nominated his long time friend South Carolina Speaker of the House David Wilkins as America's new Ambassador to Canada. While I have mixed feelings of the loss of Speaker Wilkins from public service in South Carolina, I am thrilled he will now serve all Americans as the representative to our sister nation, which is America's largest trading partner in the world.

David Wilkins and his wife Susan are the perfect team to represent America. Susan is competent and gracious and will establish the Ambassador's residence as a center of warm, Southern hospitality.

All South Carolinians are proud of David Wilkins making history by becoming an ambassador to our appreciated northern neighbor. In 1994, he made history to become the first Republican Speaker of the House of a Southern legislature in the 20th century, followed by many speakers, from Austin to Richmond.

Godspeed, David and Susan.

In conclusion, God bless our troops, and we will never forget September 11.

THANKS FOR ADDRESSING THE VITAL ISSUE OF SOCIAL SECURITY

(Mr. MCHENRY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCHENRY. Madam Speaker, tonight our President addressed the Nation on the issue of Social Security reform, a vital issue not just for current retirees, but for generations to come. I want to praise what the President had to say tonight.

This is one of the most major issues that we can take on as a Congress, the largest single issue we can take on here in the United States House of Representatives, so I think it is important that we say thank you to the President for taking on this important and vital issue that generations of Americans have relied upon.

Social Security is important. We do not want to break it, we want to improve it and make sure it is a lasting institution, not just for those retirees today and those that are close to retirement, but for those of my generation, the Generation X-ers, who believe that Social Security will not be around for them. Also, we need to have personal private personal retirement accounts as part of Social Security.

Thank you, Mr. President, for addressing this vital issue.

SPECIAL ORDERS

The SPEAKER pro tempore (Miss MCMORRIS). Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

SMART SECURITY AND MISSION UNACCOMPLISHED

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Madam Speaker, over the last few months, the Iraqi people have been making strides toward democracy by holding elections, nominating ministers and working on a draft constitution. I congratulate the people of Iraq for their very brave efforts, efforts that I am certain were intended to take Iraq back for the people of Iraq.

Though admirable, none of Iraq's recent advances validate the false pretenses that caused the United States to fight a war in a country that never threatened us, never attacked us and never posed a threat to our way of life. But, sadly, despite the false pretenses under which this war was fought, President Bush and his administration have continued to insist that Iraq is close to becoming a stable and viable democracy. The President claims that the war in Iraq is going well and that our military is succeeding.

Madam Speaker, I do not know about you, but I do not consider the deaths of over 1,500 American soldiers and countless tens of thousands of innocent Iraqi civilians and no end in sight as a military success.

Yet, declaring success in the very face of chaos is nothing new for this President. May 2 is the second anniversary of his speech declaring ''an end to major combat operations'' under a banner declaring ''mission accomplished.'' Mission accomplished.

One year later, many experts have different opinions. In fact, earlier today I participated in an event with Daniel Ellsberg, the author of the Pentagon Papers, which revealed that President Richard Nixon was deceiving the American people about the role America played in the Vietnam War. From his past experience, Mr. Ellsberg believes that Iraq will not be safe for years to come and that the Bush administration seems eager to maintain high troop levels in the country for the foreseeable future. To what end, he and I both ask?

I question that if there are 150,000 fully-trained Iraqi soldiers, as the President claims, then why are America's 150,000 troops still in Iraq? Why do they remain there as sitting ducks for drive-by shootings and car bombings?

Unfortunately, I believe that the reason is the Bush administration is gearing up for a sustained military occupation of Iraq, with access to oil having more to do with that occupation than our government admits.

Evidence certainly points to an occupation that will not end any time soon. The Bush administration has specifically sought funds for 14 military bases in Iraq, claiming they are not permanent. The very idea of funding American military bases in Iraq more than suggests that President Bush is not serious about turning Iraq over to the Iraqis any time soon. In fact, Daniel Ellsberg believes that the U.S. occupation of Iraq could last longer than the U.S. occupation of Vietnam in the 1970s, which persisted for a total of 16 years. This should scare everyone who values peace, who values democracy and fiscal sanity.

The possibility that the United States could maintain a military presence in Iraq for years to come is dangerous; dangerous to our foreign policy and inconsistent with the values that most Americans hold dear.

Fortunately, however, the continued occupation of Iraq has the American people talking seriously about a withdrawal. That is why I introduced H. Con. Res. 35 in January of this year, legislation calling for the withdrawal of U.S. military forces from Iraq. By removing American troops, we will remove the main focus of the insurgents' rage. Bringing our troops home is the only way to keep them safe and out of harm's way.

Everyone likes to talk about supporting the troops. Well, it is time to truly support our troops, by bringing them home, and we should begin that effort today.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE CLEAR ACT OF 2005 AND THE MINUTEMEN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. NORWOOD) is recognized for 5 minutes.

Mr. NORWOOD. Madam Speaker, this month the Minuteman Project has accomplished with just a few hundred citizen volunteers what the Federal Government has been unable to do and actually told us was impossible to do, and that is stopping illegal immigrants crossing our borders.

In the process of focusing the Nation's attention on the insecurity of our borders, they have succeeded in bringing new information to the debate on the overall immigration crisis in this Nation. The new information is critical to this body's consideration of a specific policy area, probably and frankly the one area in which all Americans should be in 100 percent agreement, and that is protecting Americans from criminal illegal immigrants.

U.S. Border Patrol Sector Chief Michael Nicely is head of the entire 260 mile long Tucson Sector of our border, the worst in the Nation for illegal immigration, and the same sector where the Minutemen shutdown a 23 mile portion of that sector.

What should be horrifying to all Americans is what Chief Nicely told Government Executive Magazine just last week. He says that since November, the Border Patrol agents have caught 17,000 criminal illegal aliens trying to enter our country through just through this one 260 mile sector; 17,000 criminal illegal aliens. That is not total illegal aliens now, just the criminals. Overall, Chief Nicely's sector has arrested more than a quarter of a million people trying to enter this country illegally just since Thanksgiving.

Last year, I introduced legislation specifically targeting against criminal illegal aliens. The Clear Law Enforcement For Criminal Aliens Removal

Act, or we call it the CLEAR Act, gained the support of some 125 Members. Our purpose is fairly simple: State and local law enforcement personnel would be fully authorized to investigate, apprehend, and, if necessary, remove criminal aliens in the United States.

Already this year our Justice Department has asked for help from local law enforcement on this issue. According to Reuters News, the Bush administration now recognizes that, ''The United States has freed numerous illegal aliens into the community who are dangerous murderers, rapists and child molesters under a legal loophole created by Supreme Court decisions, and that ''Congress should urgently pass legislation to close this loophole, which has already resulted in the release of several extremely violent offenders, with others scheduled to be released soon.''

According to the report, U.S. Justice Department Deputy Assistant Attorney General Jonathan Cohn made this request of the Committee on the Judiciary of the House of Representatives on March 14.

We have the legislative draft to do just what they want, this year's pending version of the CLEAR Act. We plan to introduce the 2005 version within the next few weeks. We do welcome constructive input from the administration, from Members of both parties and members of both houses. But from what we have learned thus far from the Minuteman Project, the CLEAR Act cannot be a stand-alone remedy for stopping the hordes of vicious foreign criminals invading our country to murder, rape and molest Americans.

My one bill will not do it, not by itself. We can provide local and State law enforcement with the tools to remove these criminal elements through guaranteed deportation. We can help Homeland Security do their job. But it does little if they can simply pour back across unsecured borders. You have gotten nothing done.

The CLEAR Act, therefore, will become a critical component of overall immigration and border reform. I urge every Member in this body to join in this effort with the CLEAR Act. In return, I pledge to support whatever legislative measures that are necessary to secure our borders. That includes a total military closing, if necessary, to stop these criminals. I fully understand the meaning of ''closing,'' even if it is a temporary closing. It is a time we in this body are going to be able to declare whose side are we on.

□ 2115

Are we on the side of fellow Americans, or are we on the side of those of the new world order who want no borders? It is that simple. The vote will come down to just that.

The SPEAKER pro tempore (Miss MCMORRIS). Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ORDER OF BUSINESS

Mr. JONES of North Carolina. Madam Speaker, I ask unanimous consent to take my Special Order at this time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

IN SUPPORT OF LIEUTENANT PANTANO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES of North Carolina. Madam Speaker, today is the third day of the Article 32 hearing for Second Lieutenant Ilario Pantano, a Marine who I have talked about here on the floor at great length and who has served our Nation bravely in both gulf wars.

In an action of self-defense a year ago in Iraq, Lieutenant Pantano made a split-second, battlefield decision to shoot two Iraqi insurgents who refused to follow his orders to stop their movement towards him. Two and a half months later, a sergeant under his command, who never even saw the shooting and who was earlier demoted for his lack of leadership abilities, accused him of murder. Because of that, Lieutenant Pantano today continues to face an Article 32 hearing where a hearing officer will determine whether he will face a court martial for two counts of premeditated murder.

Last night I described how yesterday's hearing came to a halt when it became apparent that Lieutenant Pantano's accuser, Sergeant Coburn, had recently violated his superior's orders not to give an interview on this case. The defense showed that he was interviewed for various media outlets, including last week's New York Magazine cover story on the case.

In fact, Sergeant Coburn may now face charges for disobeying orders, and he left the stand yesterday after the hearing officer recommended he get an attorney.

Madam Speaker, it seems obvious that this man's testimony cannot be considered credible. How can these charges move forward when the primary witness is someone who did not actually see the shooting and who may now face charges for disobeying serious orders about the case?

Let me also quote from Navy Medical Corpsman George Gobles, the only other person present at the time of the shooting, and the prosecution's other main witness who took the stand yesterday. He called Pantano ''a damn good leader.'' He continued to testify: ''I felt the safest with, you know, this platoon because more than anything, because of Lieutenant Pantano, because of his leadership.''

Madam Speaker, as I have said many times before, Lieutenant Pantano is by all accounts an exceptional Marine. I hope that yesterday's proceedings have finally begun to bring out the truth in this case. I pray that the end is near so that Pantano's family can put this behind them and move forward with their lives. I hope that in the next day or two, as this hearing ends, the hearing officer comes to the same conclusion that I and many like me have come to, that Lieutenant Pantano should never have been charged in the first place, and that all charges against him are dropped. I hope and I pray that the truth will prevail.

Madam Speaker, in conclusion, I continue to ask my colleagues to research the case and consider supporting House Resolution 167, my bill to help support Lieutenant Pantano as he faces this battle. I encourage them to visit his mother's Web site at www.defendthedefenders.org and learn more about this fine young Marine, and I would be proud to call him my son or my son-in-law.

I close by asking the good Lord in heaven to please bless Lieutenant Pantano and his family, and by asking the good Lord in heaven to please continue to bless our men and women in uniform, and I ask the good Lord in heaven to continue to bless America.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. GUTKNECHT) is recognized for 5 minutes.

(Mr. GUTKNECHT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. SCHIFF) is recognized for 5 minutes.

Mr. SCHIFF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

(Mr. GEORGE MILLER of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. MCHENRY) is recognized for 5 minutes.

(Mr. MCHENRY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

A LITTLE ENGINE THAT COULD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. FOLEY) is recognized for 5 minutes.

Mr. FOLEY. Madam Speaker, it has been one interesting week here; and if my colleagues read the media and listened to the noise and the clatter, one would think that nothing is ever getting done in this building.

I opened the Washington Times today and I found a very thoughtful article that I will enter into the RECORD written by Gary Andres. Let me read the headline: ''The Little Engine That Could. Hill Bipartisanship Helps Pass Important Legislation.''

I will read the article: ''The noisy rub of grinding partisanship drowns out most other sounds on Capitol Hill these days. Controversies about congressional ethics and confirming judges not only threaten to jam the legislative gears, but also fuel the media's motor. Yet, a closer peek under the lawmaking hood reveals a quietly humming bipartisan engine. Despite roaring hyperbole from some Democratic congressional leadership offices, a significant number of rank-in-file minority party members are joining Republicans to pass an impressive list of significant accomplishments.''

This is maybe why they fear the gentleman from Texas (Mr. DELAY) and tried to characterize him in some of the meanest ways.

Listen to the scorecard:

''So far this year in the House,'' thanks to the leadership of the gentleman from Texas (Mr. DELAY), ''50 Democrats helped pass class action reform, 112 Democrats voted for congressional continuity, 42 Democrats joined in legislation repealing the death tax, 73 supported the bankruptcy bill, 42 Democrats broke ranks on the Real ID bill'' dealing with immigration and driver's licenses, ''and last week, 41 Democrats joined the Republicans on the final version of the energy bill.''

That is legislative accomplishment. That is legislative leadership, and that is provided by this majority.

I continue: ''This bipartisan 'little engine that could' is gaining so much momentum that it is causing certain Democrats to wrap common sense around their rhetorical axles. Nancy Pelosi's spokesperson was quoted in this newspaper last week saying, Republicans were trying to 'distract' people by passing bipartisan legislation, a novel interpretation of what others might consider laudable accomplishments.''

In fact, these are my words, every time we have a bill, people say, if they would only work in a bipartisan manner, we would be able to help the Republicans pass these important bills.

I continue with Gary's analysis: ''Being 'shut out of the process' or Republicans 'abusing power,' promoting an 'extremist agenda' have been central lines in this year's Democratic leadership political prose. Yet, if the process is hopelessly flawed and ideologically unbalanced, why are so many Democrats voting for this growing agenda of success? Part of the explanation is what political scientists call 'hyper-pluralism.' A growing number of liberal interest groups join together and making rigid, uncompromising demands on lawmakers. These demands are not about supporting an alternative agenda; it's all about opposition, all the time.

''Hyper-pluralism begets extreme partisanship, meaning Democrat leaders get stuck in 'just say no' speed. No matter what the issue, they oppose. And when they try to shift gears, like Democratic whip Steny Hoyer recently did by supporting the final passage of the bankruptcy bill, torrents of vitriol rain down upon them from interest groups, making breaking out of the opposition lock-step even more difficult next time.''

Let me go on, and I will miss this, but it will be entered into the RECORD:

''The major pieces of legislation passed in the House so far this year on legal reform, energy, taxes, and congressional continuity are not, as some of the Democrat leadership argues, part of an 'extreme right-wing agenda.' An average of 62 Democrats joined with the Republicans to pass the six referenced bills.

''Rank-and-file Democrats with reasonable ideas aimed at improving the legislative product, as opposed to bogging down the process or embarrassing Republicans, will have numerous opportunities to play a constructive role. Reasonable Democrats should not miss the chance to put their mark on public policy.''

Now, this demonstrates dramatically that we have been able to construct bipartisan legislation to the credit of the majority leader, the gentleman from Texas (Mr. DELAY). He is so successful that the only way to beat him is to demean him and to pillorize him, and I can tell you one thing about the man that I know. He is a kind, decent, Godfearing man. And when he is able to construct these kinds of victories, it is a result of leading this Congress in the direction that most Americans agree with.

We just heard from the gentleman from Georgia (Mr. NORWOOD) talking about immigration. That is an issue America cares about. That is one we should tackle. I think Americans care about Social Security too, but instead of talking constructively about fixing Social Security, we demonize the President, we demonize the plan. They are not even sure what is in the plan, but they are going to continue to demote and demean the plan.

Now, I believe in my heart that a lot of people came here to do the right thing. I know a lot of Democrats and a lot of Republicans want to make America better and stronger. We have to get out of the mindset of beating, berating, destroying individuals in order to succeed at our game. We should not sacrifice any Member of this Congress on the alter of personal destruction. We will not allow this process to be bogged down by them using one individual to characterize this Chamber or this process. The gentleman from Texas (Mr. DELAY) is a fine, fine gentleman. We may disagree on some issues, but he is a fine gentleman; and I can suggest to my colleagues, looking at this scorecard where so many Democrats joined us on so many bills to reform this process, that this is, in fact, a bipartisan body that is working. This is a bipartisan body that is producing real product on behalf of the American people, and this is a Chamber that has decided to work on behalf of the American people to get things done for the American people.

So I salute our leadership. I welcome the opportunity to continue to participate in meaningful debates, and I urge everyone to open up the Washington Times, read Gary Andres' important observation about this process. And when my colleagues read it in totality, and when they get the full, rich meaning of the words on this page, they will see exactly why we are on the right track to helping grow this economy.

A ''LITTLE ENGINE THAT COULD''

(By Gary Andres)

The noisy rub of grinding partisanship drowns out most other sounds on Capitol Hill these days. Controversies about congressional ethics and confirming judges not only threaten to jam the legislative gears but also fuel the media's motor. Yet a closer peek under the lawmaking hood reveals a quietly humming bipartisan engine. Despite roaring hypebole from some Democratic congressional leadership offices, a significant number of rank-in-file minority party members are joining Republicans to pass an impressive list of significant accomplishments.

So far this year in the House, 50 Democrats helped pass class action reform, 122 voted for congressional continuity, 42 joined in legislation repealing the death tax, 73 supported the bankruptcy bill, 42 Democrats broke ranks on the Real ID bill, and last week, 41 joined the Republicans on the final version of the energy bill.

This bipartisan ''little engine that could'' is gaining so much momentum that it's causing certain Democrats to wrap common sense around their rhetorical axles. Nancy Pelosi's spokesperson was quoted in this newspaper last week saying Republicans were trying to ''distract'' people by passing bipartisan bills—a novel interpretation of what others might consider laudable accomplishments.

Being ''shut out of the process'' or Republicans ''abusing power'' promoting an ''extremist agenda'' have been central lines in this year's Democratic leadership's political prose. Yet if the process is hopelessly flawed and ideologically unbalanced why are so many Democrats voting for this growing agenda of success? Part of the explanation is what political scientists call ''hyper-pluralism.'' A growing number of liberal interest groups join together and make rigid, uncompromising demands on lawmakers. These ''demands'' are not about supporting an alternative agenda, it's all about opposition—all the time.

Hyper-pluralism begets extreme partisanship, meaning Democratic leaders get stuck in ''just say no'' speed. No matter what the issue, they oppose. And when they try to shift gears, like Democratic Whip Steny Hoyer of Maryland recently did by supporting final passage of the bankruptcy bill, torrents of vitriol rain down upon them from interest groups, making breaking out of the opposition lock-step even more difficult next time.

Compromise may be the mother's milk of the lawmaking process, but today's opposition leaders believe it curdles fundraising appeals and sours the party base's energy. Today's Democratic leaders take their opposition role quite literally. They do what they think opposition leaders should do—''oppose,'' always. And evidently the media thinks this continuing saga whets public interest.

But focusing exclusively on the rhetoric and voting patterns of Democratic leaders—as the media often does in writing the conflict story dujour—misses another significant development. For those not charged with daily maintenance of fanning the conflict flames, there are tremendous opportunities to shape public policy. Democratic rank-in-file lawmakers are not politically tone-deaf to their constituents' aversion to constant bickering; their leadership's one-note sonata is beginning to grate. That's why the list of bipartisan accomplishments in the House is expanding.

The major pieces of legislation passed in the House so far this year on legal reform, energy, taxes and congressional continuity are not—as some in the Democratic leadership argue—part of an ''extreme right wing agenda.'' An average of 62 Democrats joined with the Republicans to pass the six bills referenced above.

Rank-in-file Democrats with reasonable ideas aimed at improving the legislative product, as opposed to bogging down the process or embarrassing Republicans, will have numerous opportunities to play a constructive role. Reasonable Democrats should not miss this chance to put their mark on public policy.

The next big test is the Central American Free Trade Agreement. The question is: Will the ''little engine that could'' continue to hum along and will a significant number of Democrats support this legislation promoting economic growth and open markets? Or will they succumb to the fear tactics and threats of leaders more interested in party discipline and consolidating power?

Clearly, Republicans will be open to accommodate reasonable Democrat amendments and ideas. After all, passing, legislation with 40–60 Democrats is in Republicans' long-term political interest as well. The question is how many Democrats will reject mere nay saying and seize the opportunity to lubricate the engine of bipartisan success.

THE PLIGHT OF THE TEXAS RICE FARMER

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Texas (Mr. POE) is recognized for 60 minutes as the designee of the majority leader.

Mr. POE. Madam Speaker, on Friday night, April 15, I had a meeting with local rice farmers in my southeast Texas district. We met out in the country in the lowland plains of east Texas on Aggie Drive in Beaumont, Texas. Really, it was closer to China, Texas. Many of these men had finished a 16-hour day and came to the meeting after working all that time in the fields. They drove up in their standard work vehicles: Texas pickup trucks. Their appearances would fool you, however. They are highly intelligent, some very well educated. They know more about farming, farming machinery, nature, conservation, irrigation, water resources, meteorology, pesticides, insecticides, fertilizer, trade, global competition, foreign governments, and efficiency than many who have a string of degrees behind their names, especially those near this House.

As we sat around and ate fried catfish made out of rice flour, I talked to them for several hours about their plight. One rice farmer said this was his last year in farming. He was finally just going to sell off his equipment and sell the land. They painted for me, Madam Speaker, the extremely bleak picture of the present and future in rice farming. And while one could argue that economic decline plagues all rural America across the board on account of the death tax and high tax levels, too many government regulations, the rice farming industry has been hit particularly hard.

Consider the following: in 1997, 8 years ago, there were about 10,000 rice farms in the United States. By 2002, that number had dropped to about 8,000. The State of Texas in 1972 had more than 600,000 acres of rice farming. That is about the size of Rhode Island. Last year, it was less than 200,000 acres, a two-thirds loss of the land to something else. Unfortunately, rice farmers, those in southeast Texas, for example, cannot change to alternative crops because other crops do not thrive in this environment, the marshy, unique wetlands and humid climate of southeast Texas.

In addition, the farmers have to contend with the whims of the Lone Star weather, ranging from sun to hail, too much rain to not enough rain, or none at all. Natural disasters like hurricanes, they come and go and ravage the land where we live. According to the United States Department of Agriculture's Economic Research Service, in 2002, the average American rice farmer made about $1,700 from farming, or about 82 cents an hour for a 40-hour work week. I will repeat that. That is 82 cents an hour for a 40-hour work week, and that was with government support. This harsh reality forces most farmers to rely on nonfarming income to support their households.

□ 2130

Rice farmers work their own land, Madam Speaker. They do not hire day laborers or seasonal workers. They cannot afford it. The farmer and his kids, they work the land. Rice farmers can barely support themselves financially, let alone make needed contributions to the industry to keep it afloat.

At one time the American Rice Growers Cooperative Association in Dayton, Texas, that is in my district, they owned an irrigation system using the Trinity River to irrigate between 5,000 and 6,000 acres of rice land. It has not run in 3 years because not enough farmers could financially commit to pay $25,000 to run the pumps to irrigate the land.

Now, get this, Madam Speaker. The water rights have been sold to the city of Houston, and the land is being used for trailer parks which, as one farmer put it, once the land is gone, it is over for the rice farmers. You see, rice land takes years to develop. If it remains unused for extended periods of time, like 3 years, the land becomes useless for rice farming.

Moreover, industry representatives are dwindling. Farm machines, the John Deere stores, they are disappearing. Each year, older farmers quit or retire. Each year, less acreage is being used for crops. Each year, fewer young men go into farming because the cost versus the return on this investment is not sufficient for any type of lifestyle. What is the incentive for the young to enter the farming industry?

This meeting we had on April 15, most of the farmers there were at least 50 or older. Farming, rice farming is a very labor- and energy-intensive business. It requires electricity to run the pumps to irrigate the crops, diesel fuel to run the combines, and fuel for the crop dusters, pesticides to control insect problems. And we have a lot of insects in southeast Texas.

In addition to the labor from early morning to dark, from February to November, it is about 8:30 now, Madam Speaker, in southeast Texas, most of the rice farmers are coming in from working all day.

All the costs have increased, yet the price that the farmer receives for selling his crop remains the same or has dropped. It also takes an enormous amount of time to fill out Federal forms, which has tripled, according to the farmers.

These farmers are required just to sell the rice they grow. Due to government regulations, sanctions have prohibited farmers from making sales of their crops in an open market. They are even told by this government, our government, how much they can plant.

Back in the 1970s, in what was called the rural renaissance, an average of 300 farmers or so would attend the American Rice Growers annual dinner. Last year at the dinner, 14 rice farmers showed up.

Once the experienced rice farmers leave the industry, we cannot restore this lost knowledge. No government program can do that. Not to mention that the present farm program constitutes only four-tenths of 1 percent of the national budget.

Madam Speaker, I would like to take some time to recount the personal stories of two of the countless Texas rice farmers, to give this body an idea just who these folks are.

Ray Stoesser, he is a friend of mine. He is also a third-generation rice farmer in southeast Texas. He has a true appreciation for the value of research, education, and he loves the land. One of the most successful and consistent producers, he brings an exceptional crop each year to the rice market.

Ray is quick to point out there is no secret to rice farming. He says, ''I believe that God could give me the talent

and the strength to become a good farmer.''

Ray's grandfather, Emil Joseph Stoesser, immigrated from Germany around the turn of the country and settled in Illinois. He learned about rice farming through a friend, decided to move his family to Texas, southeast Texas.

He had a different type of farming apparatus. He brought with him two Clydesdale horses, probably the first two Clydesdale horses ever in the State of Texas. They came with the farming community and he hoped to use them to plow his rice fields. Soon after moving to Texas, however, the Clydesdales succumbed to the heat and the humidity and mosquitoes common in our area. After that, they used mules to pull the plow.

Ray remembers how, as a boy, he worked long hours to clear the new property and get ready for rice production. He said, ''Dad had 3,000 acres that was completely unimproved. We had to clear the trees, pull up the roots, build the canals, dig the wells just to get it ready.''

Ray's dad was a dedicated and talented farmer. And Ray attributes his strong work ethic and teachings to his dad. Every day after school Ray would meet his dad on the farm and work until well after dark.

Ray also had a son that followed him into the rice farming industry. Neal Stoesser is 26 and has been farming since his senior year in high school. Although he works in partnership with Ray, Neal also farms 1,000 acres of rice and soybeans independently of his dad.

In 2002, Ray and Neal had 2,000 acres of rice, all in Cocodrie, 5,000 acres of milo, 650 acres of soybeans. This was a father and son team that farmed from one end of Liberty County to the other, about 60 miles from one end of their farming community to the other end.

In good years the Stoessers average about 7,300 pounds an acre on this main crop of rice. They sell to the Beaumont Rice Mill and the Gulf Rice Mill. Ray has considered joining the Riceland Co-op out of Arkansas, but he prefers to have his rice sold and milled in Texas. He says, ''declining infrastructure is a real problem for our Texas rice industry, and we want to do what we can to support our local mills.''

But Ray feels that the government policies regarding food exports have really hurt American farmers. He recalls the years when Iran and Iraq were two of our best export markets. They would buy the lion's share of U.S. rice. Not surprisingly, Ray feels the Cuban market should be open to U.S. farmers, as export embargoes only serve to hurt American farmers. They hurt farmers here at home. And they are not effective in dealing with political problem governments.

Ray's younger son, Grant, is also very involved in the family farming operation as well as promoting the rice industry.

And of course, there is Mom, Eileen Stoesser, very proud of all of her boys. She includes Ray as one of her boys, and has had many happy stories to tell about their life on the farm as the wife of a rice farmer. She remembers making a trip with her family and driving past endless fields of green. Eileen thought this was the most beautiful sight she had ever seen, and asked her parents what is growing on these flooded fields? Little did she know how important that beautiful crop would be, how it would come to shape her life. It was rice growing in southeast Texas.

Ray and Eileen, they are humble folks. They believe that all their success comes from the good Lord. Ray said, ''I can plant the crop, but I cannot make it grow, only the good Lord can do that. I have been blessed with a wonderful upbringing, a beautiful family, and the talent to serve God by producing food for the American people.''

That is Ray's story. He is still farming in southeast Texas.

Jack Wendt is also a third-generation rice farmer. He just planted his 62nd rice crop. Jack, he is not a young guy. Some would call him a senior. He is in his eighties. But you would be hard-pressed to keep up with the pace that he sets each day. Jack and his wife Billie, they live in Richmond, Texas, and the house outside of Kendleton is used for social gatherings, receptions, weddings, church functions and rice meetings. That is what they do in the country, Madam Speaker.

Much of the furniture in the house is from their parents. There are several door frames dating back to 1868 from the original homestead of Billie's grandparents in Fulshear. That farm had been continuously operated by her family for over 100 years and was designated as a Texas Century Farm by the Texas Department of Agriculture. There are old photographs of Billie's and Jack's ancestors around the house, kitchenware and tools that date back to the 1800s.

Jack takes pride in their family heritage. The man Jack called Grandpa Wendt came to America, like many other rice farmers, from Germany. He came in 1856, and he settled in this town called Sweet Home, Texas. That is right, Madam Speaker. It is Sweet Home, Texas.

His father, William George, born in August of 1886, served in World War I, fighting for the United States. In 1936 his family moved to Stowell, Texas and started farming rice.

Jack Wendt is an activist, and he has written our President, President Bush, and a number of Members of Congress, letters about the issue of rice. This is one of the letters he has written President Bush recently. I will read part of it because it is lengthy.

He starts, ''Dear President Bush, I am a third-generation rice producer. I have spent my entire life, except for 3 years in service to the United States during World War II, being involved in agriculture; rice, cattle, cotton, and grain. I will be 83 years old this year, so I have seen a lot of changes, changes from horses and mules to 400 horsepower tractors, threshing machines to combines. This statement is coming from a farmer who is still actively engaged in the production of agricultural products.

''All of us who are engaged in production of agriculture commodities that are subsidized by the USDA are very concerned about the proposed cuts the administration is considering in the 2006 budget. Some commodities will not survive if these cuts are a reality.

The subsidies that we now get for our crops are just enough to keep us in business. Other developed countries are supporting their rice production 3 to 10 times more than we are in the United States. The reason: These countries do not ever want to be without an adequate food supply.

Three of our most lucrative markets we have ever had were Iran, Iraq and Cuba. The seed money to develop these markets came from our check-off funds. Now our government has curtailed sales to these countries by putting sanctions on the countries. Other rice-producing countries are supplying most of their needs. That should not surprise us. If we do not sell food to some country, they will buy it somewhere else. When and if these sanctions are ever lifted, it would be hard to reestablish these markets.

American agriculture is known by some to be the envy of the world because of its quality and high production per acre. Since we are losing prime farmland to urban development, it is very important we maintain and support American agriculture and research so we can continue to produce our needs on less acreage. You know and I know we do not want to depend on our food supply coming from foreign countries. Although we in the United States, in the American agriculture, represent less than 2 percent of the American population, we play a vital role in the balance of trade with other countries. Agriculture is America's number one export. It totals $53 billion a year.''

He goes on to say, Madam Speaker, ''Keeping a strong agricultural system in our country is as important as keeping an updated and strong army. The old saying goes; 'you cannot fight or work on an empty stomach.' Once you lose the desire of the American farmer to produce, and he is forced to leave the farm, it will be hard to replace him or get him back on the farmland. American agriculture was built on individual initiative, private investment and incentives to produce. Once destroyed, agriculture will not be restored overnight by some government program or some government bureaucrat.

''If there is one thing Americans do not worry about these days, it is running out of food. We worry a lot about health care, jobs, the environment, crime. But food miraculously shows up on our supermarket shelves every day. There is plenty of it. It is not priced

that bad, and it tastes pretty darn good. The truth of the matter is our food supply is the best and safest in the world. Let us face it, Americans are complacent about food and where it comes from, not realizing that most of our food is homegrown.

''Restrictions and regulations are putting a noose around the farmers' necks and tightening. Most of the farmers are top-notch stewards of the land. They care about the environment and want to do the right thing, but regulations that are being talked about in Washington, DC are punitive and would curtail farming.

''Here are a few of the facts. Today, each American farmer produces food and fiber for 144 people.

''American farmers produce 18 percent of the world's food on 10 percent of the world's land.

''American farmers account for 25 percent of the world's beef and veal production, 40 percent of the world's corn production.

''Food is most affordable in the United States where consumers spend less than 10 percent of their income on it.

''Farm programs that we now have represent only four-tenths of 1 percent of our national budget.

''However, as it is with most Federal legislation, the cost of our farm program is misleading. Our farmers will not receive all the money earmarked in the farm bill. In fact, they will receive only 30 percent of the funds. The remaining 70 percent in this fund, in this bill, provides support for the Food Stamp Program, the Children's Nutritional Programs, the Women, Infant and Children Care Program, and a range of other USDA programs. The bottom line is that funding provided to producers through the farm bill costs $0.17 a day per family in the United States.''

□ 2145

He goes on, Madam Speaker, to point out, it takes 440,000 people to process, package, market, finance, and ship agricultural exports. Thanks to our farming families, more and more Americans in related businesses are working.

The United States is one of few families in the world that has never known wide-spread hunger. Not relying on other countries for food is key to national security. The vast majority of food America eats is grown by U.S. farmers. The question is not whether food price support is necessary, but one of determining how much price support is needed to protect our food producers and our food supply from unfair competition brought about by unequal agricultural trade restrictions on the American rice farmer.

Like other businesses in our country, U.S. agriculture products have shown they can compete with the very best from any country, sometimes even when the playing field is leveled against them. So we must keep our agricultural system strong so Americans can never be dependent on foreign food imports to feed our people. If the American consumers want to keep adequate food supplies, the safest and cheapest cost per capita of food in the world, then our government should maintain a support level on agricultural commodities that is necessary to keep us in business until free trade supply and demand will return as it was in the past.

In conclusion, Madam Speaker, with two comments in quotations from former Presidents. One is from President Dwight David Eisenhower when he said: ''Our farmers are the most efficient in the world. In no country do so few people produce so much food to feed so many at such reasonable prices.''

He also quotes President Bush 41, when he said: ''Our Nation owes a debt of gratitude to our farmers and to our ranchers to help ensure the stability of our economy, for providing food products that amply meet our citizens' needs and for representing what is best about America and its people.''

He concludes in his letter, Madam Speaker: ''Therefore, Mr. President, I urge you pose proposals to reopen the farm bill and single out farming families. Please give us new markets for our rice.''

Madam Speaker, these figures and personal accounts all point to the two main obstacles faced by rice farmers. The fact that the land that the farmers work in many times is not land that they own, but they are tenants on the land. Yet the owners of the land are the ones who receive the subsidies. Also, the United States Government has shut off several of the key markets to which our rice farmers used to sell.

The rice farmers that I have talked to, Madam Speaker, they do not want to be dependent on the government. Most believe they are forced to sell their land and become tenants to land owners because of the government. The land owners receive the subsidies. Maybe the farmers who work the land should receive the subsidies.

But with all this talk about free trade, the real issue is, Madam Speaker, is we prohibit free rice trade. It is unjust to further cut subsidies unless we expand the scope of the rice trade. During the 80s, Iraq was the number one rice market for American rice producers, producing 80 percent of Iraq's rice imports.

American rice sales to this country alone peaked at 500,000 metric tons. But from 1991 to 2003, because of Saddam Hussein and the Iraq sanctions, the U.S.A. Federation and the U.S. Rice Producers Association estimate that the United States lost $1.9 billion in rice export sales to Iraq.

As a result of loss of these sales to Iraq, other countries have stepped in to sell rice to Iraq. Two of them are Thailand and Vietnam. We have perfectly good rice in the United States, perfectly good rice in Texas and the five other States that grow rice. Not every State grows rice in the United States, Madam Speaker. The States that grow rice are Texas, California, Louisiana, Arkansas, Missouri, and Mississippi.

Here we are rebuilding Iraq with American money, and yet rice is bought from Vietnam to restore Iraq. I ask the question, why. Charity begins at home if we wish to have charity, and maybe we should think about some of the other foreign giveaway programs that this country is involved in before we cut subsidies to our rice farmers, remembering, of course, that they really do not want the subsidies as much as they want market for their rice.

In January I had the opportunity to go to Iraq. I met with James Smith. He was a counselor for the Office of Agricultural Affairs at the United States Embassy in Baghdad. That is a long title, but he is the person that is responsible for helping American farmers get rice to Iraq.

He is a good individual. He understands rice economics 101. I congratulate him on his efforts to make sure that we get rice, especially Texas rice and rice from the southeast United States to Iraq.

Upon returning to the United States, I was later invited by the gentleman from Texas (Mr. BONILLA), chairman of the House Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies of the Committee on Appropriations to join him and other congressional leaders to discuss with the Iraqi grain board the further expansion of United States rice trade to Iraq.

We learned in that meeting that the Iraqis, through the Iraqi grain board, had purchased 60,000 metric tons of U.S. rice and another 360,000 metric tons will be purchased soon. The Iraqis wish to buy all the rice that they can. It is estimated that Iraq will need 1.3 million metric tons of rice every year. We want that rice to come from the United States, and we need to make sure that it is American rice that is on the Iraqi supper table and not rice from Vietnam.

And while, Madam Speaker, this is a great historic first step, we cannot stop there. We need to reopen trade, not only with Iraq but also with Cuba on the issue of agriculture products, specifically rice. These two countries along with Iran were countries that we used to send our rice to before trade embargoes and sanctions were set.

So these are some issues that are before the House and before our country. It is called food and food supply. I am working along with many others to facilitate rice trade with Cuba. I believe that our sanctions against Castro's regime, which have been in place since 1963, should not prevent our Nation from selling our farm products to the people there.

Madam Speaker, the Cuban people will eat rice just like the Iraqi people will; and if we do not sell it to them, they will get it somewhere else. Why are we economically hindering ourselves, our farmers, and our industries?

The Cuban market remained closed until this body passed the Trade Sanctions Reform and Export Enhancement Act of 2000. With the reopening mandated by this law, rice sales to Cuba have grown to $64 million a year. But now we hear that some want to slash back this trade for political reasons.

On February 22 through the Treasury Department's Office of Foreign Assets Control, it announced it was redefining what Congress had put into law, that being the definition of payment of cash in advance. To most folks, payment of cash in advance is not a complicated issue. It means what it means. This bureaucracy is getting in the way of congressional intent. So Cubans are beginning to look to other nations, not surprisingly, Vietnam and Thailand and other sources for their rice. So I encourage other Members of this House to co-sign on to H.R. 1339 to further explain in simple terms to government bureaucrats that farmers should be allowed to trade with Cuba on a cash for crop basis.

I continue to hear from rice farmers in my district that if U.S. political leaders would open world markets to American farmers, price supports would not be necessary. The modest price support provided by the U.S. Government and the greater efficiency of the U.S. agriculture production simply are not enough to provide a level international playing field and prevent erosion of U.S. agricultural infrastructure. We just want markets, Madam Speaker.

America's food supply is the safest, it is the best quality, it is the most abundant and the cheapest in the world. As the agricultural society of the United States declines, we will become more and more dependent on other countries for our food. This could lead to a national security problem.

It is one thing for this country to become more and more dependent on other countries for energy, but we should never get in the position, Madam Speaker, that this country becomes dependent on any country for our food. We cannot let that happen. It is a national security issue.

Maybe we should also consider using Texas rice as an alternative fuel like Nebraska is doing with corn and Hawaii is doing with sugar. In devising a long overdue energy plan, we should capitalize on rice's potential. We should be openminded, be innovative, and not depend on foreign nations for not only our food but our energy as well. And this has great possibilities, Madam Speaker.

This week is Small Business Week. Farms, the American farmer, the American farm family are the best examples of small business in the United States. So tonight and tomorrow morning when we push ourselves away from our tables, we need to thank the American farmer. We need to thank the folks like Ray Stoesser and Jack Wendt. We need to thank their families for what they have done to America and for America. They are our natural resources, for there is nothing quite like the American farmer.

Madam Speaker, that is just the way it is.

KEEPING COURTS SAFE

The SPEAKER pro tempore (Miss MCMORRIS). Under the Speaker's announced policy of January 4, 2005, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes.

Mr. GOHMERT. Madam Speaker, I want to thank the gentleman from Texas (Mr. POE). That was very inspirational. I was not sure rice farming could be that inspirational; but after the gentleman from Texas talked about it, I feel better already.

Madam Speaker, it is a pleasure to be before this body tonight and to address a number of things on a number of different issues. I have got to say, for those who have never been on this floor, it is a humbling experience. And I know that when on January 4, I sat right over there in that chair on the aisle and when the Speaker, the gentleman from Illinois (Mr. HASTERT), said, ''Raise your right hand,'' and he repeated the oath that we were going to take, and I raised my right hand, for some reason, though I have been in here a few times before, I had never looked above the Speaker's head. And as I looked above his head, it kind of choked me up. Because above the Speaker's head are the words ''In God We Trust.'' And that goes back to the beginning of this Nation and to the fact that God has truly blessed America.

Now, in that context I have a number of things I want to talk about, a number of things that people within my district there in east Texas, the first district of Texas, the historical district where the great American Sam Rayburn was Congressman, later Speaker. I realize that nowadays that will not happen to this Congressman from the First District of Texas, but it is humbling to follow those great footsteps of a great American.

Wright Patman was my Congressman. He served in the first district. He was followed by a number of folks, like Sam Hall. He became a Federal judge after serving in Congress, just a great American. He made Marshall, Texas and all of us in east Texas proud.

So as I began about filling this time as Congressman, these 2 years that the voters have so graciously allowed me, there are a number of things that we have undertaken and one of the things I want to mention is the bill that we filed last week. It is entitled The Secure Access to Justice and Court Protection Act of 2005.

It does a number of things. We had looked around, and with my background of having been a district judge, having been a chief justice of a court of appeals, I have a great deal of sensitivity. And as we saw that the Federal judge's husband and mother in Illinois were killed as a result of her efforts and her duties as a judge, we realized something needed to be done, that it was rather tragic. As we saw what happened in Atlanta, Georgia, as we saw what happened in Tyler, Texas around the Smith County Courthouse where I served so many years as a judge. We realized something has to be done to make people realize that they can not be threatening the system that has come to mean so much. It is one of the few things that other countries do not have and that is a fair, equitable justice system.

Madam Speaker, you have heard me, I am sure, get after the Supreme Court. I have been rather upset about some of the things and some of the reasoning that they have used in arriving at some of their decisions.

□ 2200

I will criticize judges with whom I disagree. I will criticize the Supreme Court. It is our American right to do that. Many have fought and died to give us that right, to secure that right, but when it comes to threats or violence, they have no place whatsoever in this country.

Our justice system needs to be, if nothing else, the last bastion of civility, where people can come together. No matter what has occurred outside the courthouse, they can come together and know that we will take turns. We will sit down. We will talk in order. We will not talk over each other. We will give people the opportunity to have a fair trial, to have due process fulfilled. We will give people the right to have a speedy trial.

All of these things are so critical, and that is why I am proud to have filed this bill, and we even had people talking about bipartisan support. I have the gentleman from New York (Mr. WEINER), a bipartisan cosponsor, staunch Democrat, but I am proud to have him as a cosponsor on this bill because this is serious, and there are a number of things that this bill does, and I wanted to briefly touch on some of those.

For one thing, it creates stiffer penalties for individuals who harm or threaten to physically harm a Federal judge, their families, jurors, witnesses, victims or informants. And to give you an illustration of what we are looking at, currently if you were to assault or threaten someone who was a Federal judge, for example, you would be looking at zero years to 8 years prison time. Now, if it is a simple assault, it would be a maximum of 1 year, a misdemeanor; but assault resulting in any bodily injury at all would get you 5 years in prison or up to 20 years in prison. Assault with a dangerous weapon, this is serious stuff, that could be anywhere, currently, zero to 20 years. However, if it was a dangerous weapon, under the bill that we filed, it would mean a minimum of 15 years in prison, a minimum of 15 years.

I know there are some people that are against mandatory minimums. I

never cared much for the Federal guidelines when they were imposed. They do have some purpose, but whatever the crime is, we have always had minimum punishments. We have always had maximum punishments. If it is a misdemeanor, the minimum would be a zero or the maximum up to a year, but we go from there and we try to set a range based on the severity of the penalty. This is what this bill does.

If you threaten any of the items I have mentioned, then you would be looking currently at a maximum of 10 years. Well, now, you would be looking, if you threaten kidnapping, with a minimum of 30 years. If it is some other type of threat, then you would be looking at 5 to 20 years, but we need to get the message out.

One of the things I ran into as a judge was sometimes you have people in the State penitentiary who thought it might be a cute idea to threaten a judge or make some threat through the mail, which would invoke Federal jurisdiction, and therefore, maybe they could get moved from a State prison. They did not like to be in a Federal facility.

Having been there, done that, knowing how some of those folks think, we want to address that, and that is addressed in this bill. Because if there is a threat and you were in prison at the time you make such a threat, you do not get moved immediately to a Federal facility. Nope, that is not the way it works.

The way it works is, you will be tried, and if convicted, you will get a sentence, and it will be mandatorily stacked on top of the State sentence. It will not begin to run until the State sentence is complete. That is fair.

We got a good suggestion from one of the Federal judge friends of mine with whom I consulted recently. He said one of the problems is people do not always know the consequences of what they are doing. He made the suggestion that if this bill passes, as I hope and urge my colleagues to help me do, if it passes, then he suggested we ought to put warnings in the State penitentiaries so that they understand, if they send out a letter that has got a threat in it, it is going to be stacked. There are so many urban legends that float around our State penitentiaries, and we need to get that straight by warning them exactly what will be the consequences of what they do.

One of the problems we have had in this country, and I addressed it as a judge and I hope that this body will be more consistent in what it does, what it recommends and what it passes. But we have had trouble convincing people we are going to keep our word. If a person or a body has no word, has no integrity, then you have got nothing, there is no believability. And I have already experienced it. There are just a tiny few people here in this body who have no credibility with their peers. That is tragic. That is tragic. A good name is critical.

So I think this, if it is passed, would let criminals know these are the consequences, and then we follow up and make sure that, by golly, they are the consequences.

There are some other things that are addressed in here as well. We would have protection for Federal judges and Federal attorneys, participants in Federal proceedings, from the filing of false and fictitious liens. In Texas, we had a problem with that. A number of us, some of my close friends, our State Supreme Court chief justice had liens that were filed.

We had a renegade group there who set up a storefront operation, and they manufactured their own summons, their own type of court system. They claimed that Texas was still an independent Nation, that they were not truly a State, and therefore, they were claiming jurisdiction. So they would send out some notice that you were being sued in their court, and obviously, people would not show up. So they would secure a default judgment for millions of dollars, take this actually fair-looking judgment down and file it with the county clerk. Well, now, it has asserted a lien, a cloud upon the title of anyone such as the chief justice there in Texas.

So the good legislators in Texas addressed that, and the way they did it was by making it a crime to file a false or fictitious lien. That needs to be done in the Federal system. We have Federal judges who are now having that very thing done to them, and it needs to be addressed, and this bill will do that.

We would also make it a Federal crime to publicly distribute certain Federal officials' personal information over the Internet. There are apparently Web sites that encourage the killing of judges, the killing of court officials, the killing of lawyers. This is just unconscionable, and as Americans and as Members of Congress, we should not give in or look the other way. We need to take it head-on and let people know this will not stand; we will fight it.

It also ensures the coordination, on a continuing basis, between the U.S. Marshal Service and the Administrative Office of the United States Courts regarding the judicial branch's security requirements. There have been problems, and we need to have better coordination between some U.S. marshals. We have got a very good U.S. marshal in the eastern district. John Moore is doing a good job. He coordinates with the Federal courts, but that needs to be done better around the country, and this bill will require that.

Another problem that has never been addressed, and it has come to light as a result of the Oklahoma City bombing, of 9/11, there was no provision that would allow, in the event of an emergency, a Federal judge to transfer venue based on just an emergency, and so that needs to be addressed. We have addressed it in this bill. In the event of an emergency situation, rather than having an Oklahoma City bombing stop all trials because they cannot be moved beyond the jurisdiction, or a New York City bombing where the city perhaps it could have been where they were under a greater threat still, so much unknown, would allow judges to move to another district, even another State if necessary, whatever is necessary in order to secure a fair and impartial conclusion to the trial that is before the court. So this would also address that as well.

There was a provision that was added at the request of others regarding the appointment of U.S. marshals. I am getting a lot of flack from the Sheriffs Association, and we may need to look at that, but we will do that and we will take a look.

We have had a hearing on this already. We should be looking at a markup next week. So things are looking good, and I appreciate the leadership allowing us to do that.

UNITED NATIONS ACCOUNTABILITY ACT

Mr. GOHMERT. Madam Speaker, I do have another bill that has not yet been filed. We are in the process of gathering sponsors for this bill, and I have simply entitled it the United Nations Accountability Act. It is high time we did have some accountability from the U.N.

So what this bill does, it just simply says, and I can just read the first prohibition. It says simply, United States assistance may not be provided to a country that opposed the position of the United States in the United Nations. It goes on to define that as meaning that, opposed the position of the United States means that the country's votes in the United Nations General Assembly during the most recent session of the General Assembly, and in the case of a country which is a member of the United Nations Security Council, the country's votes in the Security Council during the most recent session were the same as the position of the United States less than 50 percent of the time, using for this purpose the overall percentage of voting coincidences set forth in the annual report submitted to Congress pursuant to section 406 of the Foreign Relations Authorization Act, fiscal years 1990 and 1991. That is just the date of the act.

Each year, on March 31, there is a requirement for a new report to be filed, and in that report, it sets out the votes of all the member nations. And from that, Madam Speaker, you would be shocked, I imagine, to know but from that we have gleaned the following information. We have also gone through and pulled information, most recent we could find, as to how much U.S. aid is being given to other country.

I want to make this clear. I believe with all my heart every nation is a sovereign nation. Every nation has the right to make its own decisions. In the event a nation becomes a threat and threatens those around it, as Nazi Germany did, as Mussolini's Italy did, as Saddam Hussein's Iraq did, then it becomes necessary for self-defense. In

Texas, it is just plain old self-defense. In the event it is reasonably necessary to protect yourself, it is self-defense. We have defended this world and our country, and we have done it well, and that is a different matter.

Barring the situation like that, every country gets to make their own decisions. However, this is the United States of America. We do not have to pay people to hate us. We do not have to pay people to vote against us at every turn in the U.N. They want to do that; that is fine. What this bill says is you want to vote against us all the time in the U.N., you want to be a constant burr in our saddle, you want to cause trouble for this country, fine, but we do not have to pay you to do it.

Running down some of the countries, do you know, Madam Speaker, the nation of Egypt, great rich history in that nation, Egypt; apparently U.S. aid is around $1.86 billion and the percentage of the time that Egypt has voted with the United States in this last session that we just got the report from in March, 8.5 percent of the time. They are voting against us 91.5 percent of the time and we are paying them $1.86 billion.

Let me mention also before I go through some of the other highlights of nations that were on this list, another thing about this assistance is defined in my bill. The term ''United States assistance'' means assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 that relates to the Economic Support Fund. Under chapter 5 of part II of that act, it relates to international military education and training and also the foreign military financing program account under section 23 of the Arms Export Control Act.

In other words, we are not going to send you money, we are not going to take your people and teach them how to fight and how to fight us while you are voting against us and actually showing yourself to be a threat to the very things that we hold dear.

□ 2215

You want to be just a pain, you want to be a threat, that is your business, but we are not going to pay you to do that. We are not going to train your military people, we are not going to train your pilots, you are just going to get cut off.

Now, I also want to point out that under this bill, if it were passed and signed into law as is, it would not take effect until after the March 31, 2006, report comes out from the U.N. By that, it would give countries plenty of time to understand the consequences of their acts. Just as I talked about in the prior bill, there are consequences to our actions. There need to be. And people need to know what those consequences are. So with this bill, we will give them plenty of time. They are going to know every time they take a vote that it is going to cost them. It is their choice, but we do not have to pay them to be disruptive to what we believe in.

Colombia, for example, they get $574 million. They voted with us 10.6 percent of the time in the U.N. in this last year. Jordan, $559 million we have sent to them. They are much more supportive than Colombia. They voted with us 16 percent of the time in the last session. Sudan, $435 million. Actually closer to $346 million. They voted with us 13.3 percent of the time. We have Pakistan. They vote with us less than 10 percent of the time, and we have provided $400 million in aid, just in financial assistance alone. Ethiopia, $354 million. They vote with us 13.8 percent of the time. Liberia. We give them $224 million, and 13.6 percent of the time they vote with us. Uganda, $182 million.

I mean, this really testifies to the generosity of the soul of America. Generosity is one thing, and I am proud we live in a generous Nation; but stupidity when coupled with generosity is not necessarily a real asset. In fact, I was struck. The dean of one of the schools at Yale, just a delightful, brilliant man, was telling about being in a cab, I believe it was in Chicago, and the cab driver was a foreigner. And they got to talking, and since this dean was not originally from the United States they got to talking about the attributes of America or the problems in America. And as they discussed America's strengths and weaknesses, the cab driver made this comment, and I love it, and I hope that my fellow Members will remember this. It is a great observation from someone from another country. He said, America is particularly lacking in the singular vice of jealousy.

We are a generous country, but we are not a jealous country. Is that not a great observation from someone who is not from this country? When you really get to know the heart and soul of America, we are not a jealous country. When we see another country do well, when we see another country obtaining freedom and stretching their wings to fly, this country rushes to their support. We applaud them. We help them however we can. And it makes me so proud to be a part of a Nation that is like that, a Nation that is particularly lacking in the singular vice of jealousy. That is America.

Even so, though we are not a jealous Nation, we do not have to pay people to hate us. We are paying people to do that very thing. Madam Speaker, one of the things I ran on and one of the things that drove me off the bench was that I got sick and tired of seeing case after case where we were paying people to do what was bad for the country. On the other hand, we were penalizing people for doing what was good for the country.

A good example: the marriage penalty. I have heard people talk for so long about we need to fix the marriage penalty. Well, you know what, it is real easy. You want to fix the marriage penalties? Even under the existing code, all you would have to do is say if you are married and both are working, instead of having thousands of dollars in penalties because you did the wonderful thing of becoming married, you can file married jointly or you can file as two single individuals. And in that case, hey, it is whichever one is better for you. Boom, there goes the marriage penalty; it is not a problem any more. We do not have to keep adjusting formulas, it is just fixed, and we no longer penalize people for doing the right thing.

I have heard elderly couples talk before about they wish they could get married. They always felt like it was living in sin to be living together and not married, but they could not afford to get married because the government would cut some of their Social Security if they ended up coming together as husband and wife. Well, how tragic is that? We are paying people to violate their own sense of morals, and this country should not be about doing that. Likewise, we should not be about paying countries to do what hurts us.

Going down the list a little more. Peru. We give Peru $180 million-plus. They vote with us 25 percent of the time. We have Bolivia here, $155 million-plus. They vote with us 23 percent of the time. And if somebody is listening and I touch on one of your favorite countries, or maybe your homeland, and you think, gee, I do not like the way he is talking about my country, it is like Sergeant Friday used to say, ''It is just the facts, ma'am. Just the facts.''

We have Kenya. We give them $142 million. They vote with us 12.5 percent of the time. Serbia, Montenegro, $134 million. Now, they do much better. They are with us, looks like 42.6 percent of the time. Haiti. We have sent our troops, we have sent people to fight on their behalf, we have given them money, $132 million most recently; and they vote with us 18 percent of the time. They really appreciate all we have done for them, obviously.

India, $128 million, 20 percent of the time. And this is just the U.S. aid. This is just the direct aid. There are probably all other kinds of other sources we would have to look into. This is just the direct financial aid that my staff has been able to dig up. And I do appreciate Mike and Ashley and Brian doing such hard work on this.

We have Indonesia, $125, right at $126 million. Boy, they appreciate so much our generosity. They vote with us 8.3 percent of the time in the U.N. We have Ukraine. I really think the world of Ukraine. These are independent-minded people. When I was on an exchange program over in Ukraine back in 1973, they struck me a lot like being Texans. They are very independent-minded. They just had a can-do attitude. We can make things happen. Ukraine, I am shocked to say, this great nation of Ukraine, it voted with us 28.6 percent of the time and we gave them $113 million.

Now, at this point I would like to point out there is an exception in here

in this bill, because we know a country can have a change of regime. And if they have a change of regime, and the new regime is friendly to us, then we ought to be able to help them at that point. So there is a provision here that says that if the Secretary of State determines that since the beginning of the most recent session of the General Assembly there has been a fundamental change in the leadership and the policies of the government of a country to which the prohibition in section A applies, and the Secretary believes that because of that change the government of that country will no longer oppose the position of the United States in the U.N., then the Secretary may exempt that country from the prohibition that is in this act.

So that song Santana did, ''You Have Got to Change Your Evil Ways,'' of course it talked about ''Jean and Joan and who knows who,'' but this is talking about these countries. They have to change their evil ways. And if they do, then we will start helping them again. We see a regime change, the Secretary of State certifies that they are going to be on our side now, we want to help them all we can. The fact is, we want to help all these countries. All these countries should be great to help, but as long as they are doing what they can to undermine all the good, the truth, the liberty, the freedom, the things that we hold dear, as long as they are trying to undermine those things, we should not be paying the billions of dollars that we are to help them do that, to undermine our great ideas of freedom and democracy.

I do not know if you can see, but, Madam Speaker, this is a two-page list, fine print going down here of all the people we are giving money to that vote with us less than 50 percent of the time. You have the Philippines, $111 million, 13 percent of the time they vote with us.

Russia, $107 million we have given them. And some people think Russia is the whole big former Soviet Union. Russia was one of 15 states. I was intrigued when I was in the former Soviet Union back in 1973. Most people in America knew so little about the Soviet Union. They knew all about us, and that was most interesting. They knew we had 50 States; they could talk about George Washington. You talk to Americans, they did not know much of anything about the Soviet Union.

We also have South Africa. Most folks felt like South Africa was now on our side. Freedom-loving people in America went to bat for South Africa. It was so unfair with the disparity and the treatment between the races. Under God's plan, as the Declaration of Independence said, under the Creator's plan all people should be equal. They were created that way, and by his grace should be that way. But, unfortunately, in this world of sorrow, it requires people fighting and dying to secure that right that God gave us. But here is South Africa. We give them nearly $100 million. They vote with us 11.4 percent of the time.

Bangladesh. Of course, we remember how generous not just the American Government was in times of suffering, of flood, our people poured out their hearts, they poured out their finances. And Bangladesh, they vote with us 8.6 percent of the time.

Angola, $91.75 million in aid we have given to Angola, and they vote with us 17 percent of the time.

I realize if there is anybody left watching C–SPAN that they maybe dozed off. I have been a very restful thing for them to have happen tonight, and I am pleased I could do that. The trouble is, this is serious stuff. This is our hard-earned tax dollars that are getting poured down the drain, because some of these countries have shown their contempt for freedom, for liberty, again for the things we hold dear. They are taking our money and pouring it down the drain, and feeding the egos of dictators and people that should not even be touching the money. Our taxpayers deserve this money. It is their money, and they should not have their money paid to countries that are going to stick it in our face.

So, Madam Speaker, if you do not mind, I am just going to continue down this list. We have Georgia, the great state of Georgia. I remember when I was in Ukraine, somebody told me about the fellow walking along the street in Georgia. And the Georgians like to use their hands all the time when they talk. So this guy was walking along carrying a watermelon, and a tourist came up to the Georgian, and this is in the Asian Georgia, not our U.S. Georgia, but he came up to the fellow carrying the watermelon and asked him, can you tell me how to get to the town square?

□ 2230

The Georgian said, ''Will you hold my watermelon?''

The tourist said, ''Sure.''

He gave the watermelon to the tourist and said, ''I do not know.'' He takes his watermelon and goes on. They like to use their hands. They have a great sense of humor. We have given them $90 million at least in aid. They have done a little better. They voted with us 36.7 percent of the time. Under this bill if it is passed, they will have to do a little better. If they want to keep having us contribute, because it is what it is. It is a contribution to a country that has nothing but disdain for us.

I am not talking about the people. I admire the people in the former Soviet Union, but you cannot admire or feed a government that does not believe in freedom and only believes in taking the freedoms of its people. Now Georgia has made great strides, but there is more to be done. We do not have to contribute to a government that can not stand us.

Zambia, we have given them huge amounts of aid, and 12.7 percent of the time they vote with us.

Nigeria, $80 million, and they vote with us 14.9 percent of the time.

Armenia, $79 million, nearly $80 million just in direct foreign aid, 26.9 percent of the time they vote with us.

Mozambique, right at $80 million, and 10 percent of the time they vote with us.

Tanzania, $77 million, 11.9 percent of the time they vote with us.

Eritrea, $72 million, 10.6 percent of the time is all they vote with us.

Here is a shocker. Here is a real shocker. We hear so much talk about our friends, our neighbors, that we should be supporting each other and helping each other and I agree with that, we should be good neighbors; but that neighbor thing is a two-sided thing when it comes to national policy. I believe in the teachings of Jesus, the golden rule is critical. We should be loving our neighbor, but I love my children. I love my three daughters, Katy, Caroline and Sarah with all my heart. But when they acted up, I was not going to reward that, I was not going to give positive reinforcement to negative activity. That is just ridiculous. Simply loving and caring about your neighbor does not necessarily mean you contribute to their delinquency.

Here the shocker: We give in direct financial aid alone, no telling how much else, Mexico, $76.8 million and they vote with us 23 percent of the time in the United Nations. Unbelievable.

According to the most recent report from the U.N., 23 percent of the time is all that Mexico sees fit to support our positions for freedom, for liberty, to avoiding suppression, supporting human rights, 23 percent of the time. It is incredible, just amazing. And the thing is many of us know many Mexican citizens. These are good people. They love families.

I was recently near where a Hispanic family reunion was taking place and it was under a big park pavilion, and I thought this is the way America used to be, families came together for family reunions. I see great hope for America with Hispanics in America with strong religious convictions. These things bode well for America, but it does not matter when you are looking at a country that votes against us so much. That is not a very friendly thing to do.

The Congo, $71 million, they vote against us 27 percent of the time.

Here with Bosnia we have done so much. So many of our American soldiers under the Clinton administration went over there to help out. We are still giving them millions of dollars in financial aid. Bosnia, they see fit to vote with us 42 percent of the time.

For the record, I have my laptop sitting here and I have not used it for the entire time I have been speaking.

Ghana, $59 million and they voted with us 14.5 percent of the time.

Ecuador, $55 million, they voted with us 15.7 percent of the time.

Cambodia, $53 million, 11.8 percent of the time they vote with us.

Honduras, $50 million, they voted with us 23.9 percent of the time.

Turkey, we did such a favor for Turkey of eliminating such a threat on their southern border, they would not allow us to utilize their facilities to come in from the north. Our friends in Turkey, we still give them millions of dollars in direct financial assistance, they vote with us 34.8 percent of the time.

Guatemala, $50 million plus, they vote with us 23.9 percent of the time.

Rwanda, $50 million plus, and they vote with us 11.3 percent of the time.

Macedonia, $49.67 million, and they vote with us 42.4 percent of the time.

Azerbaijan, $49 million plus, they vote with us 11.5 percent of the time.

Here is an amazing statistic. With all of the sacrifices that we have made, DPR of Korea, $45.7 million we are still giving in direct financial aid, they vote with us 3.3 percent of the time. And we are still giving them $45.7 million. This is DPR of Korea, but still, we are giving them $45 million to vote with us 3 percent of the time.

Nepal, $45.31 million, they vote with us 12.7 percent of the time.

Nicaragua, $45 million and they vote with us 26 percent of the time.

El Salvador, $44 million, they vote with us 24.3 percent of the time.

Let me see. We have Mali, $43 million, and 14 percent of the time they vote with us.

We do a little better with Bulgaria and Romania. We give them each over $42 million, and they vote with us 44.1 percent of the time. They can step that up if they want to continue, if we can get this bill passed.

Kazakhstan, nearly $42 million, and they vote with us 10.9 percent of the time.

Cyprus, we give them millions, and 40 percent of the time they vote with us.

Uzbekistan, $38-plus million, and 12.5 percent of the time they vote with us.

Lebanon, $36.7 million, and they vote with us 8.7 percent of the time.

Madagascar, nearly $36 million, they vote with us 12.7 percent of the time.

Poland, we have had such camaraderie with Poland. We were so proud of their efforts, once again going back to what the foreign cab driver said, never an ounce of jealousy. We were so proud of what they accomplished, the way they threw off the shackles that bound them and grabbed onto freedom. Poland, we are still contributing direct financial aid, $35 million, basically, and 45.7 percent of the time they vote with us.

Senegal, $44.3 million, and they vote with us 13.3 percent of the time.

The Dominican Republic, we give them $34 million in direct aid, and they vote with us 23.5 percent of the time.

Yemen, $33 million, and they vote with us 8.6 percent of the time.

Brazil, $28 million, they vote with us 14.9 percent of the time.

Republic of Moldova, $27.65 million, they vote with us 36.7 percent of the time.

Namibia, right at $27 million, 15.1 percent of the time they vote with us.

Burundi, $26 million, 9.8 percent of the time they vote with us.

Oman, $26 million we give them, and they vote with us 9.9 percent of the time.

Sri Lanka, $26 million, they vote with us 12.9 percent of the time.

Croatia, $25.7 million in direct financial aid, they vote with us 42.6 percent of the time.

Skipping down, Jamaica, $24 million we give them in direct aid, 12.5 percent.

Some people go that is not that much, $24 million, $25 million, we are talking about taxpayer after taxpayer, hard working hours, factory workers, people working outside and earning a living by the sweat of their brow. We are talking about so many of those type people having their entire taxation going to a nation that cannot stand us and what we stand for.

Vietnam, we are still giving them $22 million, and they vote with us 6 percent of the time.

Ireland. This was surprising to me, good friend, but they only vote with us 42.1 percent of the time.

Cuba, apparently we are somehow giving $21.37 million to Cuba. They vote with us 7.4 percent of the time.

Chad, $21 million, and they vote with us 22.7 percent of the time.

Morocco, right at $21 million, and they vote with us 11.4 percent of the time.

Panama, $18 million, and they vote with us 23 percent of the time.

Zimbabwe, $15 million, and they vote with us 7.2 percent of the time.

Down to Mongolia, $14 million, they vote with us 14.5 percent of the time.

The old Burma, we give $13 million and they vote with us 11.8 percent of the time.

Paraguay, $12 million, they vote with us 24.7 percent of the time.

Tunisia, $12 million, and they vote with us 10 percent of the time.

Botswana, $11.66 million, and they vote with us 12.5 percent of the time.

You know, I hold in my heart nothing but hope that these countries will support the same ideals and the same abstract notions of love and freedom and liberty and help for others that the United States does, but I am telling Members, we do not need to pay them to be a thorn in our side and disrupt the things that we hold so dear. It has been such a great privilege to serve in this Chamber and to learn a little more about this Capitol Building as I have been here. So many people come up from back home, whether it is Marshall or Hallsville or Gilmer or Jefferson or Center, Carthage, Hemphill, we have had them come from all over my district. St. Augustine, Henderson, and from all of the towns around those, Nacogdoches, folks have been up here in numbers. It has been great and it has been wonderful taking them around this great Capitol of ours.

But I have learned a lot of things, Madam Speaker. I have learned just a little more about how wonderfully God has blessed this country, this Nation from its beginning. Going through the Capitol, I was reading this in National Geographic and some other sources.

□ 2245

I knew about the War of 1812, learned about it from great teachers I had back in Mount Pleasant, Texas. And I just assumed that at some point our forces rallied together and drove the British troops out back in 1814 after they had taken the Capitol.

As it turned out, in the War of 1812, when British troops came in here, there is one story about troops coming up the spiral staircase and coming into the House Chamber and the commander coming to the Speaker's chair. Obviously, Madam Speaker, it was not this chair, but it was back in Statuary Hall, what we call Statuary Hall now. Back at that time it was not Statuary Hall. It was the House of Representatives Chamber.

Legend had it he got up there and said, What shall we do with this den of Yankee democracy? And the British soldiers screamed, Burn it. So they pulled the chairs and the desks into the middle of the floor. They set them on fire. They did so at the other end of the Capitol in the Senate Chamber, and they burned. But as the information that I had gleaned indicated, all of the public buildings, virtually all of them, had been burned except for one, and that later became the temporary House of Congress while they were rebuilding.

But the only reason that what is now Statuary Hall and the other side of the rotunda where the Senate met did not burn and collapse like most of the buildings had was because a rainstorm came up that night and it put out the fire.

Like I said, I assumed that American forces eventually regathered their strength, came through Washington, and drove out the British troops. But according to the history that I could find since I have been here, indication was that the day after the rain, a huge windstorm came like nobody there had experienced before. It was blowing British cannon off their mounts. It was given credit for killing as many as 30 British soldiers. There was an explosion of the British gunpowder stored. The British fled Washington, D.C. of their own.

Insurance companies these days have a provision in their policies that would say these types of things were probably acts of God, and I would have to agree. It was by these acts of God that the British troops were driven from Washington, D.C. It was because of these acts of God that we secured this Capitol, we rebuilt it and made it even better.

I love the Capitol dome. That was not the original design. The dome designed before, I think, was not nearly as beautiful. It was lower. It was not nearly as artful as this one. It is a design that now has really become the symbol of

freedom and democracy around the world, and I am proud to be part of that.

It is interesting that in the center, in the rotunda, that area was originally wood, as I understood it; and the wood part had burned. Apparently, fortunately for me and fortunately for my colleagues if they like the new dome, the wooden part burned and they had to reconstruct that. And when they did that after that fire in 1814, there were those who wanted to do like some of the European buildings and have a great icon of grace and dignity for that country buried in the middle, have their remains in the middle. They wanted to do that with George Washington's remains. He had been buried at Mt. Vernon. That was in his will. They wanted to finish with a hole in the floor out there in the middle of the Capitol so people could file by and look down below and see where the remains of George Washington were. But as it turned out, they eventually supposedly convinced Martha Washington to let them move his remains but she passed away before his remains were moved, and so a great nephew that took over as administrator said, George Washington said in his will he wanted to be buried in Mt. Vernon; you are not moving him. They eventually filled in the floor, and so George Washington's remains are not buried there. We have a solid floor across the center of the Capitol.

George Washington, what a man he was. I heard a speaker recently, a college professor, say so many of the third world countries really are right where we were in the early days of this Nation. And I asked him to show me their George Washingtons, to show me the men who had power that were willing to walk away from it for the sake of liberty of the whole Nation. Some, like South Africa, had such leaders. Most have not. That is what has separated this Nation and made it great.

George Washington did not really want to leave the Army. He really did not want to preside over the Constitutional Convention. Each time he was convinced to do that because he was the man for such a time as that. And had he not been there and not served and not sacrificed, then we would not have had this Nation.

He really did not want to be President, but his fellow citizens pled with him. He served as President. But there is a picture in the rotunda of him giving up his commission, giving up the power. That just did not happen back in the 1700s. A man who led the military and won a great military battle turns in his saber, turns in the power, and walks away and goes back to being a farmer. It is extraordinary when we think about it for the time. Too many have come to accept such grace.

When we think about the selflessness during those times of other people like Governor Thomas Nelson, Governor of the great State of Virginia, he had a beautiful estate, a mansion there in Yorktown. The war took its toll on his health and his estate. In the final battle there at Yorktown, high-ranking enemy officers were staying in his mansion, and he noticed that his soldiers were firing at Yorktown, but they were avoiding his mansion. And he asked them, Why are you avoiding firing at the mansion? You know there are enemy troops there in my home.

They said, Sir, it is out of respect for you basically. It is your home. We did not want to do that.

He said, There are enemy troops in there. Fire on my home.

They did. They killed many of the enemy. It helped them win the battle. But that is the kind of selflessness that has allowed us to win our independence and gain the Nation that we all have come to know and love.

As I go through some of the people in my life that taught me, like B.J. McDowell, who was a high school teacher, I built a pole barn with him one summer. A great American who had been a Marine in the Pacific. At one point he had shrapnel that ripped off his entire calf, and I saw the scar where they later sewed it back on. But he is a brilliant man, tough as a bulldog. He went out and the hospital ship was out in the water, and they were taking boatloads of people. But when he saw how terribly wounded others were, he could not take a position, he said, on those boats to go to the hospital ship. Even though he was in the horrible pain, he just waded out in the water so the flies would stay off. He had the rest of his calf in his hand, and he waited until all of the more serious people had been taken. The guy loved his fellow man. He loved America. He was a great American.

There was a guy from Winedale, Texas, who was telling me about landing at Sicily in the early morning hours. The lights were bright; he could have read a book if he had one in his landing craft. And as they got closer to the shore, bullets started bouncing back and forth across the front of the landing craft ramp. And all the men looked at each other because they figured, when the ramp goes down, we all die. They had been trained to come out, run abreast toward the beach as quickly as possible. The guy in the front of the landing craft said, Look guys, it sounds like from the way those bullets are going across here, if we run out abreast, we are all dead men. So why do we not try something different. Every man line up behind the man in front of him, grab the belt of the man in front of him, let us try going out single file, and I will go out first.

He went first. He was killed. But most of the men in his landing craft made it. That is the kind of selflessness that people exhibited to make this country great.

One of my classmates, Eddie Johnson, a singing cadet there at Texas A&M, a great guy, he was flying a jet down in the panhandle of Florida. His plane malfunctioned. He was told to eject, to punch out, save himself. He said, If I do, this plane is going to kill a lot of civilians down below me. I am going to try to get this plane to the beach.

He did. He saved a lot of lives but lost his own. That kind of selflessness, again, is what made America great.

On September 11, Madam Speaker, there was an act of mean hatred by people possessed with evil intentions. But I am telling my colleagues there is one thing that is stronger than that evil hatred for so many innocent people, and that is love. That is love. And Americans have had it. We have had love for our fellow man. We want to help those who need help, and it is an honor and a privilege to have built on that.

Madam Speaker, it has been an honor and privilege to be here and to speak about these things.

ORDER OF BUSINESS

Mr. PORTMAN. Madam Speaker, I ask unanimous consent to take my Special Order at this time.

The SPEAKER pro tempore (Miss MCMORRIS). Is there objection to the request of the gentleman from Ohio?

There was no objection.

FAREWELL ADDRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. PORTMAN) is recognized for 5 minutes.

Mr. PORTMAN. Madam Speaker, I want to start by thanking the gentleman from Texas (Mr. GOHMERT), who just gave us a wonderful presentation. He is a dear friend. And as I am about to say, there are a number of people in this Chamber I am going to miss, and the gentleman from Texas is certainly one of them.

Madam Speaker, last month I was asked by President Bush to join his Cabinet as the next United States Trade Representative. And tonight I am told that it is likely that the Senate will take up that nomination. If I am confirmed, I am told this will be my last opportunity to speak on the House floor. It is kind of awkward not having the confirmation fully completed, but I do not want to miss this opportunity to say a couple of things to my colleagues.

First, I rise tonight with very mixed feelings. If confirmed, I am very much looking forward to the opportunity to serve our country on the important trade issues that we face. But this was not an easy decision. I am going to miss serving the people of the seven counties in southern Ohio's Second Congressional District. It has been the greatest honor of my life, and I will be forever grateful to the people of the second district for giving me the privilege to serve in this great House.

I ran for Congress 12 years ago to try to make a positive difference in the lives of people and to take the commonsense values and the common sense

of the people of southern Ohio to Washington, D.C. To do that, I needed the help of my constituents, who stretch from downtown Cincinnati about 150 miles east through beautiful rural Ohio, all the way to Portsmouth, Ohio. Over the years that has happened.

So many people welcomed me into their homes, into their schools, their businesses, on their farms, into their hospitals, into their places of worship. Others have attended my town meetings, visited with me at parades, county fairs and festivals and invited me to speak at their meetings.

I will miss these sessions, and I will miss the valuable input that I have received. The people of the second district have helped me get a better sense through these meetings of the needs and concerns of the small business owners, the parents, the teachers, the veterans, our seniors, our young people.

Madam Speaker, one thing I am really going to miss is going into the classrooms and reading the children's book called ''House Mouse, Senate Mouse,'' which I would recommend to my colleagues if they do not know about it.

□ 2300

It is a great way to try to explain to kids what we do here and the important work of our legislative branch.

These experiences throughout the district have also made me more hopeful, Madam Speaker, about our future, as a region, but also as a country. I have met so many people and been so encouraged by the dedication of those people, who work hard every day to make our communities a better place to live and to work, and make our communities safer, stronger.

In particular, I will be forever impressed by those who selflessly volunteer their time and their knowledge to help others. And, of course, all of us must be forever grateful to those men and women in uniform who serve us and who put their lives on the line every day for the people.

Together, my constituents and I were able to achieve some great things for our people in the district and across the Nation. We successfully worked together on a wide variety of projects back home, ranging from providing needed funds for the construction of a world-class National Underground Railroad Freedom Center on the banks of the Ohio River, to saving and creating jobs at the Portsmouth Uranium Enrichment Plant in Piketon, an important part of our national energy strategy.

As a member of the Committee on Ways and Means, I am the vice-chair of the Committee on the Budget and a member of leadership, I have also had the opportunity to play a role in some important accomplishments here in Congress; welfare reform, lowering tax rates to improve the economy, responding to the attacks of 9/11 and strengthening our military.

I was also able to take some specific legislation that I authored across the finish line to be signed into law. Often my legislative partner in that was my friend from across the aisle, a good friend and a thoughtful legislator, Congress BEN CARDIN of Maryland.

Some of our legislative successes included laws to stop unfunded Federal mandates; the first comprehensive reform of the Internal Revenue Service in more than 50 years, including adding more than 50 new taxpayer rights; four new laws that have helped reduce substance abuse and its consequences through prevention and education; and, of course, three laws that today allow people to save more for their own retirement. All these accomplishments help people.

I could not have done it without incredible staff, and I want to thank my dedicated staff, both past and present. I am so proud of them, so grateful for their professionalism, their skill, their commitment to and compassion for the people of Ohio's Second Congressional District. Without their expertise, their hard work, these accomplishments that I mentioned would not have been possible.

And I want to thank those in the office of the House Clerk who are here tonight, late, and who are always here for us, those in the cloakroom, those in the Doorkeeper's Office, the Capitol police officers and so many others who have become my friends here and who serve us so well as Members and serve our country well.

Madam Speaker, I am very proud of my time here in Congress, and I am proud to have served with a lot of great men and women who are here for the right reasons and who serve honorably. They are good public servants and many have become good friends.

There are too many Members, both Republican and Democrat, for me to mention here tonight, but there is one Member I would like to single out, and that is DENNIS HASTERT, the Congressman from Illinois's Fourteenth Congressional District. He is known by a lot of different names. He is the Speaker to all of us, he is Coach to a lot of us, he is a loving father, grandfather and husband. But to me, DENNY HASTERT is a good friend and he has been a mentor. I will be forever grateful to him for the opportunities he has given me to serve in leadership and for the many things that he has taught me.

Thank you, Mr. Speaker.

I will wrap up tonight now with a plug for the Central American-Dominican Republic Free Trade Agreement, which I do feel strongly about, but with a few words about the most important people in my life.

I would not be here today without the strong and constant support of my family. My inspiration for serving and for giving back to the community comes from my parents. I was blessed with two great parents, they have been tremendous role models, and I cannot put into words the gratitude I feel for them.

I am also very fortunate to have the best partner I can imagine in my wife, Jane. She does a lot for our community and she is the best mother I can imagine.

I could not be prouder of my three kids, Jed, Will and Sally for their many accomplishments. I himself also thankful for their willingness to allow me to serve, to have allowed me to serve here with my colleagues, to allow me to serve the people of Southern Ohio, and to have given their blessing to this new responsibility I will be undertaking, which will require me to travel more than I would like and to be away from them more than I would like.

I mentioned at my announcement that my 10-year-old daughter Sally had to an admit to me that she had never heard of the U.S. Trade Representative, she joins a lot of other people in that, but she said it sounded like a really neat job. And it is. And it is a really important job. Trade affects every one of us. It affects our economic future in very fundamental ways. It also is fundamental to freedom and prosperity around the world.

Fortunately for me, the trade issues are also important to the U.S. Congress, and the House and the Senate are actively involved in so many issues that will come across the desk of the U.S. Trade Representative. As a result, if I am confirmed tonight, I will have the opportunity to work very closely with Democrats and Republicans alike on both sides of the Capitol.

This makes it a little easier, Madam Speaker, to leave the Congress. I want to thank you for allowing me to take the time tonight to express my mixed emotions as I contemplate leaving this, the People's House.

Good night, and Godspeed.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

(The following Members (at the request of Mr. FOLEY) to revise and extend their remarks and include extraneous material:)

Mr. JONES of North Carolina, for 5 minutes, today.

Mr. GUTKNECHT, for 5 minutes, May 5.

Mr. DENT, for 5 minutes, today.

Mr. FOLEY, for 5 minutes, today.

ADJOURNMENT

Mr. PORTMAN. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 5 minutes p.m.), under its previous order, the House adjourned until Monday, May 2, 2005, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

1740. A letter from the Deputy Assistant Administrator, Office of Diversion Control, DEA, Department of Justice, transmitting the Department's final rule—Exemption of Chemical Mixtures [Docket No. DEA-137F2] (RIN: 1117-AA31) received December 27, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1741. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-67, ''Closing, Dedication, and Designation of Public Streets and Alleys in Squares 5246, 5272, 5273, 5276, 5277, 5279, 5280, and 5281, S.O. 02-4088 Act of 2005,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

1742. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-68, ''Fiscal Year 2005 Operating Case Reserve Allocation Temporary Act of 2005,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

1743. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-69, ''Finance and Revenue Technical Corrections Temporary Amendment Act of 2005,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

1744. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-70, ''Carver 2000 Low-Income and Senior Housing Project Temporary Amendment Act of 2005,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

1745. A letter from the Assistant General Counsel, Federal Election Commission, transmitting the Commission's final rule—Filing Documents by Priority Mail, Express Mail, and Overnight Delivery Service [Notice 2005-9] received April 21, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on House Administration.

1746. A letter from the Assistant General Counsel, Federal Election Commission, transmitting the Commission's final rule—Political Party Committees Donating Funds to Certain Tax-Exempt Organizations and Political Organizations [Notice 2005-8] received April 21, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on House Administration.

1747. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast (NE) Multispecies Fishery; Reduction of the Yellowtail Flounder Trip Limit for the U.S./Canada Management Area [Docket No. 040112010-4114-02; I.D. 020705A] received April 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1748. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 of the Gulf of Alaska [Docket No. 041202339-4339-01; I.D. 021105B] received April 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1749. A letter from the Chairman and CEO, Fram Credit Administration, transmitting the Administration's final rule—Rules of Practice and Procedure; Adjusting Civil Money Penalties for Inflation (RIN: 3052-AC28) received March 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. NUSSLE: Committee of Conference. Conference report on House Concurrent Resolution 95. Resolution establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010 (Rept. 109–62). Ordered to be printed.

Mr. PUTNAM: Committee on Rules. House Resolution 248. Resolution waiving points of order against the conference report to accompany the concurrent resolution (H. Con. Res. 95) establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, and for other purposes (Rept. 109–63). Referred to the House Calendar.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 1036. A bill to amend title 17, United States Code, to make technical corrections relating to copyright royalty judges (Rept. 109–64). Referred to the Committee of the Whole House on the State of the Union.

Mr. COX: Committee on Homeland Security. H.R. 1544. A bill to provide faster and smarter funding for first responders, and for other purposes; with an amendment (Rept. 109–65). Referred to the Committee of the Whole House on the State of the Union.

REPORTED BILL SEQUENTIALLY REFERRED

Under clause 2 of rule XII, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. TOM DAVIS of Virginia: Committee on Government Reform. H.R. 22. A bill to reform the postal laws of the United States, with an amendment; referred to the Committee on Judiciary for a period ending not later than May 27, 2005, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(1), rule X (Rept. 109–66, Pt. 1). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Ms. FOXX:

H.R. 1950. A bill to direct the Federal Trade Commission to revise the regulations regarding the Do-not-call registry to prohibit politically-oriented recorded message telephone calls to telephone numbers listed on that registry; to the Committee on Energy and Commerce.

By Mrs. KELLY (for herself, Mr. BAKER, Mr. KUHL of New York, Mr. ALLEN, Mr. LYNCH, Mr. STUPAK, Mr. FOLEY, Mr. NEAL of Massachusetts, Mrs. MCCARTHY, Ms. HARRIS, Mr. ENGLISH of Pennsylvania, Mr. GREEN of Wisconsin, Mr. JONES of North Carolina, Ms. HERSETH, Mr. MCDERMOTT, Mr. FILNER, Mr. CONAWAY, Mr. KUCINICH, Mr. KENNEDY of Minnesota, Mr. ALEXANDER, Mr. SALAZAR, Mr. BACHUS, Mr. WOLF, Mr. GORDON, Mr. BISHOP of Georgia, Mr. LIPINSKI, Mr. RYAN of Ohio, and Mr. SMITH of Washington):

H.R. 1951. A bill to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States; to the Committee on Financial Services.

By Mrs. KELLY (for herself, Ms. BERKLEY, Mr. ROYCE, and Mr. FEENEY):

H.R. 1952. A bill to require that certain measures be taken with respect to countries of concern regarding terrorist financing; to the Committee on Financial Services, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. PELOSI (for herself and Mr. CASTLE):

H.R. 1953. A bill to require the Secretary of the Treasury to mint coins in commemoration of the Old Mint at San Francisco, otherwise known as the ''Granite Lady'', and for other purposes; to the Committee on Financial Services.

By Mr. MCGOVERN (for himself and Mrs. EMERSON):

H.R. 1954. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for the transportation of food for charitable purposes; to the Committee on Ways and Means.

By Mr. KIND (for himself, Mr. COOPER, Mr. WU, Mr. EMANUEL, Mr. KENNEDY of Rhode Island, Mr. SMITH of Washington, Mr. MCDERMOTT, Mr. ANDREWS, Mr. VAN HOLLEN, Mr. DAVIS of Alabama, Mr. FORD, Mr. DICKS, Mr. ALLEN, and Mr. PRICE of North Carolina):

H.R. 1955. A bill to establish a national health program administered by the Office of Personnel Management to offer health benefits plans to individuals who are not Federal employees, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOODLATTE (for himself, Mr. BOUCHER, Mr. CROWLEY, Mr. FORBES, Mr. MEEKS of New York, Mr. CHABOT, Mr. BACHUS, Mr. BOEHNER, Mrs. DRAKE, Mr. TIBERI, Mr. CANTOR, Mr. MORAN of Virginia, and Mr. SMITH of Texas):

H.R. 1956. A bill to regulate certain State taxation of interstate commerce; and for other purposes; to the Committee on the Judiciary.

By Mr. CANNON (for himself, Mr. PENCE, Mr. FLAKE, Mr. BISHOP of Utah, Mr. HENSARLING, Mr. MCHENRY, Mr. KING of Iowa, Mr. BARTLETT of Maryland, Mr. FEENEY, Mrs. MYRICK, Mr. HERGER, Mrs. CUBIN, Mr. BACHUS, Mr. GOHMERT,

Mr. SAM JOHNSON of Texas, Mr. PITTS, Mr. KIRK, Mr. KELLER, Mr. CHABOT, Mr. SESSIONS, Mr. LINDER, Mr. HOSTETTLER, Mr. TOM DAVIS of Virginia, Mr. CARTER, Mr. BURGESS, Mr. PEARCE, Ms. HART, Mr. SMITH of Texas, Mr. SOUDER, Mr. OTTER, Mr. SCHWARZ of Michigan, Mr. WELDON of Florida, Mr. GOODLATTE, Mrs. BLACKBURN, Mr. COLE of Oklahoma, Mr. ENGLISH of Pennsylvania, Mr. SIMMONS, Mr. TIBERI, Mr. BAKER, Mr. MANZULLO, and Mr. CONAWAY):

H.R. 1957. A bill to provide for the fair and efficient judicial consideration of personal injury and wrongful death claims arising out of asbestos or silica exposure, to ensure that individuals who suffer impairment, now or in the future, from illnesses caused by exposure to asbestos or silica receive compensation for their injuries, and for other purposes; to the Committee on the Judiciary.

By Mr. ANDREWS:

H.R. 1958. A bill to phase out the incineration of solid waste, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BAKER:

H.R. 1959. A bill to suspend temporarily the duty on glyoxylic acid; to the Committee on Ways and Means.

By Mr. PORTMAN (for himself and Mr. LARSEN of Washington):

H.R. 1960. A bill to amend the Internal Revenue Code of 1986 to expand pension coverage and savings opportunities and to provide other pension reforms; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARDIN:

H.R. 1961. A bill to amend the Internal Revenue Code of 1986 to expand pension coverage and savings opportunities and to provide other pension reforms; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BAKER:

H.R. 1962. A bill to suspend temporarily the duty on cyclopentanone; to the Committee on Ways and Means.

By Mr. BAKER:

H.R. 1963. A bill to reduce temporarily the duty on Mesotrione Technical; to the Committee on Ways and Means.

By Mr. BAKER:

H.R. 1964. A bill to suspend temporarily the duty on Malonic Acid-Dinitrile 50% NMP; to the Committee on Ways and Means.

By Mr. BAKER:

H.R. 1965. A bill to suspend temporarily the duty on formulations of NOA 466510; to the Committee on Ways and Means.

By Mr. BAKER:

H.R. 1966. A bill to suspend temporarily the duty on DEMBB Distilled-ISO Tank; to the Committee on Ways and Means.

By Mr. BAKER:

H.R. 1967. A bill to extend the suspension of duty on Acid black 172; to the Committee on Ways and Means.

By Mr. BAKER:

H.R. 1968. A bill to extend the suspension of duty on a certain chemical mixture; to the Committee on Ways and Means.

By Mr. BAKER:

H.R. 1969. A bill to suspend temporarily the duty on N,N'-hexane-1,6-diylbis(3-(3,5-di-tert-butyl-4-hydroxyphenyl opionamide)); to the Committee on Ways and Means.

By Mr. BAKER:

H.R. 1970. A bill to suspend temporarily the duty on 2-Naphthalenesulfonic acid, 7,7″ - [(2-methyl-1,5-pentanediyl) bis[imino(6-fluoro-1,3,5-triazine-4,2-diyl) imino]] bis[4-hydroxy-3-[(4-methoxy sulfophenyl) azo]-, potassium sodium salt; to the Committee on Ways and Means.

By Mr. BAKER:

H.R. 1971. A bill to suspend temporarily the duty on 2,7-Naphthalenedisulfonic acid,5-[[4-chloro-6-[[3-[[8-[4-fluoro-6-(methylphenylamino)-1,3,5-triazin-2-yl]amino]-1-hydroxy-3,6- disulfo-2-naphthalenyl]azo]-4-sulfophenyl],amino]-1,3,5-tria in-2-yl]amino]-4-hydroxy-3-[(1-sulfo-2-naphthalenyl)azo]-sodium salt; to the Committee on Ways and Means.

By Mrs. BLACKBURN (for herself and Mr. DAVIS of Tennessee):

H.R. 1972. A bill to direct the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including in the National Park System certain sites in Williamson County, Tennessee, relating to the Battle of Franklin; to the Committee on Resources.

By Mr. BLUMENAUER (for himself, Mr. SHAW, Mr. LANTOS, Mr. LEACH, Mr. GEORGE MILLER of California, and Mr. TANCREDO):

H.R. 1973. A bill to make access to safe water and sanitation for developing countries a specific policy objective of the United States foreign assistance programs, and for other purposes; to the Committee on International Relations.

By Mr. BOUCHER (for himself and Mr. SCHIFF):

H.R. 1974. A bill to provide for protection of the flag of the United States; to the Committee on the Judiciary.

By Mr. BOUCHER (for himself, Mr. MORAN of Virginia, Mr. WOLF, Mr. TOM DAVIS of Virginia, and Mr. SCOTT of Virginia):

H.R. 1975. A bill to designate additional National Forest System lands in the State of Virginia as wilderness, to establish the Seng Mountain and Bear Creek Scenic Areas, to provide for the development of trail plans for the wilderness areas and scenic areas, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CHABOT:

H.R. 1976. A bill to suspend temporarily the duty on Gamma Methyl Ionone; to the Committee on Ways and Means.

By Mr. CLAY (for himself, Mrs. CHRISTENSEN, Mr. OWENS, Mr. PAYNE, Ms. KILPATRICK of Michigan, Ms. MCKINNEY, Mr. HASTINGS of Florida, Ms. LEE, Mr. LEWIS of Georgia, Mr. CLEAVER, Mr. RANGEL, Mr. CONYERS, Mr. JACKSON of Illinois, and Mr. CUMMINGS):

H.R. 1977. A bill to establish a commission to investigate the expulsion of African-American residents of the Missouri cities of Aurora, Monett, Newburg, Pierce City, Cassville, and Webb City from their homes that occurred between August 1894 and August 1901, and make recommendations regarding the feasibility and appropriateness of providing reparations to such residents; to the Committee on the Judiciary.

By Mrs. CUBIN:

H.R. 1978. A bill to suspend temporarily the duty on certain acrylic fiber tow; to the Committee on Ways and Means.

By Mrs. CUBIN:

H.R. 1979. A bill to suspend temporarily the duty on certain acrylic fiber tow; to the Committee on Ways and Means.

By Mr. DEAL of Georgia (for himself, Mr. GINGREY, and Mr. NORWOOD):

H.R. 1980. A bill to provide that pay for Members of Congress be reduced following any fiscal year in which there is a Federal deficit; to the Committee on House Administration, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOGGETT (for himself, Mr. ANDREWS, Mr. BACA, Mr. BECERRA, Mr. BROWN of Ohio, Mr. CARDIN, Mr. CARDOZA, Mr. CONYERS, Mr. CUELLAR, Mr. DELAHUNT, Ms. DELAURO, Mr. EVANS, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. GONZALEZ, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HINCHEY, Mr. HINOJOSA, Mr. HONDA, Mr. INSLEE, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KILPATRICK of Michigan, Mr. LEWIS of Georgia, Mr. LYNCH, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. GEORGE MILLER of California, Ms. MOORE of Wisconsin, Mr. MORAN of Virginia, Mrs. NAPOLITANO, Mr. OLVER, Mr. ORTIZ, Mr. PASTOR, Mr. RANGEL, Mr. REYES, Ms. ROYBAL-ALLARD, Mr. RUSH, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SANDERS, Ms. SOLIS, Mr. STARK, Mr. THOMPSON of Mississippi, Mr. TIERNEY, Mrs. JONES of Ohio, Ms. WATSON, and Mr. WAXMAN):

H.R. 1981. A bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare Program of substitute adult day care services; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. EMANUEL (for himself, Mr. MURTHA, Mr. RYAN of Ohio, Ms. DELAURO, Mr. MCGOVERN, Mr. KILDEE, Mrs. CAPPS, Mr. HINCHEY, Ms. SLAUGHTER, Mr. FRANK of Massachusetts, Mr. OWENS, Mr. HIGGINS, Mr. PALLONE, Mrs. MCCARTHY, Mr. GRIJALVA, Mr. RANGEL, Mr. BROWN of Ohio, Mr. SANDERS, Mrs. MALONEY, Ms. CARSON, Ms. HOOLEY, and Mr. HONDA):

H.R. 1982. A bill to amend titles 10 and 38, United States Code, to increase benefits for members of the Armed Forces who, after September 11, 2001, serve on active duty outside the United States or its territories or possessions as part of a contingency operation (including a humanitarian operation, peacekeeping operation, or similar operation) or a combat operation; to the Committee on Armed Services, and in addition to the Committees on Veterans' Affairs, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FITZPATRICK of Pennsylvania (for himself, Mr. DENT, Mrs. KELLY, Mr. MENENDEZ, Mr. SMITH of New Jersey, Mr. HINCHEY, and Mr. HOLT):

H.R. 1983. A bill to direct the Secretary of the Army to review a report of the Chief of Engineers regarding flooding in the Delaware River; to the Committee on Transportation and Infrastructure.

By Mr. GERLACH:

H.R. 1984. A bill to amend the Internal Revenue Code of 1986 to extend the low-income housing credit for certain buildings in high cost areas; to the Committee on Ways and Means.

By Mr. GERLACH (for himself, Mr. HOLDEN, and Ms. GRANGER):

H.R. 1985. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received as damages and attorneys fees and costs under Federal whistleblower protection laws and to allow income averaging for amounts received as lost income; to the Committee on Ways and Means.

By Mr. GOODE (for himself, Mr. JONES of North Carolina, Mr. TANCREDO, Mr. SESSIONS, Mr. NORWOOD, Mr. LEWIS of Kentucky, Mr. DUNCAN, Mr. CULBERSON, Mr. DEAL of Georgia, Mrs. CUBIN, Mr. PRICE of Georgia, Mr. SULLIVAN, Mr. FORBES, Mr. KING of Iowa, Mrs. JO ANN DAVIS of Virginia, Mr. HAYES, Mr. BOOZMAN, Mr. SAM JOHNSON of Texas, Mr. SHIMKUS, Ms. FOXX, Mr. GUTKNECHT, Mr. HAYWORTH, Mr. GOODLATTE, Mr. SHUSTER, Mr. WAMP, Mr. GALLEGLY, Mr. GARRETT of New Jersey, Mr. HOSTETTLER, Mr. TAYLOR of North Carolina, Mr. ALEXANDER, Mr. BARRETT of South Carolina, Mr. SENSENBRENNER, Ms. GINNY BROWN-WAITE of Florida, Mr. BRADY of Pennsylvania, and Mr. COBLE):

H.R. 1986. A bill to amend title 10, United States Code, to authorize the Secretary of Defense to assign members of the Army, Navy, Air Force, and Marine Corps, under certain circumstances and subject to certain conditions, to assist the Department of Homeland Security in the performance of border protection functions; to the Committee on Armed Services, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GENE GREEN of Texas:

H.R. 1987. A bill to amend the Public Health Service Act to provide for an increase in the number of political subdivisions directly receiving awards under the program for improving State and local preparedness for bioterrorism and other public health emergencies; to the Committee on Energy and Commerce.

By Mr. GENE GREEN of Texas:

H.R. 1988. A bill to amend section 1369 of title 18, United States Code, to extend Federal jurisdiction over destruction of veterans' memorials on State or local government property; to the Committee on the Judiciary.

By Mr. HASTINGS of Florida:

H.R. 1989. A bill to establish a commission to make recommendations on the appropriate size of membership of the House of Representatives and the method by which Members are elected; to the Committee on the Judiciary.

By Mr. HASTINGS of Washington:

H.R. 1990. A bill to suspend temporarily the duty on MKH 6561 Isocyanate; to the Committee on Ways and Means.

By Mr. HASTINGS of Washington:

H.R. 1991. A bill to extend the temporary suspension of duty with respect to Diclofop methyl; to the Committee on Ways and Means.

By Mr. HASTINGS of Washington:

H.R. 1992. A bill to suspend temporarily the duty on endosulfan; to the Committee on Ways and Means.

By Mr. HINOJOSA (for himself, Mr. EHLERS, Mr. LYNCH, Mr. PAYNE, Mr. KILDEE, Mr. HINCHEY, Mr. HOLT, Mr. JACKSON of Illinois, Mr. CUMMINGS, Mrs. CHRISTENSEN, Mr. GUTIERREZ, Mr. MENENDEZ, Mr. DINGELL, Mr. OWENS, Mr. WAXMAN, Mr. VAN HOLLEN, Mr. MEEHAN, Mr. RANGEL, Ms. KAPTUR, and Mr. TIERNEY):

H.R. 1993. A bill to amend the Family and Medical Leave Act of 1993 and title 5, United States Code, to allow leave for individuals who provide living organ donations; to the Committee on Education and the Workforce, and in addition to the Committees on Government Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. JONES of Ohio (for herself, Ms. DELAURO, Mr. CUMMINGS, Ms. MILLENDER-MCDONALD, Mr. GRIJALVA, Mr. OWENS, Ms. KILPATRICK of Michigan, Mr. JEFFERSON, and Mr. JACKSON of Illinois):

H.R. 1994. A bill to protect home buyers from predatory lending practices; to the Committee on Financial Services.

By Mrs. JONES of Ohio:

H.R. 1995. A bill to direct the Secretary of Transportation to prescribe rules requiring car dealerships to verify ownership before providing replacement keys; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KIRK (for himself, Mr. HASTINGS of Florida, Mr. SAXTON, Ms. BORDALLO, Mr. EHLERS, Mr. MEEKS of New York, Mr. WELLER, and Mr. OWENS):

H.R. 1996. A bill to amend the Foreign Assistance Act of 1961 to provide for debt relief to developing countries that take action to protect critical coral reef habitats; to the Committee on International Relations.

By Mr. MANZULLO:

H.R. 1997. A bill to amend the Harmonized Tariff Schedule of the United States to clarify the article description relating to certain monochrome glass envelopes, and for other purposes; to the Committee on Ways and Means.

By Mr. MCCRERY (for himself and Mr. JINDAL):

H.R. 1998. A bill to amend the Internal Revenue Code of 1986 to provide for the disposition of unused benefits in health flexible spending arrangements; to the Committee on Ways and Means.

By Mr. GARY G. MILLER of California (for himself, Mrs. NORTHUP, Mr. RENZI, Mr. WELDON of Florida, Ms. HARRIS, Mr. KING of New York, and Mr. FEENEY):

H.R. 1999. A bill to better assist low-income families to obtain decent, safe, and affordable housing as a means of increasing their economic and personal well-being through the conversion of the existing section 8 housing choice voucher program into a flexible voucher program, and for other purposes; to the Committee on Financial Services.

By Mr. GEORGE MILLER of California (for himself, Mr. PLATTS, Mr. KILDEE, Ms. DELAURO, Mr. PAYNE, Ms. WOOLSEY, Mr. HINOJOSA, Mr. ANDREWS, Mr. KENNEDY of Rhode Island, Mr. STARK, Mr. KUCINICH, Mr. DAVIS of Illinois, Mrs. JONES of Ohio, Mr. SANDERS, Mr. OWENS, Mrs. MCCARTHY, Mr. GRIJALVA, Mr. PALLONE, Mr. MCDERMOTT, Mr. BROWN of Ohio, and Mr. WEINER):

H.R. 2000. A bill to establish the Child Care Provider Development and Retention Grant Program, the Child Care Provider Scholarship Program, and a program of child care provider health benefits coverage, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MOORE of Kansas (for himself, Mr. ROSS, Mr. BOYD, Mrs. TAUSCHER, Mr. SCHIFF, and Mr. HOLDEN):

H.R. 2001. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives to encourage small business health plans, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MOORE of Kansas:

H.R. 2002. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives to encourage small business health plans, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OTTER (for himself and Mr. SIMPSON):

H.R. 2003. A bill to amend the Harmonized Tariff Schedule of the United States to remove the 100 percent tariff imposed on Roquefort cheese; to the Committee on Ways and Means.

By Mr. OWENS (for himself, Mr. GEORGE MILLER of California, Mr. ANDREWS, Mr. LYNCH, Ms. DELAURO, and Mr. MICHAUD):

H.R. 2004. A bill to amend the Occupational Safety and Health Act of 1970 to expand coverage under the Act, to increase protections for whistleblowers, to increase penalties for certain violators, and for other purposes; to the Committee on Education and the Workforce.

By Mr. OWENS:

H.R. 2005. A bill to amend the Occupational Safety and Health Act of 1970 to modify the provisions relating to citations and penalties; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE:

H.R. 2006. A bill to amend the Health Care Quality Improvement Act of 1986 to expand the National Practitioner Data Bank; to the Committee on Energy and Commerce.

By Mr. PETERSON of Minnesota (for himself and Mr. GUTKNECHT):

H.R. 2007. A bill to amend the Internal Revenue Code of 1986 to allow the $25,000 offset for individuals under the passive loss rules to apply to investments in wind energy facilities; to the Committee on Ways and Means.

By Mr. POMBO:

H.R. 2008. A bill to amend the Internal Revenue Code of 1986 to allow a business credit for donations for vocational educational purposes; to the Committee on Ways and Means.

By Mr. PRICE of North Carolina:

H.R. 2009. A bill to suspend temporarily the duty on Tetraconazole; to the Committee on Ways and Means.

By Mr. PRICE of North Carolina:

H.R. 2010. A bill to reduce temporarily the duty on M-Alcohol; to the Committee on Ways and Means.

By Mr. PRICE of North Carolina (for himself, Mr. SPRATT, Mr. SNYDER, and Mr. CRAMER):

H.R. 2011. A bill to require accountability for personnel performing private security functions under Federal contracts; to the Committee on International Relations, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. PRYCE of Ohio (for herself, Mrs. MALONEY, Mr. SCOTT of Virginia, Ms. GRANGER, Ms. HARRIS, and Mrs. DRAKE):

H.R. 2012. A bill to combat commercial sexual activities by targeting demand, to protect children from being exploited by such activities, to prohibit the operation of sex tours, to assist State and local governments to enforce laws dealing with commercial sexual activities, to reduce trafficking in persons, and for other purposes; to the Committee on the Judiciary.

By Mr. REICHERT (for himself and Mr. INSLEE):

H.R. 2013. A bill to amend the Internal Revenue Code of 1986 to provide an exemption from the air transportation tax for certain transportation by seaplanes; to the Committee on Ways and Means.

By Mr. REYNOLDS (for himself, Mr. ALLEN, Mr. PICKERING, Mr. OBERSTAR, Mr. TAYLOR of Mississippi, Mr. DICKS, Mr. REYES, Mr. PAYNE, Mr. MCNULTY, Mr. HINCHEY, Mr. PLATTS, Mr. KOLBE, Mr. MCHUGH, Mr. BOUSTANY, Mr. KILDEE, Mr. DAVIS of Alabama, Mr. RENZI, and Mr. HOLDEN):

H.R. 2014. A bill to amend title XVIII of the Social Security Act to provide payments to Medicare ambulance suppliers of the full cost or furnishing such services, to provide payments to rural ambulance providers and suppliers to account for the cost of serving areas with low population density, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RYAN of Wisconsin (for himself and Ms. MOORE of Wisconsin):

H.R. 2015. A bill to suspend temporarily the duty on certain machines for use in the assembly of motorcycle wheels; to the Committee on Ways and Means.

By Mr. SHAW:

H.R. 2016. A bill to suspend temporarily the duty on glass bulbs, designed for sprinkler systems and other release devices, filled with liquid that expands and breaks the bulb at a release temperature predetermined by the manufacturer; to the Committee on Ways and Means.

By Mr. SMITH of New Jersey (for himself, Mr. LANTOS, Mr. WOLF, Mr. CARDIN, Mr. BURTON of Indiana, Mr. BERMAN, Mr. PITTS, Ms. KAPTUR, Mr. RAMSTAD, Mr. OBERSTAR, Mr. SHAYS, Ms. SLAUGHTER, Mr. KIRK, Mr. ACKERMAN, Ms. MCCOLLUM of Minnesota, Mr. WAXMAN, Mr. PALLONE, Mr. LEVIN, Mr. ENGEL, Mr. TERRY, Mr. SABO, Mr. EVANS, Mr. OLVER, Mr. MCDERMOTT, Mr. FRANK of Massachusetts, Mr. HINCHEY, Ms. ZOE LOFGREN of California, Mrs. MALONEY, Mr. ABERCROMBIE, Mr. FALEOMAVAEGA, Mr. JACKSON of Illinois, Mr. GEORGE MILLER of California, Mr. DAVIS of Florida, Mrs. DAVIS of California, Mr. ALLEN, Mr. MCNULTY, Mr. GUTIERREZ, Mr. BECERRA, Mr. BROWN of Ohio, Mr. DEFAZIO, Mr. FILNER, Mr. VAN HOLLEN, Mr. SNYDER, Mr. MCGOVERN, Mr. CUMMINGS, Ms. LEE, Mr. KUCINICH, Mr. MICHAUD, Mr. GRIJALVA, and Mr. KENNEDY of Minnesota):

H.R. 2017. A bill to amend the Torture Victims Relief Act of 1998 to authorize appropriations to provide assistance for domestic and foreign programs and centers for the treatment of victims of torture, and for other purposes; to the Committee on International Relations, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SULLIVAN:

H.R. 2018. A bill to authorize the Secretary of the Interior to provide technical and financial assistance to private landowners to restore, enhance, and manage private land to improve fish and wildlife habitats through the Partners for Fish and Wildlife Program; to the Committee on Resources.

By Mrs. TAUSCHER:

H.R. 2019. A bill to suspend temporarily the duty on Pyriproxyfen; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 2020. A bill to suspend temporarily the duty on Uniconazole; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 2021. A bill to suspend temporarily the duty on Acephate; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 2022. A bill to suspend temporarily the duty on Bispyribac-sodium; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 2023. A bill to suspend temporarily the duty on Dinotefuran; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 2024. A bill to suspend temporarily the duty on Etoxazole; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 2025. A bill to extend the suspension of duty on Fenpropathrin; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 2026. A bill to suspend temporarily the duty on Bioallethrin; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 2027. A bill to suspend temporarily the duty on Deltamethrin; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 2028. A bill to suspend temporarily the duty on Esbioallethrin; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 2029. A bill to suspend temporarily the duty on Resmethrin; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 2030. A bill to suspend temporarily the duty on Tetramethrin; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 2031. A bill to suspend temporarily the duty on Tralemethrin; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 2032. A bill to suspend temporarily the duty on flumiclorac pentyl ester; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 2033. A bill to suspend temporarily the duty on Flumioxazin; to the Committee on Ways and Means.

By Mr. TERRY (for himself, Mr. POMEROY, Mr. PENCE, Mr. HINOJOSA, Mr. PAUL, Mr. TOWNS, Mr. BISHOP of Georgia, Mr. GRAVES, Mr. MARSHALL, Mr. SIMPSON, Mr. KIND, Mr. SCOTT of Georgia, Mr. KENNEDY of Minnesota, Mr. BARTLETT of Maryland, Mr. MCHUGH, Mr. KING of Iowa, Mr. CANNON, and Mr. SOUDER):

H.R. 2034. A bill to amend the Internal Revenue Code of 1986 to provide an exclusion for gain from the sale of farmland to encourage the continued use of the property for farming, and for other purposes; to the Committee on Ways and Means.

By Mr. THOMPSON of Mississippi (for himself, Ms. PELOSI, Mr. HOYER, Mr. MENENDEZ, Mr. GEORGE MILLER of California, Ms. DELAURO, Ms. HARMAN, Ms. ZOE LOFGREN of California, Mr. PASCRELL, Mr. DICKS, Mr. DEFAZIO, Ms. JACKSON-LEE of Texas, Mrs. LOWEY, Ms. NORTON, Mrs. CHRISTENSEN, Mr. MARKEY, Mr. LANGEVIN, Mr. MEEK of Florida, Mr. ETHERIDGE, Ms. SOLIS, Mr. KILDEE, Mr. CARNAHAN, Mr. SALAZAR, Ms. KILPATRICK of Michigan, Ms. MATSUI, Mr. BOSWELL, Mr. CONYERS, Mr. LARSON of Connecticut, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. EMANUEL):

H.R. 2035. A bill to direct the President to submit a report to Congress explaining the President's funding requests for certain homeland security programs authorized by Public Law 108-458 which implemented the recommendations of the National Commission on Terrorist Attacks Upon the United States; to the Committee on Homeland Security.

By Mr. WEINER (for himself, Mr. NORWOOD, and Mr. BURTON of Indiana):

H.R. 2036. A bill to make unlawful the establishment or maintenance within the United States of an office of the Palestine Liberation Organization (PLO); to the Committee on International Relations.

By Mr. WEINER (for himself, Mr. FERGUSON, Mr. ANDREWS, Mr. BAKER, Ms. BERKLEY, Mr. BURTON of Indiana, Mr. CARDOZA, Mr. CROWLEY, Mr. GARRETT of New Jersey, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. ISRAEL, Mrs. JO ANN DAVIS of Virginia, Mrs. LOWEY, Mrs. MALONEY, Mrs. MCCARTHY, Ms. MCCOLLUM of Minnesota, Mr. MCNULTY, Mr. MEEHAN, Mr. NADLER, Mr. ROTHMAN, and Mrs. TAUSCHER):

H.R. 2037. A bill to halt Saudi support for institutions that fund, train, incite, encourage, or in any other way aid and abet terrorism, and to secure full Saudi cooperation in the investigation of terrorist incidents, and for other purposes; to the Committee on International Relations.

By Mr. YOUNG of Alaska:

H.R. 2038. A bill to prevent the retroactive application of changes to Trans-Alaska Pipeline Quality Bank valuation methodologies; to the Committee on Energy and Commerce.

By Mr. YOUNG of Alaska:

H.R. 2039. A bill to direct the Secretary of the Interior to undertake a program to reduce the risks from and mitigate the effects of avalanches on recreational users of public land; to the Committee on Resources, and in addition to the Committees on Agriculture, and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL (for himself and Mr. ALEXANDER):

H.J. Res. 46. A joint resolution proposing an amendment to the Constitution of the United States to deny United States citizenship to individuals born in the United States

to parents who are neither United States citizens nor persons who owe permanent allegiance to the United States; to the Committee on the Judiciary.

By Mr. TANCREDO (for himself and Mr. SMITH of New Jersey):

H. Con. Res. 141. Concurrent resolution calling on the International Olympic Committee (IOC) to change the venue of the 2008 Olympic Games unless the People's Republic of China makes significant progress in ending human rights abuses; to the Committee on International Relations.

By Mr. BERRY (for himself, Mr. BOOZMAN, Mr. SNYDER, and Mr. ROSS):

H. Res. 249. A resolution celebrating the recent discovery of the Ivory-Billed Woodpecker in Eastern Arkansas; to the Committee on Resources.

By Mr. MURPHY (for himself and Mr. HONDA):

H. Res. 250. A resolution supporting the goals and ideals of National Hepatitis B Awareness Week; to the Committee on Energy and Commerce.

By Mr. UDALL of Colorado (for himself, Mr. EHLERS, Mr. BOEHLERT, Mr. GORDON, Mr. BARTLETT of Maryland, Mr. MCDERMOTT, and Mr. RUPPERSBERGER):

H. Res. 251. A resolution congratulating all of the individuals and organizations on the 15th anniversary of the launch of the Hubble Space Telescope that have helped make Hubble one of the most important astronomical instruments in history; to the Committee on Science.

By Mr. WELDON of Pennsylvania (for himself, Mr. SHIMKUS, Mr. FITZPATRICK of Pennsylvania, Mrs. JONES of Ohio, Ms. HARMAN, Mr. WILSON of South Carolina, Mr. BARTLETT of Maryland, Mr. SIMMONS, Mr. HOYER, Mr. MCNULTY, Mr. LANGEVIN, Mr. BOEHLERT, Mr. DUNCAN, Mr. GORDON, Mr. RUPPERSBERGER, Mr. PASCRELL, Mr. ALEXANDER, Mr. MENENDEZ, Mr. GENE GREEN of Texas, Mr. PALLONE, Mr. CLEAVER, Mr. UPTON, Mr. MARKEY, Mr. MOORE of Kansas, Mr. GRIJALVA, Mr. ANDREWS, Mr. GERLACH, Mr. GONZALEZ, Mrs. MCCARTHY, Mr. THOMPSON of Mississippi, Mr. MEEK of Florida, Mr. SCHWARZ of Michigan, Ms. JACKSON-LEE of Texas, and Mr. KING of New York):

H. Res. 252. A resolution supporting the goals of National Arson Awareness Week; to the Committee on Government Reform.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. VAN HOLLEN introduced a bill (H.R. 2040) for the relief of Malik Jarno; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 13: Mr. CRENSHAW, Mr. BOEHNER, and Mr. SMITH of New Jersey.

H.R. 22: Mr. LIPINSKI and Mrs. NORTHUP.

H.R. 34: Mr. DAVIS of Illinois and Ms. HARRIS.

H.R. 36: Mr. KENNEDY of Minnesota, Mr. CARNAHAN, Mr. COSTELLO, Mr. FORD, Mr. OSBORNE, Mr. LAHOOD, and Mr. PETERSON of Minnesota.

H.R. 66: Mr. CHABOT.

H.R. 136: Mr. MANZULLO.

H.R. 147: Ms. MATSUI, Ms. CARSON, Mr. BEAUPREZ, Mr. BOUSTANY, Mr. COSTA, and Mr. CARDIN.

H.R. 176: Mr. CAPUANO.

H.R. 188: Mr. CUMMINGS.

H.R. 196: Mr. SOUDER.

H.R. 198: Mr. MEEHAN, Ms. DELAURO, and Mr. PRICE of North Carolina.

H.R. 208: Mr. KUCINICH.

H.R. 209: Mr. KUCINICH.

H.R. 282: Mrs. LOWEY, Mr. CULBERSON, Ms. ESHOO, Mr. HOLT, Mr. LEWIS of California, and Mr. BOSWELL.

H.R. 297: Ms. DELAURO, Mr. EVANS, and Mr. SPRATT.

H.R. 302: Mr. JACKSON of Illinois and Mr. CUMMINGS.

H.R. 311: Mr. HINCHEY, Mr. RUSH, Mr. SMITH of Washington, and Mr. DAVIS of Illinois.

H.R. 312: Ms. ESHOO, Mr. MILLER of North Carolina, Mr. DENT, and Ms. BERKLEY.

H.R. 328: Mr. MANZULLO, Mr. CUELLAR, Mr. BISHOP of New York, and Mr. LIPINSKI.

H.R. 339: Mr. WELDON of Florida.

H.R. 376: Mr. JONES of North Carolina.

H.R. 389: Mr. BURTON of Indiana.

H.R. 454: Mr. ISTOOK.

H.R. 475: Mr. SHERMAN.

H.R. 503: Mr. EVANS and Mr. MICHAUD.

H.R. 515: Mr. BOUCHER and Mr. PLATTS.

H.R. 542: Mr. PORTER and Ms. BERKLEY.

H.R. 554: Ms. HARRIS and Mr. BURGESS.

H.R. 558: Mr. WAMP.

H.R. 559: Mr. GRIJALVA.

H.R. 575: Mr. LIPINSKI.

H.R. 581: Mr. BRADY of Texas and Ms. NORTON.

H.R. 586: Mr. ROSS and Mr. BISHOP of Utah.

H.R. 595: Mr. ALLEN, Mr. DEFAZIO, and Mr. BROWN of Ohio.

H.R. 601: Mr. CUMMINGS.

H.R. 630: Mr. FRANKS of Arizona.

H.R. 669: Mrs. NAPOLITANO, Mr. CLYBURN, and Mr. LEWIS of Kentucky.

H.R. 699: Ms. JACKSON-LEE of Texas, Mr. BRADY of Pennsylvania, Mr. BOOZMAN, Mr. SMITH of New Jersey, Mr. BLUMENAUER, Mr. FOLEY, Ms. DELAURO, Mr. SHAW, and Mr. MCINTYRE.

H.R. 700: Mr. GENE GREEN of Texas.

H.R. 737: Mr. THOMPSON of Mississippi, Mr. WEXLER, and Mr. ABERCROMBIE.

H.R. 765: Mr. SMITH of New Jersey.

H.R. 791: Mr. WEINER and Mr. MILLER of North Carolina.

H.R. 793: Mr. LANGEVIN.

H.R. 800: Mr. SKELTON.

H.R. 808: Mr. BEAUPREZ, Mr. CARDOZA, Mr. COSTELLO, Mr. DAVIS of Tennessee, Mrs. DRAKE, Mr. FALEOMAVAEGA, Ms. HART, Mr. HINOJOSA, Mr. JACKSON of Illinois, Mr. KUHL of New York, Ms. ZOE LOFGREN of California, Mr. MCCOTTER, Mr. MELANCON, Mr. MORAN of Kansas, Mr. NUNES, Mr. OBERSTAR, Mr. RENZI, Ms. LORETTA SANCHEZ of California, Mr. SKELTON, Mr. TIERNEY, Ms. WASSERMAN SCHULTZ, and Mr. DOYLE.

H.R. 809: Mr. DEAL of Georgia, Mr. WELDON of Florida, Mr. BOEHNER, and Mr. KING of New York.

H.R. 815: Mr. HAYWORTH.

H.R. 819: Mr. LATHAM, Mr. MCINTYRE, Mr. MCKEON, and Mr. ISRAEL.

H.R. 838: Mr. TERRY, Mr. SOUDER, and Mr. UDALL of Colorado.

H.R. 839: Mr. OLVER and Mr. EVANS.

H.R. 864: Ms. LEE and Mr. WEXLER.

H.R. 869: Mr. LYNCH.

H.R. 877: Mr. MEEKS of New York.

H.R. 887: Mr. WEXLER, Mr. CLEAVER, Mrs. MCCARTHY, and Mr. DAVIS of Illinois.

H.R. 898: Mrs. CHRISTENSEN, Mr. PAYNE, Mr. TANNER, Mr. RAMSTAD, Mr. MCDERMOTT, Mr. HALL, Mr. HINCHEY, Ms. SCHAKOWSKY, Mr. KIND, Mr. KILDEE, Ms. BORDALLO, Mr. KENNEDY of Rhode Island, Mr. EMANUEL, Mr. LEWIS of Georgia, Mr. VAN HOLLEN, Mr. HASTINGS of Florida, Ms. BERKLEY, Mr. RYAN of Ohio, Mr. SPRATT, Mr. CLEAVER, Mr. SANDERS, Mr. DAVIS of Alabama, Mr. PRICE of North Carolina, Mr. HOLDEN, Mr. JACKSON of Illinois, Mr. TERRY, Mr. BOOZMAN, Mr. PLATTS, Mr. DUNCAN, Mr. MENENDEZ, Mr. CUNNINGHAM, Mr. MCGOVERN, Mr. SCOTT of Georgia, Mr. SESSIONS, Mr. SHIMKUS, Mr. CAPUANO, Mr. PETERSON of Minnesota, Mr. BISHOP of New York, Mr. SKELTON, Mr. PASCRELL, Mr. WHITFIELD, Mr. HOLT, Mr. BRADY of Pennsylvania, Mr. WALDEN of Oregon, Ms. MATSUI, Mrs. KELLY, Mr. NORWOOD, and Mr. BOREN.

H.R. 916: Mr. CARDOZA, Ms. SCHWARTZ of Pennsylvania, Mr. BARTLETT of Maryland, Mr. GRIJALVA, Mr. JINDAL, Mr. RENZI, Mr. MOORE of Kansas, Mr. RAHALL, Mr. EMANUEL, Mr. MURPHY, Ms. BALDWIN, Mr. BOEHNER, Mr. MILLER of North Carolina, and Ms. MCCOLLUM of Minnesota.

H.R. 923: Mr. BURTON of Indiana.

H.R. 925: Ms. HARRIS, Mr. LINDER, and Mr. PRICE of Georgia.

H.R. 939: Ms. MCCOLLUM of Minnesota.

H.R. 945: Mr. FRANK of Massachusetts.

H.R. 946: Mr. RUSH and Ms. CARSON.

H.R. 947: Mr. GUTIERREZ and Mr. SALAZAR.

H.R. 968: Ms. KILPATRICK of Michigan and Ms. ZOE LOFGREN of California.

H.R. 970: Mr. CUELLAR.

H.R. 972: Mr. TERRY and Mr. WEINER.

H.R. 976: Mr. WESTMORELAND, Mr. BARRETT of South Carolina, and Mr. FEENEY.

H.R. 983: Mr. LANTOS.

H.R. 985: Mrs. KELLY, Mr. DELAHUNT, Mr. ALEXANDER, Mr. BOYD, Mr. JOHNSON of Illinois, Ms. ROYBAL-ALLARD, and Mrs. DAVIS of California.

H.R. 988: Mr. RENZI, Mr. REHBERG, and Mr. STARK.

H.R. 994: Mr. PETERSON of Pennsylvania, Ms. CARSON, Mrs. CHRISTENSEN, Mr. BOOZMAN, Mr. CARDOZA, Mr. MILLER of Florida, Mr. FRANKS of Arizona, Mrs. DRAKE, Mr. SIMMONS, Mr. GILLMOR, Mr. GERLACH, Mr. CARTER, Mr. TERRY, Mr. GOODE, Mr. SHUSTER, Mr. FORBES, Mr. CONAWAY, Mr. KUHL of New York, Mr. HALL, Mr. SHERMAN, Mr. WHITFIELD, and Mr. DOYLE.

H.R. 997: Mr. LUCAS and Mr. HALL.

H.R. 998: Mr. NUSSLE, Mr. OSBORNE, and Mr. FERGUSON.

H.R. 1016: Mr. WALDEN of Oregon.

H.R. 1049: Mr. RYAN of Wisconsin and Mr. HAYWORTH.

H.R. 1055: Mr. DEFAZIO.

H.R. 1056: Mr. DEFAZIO.

H.R. 1059: Mr. MEEK of Florida.

H.R. 1071: Mr. SHAW and Mr. DOOLITTLE.

H.R. 1080: Mr. PLATTS.

H.R. 1106: Mr. WAMP.

H.R. 1117: Mr. HALL.

H.R. 1120: Mrs. KELLY, Mr. EHLERS, and Mr. UPTON.

H.R. 1124: Mr. GERLACH.

H.R. 125: Mr. PRICE of North Carolina.

H.R. 1130: Mr. CROWLEY, Ms. MCKINNEY, Ms. CORRINE BROWN of Florida, and Mr. MORAN of Virginia.

H.R. 1132: Mr. HALL and Mr. PASCRELL.

H.R. 1139: Mr. WOLF.

H.R. 1140: Mr. BEAUPREZ.

H.R. 1145: Mr. CLYBURN.

H.R. 1175: Mrs. JO ANN DAVIS of Virginia, Mr. PETERSON of Minnesota, and Mr. HOLDEN.

H.R. 1182: Mr. AL GREEN of Texas, Mr. COSTELLO, Ms. WASSERMAN SCHULTZ, Ms. NORTON, and Mr. DAVIS of Illinois.

H.R. 1184: Mr. BLUMENAUER.

H.R. 1186: Mr. OTTER and Mr. HERGER.

H.R. 1214: Ms. ZOE LOFGREN of California and Mr. SMITH of Washington.

H.R. 1216: Mr. MANZULLO.

H.R. 1217: Mr. CROWLEY.

H.R. 1218: Ms. NORTON and Mr. EVANS.

H.R. 1219: Mr. LINDER and Mr. GOODE.

H.R. 1222: Mr. GRIJALVA, Mr. LANTOS, Mr. PALLONE, and Mr. CUMMINGS.

H.R. 1227: Mr. MCHUGH and Mr. BROWN of South Carolina.
H.R. 1240: Mr. KUHL of New York and Mr. MICHAUD.
H.R. 1245: Mr. CUELLAR, Mr. WELLER, Mr. LEWIS of Kentucky, and Mr. MARCHANT.
H.R. 1258: Mr. HINCHEY.
H.R. 1264: Mr. LAHOOD, Mr. OSBORNE, and Mr. RAHALL.
H.R. 1272: Mr. MCGOVERN and Mr. FORD.
H.R. 1279: Mr. KING of New York.
H.R. 1282: Mr. ETHERIDGE.
H.R. 1288: Mr. CULBERSON, Mr. BURTON of Indiana, Mr. HOLDEN, Mr. OTTER, Mr. HERGER, Mr. BOUCHER, Mr. KUHL of New York, Mr. SKELTON, Mr. ISTOOK, Mrs. DAVIS of California, Mr. LINDER, Mr. PETERSON of Pennsylvania, Mr. TIBERI, Mr. STEARNS, Mr. BONILLA, Mr. BACHUS, Mr. LUCAS, and Ms. FOXX.
H.R. 1290: Mr. HINCHEY and Mr. CUMMINGS.
H.R. 1295: Mr. MCHENRY, Mr. LATOURETTE, Mr. BOYD, Mr. BARRETT of South Carolina, Mr. OXLEY, Ms. GINNY BROWN-WAITE of Florida, Mr. DAVIS of Kentucky, Mr. RENZI, and Ms. HARRIS.
H.R. 1298: Mr. HINCHEY.
H.R. 1306: Ms. PRYCE of Ohio, Mr. BOUSTANY, Mr. HOLT, Mr. ROGERS of Michigan, Mr. BACA, Mr. BEAUPREZ, Mr. HOLDEN, Mr. VISCLOSKY, and Mr. CAPUANO.
H.R. 1308: Mr. PASTOR.
H.R. 1312: Mr. BLUMENAUER, Mr. CASE, Ms. DELAURO, Ms. ZOE LOFGREN of California, Mr. MCGOVERN, Ms. MILLENDER-MCDONALD, Mr. MILLER of North Carolina, Mr. PAYNE, and Mr. PRICE of North Carolina.
H.R. 1316: Mr. CULBERSON, Mr. RADANOVICH, and Mr. FEENEY.
H.R. 1329: Mr. WU and Mr. GRIJALVA.
H.R. 1333: Mr. BACHUS, Mr. MURPHY, Mr. EMANUEL, Ms. FOXX, Mr. DEFAZIO, Mr. BUTTERFIELD, Mr. WALDEN of Oregon, Mr. RAHALL, and Mr. RENZI.
H.R. 1352: Ms. DELAURO.
H.R. 1356: Ms. BALDWIN.
H.R. 1357: Mr. HOEKSTRA.
H.R. 1365: Mr. DELAHUNT, Mr. LANGEVIN, Mr. RUSH, Mr. CARNAHAN, Mr. MEEK of Florida, Mr. ABERCROMBIE, Ms. MATSUI, Ms. SCHWARTZ of Pennsylvania, Mr. MCNULTY, Mr. SABO, Ms. BALDWIN, and Mr. DOYLE.
H.R. 1370: Mr. SOUDER, Mr. ADERHOLT, and Mr. BISHOP of Utah.
H.R. 1376: Mrs. MCCARTHY, Ms. MCCOLLUM of Minnesota, Mr. HOLT, Mr. MCGOVERN, and Mr. SMITH of Washington.
H.R. 1380: Mr. CAMP and Mr. MOORE of Kansas.
H.R. 1386: Mr. WU.
H.R. 1390: Ms. ESHOO and Mr. WEXLER.
H.R. 1400: Mr. COBLE.
H.R. 1401: Mr. RANGEL and Mr. CLYBURN.
H.R. 1402: Mr. WAXMAN.
H.R. 1409: Mr. LARSEN of Georgia.
H.R. 1410: Mr. BISHOP of Georgia.
H.R. 1415: Mr. FRANK of Massachusetts, Ms. ZOE LOFGREN of California, and Mr. MCDERMOTT.
H.R. 1417: Mr. HAYWORTH and Mr. CHOCOLA.
H.R. 1431: Mr. HEFLEY, Mr. PLATTS, Mr. SHAW, Mr. BERMAN, Ms. WOOLSEY, and Mr. NADLER.
H.R. 1435: Mr. AL GREEN of Texas.
H.R. 1440: Mr. DEFAZIO and Mr. CLAY.
H.R. 1445: Mr. AKIN.
H.R. 1447: Mr. LAHOOD, Ms. DELAURO, and Mr. LEWIS of Georgia.
H.R. 1449: Mr. BUTTERFIELD, Mr. PAUL, and Mr. BARRETT of South Carolina.
H.R. 1461: Mr. GARRETT of New Jersey, Mr. WOLF, Mr. GILLMOR, Mr. FEENEY, and Mr. BARRETT of South Carolina.
H.R. 1471: Mrs. DAVIS of California.
H.R. 1474: Mr. SCHWARZ of Michigan and Mr. SHAYS.
H.R. 1493: Mr. CALVERT, Mr. BURTON of Indiana, and Mr. HAYWORTH.
H.R. 1498: Mr. MEEK of Florida, Mr. STUPAK, Mr. CARNAHAN, Ms. BORDALLO, Mr. ANDREWS, Mr. GOHMERT, and Mr. FEENEY.
H.R. 1502: Mr. CONYERS and Ms. SCHAKOWSKY.
H.R. 1505: Mr. GINGREY and Mr. BOSWELL.
H.R. 1526: Mr. SMITH of Washington, Mr. MORAN of Virginia, and Mr. JINDAL.
H.R. 1544: Mr. OWENS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BISHOP of Georgia, Mr. BERMAN, and Mr. WEXLER.
H.R. 1549: Ms. SOLIS, Ms. ESHOO, Mr. MCHUGH, Mr. ROGERS of Kentucky, Mr. HINOJOSA, Ms. BERKLEY, and Mr. CAMP.
H.R. 1554: Ms. ZOE LOFGREN of California.
H.R. 1558: Mr. FARR.
H.R. 1563: Mr. BACA.
H.R. 1575: Mr. LIPINSKI.
H.R. 1578: Mr. HIGGINS.
H.R. 1582: Mr. DOGGETT, Mr. GORDON, Mr. UDALL of New Mexico, Mr. BLUMENAUER, Mr. MCGOVERN, Mr. POMEROY, and Mr. MILLER of North Carolina.
H.R. 1588: Mr. MOORE of Kansas, Ms. KAPTUR, and Ms. KILPATRICK of Michigan.
H.R. 1589: Mr. CUMMINGS.
H.R. 1591: Ms. KILPATRICK of Michigan.
H.R. 1602: Mr. MCDERMOTT.
H.R. 1607: Mr. ENGLISH of Pennsylvania.
H.R. 1618: Mr. BASS.
H.R. 1619: Mr. COSTELLO.
H.R. 1630: Mr. KUHL of New York, Mr. PLATTS, Mr. REHBERG, Mr. WELLER, Mr. GERLACH, Mr. NEY, Mr. MCHUGH, Mr. ENGLISH of Pennsylvania, Mr. DAVIS of Illinois, Mr. HOLT, Mr. HONDA, Ms. MCCOLLUM of Minnesota, Mr. ABERCROMBIE, Mr. RAHALL, Ms. BALDWIN, Mr. REYES, Mr. ISRAEL, Mr. RUPPERSBERGER, Mr. BRADY of Pennsylvania, Mr. HINCHEY, Mr. DEFAZIO, Mrs. JONES of Ohio, Mr. PAYNE, Mr. GRIJALVA, Mr. LEWIS of Georgia, Mr. CARNAHAN, and Mrs. MCCARTHY.
H.R. 1631: Mr. KUHL of New York, Mr. PLATTS, Mr. WELLER, Mr. GERLACH, Mr. NEY, Mr. MCHUGH, Mr. DAVIS of Illinois, Mr. HOLT, Mr. HONDA, Ms. MCCOLLUM of Minnesota, Mr. ABERCROMBIE, Mr. RAHALL, Ms. BALDWIN, Mr. REYES, Mr. ISRAEL, Mr. RUPPERSBERGER, Mr. BRADY of Pennsylvania, Mr. HINCHEY, Mr. DEFAZIO, Mr. JONES of Ohio, Mr. PAYNE, Mr. GRIJALVA, Mr. LEWIS of Georgia, Mr. CARNAHAN, and Mrs. MCCARTHY.
H.R. 1632: Mr. GORDON, Mr. NORWOOD, Mr. KENNEDY of Rhode Island, Mr. PAYNE, Mr. VAN HOLLEN, and Mr. OWENS.
H.R. 1634: Mr. LAHOOD, Mr. BOOZMAN, Mr. SHAYS, Mr. CAPUANO, and Mr. CARTER.
H.R. 1636: Mr. LEVIN and Mr. LIPINSKI.
H.R. 1637: Mr. OWENS.
H.R. 1639: Ms. KAPTUR and Mr. CARDOZA.
H.R. 1648: Mr. LEWIS of Georgia and Mr. GEORGE MILLER of California.
H.R. 1651: Mr. CUELLAR.
H.R. 1654: Mr. REHBERG.
H.R. 1663: Mr. TERRY, Mr. CARNAHAN, Mrs. DRAKE, and Mr. SALAZAR.
H.R. 1664: Mr. KILDEE and Mr. FITZPATRICK of Pennsylvania.
H.R. 1672: Mr. OWENS and Mr. SANDERS.
H.R. 1688: Mr. BERMAN and Ms. ESHOO.
H.R. 1692: Mr. OWENS.
H.R. 1696: Mr. PASTOR, Mr. DELAHUNT, Mr. COSTA, Mr. GUTIERREZ, Mr. PALLONE, Mr. LARSEN of Washington, Mr. BISHOP of Georgia, Ms. CARSON, Mr. SALAZAR, and Mr. UDALL of New Mexico.
H.R. 1704: Ms. KILPATRICK of Michigan and Mr. MCCOTTER.
H.R. 1736: Ms. ESHOO.
H.R. 1749: Mr. HAYWORTH.
H.R. 1764: Mr. CLAY.
H.R. 1770: Mr. ROHRABACHER, Mr. TANCREDO, Mr. GOODE, Mr. CALVERT, Mr. INGLIS of South Carolina, and Mr. SMITH of Texas.
H.R. 1816: Mrs. MUSGRAVE.
H.R. 1835: Mr. GRIJALVA.
H.R. 1870: Mr. STEARNS.
H.R. 1872: Mr. FLAKE and Mr. RENZI.
H.R. 1898: Mr. BILIRAKIS, Mr. RAMSTAD, and Mr. ISTOOK.
H.R. 1912: Mr. TANCREDO.
H.R. 1930: Mr. CONAWAY and Mr. BOREN.
H.R. 1946: Ms. KAPTUR.
H.J. Res. 10: Mr. CHABOT, Mr. WELDON of Florida, Mr. LUCAS, and Mr. BURTON of Indiana.
H.J. Res. 23: Mr. RENZI.
H.J. Res. 36: Mr. STARK.
H.J. Res. 38: Mr. YOUNG of Florida and Mr. MCNULTY.
H.J. Res. 43: Mrs. JO ANN DAVIS of Virginia.
H. Con. Res. 24: Mr. CUELLAR, Mr. COSTELLO, and Mr. ALLEN.
H. Con. Res. 31: Mr. EVANS.
H. Con. Res. 35: Mr. MICHAUD, Mr. FRANK of Massachusetts, and Mr. DELAHUNT.
H. Con. Res. 38: Ms. ROS-LEHTINEN.
H. Con. Res. 44: Mr. COSTA, Ms. ROYBAL-ALLARD, Mr. CARDOZA, Mr. CUELLAR, Ms. LORETTA SANCHEZ of California, Ms. VELÁZQUEZ, Mr. BECERRA, Mr. SALAZAR, Mr. REYES, Mr. MEEK of Florida, Mr. MCDERMOTT, Mr. CROWLEY, Ms. MILLENDER-MCDONALD, Mr. BISHOP of Georgia, Mr. MORAN of Virginia, Mr. TOWNS, Ms. SOLIS, Mr. EMANUEL, and Mr. DAVIS of Illinois.
H. Con. Res. 57: Mr. DAVIS of Illinois.
H. Con. Res. 59: Mr. BISHOP of Georgia, Ms. KAPTUR, Ms. JACKSON-LEE of Texas, Ms. CARSON, and Mr. BRADY of Pennsylvania.
H. Con. Res. 71: Mr. FALEOMAVAEGA and Ms. MCCOLLUM of Minnesota.
H. Con. Res. 80: Mr. OWENS, Mr. SANDERS, and Mr. PALLONE.
H. Con. Res. 83: Mr. HUNTER and Mr. EVANS.
H. Con. Res. 90: Mr. MENENDEZ, Mr. GEORGE MILLER of California, Ms. SLAUGHTER, Mr. LIPINSKI, Mr. ALLEN, and Mr. ISSA.
H. Con. Res. 99: Mr. TANNER.
H. Con. Res. 104: Mr. BRADLEY of New Hampshire.
H. Con. Res. 128: Mr. LIPINSKI and Mr. ISSA.
H. Con. Res. 140: Ms. KILPATRICK of Michigan.
H. Res. 67: Ms. MATSUI, Mr. SCOTT of Georgia, Mrs. JOHNSON of Connecticut, Mr. FRANK of Massachusetts, Mr. HASTINGS of Florida, Ms. HOOLEY, Mr. JACKSON of Illinois, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Ms. MCKINNEY, and Mr. ISRAEL.
H. Res. 84: Mr. JEFFERSON.
H. Res. 123: Mr. MICHAUD and Mr. KENNEDY of Minnesota.
H. Res. 167: Ms. BORDALLO.
H. Res. 169: Mr. HINCHEY.
H. Res. 175: Ms. LEE.
H. Res. 200: Mr. MCNULTY and Mr. SALAZAR.
H. Res. 215: Mr. LINDER, Mr. NORWOOD, Mr. CANTOR, Mr. CANNON, Mr. KING of Iowa, Mr. HENSARLING, Mr. SHADEGG, Mr. RADANOVICH, Mr. WELDON of Florida, and Mr. BURTON of Indiana.
H. Res. 220: Ms. WOOLSEY, Mr. MILLER of Florida, and Mr. PRICE of Georgia.
H. Res. 223: Mr. LANTOS.
H. Res. 245: Mr. ALLEN, Mr. HINCHEY, Mr. WOLF, Mr. WAXMAN, Mr. KUHL of New York, Mr. SMITH of Washington, Mr. MCGOVERN, Mr. MCDERMOTT, Mr. BOSWELL, Mrs. DAVIS of California, Mr. REYES, and Mr. CUMMINGS.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 513: Mr. BECERRA.
H.J. Res. 23: Mr. HASTINGS of Florida.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, FIRST SESSION

Vol. 151 WASHINGTON, THURSDAY, APRIL 28, 2005 No. 54

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JOHN E. SUNUNU, a Senator from the State of New Hampshire.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal spirit, You are our rock of safety. You are the Ancient of Days, yet the ever-new God. Thank you for Your mercies which are fresh each day. Your spirit restores our souls to newness of life. Because of You, we have discovered a new life, a new song, and a new hope that nothing in life or in death can dismay.

Today, bless the Members of this body. Guide their steps and inspire their hearts. May they use their talents to make the world better.

Be their strength and shield from every danger as You fill their hearts with joy. Lord, protect our military men and women who daily sacrifice to keep us free. Lead them like a shepherd and carry them forever in Your arms.

We pray in Your awesome Name. Amen

PLEDGE OF ALLEGIANCE

The Honorable JOHN E. SUNUNU led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 28, 2005.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN E. SUNUNU, a Senator from the State of New Hampshire, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. SUNUNU thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Today we will begin our session with a 1-hour period of morning business, and following morning business, the Senate will begin debate on the highway bill. Senator INHOFE has been on the floor over the course of the last 3 days and has encouraged Members to offer their amendments. I encourage them to do so at this time. I ask Senators to contact the chairman and ranking member if they do intend to offer an amendment so they can plan accordingly. We will make further progress on the bill today and tomorrow. Senators should not wait until the last minute to offer their amendments. Please come forward today and tomorrow with those amendments.

Also, I remind everyone that last night we filed two cloture motions on two Cabinet-rank nominations: Rob Portman to be USTR, and Stephen Johnson to be Administrator of EPA. Those votes will occur on Friday unless we reach an agreement for a confirmation vote on those two important nominations.

We will also consider the budget and supplemental conference reports when they are available. Members continued to work well into the evening last evening on both of these conference reports. The budget conference report, as my colleagues know, can be debated for up to a 10-hour statutory limit.

Having said that, Senators should be informed we have quite a bit of work to accomplish prior to our adjournment, and we are going to need to stay until we finish our business. Senators should expect rollcall votes each day.

COMMENDING ANNICE M. WAGNER, CHIEF JUDGE OF THE DISTRICT OF COLUMBIA COURT OF APPEALS

Mr. FRIST. I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be discharged from further consideration of S. Res. 107 and the Senate now proceed to its immediate consideration.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 107) commending Annice M. Wagner, Chief Judge of the District of Columbia Court of Appeals, for her public service.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid on the table.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 107) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 107

Whereas Annice M. Wagner, Chief Judge of the District of Columbia Court of Appeals, entered Federal Government service in 1973 as the first woman to be appointed General Counsel of the National Capital Housing Authority, then a Federal agency;

Whereas, from 1975 to 1977, the Honorable Annice M. Wagner served as People's Counsel for the District of Columbia, an office created by Congress to represent the interests

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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of utility consumers before the District of Columbia Public Service Commission and the District of Columbia Court of Appeals;

Whereas, in 1977, the Honorable Annice M. Wagner was appointed by President Carter and confirmed by the Senate to serve as an Associate Judge of the Superior Court for the District of Columbia;

Whereas, while serving as an Associate Judge of the Superior Court, the Honorable Annice M. Wagner served in the civil, criminal, family, probate, and tax divisions and served for 2 years as presiding judge of the probate and tax divisions;

Whereas, while serving as an Associate Judge of the Superior Court, Annice M. Wagner served on various commissions and committees to improve the District of Columbia judicial system, including serving as chairperson of the Committee on Selection and Tenure of Hearing Commissioners, and as a member of the Superior Court Rules Committee and the Sentencing Guidelines Commission;

Whereas, as an Associate Judge of the Superior Court, Annice M. Wagner served as chairperson of the Court's Advisory Committee on Probate and Fiduciary Rules and was largely responsible for the implementation of new rules intended to streamline and clarify procedures regarding missing, protected, and incapacitated individuals;

Whereas, as an Associate Judge of the Superior Court, the Honorable Annice M. Wagner served as chairperson of the Task Force on Gender Bias in the Courts, which conducted a comprehensive study of bias in the courts;

Whereas, under Annice M. Wagner's leadership, the District of Columbia courts established the Standing Committee on Fairness and Access to the Courts to ensure racial, gender, and ethnic fairness;

Whereas Annice M. Wagner was appointed by President George H.W. Bush and confirmed by the Senate in 1990 to be an Associate Judge of the District of Columbia Court of Appeals;

Whereas Annice M. Wagner was appointed in 1994 to serve as Chief Judge of the District Court of Appeals;

Whereas, while Chief Judge of the District of Columbia Court of Appeals, Annice M. Wagner served as Chair of the Joint Committee on Judicial Administration in the District of Columbia;

Whereas, under Annice M. Wagner's leadership, the District of Columbia courts initiated the renovation of the Old District of Columbia Courthouse (Old City Hall) in Judiciary Square, a National Historic Landmark, for future use by the District of Columbia Court of Appeals;

Whereas, under Annice M. Wagner's leadership, the District of Columbia courts initiated the master planning process for the renovation and use of unused or underutilized court properties, which will lead to the revitalization of the Judiciary Square area in the Nation's Capital;

Whereas, under Annice M. Wagner's leadership, the Court of Appeals, along with the District of Columbia Bar, the District of Columbia Bar Foundation, and the District of Columbia Consortium of Legal Service Providers, established the District of Columbia Access to Justice Commission, a commission that will propose ways to make lawyers and the legal system more available for poor individuals in the District of Columbia;

Whereas Annice M. Wagner served as President of the Conference of Chief Justices, an organization of Chief Justices and Chief Judges of the highest court of each of the 50 States, the District of Columbia, and the territories;

Whereas Annice M. Wagner served as Chairperson of the Board of Directors of the National Center for State Courts;

Whereas the Honorable Annice M. Wagner commands wide respect within the legal profession nationally, having been selected to serve as one of 11 members of the American Bar Association's Section on Dispute Resolution's Drafting Committee on the Uniform Mediation Act, which collaborated with the National Conference of Commissioners on Uniform State Laws in promulgating the Uniform Mediation Act, which, in 2001, was approved and recommended for enactment in all of the States, to foster prompt, economical, and amicable resolution of disputes through mediation processes which promote public confidence and uniformity across state lines;

Whereas, since 1979, Annice M. Wagner has been involved with the United Planning Organization, which was established in 1962 to conduct initiatives designed to provide human services in the District of Columbia and she has served as Interim President of the Organization's Board of Trustees;

Whereas, since 1986, Annice M. Wagner has participated as a member of a teaching team for the Trial Advocacy Workshop at Harvard Law School;

Whereas Annice M. Wagner, Chief Judge of the District of Columbia Court of Appeals, was born in the District of Columbia and attended District of Columbia Public Schools and received her Bachelor's and law degrees from Wayne State University in Detroit, Michigan; and

Whereas Annice M. Wagner's dedication to public service and the citizens of the District of Columbia has contributed to the improvement of the judicial system, increased equal access to justice, and advanced public confidence in the court system: Now, therefore, be it

Resolved, That the Senate commends the Honorable Annice M. Wagner for her commitment and dedication to public service, the judicial system, equal access to justice, and the community.

PUBLIC SERVICE RECOGNITION WEEK

Mr. FRIST. I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be discharged and the Senate proceed to S. Res. 108.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 108) expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the Nation during Public Service Recognition Week, May 2 through 8, 2005.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and motion to reconsider be laid upon the table.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 108) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 108

Whereas Public Service Recognition Week provides an opportunity to honor and celebrate the commitment of men and women who meet the needs of the Nation through work at all levels of government;

Whereas over 18,000,000 individuals work in government service in every city, county, and State across America and in hundreds of cities abroad;

Whereas Federal, State, and local officials perform essential services the Nation relies upon every day;

Whereas the United States of America is a great and prosperous nation, and public service employees contribute significantly to that greatness and prosperity;

Whereas the Nation benefits daily from the knowledge and skills of these highly trained individuals;

Whereas public servants—

(1) help the Nation recover from natural disasters and terrorist attacks;

(2) provide vital strategic support functions to our military and serve in the National Guard and Reserves;

(3) fight crime and fire;

(4) deliver the United States mail;

(5) deliver social security and medicare benefits;

(6) fight disease and promote better health;

(7) protect the environment and the Nation's parks;

(8) defend and secure critical infrastructure;

(9) teach and work in our schools and libraries;

(10) improve and secure our transportation systems;

(11) keep the Nation's economy stable; and

(12) defend our freedom and advance United States interests around the world;

Whereas public servants at every level of government are hard-working men and women, committed to doing their jobs regardless of the circumstances;

Whereas members of the uniformed services and civilian employees at all levels of government make significant contributions to the general welfare of the United States, and are on the front lines in the fight against terrorism and in maintaining homeland security;

Whereas public servants work in a professional manner to build relationships with other countries and cultures in order to better represent America's interests and promote American ideals;

Whereas Federal, State, and local government employees have risen to the occasion and demonstrated professionalism, dedication, and courage while fighting the war against terrorism;

Whereas public servants alert Congress and the public to government waste, fraud, abuse, and dangers to public health;

Whereas the men and women serving in the Armed Forces of the United States, as well as those skilled trade and craft Federal employees who provide support to their efforts, contribute greatly to the security of the Nation and the world;

Whereas government workers have much to offer, as demonstrated by their expertise and innovative ideas, and serve as examples by passing on institutional knowledge to train the next generation of public servants;

Whereas May 2 through 8, 2005, has been designated Public Service Recognition Week to honor America's Federal, State, and local government employees;

Whereas the theme for Public Service Recognition Week 2005 is Celebrating Government Workers Nationwide to highlight the important work civil servants perform throughout the Nation; and

Whereas Public Service Recognition Week is celebrating its 21st anniversary through

job fairs, student activities, and agency exhibits: Now, therefore, be it

Resolved, That the Senate—

(1) commends public servants for their outstanding contributions to this great Nation;

(2) salutes their unyielding dedication and spirit for public service;

(3) honors those government employees who have given their lives in service to their country;

(4) calls upon a new generation of workers to consider a career in public service as an honorable profession; and

(5) encourages efforts to promote public service careers at all levels of government.

APPOINTMENT OF SHIRLEY ANN JACKSON AS A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

APPOINTMENT OF ROBERT P. KOGOD AS A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

Mr. FRIST. Mr. President, I ask unanimous consent that the Rules Committee be discharged from further consideration of H.J. Res. 19 and H.J. Res. 20 and the Senate proceed to their immediate consideration en bloc.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will state the resolutions by title.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 19) providing for the appointment of Shirley Ann Jackson as a citizen regent of the Board of Regents of the Smithsonian Institution

A joint resolution (H.J. Res. 20) providing for the appointment of Robert P. Kogod as a citizen regent of the Board of Regents of the Smithsonian Institution.

There being no objection, the Senate proceeded to consider the joint resolutions en bloc.

Mr. FRIST. I ask unanimous consent that the joint resolutions be read a third time and passed, the motions to reconsider by laid upon the table en bloc, and any statements be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The joint resolutions (H.J. Res. 19) and (H.J. Res. 20) were read the third time and passed.

Mr. FRIST. Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business for up to 60 minutes with the first half of the time under the control of the Democratic leader or his designee and the last half under the control of the minority leader or his designee.

Mr. FRIST. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. BYRD. Mr. President, what is the question before the Senate?

The ACTING PRESIDENT pro tempore. The Senate is currently in a period of morning business, with time equally divided between the majority and minority leader.

Mr. BYRD. Mr. President, how much time might I have under the order?

The ACTING PRESIDENT pro tempore. The minority controls 30 minutes, the first 30 minutes of the period of morning business.

Mr. BYRD. Mr. President, I ask that I may proceed to speak out of order for as long as I need to speak and that it not be over 15 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SOCIAL SECURITY

Mr. BYRD. Mr. President, from the book of Matthew, chapter 7, verses 25, 26, and 27 of the King James version of the Bible, I read as follows:

And the rain descended and the floods came and the winds blew and beat upon the house, and it fell not for it was founded upon a rock. And everyone that heareth these sayings of mine, and doeth them not, shall be likened unto a foolish man, which built his house upon the sand. And the rain descended, and the floods came, and the winds blew, and beat upon that house; and it fell; and great was the fall of it.

Mr. President, 70 years ago the Social Security Program was founded upon a rock. It was designed to shelter workers in their old age and to withstand the storms that can wipe away their savings. For 70 years, the Social Security Program has stood as a protector of workers and families. It is their safeguard against economic peril.

Social Security provides the essential support for 405,000 West Virginians. In every county across the State, men and women, workers and retirees, their spouses and their children rely on their monthly Social Security check, and it comes as regularly as the mail man runs.

And so it is with great trepidation that they listen to apocalyptic tales about Social Security's future. It is difficult to understand, and perhaps incomprehensible to comprehend, how workers could spend their lifetime contributing to the Social Security Program only to find that the benefits promised to them may not be available when they retire. Demographic projections show that the next generation of workers cannot support the retirement and disability benefits promised to this generation of workers. The Social Security trustees warned us that this demographic storm would erode the rock upon which the retirement security of workers has been built. Soon the rain will descend. Soon the floods will come. Soon the winds will blow. Our challenge is to keep that house from falling. And our challenge is great.

It is within this context that President Bush has proposed changing the scope of the Social Security Program, adding personal accounts to wean workers from the traditional program. He offers the opportunity for higher returns in the financial markets in exchange for workers relinquishing a portion of their benefits guaranteed under the current system. Be careful.

Needless to say, the outcry to such a proposal has been deafening. In the State of West Virginia, thousands and thousands of constituents are contacting my office—phone calls, e-mails, letters—in opposition to the President's Social Security plan. These people fear that personal accounts are a scheme to take away their Social Security benefits. They fear it is an effort to crack open Social Security and break it apart, piece by piece. I, too, fear such efforts. Feeding that fear is the secret that permeates the administration's plans.

The X factors are multifarious, impacting every worker and every employer who pays into the Social Security Program, every future retiree and every future disabled worker who expects one day to receive Social Security benefits.

My constituents are right to be leery of a scheme to privatize Social Security, particularly when efforts to learn more about Social Security's reforms are being stonewalled. We cannot get that information. If we knew the answers, if we knew for certain the retirement security of our constituents would be protected, that would be one thing, but this proposal for personal accounts seems a lot like the kind of telephone scams we hear about when folks are told they have won a prize and then are asked for their bank account number. Hold on here.

We are all enticed by the idea of ensuring the solvency of Social Security, but what are workers being asked to give up? No one in the administration, no one in the White House is willing to tell. Hear me when I say I will oppose this plan as well as any plan where the costs are undefined and the benefit cuts so uncertain.

Four months of high-publicity tours and photo-ops by President Bush and members of his Cabinet all across America, including stops in West Virginia, have yielded little new information about how the President's plan would affect workers' benefits. We do not know. We have not been told. We cannot get the answers. We ask for the

plan, we ask for the details, and nothing happens. What level of benefit cuts is the President advocating? How much of their guaranteed benefits is the President asking workers to relinquish? On this subject the White House has been evasive. The White House has been equivocating.

What about the volatility of the financial markets? Recent news reports serve as a vivid reminder that the stock market has severe ups and downs. What happens when it comes time to retire and a worker discovers that he or she does not have enough saved to ensure a decent, respectable living? What guarantee would the administration support to ensure a minimum benefit from each individual account? The White House will not respond to this question. There is not a sound to be heard by way of answering that question. What are the costs of the President's Social Security plan? The White House Budget Office has $754 billion, but the Vice President says trillions of dollars. How about that? How can this administration reconcile mounting debt and its own warnings about the need to limit the further growth of deficits with a plan that requires borrowing trillions of dollars more? Again, the White House has no response to the question.

This week, the Senate Finance Committee began hearings on the President's plan. I hope these hearings will yield more information. Our senior citizens need answers to these questions.

I sent a letter to this President earlier this year urging him to send a detailed legislative proposal to the Congress. Send it up, a detailed legislative proposal. I have asked questions of the Secretary of the Treasury at Appropriations Committee hearings as recently as this week. The Congress and the people have been patient in waiting for answers, but still no answers come forth. Honesty and candor are now required. We cannot legislate on rumors and guesses. The ducking and the dodging on the part of the administration serve only to fuel speculation that it is hiding something—yes, hiding something—from the public or, worse, seeking to cut benefits surreptitiously.

Fortunately, any legislation submitted by the President to change Social Security will require 60 votes to pass the Senate; that is, as long as the nuclear option has not descended upon the Senate, as long as the filibuster is still around. Any legislation submitted by the President to change Social Security will require 60 votes to pass the Senate. Long live the filibuster. It may be needed to protect Social Security. The danger of the nuclear option becomes crystal clear as we contemplate the momentous debate on Social Security which looms just down the road, just up ahead.

Only the Senate, here in this forum, only the Senate has the ability to insist on its right to unlimited debate. I hope the Senators will stop, look, and listen. Only the Senate, may I repeat, has the ability to insist on its right to unlimited debate. Let's maintain that right. It has been there for 217 years. Its roots go back to the English Bill of Rights to which William III and Mary subscribed on February 13, 1689, 100 years before our own Republic began, the Bill of Rights, enacted on December 16 in Parliament. The Bill of Rights guaranteed freedom of speech in commons, and our own Constitution in section 6, article I, guarantees that right which cannot be questioned in any other place. Retain it, maintain it, keep it, hold it, collapse it to thy breast.

Only the Senate has the ability to insist on its right to unlimited debate. No Social Security legislation will fly through this Senate without thorough scrutiny, unless the nuclear option is employed. Senators can insist and Senators will insist on the time they need to probe the details of the President's plan and to extract answers to their questions. The Senate will have the opportunity to amend, the Senate will have the opportunity to debate, and then, if it desires, the Senate will have the opportunity to amend and debate some more. And then some more. The threat of a filibuster means that no legislation will be enacted into law without bipartisan support in this Senate, which means that no benefits will be cut, no taxes will be increased, and no radical change codified without adequate debate.

The Senate will require a compromise if and when Social Security reforms are ever enacted, fulfilling its role exactly as the Founding Fathers envisioned. Yes, yes, that is why we have a Senate. Thank God for the Great Compromise which was agreed to on July 16, 1787. Praise God for that Great Compromise. But for it, the Presiding Officer would not be sitting at the desk. But for it, I would not be standing here. But for it, this might never have been a Republic. That is why we have a Senate with its rules for unlimited debate—Lord, God, keep it, save it, collapse it to thy heart—to forge compromise and to ensure moderation in the laws enacted.

To those who advocate chipping away at that rule, limiting Senators' right to debate in regard to judicial nominees, hear me when I say the crucial need for keeping those rules strong in order to encourage compromise and moderation is right before us as the Senate proposes to debate changes in Social Security. Hear me out there in the Plains, in the prairies, across the rivers from the Atlantic to the Pacific. We ought to engage in a genuine effort to end the rumors and help the public understand exactly what is being asked of them with regard to their Social Security benefits—your benefits.

I urge this administration to lay its case before the American people. Come on, open up, lay the case before the American people. Tell us what your plan is. Give us the details of your plan. The last thing we need at this late point with the Social Security storm looming on the horizon is to find another house has been built upon the sand.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOMENICI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. MURKOWSKI). Without objection, it is so ordered.

Mr. DOMENICI. Madam President, how much time remains on the minority side?

The PRESIDING OFFICER. The minority's time is now expired.

Mr. DOMENICI. Madam President, do I understand that the Senator from New Mexico has up to 10 minutes at this point in morning business?

The PRESIDING OFFICER. The Senator has up to 30 minutes, if he would like.

Mr. DOMENICI. Thank you very much.

JUDICIAL NOMINATIONS

Mr. DOMENICI. Madam President and fellow Senators, I want to start by submitting a couple of editorials from papers in the State of New Mexico.

First of all, I want to start with an editorial from a paper in New Mexico called the Santa Fe New Mexican. I do not want to editorialize too much about this paper, but I think it is fair to say this is not a conservative newspaper. I believe it is fair to say it is a pretty liberal paper. It is probably even more than mildly liberal, very liberal. But I was impressed by their grasp of this issue and a statement that was in their editorial.

Madam President, I ask unanimous consent that these editorials be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[Santa Fe New Mexican (New Mexico), Feb. 24, 2003]

BINGAMAN SHOULD LEAD DEMS' FILIBUSTER RETREAT

As legendary prizefighter Joe Louis said of an upcoming opponent reputed to be fast on his feet: ''He can run, but he can't hide.''

Senate Democrats, along with the Republican majority, fled Washington last week as their way of honoring Presidents' Day. The annual recess suspended their filibuster against a federal judgeship vote. The Dems are making an unwarranted stand, and an unseemly fuss, over the nomination of Miguel Estrada to the U.S. Court of Appeals for the D.C. Circuit.

The filibuster—protracted talking under senatorial privilege—had consumed a week of debate about Estrada before the senators left town. Now they're gravitating back to the Potomac, and the Dems can hide no longer. Resumption of their verbose balking will make them look ridiculous—at a time when the nation needs statesmen to stand up

against the White House warmonger and his partisans commanding Capitol Hill.

The Democrats have chosen a particularly poor target: Estrada, who came from Honduras as a boy and went on to lead his law class at Harvard, is better qualified than many a Democratic appointee now holding life tenure on one federal bench or another.

But after confirming so many less-qualified judges while they held power, Estrada's senatorial tormentors now offer ''reasons'' why he shouldn't be confirmed: too young; too bashful about answering leading questions; appointed only because he's Hispanic—or, to some senators' way of thinking, not Hispanic enough.

What really rankles with the Democrats, though, is Estrada's politics. He's a conservative. Surprise, surprise; we've got a conservative president, and it's the president who makes the appointments to the federal judiciary.

As the party on the outs, the Dems had better get used to like-minded appointments from the president. If their game-playing goes on, a disgusted American public might keep George W. Bush in office for the next six years. The country certainly didn't see any reason to balance Bush against a Democratic Congress when it had a chance just a few months ago. With their spiteful behavior toward Bush appointees, the Dems aren't exactly gaining goodwill.

If they find the Republican so repugnant, let 'em vote against him; at least they'll be putting their ideals—or their party colors—on display. But this is no Mr. Smith against some diabolical establishment; it's a bunch of sore losers making themselves even more so.

To break a filibuster by cloture takes 60 senators. The Senate's 51 Republicans need nine of the 48 Democrats, or eight of them and ex-Republican Jim Jeffords of Vermont.

New Mexico's Jeff Bingaman should lead the Democratic blockade-runners. By all measures, Bingaman is a class act; a lawyer who knows that senators have no business obstructing appointments on purely political grounds. He also knows that Republicans aren't going to hold the White House forever; that sooner or later a Democratic president will be choosing judges. And he realizes that Republicans, like their mascot, have long memories.

The last thing our justice system needs is an ongoing feud over appointments to district and appellate judgeships. Let Judge Estrada's confirmation be a landmark of partisan politics' retreat from the courtroom.

[Albuquerque Journal, Apr. 27, 2005]

FILIBUSTER PUTS BAR TOO HIGH FOR JUDGES

Despite the cumbersome robes, Texas Supreme Court Justice Priscilla Owen has managed to jump some pretty high bars. She garnered 84 percent of the vote in her 2000 campaign for re-election. She received the American Bar Association's highest rating as a nominee for the federal appeals court.

But since 2001, she hasn't been able to get the time of day on the Senate floor because Democrats will filibuster confirmation. That means Owen has to have a super majority of 60 votes—the number it takes to close off a filibuster. That bar is too high.

Democrats like to stress the number of U.S. District Court judges confirmed during the Bush administration. But the higher courts are the battleground, and there, Democrats have been able to hold Bush's confirmation rate (69 percent) well below that of recent presidents.

The Senate minority has used the filibuster or the threat of it on an unprecedented scale to deny Owen and 15 other appeals level nominees what the Constitution envisions, a straight majority vote.

Despite the time-honored Senate rule establishing senators' right to hold the floor and talk until death or until 60 votes can be rounded up, the time-honored norm has been to defer to the president, especially when the president's party holds a Senate majority.

What happens when traditions are trampled in the interest of short-term political goals? Other customs that have worked well become vulnerable to the escalating partisan crossfire over judicial nominees. For example, Judiciary Committee practice has been not to send a nomination to the floor without the accord of the senators from the nominee's state. Now that rule has been broken in the case of Michigan nominees.

The next level of escalation wasn't too hard to see coming: The majority party threatens to remove the filibuster option on judicial nominees. If that sounds radical, consider that 19 Democrats—including Sens. John Kerry, Edward Kennedy, Barbara Boxer and Jeff Bingaman—moved to eliminate the filibuster in 1995 when Democrats wielded majority power.

What they failed to do then, they may goad the Republican majority into accomplishing with regard to judicial nominations now. It would be an action both parties eventually could come to regret. The filibuster has allowed the minority to apply the brakes to majority will over the decades—but it was not intended to be a stone wall.

Senate leaders should keep talking and trying to avert a showdown on the filibuster. Democrats might negotiate for a Bush pledge to forgo recess appointments, to seek more pre-nomination advice along with Senate consent, and for expanded floor debate.

But, after every senator has had his moment on the floor, there should be a straight majority vote on the vast majority of this or any other president's nominees.

Mr. DOMENICI. Madam President, I want to read the operative paragraph from the Santa Fe New Mexican:

With this spiteful behavior toward Bush appointees, the Dems aren't exactly gaining goodwill.

If they find [these nominees] so repugnant, let 'em vote against [them]; at least they'll be putting their ideals—or their party colors—on display. But this is no Mr. Smith against some diabolical establishment; it's a bunch of sore losers making themselves even more so. . . .

This is not PETE DOMENICI speaking. I am reading from this editorial:

The last thing our justice system needs is an ongoing feud over appointments to district and appellate judgeships.

Now, yesterday, or maybe a day before, the major paper in the State, the Albuquerque Journal, had an editorial with a very interesting title: ''Filibuster Puts Bar [B-A-R] Too High for Judges.''

It is a very interesting editorial, with a play on words: ''Bar'' meaning the bench; and ''Bar,'' with the idea that you have to have 60 votes, is disavowed by this editorial. There is some nice recognition and discussion about the fact that a number of the Senators on the other side who are talking about this issue as if there was a filibuster allowed for judges—which I do not believe there is—the editorial explains that a number of Democrats were for doing away with the filibuster in its entirety about 10 years ago. At a point, that was a very major discussion here, and it was principally motivated by the Democratic Party, to get rid of the filibuster in its entirety. The editorial says how interesting and paradoxical it is that some of those who did not, at the time, want the filibuster around at all are arguing about it existing for judges—this is not conclusive but is interesting.

So I am here because I would like to make my case and explain to the Senate why this Senator from New Mexico thinks we should have an up-or-down vote on the circuit court judicial nominees of the President who are pending.

First, I want to make the point that I am not trying to change anything. So when people say, Republican Senators want to change the filibuster rule, I am for changing nothing.

What does that mean? That means I am for leaving the rule as it is. What does that mean? That means there is no filibuster rule relating to judges now. All the discussion about why should we change the rule is not the issue. The issue is, why are we denying circuit court judges an up-or-down vote—that is, majority rule—when that is what the precedent of the Senate has been for the last 200-plus years?

For anybody who thinks the filibuster rule is absolutely inherent in anything the Senate does, that the rule came down from the Constitution to the Senate as: Thou shalt have a filibuster rule, that is not so. Look in the Constitution. There is no mention of filibusters. As a matter of fact, the document is filled with references to majority rule. And where the Constitution requires that we have more than a majority, it says so. So look to the Constitution to see if there are any times when our Founding Fathers said a two-thirds vote or more than a simple majority are necessary, and you will find there are few occasions and they are mentioned specifically. Therefore, I would assume the Constitution does not require super-majorities for judicial nominees. If we tried to say otherwise, I assume it would be thrown out in a minute.

The question then is, what do we Republicans want? What do—maybe it won't all be Republicans in the end—we want now? We want judges who were nominated by this President for the circuit courts of appeal over a long period of time—and I will cite an example shortly—to have an up-or-down vote. I hope people understand, all these other questions that are asked of them, they beg the issue. The issue is, should a circuit court nominee who is otherwise qualified, meaning the American Bar Association and the people who work with them believe they are qualified, have a vote. That is the issue.

I cannot believe the majority of Americans, given that set of facts, would say no, you need to get two-thirds of the vote under those circumstances. What are those circumstances? Those circumstances are that some in this body don't like the

nominees. The Constitution didn't say this is an issue of whether you like the nominees. It said, you are voting advice and consent for the nominee. So the point is, you exercise your right by saying: I don't consent. In advising, I withhold my consent and say no. The Constitution doesn't say two-thirds of you must say you have advised and you consent. That is the issue.

As I see it on television and read about it, we can see people arguing that we shouldn't change. The filibuster is part of the fiber of the Senate. We should not alter it.

I have explained that it isn't part of the fiber of the Senate with regards to judicial nominees. As a matter of fact, even on other issues besides judges, it is not certain that it existed when we were founded. There is a long period of history when we are not even sure the filibuster existed. But I am not here saying the filibuster does not now exist. In fact, I am for the filibuster. I didn't vote in favor of getting rid of the filibuster. Half of my service in this body has been as a minority Senator. So I know what it is to be a minority Member who appreciates the filibuster. But I also don't like the filibuster sometimes. I get upset. I wonder why it holds up so much legislation.

I might add parenthetically that I don't like the way the filibuster is used around here now because it is used all the time for anything. Thirty times a year we have to have cloture filed. We didn't do that for 25 of the 30 years I have been here. It was very rare. In its earliest vintage, it was on matters of monumental importance to Senators, regions, or to Americans. Now every time we have a bill, if a few people say, we don't want to let that pass, you have a filibuster.

I am not for changing the filibuster because of irreverence toward the Senate's right to vote. I don't think I am voting to change it when I talk about judges, because you don't change if you are trying to say, do what we have been doing. I have tried my best to read, first, what is a filibuster. I have checked and I have read. I understand.

How do you get rid of it? I checked and I understand how you get rid of a filibuster. But I have also tried to find out when are filibusters used, and I have found that in the Senate it is not generally used with reference to voting on a nominee for Federal judgeships in the United States.

I am not in favor of our leadership pursuing a process that gives us an up-or-down vote, if that process gets rid of the filibuster for everything. I have already inquired. I am assured that is not the case. I have been assured we won't be voting on that. It will be only regarding judges.

So have we in the past filibustered judges? By that I mean, had a judge come down to the floor out of committee ready to be voted on and have we killed that judge's chance by filibustering? No, no. Never, never. One case is cited, and it is Abe Fortas.

Abe Fortas was a Lyndon Johnson appointee who was on the bench, already confirmed. The issue was, President Johnson wanted to put him in a vacancy that occurred for Chief Justice which you know we have to vote on. And the Senate got into a debate about whether he should get it, and there was great consternation on the floor of the Senate as to whether he should be confirmed for that. The truth is, he was not killed by filibuster. His name was voluntarily withdrawn. He later even left the Supreme Court. But the record is pretty certain that he was not killed by filibuster. That wasn't a judicial appointment, anyway. But even if you want to tie that in, that did not happen.

What have Senators around here said about this? I understand each can come down here and put it in whatever context they would like. My good friend, Senator KENNEDY from Massachusetts, said on February 3, 1998, page S295 of the CONGRESSIONAL RECORD:

> We owe it to Americans across the country to give these nominees a vote. If our Republican colleagues don't like them, vote against them. But give them a vote.

That is not me. That is Senator KENNEDY.

Senator LEAHY said, June 8, 1998, page S6521 of the CONGRESSIONAL RECORD:

> I would object and fight against any filibuster on a judge, whether it is somebody I opposed or supported . . .

Interesting. I have seen the distinguished Senator from New York—I haven't heard him personally, but I have seen him and heard him on television with his right fist like this saying: We don't need any right wing judges or we don't need the right wing pushing us to appoint radical judges.

I could as well put up my left hand, but I won't, and say we don't need anybody telling us to appoint liberal judges. But the distinguished Senator from New York said:

> This delay makes a mockery of the Constitution, makes a mockery of the fact that we are here working, and makes a mockery of the lives of very sincere people who have put themselves forward to be judges and then they hang out there in limbo.

That is dated March 7, 2000, page S1211 of the CONGRESSIONAL RECORD. I also told you about the New Mexico editorials.

So people will understand how gross this abuse of the filibuster is and how it is prompted by personal angst, not qualifications, I am going to refer to one judge as an example. Let's take the nominee Priscilla Owen, Fifth Circuit, and let's look at her in comparison with judges who are on that court who have come before the Senate. Let's look at the first one, Patrick Higginbotham, nominated by Ronald Reagan, graduate of the University of Alabama, University of Alabama Law School. How long did it take to get through here? Twenty-six days. Nominee Emilio Garza, President Bush appointee, University of Notre Dame, University of Texas Law School, judicial experience, Bexar County Texas District Court.

I am sure controversial people had a thing to say, but I am also sure this and the previous nominee were recommended or were certified to be qualified by the American Bar which, incidentally, most of the time this Senator has been here, that was the sine qua non. If you didn't have that, you were in trouble. And if you had it, conversely, that was pretty good. You must be qualified. That is what the old rule was. I am sure they had that. Forty-three days for him to be confirmed.

Here we have Fortunato Benavides, nominated by President Clinton, University of Houston, University of Houston Law School, previous experience, 13th Court of Appeals for Texas, Texas Criminal Court of Appeals, 99 days to be confirmed. He got nominated and confirmed in 99 days. There was a lot of commotion about him. He got here for a vote.

Now we have Priscilla Owen, George W. Bush's nominee, Baylor University, Baylor University School of Law, Texas Supreme Court, 1994 to the present. Both of these nominees were qualified, according to the American Bar, both of these, Mr. Benavides, Judge Owen, a lot of letters of commendation from those who know about their judicial temperament, their qualifications. I told you where she came from, where she was educated, where she served. Look at the time she's been waiting for a vote—I know Americans will better understand our dilemma—1,450 days waiting for us to say what the American people I believe would like us to say, and what I think the Constitution says we ought to say, and that is yes or no. Not maybe; not, ''well, I don't like their ideals so you need 60 votes.'' That is a pretty long time to leave a qualified judge hanging here unless you are absolutely certain that person is not qualified to be a judge.

There is a lot more one can say about this, but I believe, as one who has been here a long time—I think right now there are only four people here sitting longer than I in the Senate—we should get this over with.

This is hanging over the Senate in a very damaging way. With the passing of each day, more and more is said, more and more joining sides is taking place, digging in your feet, more and more groups outside are adding to the vitriolic nature of the debate. The talking heads—the news people who talk all the time on TV and speak on radio and write all the time—are choosing sides. They are feeding a frenzy, and we are suffering. But most of all, the American people are suffering because if we keep on, it is going to be hard to get our work done.

I close by saying that our friends on the other side are led by a Senator whom I honestly and sincerely say is a good leader for the minority, Senator

HARRY REID, an excellent Senator—I believe he is fair and honest. I believe he would like to get this issue out of his mind and out of here. But he has suggested that if the majority party insists on doing what we are entitled to do—voting for these judges up or down by a majority vote—if we do that, which, I repeat, is not changing anything, the business of America will stop. We will pass nothing here. The Senate will be dead. America's business will go nowhere; it will disappear. That is an extraordinary threat, a threat that those who are making it better clearly understand.

Does that really mean that we won't get a highway bill, an energy bill, an appropriations bill that pays for education, a bill that pays for the operation of our military, that we won't get an appropriations bill through here that pays for our parks, for the Indian schools of our country, and on and on? Have we really reached a point where the minority is saying, we are going to insist on enforcing a rule that doesn't exist, that denies an up-or-down vote on judges who are qualified, and if we don't get our way, Government stops?

You know, I hope everybody understands that. I hope it doesn't happen. I think that editorial I read from suggests that those who do that are not going to come out of this with any accolades—nobody is going to be proud of that. I believe that is almost a minimum way of saying it. I think that will inure to the minority party being considered to be irresponsible on behalf of the people of this country.

I thank the Senate for listening, and I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. ISAKSON. Madam President, I commend Senator DOMENICI for his remarks and for his service and commitment to the Senate and the United States. In some ways—I didn't plan it this way—it is kind of appropriate that he would speak and that I would follow. Senator DOMENICI has served this country in a long and distinguished career. He has been in this Senate for many years. You can tell by his thoughtful remarks he cares passionately about his traditions and about the responsibilities we have. I care deeply, too, but I am a new guy. I just got here. I didn't hear those speeches he quoted. I have read them, and I have heard a lot of speeches. I come from a little bit of a different perspective.

For a few minutes, I would like to tell you my opinion on the question of judicial confirmations and how I arrived at that. For, you see, although I address you as a Senator at this moment, the foundation of my beliefs is grounded in the preceding 2 years when I was a candidate for the Senate.

Beginning in January of 2002, the 108th Congress convened, and I was an announced candidate for this Senate seat. Shortly into that session, something changed in America—or at least changed here—because the holdup of judges for days counted, like Senator DOMENICI just recited, began to take place and the filibuster began to be used in a way it had never been used in the United States before.

As a candidate for the Senate, I was asked by members of the media, constituents, and Rotary and Kiwanis clubs: Mr. ISAKSON, if you were elected, what do you think the Senate ought to do? My answer was instinctively that I think every judge ought to get an up-or-down vote because, the way I understand it, that is the responsibility of the Senate. But as the intensity of the issue grew and as the campaign gained, as campaigns do, and the pressures grew, I did a little studying. I wanted to do my own homework. I didn't have history in the Senate, but I did have a Constitution.

On some of those long nights on the road between campaign stops, I would read about judicial confirmations, the Constitution, the responsibility of the Senate. For a few moments, I want to share, for informational purposes, with the Members here and those who may be watching or listening exactly what the Constitution says about the responsibility of this body.

It is very interesting. If you read the Constitution—I have a few underlined sections here. Everywhere the Constitution requires this body or the House to affirm a position by supermajority vote, it spells it out. A few years ago, we dealt with an impeachment issue, and the Constitution is clear: it takes a two-thirds vote to convict. We have dealt with constitutional amendments on a balanced budget and things of that nature, and the Constitution is quite clear: it takes a two-thirds vote. It is even so clear it says it takes a three-fourths vote of the States to ratify the amendment that it takes a two-thirds vote of the House and Senate to propose.

Then let's talk about advice and consent for a second. I want to read directly from the Constitution the provisions about the responsibilities of this Senate in advice and consent.

> He [referring to the President] shall have the power by and with the advice and consent of the Senate to make treaties provided two-thirds of the Senators present concur.

That is the first part of a compound sentence. It is saying that it is our responsibility to advise and consent on treaties, and it specifically requires two-thirds of us to do so for the treaty to be ratified.

Let me go to the second part of that compound sentence:

> And he [the President] shall nominate and, by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministries and councils, judges of the Supreme Court. . . .

Et cetera et cetera, with no requirement for a supermajority.

When I was running for the Senate and I was continually asked the question by opponents in the primary and later in the general and by the media: Mr. ISAKSON, what do you think about this business of judges not getting a vote? And if you are elected, what would you do? I said: It is really kind of simple to me. The Constitution says that it is a Senator's responsibility to advise and consent. The Constitution specifies it every place where it requires a supermajority vote. The Constitution, in the same sentence that it designates the responsibility for us to ratify treaties by a supermajority, confers upon us the responsibility to advise and consent with a majority vote of this body.

Since I have been elected and since I have been on the Senate floor and since I have heard all of the speeches, I have heard all of the adjectives assigned to the process we are debating. I will not get into any of them because they are more marketing than they are substance. But this document is not marketing; this document is substance. It has made the difference in the United States of America and any other country that has ever been formed since the creation of this Earth. While it may not be perfect, it is the best man ever did, and it is specific in what our responsibilities are. In no way does it say ''maybe,'' ''sometimes,'' or ''whatever.''

There is one point made from time to time which I would like to elaborate on and respond to. There are those who say: Well, but the Constitution, when it establishes the House and the Senate, the legislative branch, it says that both shall establish their rules under which they operate. Therefore, we are just using a rule to prohibit an up-or-down vote on the judges. Well, if you carry that argument to the logical extreme, what if we passed a rule that the Senate could pass by a majority vote the ratification of treaties? Could we contravene the Constitution? I think not, because the Constitution is specific. It is as specific in our responsibility for two-thirds to ratify treaties as it is specific in our responsibility for us to advise and consent on judges. I don't believe we could invalidate, through a rule, that responsibility any more than you can extrapolate that because we have a rule that includes a filibuster, that it applies to a constitutional responsibility and can invalidate our very requirement. It is just not really logical. That is not Republican or Democrat, it is not a marketing phrase or marketing phrase; it is real simple.

When I was sworn into the House of Representatives almost 7 years ago now, I was elected in a special election, and, unusual in the House of Representatives, when you are elected in a special election, you get to make a speech when you are sworn in.

I never worked harder on a speech in all my life because I knew I was going to be the only guy out of 435 down there, and I had 1 minute to say something intelligent. I struggled with what the right thing to do was.

Finally, I went back to my dad, who is not with us anymore, and he went

back to a quote he used to tell me as a young man. He loved Mark Twain. When we had one of those difficult decisions to make, he would always say: Son, remember what Mark Twain said. When confronted with a difficult decision, do what's right. You will surprise a few; you will amaze the rest.

A decision that is pretty simple has become very complex for this Senate. In the end, we should peel back the arguments and look back to the foundation under which all of us operate, and that is our Constitution. The question is simple and our responsibility is clear, and every judge nominated by this President, or any President, deserves an up-or-down vote one way or another. It is the responsibility of the Senate. It is the direction of the Constitution.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 3, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 3) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

Pending:

Inhofe amendment No. 567, to provide a complete substitute.

Bayh amendment No. 568 (to Amendment No. 567), to amend title VII of the Tariff Act of 1930 to provide that the provisions relating to countervailing duties apply to nonmarket economy countries.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. Madam President, we have several pages of amendments that are out there. We repeat our invitation on behalf of myself and Senator JEFFORDS. We want to invite all Democrats and Republicans who have amendments to the highway bill to bring them down. It is going to get crowded later as we go on. Now we have time for adequate consideration, for deliberation, and we encourage Members to bring their amendments to the floor.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ALLARD. Madam President, I rise in support of the SAFETEA bill. Effective transportation is vital to our Nation, and I believe this bill will be an important step in helping to meet the country's transportation needs.

I would like to thank both Senator INHOFE and Senator JEFFORDS for working hard on this bill. The people of Oklahoma are blessed with the hard work Senator INHOFE has put forward, both in the Senate and when I had the opportunity to serve with him in the House.

This bill has required a lot of hard work and a lot of dedication. He has put forward an effort that I think we all appreciate. Sometimes we forget to say thank you for the hard work that goes into a bill such as this, including the hard work of the staff, I might add. The staff on both sides has been helpful in putting this legislation together.

In particular, I express my support for the public transportation title of the bill. While many people erroneously refer to this as the highways bill, it is actually a comprehensive reauthorization of the Nation's surface transportation programs, including transit. A healthy, well-functioning transit network can greatly enhance the effectiveness of other transportation modes, and as chairman of the Subcommittee on Housing and Transportation of the Banking Committee, I have had many opportunities to see the difference reliable public transportation can make for both individuals and communities.

I also express my thanks to the Banking Committee chairman, Chairman SHELBY. For many years he has been one of the leading champions for public transportation in the Senate. I appreciate his dedication. It has been a pleasure to work with him as subcommittee chairman on reauthorization of the mass transit programs.

I also recognize and thank Senator SARBANES, the ranking member of the Banking Committee, and Senator REED, the ranking member of the Housing and Transportation Subcommittee. They have been actively involved in the reauthorization process, and I appreciate the thoughtful perspective they brought to all of our discussions. Together I believe we have been able to accomplish a great deal to improve public transportation in a strong and bipartisan manner.

I thank again Senator INHOFE and all the other Republicans on the Environment and Public Works Committee for their hard work and leadership. I miss not being on the committee. I was on the committee when this bill first moved forward. I very much appreciate working with my colleagues.

Public transportation is a key component of our Nation's transportation infrastructure and provides safe, reliable, efficient, and economic service. Public transportation can create jobs and stimulate economic development, as well as reduce traffic congestion and pollution.

Because I represent the State of Colorado, some people wonder why I care about public transportation. Beyond the national policy concerns, these same people are often surprised when I explain how important public transportation is to my Colorado constituents.

Public transportation encompasses a great deal beyond the stereotype of subways and heavy rail. People in the Denver suburbs can now take light rail to their jobs downtown. Students in Boulder often use the bus system to get around town. Sick people on the eastern plains may rely on demand-responsive transit services to go to chemotherapy or dialysis appointments. Public transportation is important to many different types of people in many different locations. This bill will help ensure that all these people have access to reliable public transportation.

I believe the Senate passed an excellent transportation reauthorization bill this last year, and I was especially pleased with the transit title. I believe it made important progress in a number of areas while building upon the many successes of TEA–21. Fortunately, we come to the floor with substantially the same package, and I am hopeful this approach will speed things along and allow the bill to move forward with a minimal number of amendments.

I am very supportive of the formula changes made in the transit title. These go a long way toward addressing my longstanding concerns with the distribution of transit dollars. As my colleagues may know, one of my top priorities during the consideration of TEA–21 was to bring more equity to the distribution of transit dollars. Senator Rod Grams and I were able to make changes that allowed States such as Colorado to have greater access to this resource.

In drafting the reauthorization bill, greater equity has continued to be my top priority. While the traditional transit cities have many important needs, it is time to update the formulas to include other needs. Today's bill strikes a balance by providing for more traditional transit cities and also providing for new needs by creating several new formulas.

In particular, I strongly support the new growing States formula. Historically, many of the fastest growing areas in Western and Southern States have had a difficult time obtaining transit dollars. Yet their explosive growth makes transit all the more important. Mass transit can help growing areas reduce traffic congestion and air pollution, as well as increase access to jobs. The new growing States formula will help direct additional resources to the high-growth areas with the greatest need.

I also support the new transit-intensive cities formula. This new formula will reward smaller cities that are providing greater than average transit service. In addition to providing an incentive for cities to improve their transit service, I support the formula because it deliberately directs taxpayer dollars to areas that are utilizing them most efficiently.

Finally, I support the new rural low-density formula. This formula will help rural areas provide critically needed service. Rural areas and very small towns generally have older and less affluent citizens, the very people who often rely on public transportation. In

fact, rural America has an estimated 30 million nondrivers. The problem is exacerbated for rural-transit-dependent populations, as compared to urban dwellers, because they most often travel great distances, and alternate transportation, such as a taxicab, is generally not available. Yet more than 40 percent of residents in rural America have no access to public transportation and another 25 percent have negligible access.

Because of low-population density and the distances involved, rural populations can be much more difficult and expensive to serve. However, their need is as real as the need in urban centers. This new formula will begin to help rural States meet those needs.

The transit title also places more appropriate emphasis on bus programs. For too long, the mass transit programs have been viewed as rail programs. While we can all agree that rail is vitally important to a select group of cities, the vast majority of Americans rely on bus service. This bill takes a balanced approach, providing resources to expand and improve both bus and rail service.

Another way we can help expand the reach of Federal transit dollars is through bus rapid transit. As compared to rail, bus rapid transit is able to deliver similar capacity for a fraction of the cost. I believe we should find ways to not only allow but to promote the use of bus rapid transit. I support the bus rapid transit provisions and believe we should continue to ease the fixed guideway restrictions. In some areas, such as Colorado's mountains, geography or other factors make a fixed guideway requirement cost prohibitive. We must ensure bus rapid transit has sufficient flexibility to make it a viable option for many areas.

The Federal Government attempts to strike a balance between accountability and easing administrative burdens within its programs. However, the New Starts Program has gotten out of balance. I believe the Small Starts Program, as proposed in this bill, does strike a better, more appropriate balance. Under this program, all projects will be subject to the review process rather than exempting projects under $25 million. This threshold was causing project distortions and poor estimations in an attempt to deem a project under $25 million.

In addition to the incentive to underestimate a project, this approach lacks accountability for the taxpayer dollars at stake. By contrast, the Small Starts Program in the bill will subject all projects to the review process. However, to ease administrative burden, projects under $75 million will be subject to a streamline process. This will ensure that all projects receive scrutiny and will scale the level of scrutiny to be appropriate to the project size. This will also make it easier for smaller cities to add transit to their communities for the first time.

While public transit agencies are important in providing transit service, the private sector is also a key partner in providing effective, efficient service. By making a few modest changes, the transit title ensures they will be able to remain a part of the process. Public-private partnerships can benefit all parties, and our bill will help allow and encourage such partnerships.

Another important feature of this bill is its use of incentives rather than mandates and penalties. Until now, projects have little incentive to use good planning and forecasting or to stay on time and on budget. By offering incentives, we hope to change that. It is absurd that projects such as TREX in Denver have to return money because they did good planning and stayed on time and under budget. Transit agencies should not be punished for doing a good job. Rather, they should be rewarded. I believe they should be able to keep a portion of that money for other transit uses, and the bill before us today will let them do that.

Again I thank Banking Committee Chairman SHELBY and my colleagues on the committee for their work in producing the transit title of the bill that is before us today. I believe that under the SAFETEA bill, America's public transportation system will be able to serve more people more efficiently. I am hopeful the Senate will quickly complete action and enact a transportation reauthorization.

I reemphasize my sincere thanks to the chairman of the Environment and Public Works Committee, Senator INHOFE, for his great work, and the other Republicans and members of the committee working with the ranking member, Senator JEFFORDS. I am pleased this transportation bill, which is badly needed, is now moving forward.

I yield the floor.

The PRESIDING OFFICER (Mr. ENSIGN). The Senator from Oklahoma.

Mr. INHOFE. Mr. President, first I say to the Senator from Colorado, we miss him on the committee. He was an excellent member of the committee. However, he was replaced by some excellent freshmen who are as enthusiastic as was the Senator from Colorado. While we miss him on the committee, it is still a great committee, and we certainly appreciate very much the comments he made this morning and the contributions he has made to the Environment and Public Works Committee.

Mr. ALLARD. Mr. President, I thank the chairman.

Mr. INHOFE. Mr. President, it is my understanding the regular order is the amendment offered by the Senator from Indiana. He has agreed to set his amendment aside for the consideration of other amendments as they come to the floor, with the understanding he will regain the floor after those amendments are considered and action taken, if action is taken.

We do have an amendment from the chairman of the Subcommittee on Transportation, Senator BOND, who has worked tirelessly for years on this bill. I am sure he wants to offer it at this time.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I ask unanimous consent that the pending amendment be temporarily set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 592

Mr. BOND. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Missouri [Mr. BOND] proposes an amendment numbered 592.

Mr. BOND. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To strike the highway stormwater discharge mitigation program)

Beginning on page 287, strike line 5 and all that follows through the matter following line 25 on page 290.

Mr. BOND. Mr. President, this amendment unties the hands of States which were handcuffed by a provision added in committee last year and is still in the bill, a provision on which debate was cut short last year, but now we can finish the job, and I hope we will. This provision will cost the States nearly $900 million in highway, bridge, and transit construction or rehabilitation funding unless we adopt the amendment.

The provision binding our States, section 1620 of the bill, mandates that every State, regardless of whether it needs it or not, set aside 2 percent, or nearly $900 million, for use for the life of the bill only on storm water mitigation activities. My amendment strikes this mandatory set-aside.

Without the amendment, States will be directed to set aside over $740 million from their Surface Transportation Program funds, funds that otherwise could construct or rehabilitate highways, bridges, or transit systems. Without this amendment, States would be forced to set aside over $125 million from the Equity Bonus Program set up by this bill to help States receive more highway dollars. Without this amendment, the States will be forced to use nearly $900 million only on storm water mitigation, regardless of the need of such activities.

Every State will lose highway dollars under this set-aside. We have tables available. Alabama, the set-aside would cost it $19 million; Alaska, $10 million; Arizona, $17 million; Arkansas, $12 million. I ask Members to look at how much the Federal Government would dictate how their highway funds would have to be spent.

Every office will receive a list, and we will have copies available. I urge every Member to look to see how it affects their State. We are fighting extremely hard on the Senate floor to

provide States with more transportation funds. This is something the chairman and the ranking member, my subcommittee ranking member, Senator BAUCUS, and I have done.

We are working with the Finance Committee, Chairman GRASSLEY, and the ranking member, Senator BAUCUS, to get the money. I know we will be inundated by Members wanting transportation projects in this bill. I know in my new role as chairman of the Transportation Appropriations Subcommittee I will be inundated with requests for projects in their State, but a Member voting to take funding from highways, bridges, and transit and set it aside for storm water would seem to indicate that their State has more than enough funding that they can afford to divert highway funds to storm water so the State may not need more highway funds.

Now, do not get me wrong. I support States having the ability to address their storm water needs if they must do so, and if they choose to do so. With my amendment, the States will remain fully authorized to use their highway funds to mitigate storm water problems. Indeed, this bill preserves and actually expands the ability of States to spend highway dollars on storm water mitigation, on a highway project if that is what is needed in their State.

Current law allows States to spend up to 20 percent of a project's cost using STP funds on storm water mitigation. That is unchanged. The bill also expands storm water eligibility by allowing States to spend up to 20 percent of a project's cost under the National Highway System funds on storm water mitigation. That is unchanged by this amendment.

I seek only to strike the mandatory set-aside; the Federal Government big daddy knows better than the States how to spend their funds to assure adequate transportation and protection of the environment.

There is no one in this body who has fought longer and harder than I have, my former colleague, my ranking member, Senator MIKULSKI, for Federal funding for water quality and drinking water. When we served as head of the Senate appropriations subcommittee that funded EPA, we restored hundreds of millions of dollars in proposed cuts to the clean water and safe drinking water funds. Every year we appropriated millions of dollars to protect, sustain, and restore the health of our Nation's water habitats and ecosystems. We spent millions funding water projects for the Chesapeake Bay, the Gulf of Mexico, Lake Champlain, Long Island Sound, and the Great Lakes. Last year, we sent hundreds of millions of dollars more to Members' States for targeted investments and water infrastructure. We do that every year for our colleagues because we believe so much in providing clean and safe drinking water for our families and local communities.

Forcing another arbitrary mandate on States, taking precious highway and transit construction dollars and diverting them for another purpose does not make sense. Decisions should be made by each State on a case-by-case, project-by-project basis, not as a result of another one-size-fits-all Federal mandate sent down from Washington.

Let me repeat, this amendment strikes only the set-aside mandate and leaves fully intact storm water funding eligibility. I urge my colleagues to let States keep $900 million for highway bridge and transit construction and to turn back this new Federal mandate on States. I urge my colleagues to support this amendment.

I ask unanimous consent that letters in support of this amendment from the American Association of State Highway and Transportation Officials; the Transportation Construction Coalition, a coalition of builders and union representatives; the Associated General Contractors of America; the American Road and Transportation Builders Association; and a list of other organizations and unions supporting this amendment be printed in the RECORD after my remarks.

I thank the Chair and I yield the floor.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ORGANIZATIONS SUPPORTING THE BOND AMENDMENT TO STRIKE THE STORMWATER SET-ASIDE

American Association of State Highway and Transportation Officials Associated General Contractors of America; American Road & Transportation Builders Association; American Coal Ash Association; American Concrete Pavement Association; American Concrete Pipe Association; American Council of Engineering Companies; American Society of Civil Engineers; American Subcontractors Association; American Traffic Safety Services Association; Asphalt Emulsion Manufacturers Association; Asphalt Recycling & Reclaiming Association; Associated Equipment Distributors; Association of Equipment Manufacturers; International Slurry Surfacing Association; International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers; International Union of Operating Engineers; Laborers-International Union of North America, AFL-CIO; National Asphalt Pavement Association; National Association of Surety Bond Producers; National Lime Association; National Ready Mixed Concrete Association; National Stone, Sand and Gravel Association; National Utility Contractors Association; Portland Cement Association; Precast/Prestressed Concrete Institute; The Road Information Program; and United Brotherhood of Carpenters and Joiners of America.

APRIL 27, 2005.

Hon. CHRISTOPHER S. BOND,
U.S. Senate,
Russell Senate Office Building,
Washington, DC.

DEAR SENATOR BOND: The transportation construction industry, working in partnership with federal, state and local government, recognizes its special responsibility to provide transportation improvements in a manner least disruptive possible to the natural environment. And our members are justifiably proud that they are actually able to provide environmental enhancements in the course of many projects they construct.

It is for these reasons that we support the provisions in the Senate Environment & Public Works Committee's proposed highway/transit program reauthorization bill, H.R. 3, that will give state transportation departments more flexibility in how—and how much—they fund transportation-related storm water mitigation activities.

What we do not support is a provision included in H.R. 3 that would force all states to spend at least two percent of their federal Surface Transportation Program (STP) funds on storm water mitigation. This misguided, if well-intentioned amendment, if left to stand, will divert nearly $900 million from highway construction projects nationwide over the life of the bill.

As mentioned, H.R. 3 takes a number of positive actions to advance and expand state expenditures on storm water mitigation—but it does so by leaving the decision making and choices to the state agencies that know best how much funding is necessary for this activity—in their state. For example, H.R. 3 will allow all states to not only use their STP funds for storm water mitigation, but also, for the first time, their National Highway System Program (NHS) funds as well—if they choose to do so.

H.R. 3 also, for the first time, would give states the option to use their federal funds for storm water mitigation activities on all federally-aided highway projects, not just those, as under current law, that are defined as ''reconstruction, rehabilitation, resurfacing, or restoration.''

The ''add on'' two percent mandatory STP set-aside included in H.R. 3 clearly is a federal ''command-and-control'' mechanism that is not necessary.

The American Road and Transportation Builders Association strongly supports your amendment to eliminate the proposed two percent storm water mitigation set-aside provision from H.R. 3. We urge all senators to join you in this important effort.

Sincerely,

T. PETER RUANE,
President & CEO.

APRIL 27, 2005.

Hon. DANIEL AKAKA,
U.S. Senate, Washington, DC.

DEAR SENATOR AKAKA: On behalf of the Associated General Contractors of America (AGC), I am writing to urge you to support a Bond amendment to H.R. 3, which would prevent states from losing nearly $900 million in critical highway and transit funding over the next five years. Specifically, the amendment proposes to strike a provision that mandates states to set aside 2 percent of their highway formula funding to be used only on stormwater mitigation activities.

Under current law, states can already choose to use their Surface Transportation Program (STP) funds—up to 20 percent of a project's cost—on stormwater mitigation activities. H.R. 3 already expands that funding eligibility to National Highway System (NHS) Program funds. The Bond amendment would not change this eligibility.

All states have unique needs that far exceed available resources. By striking the mandatory 2 percent set-aside for stormwater mitigation, the Bond amendment simply gives states maximum flexibility to use their federal highway funds as they see fit.

I have attached a table to this letter that shows the amount of funding your state would be forced to set aside from your highway and transit funding for stormwater mitigation if the Bond amendment is not adopted. The amount on the chart is funding that your state would not be able to use to maintain or improve the condition of its highways, bridges, or transit systems. Nationwide, the Bond amendment would give states an additional $900 million over the next five years.

States should be able to make their own decisions on how best to use their limited federal transportation dollars. Please oppose this arbitrary federal mandate by supporting the Bond amendment.

Sincerely,

JEFFREY D. SHOAF,
Senior Executive Director, Government and Public Affairs.

APRIL 27, 2005.

DEAR SENATOR: During the Senate debate on the Transportation Equity Act: A Legacy for Users, H.R. 3, you will have an opportunity to reject a new, top-down effort for federal management of state highway programs that would force highway funds to be diverted to non-transportation purposes. We urge you to support an amendment by Senate Transportation and Infrastructure Subcommittee Chairman Christopher Bond (R-Mo.) to eliminate a new program that would require a portion of federal highway formula funds to be used for storm water mitigation projects.

H.R. 3 includes a provision that would require states to use two percent of their federal Surface Transportation Program (STP) funds for storm water mitigation activities. Over the measure's life, this provision would result in nearly $900 million in highway formula funds that would not be available for highway, highway safety and bridge improvement activities.

This proposal contradicts the flexibility provided throughout the federal highway program and H.R. 3 that allows states the ability to meet their own unique transportation challenges. Storm water mitigation activities are currently eligible for STP funds—a choice left up to states, not mandated by federal law. In fact, H.R. 3 includes separate provisions that would broaden the eligibility for states to spend not only STP, but also National Highway System program funds on storm water projects.

H.R. 3 would also extend eligibility for federal funds to be used on storm water mitigation related to federal highway projects, not just those projects undergoing reconstruction, rehabilitation, resurfacing or restoration—as is the current law. Consequently, the proposed creation of a mandatory storm water mitigation ''set-aside'' is unnecessary and undermines the ability of states to make their own decisions about the best use of federal highway formula funds.

The nation has vast unmet surface transportation and water infrastructure needs. Depriving states the ability to address their highway and highway safety needs in order to fund storm water mitigation projects is a false choice. It is far more appropriate to complement state's current flexibility with the enactment of a comprehensive water infrastructure bill. Consequently, we urge you to support the Bond amendment to strike the storm water mitigation program from H.R. 3.

Thank you for your consideration of these views.

Sincerely,

THE TRANSPORTATION CONSTRUCTION COALITION.

APRIL 27, 2005.

Hon. CHRISTOPHER BOND,
U.S. Senate, Russell Senate Office Building, Washington, DC.

DEAR SENATOR BOND: The American Association of State Highway and Transportation Officials (AASHTO) represents the State transportation agencies in the fifty States, the District of Columbia and Puerto Rico. On behalf of our member States, we support your Amendment to strike Section 1620 of SAFETEA, which would mandate that the States set-aside 2% of their Surface Transportation Program (STP) funds and of the STP portion of the Equity Bonus Program. This set-aside would divert $867 million from the core program that provides funding for highway and bridge construction, rehabilitation and repair.

Even if Section 1620 is removed, as you propose, any State could continue to spend up to 20% of a project's cost on storm water activities—but at the discretion of the State. Section 1620 would mandate that each and every State spend a specified amount of highway funds for construction of storm water facilities regardless of a State's funding priorities and needs with respect to transportation and water issues. Moreover, these funds would be set aside for storm water projects not necessarily associated with a particular highway project.

The storm water set-aside would merely divert scarce funds from the federal highway and transit program. It is through the core highway programs, including the STP program, that States and local governments build, maintain and operate a safe and efficient highway system. Erosion of the core programs through set-asides such as storm water diminishes the ability of state and local governments to respond to their needs.

We support your amendment to strike Section 1620 of SAFETEA and appreciate your leadership on this issue.

Sincerely yours,

JOHN HORSLEY,
Executive Director.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Mr. President, I rise in opposition to the Bond amendment to strike section 1620 of the underlying bill, the highway stormwater discharge mitigation program.

This section provides much-needed assistance to our States and local communities to deal with the impacts of highway stormwater discharges.

Without these funds, our Nation's highways are at risk of becoming a conduit for pollutants to reach fragile waterways and ecosystems.

In the last Congress, the Senate recognized the need for this program and adopted this provision as part of the transportation bill.

I urge my colleagues to continue their support for this vital program.

Our Nation is facing a water quality challenge.

Since the enactment of the Clean Water Act in 1970, we have taken steps to reduce pollution coming from point sources such as wastewater treatment plants and industry.

However, according to the EPA's most recent National Water Quality Inventory, 40 percent of our Nation's waterways are still impaired.

Non-point source pollution is the next hurdle for this Nation to overcome if we are to truly make progress and improve our water quality.

EPA states that urban run-off and storm sewers are the number four source of pollution in rivers, number three in lakes, and number two in estuaries.

When it rains or when snow melts, roads serve as conduits for pollutants such as oil and grease, heavy metals, and sediment that flow directly into rivers, streams, and lakes.

Because roads prevent rainfall and snowmelt from soaking into the ground, the physical characteristics of surrounding water bodies are also altered.

Groundwater recharge is reduced, affecting water supplies.

Stream channels erode due to rapid, heavy flows, leading to excessive situation in rivers and streams which severely impacts fish habitat. This is a major part of our stormwater problem in Vermont.

Water temperatures are altered, impacting wildlife.

In addition, flooding can occur which not only damages the environment but also puts human lives and property at risk.

The highway stormwater discharge mitigation program will ensure that communities have at least a portion of the resources to solve their water quality problems stemming from Federal-aid highways.

It authorizes 2 percent of surface transportation program funds to be used for highway stormwater discharge mitigation.

This would provide a total of $867 million over 5 years.

The program would reduce the impacts to watersheds from the development of highways and roads while addressing the goals in the Federal Clean Water Act by funding projects that improve water quality.

The new program emphasizes nonstructural solutions to managing stormwater runoff, which reduce costs to local communities, protect the natural water cycle, and provide more overall environmental benefits.

In my home State of Vermont, Lake Champlain, which also borders the State of New York, is threatened by pollution from storm water run off.

Although it is one of the cleanest large lakes in the United States, Lake Champlain is polluted with nutrients and sediment.

The fastest growing source of pollution reaching the lake is runoff from developed land, including highways.

Roadway drainage systems carry sediment and nutrients, and the cost of cleaning up existing roadway runoff to Lake Champlain is estimated at more than $500,000 each year for the next 9 years.

Similar problems exist in the Connecticut River basin in Vermont.

Currently, our State is struggling to deal with a backlog of expired storm water permits, extremely limited resources, and statewide storm water discharge water quality issues that threaten the growth of our economy by stalling development.

The two most important road improvement projects in our biggest city have been repeatedly delayed by storm water pollution concerns, slowing the construction schedules by months and even years.

One of our greatest assets in my home State of Vermont is our pristine environment, including Lake Champlain.

We need to ensure that as we improve our roadway network to meet the demands of a growing population we do

not sacrifice the quality of our environment that draws people to visit and move to Vermont in the first place.

I have heard some of my colleagues from more arid States question the need for these funds given climatic differences.

However, each and every State in the Nation has critical storm water mitigation needs.

Under new regulations that took effect in March 2003, over 50,000 small communities, counties, and other areas in every State must now manage stormwater runoff to meet Clean Water Act requirements.

The EPA estimated the cost to comply with these regulations to be about $1 billion per year.

Larger cities already manage stormwater pollution in order to meet discharge permits and other Clean Water Act requirements.

Every State in the country has at least one community covered by these regulations.

The arid and semi-arid western United States has receiving waters that are generally smaller than their eastern counterparts.

Therefore, the impacts of urban stormwater are more strongly felt in western waterways.

For example, in the State of Nevada, the Las Vegas Valley Stormwater Management Committee found in its 2003 annual report that zinc and lead concentrations were 10 to 96 times higher in stormwater runoff than in other parts of the Nation, an effect attributed to the fewer number of storms in the arid Southwest.

EPA estimates that Arizona communities will need about $150 million to meet stormwater regulatory requirements, plus an additional $40 million in estimated costs to address urban runoff. Arizona's portion of stormwater funding under section 1620 of the highway bill is about $17 million.

The California Department of Transportation estimates that the cost of stormwater controls on existing highways would range from between $4 million and $7.5 million per mile of highway.

The Chesapeake Bay Commission estimated in January of 2003 that stormwater retrofit costs across the watershed are more than $9 billion.

In demonstration of the nationwide support for this stormwater provision in the highway bill, I ask unanimous consent that multiple letters opposing the Bond amendment and endorsing the underlying provision be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE UNITED STATES CONFERENCE OF MAYORS,
Washington, DC, Apr. 25, 2005.

Hon. JAMES M. INHOFE,
Chair, Environment & Public Works, U.S. Senate, Dirksen Senate Office Building, Washington, DC.

Hon. JAMES M. JEFFORDS,
Ranking Minority Member, Environment & Public Works Committee, U.S. Senate, Dirksen Senate Office Building, Washington, DC.

DEAR CHAIRMAN INHOFE AND RANKING MINORITY MEMBER JEFFORDS: On behalf of The United States Conference of Mayors and the hundreds of cities we represent, I write to convey our strong support for the stormwater provisions of your Committee-approved SAFETEA plan to renew the nation's surface transportation programs.

These provisions, reserving less than ⅓ of a penny on every authorized dollar, is a very modest commitment to an enormous challenge before local governments struggling with contamination of drinking water and cleanup of streams, rivers, lakes and ponds from highway and street stormwater discharge, including oil, grease, lead and mercury. Moreover, we have been assured that these provisions limit funding to actual facilities on the federal aid system, which is a critical factor underlying our support of this program. This is important to the nation's cities since it ensures that users of these systems contribute something to the broader efforts under the Clean Water Act to reduce pollutants from the nation's major highways and roads.

Absent some commitment to retrofitting existing facilities on the federal aid system during this renewal period, stormwater pollution cleanup costs, including loadings attributable to the federal aid system, will be borne largely by local taxpayers through property taxes, other general taxes and wastewater utility user fees.

Finally, we disagree with the claim that this is a diversion of funds from highway construction and highway capacity needs. It is the belief of the nation's mayors that improved performance, whether it is pavement quality, the development of technology, or its stormwater quality features, are priorities for the nation as we work with you to provide a modern and fully functional transportation system for our citizens and their communities and regions.

America's mayors thank you for making these provisions part of your SAFETEA legislation and urge you to preserve this important commitment to stormwater pollution abatement efforts during your conference committee deliberations with the House. If you have any questions, please contact our Assistant Executive Director for Transportation Policy Ron Thaniel at (202) 861–6711 or e-mail at rthaniel@usmayors.org.

Sincerely,

TOM COCHRAN,
Executive Director.

ASSOCIATION OF STATE AND INTERSTATE WATER POLLUTION CONTROL ADMINISTRATORS,
Washington, DC, April 22, 2005.

DEAR SENATOR: On behalf of the Association of State and Interstate Water Pollution Control Administrators (ASIWPCA), I urge your support for the Highway Stormwater Discharge Mitigation Program, Section 1620 of the Senate SAFETEA bill, S. 1072, in the 108th Congress. This new and modest program is designed to address stormwater runoff from the nation's existing transportation system. Stormwater runoff is a significant source of water pollution affecting large and small communities, as well as fish, wildlife and the natural environment.

Stormwater pollution results from paving over naturally porous ground, resulting in impervious surfaces that collect pollutants and increase overland stormwater volume and velocity. Stormwater becomes a direct conduit for pollution into the nation's rivers, lakes, and coastal waters. Studies have shown that roads contribute a large number of pollutants to urban runoff—metals, used motor oil, grease, coolants and antifreeze, spilled gasoline, nutrients from vehicle exhaust, and sediment. For example, the stormwater discharge from one square mile of roads and parking lots can contribute about 20,000 gallons of residual oil per year into the nation's drinking water supplies. Highways can increase the annual volume of stormwater discharges by up to 16 times the pre-development rate and reduce groundwater recharge.

Communities throughout the nation, including many smaller towns and counties, are required under the Clean Water Act to obtain discharge (NPDES) permits for their stormwater. Those communities, which have long understood the value of protecting their drinking water sources and recreational waters from stormwater impacts, are hard-pressed to absorb the costs of discharges from highways in addition to their other stormwater management responsibilities. This presents an unfair burden to these communities and we believe it is fair for the transportation funding system to help remedy this problem where existing highways and other roads cause significant runoff problems.

We urge you to continue to demonstrate your leadership in protecting America's waters by supporting the stormwater mitigation provision in SAFETEA. We appreciate your willingness to consider the views of the State and Interstate Water Pollution Program officials responsible for the protection and enhancement of the nation's water quality resources.

Sincerely,

ARTHUR G. BAGGETT, JR.
President.

THE ENVIRONMENTAL COUNCIL OF THE STATES,
Washington, DC, April 25, 2005.

Hon. JAMES INHOFE,
U.S. Senate,
Washington, DC.

DEAR SENATOR INHOFE: On behalf of the environmental Council of the States (ECOS*), I'm writing to request your support for the Highway Stormwater Discharge Mitigation Program, the new provision included in S. 732, the Safe, Accountable, Flexible, and Efficient Transportation Act of 2005 (SAFETEA), section 1620.

EOS strongly supports the provision because stormwater compliance is a serious issues for the states and this provision provides for $867 million over five years, specifically for stormwater mitigation projects associated with the nation's federal-aid highways. The provision would provide states with much needed resources to help meet stormwater and water quality requirements of the Clean Water Act. These funds are particularly critical during this time of budgetary constraints.

Please feel free to contact me if you would like to discuss this matter further. I may be reached at 202–624–3600.

Sincerely,

R. STEVEN BROWN,
Executive Director.

WATER ENVIRONMENT FEDERATION,
Alexandria, VA, February 7, 2005.

Hon. JAMES JEFFORDS,
Ranking Member Environment and Public Works Committee, U.S. Senate, Dirksen Senate Office Building, Washington, DC.

DEAR SENATOR JEFFORDS: The Water Environment Federation (WEF) urges you to support a dedicated funding program to mitigate the negative impacts of stormwater runoff from our nation's highways. The Highway Stormwater Discharge Mitigation Program was included in the Senate Safe, Accountable, Flexible, and Efficient Transportation Equity Act of 2003 (SAFETEA) bill, S. 1072, in the 108th Congress. It is critical that this program be included in this year's version of the transportation bill.

According to U.S. EPA, contaminated stormwater is the largest contributor to the impairment of water quality in U.S. coastal waters and the second largest source of impairment in estuaries. Contaminated stormwater is also the single largest factor in beach closures and advisories. The cost to address these problems is large, too. The U.S. EPA estimates at least $8.3 billion over 20 years in local funding needs to address Clean Water Act stormwater requirements, and an additional $142 billion to address stormwater infiltration and other problems in separate and combined sewer systems.

Congress has recognized that contaminated runoff from highways is a significant source of water quality impairment in previous highway bills (ISTEA and TEA-21), but has not succeeded in getting adequate funding directed toward this problem. A dedicated fund to address stormwater impacts from existing federal aid highways will help to prevent further degradation of streams, lakes, and beach waters. This funding will benefit all Americans by helping communities comply with Clean Water Act stormwater requirements and to clean up waters impaired by highway runoff.

On behalf of the members of the Water Environment Federation, who are professionals working to protect water quality around the world, thank you for your support of this important provision that will help to improve the nation's water resources.

Sincerely,

TIM WILLIAMS,
Managing Director, Government Affairs.

ASSOCIATION OF METROPOLITAN SEWERAGE AGENCIES,
Washington, DC, April 22, 2005.

Re Support for S. 721 and the Highway Stormwater Discharge Mitigation Program.

Hon. JAMES M. INHOFE,
Chair, Environment and Public Works Committee, Dirksen Senate Office Building, U.S. Senate, Washington, DC.

Hon. JAMES M. JEFFORDS,
Ranking Member, Environment and Public Works Committee, Dirksen Senate Office Building, U.S. Senate, Washington, DC.

DEAR CHAIRMAN INHOFE AND SENATOR JEFFORDS: We are writing to express our strong support for the Safe, Accountable, Flexible and Efficient Transportation Equity Act of 2005 (SAFETEA) (S. 732) as passed March 16 by the Senate Environment and Public Works Committee. The Committee's bill includes a provision to authorize $867.6 million over five years for stormwater mitigation projects, using just 2% of the Surface Transportation Program funds. Such projects include stormwater retrofits, the recharge of groundwater, natural filters, stream restoration, minimization of stream bank erosion, innovative technologies, and others.

According to the U.S. Environmental Protection Agency, polluted stormwater from impervious surfaces such as roads is a leading cause of impairment for nearly 40% of U.S. waterways not meeting water quality standards. Roadways produce some of the highest concentrations of pollutants such as phosphorus, suspended solids, bacteria, and heavy metals.

AMSA represents hundreds of publicly owned treatment works, many of which have municipal stormwater management responsibilities. Your continued support for S. 732, including the Highway Stormwater Discharge Mitigation Program, would provide much-needed support to these communities. Thank you for your leadership and please feel free to contact me at 202/833-4653 if AMSA can provide you with additional information.

Sincerely,

KEN KIRK,
Executive Director.

ASSOCIATION OF METROPOLITAN WATER AGENCIES,
Washington, DC, April 22, 2005.

DEAR SENATOR: On behalf of the nation's largest publicly owned drinking water systems, I write today to express support for section 1620 of the Safe, Accountable, Flexible, and Efficient Transportation Equity Act of 2005 (S. 732), which would provide $870 million over five years for stormwater mitigation projects.

This language makes progress toward addressing the billions of dollars in costs that state and local governments will incur to control stormwater generated by our nation's highways.

Stormwater runoff has a significant effect on thousands of miles of the nation's rivers and streams. The bill acknowledges this impact and assists states and local communities in addressing this growing water quality problem.

Thank you for your consideration.

Sincerely,

DIANE VANDE HEI,
Executive Director.

ASSOCIATION OF STATE FLOODPLAIN MANAGERS, INC.
Madison, Wisconsin, April 25, 2005.

Hon. JAMES M. INHOFE,
Chairman, Environment & Public Works Committee, Dirksen Senate Office Building, Washington, DC.

DEAR MR. CHAIRMAN AND SENATOR JEFFORDS: The Association of State Floodplain Managers (ASFPM) is very supportive of a provision in the Senate Safe, Accountable, Flexible and Efficient Transportation Equity Act (S. 732) which provides for a Highway Stormwater Discharge Mitigation Program.

The membership of the Association of State Floodplain Managers includes state and local officials all over the country who work with FEMA and other federal agencies to reduce loss of life and property due to flooding. Our membership of almost 7,000 also includes many other professionals in the field.

We are extremely pleased that the Senate Environment and Public Works Committee has recognized the alterations that often occur in floodplains due to construction and modification of highways and roads as well as the effects of runoff pollutants on waterways, lakes, and wetlands. A commitment of 2% of the Surface Transportation Program funds to assist local officials in mitigating the effects of stormwater runoff will be a wise and important element of highway planning and construction. The funds can also be used for retrofit of already built highways to mitigate existing inadvertent adverse impacts.

ASFPM has developed a conceptual framework for alleviating such inadvertent effects on flood risk. The ''No Adverse Impact'' or ''NAI'' concept seeks to guide state and local decision makers in evaluating the effects of development and the creation of impervious surfaces. The No Adverse Impact approach focuses on planning for and lessening flood impacts resulting from land use changes. It is essentially a ''do no harm'' policy that will significantly decrease the creation of new flood damages. Further information on the concept can be found at our website: www.floods.org.

Providing for mitigation of stormwater runoff effects would significantly contribute to implementation of a No Adverse Impact approach to flood loss reduction in our nation. As the full Senate will soon consider S. 732, we would like you to be aware of our very strong support for the stormwater runoff mitigation provision. ASFPM is grateful for your commitment to this provision and urges your continued commitment.

Very sincerely,

CHAD BERGINNIS,
ASFPM Chair.

TROUT UNLIMITED,
March 15, 2005.

Re Support of Highway Stormwater Discharge Mitigation Funding in the Transportation Bill.

Hon. JIM INHOFE,
Chairman, Environment and Public Works Committee, U.S. Senate, Washington, DC.

DEAR CHAIRMAN INHOFE: Trout Unlimited, the nation's leading trout and salmon conservation organization, urges you to support funding to mitigate stormwater runoff in this year's transportation bill. A similar provision, Section 1620, the Highway Stormwater Discharge Mitigation Program, was included in last year's Senate transportation bill, S. 1072.

Stormwater runoff is a significant source of pollution for all the nation's waters, and is a major cause of trout and salmon habitat loss. Roads are a major source of stormwater runoff. Road building in the United States has created millions of miles of impervious surfaces that collect water and pollutants. When mixed with rain and melting snow, these pollutants flow unimpeded into nearby streams, undermining water quality and warming water temperatures to the point where trout habitat is damaged. Furthermore, excessive and poorly designed road building through watersheds can turn normal rainstorms into small flash floods that scour stream bottoms and de-stabilize stream banks, leading to poorer quality streams over time.

Congress has recognized that runoff pollution from highways lowers water quality and destroys habitat in receiving waters in previous highway bills (ISTEA and TEA–21), but has not yet succeeded in getting adequate funding directed at curbing this pollution. In 2000, EPA estimated at least $8.3 billion over 20 years in local funding needs to address stormwater requirements. The time to take action is now as you consider the new Highway Bill.

In addition to providing much-needed funding, the bill encourages projects with the least impact on streams and promotes the use of non-structural techniques, such as created wetlands, to mitigate the negative impacts of stormwater. These approaches are generally more cost-effective and do more to protect and improve water quality and protect habitat.

Thank you for your support of this important provision in this year's transportation bill.

Sincerely yours,

STEVE MOYER,
Vice President, Government Affairs and Volunteer Operations.

FEBRUARY 10, 2005

Re Highway Stormwater Discharge Mitigation Funding in the Transportation Bill.

DEAR SENATOR: The undersigned organization dedicated to protecting America's waters urge you to support funding to mitigate stormwater runoff in this year's transportation bill. A similar provision, Section 1620, the Highway Stormwater Discharge Mitigation Program, was included in last year's Senate transportation bill, S. 1072.

Stormwater runoff is a significant source of pollution for all the nation's waters, and roads are a major source of stormwater runoff. When rain falls on a natural landscape, the water is absorbed by plants and soil where it is filtered and released slowly into nearby streams and rivers and replenishes ground water supplies. Road building in the United States has created millions of miles of impervious surfaces that collect water and pollutants, including oil, grease, lead and other heavy metals. When mixed with rain and melting snow, these pollutants flow unimpeded into nearby streams, ditches, rivers and ponds. Excessive and poorly designed road building through watersheds can turn normal rainstorms into small flash floods that damage natural systems and are very costly to local communities. Stormwater runoff also pours into sewers causing overflows of untreated sewage into drinking water supplies and recreational waters.

Congress has recognized that runoff pollution from highways contaminates downstream waters in previous highway bills (ISTEA and TEA–21), but has not yet succeeded in getting adequate funding directed at curbing this pollution. Under the Clean Water Act, thousands of local communities must obtain permits for their stormwater discharges and develop programs to mitigate runoff.

In 2000, U.S. EPA estimated at least $8.3 billion over 20 years in local funding needs to address stormwater requirements, and an additional $92 billion and $50.3 billion to address stormwater infiltration and other problems in separate and combined sewer . . .

Environmental Integrity Project—Michele Merkel, Washington, DC; National Audubon Society—Kasey Gillette, Washington, DC; Natural Resources Defense Council—Nancy Stoner, Washington, DC; The Ocean Conservancy—Catherine Hazlewood, Washington, DC; Sierra Club—Ed Hopkins, Washington, DC; Smart Growth America—Don Chen, Washington, DC; Surface Transportation Policy Project—Ann Canby, Washington, DC; Trust for Public Land—Alan Front, Washington, DC; U.S. Public Interest Research Group—Christy Leavitt, Washington, DC; Delaware Nature Society—Eileen Butler, Hockessin, DE.

Control Growth Now, Inc.—Dan Lobeck, Sarasota, FL; Keep Manatee Beautiful—Ingrid McClellan, Bradenton, FL; Reef Relief—Paul G. Johnson, Crawfordville, FL; South Walton Turtle Watch—Sharon Maxwell, NW Coast, FL; St. Lucie Audubon Society—Harold Philips, Fort Pierce, FL; Munson Area Preservation, Inc.—Margaret Fogg, Tallahassee, FL; Apalachicola Bay & Riverkeeper—Apalachicola, FL/GA; Georgia River Network—April Ingle, Athens, GA; Upper Chatahoochee Riverkeeper—Elizabeth Nicholas, Atlanta, GA.

American Bottom Conservancy—Kathy Andria, East St. Louis, IL; Center for Neighborhood Technology—Jacky Grimshaw, Chicago, IL; Chicagoland Transportation & Air Quality Commission—Melissa Haeffner, Chicago, IL; Environmental Law & Policy Center of the Mid-West—Albert Ettinger, Chicago, IL; Prarie Rivers Network—Jean Flemma, Champaign, IL; Kentucky Waterways Alliance—Judith Peterson, Munfordville, KY; Gulf Restoration Network—Cynthia Sarthou, New Orleans, LA; Save the Illinois River—Ed Brocksmith, Tahlequah, OK; Connecticut River Watershed Council—Tom Miner, Greenfield, MA.

Leominster Land Trust—Peter Angelini, Leonminster, MA; Massachusetts Watershed Coalition—Leominster, MA; North and South Rivers Watershed Association—Samantha Woods, Norwell, MA; Taunton River Watershed Alliance—Bill Fitzgerald, Franklin, MA; American Fisheries Society—Jessica Geubtner, Bethesda, MD; Anacostia Watershed Society—Jim Connolly, Bladensburg, MD; Chesapeake Bay Foundation—Roy Hoagland, Annapolis, MD; Maryland Conservation Council—Mary Marsh, Arnold, MD; Patapsco Riverkeeper—Lee Walker Oxenham, Baltimore, MD.

Missouri Coalition for the Environment—Edward J. Heisel, St. Louis, MO; Environmental Coalition of Mississippi—Jackie Rollins, Madison, MS; American Wildlands—Amy Stix, Bozeman, MT; Citizens for a Better Flathead—Mayre Flowers, Kelispell, MT; Lower Neuse Riverkeeper & Neuse River Foundation—Larry Baldwin, New Bern, NC; New Hampshire Rivers Council—Carl Paulsen, Concord NH; Hackensack Riverkeeper, Inc.—Hugh M. Carola, Hackensack, NJ; New York/New Jersey Baykeeper—Andrew Willner, Keyport, NJ; and Amigos Bravos—Rachel Conn, Taos, NM.

Mr. JEFFORDS. The Bond amendment is opposed by the: U.S. Conference of Mayors, State Water Pollution Control Administrators, Environmental Council of States, Trout, Unlimited, Metropolitan Sewerage Agencies, Metropolitan Water Agencies, American River, and a host of other organizations.

I ask unanimous consent that a letter from the League of Conservation Voters indicating its opposition to the Bond amendment and its intent to score this vote be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

LEAGUE OF CONSERVATION VOTERS,
Washington, DC, April 26, 2005.

Re: S. 732 Safe, Accountable, Flexible, and Efficient Transportation Equity Act of 2005 (SAFETEA). Remove provisions that weaken the Clean Air Act and National Environmental Policy Act (NEPA). Oppose the Bond (D–MO) motion to strike stormwater mitigation funds.

U.S. SENATE,
Washington, DC.

DEAR SENATOR: The League of Conservation Voters (LCV) is the political voice of the national environmental community. Each year, LCV publishes the National Environmental Scorecard, which details the voting records of Members of Congress on environmental legislation. The Scorecard is distributed to LCV members, concerned voters nationwide, and the press.

LCV urges Congress to pass a balanced transportation bill that protects public health and the environment as it encourages the development of transportation options. SAFETEA, as drafted, will mean increased air pollution from cars and trucks and weakened environmental review of projects.

To keep growth in traffic from undermining regional air pollution control strategies, the Clean Air Act requires that regional transportation plans contribute to the timely attainment of health-based air standards. S. 732 would weaken these requirements, by constraining the analysis of transportation impacts to 10 years, rather than the 20-year planning horizon now used. As a result, the actual impacts of new projects would not be considered, resulting in long-term increases in air pollution, traffic and sprawl, and increased public health impacts.

Signed into law in 1970 by the Nixon administration, NEPA requires the federal government to examine the potential environmental impact of federally funded activities and share its findings with the public. Under NEPA, the Department of Transportation is afforded the opportunity to fix problems with environmental compliance and review before decisions are finalized. The government's own findings demonstrate that environmental reviews are not a significant cause of delays. If, however, this bill includes new, rigid deadlines and review procedures, federal agencies would be forced to cut corners. This could lengthen the process down the line by spurring legal challenges and forcing agencies to make time-consuming revisions.

In addition, LCV urges you to oppose the Bond (R–MO) motion to strike the Highway Stormwater Discharge Mitigation Program, Section 1620. This motion would eliminate a critical program, which would provide up to $867.6 million (only two percent of Surface Transportation Program funds) to mitigate the effects of stormwater runoff from roads and highways. This is especially important since nearly half of the pollution in our waterways is due to runoff from roads and parking lots.

LCV's Political Advisory Committee will consider including votes on these issues in compiling LCV's 2004 Scorecard. If you need more information, please call Tiernan Sittenfeld or Barbara Elkus in my office at (202) 785–8683.

Sincerely,

DEB CALLAHAN.

Mr. JEFFORDS. One of our Nation's most precious resources is our water. Water quality affects the environment, wildlife, our health, and our economy.

Section 1620 of the transportation bill recognizes the significant contribution that roads make to stormwater pollution, and it provides critical funding to help States and local communities mitigate these damages.

I urge my colleagues to oppose the Bond amendment.

I yield the floor.

Mr. WARNER. Mr. President, I thank the distinguished managers of this bill. I had been discussing with Senator BOND options with regard to this amendment. Those discussions as yet have not yielded any course of action. I judge that he took the initiative here; I just was unaware he had taken it.

At this time I am chairing a hearing in the Armed Services Committee on military intelligence. We have finished our open session. We are now proceeding to S. 407 to conclude our hearing with a closed session. I am not able at this juncture to address this important amendment from the perspective of the Senator from Virginia who is the sponsor of the amendment in the committee, which was adopted as part of the markup. So I thank the distinguished chairman. My understanding is he did address the Senate with regard to my unavailability at this time. I

will, however, at a time mutually convenient, come to the floor and give my response to the Bond amendment.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. I thank the Senator from Virginia. I serve on the Armed Services Committee under his capable leadership. He chairs that committee. He is also the longest serving member of the committee that I chair, Environment and Public Works. It is very rare that I would oppose something he is in favor of. This might be that exception. But let me give him our assurance that nothing is going to happen to dispose of this amendment until he has adequate time to complete his hearing and come down and be heard on this amendment.

Mr. WARNER. Mr. President, I thank the distinguished Senator from Oklahoma for his usual gracious work with his colleagues here in the Senate. I will return.

Mr. INHOFE. Mr. President, we have talked about this issue several times before. The distinguished Senator from Virginia has very strong beliefs. Those beliefs are shared by the ranking minority member and by several members of our committee. This amendment was added in committee. It is one I voted against at the time. I did oppose it. However, I know there are very strong feelings about it and I want to make sure everybody gets to be heard, and I am sure we will end up with a rollcall vote. I would only make a couple of comments.

There are flexible provisions in the underlying bill that will help States address their storm water needs and maintain their ability to determine how to spend these limited dollars. For that reason I had felt a mandatory 2-percent set-aside in this bill was not necessary.

Currently, States are allowed to use their STP funds for environmental enhancements which include a variety of projects, including storm water mitigation. Our bill gives States the option to use STP and NHS money for storm water mitigation. Our bill allows those States that wish to use highway money to address storm water runoff and help communities comply with phase 1 and 2 on clean water runoff to do so.

I think probably one of the reasons for my opposition to this is I spent 4 terms as mayor of a major city, Tulsa, OK. I have always been a strong believer that the closer you get to home, the better the decisions are. In other words, the idea that somehow Washington knows more about my State of Oklahoma than the people in my State of Oklahoma is something I have disagreed with.

If this amendment should be agreed to and the bill should become law, if we in the State of Oklahoma want to spend 2 percent or even more of our money for this purpose, we can do it. But if we have other priorities that are greater, as determined by those of us in Oklahoma, then I think that should take precedence.

For that reason I will respectfully support this amendment. I am sure there will be more discussion on it later on.

I am sure the ranking minority member will agree with me, we do not want to do anything further other than hear debate until Senator WARNER, whose provision it was that was put in the bill in committee, has ample time to debate it and to come to the floor and try to work out any compromises he may be successful in working out with the author of the amendment, Senator BOND.

With that, let me renew our appeal to Members to come down with their amendments. I am glad we are finally getting some activity here, some amendments coming down. It is very important we move on with this bill. We have several pages of amendments. I know a lot of these amendments are going to be agreed to in a managers' amendment we will be propounding before too long. There are some that will have to be fought out on the floor. It is my desire, and I am sure the desire of the ranking minority member, that we get on with these amendments. I have been here long enough to know what is going to happen. We are going to have all day today to handle amendments, and tomorrow. People are not going to bring them down. Then when something happens or when cloture is filed, everyone is going to get hysterical and say, Why didn't I have time to offer my amendment?

You may not have time. We are serving warning to you right now, that could happen. Now there is time and we encourage you to come down. This amendment under discussion now, which the Senator from Indiana has graciously set aside—it is his amendment—is one that will be controversial and I suspect there will be many members on the minority side of our committee who want to be heard. I think they were unanimous in supporting Senator WARNER in the committee at that time.

We hope those people will come down and get the debate out of the way so we can proceed with this amendment and with any other amendments that come to the floor. Let's keep in mind, as I said yesterday on more than one occasion, what will happen if we are not successful in getting this bill passed. We are on our sixth extension. The extensions do not work. Our money is not well spent. People are dying on the highways. There are things that are happening that will not happen unless we pass this bill. Without an extension there is not going to be any chance to improve the donor status. My State is a donor State. I remember when it was 75 percent as a guarantee to come back to the States for money paid into the highway trust fund, revenues that were collected in my State of Oklahoma. Now it is up to 90.5 percent. If we had been successful with the bill last year, it would have been 95 percent.

Senator JEFFORDS and I did everything we could to get our bill passed. We are going to try to make that happen this time. But for those States that are concerned about their donor status, they better be lining up and supporting this. We do not know in conference what is going to come out in terms of a number, but we do know this: Donor status of 90.5 percent will at least go up to 91 or 92 percent. So they are going to be better off, but not if we operate on an extension. If we operate on an extension, we are not going to have any new safety core programs.

They call this SAFETEA. I know there is an effort by the chairman of the committee in the other body to rename it TEALU. I do not have a real problem with that. But it is a safety bill. We have many safety provisions, core programs that respond to the thousands of deaths each year on our roadways. If we go on extensions, we are not going to make any of these safety provisions a reality.

If we go on extensions instead of a bill, there is not going to be any new streamlining. In fact, some of the current obstacles in helping us to get roads built and bridges improved can be corrected, but they can only be corrected if we are able to pass this bill. If we operate on extensions, there is no increased ability to use innovative financing, thereby giving the States more tools.

This is something that is so important. Ever since the Eisenhower administration, we haven't changed the way we fund our road program. There are a lot of ideas out there where we could use the public-private partnership to build more roads and bridges. In fact, we have in this bill a provision that establishes a commission to study various ways, innovative ways to change the way we finance our roads, highways, bridges, and infrastructure in America. But if we are on an extension, if we do not pass this bill, we are not going to be able to do that.

We have one provision in here, Safe Routes to School, which is one I felt strongly about, but I was not the leader on it. There are several on our committee as well as over on the House side. As I recall, this is one of the programs Congressman OBERSTAR felt very strongly about. If we operate on an extension, we are not going to have the Safe Routes to School Program. We could have deaths of young people as a result of our failure to act. That is why this is so important.

Certainty in planning: On an extension, there is no certainty. You think we are going to get the same amount of money that was already authorized previously, but nothing else has changed. We don't know what is going to happen next year. We don't know whether we are going to have a bill that will be passed a month from now or 2 months from now or a year from now. Therefore, there is no long-range planning that can take place.

I served in the State legislature in Oklahoma many years ago. I know when you start planning for the future

you have to plan for your contract season. It is not as severe in Oklahoma as it is in Vermont or some of the Northern States, but certainly these things have to be considered. We have to have our labor supply ready to absorb, to be able to accommodate a heavy schedule of construction, so we need to be able to plan for that.

In this bill we have a border program, Borders and Corridors. It is very important we do these to accommodate the States such as Texas, California, Arizona, and other border States along the northern border, to help them out with that program. Without this bill we are not going to be able to do that.

There are chokepoints. A lot of people think of the highway bill as just highways. This is intermodal transportation. It affects railroad crossings. Our State of Oklahoma is a State that has a channel. It comes all the way to my town of Tulsa, OK. A lot of people don't know that. We know there are chokepoints where barge traffic will come up; it will go to rail traffic; it will go to truck traffic. This bill addresses intermodal transportation and eliminates chokepoints.

Finally, we have the firewalls. What has bothered me more over the years than anything else I can think of is how people will raid trust funds. Politicians in State legislatures—it has happened here in Washington—when no one is looking and there is a large surplus in some trust fund, what do they do with a large surplus, I ask Senator JEFFORDS? They run in there and they raid it. Consequently there are no real protections under an extension. But we do have protections in the bill that is before you.

I have every confidence—I don't want to sound as though I am doubting whether we are going to have a bill. But we need to pass it in time to get it to conference, back from conference, get it voted on, and in law by May 31. That is getting very close.

In the Senate we will be going into a recess next week. We will not be here for 7 days. It is my expectation as soon as we get back, we will be in a position to finish this bill, get it to conference, and meet this deadline.

I know I speak on behalf of our minority member, the ranking member, the Democratic member on the committee, Senator JEFFORDS, in urging people to come down and offer their amendments.

Mr. JEFFORDS. If I may interrupt for a moment, I support what you are saying 100 percent. I warn Members they should not give any thought, right now, anyway, of believing they do not need to be here. We have to get this done. The country needs it.

Mr. INHOFE. The Senator and I know they are up there right now. Come on down.

Mr. JEFFORDS. Mr. President, I join the chairman in urging colleagues to bring amendments to the floor. It is time to get this bill out of the traffic jam it is currently stuck in. If we are going to get the highway bill done before the end of May, the Senate needs to accelerate action and shift into higher gear. Our States, cities, and towns need this bill. The American public needs this bill. We have heard from the National Governors Association, the National Conference of State Legislatures, the Council of State Governments, the National Association of Counties, the U.S. Conference of Mayors, and the National League of Cities.

All asking the same thing, get this bill done.

The bill before us will strengthen our nation's transportation system, create hundreds of thousands of jobs, improve the safety of our roads, highways and bridges, and support and improve our transit systems.

We cannot afford to wait any longer to make these much needed investments.

Our transportation system needs help now: 38 percent of our major roads are in poor or fair condition; 28 percent of our bridges are structurally deficient and unsafe for travel; 5.7 billion gallons of fuel are wasted annually while motorists sit in traffic.

Traffic congestion means longer delays, higher costs, increased accidents, more pollution, added frustration and keeps us from spending time with our family and friends.

In 2001, according to the American Public Transportation Association, congestion costs to American motorists were nearly $70 billion.

Each peak-period road user lost approximately $1,200 in wasted fuel and productivity.

It is time to get this bill on the fast track and start making some progress.

Once again I thank Chairman INHOFE, and Senators BOND and BAUCUS for the collaborative process in which we have proceeded on this bill.

We are ready to take up amendments. I urge my colleagues to come to the floor and offer them.

I yield the floor.

Mr. INHOFE. Mr. President, I agree wholeheartedly with the comments made by the ranking member, Senator JEFFORDS. It is interesting when he reads off the list of people anxious for a bill.

In the case of Oklahoma, when I was mayor of the city of Tulsa, we were interested in being able to plan ahead. We have our Council of Governments saying they need to have it. We have our State department of transportation that says they are going to miss their construction season. We have to get it done.

While Senator JEFFORDS and I many times philosophically disagree, the fact we agree so much on getting this bill completed speaks well of what we are trying to do. It demonstrates the broad base of support. I don't have any doubt we will be able to get passage. The problem is if we do not get the amendments for consideration, it will be a logjam when we return from recess and could very well be a problem in meeting our deadline of May 31. That is what we need to focus on.

We are in agreement on most of the provisions. There is some disagreement on the formula. Formulas are always a problem. I have been very happy about the way the Senate has done this. After having spent 8 years in the other body and serving on the Transportation Committee of the House of Representatives, I remember meetings we had. I don't say this in a critical way, but they operate on the basis of projects. We do, too, except the difference is we talk about formulas and try to be as equitable as possible and let the States determine their projects.

It gets back to the argument, who is in a better position to know the needs of my constituents in the State of Oklahoma? Is it Washington or our transportation commissioners responsible to the State legislature and the needs in the State?

Some people say in an expensive bill, there is pork. There is no pork in the bill. There are only two projects in the entire bill. People need to understand that.

This will change to some degree when we get to conference because it has to be agreed to by a majority of the conferees on the House, as well as a majority of the conferees from the Senate. To devise a formula that no one will disagree with is absolutely impossible. The only choice we have if we look for unanimity in approving a formula would be to have Senator JEFFORDS and me go to 60 Senators and say we will take care of you and we will forget about the other 40. We would have a bill and do it and it would be perfectly legitimate and not unethical.

We take into consideration the Interstate Maintenance Program. It varies from State to State. We take into consideration the National Highway System, the lane miles, the principal arteries, excluding the interstate VMT on principal arteries, excluding the interstate diesel fuel used on highways, and total lane miles on principal arteries divided by population. All these things have gone into the formula.

The Surface Transportation Program, which we have talked about, is part of the consideration in terms of total lane miles.

The Highway Bridge Replacement Rehabilitation Program I am particularly sensitive to because Oklahoma ranks last in terms of the condition of bridges. These things have to be considered.

The Recreation Trails Program varies from State to State. There has to be something in a formula that will take into consideration these programs.

Border planning and operations: Since the passage of NAFTA and now they are considering CAFTA, there are unusual situations taking place from State to State. We have low-income States. My State, Oklahoma, is a low-income State. We have low-population States such as Wyoming, Montana, and

some of the States where they still have to have roads, but they do not have the number of people so that has to be part of the consideration and part of a formula.

They have low-population density States, high-fatality States. Some States have higher fatalities than other States. That has to be taken into consideration.

All these things—donor status, donee status—all are important. But the bottom line is, I can take all 12 or 14 factors and put them into a formula program. I can find areas where Oklahoma is not considered as well as Texas or as Vermont. I can find factors that treat Vermont worse than they treat Montana or some of the other States. If someone is looking to be ahead on all factors, there is not 1 of 50 States that can say they are.

I ask our Members to consider that. Formulas consider a lot of things. We have done a good job with the approach we have. It is a harder approach to take than the approach the other body uses. It is easier for them to get a bill on and off the floor. Timing is important. There is not a Member of this Senate who does not agree we need to get a bill passed.

Members may not like the bill as it is. Come on down with amendments. We are waiting for you. We invite Members.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. SARBANES. Do I understand, Mr. President, that the amendment that would strike the storm water mitigation provisions from the bill that was reported out by the committee is the pending business?

The PRESIDING OFFICER. The Senator is correct.

Mr. SARBANES. Mr. President, I rise in strong opposition to this amendment. First, I commend the committee, the chairman, the ranking member, and my colleagues, Senator WARNER and Senator CHAFEE, for including this provision in the legislation before the Senate.

This provides for a set-aside of a State Surface Transportation Program for storm water runoff mitigation. All of our local officials—our mayors, our county commissioners, and others—say this is essential as we address reauthorization of the Surface Transportation Program. It is a very modest amount in the overall context of the bill, less than $900 million nationwide to meet a very important and pressing need that confronts local governments struggling to deal with the contamination of drinking water and the cleanup of streams, rivers, lakes, and ponds from highway and street storm water discharge.

A great deal of the pollution comes from these runoffs off the roadways. We are talking about oil, grease, lead, mercury. In my own State, where we are working so hard on the Chesapeake Bay, we know the runoff from highways contributes very large amounts of nitrogen and phosphorous and sediment to the bay and confronts the State with a very serious clean water program.

Many of our Nation's highways and roads were built before the implementation of storm water regulations. States are required to have pollution reduction from new highways under EPA regulations, but we need to have a mitigation program to deal with pollution from existing Federal highways and associated paved services. Otherwise, we will have great difficulty in meeting federally mandated water quality standards. The standards have been put into place. The question now is, How do we reach the standards?

My colleagues on the committee have done a very skillful job. I, again, commend the chairman, the ranking member, and Senators WARNER and CHAFEE who, of course, are on the committee and try and find ways to provide help to States and localities in fixing this problem.

This is an effort, of course, to make funding available to deal with the storm water impact to water quality and the stream channels. The estimates are quite large in terms of what is needed. This amendment has very strong support from a broad range of groups. It is a relatively small amount out of the total highway budget, but it deals in a very focused way with a significant problem. It is a very wise investment of these moneys in order to achieve a very marked improvement with respect to the mitigation of the pollution impacts of storm water discharge.

I commend the committee for the work they have done on this amendment, for its inclusion in the legislation. I very strongly support the committee bill and very much hope my colleagues will oppose the amendment which would strike a provision that is in the committee bill. This amendment takes out of the committee bill a provision developed within the committee in a very skillful way that addresses a very important problem. I very much hope my colleagues will reject this amendment which strikes the storm water mitigation provisions reported in the committee.

Mr. JEFFORDS. If the Senator will yield, I thank him for his excellent presentation. We assure the Senator we are listening and we will take the Senator's advice.

Mr. SARBANES. I thank the ranking member very much.

What the committee has done is a very important step forward in a very balanced bill. I very much hope we will sustain this provision in the committee-reported bill.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Mr. President, while we are again encouraging people to bring amendments down to the floor, I would like to make some comments on a statement that was made yesterday that affects our committee, the Environment and Public Works Committee.

Yesterday evening, the junior Senator from Delaware discussed his hold on Stephen Johnson's nomination to be Administrator of the EPA. His main complaint about Steve Johnson is about a lack of technical data from EPA on Clear Skies. We are talking about the Clear Skies legislation we considered in our committee that the administration has come forth with.

But there has been no lack of technical data. The EPA has provided the Environment and Public Works Committee with over 10,000 pages of modeling on costs, job impacts, fuel switching, air quality, and deaths avoided for the various multi-emissions proposals.

This information provides extensive detail about the impacts on the Nation as a whole, regions, and individual States. Claims that EPA did not supply sufficient information to make an informed decision simply do not have any credibility.

In fact, this is in direct contrast to 2002, when then-Chairman Jeffords—I have been making all kinds of complimentary remarks about the ranking member, Senator JEFFORDS. Back in 2002, Senator JEFFORDS was the chairman and I was the ranking member. He came forth with something he had very strong feelings about, and that was the Clean Power Act. When he marked it up, we had less than 1 week to review a 53-page bill, without any modeling information whatsoever. Let me repeat that: less than 1 week to mark up a 53-page bill, which was substituted for the original 5-page bill. I do not say that critically because we did it. Nonetheless, we did it without the information I believed was necessary at that time. We did not have information.

In addition, the quality of information in 1990—this is back when we considered the Clean Air Act Amendments—paled in comparison to what the executive branch has been able to produce for us using today's more sophisticated models run on powerful supercomputers. The committee had far more information about the impacts of the Clear Skies legislation than the entire Senate had in 1990 during the debate on the Clean Air Act amendments of 1990.

Now, what has been particularly frustrating is that the EPA data request was used as a red herring to vote against Clear Skies. It is now being used as an excuse to oppose Steve Johnson. I do want to talk about Steve Johnson a minute because it is very unusual we have the opportunity to have a Director with the background of Mr. JOHNSON.

When we notified the minority last November 15 of our intentions of marking up the Clear Skies bill in February,

they never once raised the issue of needing more data from the EPA until after we delayed the first markup on February 16. Then they mentioned the need to get more data from the EPA almost as an afterthought.

When we offered to delay the markup 2 weeks, in order to negotiate a compromise, we were told they needed data from EPA, which would take 6 months to produce. This, of course, was after our committee already spent 5 years conducting 24 hearings on the topic. We were told, after all this committee work and the 10,000 pages of analysis, that the minority still needed more analysis before they would be willing to even begin negotiating.

Nevertheless, EPA has offered to spend considerable resources to analyze each of the multi-emission proposals using an identical methodology to guarantee that comparisons of the three bills are apples to apples. Yet the charge is being leveled that this offer still is not enough.

Last week, the EPA offered to conduct even more analysis to satisfy Senator CARPER, offering detailed data on S. 131, the President's Clear Skies proposal; secondly, the Clear Skies manager's amendment from March 9, 2005—that was ours; S. 843, Senator CARPER's Clean Air Planning Act; and, fourth, S. 150, Senator JEFFORDS' Clean Power Act.

The data would consist of the cost of each bill; the fuel mix for electricity production; Henry-Hub natural gas prices; average mine mouth coal prices; regional electricity prices; emission allowance prices; national and regional coal production; the response of electric generating facilities—for example, the capacity retrofitted with pollution control equipment; national and State-by-State emission levels for sulfur dioxide, nitrogen oxide, and mercury; the national aggregate CO_2 emissions; public health and environmental provisions benefits of each bill, such as the total monetized health benefits, premature mortality benefits, and visibility benefits; and the effects of each bill on nonattainment areas—for example, for each current nonattainment area, EPA will list the counties in the area and project whether the area comes into attainment with ozone and particulate matter.

This is for all four pieces of legislation, not just one, everything that has been asked for. This was an unprecedented offer of information by the administration to the junior Senator from Delaware and, frankly, it is more information than I believe he needs in order to move forward on Clear Skies. This is in addition to the 10,000 pages of data the committee has already received. This information would take the staff of EPA 6 to 8 weeks to complete.

Unfortunately, even this offer is not enough. The junior Senator from Delaware is insisting on the same level of analysis that the administration conducted for the President's proposal, which would take a half a year. Strangely, he insists this would allow him to negotiate multiemissions legislation this spring.

This is a level of detail that no administration has ever conducted for a legislative proposal at this stage in the process and, quite frankly, a level of detail that is inappropriate to request. If the EPA were requested to conduct this type of analysis for every bill, we would have to double the size of the EPA, and all of their employees would be working full time on congressional requests. To suggest that a congressional committee needs this type of analysis before it can move on legislation is ridiculous.

In the history of the Clean Air Act, we have more and better quality data today than we have ever had in moving legislation, including the amendments of 1990. Those are the amendments that were so significant and have had such a positive effect on air quality. We have more data than we ever had in moving any environmental legislation.

This demand for data was an excuse for delaying the Clear Skies legislation and, quite frankly, it was an excuse to delay or obstruct Steve Johnson's nomination. This appears to be part of a larger strategy to obstruct this President's EPA nominees. Last Congress, Governor Leavitt's nomination hearing was first boycotted by the minority, then delayed for over 50 days. Today, Steve Johnson is also being obstructed.

For just a moment, I wish to say something about the nomination of Steve Johnson to be the next Administrator of the Environmental Protection Agency. It is unfortunate we find ourselves in a position of having that nomination filibustered by the Democratic side. Mr. Johnson is not a partisan politician. In fact, he is neither a partisan nor a politician. I can't tell you right now whether he is a Democrat or Republican. I don't think it makes any difference.

Steve Johnson is a career EPA employee who has risen through the ranks under both Republican and Democratic administrations. He joined the EPA during the Carter administration and was promoted to senior management posts during the Clinton administration. He has also been confirmed twice by the Senate, both times without opposition. Stephen Johnson is not a partisan. He is also a scientist and, if confirmed, would be both the first scientist and first career EPA employee to serve as the head of the agency. We never had someone who has a scientific background as Administrator of the EPA, nor have we had anyone who has gone through the ranks of the EPA. There has never before been a nominee who has known this agency so well prior to becoming Administrator.

One of the big problems we have had with Administrators who are not familiar with the agency is when we have something that needs to be done, it takes them forever to sort through to find out where the bad guys and good guys are and where the reports are coming from. He already knows. He spent 24 years doing this.

He is trained in biology and pathology. After graduating from college, he worked for the Computer Sciences Corporation at the Goddard Space Flight Center and was signed to serve as a junior member of the launch support team for the first Synchronous Meteorological Satellite, SMS–1. He joined EPA during the Carter administration as a health scientist in the Office of Pesticides and Toxic Substances. He left EPA briefly in 1982 to join a private lab and then returned in 1984 to EPA's Office of Prevention, Pesticides and Toxic Substances. Throughout the years Mr. Johnson climbed through the ranks, eventually being appointed to senior management positions by the Clinton administration, including Deputy Director of the Office of Pesticide Programs and the Principal Deputy Assistant Administrator at that time.

I have to say I was there when this happened during the Clinton administration. I asked him a lot of serious questions, and I did not object to his nomination even though it was propounded by the Clinton administration.

In 2001, he was nominated by President Bush to serve as the Assistant Administrator for that program office. He was confirmed without opposition. Just last year when Mike Leavitt became Administrator he was nominated to the No. 2 spot at the agency. Once again, he was confirmed without any opposition.

Steve Johnson's qualifications are beyond question. The question is, why are we here fighting for cloture on not just a qualified nominee but a nominee who has been consistently promoted by both Democratic and Republican Presidents? I believe Jonathan Adler did a good job describing this nomination process when he wrote the following in the National Review:

> President Bush's selection of Steven L. Johnson as administrator of the Environmental Protection Agency was universally praised in Washington, D.C. Democrats and Republicans, environmental activists and industry lobbyists all hailed the pick as a positive step for the troubled agency. Stalwart conservative Sen. James Inhofe . . .

—that's me—

> applauded the choice while the Environmental Working Group's Ken Cook called it a ''spectacularly good appointment.'' The era of good feelings did not last long, however. Once slated for a quick and easy confirmation, Johnson is now the victim of an old-fashioned political obstruction as Senate Democrats again target the administration's environmental policies.

This isn't the first time in recent history that an EPA Administrator has been held up. In fact, that precedent was set the last time someone was nominated by this President. Governor Mike Leavitt was treated with equal courtesy as Steve Johnson. I know some, including the junior Senator from Delaware, are now saying: I supported Mike Leavitt and was there for him. But that is simply not accurate.

In fact, when the committee was scheduled to vote on the Leavitt nomination, the vote was boycotted by the Democrats. Not a single committee Democrat showed up, including the Senator from Delaware. It was part of the boycott.

The three Administrators previous to Mike Leavitt took an average of 8 days to confirm. Mike Leavitt's confirmation took 50 days, 50 days to confirm a Cabinet-level position for an individual who clearly is qualified.

So this is nothing new for a qualified EPA Administrator nominated by President Bush. It has been nearly a month that Steve Johnson has awaited confirmation. The time has come to confirm Mr. Johnson.

During the debate we will likely hear some negative comments about the President's record on the environment. What you hear from the Democrats will likely be a very distorted view. The facts are very plain, very easy to understand. By virtually every measure, under this President's stewardship, our air, our water, and our land are cleaner. We have a cleaner and healthier environment than we did prior to George W. Bush taking over as President. That is simply the simple truth.

Just to highlight a few of the actions by the President, he signed into law historic bipartisan legislation that has accelerated the cleanup of brownfields—all of the States are concerned about that—better protecting public health, creating jobs, and revitalizing communities. George W. Bush is the first President ever to require the reduction of mercury emissions by powerplants. I can remember when there were full-page ads during the campaign saying that this President is lowering the emissions. There were no restrictions before he came in. He is the one who made the first reduction in our history. This President has imposed a mandatory 70-percent reduction in mercury emissions from these sources.

Just a year ago, the President announced an aggressive new national goal, moving beyond the policy of no net loss wetlands to a new policy of an actual net increase for wetlands each year. His Great Lakes Legacy Program will help to clean up one of the largest systems of freshwater on Earth, roughly 18 percent of the world's supply. His Clear Skies initiative would have reduced SO_X, NO_X and mercury emissions by 70 percent—the largest mandated reduction of any President in the history of America. It wasn't Bill Clinton. It was George W. Bush.

Despite all the rhetoric to the contrary, the environment and our families are healthier because of George W. Bush. The facts don't lie.

I yield the floor.

The PRESIDING OFFICER (Mr. GRAHAM). The Senator from Oregon.

Mr. WYDEN. Mr. President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

Mr. INHOFE. Reserving the right to object, let me say to my good friend from Oregon that the leader is coming down to make a statement. Would he withhold his request until the leader gets here and makes his statement?

Mr. WYDEN. If I could engage my colleague in a colloquy, I assume the leader is going to speak relatively briefly as well. If that is the case, I certainly want to be courteous. I ask unanimous consent, then, that I have up to 10 minutes to speak after the majority leader has spoken and that my colleague from Rhode Island, Senator REED, have the opportunity to speak for up to 10 minutes after me.

The PRESIDING OFFICER. Is there objection?

Mr. INHOFE. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. WYDEN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. FRIST. Mr. President, again, we find ourselves with an objection to a committee meeting and doing its work. There is objection on the other side of the aisle to the Judiciary Committee meeting. Therefore, we need to recess the Senate to allow the committee to meet.

I ask unanimous consent that the Senate stand in recess until 2 p.m. today.

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. FRIST. With that objection, I ask unanimous consent that when the Senate reconvenes at 2 p.m., following the remarks of the two leaders, Senator WYDEN be recognized for up to 10 minutes as in morning business, to be followed by Senator THUNE for up to 10 minutes, to be followed by Senator REED for up to 10, to be followed by Senator SALAZAR for up to 10.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. FRIST. Mr. President, I move that the Senate stand in recess until 2 p.m. today, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second. The question is on agreeing to the motion. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Montana (Mr. BAUCUS) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 1, as follows:

[Rollcall Vote No. 112 Leg.]

YEAS—98

Akaka	Domenici	McCain
Alexander	Dorgan	McConnell
Allard	Durbin	Mikulski
Allen	Ensign	Murkowski
Bayh	Enzi	Murray
Bennett	Feingold	Nelson (FL)
Biden	Feinstein	Nelson (NE)
Bingaman	Frist	Obama
Bond	Graham	Pryor
Boxer	Grassley	Reed
Brownback	Gregg	Reid
Bunning	Hagel	Roberts
Burns	Harkin	Rockefeller
Burr	Hatch	Salazar
Byrd	Hutchison	Santorum
Cantwell	Inhofe	Sarbanes
Carper	Inouye	Schumer
Chafee	Isakson	Sessions
Chambliss	Jeffords	Shelby
Coburn	Johnson	Smith
Cochran	Kennedy	Snowe
Coleman	Kerry	Specter
Collins	Kohl	Stabenow
Conrad	Kyl	Stevens
Cornyn	Landrieu	Sununu
Corzine	Lautenberg	Talent
Craig	Leahy	Thomas
Crapo	Levin	Thune
Dayton	Lieberman	Vitter
DeMint	Lincoln	Voinovich
DeWine	Lott	Warner
Dodd	Lugar	Wyden
Dole	Martinez	

NAYS—1

Clinton

NOT VOTING—1

Baucus

The motion was agreed to.

RECESS

The PRESIDING OFFICER. The Senate stands in recess until the hour of 2 p.m.

Thereupon, the Senate, at 12:51 p.m., recessed until 2:03 p.m. and reassembled when called to order by the Presiding Officer (Mr. ALEXANDER).

The PRESIDING OFFICER. The majority leader.

JUDICIAL NOMINATIONS

Mr. FRIST. Mr. President, throughout the judicial obstruction debate, emotions have run high on both sides. This should remind us all, once again, of the need to return to civility in our Nation's Capitol. The American people want their elected leaders to work together to find solutions. To them, doing what is Republican or Democrat matters far less than doing what is right for America.

Let me briefly discuss how we got here. Never, in 214 years—never, in the history of the Senate—has a judicial nominee with majority support been denied an up-or-down vote until 2 years ago. In the last Congress, the President submitted 34 appeals court nominees to the Senate. A minority of Senators denied 10 of those nominations and threatened to deny another 6 up-or-down votes. They would not allow votes because they knew the nominees would be confirmed and become judges. The nominees had the support of a majority of Senators.

Now, in this new Congress, the same minority says it will continue to obstruct votes on judges. Even worse, if they don't get their way, they threaten to shut down the Senate and obstruct Government.

Throughout this debate, we have held firm to a simple principle: Judicial nominees deserve up-or-down votes. Vote for them, vote against them, but give them the courtesy of a vote. Yet judicial nominees have not been given that courtesy. They have gone 2, 3, or even 4 years without a vote. Now, 46 seats on the Federal bench are vacant as case after case and appeal after appeal stack up.

One nominee, Priscilla Owen, has served 10 years as a justice on the Texas Supreme Court. She won reelection with 84 percent of the vote in Texas. Yet she can't get the courtesy of a vote to be confirmed by the Senate.

Judicial nominees are being denied; justice is being denied. The solution is simple. Allow the Senators to do their job and vote.

In a spirit of civility, and with sincere hope for solution, I make an offer. This offer will ensure up-or-down votes on judicial nominees after fair, open, and some might say exhaustive debate. It is a compromise that holds to constitutional principles.

First, never in the history of the Senate had a judicial nominee with majority support been denied an up-or-down vote until 2 years ago. However, it was not unprecedented, either for Republicans or Democrats, to block judicial nominees in committee. Whether on the floor or in committee, judicial obstruction is judicial obstruction. It is time for judicial obstruction to end, no matter which party controls the White House or the Senate.

The Judiciary Committee will continue to play its essential oversight and investigative roles in the confirmation process, but the committee, whether controlled by Republicans or Democrats, will no longer be used to obstruct judicial nominees.

Second, fair and open debate is a hallmark of the Senate. Democrats have expressed their desire for more time to debate judicial nominees. I respect that request and honor it. When a judicial nominee comes to the floor, we will set aside up to 100 hours to debate that nomination. Then the Senate, as a whole, will speak with an up-or-down vote. The Senate operated this way before we began to broadcast debates on television in 1986. This would provide more than enough time for every Senator to speak on a nominee, while guaranteeing that nominee the courtesy of a vote.

Third, these proposals will apply only to appeals court and Supreme Court nominees. Judges who serve on these courts have the awesome responsibilities of interpreting the Constitution. So far, only up-or-down votes on appeals court nominees have been denied. I sincerely hope the Senate minority does not intend to escalate its judicial obstructions to potential Supreme Court nominees. That would be a terrible blow to constitutional principles and to political civility in America. I hope my offer will make it unnecessary for the minority to further escalate its judicial obstruction.

Fourth, the minority of Senators who have denied votes on judicial nominees are concerned that their ability to block bills will be curbed. As majority leader, I guarantee that power will be protected. The filibuster, as it existed before its unprecedented use on judicial nominees in the last Congress, will remain unchanged.

The Democratic leader and I have been talking on this issue almost every day. I am hopeful he will accept my offer as a solution. It may not be a perfect proposal for either side, but it is the right proposal for America. For 70 percent of the 20th century, the same party controlled the White House and the Senate. Yet no minority ever denied a judicial nominee with majority support an up-or-down vote until the last Congress. These minorities showed self-restraint. They treated judicial nominees with fairness, and they respected the Senate's role in the appointments process, as designed by the Framers of the Constitution. Resolving the judicial obstruction debate for me is not about politics. It is about constitutional principles. It is about fairness to nominees. It is about Senators doing their duty and doing what is right for our country.

Arbitrarily voting on just a few judicial nominees, as some have proposed, will fail to restore the Senate's 214-year practice of up-or-down votes for all judicial nominees who come to the Senate. Senators have a duty to vote up or down on judicial nominees. Confirm them or deny them but give them all the courtesy of a vote.

I yield the floor.

The PRESIDING OFFICER. The Democrat leader.

Mr. REID. Mr. President, first, I express my appreciation to the distinguished Republican leader for his proposal. I am happy to see we are working toward a solution to this very difficult issue that now faces the Senate.

I say to my distinguished friend, no matter how many times you say it, if something is wrong, it does not become true. Over the course of this country's history there have been many filibusters of judges from the very beginning of our Republic. Until 1917, there was no way to stop a filibuster, so a number of judges fell by the wayside as a result.

As I said previously, in 1917, the Senate changed its rules, and two-thirds of the Senators elected could stop a filibuster. Then, in 1964 at the height of the civil rights battle, it was changed to 60 on most everything. Only one thing is still different, and that is as it relate to rules where it takes 67. Without getting into the numbers game, there have been a lot of filibusters of judges where a majority of the Senators liked a nominee. Abe Fortas is a good example of that. We do not need to reinvent history. It is simply the way it is. I am not going to get into the individual judges. We can do that, we can go over them one by one, but I don't think that is what the country needs at this stage.

We have heard in the Senate that 69 judges of President Clinton never made it to the Senate. We continually hear my friends on the other side of the aisle say: We need a vote on these judges. They had a vote in keeping with the rules of the Senate.

I agree with my friend, the distinguished Senator from Tennessee, for whom I have so much respect and admiration. He said that the circuit court and Supreme Court are more important than the lower courts. I believe that, in fact, is the case. That being so, we need to focus more attention on them rather than less.

You have to break the rules to change them in this instance because if you follow the rules, you cannot do it with a simple majority. If you can break the rules to change the rules on a judge, then what about the other nominations of the President? We have a matter in the Senate now that is in the newspaper every day, regarding a man by the name of Mr. Bolton. I don't know him. I recognize him because he has a very uncharacteristic mustache, which I kind of like. My point is, that may be something that people will wish to talk a long time on. I don't know that to be the case. The hearings have not been completed. But I do know that the administration really likes this man. The Secretary of State likes him. She has said so. Does that mean the rules will be changed because this is one of the President's fair-haired persons he wants to become his ambassador to the United Nations? We cannot go down that slippery slope.

This proposal of Senator FRIST is not exactly new. We had a proposal like this last Congress by my friend, the distinguished Senator from Georgia, Zell Miller. It was very similar to this proposal. I don't mean to demean the proposal, and I will take a close look at it and see if there is a way we can work with it. I would say, for lack of a better description, it is a big fat wet kiss to the far right. It just is not appropriate. The rules are the rules.

It is unacceptable for a number of reasons. First, this is slow-motion nuclear option. After 100 hours, the rights of the minority are extinguished. This has never been about the length of the debate. This is about constitutional checks and balances.

No. 2, this is probably worse than the nuclear option because it also speeds up the committee's consideration. I am happy to look at that. As the distinguished majority leader knows, I talked to him earlier about trying to do something in the committee system to make it better. I am happy to take a look at that. We will talk in more detail. I don't think this is appropriate.

Third, this deals with only half of the advice and consent. We have to deal with the pesky little document called the Constitution. This is something you take as a whole. This is very short, but we have to stick with this and advise and consent.

We have failed to recognize we have the future ahead of us, not what went on in the past. I am not here to criticize what went on in the Clinton years. I am not here to condone or criticize what went on in the last 4 years. I am here to look forward.

I say to my friends on the other side of the aisle, any proposal I have made said let's look forward. Let's take this nuclear option off the table, and let's work on these judges we have ahead of us. I can never say there will never be a filibuster because I cannot say that, but I don't think this Senate is in the mood for a number of filibusters. I don't think Members feel like it. We should go forward.

I told my distinguished friend, the Senator from Kentucky, I told my distinguished friend—and I say ''friend'' in the true sense of the word—from Tennessee, if we somehow fail on the good faith, and they think we filibuster too much, talk too much, you always have the next Congress. Let's try to look forward. Let's not look back.

I want to leave here today or tomorrow—whenever we leave—with a good feeling. People get locked in: this is not good enough. I am not going to berate him for this offer he has made. It is an offer. I appreciate that. It is the first offer we have had. I have had one. He has had one. Legislation is the art of compromise.

While this is not truly legislation, it is in keeping with what we do here. We try to build consensus. We try to work toward an end that is satisfactory. I hope we can do that. I hope calmer heads prevail. I say that on my side as well as the other side of the aisle. If we did it right, we would take his suggestion to the Rules Committee, have them come back on it, and we would vote on it here. That is how we change rules.

I had the good fortune—and I say that without hesitation or reservation—to serve for many years on the Ethics Committee. I was chairman; I was vice chair. Senator Bob Smith from New Hampshire and I worked a full year, we worked hard, trying to change the very difficult rules we have in the Ethics Committee, which is part of the Senate Standing Rules. We brought it to the Senate after our staff worked hundreds of hours. Bob Smith and I worked on it many hours. We were rejected. I felt so bad because I personally believe the Senate did the wrong thing. But they did it. We tried to comply with the rules. That is what we should do here. We both tried to make our case to the public. And I will speak for a while this afternoon, not specifically on the leader's proposal but about things in general. In the very worst way, I want to try to work our way through this.

Again, I do not really like the proposal given, but I am not going to throw it away. I am going to work on it and see if I can come back with something that is in keeping with what I think is the ''Mr. Smith Goes to Washington'' scenario. Because I really do believe that even though we are in the minority now—and I have thought about this a lot. I have thought about this. If someday in the future—and it will happen; I hope I am around to be part of that—I became the majority leader, I would not want this rule. I would not want this rule. I do not know if I would have the integrity, intellectual integrity to change it so that you folks could do what I thought was in keeping with the rules. But I have thought about that.

We are not always going to be in the minority here. I believe very seriously that this is something that every party should have. I say to my friends, and everyone within the sound of my voice, test us. Let's see how we can do in the future. I cannot say there will not be any filibusters, but I think we are going to have a much better situation. People are very concerned about the Supreme Court, and they should be. They should be. But let's not direct our attention to changing the Senate rules for fear of something that may never happen.

I repeat, what I would like to do is say there is no nuclear option in this Congress, and then move forward on this. And, as I say, they always have the power. I would like to think that a little miracle would happen and we would pick up five seats this time. I guess miracles never cease. But I say, respectfully, to everyone, I think the Republican Senators would have this power next Congress as they do now.

So I appreciate my friend making this offer. We have so much to do. We have the highway bill to work on today and finish when we come back. We have the budget, we have the supplemental appropriations bill. We need good feelings around here.

As we have indicated, there has been some talk about my closing down the Senate. I have recognized since the Newt Gingrich days that does not work very well. But I do think we would be working as much off our agenda as the majority's agenda—a big clash of heads. We would be talking about things we want to talk about and they want to talk about. I would hope we can get past that and go on to do some real legislative work in the months to come.

I would hope that the legacy I leave and that BILL FRIST leaves is that we had two leaders who, in spite of their tremendous political differences—and we have some different political philosophies—I hope people can look back at us and say: Those are two men who worked very hard to try to get this institution to work.

I am saying this in good faith. I want the other side, in good faith, to trust what we are going to do on the judges in the future. That is all I ask.

Mr. President, I ask unanimous consent that after I suggest the absence of a quorum I then be recognized when the quorum call is called off.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, what is the order now before the Senate?

The PRESIDING OFFICER. The Senator has the right to recognition.

Mr. REID. Mr. President, under the order previously entered, it is my understanding when I have completed my remarks, Senator WYDEN will be recognized. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. REID. Mr. President, I have finished my remarks.

Thank you, Mr. President.

The PRESIDING OFFICER. Under the previous order, the Senator from Oregon is recognized for 10 minutes.

Mr. WYDEN. Thank you very much, Mr. President.

(The remarks of Mr. WYDEN pertaining to the introduction of S. 946 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS—Continued

AMENDMENT NO. 593 TO AMENDMENT NO. 567

The PRESIDING OFFICER. Under the previous order, the Senator from South Dakota is recognized.

Mr. THUNE. Mr. President, may I inquire as to the pending business before the Senate?

The PRESIDING OFFICER. The Senate is in morning business.

Mr. THUNE. Mr. President, I have an amendment to offer to the pending bill, H.R. 3, the transportation bill.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from South Dakota [Mr. THUNE] proposes an amendment numbered 593.

The amendment is as follows:

(Purpose: To retain current levels of State authority over matters relating to preservation, historic, scenic natural environment, and community values)

On page 230, strike lines 6 through 15 and insert ''Section 109 of''.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, the amendment I am offering would remove a substantive grant of authority the U.S. Department of Transportation

will be given under the bill as reported by the Environment and Public Works Committee. The House and Senate have been working for the past 2 years to reauthorize TEA–21. I understand one of the underlying goals has been to improve upon the existing process States must follow from project inception to completion. Many of my colleagues would be amazed to learn that on average it takes 8 years to complete a construction project from inception to its completion. Some Members have told me it takes longer than that.

While I applaud Chairman INHOFE and Ranking Member JEFFORDS for their work to make needed improvements in the transportation process, my State Department of Transportation in South Dakota has brought to my attention a problematic provision they believe will further delay and complicate further transportation projects across the country.

To clarify for my colleagues, section 1605(a) of the underlying bill would grant the Federal Highway Administration the authority to ''ensure'' that a highway facility ''will consider the preservation, historic, scenic, natural environment and community values.''

I have been unable to get anyone to give me a good explanation as to why this particular provision was included in the bill. Currently each of our respective State Departments of Transportation already follows strict Federal rules when it comes to such things as environmental review, historic preservation, and planning requirements. States also have to follow their own State rules regarding these issues. To give an example, this is the book State DOTs have to follow. This pertains to rules and regulations that apply to highway projects. It seems to me to be quite thick already.

The amendment I am offering does nothing to take away from the existing environmental reviews, historic preservation, and planning requirements each transportation project is subject to. Very simply, it removes the prospect that this provision will result in the Federal Government imposing new requirements on top of those already in law or rule, including in the subjective area of ''community values.''

I believe many of my colleagues would agree the best decisions are made by individuals at the State and local levels. If this provision were to be signed into law, I fear States will be told by the Federal Government what their community values are. Even more concerning to me and my department of transportation is the risk that there will be varying interpretations of community values from State to State and regional divisions of the Federal Highway Administration. Our current design, planning, and construction processes are difficult enough as it is.

Unless we remove section 1605(a) from this bill, we will effectively be allowing the Federal Highway Administration to tell our States what their respective community values are. Furthermore, unless we remove this provision, I fear one of the major goals in the reauthorization bill, which is project streamlining, will be unachievable. Moreover, while I certainly heard about this from my own State Department of Transportation, I have received letters from the following groups supporting the removal of section 1605(a) of the bill: AASHTO, the American Association of State Highway and Transportation Officials, has written asking that this provision be removed; AGC, the Associated General Contractors of America; ARTBA, the American Road and Transportation Builders Association; the American Highway Users Alliance; the American Council of Engineering Companies; the Transportation Construction Coalition; and the U.S. Chamber-led Americans for Transportation Mobility Coalition. I will submit for the RECORD some of those letters that have been sent to us with respect to this particular provision of the bill.

I want my colleagues to know what the executive director of AASHTO said in his letter:

> States should have the flexibility to determine how they will work with other state agencies and local communities to address these values rather than having them dictated by the federal government.
>
> NEPA and other environmental laws already provide regulatory oversight. Additional requirements will only burden the project delivery process, which we are tying to streamline.

Mr. President, I ask unanimus consent that those letters I mentioned be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS,

APRIL 26, 2005.

Hon. JAMES INHOFE,
U.S. Senate, Russell Senate Office Building, Washington, DC.

DEAR SENATOR INHOFE: The American Association of State Highway and Transportation Officials (AASHTO) represent the State transportation agencies in the fifty states, the District of Columbia and Puerto Rico. On behalf of our member States, I urge you to maintain the current commitment to simplifying and expediting the highway project delivery process, and to remove Section 1605(a) of the Safe, Accountable, Flexible, and Efficient Transportation Equity Act of 2005 (S. 732) which—contrary to that commitment—would impose additional requirements and standards for each and every highway project.

Specifically, Section 1605(a) of SAFETEA adds language that grants additional authority to the U.S. Department of Transportation to ensure that individual projects on every highway facility are designed to achieve ''preservation, historic, scenic, natural environmental and community values.'' States should have the flexibility to determine how they will work with other state agencies and local communities to address these values rather than have these values dictated by the federal government. In addition, regulatory oversight is already required under the National Environmental Policy Act (NEPA), historic preservation laws and other environmental statutes. Additional requirements will do nothing more than further burden the current project delivery process, which we are trying to streamline.

Sincerely yours,

JOHN HORSLEY,
Executive Director.

THE ASSOCIATED GENERAL CONTRACTORS OF AMERICA,

APRIL 26, 2005.

Hon. DANIEL AKAKA,
U.S. Senate, Washington, DC.

DEAR SENATOR AKAKA: On behalf of the Associated General Contractors of America (AGC), I am writing to urge you to support a Thune amendment to H.R. 3 that would maintain state and local flexibility over the transportation planning process by striking unnecessary and burdensome requirements contained in Section 1605(a) of the federal highway and transit reauthorization bill.

Section 1605(a) adds language that grants additional authority to the U.S. Department of Transportation to ensure that individual transportation projects are designed to achieve ''preservation, historic, scenic, natural environmental, and community values.'' While environmental and historic impacts are carefully considered when designing transportation improvements, the federal government should not dictate what ''values'' are important to states and localities.

Current planning requirements establish a highly comprehensive process that effectively enables appropriate agencies and the public to have input on transportation decisions in their communities. Proposals to complicate or add to this process will only add to the length of time that it already takes to deliver transportation projects. We believe Section 1605(a) is contrary to the commitment to streamline the transportation project delivery process, which is critical to addressing the nation's transportation needs.

Again, I urge you to support the Thune amendment.

Sincerely,

JEFFREY D. SHOAF,
Senior Executive Director, Government and Public Affairs.

AMERICAN ROAD & TRANSPORTATION BUILDERS ASSOCIATION,

APRIL 28, 2005.

Hon. JOHN THUNE,
U.S. Senate, Russell Senate Office Building, Washington, DC.

DEAR SENATOR THUNE: On behalf of the 5,000 members of the American Road & Transportation Builders Association, I write in strong support of your amendment to H.R. 3 to reject a new federal directive to states on what they must consider when attempting to meet their own unique transportation challenges.

One of the key objectives of the Transportation Equity Act for the 21st Century (TEA–21) when it was enacted in 1998 was to shorten the amount of time transportation improvement projects spend in the environmental review and approval process. To accomplish this objective, the measure included provisions to facilitate concurrent reviews by involved federal agencies and consolidated the transportation planning process.

Unfortunately, H.R. 3 injects a number of new planning requirements that states and metropolitan planning organizations (MPOs) must consider in the transportation planning process. Specifically, the measure requires the U.S. Department of Transportation (U.S. DOT) to ensure federally-aided highway improvement projects are designed to meet, among other things, the ''community values'' of an area. In addition, to this objective being entirely subjective and impossible to define, these ''value judgment'' decisions arc best made by transportation planners at the local level—not U.S. DOT officials.

Thank you for your leadership on this amendment to strike the new community

values standard for highway improvement projects. We urge all senators to support the Thune Amendment and all efforts to avoid adding new federal requirements on state and local planning authorities.

Sincerely,

T. PETER RUANE,
President & CEO.

Mr. THUNE. Mr. President, in closing, as I have outlined today on the floor—in addition to the views expressed by the leading transportation groups in the country—it is my hope the bill managers will be able to accept this commonsense amendment to ensure that community values are decided at the State level and not in Washington, DC.

Again, I will close by saying this particular document already provides a tremendous amount of paperwork and regulation and rules that State DOTs and those who participate in Federal projects and highway funding issues have to comply with. It certainly seems to me that to add a nebulous and subjective additional requirement of ''community values,'' one, adds additional paperwork burden and redtape to the process that is already extensive and, secondly, it allows the Federal Government to interfere in an area that ought to be decided at a State and local level.

I hope the managers will accept the amendment. In the event they don't, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second? At this time, there is not a sufficient second.

Mr. THUNE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. Mr. President, I request the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Under the previous order, the Senator from Rhode Island is recognized for 10 minutes.

THE NUCLEAR OPTION

Mr. REED. Mr. President, I will speak on the issue of the so-called nuclear option.

We are at an important crossroads in our Nation's history today. I believe my Republican colleagues should think long and hard about the long-term effects of what they are proposing on the vitality and utility of this institution that we call the U.S. Senate.

As Thomas Paine once stated:

> He that would make his own liberty secure, must guard even his enemy from opposition; for if he violates this duty, he establishes a precedent that will reach himself.

I believe that this so-called crisis is really an artificial crisis. The Senate has confirmed 206 of President Bush's judicial nominees and rejected 10. The Senate has confirmed 95 percent of the President's nominees. We have the lowest court vacancy rate since the administration of Ronald Reagan.

As almost everyone in this body is aware, President Clinton had over 60 judicial nominees and 200 executive branch nominees blocked by the Republicans. Many of these nominees were not even granted the courtesy of a hearing, let alone a vote. We call this ''pocket filibustering'' in the Senate. It was according to the rules, and we followed the rules and did not attempt to change the rules. That is the difference today. The Republicans are trying, through extralegal means perhaps, to change the rules of the Senate.

Senator FRIST and many of my other Republican colleagues have been involved in both filibustering and pocket filibustering of judicial nominees, and they did not object to their own actions or purport to suggest that their own actions were unconstitutional or in any way violated the spirit or the rules of the Senate.

In 2000, Clinton nominee Richard Paez was filibustered by a number of my colleagues, but Democrats and Republicans defeated the filibuster by finding common ground and, under the rules of the Senate, moved to a vote.

Although almost every Senator in this Chamber believes that bipartisan improvements could and should be made to the nomination process, this President and the majority have not made any such attempts.

For example, returning to the tradition of allowing home State Senators and/or home State advisory boards to make recommendations to the President regarding eminent lawyers and jurists he should consider when nominating men and women for lifetime appointments on Federal courts would be one possible way to make this whole process less partisan.

If we want thoughtful, intelligent men and women to even want to take on the job of Federal judge, we would all benefit from depoliticization of the judicial process.

There are many ways President Bush and the Republicans in the Senate could work with Democrats to make the judicial nomination process work more smoothly. But in light of the rejection of the minority leader's proposal and the subsequent proposal made by the majority leader, it is clear this debate is not really about making the process work better. This whole debate should be seen for what it is—a grab for power.

This is not the first time a President, with the help of his own party, has attempted to grab complete and total power over the judicial nomination process.

In 1937, President Franklin Roosevelt, a Democrat, sent a bill to Congress that would have drastically reorganized the judiciary and added up to six more justices on the Supreme Court. Why? Because he didn't like what the Supreme Court was doing to his legislative proposals. Although the Senate Judiciary Committee rejected the bill, finding it, in their words, ''essential to the continuance of our constitutional democracy that the judiciary be completely independent of both the executive and legislative branches of Government,'' the majority leader, Joseph Robinson, supported the bill and brought it to the floor.

A determined group of Senators, using the filibuster for 8 days, defeated this proposal. It was the right to free and open debate that defeated President Roosevelt's attempt to consolidate his power over the judicial branch of Government. It is that same right we are talking about today. It is the right that allows the Senate to play its unique role in our constitutional democracy.

One of the most basic concepts behind the construction of the Constitution is the concept that absolute power corrupts. After fighting a revolution to escape from the tyranny of an absolute monarch, the Founding Fathers were very focused on coming up with a system of government that would prevent one ruler or one faction of people from controlling all of the mechanisms of power.

James Madison believed that ''the causes of faction cannot be removed and that relief is only to be sought in the means of controlling its effects.''

As he stated in Federalist Paper No. 10: ''Among the numerous advantages promised by a well-constructed union, none deserves to be more accurately developed than its tendency to break and control the violence of factions.'' He further goes on to state that ''Complaints are everywhere heard from our most considerate and virtuous citizens . . . that the public good is disregarded in the conflicts of rival parties, and that measures are too often decided, not according to rules of justice and the rights of the minor party, but by the superior force of an interested and overbearing majority.''

It was the desire of the Founding Fathers to protect the rights of the minority from ''the superior force of an interested and overbearing majority'' which caused them to create three branches of Government.

Because of the skills and temperament required of a judge, the Founding Fathers decided that judges would not be elected like the other two branches of Government but would be nominated by the President with the advice and consent of the Senate.

Article II, section 2 states that the President:

> . . . shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law. . . .

In effect, Madison and the Founding Fathers believed that the independence

of the judiciary was so important that lifelong judicial appointments needed to be made by consensus between the executive and legislative branches. Alexander Hamilton stated in Federalist Paper No. 78 that:

This independence of the judges is equally requisite to guard the Constitution and the rights of individuals from the effects of those ill humors which the arts of designing men, or the influence of particular conjunctures, sometimes disseminate among the people themselves, and which, though they speedily give place to better information, and more deliberate reflection, have a tendency in the meantime, to occasion dangerous innovations in the government and serious oppressions of the minor party in the community.

Resonating throughout the Federalist Papers is the notion that the test of this Government is not the success of the majority but the fact that minority rights are protected. Minority rights on this floor could be extinguished if the rules of this Senate are disregarded. This is why I am here today on the floor of the Senate to speak out.

It is important that we do not let another President try to pack the courts. The Senate cannot become merely a rubberstamp for any President. The independence of the courts is critical to protecting the Constitution and the rights of individuals. It is for this reason that preserving the right to open and free debate in the Senate is so important. Indeed, if the Founding Fathers wanted a system of pure majority rule, they would have only created one Chamber.

These decisions should not be made on a political whim. The impact of judicial appointments outlasts party changes in both the executive and legislative branch of Government. Indeed, some Members of the other party have complained about the abuse of power by ''activist'' judges. Frankly, I cannot think of a better way to protect against activist judges than by protecting the current cloture rule. If two-thirds of the Senate believes a nominee is qualified for the position and will do the job well, that candidate is probably not going to be an activist judge on either the right or the left.

Opponents of the filibuster have questioned its constitutionality. However, time and again, the courts have shown a reluctance to interpret the rules of either House of Congress or to review the application of such rules.

The Founding Fathers stated in article I, section 5, clause 2 of the Constitution:

Each House may determine the Rules of its Proceedings.

Much of the current debate around the Republican leadership's proposal to change a 200-year-old Senate tradition regarding the right to unlimited debate revolves around rule XXII of the Standing Rules of the Senate. This rule is clearly constitutional. Rule XXII is about the precedence of motions. The relevant part is as follows:

Is it the sense of the Senate that debate shall be brought to a close? And if that question shall be decided in the affirmative by three-fifths of the Senators duly sworn—except on a measure or motion to amend the Senate rules, in which case the necessary affirmative vote shall be two-thirds of the Senators present and voting—then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

This rule encapsulates an agreement between the majority and minority that an amendment to the Senate rules is so important that it requires a two-thirds vote—the same number of votes required to vote on treaties, overcome a Presidential veto, and impeach a President—to change the Standing Rules of the Senate. And beyond all the current maneuvers on the floor, the real goal of the Republican majority is to change the rules of the Senate.

In addition to the filibuster, the Senate has adopted other practices to protect minority rights, including unanimous consent rules, holding legislation or nominations in committee, and the blue-slip process. When some of these procedures, in addition to the filibuster, have been challenged, the courts have given deference to the Senate to make its own rules on how to deliberate.

Clearly, if the majority party is arguing that the filibuster is unconstitutional, then certainly all other methods of blocking a nomination, including never holding a hearing or vote in committee, would be as well.

I daresay the same individuals arguing for the end of the filibuster because it is unconstitutional would not state that they acted unconstitutionally in blocking 60 of President Clinton's judicial nominees.

In fact, the Constitution is notably silent on what advice and consent means on a Presidential nomination. The majority are interpreting this to mean that each nominee deserves a vote, but the Constitution is actually silent on this issue. It is left to the Senate to determine what advice and consent really means.

I think we are well served by the current rule and 200 years of checks and balances, and we should not give up our right to debate without realizing the serious consequences this will have on our institution, not just today but for decades, in fact, the history of this country going forward. Finally, let me talk briefly about the claim that unlimited debate or the filibuster has never been used against a judicial nominee. That is simply untrue. The first recorded instance occurred in 1881 when Republicans were unable to end the filibuster of Stanley Matthews to the Supreme Court. There were nine other occasions in the 19th century when the Senate held no floor votes on Supreme Court nominations. More recently, the nomination of Associate Justice Abe Fortas to be Chief Justice of the Supreme Court and Homer Thornberry to be an Associate Justice failed when they were filibustered on the Senate floor by Republican Senator Robert Griffen and others.

Our predecessors also believed that certain judicial nominations were too problematic to be approved. If we are focused on improving the judicial nomination process right now, there is much we can do together to make it work better. This should be the issue before us today, not taking away the voice of the minority in one of the most important decisions we are asked to make as Senators, protecting the independence of the judiciary.

I also think we should be talking about real crises on the Senate floor, such as a $422 billion deficit, a historic trade deficit, the devastating budget the majority will be presenting to us this afternoon, and the need to stabilize a country in the Middle East that we have been engaged in for more than two years and has cost us American lives and billions of dollars. I urge the majority to reconsider this ill-advised abuse of power and work with us to forge some solutions to these real crises and to maintain the balance and integrity of our democratic institutions.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Colorado is recognized for 10 minutes.

Mr. SALAZAR. Mr. President, I ask unanimous consent that the pending amendments be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 581 TO AMENDMENT NO. 567

Mr. SALAZAR. Mr. President, I have an amendment at the desk, amendment No. 581, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Colorado [Mr. SALAZAR] proposes an amendment numbered 581.

Mr. SALAZAR. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To modify the percentage of apportioned funds that may be used to address needs relating to off-system bridges)

In section 144(f)(2)(A) of title 23, United States Code (as amended by section 1807(a)(4)), strike ''15 percent'' and insert ''20 nor more than 35 percent''.

Mr. SALAZAR. Mr. President, before discussing my amendment, allow me to commend the work of Senator JEFFORDS and Senator INHOFE and their staffs for their work on this very important bill for the people of America. It is good work, and it is about the people's business. This is a vitally important bill on a vitally important topic. Without their efforts, we would not be where we are today. I look forward to the day when we can have a transportation bill passed that we can send to the President for his signature, hopefully very soon.

I also wish to say that I am glad we are taking this bill up at this time because the last Congress was not able to

get it through. We are hopeful this time around that we will be able to succeed. This is an issue which I believe is at the top of the concerns of people throughout the country. In my travels throughout the State of Colorado, county commissioners, mayors, and local people tell me time and time again that moving forward with the reauthorization of the Transportation Act is something we should do and we should do as soon as possible.

The amendment that I have proposed addresses a problem that faces many of our States across our country, particularly those States that have many miles of rural roads and bridges. Ensuring that rural areas receive adequate funding to fix the increasing number of structurally deficient bridges in rural America is a priority. I know it is a challenge in Oklahoma, and I know it is a challenge in Vermont.

In my State of Colorado, 17 percent of our bridges are in disrepair, and many of those bridges are in parts of rural Colorado. Currently, the Federal Bridge Program apportions funds to States for the replacement and fixing of bridges, and for over 25 years the program has directed a minimum of 15 percent of those Federal funds to be used on bridges on those State and local roads that do not receive any Federal aid. We call these bridges off-system bridges.

We need to increase the percentage from 15 percent to 20 percent. It is imperative when addressing the needs of transportation infrastructure in Colorado and across America that we ensure there is adequate funding to address the needs of rural America. Let us make clear the scope of this problem. In this country, there are 307,000 on-system bridges; 23 percent of those bridges are structurally deficient or functionally obsolete—23 percent of those bridges are in bad shape.

There are 286,000 off-system bridges. Of those 286,000 off-system bridges, 30 percent are deficient and in need of repair. And consider this, across this great country of America, over 80 percent of bridges are found on non-Federal-aid highways. We must ensure that these bridges in rural communities have the kind of repair to ensure the safety and quality of life for the residents of those communities.

The House version of this Transportation bill has increased the level of funding out of this fund to 20 percent. I agree with the House of Representatives, and I believe along with the National League of Cities, the National Association of Counties, the American Public Works Association, and the National Association of County Engineers that we should do the same thing, and my amendment will do that.

Our roads, our bridges, our transit system, our rail lines, and our ports need assistance to ensure that our Nation has a first-class infrastructure needed to reinvigorate our economy and to make our country strong and competitive.

Senator INHOFE, Senator JEFFORDS, and their staffs have worked to ensure that we have a comprehensive bill that addresses these needs. This small fix improves this bill, and I hope my colleagues will join me in ensuring it passes the Senate and gets to the President.

I will take just a second to address an amendment that we will be voting on shortly, and that is the amendment offered by my colleague from Missouri, which would essentially take away the 2 percent that has been allocated in the portion of these funds to deal with the problem of storm water discharge. That is an issue which is a reality that faces communities across our country.

We have 5,000 communities that will be affected if, in fact, that 2-percent allocation is stripped from this particular legislation. It is important for us to make sure that we are protecting the environment, but it is also important for us to make sure we are supporting the local and State governments that will benefit from the money that is currently included in our version of the bill. Therefore, I urge my colleagues to vote against the amendment that has been offered by our good friend from Missouri.

Keeping this provision that we are talking about in this bill is important to the U.S. Conference of Mayors, the Association of State and Interstate Water Pollution Control Administrators, the Association of Metropolitan Water Agencies, the Association of State Floodplain Managers, the Association of Metropolitan Sewerage Agencies, and others.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I am happy to work with the Senator from Colorado on the needs of his particular State. This measure before us would enable his State to spend more on bridges if that is the need but to require States to spend 5 percent more where in our State for various reasons we only spend a minimum of 15 percent, and other States may be in our same situation, I am very much concerned about a mandate because we have bad bridges, but we kill people on our highways. We kill people on our highways because we have two-lane highways that are carrying heavy truck traffic and passenger traffic that warrant four lanes. Rebuilding bridges is not going to solve that problem. So for our State, this would be a real problem.

As chairman of the subcommittee, I would be happy to work with the Senator to see if we can reach an accommodation, but I am very much concerned about what I think the gist of his amendment is.

I believe the Senator from South Carolina has a brief statement. I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. DEMINT. Mr. President, I ask unanimous consent to speak for 3 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. DEMINT are printed in today's RECORD under ''Morning Business.'')

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I see my distinguished colleague from Colorado. I believe I was to follow him. Is that the order? I do want to adhere to the order.

The PRESIDING OFFICER. There is no order in effect.

Mr. WARNER. I want to address the amendment of the distinguished Senator from Missouri, Mr. BOND, which is one of several pending amendments. If the Chair so desires, could we ask our colleague from Colorado, is this a matter related to the bill? We need some orientation so that I can accommodate the Senator from Colorado or he can accommodate me, as the case may be.

Mr. SALAZAR. If the distinguished Senator from Virginia would give me 30 seconds, I will make my point.

Mr. WARNER. The Senator is ever so generous. Let's give him a full minute.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. SALAZAR. I thank the distinguished Senator from Virginia.

I say this to my distinguished friend from Missouri: I believe the needs of rural America, especially with respect to transportation, are important. I believe having legislation here that would change the percentage allocation by 5 percent, so we could have the rural bridges of our country have more resources to be able to get the job done, is something that is very important. I accept his offer to work with him, and look forward to seeing how we can address the needs of rural America with respect to the rural bridges we have across our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I rise to address the underlying bill which, in markup in the committee on which I am privileged to serve, was a markup of 17 yeas and 1 nay.

I rise in opposition to the Bond amendment. I hasten to point out this body has already disapproved the Bond amendment when they approved the earlier highway bill. This body has acted and approved the current mark that is in the underlying bill, which my good friend from Missouri seeks to strike.

What is this all about? In its simplest form, it is the mayors and the county supervisors and those officials in the State entrusted with the supervision of the construction, modernization, improvements, and renovation of our road system, usually the assistant secretary for transportation or whatever it is designated in the State—it is a whole realm of State officials on one side. I

will call it by one name, the mayors. It is the mayors versus my good friend from Missouri, Mr. BOND. The mayors desperately want to keep intact the bill as written by the committee and keep this provision which helps these individuals deal with a mandate from the Congress of the United States under the Clean Water Act, which says you must, in new construction, and as they rehabilitate the existing road system, deal with storm water runoff. That runoff contributes up to 50 percent of the total storm water which is daily worsening our drinking water. That is a quick synopsis.

Now I would like to go into a somewhat more lengthy dissertation. I express my strongest opposition. I should say I urge colleagues to affirm the markup of the committee. Leave the bill as it is. But to do so, we have to oppose the Bond pending amendment.

The program is urgently needed to fund local governments, the mayors and the supervisors, to reduce the runoff of polluted water. As I say, this was already approved by the Senate when they approved the first highway bill. There is no change of the language in the amendment I put in and incorporated in the markup of the bill. It was included and passed by the Senate last year.

The bill in its present form—and this provision, the Warner amendment, is in the bill—will for the first time begin to address the unfunded mandates affecting our local communities. It helps the mayors and the boards of supervisors and others deal with the unfunded mandate placed upon them with regard to the storm water runoff. I regret that my colleague opposes helping our localities with such serious financial burdens as now imposed on them by the Clean Water Act.

The rest of the story is that the Clean Water Act requires all of our communities to obtain permits for their storm water discharge. Along with this requirement comes the mandate that local governments are to fund projects that will control storm water runoff. These can be very expensive projects. Again, our existing highways are up to 50 percent the contributors to the problem associated with storm water runoff affecting our drinking water and other clean water uses.

Look at this debate we are having now as one regarding public health. What is more important to us than our clean drinking water? It is a matter of public health. Local governments that finance and manage our public drinking water systems tell me and they tell you, every one of you, it is becoming more and more difficult and more expensive to filter and treat our drinking water to remove the pollutants, many of which derive from storm water runoff, particularly from our roads. Stop to think of the contamination that exists on the roads that accumulates over the use of the road. Along comes one of our greatest gifts, a rain shower, and it takes those pollutants and runs them off and they find their way into our drinking water.

Many organizations that are on the front lines dealing with the problem strongly support this very modest provision to begin to address pollution for the existing highway structures. I point out that we have already acted in this body in previous legislation to say all new construction will have set aside by the States as required the funds necessary to deal with the storm water runoff from new construction. This measure very modestly is to take care of the existing road structures—when they need to be repaired at times, when they need to be upgraded.

I will bet I could go to dozens of places in my State, and each of you could go to places in your State, where you have new construction going on over here and it is funded to handle the storm water runoff, and not a mile distant is one of the old roads which doesn't have the precautions, and the runoff from both feeds the same stream which then goes into our water supplies. So unless you correct the old system, what is the sense of trying to correct the new system, in many instances? Stop to think about that. We have already exercised our wisdom to make sure the new construction is adequately financed and this is but a modest provision to finance the existing system.

It is a small provision. It is $170 million a year—$170 million a year out of a $284 billion bill. It will help more than 5,000 local communities in each of our States. Most importantly, our States themselves want this program. The Association of State and Interstate Water Pollution Control Administrators, our State officials responsible for improving the water quality of our rivers and lakes and streams, has written to each of us urging that the Senate retain the markup which was approved—again, 17 to 1 in the committee.

I refer my colleagues to a portion of the letter from the State and Interstate Water Pollution Administrators:

> Communities throughout the Nation, including numerous smaller towns and counties, are required under the Clean Water Act to obtain discharge permits for storm water. Even those communities which have long understood the value of protecting their drinking sources and recreational sources from storm water impacts are hard-pressed to absorb the costs of discharges from the highways. This presents an unfair burden to these small communities, and we believe it is fair for the transportation funding system to help remedy this problem where existing highways and other roads cause significant runoff problems.

Storm water runoff is an $8 billion national problem. Yet there is no financial assistance to help our localities with the existing road structure. The storm water program in this bill takes the first step. I am very proud, indeed humbled, to represent these small communities. I urge my colleagues to let this bill remain as is.

The Association of Metropolitan Sewerage Agencies, representing our municipally owned sewage treatment plants, has joined in this debate.

I ask unanimous consent that several letters I have from the various State organizations be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. WARNER. This organization likewise has written in strong support of the committee's storm water provision. They also cite the undisputed fact that polluted storm water from impervious surfaces such as roads is a leading reason why nearly 40 percent of our Nation's waters fail meeting our Nation's water quality standards.

Similar letters of strong support have come from the U.S. Conference of Mayors which emphasize ''absent some . . . [other Federal funding] storm water pollution cleanup costs, including loadings attributable to the Federal highway system will be borne largely by local taxpayers through property taxes and other general taxes and wastewater utility fees.''

Hear this: These are your mayors reaching out to you for help.

I could go on. I have a great many letters. I am pleased to say our distinguished Governor of Virginia, Mark Warner, states:

> A program such as this could help improve water quality in the Chesapeake Bay, and other watersheds in the Commonwealth.

The Virginia Association of Counties has strongly endorsed this program with the view that these provisions, reserving less than one-third of a penny of every highway dollar, are a very modest commitment to an enormous challenge before local governments struggling with contamination of drinking water from highway/street storm water discharge. The support for the committee's provision is strong because everyone recognizes that storm water runoff from highways is a known impediment to good water quality.

Accordingly, from the Environmental Public Agency, storm water runoff is the leading cause of pollution for nearly half of our rivers, lakes, and streams.

Roads collect pollutants from tailpipe emissions, brake lines, oil, and other sources. During storms, they mix with other contaminants of heavy metals and road salts that wash into our waters, and eventually, regrettably, work their way, in many instances, into our drinking water.

Today, every new highway must include methods to control this runoff. We have already spoken to this issue, spoken to this need, and funded in connection with new construction. I am talking about a very modest amount, one-third penny, to help these existing road systems.

We are here to help our local communities. The mayors have reached out. The chairman of the Board of Supervisors has reached out. Those folks that come to our offices and visit, we slap them on the back, and they leave

that office thinking they are going to get help. This is the kind of help they need. It is not much, one-third of one penny of every highway dollar.

The demands of those who are in opposition to this—namely, the road builders, and I am not speaking disrespectfully—have powerful lobbies, unlimited requirements. This is one-third of one penny for the mayors.

EXHIBIT 1

THE UNITED STATES CONFERENCE OF MAYORS,
Washington, DC., April 25, 2005.

Hon. JAMES M. INHOFE,
Chair, Environment & Public Works, U.S. Senate, Washington, DC.

Hon. JAMES M. JEFFORDS,
Ranking Minority Member, Environment & Public Works Committee, U.S. Senate, Washington, DC.

DEAR CHAIRMAN INHOFE and RANKING MINORITY MEMBER JEFFORDS: On behalf of The United States Conference of Mayors and the hundreds of cities we represent, I write to convey our strong support for the stormwater provisions of your Committee-approved SAFETEA plan to renew the nation's surface transportation programs.

These provisions, reserving less than 1/3 of a penny on every authorized dollar, is a very modest commitment to an enormous challenge before local governments struggling with contamination of drinking water and cleanup of streams, rivers, lakes and ponds and highway and street stormwater discharge, including oil, grease, lead and mercury. Moreover, we have been assured that these provisions limit funding to actual facilities on the federal aid system, which is a critical factor underlying our support of this program. This is important to the nation's cities since it ensures that users of these systems contribute something to the broader efforts under the Clean Water Act to reduce pollutants from the nation's major highways and roads.

Absent some commitment to retrofitting existing facilities on the federal aid system during this renewal period, stormwater pollution cleanup costs, including loadings attributable to the federal aid system will be borne largely by local taxpayers through property taxes, other general taxes and wastewater utility user fees.

Finally, we disagree with the claim that this is a diversion of funds from highway construction and highway capacity needs. It is the belief of the nation's mayors that improved performance, whether it is pavement quality, the deployment of technology, or its stormwater quality features, are priorities for the nation as we work with you to provide a modern and fully functional transportation system for our citizens and their communities and regions.

America's mayors thank you for making these provisions part of your SAFETEA legislation and urge you to preserve this important commitment to stormwater pollution abatement efforts during your conference committee deliberations with the House. If you have any questions, please contact our Assistant Executive Director for Transportation Policy Ron Thaniel.

Sincerely,

TOM COCHRAN,
Executive Director.

ASSOCIATION OF STATE AND INTERSTATE WATER POLLUTION CONTROL ADMINISTRATORS,
Washington, DC, April 22, 2005.

DEAR SENATOR: On behalf of the Association of State and Interstate Water Pollution Control Administrators (ASIWPCA), I urge your support for the Highway Stormwater Discharge Mitigation Program, Section 1620 of the Senate SAFETEA bill, S. 1072, in the 108th Congress. This new and modest program is designed to address stormwater runoff from the nation's existing transportation system. Stormwater runoff is a significant source of water pollution affecting large and small communities, as well as fish, wildlife and the natural environment.

Stormwater pollution results from paving over naturally porous ground, resulting in impervious surfaces that collect pollutants and increase overland stormwater volume and velocity. Stormwater becomes a direct conduit for pollution into the nation's rivers, lakes, and coastal waters. Studies have shown that roads contribute a large number of pollutants to urban runoff—metals, used motor oil, grease, coolants and antifreeze, spilled gasoline, nutrients from vehicle exhaust, and sediment. For example, the stormwater discharge from one square mile of roads and parking lots can contribute about 20,000 gallons of residual oil per year into the nation's drinking water supplies. Highways can increase the annual volume of stormwater discharges by up to 16 times the pre-development rate and reduce groundwater recharge.

Communities throughout the nation, including many smaller towns and counties, are required under the Clean Water Act to obtain discharge (NPDES) permits for their stormwater. Those communities, which have long understood the value of protecting their drinking water sources and recreational waters from stormwater impacts, are hard-pressed to absorb the costs of discharges from highways in addition to their other stormwater management responsibilities. This presents an unfair burden to these communities and we believe it is fair for the transportation funding system to help remedy this problem where existing highways and other roads cause significant runoff problems.

We urge you to continue to demonstrate your leadership in protecting America's waters by supporting the stormwater mitigation provision in SAFETEA. We appreciate your willingness to consider the views of the State and Interstate Water Pollution Program officials responsible for the protection and enhancement of the nation's water quality resources.

Sincerely,

ARTHUR G. BAGGETT, Jr.
President.

ASSOCIATION OF METROPOLITAN WATER AGENCIES,
Washington, DC, April 22, 2005.

DEAR SENATOR: On behalf of the nation's largest publicly owned drinking water systems, I write today to express support for section 1620 of the Safe, Accountable, Flexible, and Efficient Transportation Equity Act of 2005, (S. 732), which would provide $870 million over five years for stormwater mitigation projects.

This language makes progress toward addressing the billions of dollars in costs that state and local governments will incur to control stormwater generated by our nation's highways.

Stormwater runoff has a significant effect on thousands of miles of the nation's rivers and streams. The bill acknowledges this impact and assists states and local communities in addressing this growing water quality problem.

Thank you for your consideration.

Sincerely,

DIANE VANDE HEI,
Executive Director.

ASSOCIATION OF METROPOLITAN SEWERAGE AGENCIES,
April 22, 2005.

Re Support for S. 732 and the Highway Stormwater Discharge Mitigation Program.

Hon. JAMES M. INHOFE,
Chair, Environment and Public Works Committee, U.S. Senate, Washington, DC.

Hon. JAMES M. JEFFORDS,
Ranking Member, Environmental and Public Works Committee, U.S. Senate, Washington, DC.

DEAR CHAIRMAN INHOFE AND SENATOR JEFFORDS: We are writing to express our strong support for the Safe, Accountable, Flexible and Efficient Transportation Equity Act of 2005 (SAFETEA) (S. 732) *as passed* March 16 by the Senate Environment and Public Works Committee. The Committee's bill includes a provision to authorize $867.6 million over five years for stormwater mitigation projects, using just 2% of the Surface Transportation Program funds. Such projects include stormwater retrofits, the recharge of groundwater, natural filters, stream restoration, minimization of stream bank erosion, innovative technologies, and others.

According to the U.S. Environmental Protection Agency, polluted stormwater from impervious surfaces such as roads is a leading cause of impairment for nearly 40% of U.S. waterways not meeting water quality standards. Roadways produce some of the highest concentrations of pollutants such as phosphorus, suspended solids, bacteria, and heavy metals.

AMSA represents hundreds of publicly owned treatment works, many of which have municipal stormwater management responsibilities. Your continued support for S. 732, including the Highway Stormwater Discharge Mitigation Program, would provide much-needed support to these communities. Thank you for your leadership and please feel free to contact me at 202/833–4653 if AMSA can provide you with additional information.

Sincerely,

KEN KIRK,
Executive Director.

TROUT UNLIMITED,
March 15, 2005.

Re Support of Highway Stormwater Discharge Mitigation Funding in the Transportation Bill.

Hon. JIM INHOFE,
Chairman, Environment and Public Works Committee, U.S. Senate, Washington, DC.

DEAR CHAIRMAN INHOFE: Trout Unlimited, the nation's leading trout and salmon conservation organization, urges you to support funding to mitigate stormwater runoff in this year's transportation bill. A similar provision, Section 1620, the Highway Stormwater Discharge Mitigation Program, was included in last year's Senate transportation bill, S. 1072.

Stormwater runoff is a significant source of pollution for all the nation's waters, and is a major cause of trout and salmon habitat loss. Roads are a major source of stormwater runoff. Road building in the United States has created millions of miles of impervious surfaces that collect water and pollutants. When mixed with rain and melting snow, these pollutants flow unimpeded into nearby streams, undermining water quality and warming water temperatures to the point where trout habitat is damaged. Furthermore, excessive and poorly designed road building through watersheds can turn normal rainstorms into small flash floods that scour stream bottoms and de-stabilize stream banks, leading to poorer quality streams over time.

Congress has recognized that runoff pollution from highways lowers water quality and destroys habitat in receiving waters in previous highway bills (ISTEA and TEA–21), but has not yet succeeded in getting adequate funding directed at curbing this pollution. In 2000, EPA estimated at least $8.3 billion over 20 years in local funding needs to address stormwater requirements. The time to take action is now as you consider the new Highway Bill.

In addition to providing much-needed funding, the bill encourages projects with the least impact on streams and promotes the use of non-structural techniques, such as created wetlands, to mitigate the negative impacts of storm water. These approaches are generally more cost-effective and do more to protect and improve water quality and protect habitat.

Thank you for your support of this important provision in this year's transportation bill.

Sincerely yours,

STEVE MOYER,
Vice President, Government Affairs and Volunteer Operations.

COMMONWEALTH OF VIRGINIA,
OFFICE OF THE GOVERNOR,
April 19, 2004.

The Hon. JOHN W. WARNER,
U.S. Senate,
Washington, DC.

DEAR SENATOR WARNER: As always, the Commonwealth deeply appreciates your efforts to improve our environment as well as our transportation system. I am writing to provide my strong support for your amendment to the Senate Surface Transportation Reauthorization Bill that provides for a highway stormwater discharge mitigation program.

A program such as this could help to improve water quality in the Chesapeake Bay, and other watersheds in the Commonwealth. Virginia is prepared to work with you and other states to ensure that these funds can be flexibly managed by VDOT to achieve our shared goal of improving stormwater discharge from existing or future federal-aid highways.

I appreciate your continuing support of the many and varied interests across the Commonwealth. I look forward to furthering these interests through the reauthorization of the Surface Transportation Act.

Sincerely,

MARK R. WARNER.

COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX,
Fairfax, Virginia, April 27, 2005.

Senator JOHN W. WARNER,
Washington, DC.

DEAR SENATOR WARNER: I am writing to you in my capacity as the President of the Virginia Association of Counties (VACO) to urge your continued support for the stormwater provisions of your Committee-approved SAFETEA plan to renew the nation's surface transportation programs.

These provisions, reserving less than 1/3 of a penny on every authorized dollar, are a very modest commitment to an enormous challenge before local governments struggling with contamination of drinking water and cleanup of streams, rivers, lakes and ponds from highway and street stormwater discharge, including oil, grease, lead and mercury. Moreover, I have received assurances that these provisions limit funding to actual facilities on the federal aid system, which is a critical factor underlying my support of this program. This is important to the local governments since it ensures that users of these systems contribute something to the broader efforts under the Clean Water Act to reduce pollutants from the nation's major highways and roads.

Absent some commitment to retrofitting existing facilities on the federal aid system during this renewal period, stormwater pollution cleanup costs, including loadings attributable to the federal aid system, will be borne largely by local taxpayers through property taxes, other general taxes and wastewater utility user fees.

As Fairfax County and other localities within the Chesapeake Bay watershed work to limit stormwater runoff and improve the Bay's health, I ask that you and your colleagues show your support for this critical component of SAFETEA. It is vital that environmental mitigation efforts are regarded as an integral feature of a safe and efficient national transportation network.

I appreciate your making these provisions part of your SAFETEA legislation and urge you to preserve this important commitment to stormwater pollution abatement efforts during your conference committee deliberations with the House.

Sincerely,

GERRY CONNOLLY.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, obviously, my good friend, the Senator from Virginia, and I view this very differently. I will outline some of the differences we have.

Let me clarify. The Senator from Virginia noted that the bill passed last year in the Senate with the storm water provision included. I ask my colleagues to recall that we did so only with the agreement that I would not raise it in the Senate in order to get it to conference, and we would address it in conference. I did so out of deference to my colleagues to get the bill off the floor and to conference in what turned out to be the vain hope we could get a conference agreement on the bill which we badly needed last year.

I did not want to hold up progress on the bill last year. We did not have time to debate it fully. But this year, we have time to debate it fully. It is appropriate we do so.

First, let me address the concept that this is a modest amendment, a small amendment.

Back home, $900 million is not a small amount. I live in a State where $900 million means a whole lot. Do you know to whom it means a lot? It means a lot to the mayors. The mayors want safety for their citizens. These are community leaders who come to Washington to talk to me about how badly they need the money for their roads.

I don't think $900 million is small. I don't think we should take $900 million from the highway, bridge, transit construction budget.

But if Senators think their State has more than enough highway dollars and can afford to give money away for storm water, I would be glad to know that as we move forward on appropriations matters and other matters dealing with transportation.

With respect to what this underlying bill will do, section 1620, which was sponsored by the Senator from Virginia, mandates States set aside 2 percent of the funds in their main highway accounts—nearly $900 million total over the life of the bill—to be used only, regardless of need, on storm water mitigation activities.

If allowed to remain in the bill, the mandatory set-aside would force all States to divert $740 million from their Surface Transportation Program funds. The mandatory set-aside would also force States to divert over $125 million from the Equity Bonus Program set up to help almost every State receive more transportation. That is where I get the $900 million figure.

However, if this figure is struck, if the State of Virginia or any other State wants to use it, storm water mitigation activities are already eligible for funding. States can spend up to 20 percent of a project's cost using STP funds on storm water mitigation if they choose. The underlying bill also expanded funding eligibility for storm water mitigation by adding it to the eligible activities. The National Highway System program states they will be able to spend up to 20 percent of a project's costs using NHS on storm water mitigation if they choose.

I have already listed what the impact of the mandatory set-aside would be. The occupant of the chair is from Minnesota. That would be a $17.7 million hit on Minnesota. In addition, the State of Virginia would have to set aside $23 million. But I guess they would want to use that money on storm water anyhow.

Mr. WARNER. Will the Senator yield?

If the Senator is reading from the same statistics, give the full information.

The Senator said to our distinguished Presiding officer of Minnesota that indeed $17 million would be taken out of the asphalt and concrete. But I point to the next column: Your State holds $471 million under the mandate by the EPA for clean water. I have calculated that $17 million is helping, in a very modest way, the obligation of your State for $471 million to meet the mandate put on by the Senate and House of Representatives.

I know, as a former Governor, how you——

Mr. BOND. I would like to respond and finish my presentation. Then we can get into a discussion.

Mr. WARNER. I have always admired the Senator for so many reasons. I really regret to be out here so forcefully taking him on with his arm in a sling.

Mr. BOND. You have no conscience.

Mr. WARNER. No conscience.

I ask you—you are out here accusing me of putting in a mandate—how many

mandates in this bill are you the author of?

For instance, Safe Walks to Schools—hurray. I am all for it. Very good one.

Mr. BOND. I didn't support that.

Mr. WARNER. I beg your pardon?

Mr. BOND. I didn't vote for that. I will address that at some point.

Mr. WARNER. Do you have a question to put to me?

Mr. BOND. I thought I had the floor.

The PRESIDING OFFICER. The Senator from Missouri has the floor.

Mr. WARNER. But I will get it back.

Mr. BOND. All good things come to an end. I appreciate the comments. I was going to address the need for clean water, but my good friend from Virginia is saying we need to make this into a water bill. He said we need to fund local water projects for Governors.

I thought this was a transportation bill. I have already pointed out that the States can use up to 20 percent of STP in the national highway funds on storm water mitigation. But there are lots of unfunded mandates that this body has put, in the past, on our local governments to clean up local water.

Do you know something. For the last dozen years, I have fought as chairman of the VA–HUD Appropriations subcommittee, with my colleague and very good friend, Senator MIKULSKI of Maryland, to provide the funds we need to try to help States and local governments meet their obligations.

There is something called the State revolving funds, and every year the Office of Management and Budget—it does not matter whether it is a Republican or Democrat—cuts it. Those are the most important funds we can provide. We put in over $2 billion each year. It gets cut. We put it back in the next year to go into the State revolving funds. Senator MIKULSKI and I have funded hundreds and hundreds of millions of dollars of water cleanup projects in various States—including Virginia, I am proud to say, a State of which I am very fond—and helping them deal with their clean water needs.

This is a transportation bill. I hear a lot from mayors and local government officials. They need transportation. There are waters needs, yes, but these water needs are about $200 billion—$200 to $250 billion—and unfunded. We could take the entire transportation budget, dump it into water, and still not meet the needs.

He has talked about how important safe drinking water is for health. And I agree. Really, it is one of the best environmental investments we could make. But when you are talking about public health, let's talk about the slaughter on the highways. The whole purpose of this bill is called SAFETEA. The administration says, and I believe, we need to make our highways safer. We kill three people a day or more on Missouri highways. Over 365 of those people die every year because our highways are inadequate. We have narrow two-lane roads that really should be divided four-lane highways, and people get killed on them. Jobs do not come to town when we do not have adequate roads. We contribute to pollution when we tie up traffic on these roads. We need to put these dollars to work.

As I said, the good Senator from Virginia mentioned the mayors support it. Well, my mayors support money for highways and bridges and transportation. But I can tell you, the States strongly support my amendment. They do not want their hands tied by a new Federal mandate. We have too many mandates in this bill, and I would be willing to take a look at some of the others.

But the State departments of transportation want and need the flexibility to spend their own highway dollars. That is why the organization of State highway directors, AASHTO, said: ''We need your immediate help.'' They absolutely want the help of every person in this body to support the Bond amendment to strike section 1620. They say:

> Section 1620 mandates that States set-aside 2%. . . . This will divert $867 million from a core program that provides funding for highway, bridge and transit construction, rehabilitation and repair. If this provision is removed, any State can continue to spend up to 20% of a project's cost on storm water activities—but at the discretion of the State.

So here we are asking this body to be, again, a ''daddy knows best.'' We are going to tell States they have to spend $900 million—which is not much in ''Washington speak,'' but it is an awful lot in my ''home State speak''—for storm waters.

I have already submitted the letters of support. Let me give you some more of the organizations, in addition to AASHTO: the United Brotherhood of Carpenters and Joiners of America, Laborers-International Union of North America, the International Union of Operating Engineers, the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers, the American Society of Civil Engineers, the American Council of Engineering Companies—and the list goes on. These people understand how badly we need these highway dollars. Anybody who thinks the $284 billion that we were able to get to bring this bill to the floor is adequate has not gone home and listened to the people.

Mr. INHOFE. Will the Senator yield?

Mr. BOND. I am happy to yield.

Mr. INHOFE. This has been a very good debate and lively debate, and you both adequately confused me. I think that we should maybe draw this to an end. In a moment I would like to make a unanimous consent request that would limit the debate on the amendment. I have been checking with you individually. So I ask I be recognized at the conclusion of the Senator's remarks and any remarks the Senator from Virginia may have for that request.

Mr. WARNER. Mr. President, I certainly have no objection. How might we best accommodate the managers of the bill? A few more minutes on my side, a few more minutes I presume from my colleague, and we would be—

Mr. INHOFE. I was going to propound a UC that you have 3 additional minutes, the Senator from Missouri has 3 additional minutes, and Senator JEFFORDS 2 additional minutes, if that is all right.

Mr. BOND. Do you want 2?

Mr. INHOFE. No, I don't want 2. I already had my 2.

Mr. BOND. Go ahead, please.

Mr. INHOFE. Thank you. So if there is no objection—

Mr. WARNER. Reserving the right to object, I wonder if you would ask that I be recognized at the conclusion of the debate for purposes of making a tabling motion.

The PRESIDING OFFICER. Is there objection?

Mr. INHOFE. Let me go ahead and put this in order, then.

ORDER OF PROCEDURE

Mr. President, I ask unanimous consent that there be 8 minutes remaining for debate prior to a vote in relation to the Bond amendment No. 592, with Senator WARNER in control of 3 minutes, Senator BOND in control of 3 minutes, Senator JEFFORDS in control of 2 minutes, and that Senator WARNER would be recognized to make a tabling motion; provided further, that following that debate, the Senate proceed to a vote in relation to the amendment, with no amendment in order to the amendment prior to the vote—

Mr. WARNER. Mr. President, the purpose of my recognition is to move to table. Is that clearly understood?

Mr. BOND. Yes.

Mr. INHOFE. Yes, it is clearly understood. Let me finish here.

Further, that following that vote, the Senate proceed to executive session for the consideration en bloc of Calendar No. 67, Calendar No. 68; further, that there then be 30 minutes equally divided between the chairman and ranking member or their designees; provided further, that following that debate the Senate return to legislative session and the votes occur on the confirmation of the two nominations at a time determined by the majority leader, after consultation with the Democrat leader, and that following those votes the President be notified of the Senate's action, and the Senate resume legislative session.

The PRESIDING OFFICER. Objection was heard to unanimous consent request.

Is there objection?

Mr. WARNER. No. I withdraw any objection. I thank the Presiding Officer. And I just might add by way of courtesy to the Senators, they can expect a rollcall vote within the next 10 minutes or so. Would that not be correct?

Mr. INHOFE. That would be correct.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Missouri.

Mr. BOND. To conclude my opening comments, I would note that the administration, in its statement of policy, says: The inclusion of a mandatory 2-percent set-aside from the STP program to support a highway storm water mitigation program is opposed. Storm water discharge mitigation costs are already eligible under STP.

I very much appreciate the assistance of the chairman of the committee, Senator INHOFE, who supports my amendment and spoke eloquently earlier on it.

Mr. President, I reserve the remainder of my time and now turn the floor over to——

Mr. WARNER. Mr. President, will the Senator yield for a question?

You have just advised the Senate that the administration has taken a position. I wish to add, is that the current AP or the one that was given last year?

Mr. BOND. April 26, 2005.

Mr. WARNER. Fine.

Mr. BOND. You may find it at the top of page 2.

Mr. WARNER. I accept the proffer.

Mr. President, while the Senator is on his feet, I say to the Senator, you say that this mandate is going to take some money from the bill. I have added up a number of mandates that our committee has put into this bill which are funded out of highways. Two of them, I commend you for. One is the NHS connecters—that is connecting some of our local systems to the interstate—which are valid. That is $900 million. Safe roads and paths to schools—that is a mandate. I commend you for that. That is $312 million. And Railroad diversion of highway funds, $893 million. It goes on and on.

I have to tell you, I think this is a well-crafted bill. It has my support. The chairman knows that. But, please, do not point the finger to me as if I am the only one who put a mandate in to help the little fellows. They are in here, plenty of them.

Thank you for your smile. That is all I wish to say. You agree with me.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Mr. President, I rise in opposition to the Bond amendment.

This section provides much-needed assistance to our States and local communities to deal with the impacts of highway storm water discharges.

I urge my colleagues to continue their support for this vital program which the full Senate adopted in the 108th Congress.

My colleague from Missouri argues that this provision takes money away from State highway departments.

That is not the case.

This provision simply ensures that of the funds provided to State highway departments, an extremely small percentage, 2 percent, will be spent on storm water problems caused by Federal aid highways.

Who will benefit?

Local communities will benefit. That is why the U.S. Conference of Mayors is opposed to the Bond amendment.

Without the funds set aside by the storm water program in the highway bill, local communities will be left holding the bill for compliance with storm water regulations in areas where Federal aid highways contribute to storm water pollution.

Our Nation's wildlife will benefit.

One of this section's greatest supporters is Trout Unlimited.

They recognize that storm water runoff presents a huge risk to fish populations all across the Nation.

Other groups opposed to the Bond amendment include the League of Conservation Voters.

A vote against the Bond amendment is a vote for clean water.

A vote against the Bond amendment is a vote for local communities.

I urge my colleagues to oppose the Bond amendment.

I yield the remainder of my time to the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I wish to point out that as Senators come down to vote, I will put this sheet down for their examination. It shows the current allocation of aggregate Surface Transportation Program funds to their respective States, followed by a column which indicates the amount of money that the current markup with the Warner provision in it takes for the storm water. And then in the right-hand column is what their States owe under the EPA mandate to clean up water.

You will find that I offset by just a small percentage the enormous obligation each Senator's State has with regard to the EPA-mandated cleanup of the water.

I thank the Chair and thank my colleagues for a very good debate. I hope we have fairly and adequately framed it for all Senators.

I move to table Bond amendment No. 592, and I ask for the yeas and nays.

The PRESIDING OFFICER. The Senator from Missouri has 2 minutes remaining.

Mr. WARNER. I will withhold.

Mr. BOND. Mr. President, I thank my colleagues.

This particular mandate of the good Senator from Virginia is one that I don't like. He put in another mandate to increase funding for metropolitan planning organizations. If we could pass a Clear Skies bill, we wouldn't need to waste all that time on planning activities because we would clean up our air with a heavy restriction on utilities. That is a debate for another time. But just because there are too many mandates in this bill already does not justify keeping $900 million in State budgets out of transportation needs and putting it into storm water.

Don't forget, as we have said, the States now can spend up to 20 percent of their STP and the National Highway System money on storm water cleanups. Granted, there are tremendous needs for cleaning up the water, wastewater and drinking water. We need to address those. I wish we could address them more generously in the water cleanup bills. But this is taking money away from the lifeblood of transportation lifesaving highway construction that we need in our States.

Our mayors—in Missouri, the ones I have talked to—and community leaders are very strongly in favor of it. I guess the good Senator and I will have dueling charts showing how much money is set aside from the State budgets. We know the amounts set aside in the State budgets pale by comparison to the water needs, but the needs for highways go far beyond that in our States. I strongly urge my colleagues to oppose the motion to table because we need better, safer transportation to meet the goals of SAFETEA.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I simply wish to reply that the amendment that is in the bill provides jobs. The same construction worker who is on the project building the new road comes down and repairs the old road. It requires concrete and asphalt to repair the old road, to divert the water. So it is highway construction. It is jobs. There is no digression of the funds except to provide a safety measure.

Mr. BOND. Mr. President, all of the labor organizations, the State highway officials, all of the groups that provide those funds strongly support my amendment and would oppose the motion to table of the Senator from Virginia.

Mr. WARNER. Mr. President, those organizations have been misinformed.

I move to table the Bond amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 51, nays 49, as follows:

[Rollcall Vote No. 113 Leg.]

YEAS—51

Akaka	Durbin	McCain
Alexander	Ensign	Mikulski
Baucus	Feingold	Murray
Bayh	Feinstein	Nelson (FL)
Bennett	Harkin	Nelson (NE)
Biden	Hatch	Obama
Bingaman	Inouye	Pryor
Boxer	Jeffords	Reed
Cantwell	Johnson	Reid
Carper	Kennedy	Rockefeller
Chafee	Kerry	Salazar
Clinton	Kohl	Sarbanes
Coleman	Lautenberg	Schumer
Corzine	Leahy	Smith
Dayton	Levin	Stabenow
Dodd	Lieberman	Warner
Dorgan	Lincoln	Wyden

NAYS—49

Allard	DeWine	McConnell
Allen	Dole	Murkowski
Bond	Domenici	Roberts
Brownback	Enzi	Santorum
Bunning	Frist	Sessions
Burns	Graham	Shelby
Burr	Grassley	Snowe
Byrd	Gregg	Specter
Chambliss	Hagel	Stevens
Coburn	Hutchison	Sununu
Cochran	Inhofe	Talent
Collins	Isakson	Thomas
Conrad	Kyl	Thune
Cornyn	Landrieu	Vitter
Craig	Lott	Voinovich
Crapo	Lugar	
DeMint	Martinez	

The motion was agreed to.

Mr. SARBANES. Mr. President, I move to reconsider the vote.

Mr. WARNER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 593

Mr. GREGG. Mr. President, I ask unanimous consent that Senators THOMAS and JOHNSON be added as cosponsors of Thune amendment No. 593.

I further ask unanimous consent that the yeas and nays previously ordered on the amendment be vitiated and that the amendment be adopted.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 593) was agreed to.

AMENDMENT NO. 594 TO AMENDMENT NO. 567

Mr. GREGG. Mr. President, I ask unanimous consent that the amendment at the desk submitted by Senator ISAKSON be considered; provided further that the amendment be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the amendment.

The bill clerk read as follows:

The Senator from New Hampshire [Mr. GREGG], for Mr. ISAKSON, proposes an amendment numbered 594 to amendment No. 567.

Mr. GREGG. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 594) was agreed to as follows:

(Purpose: To require the Secretary of Transportation to approve a certain construction project in the State of Georgia, provide for the reservation of Federal funds for the project, and clarify that the project meets certain requirements)

At the end of subtitle H of title I, add the following:

SEC. 18___. APPROVAL AND FUNDING FOR CERTAIN CONSTRUCTION PROJECTS.

(a) IN GENERAL.—Not later than 30 days after the date of receipt by the Secretary of a construction authorization request from the State of Georgia, Department of Transportation for project STP–189–1(15)CT 3 in Gwinnett County, Georgia, the Secretary shall—

(1) approve the project; and

(2) reserve such Federal funds available to the Secretary as are necessary for the project.

(b) CONFORMITY DETERMINATION.—

(1) IN GENERAL.—Approval, funding, and implementation of the project referred to in subsection (a) shall not be subject to the requirements of part 93 of title 40, Code of Federal Regulations (or successor regulations).

(2) REGIONAL EMISSIONS.—Notwithstanding paragraph (1), all subsequent regional emissions analysis required by section 93.118 or 93.119 of title 40, Code of Federal Regulations (or successor regulations), shall include the project.

N O T I C E

Incomplete record of Senate proceedings.

Today's Senate proceedings will be continued in Book II.

EXTENSIONS OF REMARKS

CONGRATULATIONS TO THE NEXT UNITED STATES TRADE REPRESENTATIVE, ROB PORTMAN

HON. J. DENNIS HASTERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 28, 2005

Mr. HASTERT. Mr. Speaker, I want to congratulate my good friend from Ohio, Rep. ROB PORTMAN. As you all know, ROB is likely to be confirmed by the Senate to be the next United States Trade Representative. His confirmation means that American companies and their products have a tireless advocate in the global marketplace.

While we all wish ROB the best, it's a sad day for the House of Representatives and the Republican Leadership team.

ROB PORTMAN is a true ''people's legislator.'' From the moment he was elected from Ohio's Second Congressional District 12 years ago, ROB has worked tirelessly for the people of Ohio. He is a member of the Ways and Means Committee and serves as Vice-Chairman of the Budget Committee. His congressional work has done much to benefit the American people.

ROB authored or coauthored more than a dozen bills that passed both Houses and eventually became law. His accomplishments include improving our nation's pension laws, eliminating capital gains taxes on the sale of most homes, restructuring the IRS with significant new taxpayer rights, and in an area that is close to my heart, ROB helped enact legislation that supports community anti-drug efforts. Most recently, he assisted in drafting landmark legislation to create what we now know as the Department of Homeland Security, one of the largest and most significant reorganizations of the Federal government in our nation's history.

Since January 2001, ROB has served as the Chairman of the Elected Leadership for House Republicans. He has been an outstanding and invaluable member of our team in the House.

The list of ROB PORTMAN's contributions to the House of Representatives and the American people could go on and on. The Nation is fortunate to have had his service in the House of Representatives.

I am especially privileged to have had ROB PORTMAN's friendship as well. His character and integrity are unquestionable. His dedication to our country and his constituents is surpassed only by his devotion to his wife Jane and their three children.

It is my pleasure to congratulate the next United States Trade Representative, ROB PORTMAN. I wish him the very best.

IN HONOR AND RECOGNITION OF MR. JAMES PATRICK NEWMAN AND ELIZABETH A. WADDEN IN CELEBRATION OF THEIR 50TH WEDDING ANNIVERSARY: MAY 7, 2005

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 28, 2005

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of Jim and Betty Newman, as they celebrate fifty years of devotion to each other, to their family, extended family and many close friends. This unbreakable union represents a deep and abiding love, not only for each other, but also for their children, grandchildren and for their community.

Jim Newman and Betty Wadden were both born and raised on Cleveland's Westside. They were married at St. Colman's Catholic Church on May 7, 1955. They moved a few miles west to Lakewood, where together they raised six children: Barbara, Timothy, Dennis, William, Daniel and James. They remain a loving, guiding force in the lives of their children, and also in the lives of their eighteen grandchildren, all of whom remain in the Cleveland area. Jim and Betty instilled a strong sense of kindness, humor and integrity into the hearts and minds of their children. They taught by example, interspersed by Jim's quick wit and Betty's caring nature, offering lessons that reflected their own lives—lives framed by hard work, patience, laughter and enduring strength during difficult moments. Besides commitment to family and community, both Jim and Betty share concern for our country and our world. Jim is a United States Veteran, having honorably served in the United States Army during the Korean War.

Jim and Betty were able to effectively balance the demands of family, work and community, with family as the main focus. Jim is now retired from CEI, following more than thirty years of service. Betty is also retired after working for many years as a member of the Baker's Union with Fisher-Fazio and Rini-Rego's. Today, they remain active within the lives of their family, parish and community. When winter finally breaks, Jim and Betty spend peaceful summer days along the shores of Lake Erie, where they gather with family and friends at their Marblehead cottage.

Mr. Speaker and Colleagues, please join me in honor and recognition of Jim and Betty Newman, as we join them in celebration of this joyous occasion—their 50th wedding anniversary. Jim and Betty continue to inspire those around them to live life with love, caring and humor, to give back to the community, and to hold family closest to their hearts.

IN SUPPORT OF HARLEY-DAVIDSON INC.

HON. PAUL RYAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 28, 2005

Mr. RYAN of Wisconsin. Mr. Speaker, I rise today to introduce legislation on behalf of Harley-Davidson Inc., the only major U.S.-based motorcycle manufacturer and the world's leading seller of large displacement motorcycles. Harley-Davidson was founded in Milwaukee, Wisconsin in 1903, and has become a significant part of the social, economic, and cultural heritage of the United States. Over the years, Harley has provided thousands of jobs to the people of Wisconsin, with 4,000 Harley employees working in the state today. In addition, Buell Motorcycle Company, a subsidiary of Harley-Davidson, Inc., employs another 200 workers in East Troy, Wisconsin.

We must help manufacturers like Harley-Davidson remain competitive in the global marketplace so that good, high-paying manufacturing jobs are retained in Wisconsin and throughout the United States. Although our nation has seen strong economic growth over the past two years, our manufacturing sector has not fully recovered all of the jobs that it lost as a result of the 2001 recession. In fact, the State of Wisconsin is still down 77,200 net manufacturing jobs since January 2001. The most effective way to address this problem is to bring down the costs of domestic manufacturing so that all companies like Harley are more competitive, more profitable, and can employ more hard-working Americans.

The machines included in this legislation are a vital part of Harley's manufacturing process, but they are not produced domestically. Thus, Harley is forced to pay a 4.4% tariff rate on the equipment they require to manufacture their products in the United States. This bill, which temporarily eliminates the tariff, will bring down Harley's production costs, improve their international competitiveness, and help them keep high-paying manufacturing jobs at home.

I look forward to working with my colleagues in Congress to pass this legislation.

DEEPEST SYMPATHY FOR THE FAMILIES OF LILIBETH GOMEZ AND HARRISON OROSCO

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 28, 2005

Mr. MORAN of Virginia. Mr. Speaker, I rise today to express my deep sorrow and heartfelt sympathy for the families of Lilibeth Gomez and Harrison Orosco, two beautiful children who lost their lives last week in a school bus accident in Arlington County, Virginia. As a parent, I understand that losing a child produces immeasurable grief that words cannot

adequately express. I can only hope that during this difficult time these families and the communities that embrace them will find strength and joy in fond memories of Lilibeth and Harrison.

In newspapers and on television we have been witness to the images of scared parents, forlorn classmates, and the devastation a single accident can cause. These scenes are heartbreaking for everyone. What hasn't been widely exposed, but serves as an equally powerful statement, is the effort of the community to support the Gomez and Orosco families in their time of need. Parents, teachers, students, local officials and other residents in Arlington County and Northern Virginia have demonstrated their love and goodwill by offering sympathy letters and cards, a needed friend for survivors, and thoughtful financial support. The collective strength and love of this community, many of whom didn't know any of the families affected but still wanted to help, serves as a beacon for those struggling with the loss. I have never been more proud to represent this wonderfully caring and diverse community.

Throughout this tragedy, the Parents and Teachers Association of Boston-Hoffman Elementary School has been centrally involved. Providing an outlet for the community to share in their collective grief and express their support, Boston-Hoffman PTA has established a donation fund, extra counseling for students, and a place to send flowers, cards and letters that respects these families' wishes to grieve privately. I greatly admire their noble actions and commend the Boston-Hoffman PTA for filling a needed void during such challenging circumstances.

Mr. Speaker, I hope you will join me in expressing this body's condolences to these families who may never fully recuperate following the losses of Lilibeth and Harrison. In the midst of this tragedy though, we have experienced the Arlington community at its most caring best. This effort, along with the shared memories of these two children, will never be forgotten.

RESPONSIBILITY EVADED

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 28, 2005

Mr. FRANK of Massachusetts. Mr. Speaker, it is deeply discouraging that no high-ranking military or civilian defense officials are being held accountable for the terrible abuses of basic human rights that occurred at the prison in Abu Ghraib. The editorial from the Washington Post, which I hereby insert into the RECORD, makes the point very well. The failure of the Bush Administration to hold any high-ranking official in any way accountable for this grave lapse is in itself a deeply regrettable example of dereliction of duty.

[From the washingtonpost.com, Apr. 23, 2005]

TOP OFFICERS IN ABU GHRAIB CASE CLEARED

(By Robert Burns)

WASHINGTON.—Lt. Gen. Ricardo Sanchez, faulted by some for leadership failures in the Abu Ghraib prisoner abuse scandal, has been cleared by the Army of all allegations of wrongdoing and will not be punished, officials said.

Three officers who were among Sanchez's top deputies during the period of the prisoner abuse in the fall of 2003 also have been cleared. An Army Reserve one-star general has been reprimanded, and the outcome of seven other senior Army officer cases could not be learned Friday.

Sanchez, who became the senior U.S. commander in Iraq in June 2003, two months after the fall of Baghdad, has not been accused of criminal violations. It is unclear, however, whether the controversy surrounding his role in Iraq will stand in the way of his earning a fourth star. He is nearing the end of his tenure as commander of the Army's 5th Corps, based in Germany.

After assessing the allegations against Sanchez and taking sworn statements from 37 people, the Army's inspector general, Lt. Gen. Stanley E. Green, concluded that the allegations were unsubstantiated, according to officials familiar with the details of Green's probe.

Green reached the same conclusion in the cases of two generals and a colonel who worked on Sanchez's staff.

The 'officials who disclosed the findings spoke only on condition of anonymity because the results on Sanchez and 11 other officers who were the subject of Green's scrutiny have not yet been publicly released and Congress has not been fully briefed.

The question of accountability among senior Army and Defense Department officials who were in positions of responsibility on Iraq detention and interrogation policy has been hotly debated in Congress. Some Democrats accuse the Pentagon of foisting all the blame onto low-ranking soldiers.

In a statement issued Friday that did not mention Sanchez or other specific cases, Sen. John Warner, chairman of the Senate Armed Services Committee, said that as soon as all Pentagon assessments of accountability are complete he will hold a committee hearing ''to examine the adequacy of those reviews'' and to hear senior civilian and military officials address the issue.

Warner, R-Va., said he strongly agrees with one investigation report that concluded last year that commanders should be held accountable for their action or inaction and that military as well as civilian leaders in the Pentagon ''share this burden of responsibility.''

The office of Michigan Sen. Carl Levin, the ranking Democrat on the Senate Armed Services Committee, declined to comment on the matter.

Asked about public expectations of punishment for senior officers associated with Abu Ghraib, the Army's chief public affairs officer, Brig. Gen. Vincent Brooks, said the Army went to great lengths to make its investigations thorough and fair.

In addition to clearing Sanchez, the Army inspector general has determined that there should be no punishment given to Sanchez's former top deputy, Maj. Gen. Walter Wojdakowski; to Maj. Gen. Barbara Fast, who was Sanchez's intelligence chief in Baghdad; or to Col. Mark Warren, Sanchez's top legal adviser at the time.

In an interview Friday, three senior defense officials associated with the Green investigations cited mitigating circumstances in the Sanchez case, including the fact that his organization in Iraq, known as Combined Joint Task Force 7, initially was short of the senior officers it required. They also cited the upsurge in insurgent violence shortly after Sanchez took command and the intense pressure the military faced in hunting down Saddam Hussein.

The three officials spoke on condition of anonymity.

A separate investigation by a panel headed for former Defense Secretary James Schlesinger concluded that Sanchez should have taken stronger action in November 2003 when he realized the extent of problems among the military intelligence and military police units running Abu Ghraib.

A subsequent Army investigation, made public last summer in what was called the Kern-Fay-Jones report, concluded that although Sanchez and his most senior deputies were not directly involved in the bases at Abu Ghraib, their ''action and inaction did indirectly contribute'' to some abuses.

Sanhez and Wojdakowski were cited in the Kern-Fay-Jones report for failure to ''ensure proper staff oversight of detention and interrogation operations'' in Iraq, specifically at the Abu Ghraib prison where Iraqi detainees were physically abused and sexually humiliated by military police and intelligence soldiers in fall 2003.

IN HONOR AND REMEMBRANCE OF OTTILIE MARKHOLT

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 28, 2005

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of Ottilie Markholt, loving mother, grandmother, author, dedicated union advocate, community activist, and dear friend to many. Her passing marks a great loss for her family and friends, and also for every member of our American workforce. It was Ms. Markholt's focus, drive and vision, directed at improving and securing worker's rights that brought the plight of the American worker and the labor movement into the light of day.

Ms. Markholt was born and raised in the great northwest, an only child of modest beginnings. As a young child, her family moved from the wild frontier of Alaska to Seattle, Washington. Ms. Markholt, exceptionally intelligent and well-read, rejected the socially conservative ideology present in higher education at the time, opting to quit college and focus on changing the world for the better—especially for the working class. Armed with a passion for social justice, an agile mind, a gift for writing and an unwavering commitment to the cause, Ms. Markholt set off on a lifetime journey of advocating for the struggling working class of America.

Ms. Markholt was no stranger to struggle herself. As a single mother of two young boys, Ms. Markholt survived on meager office wages by becoming an expert gardener and seamstress. She kept her boys well-fed and well-clothed by baking homemade bread, canning fruits and vegetables, making her own butter and cottage cheese, and making their own clothes. Despite adversity, she remained emotionally and physically strong, and her energy and focus served to propel the labor movement forward. From writing critically acclaimed books and articles, to knocking on doors and soliciting membership, to organizing strikes, Ms. Markholt's energy and commitment helped set the labor movement ablaze in the Pacific Northwest.

Mr. Speaker and Colleagues, please join me in honor and remembrance of the remarkable and exceptional life of Ottilie Markholt. The infinite measure of her heart, combined with her courage, vision and integrity, defined her life and served to lift the lives of countless individuals and families throughout our community,

especially those who serve as the foundation of our nation—the American laborer. Her kindness, energy, compassion and unwavering focus on making our world a better place—one union member at a time, will be remembered always. I extend my deepest condolences to her friends and family members, and especially to her sons, Bob and Lee; her grandchildren, great-grandchildren and great-great-grandchild.

Ottilie Markholt lived her life with joy, energy and in complete harmony with her principals and values. Her eternal faith in humanity and in the notion that together, we can make a positive difference, will continue to serve as an unending force of hope and possibility for every member of America's labor force, and her memory and legacy will forever live on within the hearts of all who knew and loved her well.

PERSONAL EXPLANATION

HON. PAUL RYAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 28, 2005

Mr. RYAN of Wisconsin. Mr. Speaker, yesterday, I was unavoidably delayed and missed rollcall vote No. 140. Had I been present, I would have voted ''nay''.

NATIONAL SMALL BUSINESS WEEK

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 28, 2005

Mr. MORAN of Virginia. Mr. Speaker, I am pleased to take this opportunity today to honor all those who own and work for small businesses as part of National Small Business Week. These men and women should be recognized for their spirit of entrepreneurship, determination, persistence, and contribution to our economic prosperity.

Small businesses represent 95 percent of all employers, create half of our economic growth, and create three out of four new jobs throughout the nation. As leaders in innovation and new technology, they produce up to fourteen more patents per employee than large corporations. Nearly half of these small businesses are owned by women entrepreneurs.

Owners of small businesses are risk takers who aren't afraid to take an idea they have and make it a reality. Because of their positive impact on our country, we should not make the risks they take any more difficult. The Bush Administration and Congress should cultivate small businesses by advancing policies that enable small businesses to start and flourish, not placing impediments that stunt their growth.

Under President Bush's budget, small business assistance programs are some of the hardest hit with cuts. Reductions to these assistance programs are much greater than the program cuts elsewhere in the budget he submitted to Congress. Half of all government small business assistance programs are for elimination or for severe cuts, with the average cut at nearly 80 percent. Among the programs cut or eliminated are the Community Development Financial Institutions which helps small businesses in underprivileged communities receive capital, the Microloan program which provides loans to people who would not normally be eligible to receive one; the Minority Business Development Agency which focuses only on the establishment and growth of minority owned businesses; and the Women's Business Centers which help aspiring female entrepreneurs.

These cuts are unacceptable, and I am hopeful that through the appropriations process we can restore the funding to these programs. The government should not be in the business of making it more difficult to receive start-up capital. We should also be encouraging minorities and women to begin businesses, especially in communities in need of thriving companies, not cutting the programs that make it easier to succeed.

Small business owners are the backbone of our economy. They deserve the respect and assistance of the federal government. Instead, they have seen the government cut the programs that help them become successes. I am looking forward to the day when the government is there to help every person who has ever dreamt of owning their own business and seeing those stores, restaurants and companies thrive.

CITIZENS FOR CITIZENS HEAD START PROGRAM WINS AWARD

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 28, 2005

Mr. FRANK of Massachusetts. Mr. Speaker, nothing that we do is more important than trying to provide a fair start in life for young people born into difficult economic circumstances. The Head Start and Early Head Start programs are therefore among the most valued that we have. I was pleased but not surprised to be informed that the version of these programs run by the Fall River Community Action Group, Citizens For Citizens, received the Excellence Award from the Department of Health and Human Services. Citizens For Citizens is an extraordinarily creative organization, run by dedicated people with a deep commitment to helping others. This recognition of the Head Start program is just an example of the generally excellent work that Citizens For Citizens does, and on the occasion of this, I want to congratulate Director Neil Lynch and all of those who work with him in this important endeavor.

Mr. Speaker, the Fall River Herald News last month ran an article about this program and the good work that it does. It is important for people to see examples of successful federal programs, and I therefore ask that this article from the Fall River Herald News be printed here.

[From the Herald News, Mar. 24, 2005]

CFC HEAD START PROGRAM RECEIVES PROGRAM OF EXCELLENCE AWARD

FALL RIVER.—Citizens for Citizens' Head Start and Early Head Start program has once again received the U.S. Department of Health's Program of Excellence Award following an extensive study of all aspects of the operation by a team of 12 federal reviewers.

Neil Lynch, CFC Head Start director, said that only two other programs in Massachusetts received the Program of Excellence Award. The award was presented at a regional conference in Nashua, N.H.

The reviews are conducted every three years and the highest rating is a repeat of the study results in 2001. The federal reviewers determined that CFC Head Start meets and surpasses every federal performance standard.

''The team from the U.S. Department of Health and Human Services closely scrutinized us in how effectively we were performing in the areas of education, quality health and nutrition, disabilities, social services, transportation and parent involvement,'' said Lynch.

He noted that the federal reviewers also met with community partners, including the public schools, social service agencies, parents, policy council members and the CFC board.

''I am very proud of our staff for receiving the Program of Excellence Award for the second consecutive time,'' said Lynch.

''The staff and the parents of Head Start children devote a great deal of effort into the programs we provide in order to ensure the highest quality of early childhood education possible,'' he added.

CFC operates 21 Head Start classes in Greater Fall River and an Early Head Start and home-based program on Second Street.

The federal reviewers determined CFC Head Start and Early Head Start accomplished the following:

—All curricula in place are based upon sound child development principles and presented in creative learning methods.

—Parents are actively involved in curriculum planning through a policy council, which is informed of current decisions affecting service delivery, program policies and procedures.

—Successful family partnership built.

—Rapport between staff and parents created trust and helped identify individual needs.

—Collaboration is excellent between area health and dental providers, schools, colleges and pediatric specialists.

—General layout of classrooms are safe, confortable and fully accessible.

Mark A. Sullivan Jr., executive director of CFC, said Head Start is a valuable learning resource for children and that since its inception it has successfully prepared millions of children to enter school on a level playing field.

''I am very proud of the administrators of CFC's Head Start, the staff and especially the parents who are closely involved with the program to ensure their children get a quality learning experience,'' said Sullivan.

IN HONOR OF THE VIETNAMESE COMMUNITY OF CLEVELAND AND THE THIRTIETH ANNIVERSARY OF THE FALL OF SAIGON

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 28, 2005

Mr. KUCINICH. Mr. Speaker, I rise today in remembrance and recognition of the 30th Anniversary of the Fall of Saigon. This historical date commemorates the end of the Vietnam War, and represents the beginning of a new life for tens of thousands of Vietnamese people, as they began their hopeful journey to America.

On April 30, 1975, the ancient city of Saigon fell to the conquest of communist troops. This action solidified the communist takeover of South Vietnam. Three decades later, I rise to honor the memory and sacrifice of the hundreds of thousands of South Vietnamese soldiers, American soldiers and civilians who made the ultimate sacrifice in the name of liberty and democracy.

Despite the takeover, the culture, spirit and hope reflected by the Vietnamese people remained steadfast. After the communist takeover of Saigon, thousands of Vietnamese, determined to rebuild their lives, began their treacherous exodus out of Vietnam. Their daring escape was on foot, through thick jungles and over jagged mountains. They escaped by boat, through snake-infested rivers and across turbulent seas. They became refugees in many nations, including America, with nothing more than the clothes on their back and the hope for freedom in their hearts.

Mr. Speaker and Colleagues, please join me to honor and remember the hundreds of thousands of men and women who sacrificed their lives in the name of freedom. Today, we also honor agencies and churches such as The Vietnamese Community of Greater Cleveland and St. Helena Catholic Church, that continue to offer a haven of support, services and hope to immigrants from all over the world. The Vietnamese culture, through the care and commitment of its people, has flourished in America, yet remains forever connected to its ancient cultural and historical traditions that spiral back throughout the centuries, connecting the old world to the new, spanning oceans and borders—from Vietnam to America.

PERSONAL EXPLANATION

HON. JOHN W. OLVER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 28, 2005

Mr. OLVER. Mr. Speaker, for rollcall vote No. 141 on the Scott of Virginia amendment to H.R. 748, had I been present, I would have voted in the affirmative.

HONORING JAMES BERRY, PRESIDENT OF LOCKHEED MARTIN MISSILES AND FIRE CONTROL

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 28, 2005

Mr. MARCHANT. Mr. Speaker, in accordance with the celebration of Small Business Week, I would like to recognize Mr. James Berry, President of Lockheed Martin Missiles and Fire Control, in Grand Prairie, Texas, for receiving the Dwight D. Eisenhower Award for Excellence. This award was given by the Small Business Administration. It honors large contractors that have excelled in utilizing small businesses as suppliers and subcontractors. Mr. Berry and the entire company deserve this high merit for their support of small businesses.

Small businesses are the backbone of the American economy. They are vital to innovation and major job providers for American workers. In 2003, 99.7 percent of all businesses in the United States were small firms.

Congratulations to Mr. Berry and the Lockheed Martin team in Grand Prairie for receiving this high distinction. I thank them for recognizing the importance of small businesses, and establishing an outstanding small business subcontracting program. I wish Mr. Berry and Lockheed Martin Missiles and Fire Control continued success.

IN CELEBRATION OF NATIONAL SMALL BUSINESS WEEK

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 28, 2005

Mr. WILSON of South Carolina. Mr. Speaker, small businesses represent more than 99 percent of all businesses in America and 85 percent of jobs created in the Second District of South Carolina.

As we celebrate National Small Business Week, I'm proud to congratulate Mr. Bill Head of Hilton Head Island on receiving the "2005 S.C. Small Business Person of the Year" award. Bill and his wife Vicky opened an auto center 10 years ago with only $7,000, with tools, and a dream of owning a business. Today, they employ 14 people and their business is worth over $2 million. Bill's vision and hard work made him one of the millions of small business owners who support our country's economy.

The 109th Congress is already helping small business owners like Bill by acting to permanently repeal the death tax, allow small businesses to band together to purchase health insurance, and protect small businesses against junk lawsuits. As a former small business owner, I am dedicated to making sure that small business owners have the tools they need to grow their businesses and create new jobs.

In conclusion, God bless our troops and we will never forget September 11th.

RECOGNIZING FOUR SAMARITANS

HON. JOHN E. PETERSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 28, 2005

Mr. PETERSON of Pennsylvania. Mr. Speaker, I rise today to honor four Samaritans that put their lives at risk to save a young man who was badly electrocuted after a car accident in rural Forest County, Pennsylvania, on February 12th of this year.

On that snowy Saturday, Eric Wallace was driving on Blue Jay Road through the Allegheny National Forest, when he lost control of his pickup truck. The vehicle crossed the roadway and rolled over an embankment, landing on the driver's side. Mr. Wallace climbed out of his vehicle, but came into contact with live power lines buried in the snow. Mr. Wallace went down 50 feet from his wrecked truck, his face in the snow and a hand and foot aflame from the current passing though his body.

Thankfully for Mr. Wallace, four men happened to be on this rural two-lane road on that winter Saturday. One man, Ron Weisenstein of nearby Sheffield was the first to happen by the accident scene, which he saw from his vehicle. Mr. Weisenstein pulled his vehicle over and ran to the injured passenger. Seeing the power lines across Mr. Wallace's body, Mr. Weisnesten instinctually pulled the victim away from the lines, only to receive powerful shock himself.

Michael Brunner was working at his parent's house down the road from the accident when he heard the crash. After having his parents call 911, Mr. Brunner ran down the road to join Mr. Weisenstein. Shortly thereafter, Brian Marshall came upon the accident. Appraising the situation, Mr. Marshall told the two others that he had a rope in his vehicle. Mr. Weisenstein took the rope and wrapped it around Mr. Wallace's left foot, finally pulling him off the downed power lines.

The three men found Mr. Wallace to be without a heartbeat and not breathing. Mr. Brunner remembered the CPR training he had received as a Boy Scout in his youth and with the assistance of Mr. Weisenstein was able to get the injured man breathing again. Soon after Mr. Wallace started to breath on his own, Paul Hebert came across the accident. Mr. Hebert, an Emergency Medical Technician visiting the area from Manassas, Virginia, cleared Mr. Wallace's airways and helped stabilize the man until personnel from the Sheffield Volunteer Fire Department arrived. Mr. Wallace was taken by helicopter to the Intensive Care Burn Unit at Mercy Hospital in Pittsburgh, Pennsylvania, and is now on the road to recovery.

Mr. Speaker, without the assistance of these four gentlemen who happened to be on this quiet road through the forest on a winter's day, Eric Wallace would have likely died either from electrocution or exposure to the cold. We should all applaud their quick thinking, teamwork, and selflessness to help a fellow man, and I am honored to have the opportunity to highlight their actions.

RECOGNITION OF AMSA ON THE OCCASION OF ITS 35TH ANNIVERSARY AND NAME CHANGE

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 28, 2005

Mr. DUNCAN. Mr. Speaker, I wish to take this opportunity to congratulate the Association of Metropolitan Sewerage Agencies (AMSA) on the occasion of its 35th Anniversary and on its name change to the National Association of Clean Water Agencies, or NACWA. Its 35 year record of advocacy and leadership in meeting the goals of the Clean Water Act has helped guarantee the chemical, biological, and physical health of our Nation's rivers, lakes, streams, bays, and coasts.

NACWA's members serve the majority of the sewered population in our Country and treat and reclaim over 18 billion gallons of wastewater a day. Simply stated, NACWA and its members deserve to be celebrated for their ongoing role in the remarkable revitalization of America's waterways.

Despite the improvements made so far to our Nation's waters, NACWA understands that significant work remains to be done to achieve the goals of the Clean Water Act. From the Transportation and Infrastructure Committee's

close working relationship with the Association, we know NACWA is well-positioned to continue building on our Nation's water quality gains.

The Transportation and Infrastructure Committee has looked to AMSA and will continue to look to NACWA as a valued informational resource and advocate on behalf of sound water quality policy. The Association has always been willing to share its expertise and to provide leadership in challenging times. For example, in the wake of the attacks of September 11, 2001, the Association responded immediately with creative ideas and vital leadership in developing tools and resources to help further secure our Nation's critical water infrastructure. The Association has been a vital resource on a host of clean water issues from wet weather control, nonpoint source pollution prevention, and the critical need for a sustainable, Federal-State-local partnership to meet our Nation's clean water challenges.

I have worked closely with the Association and know that NACWA will build on its tradition as a trusted resource for Congress and the U.S. Environmental Protection Agency. I also am confident that NACWA will meet its strategic objectives and the goals of AMSA's original founders. Most importantly, NACWA's success is a direct result of its broad membership. NACWA (then AMSA) was established in 1970 by representatives of 22 municipal wastewater treatment agencies. Since then, AMSA has grown into an organization of nearly 300 municipal agency members and a total membership of nearly 400 organizations poised to ensure that the 21st Century will enjoy continued water quality improvement.

The Association's public agency members not only represent what is best about public service; they exemplify what it means to be environmental practitioners. Their daily work enables us to enjoy our Nation's rivers, lakes, streams, bays, and coasts—something we, as a Nation, must never take for granted.

Once again, I congratulate NACWA on this important milestone as an organization and applaud its members for their outstanding service.

HONORING JAMES MONROE

HON. JO ANN DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 28, 2005

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I rise today on the birthday of an incredible American Statesman, and native of Virginia's First District, that I have the privilege to represent in Congress.

Serving during the "Era of Good Feelings," and as the last of the Virginia Dynasty of Presidents, James Monroe was a man devoted to Virginia, and to his grateful Nation. Born in Westmoreland County, a graduate of the College of William and Mary, and a longtime resident of Fredericksburg, James Monroe was truly a son of America's First District.

During Monroe's Presidency, our young Nation underwent many important changes. Under his leadership, the United States purchased Florida, and his Presidency saw the decline of European colonial influence in the New World.

Perhaps fitting for an early American patriot, James Monroe passed away on Independence Day, 1831. He will forever be remembered in the hearts and minds of all Americans, but his ties to Virginia will always leave him to be fondly remembered in the Commonwealth.

INTRODUCTION OF LEGISLATION TO AMEND THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES TO CLARIFY THE ARTICLE DESCRIPTION RELATING TO CERTAIN MONOCHROME GLASS ENVELOPES

HON. DONALD A. MANZULLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 28, 2005

Mr. MANZULLO. Mr. Speaker, I rise today to offer legislation that would amend the Harmonized Tariff Schedule of the United States and clarify the article description relating to certain monochrome glass envelopes. These components are incorporated into monochrome cathode ray tubes used in computer monitors, terminals, medical imaging monitors, and avionic displays. A company in the 16th Congressional District of Illinois, which I am proud to represent, manufactures these monochrome cathode ray tubes.

There are no remaining manufacturers of monochrome glass envelopes in the United States; and therefore, no rationale of retaining the current 5.2 percent duty on these components. The small manufacturer who needs this component in their final product is unnecessarily harmed by the import duty. U.S. manufacturers are struggling to survive, and we must end policies that make it more difficult for our manufacturers to compete and succeed in the international market.

Once again, I anticipate no adverse impact on any domestic producer or industry should this legislation be enacted. I know the permanent removal of this duty would be beneficial to some good, hard working people in Loves Park, Illinois. I urge my colleagues to support inclusion of this legislation into the Miscellaneous Tariff Correction bill to be moved later this year.

TRIBUTE TO JACKSON STREET SCHOOL

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 28, 2005

Mr. NEAL of Massachusetts. Mr. Speaker, it gives me great joy to extend my congratulations to the second grade "Peace Class" at the Jackson Street School in Northampton, Massachusetts. This class is the recipient of the League of Women Voters Award in conjunction with the National Student/Parent Mock Election. The award is presented to schools and organizations that contribute to increasing parent and community participation in the Mock Election and/or in the actual election process.

During the recent elections, the class organized a voter registration drive and registered about thirty-six new voters. On the eve of Election Day, the students held a candlelight vigil at City Hall encouraging people to vote by singing and holding handmade signs reading "Vote For Me Until I Can" and "Voting Is Your Right."

As a former educator, I am pleased to learn of young people going above and beyond the call to enhance their civic duties. I am honored to represent such outstanding individuals and I join with the citizens of the Second Congressional District in offering a most heartfelt congratulation to the second grade "Peace Class" at the Jackson Street School for being the recipient of this prestigious award.

INTRODUCTION OF TORTURE VICTIMS RELIEF ACT

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 28, 2005

Mr. SMITH of New Jersey. Mr. Speaker, in 1998, Congress first passed the Torture Victims Relief Act. Today, I am introducing the Torture Victims Relief Reauthorization Act. America's commitment to and compassion for the survivors of torture remains undiminished. That commitment should be manifested in concrete action, including support for torture treatment programs that can help these victims rebuild the lives that others have sought to destroy.

Nationwide, there are an estimated 400,000 survivors of torture, most of whom came to this country seeking refuge from persecution. Worldwide, it is impossible to count the numbers. Often, torture victims have been targeted by repressive regimes because of their independent political, religious or organized labor activities. Torture sends a message of fear throughout the network of a leader's family and community. As one African religious leader has said, "If they'll do this to me, what will they do to my flock?"

The Torture Victims Relief Act authorizes money for the Department of Health and Human Services to assist torture survivors in the United States; assists victims of torture through treatment centers in countries abroad; and authorizes a contribution to the United Nations Voluntary Fund for the Victims of Torture.

U.S. leadership in this area is truly consequential. I recently met with Brita Sydhoff, the new Executive Director of the International Rehabilitation Center for the Victims of Torture, based in Denmark. Her organization has challenged European governments to match the generosity of our country. Because of U.S. leadership, Spain and Italy have dramatically increased their contribution to the UN Fund for the Victims of Torture. I was also deeply heartened to learn that the Danish center, along with the Chicago-based Kovlar Center, is helping to establish treatment centers in Iraq, so that the many victims of Saddam Hussein's torturous regime can receive help.

The work that torture treatment centers undertake is profoundly challenging. In 2003, Canadian journalist Zahra Kazemi was brutally tortured and killed by Iranian authorities. A few weeks ago, an Iranian doctor who examined her body released new details about the brutality Ms. Kazemi suffered before she died. These revelations have been especially painful for Ezat Mossallanejad, a counselor for the Canadian Center for the Victims of Torture:

two decades ago, he was also tortured in Iran, as punishment for his human rights work. In Canada, as a counselor, he has helped treat many other refugees who were tortured at the same prison where Zahra Kazemi was killed. Last year, his center treated 76 Iranian torture survivors; 26 were children.

Mr. Speaker, we cannot turn our backs on people like this. With medical, psychological and social services, torture survivors have the potential to become contributing members of their communities. I hope my colleagues will join me in supporting this bill.

RECOGNIZING EL DÍA DE LOS NIÑOS

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 28, 2005

Mr. CLEAVER. Mr. Speaker, I proudly rise today in recognition of El Día de Los Niños, also known as Day of the Children. Since 1925, Día de Los Niños has expanded into a global event, celebrated every year on the 30th day of April. This day pays homage to the importance of children in our society and endorses the need for their well-being. A traditional Latin American holiday, Día de Los Niños has been observed nationally since the passage of Senate Resolution 278 on April 30, 1998.

On El Día de Los Niños, all Americans are provided an opportunity to pay tribute to those who will assume the reins of this great country—our nation's youth. Among those being honored, Latino children represent the fastest growing child population in the United States. Around the world and across this nation, community organizations, libraries, schools, and other family-serving institutions will coordinate activities and events that celebrate children in observation of this holiday. One such organization is the Mattie Rhodes Center, located in Missouri's Fifth Congressional District.

For over 110 years, the Mattie Rhodes Center has been serving residents of Kansas City's urban core that have few resources to access even the most basic of services. The Mattie Rhodes Center has a rich history of caring for children and supporting families by providing a comprehensive network of family and youth services. By providing social services, mental health counseling and art experiences in a bilingual, culturally sensitive environment, the Mattie Rhodes Center has assisted many Kansas Citians in becoming self-reliant, productive members of the community.

As a proud father of four, I happily celebrate El Día de Los Niños and the contributions of the Mattie Rhodes Center. I urge my fellow colleagues to please join me in celebrating young Americans and to use this day to renew our commitment to the future of our children in the Latino and broader communities, so that we can ensure that all children have an equal opportunity to achieve their hopes and dreams.

Daily Digest

HIGHLIGHTS

Senate and House agreed to the Conference Report to accompany H. Con. Res. 95, Budget Resolution.

Senate agreed to S. Con. Res. 29, Adjournment Resolution.

Senate

Chamber Action

Routine Proceedings, pages S4445–S4475

Measures Introduced: Forty-four bills and seven resolutions were introduced, as follows: S. 933–976, S. Res. 128–132, and S. Con. Res. 29–30.

(See next issue.)

Measures Reported: Report to accompany S. 907, to amend chapter 53 of title 49, United States Code, to improve the Nation's public transportation and for other purposes. (S. Rept. No. 109–62)

S. 136, to authorize the Secretary of the Interior to provide supplemental funding and other services that are necessary to assist certain local school districts in the State of California in providing education services for students attending schools located within Yosemite National Park, to authorize the Secretary of the Interior to adjust the boundaries of the Golden Gate National Recreation Area, with amendments. (S. Rept. No. 109–63)

S. 661, to amend the Internal Revenue Code of 1986 to provide for the modernization of the United States Tax Court, with an amendment in the nature of a substitute. (S. Rept. No. 109–64)

(See next issue.)

Measures Passed:

Commending Judge Annice M. Wagner: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of S. Res. 107, commending Annice M. Wagner, Chief Judge of the District of Columbia Court of Appeals, for her public service, and the resolution was then agreed to. **Pages S4445–46**

Public Service Recognition Week: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of S. Res. 108, expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the Nation during Public Service Recognition Week, May 2 through 8, 2005, and the resolution was then agreed to. **Pages S4446–47**

Smithsonian Institution Board of Regents: Committee on Rules and Administration was discharged from further consideration of H.J. Res. 19, providing for the appointment of Shirley Ann Jackson as a citizen regent of the Board of Regents of the Smithsonian Institution, and the resolution was then agreed to. **Page S4447**

Smithsonian Institution Board of Regents: Committee on Rules and Administration was discharged from further consideration of H.J. Res. 20, providing for the appointment of Robert P. Kogod as a citizen regent of the Board of Regents of the Smithsonian Institution, and the resolution was then agreed to. **Page S4447**

Adjournment Resolution: Senate agreed to S. Con. Res. 29, providing for a conditional adjournment or recess of the Senate. **(See next issue.)**

Celebrating Young Americans: Senate agreed to S. Res. 128, designating April 30, 2005, as "Día de los Niños: Celebrating Young Americans". **(See next issue.)**

Commending Virginia Retail Merchants Association: Senate agreed to S. Res. 129, commending the Virginia Retail Merchants Association on 100 years of service to the community. **(See next issue.)**

North American Occupational Safety and Health Week: Senate agreed to S. Res. 130, designating the week of May 1 through May 7, 2005, as "North American Occupational Safety and Health Week (NAOSH)". **(See next issue.)**

Commemorating Law Enforcement Officers: Senate agreed to S. Res. 131, commemorating and acknowledging the dedication and sacrifice made by

the men and women who have lost their lives while serving as law enforcement officers. **(See next issue.)**

National Better Hearing and Speech Month: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. Res. 121, supporting May 2005 as ''National Better Hearing and Speech Month'' and commending those States that have implemented routine hearing screenings for every newborn before the newborn leaves the hospital, and the resolution was then agreed to. **(See next issue.)**

National Hepatitis B Awareness Week: Committee on the Judiciary was discharged from further consideration of S. Res. 117, designating the week of May 9, 2005, as ''National Hepatitis B Awareness Week'', and the resolution was then agreed to. **(See next issue.)**

Animal Fighting Prohibition Enforcement Act: Committee on the Judiciary was discharged from further consideration of S. 382, to amend title 18, United States Code, to strengthen prohibitions against animal fighting, and the bill was then passed. **(See next issue.)**

Recognizing Big Brothers and Sisters: Senate agreed to H. Con. Res. 41, recognizing the second century of Big Brothers Big Sisters, and supporting the mission and goals of that organization. **(See next issue.)**

Terrorist Organizations List: Committee on Foreign Relations was discharged from further consideration of S. Res. 82, urging the European Union to add Hezbollah to the European Union's wide-ranging list of terrorist organizations, and the resolution was then agreed to, after agreeing to the following amendment to the preamble: **(See next issue.)**

Frist (for Allen) Amendment No. 596, to provide a substitute to the preamble. **(See next issue.)**

Intelsat Separated Entities: Senate passed S. 976, striking the specific privatization criteria in ORBIT for Intelsat Separated Entities (New Skies) and Inmarsat and Other Technical Corrections. **(See next issue.)**

Transportation Equity Act: Senate continued consideration of H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and then began consideration of the bill, taking action on the following amendments proposed thereto: **Pages S4452–63, S4465–75 (continued next issue)**

Adopted:

Thune Amendment No. 593 (to Amendment No. 567), to retain current levels of State authority over matters relating to preservation, historic, scenic natural environment, and community values. **Pages S4465–68, S4475 (continued next issue)**

Gregg (for Isakson) Amendment No. 594 (to Amendment No. 567), to require the Secretary of Transportation to approve a certain construction project in the State of Georgia, provide for the reservation of Federal funds for the project, and clarify that the project meets certain requirements. **Pages S4475 (continued next issue)**

Rejected:

Bond Amendment No. 592 (to Amendment No. 567), to strike the highway stormwater discharge mitigation program. (By 51 yeas to 49 nays (Vote No. 113), Senate tabled the amendment.) **Pages S4453–63, S4469–75**

Withdrawn:

Bayh Amendment No. 568 (to Amendment No. 567), to amend title VII of the Tariff Act of 1930 to provide that the provisions relating to countervailing duties apply to nonmarket economy countries. **Pages S4452 (continued next issue)**

Pending:

Inhofe Amendment No. 567, to provide a complete substitute. **Pages S4452–63, S4465–75 (continued next issue)**

Salazar Amendment No. 581 (to Amendment No. 567), to modify the percentage of apportioned funds that may be used to address needs relating to off-system bridges. **Pages S4468–69**

During consideration of this bill today, Senate also took the following action:

By 98 yeas to 1 nay (Vote No. 112), Senate agreed to the motion to recess until 2 p.m. **Page S4463**

A unanimous-consent agreement was reached providing for further consideration of the bill at 2 p.m., on Monday, May 9, 2005. **(See next issue.)**

Concurrent Budget Resolution—Conference Report: By 52 yeas to 47 nays (Vote No. 114), Senate agreed to the conference report to accompany H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, clearing the measure for the President. **(See next issue.)**

Appointments: Task Force on Slave Laborers: The Chair, on behalf of the President pro tempore, pursuant to S. Con Res. 130 (106th Congress), appointed the following individual to the Task Force on Slave Laborers: Curtis H. Sykes of Arkansas, and notes Senator Blanche Lincoln of Arkansas will serve as the designee of the Democratic Leader. **(See next issue.)**

U.S. Commission on International Religious Freedom: The Chair, on behalf of the President pro

tempore, upon the recommendation of the Democratic Leader, pursuant to Public Law 105–292, as amended by Public Law 106–55, and as further amended by Public Law 107–228, appointed the following individual to the United States Commission on International Religious Freedom: Most Reverend Ricardo Ramirez, C.S.B. of New Mexico for a term of two years (May 15, 2005–May 14, 2007).

(See next issue.)

Authorizing Leadership To Make Appointments—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, the President of the Senate, the President pro tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. **(See next issue.)**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader, Assistant Majority Leader, and Senator Warner, be authorized to sign duly enrolled bills or joint resolutions. **(See next issue.)**

Nominations Confirmed: Senate confirmed the following nominations:

James C. Dever III, of North Carolina, to be United States District Judge for the Eastern District of North Carolina.

Robert J. Conrad, Jr., of North Carolina, to be United States District Judge for the Western District of North Carolina.

Jonathan Brian Perlin, of Maryland, to be Under Secretary for Health of the Department of Veterans Affairs for a term of four years.

William Cobey, of North Carolina, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority for a term expiring May 30, 2010.

Nancy Ann Nord, of the District of Columbia, to be a Commissioner of the Consumer Product Safety Commission for the remainder of the term expiring October 26, 2005.

Nancy Ann Nord, of the District of Columbia, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2005.

Joseph H. Boardman, of New York, to be Administrator of the Federal Railroad Administration.

Stephen L. Johnson, of Maryland, to be Administrator of the Environmental Protection Agency. (Prior to this action, by 61 yeas to 37 nays (Vote No. 115), Senate agreed to the motion to invoke cloture on the nomination.) **(See next issue.)**

Robert J. Portman, of Ohio, to be United States Trade Representative, with the rank of Ambassador. (Prior to this action, the pending vote on the motion to invoke cloture on the nomination was vitiated.)

(See next issue.)

Phyllis F. Scheinberg, of Virginia, to be an Assistant Secretary of Transportation.

Daniel Fried, of the District of Columbia, to be an Assistant Secretary of State (European Affairs). (Prior to this action, Committee on Foreign Relations was discharged from further consideration).

6 Air Force nominations in the rank of general.

101 Army nominations in the rank of general.

3 Marine Corps nominations in the rank of general.

3 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Marine Corps. **(See next issue.)**

Nominations Received: Senate received the following nominations:

Donald E. Booth, of Virginia, to be Ambassador to the Republic of Liberia.

Molly Hering Bordonaro, of Oregon, to be Ambassador to the Republic of Malta.

Julie Finley, of the District of Columbia, to be U.S. Representative to the Organization for Security and Cooperation in Europe, with the rank of Ambassador.

Richard J. Griffin, of Virginia, to be an Assistant Secretary of State (Diplomatic Security).

Richard J. Griffin, of Virginia, to be Director of the Office of Foreign Missions, and to have the rank of Ambassador during his tenure of service.

Joseph A. Mussomeli, of Virginia, to be Ambassador to the Kingdom of Cambodia.

Richard L. Skinner, of Virginia, to be Inspector General, Department of Homeland Security.

Kevin F. Sullivan, of New York, to be Assistant Secretary for Communications and Outreach, Department of Education.

Catherine Lucille Hanaway, of Missouri, to be United States Attorney for the Eastern District of Missouri for the term of four years.

Dina Habib Powell, of Texas, to be an Assistant Secretary of State (Educational and Cultural Affairs).

(See next issue.)

Messages From the House: **(See next issue.)**

Measures Referred: **(See next issue.)**

Measures Read First Time: **(See next issue.)**

Executive Communications: **(See next issue.)**

Executive Reports of Committees: **(See next issue.)**

Additional Cosponsors: **(See next issue.)**

Statements on Introduced Bills/Resolutions: (See next issue.)

Additional Statements: (See next issue.)

Amendments Submitted: (See next issue.)

Notices of Hearings/Meetings: (See next issue.)

Authority for Committees to Meet: (See next issue.)

Privilege of the Floor: (See next issue.)

Record Votes: Four record votes were taken today. (Total—115)

Pages S4463, S4474–75 (continued next issue)

Adjournment: Senate convened at 9:30 a.m. and, pursuant to the provisions of S. Con. Res. 29, adjourned at 1:26 a.m. on Friday, April 29, 2005, until 2 p.m., on Monday, May 9, 2005. (For Senate's program, see the remarks of the Majority Leader in Book II of the Record.)

Committee Meetings

(Committees not listed did not meet)

BIOTERRORISM & PROJECT BIOSHIELD

Committee on Appropriations: Subcommittee on Homeland Security concluded a hearing to examine bioterrorism and Project BioShield, which is a comprehensive effort to develop and make available modern, effective drugs and vaccines to protect against attack by biological and chemical weapons or other dangerous pathogens, after receiving testimony from Penrose Albright, Assistant Secretary of Homeland Security for Science and Technology Directorate; Stewart Simonson, Assistant Secretary of Health and Human Services for Public Health Emergency Preparedness; David Franz, Midwest Research Institute, Kansas City, Missouri; Leighton Read, Alloy Ventures, Palo Alto, California; and John Clerici, McKenna Long and Aldridge, Washington, D.C.

DEFENSE AUTHORIZATION

Committee on Armed Services: Committee concluded open and closed hearings to examine defense intelligence in review of the Defense Authorization Request for fiscal year 2006, after receiving testimony from Stephen A. Cambone, Under Secretary for Intelligence, and Vice Admiral Lowell E. Jacoby, USN, Director, Defense Intelligence Agency, both of the Department of Defense.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported 741 nominations in the Army, Navy, Air Force, and Marine Corps.

PARKS BILLS

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded a hearing to examine S. 242, to establish 4 memorials to the Space Shuttle Columbia in the State of Texas, S. 262, to authorize appropriations to the Secretary of the Interior for the restoration of the Angel Island Immigration Station in the State of California, S. 336, to direct the Secretary of the Interior to carry out a study of the feasibility of designating the Captain John Smith Chesapeake National Historic Watertrail as a national historic trail, S. 670, to authorize the Secretary of the Interior to conduct a special resource study of sites associated with the life of Cesar Estrada Chavez and the farm labor movement, S. 777, to designate Catoctin Mountain Park in the State of Maryland as the "Catoctin Mountain National Recreation Area", and H.R. 126, to amend Public Law 89–366 to allow for an adjustment in the number of free roaming horses permitted in Cape Lookout National Seashore, after receiving testimony from Senator Sarbanes; Representative Walter B. Jones; Michael Soukup, Associate Director, Natural Resource Stewardship and Science, National Park Service, Department of the Interior; Felicia Lowe, Angel Island Immigration Station Board, San Francisco, California; and Patrick F. Noonan, The Conservation Fund, Arlington, Virginia.

BUILDING ASSETS AMONG LOW-INCOME FAMILIES

Committee on Finance: Subcommittee on Social Security and Family Policy held a hearing to examine building assets for low-income families, including the Institute for Social and Economic Development (ISED), using the private pension system and Individual Retirement Accounts (IRA's), and increasing savings, receiving testimony from Michelle Simmons, Norristown, Pennsylvania, and Dorothy Beale, Philadelphia, Pennsylvania, both of the Women's Opportunity Resource Center; Charles M. Palmer, Institute for Social and Economic Development, Des Moines, Iowa; Victoria Gonzalez-Rubio, Delmar-Harvard Elementary School, University City, Missouri; Ric Edelman, Edelman Financial Services, Inc., Fairfax, Virginia; Bernard M. Wilson, H&R Block, Kansas City, Missouri, on behalf of the Outreach and Business Development; Michael Sherraden, Washington University Center for Social Development, St. Louis, Missouri; Trina R. Williams Shanks, University of Michigan School of Social Work, Ann Arbor; Fred T. Goldberg, Jr., Skadden, Arps, Slate, Meagher and Flom, LLP, Ray Boshara, New America Foundation, David C. John, The Heritage Foundation, and J. Mark Iwry, The Brookings Institution, all of Washington, D.C.

Hearing recessed subject to the call.

DEFENSE MANAGEMENT

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a hearing to examine Department of Defense business practices, focusing on fiscal trends that prompt questions about the affordability and sustainability of the rate of growth in defense spending, business management challenges that DOD needs to address to successfully transform its business operations, and key elements for achievements of reforms, after receiving testimony from David M. Walker, Comptroller General of the United States, Government Accountability Office; Clay Johnson III, Deputy Director for Management, Office of Management and Budget; and Bradley M. Berkson, Acting Deputy Under Secretary of Defense for Logistics and Materiel Readiness.

POST-SECONDARY EDUCATION

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine access and accountability relating to providing quality post-secondary education, focusing on the Federal government's role in making post-secondary education financially available for Americans, after receiving testimony from Kati Haycock, Education Trust, Washington, D.C.; Brian Bosworth, FutureWorks, Arlington, Massachusetts; Robert M. Shireman, The Institute for College Access and Success, Inc., Berkeley, California; Phillip F. Van Horn, Wyoming Student Loan Corporation, and Western States Learning Corporation, Cheyenne; and Trinity Thorpe, Malibu, California.

BUSINESS MEETING

Committee on the Judiciary: Committee began markup of S. 852, to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, but did not complete consideration thereon, and recessed subject to call.

BORDER SECURITY

Committee on the Judiciary: Subcommittee on Immigration, Border Security and Citizenship concluded a joint hearing with the Subcommittee on Terrorism, Technology and Homeland Security to examine the use of technology to strengthen border security between the Ports of Entry, focusing on the operations and law enforcement initiatives of the Office of Border Patrol, after receiving testimony from David Aguilar, Chief, Office of Border Patrol, U.S. Customs and Border Protection, and Kirk Evans, Director, Mission Support Office, Homeland Security Advanced Research Projects Agency, Science and Technology Directorate, both of the Department of Homeland Security.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Measures Introduced: 90 public bills, H.R. 1950–2039; 1 private bill, H.R. 2040; and 6 resolutions, H.J. Res 46; H. Con. Res. 141, and H. Res. 249–252, were introduced. **Pages H2734–38**

Additional Cosponsors: **Pages H2738–40**

Reports Filed: Reports were filed today as follows:

Conference report on H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010 (H. Rept. 109–62);

H. Res. 248, waiving points of order against the conference report to accompany H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010 (H. Rept. 109–63);

H.R. 1036, to amend title 17, United States Code, to make technical corrections relating to copyright royalty judges (H. Rept. 109–64);

H.R. 1544, to provide faster and smarter funding for first responders, amended (H. Rept. 109–65), and H.R. 22, to reform the postal laws of the United States, amended (H. Rept. 109–66, Pt. I).

Pages H2260–92, H2734

Chaplain: The prayer was offered today by Dr. Ivan N. Raley, Pastor, First Baptist Church in Byrdstown, Tennessee. **Page H2651**

Journal: Agreed to the Speaker's approval of the Journal by a yea-and-nay vote of 345 yeas to 75 nays, with one voting "present", Roll No. 148.

Pages H2651, H2701

Concurrent Resolution on the Budget for FY 2006—Conference Report: The House agreed to H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, by a yea-and-nay vote of 214 yeas to 211 nays, Roll No. 149. **Pages H2703–16**

Agreed to H. Res. 242, waiving a requirement of clause 6(a) of Rule XIII with respect to the same day consideration of certain resolutions reported by the Rules Committee, by a yea-and-nay vote of 230 yeas to 199 nays, Roll No. 146. **Pages H2653–59**

Agreed to H. Res. 248, the rule providing for consideration of the conference report, by voice vote, after agreeing to order the previous question by a yea-and-nay vote of 228 yeas to 196 nays, Roll No. 147. **Pages H2693–H2702**

Recess: The House recessed at 11:33 a.m. and reconvened at 2:46 p.m. **Page H2659**

Recess: The House recessed at 2:47 p.m. and reconvened at 4:51 p.m. **Page H2692**

Privileged Resolution: Representative Conyers announced his intention to offer a privileged resolution raising a question of the privileges of the House.

Pages H2702–03

Suspension: The House agreed to suspend the rules and pass the following measure which was debated yesterday, April 27:

Supporting the goals of World Intellectual Property Day: H. Res. 210, supporting the goals of World Intellectual Property Day and recognizing the importance of intellectual property in the United States and worldwide, by a ⅔ yea-and-nay vote of 315 yeas with none voting "nay", Roll No. 150.

Pages H2717–18

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 2 p.m. on Monday, May 2, and further that when the House adjourn on that day, it adjourn to meet at 12:30 p.m. on Tuesday, May 3 for Morning Hour debate.

Page H2720

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, May 4.

Page H2720

Senate District Work Period: The House agreed to S. Con. Res. 29, providing for a conditional recess or adjournment of the Senate. **Page H2720**

Ticket to Work and Work Incentives Advisory Panel—Appointment: Read a letter from the Minority Leader wherein she appointed Ms. Loretta Goff of New York to the Ticket to Work and Work Incentives Advisory Panel. **Page H2720**

House Page Board—Appointment: Read a letter from the Minority Leader wherein she appointed Representative Kildee to the House of Representatives Page Board. **Page H2720**

Senate Message: Message received from the Senate today appears on page H2718.

Quorum Calls—Votes: Five yea-and-nay votes developed during the proceedings today and appear on pages H2659, H2701, H2702, H2717, and H2717–18. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:05 p.m.

Committee Meetings

DEPARTMENT OF LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Department of Labor, Health and Human Services, Education, and Related Agencies continue appropriation hearings. Testimony was heard from public witnesses.

RETIREE HEALTH CARE BENEFITS

Committee on Education and the Workforce: Subcommittee on Employer-Employee Relations held a hearing on Challenges to Employer Efforts to Preserve Retiree Health Care Benefits. Testimony was heard from Leslie Silverman, Commissioner, EEOC; and public witnesses.

DOMINICAN REPUBLIC–CENTRAL AMERICAN FREE TRADE AGREEMENT

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection held a hearing on Dominican Republic-Central America Free Trade Agreement (CAFTA). Testimony was heard from Regina L. Vargo, Assistant U.S. Trade Representative for the Americas; and public witnesses.

COMBATING TRAFFICKING IN PERSONS

Committee on Financial Services: Subcommittee on Domestic and International Monetary Policy, Trade, and Technology held a hearing entitled "Combating Trafficking in Persons: Status Report on Domestic and International Developments." Testimony was heard from John Miller, Director, Office to Monitor and Combat Trafficking in Persons, Department of State; and public witnesses.

RE-EXAMINATION—FEDERAL AGENCIES' CONTINUITY OF OPERATIONS PLANS

Committee on Government Reform: Held a hearing entitled "Who's Watching the COOP? A Re-Examination of Federal Agencies' Continuity of Operations Plans." Testimony was heard from Reynold N. Hoover, Director, Office of National Security Coordination, FEMA, Department of Homeland Security; Marta Brito Perez, Associate Director, OPM; Linda Koontz, Director, Information Management, GAO; and public witnesses.

NUCLEAR POWER GENERATION

Committee on Government Reform: Subcommittee on Energy and Resources held a hearing entitled "The Role of Nuclear Power Generation in a Comprehensive National Energy Policy." Testimony was heard from public witnesses.

NORTH KOREAN HUMAN RIGHTS ACT

Committee on International Relations: Subcommittee on Asia and the Pacific and the Subcommittee on Africa, Global Human Rights and International Operations held a joint hearing on The North Korean Human Rights Act of 2004: Issues and Implementation. Testimony was heard from the following officials of the Department of State: Joseph E. DeTrani, Special Envoy for the Six-Party Talks; Arthur E. Dewey, Assistant Secretary, Bureau of Population, Refugees, and Migration; and Gretchen A. Birkle, Acting Principal Deputy Assistant Secretary, Bureau of Democracy, Human Rights and Labor; and public witnesses.

NUCLEAR NONPROLIFERATION TREATY REVIEW CONFERENCE

Committee on International Relations: Subcommittee on International Terrorism and Nonproliferation held a hearing on Previewing the Nuclear Nonproliferation Treaty Review Conference. Testimony was heard from Stephen G. Rademaker, Assistant Secretary, Bureau of Arms Control, Department of State; and public witnesses.

U.N. OIL-FOR-FOOD PROGRAM

Committee on International Relations: Subcommittee on Oversight and Investigations held a hearing on The Role of BNP–Paribas SA (Banque National de Paris) in the United Nations Oil-for-Food Program, Testimony was heard from public witnesses.

PATENT QUALITY IMPROVEMENT

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property continued oversight hearings entitled "Committee Print Regarding Patent Quality Improvement," (Part 2). Testimony was heard from Jon W. Dudas, Under Secretary, Intellectual Property and Director, U.S. Patent and Trademark Office, Department of Commerce; and public witnesses.

OVERSIGHT—USA PATRIOT ACT

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held an oversight hearing on the Implementation of the USA PATRIOT Act: Sections of the Act that Address Foreign Intelligence Surveillance Act (FISA) (Part 2)—Section 206: Roving Surveillance Authority Under the Foreign Intelligence Surveillance Act of 1978; and Section 215: Access to Records and Other Items Under the Foreign Intelligence Surveillance Act. Testimony was heard from James A. Baker, Counsel, Intelligence Policy, Department of Justice; Kenneth L. Wainstein, Interim U.S. Attorney, District of Columbia; Robert S. Khuzami, former Assistant U.S. Attorney, Southern District of New York; and a public witness.

OVERSIGHT—USA PATRIOT ACT IMPLEMENTATION

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held an oversight hearing on the Implementation of the USA PATRIOT Act: Section 218, Foreign Intelligence Information ("The Wall"). Testimony was heard from Patrick Fitzgerald, U.S. Attorney, Northern District of Illinois, Department of Justice; and public witnesses.

OVERSIGHT—AMERICA'S MINING INDUSTRY

Committee on Resources: Subcommittee on Energy and Mineral Resources held an oversight hearing entitled "Improving the Competitiveness of America's Mining Industry." Testimony was heard from public witnesses.

CONFERENCE REPORT—CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2006

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report on H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, and against its consideration. The rule provides that the conference report shall be considered as read. The rule provides one hour of debate in the House equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget. Section 2 of the resolution establishes a separate order for the 109th Congress creating a point of order in the Committee of the Whole against a motion to rise and report a general appropriations bill if the bill,

as amended, is found in breach of its 302(b) allocation. Testimony was heard from Chairman Nussle.

NASA EARTH SCIENCE

Committee on Science: Held a hearing on NASA Earth Science. Testimony was heard from Alphonso V. Diaz, Associate Administrator, Science Mission Directorate, NASA; and public witnesses.

REDUCE UNNECESSARY REGULATORY BURDEN ON MANUFACTURERS

Committee on Small Business: Subcommittee on Regulatory Reform and Oversight held a hearing on the Administration's Program To Reduce Unnecessary Regulatory Burden on Manufacturers—A Promise To Be Kept? Testimony was heard from John D. Graham, Administrator, Office of Information and Regulatory Affairs, OMB; Thomas M. Sullivan, Chief Counsel for Advocacy, SBA; Stephanie Daigle, Acting Associate Administrator, Policy, Economics, and Innovation, EPA; Veronica Vargas Stidvent, Assistant Secretary, Policy, Department of Labor; and public witnesses.

OVERSIGHT—NEW TECHNOLOGIES—RAIL SAFETY AND SECURITY

Committee on Transportation and Infrastructure: Subcommittee on Railroads held an oversight hearing on New Technologies for Rail Safety and Security. Testimony was heard from Jo Strang, Deputy Associate Administrator, Railroad Development, Federal Railroad Administration, Department of Transportation; Bob Chipkevich, Director, Railroads, Pipelines, and Hazardous Materials Investigation Department, National Transportation Safety Board; and public witnesses.

BRIEFING—OVERSIGHT SUBCOMMITTEE ACTIVITY UPDATE; BRIEFING ON GLOBAL UPDATES

Permanent Select Committee on Intelligence: Met in executive session to receive a Briefing on Oversight Subcommittee Activity Update. Testimony was heard from departmental witnesses.

The Committee also met in executive session to receive a Briefing on Global Updates. Testimony was heard from departmental witnesses.

Joint Meetings

MEDICAL LIABILITY REFORM

Joint Economic Committee: Committee concluded a hearing to examine medical liability reform, after receiving testimony from Mark B. McClellan, Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services.

CONCURRENT BUDGET RESOLUTION

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010.

SUPPLEMENTAL APPROPRIATIONS ACT

Conferees met to resolve the differences between the Senate and House passed versions of H.R. 1268, making emergency supplemental appropriations for defense, the global war on terror, and tsunami relief, for the fiscal year ending September 30, 2005, but did not complete action thereon, and recessed subject to the call.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D389)*

S. 167, to provide for the protection of intellectual property rights. Signed on April 27, 2005. (Public Law 109–9)

COMMITTEE MEETINGS FOR FRIDAY, APRIL 29, 2005

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No committee meetings are scheduled.

CONGRESSIONAL PROGRAM AHEAD

Week of May 2 through May 7, 2005

Senate Chamber

Senate will be in recess.

Senate Committees

(Committee meetings are open unless otherwise indicated)

No meetings/hearings scheduled.

House Committees

Committee on Agriculture, May 4, Subcommittee on General Farm Commodities and Risk Management, hearing to Review the Federal Crop Insurance Program, 10 a.m., 1300 Longworth.

Committee on Appropriations, May 3, full Committee, on the Architect of the Capitol, 1 p.m., 2359 Rayburn.

May 4, Subcommittee on Science, The Departments of State, Justice, and Commerce, and Related Agencies, on public witnesses, 2 p.m., H–309 Capitol.

May 4, Subcommittee on the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies, on FTA, 10 a.m., 2358 Rayburn.

Committee on Armed Services, May 5, hearing on the status of Tactical Wheeled Vehicle Armoring Initiatives and Improvised Explosive Device (IED) Jammer Initiatives in Operation Iraqi Freedom, 9 a.m., 2118 Rayburn.

Committee on Education and the Workforce, May 5, Subcommittee on 21st Century Competitiveness, hearing entitled ''College Credit Mobility: Can Transfer Credit Policies be Improved?'' 10 a.m., 2175 Rayburn.

Committee on Financial Services, May 4, hearing entitled ''Assessing Data Security: Preventing Breaches and Protecting Sensitive Information,'' 10 a.m., 2128 Rayburn.

May 4, Subcommittee on Oversight and Investigations and the Subcommittee on International Terrorism and Nonproliferation of the Committee on International Relations, joint hearing entitled ''Starving Terrorists of Money: The Role of Middle Eastern Financial Institutions,'' 2 p.m., 2128 Rayburn.

Committee on Government Reform, May 3, Subcommittee on Criminal Justice, Drug Policy and Human Resources, hearing entitled ''Authorizing the President's Vision: Making Permanent The Faith-Based and Community Initiative—H.R. 1054, Tools for Community Initiatives Act,'' 2 p.m., 2154 Rayburn.

May 4, Subcommittee on Government Management, Finance, and Accountability, hearing entitled ''Financial Management Challenges at the Department of Justice,'' 2 p.m., 2247 Rayburn.

May 5, full Committee, to consider pending business; followed by a hearing entitled ''Risk and Responsibility: The Roles of FDA and Pharmaceutical Companies in Ensuring the Safety of Approved Drugs, Like Vioxx,'' 10 a.m., 2154 Rayburn.

Committee on International Relations, May 4, Subcommittee on the Middle East and Central Asia, hearing on 9/11 Recommendations Implementation Act Oversight, Part 1—Oppressors vs. Reformers in the Middle East and Central Asia, 3 p.m., 2172 Rayburn.

May 5, full Committee, hearing on Promoting Democracy through Diplomacy, 9:30 a.m., 2172 Rayburn.

Committee on the Judiciary, May 3, Subcommittee on Crime, Terrorism and the Committee on Homeland Security, oversight hearing on the Implementation of the USA PATRIOT Act: Sections 201, 202, 223 of the Act that Address Criminal Wiretaps, and Section 213 of the Act that Addresses Delayed Notice, 10 a.m., 2141 Rayburn.

May 4, Subcommittee on Immigration, Border Security, and Claims, oversight hearing New Jobs in Recession and Recovery: Who are Getting Them and Who are Not? 10 a.m., 2141 Rayburn.

May 5, Subcommittee on Crime, Terrorism and the Committee on Homeland Security, oversight hearing on the Implementation of the USA PATRIOT Act: Section 212—Emergency Disclosure of Electronic Communications to Life and Limb, 10 a.m., 2141 Rayburn.

May 5, Subcommittee on Immigration, Border Security and Claims, oversight hearing on the New Dual Missions of the Immigration Enforcement Agencies, 2:30 a.m., 2141 Rayburn.

Committee on Resources, May 4, Subcommittee on National Parks, oversight hearing on Personal Watercraft use in the National Park System, 10 a.m., 1334 Longworth.

May 4, Subcommittee on Water and Power, oversight hearing entitled ''Stabilizing Rural Electricity Service Through Common Sense Application of the Endangered Species Act,'' 2 p.m., 1324 Longworth.

Committee on Small Business, May 4, hearing entitled ''Anticompetitive Threats from Public Utilities: Are Small Businesses Losing Out?'' 2 p.m., 311 Cannon.

Committee on Transportation and Infrastructure, May 4, Subcommittee on Aviation, oversight hearing entitled ''Financial Condition of the Aviation Trust Fund: Are Reforms Needed?'' 10 a.m., 2167 Rayburn.

Next Meeting of the SENATE

2 p.m., Monday, May 9

Senate Chamber

Program for Monday: Program was unavailable at the time of this publication.

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Monday, May 2

House Chamber

Program for Monday: The House will meet at 2 p.m. in pro forma session.

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