

United States both before and after the tragic events of September 11. We are grateful to Kazakhstan for its unwavering commitment to strengthening stability in Afghanistan and Iraq.

Proudly, we share friendship based on common values of freedom and democracy. This fall we warmly welcomed to the United States the President of Kazakhstan, His Excellency Nursultan Nazarbayev, the architect of Kazakhstan's success and growing U.S.-Kazakhstan partnership.

Our cooperation has notably resulted in the elimination of weapons of mass destruction which Kazakhstan inherited from the Soviet Union, including hundreds of nuclear missiles aimed at the United States. President "Nazarbayev was instrumental in ridding his nation of this lethal legacy thus greatly enhancing global security.

In addition to supporting our arms control objectives, Kazakhstan has played a key role in promoting peace and stability in the region by initiating the summit of the Conference on Interaction and Confidence-Building Measures in Asia. This forum of 18 nations, including Russia, China, India, Pakistan, our NATO ally Turkey, Afghanistan and others provide a timely opportunity for Asian nations to address current challenges to international peace and stability and establish a framework to resolve them. I believe we should commend Kazakhstan for its vision and enormous efforts to bring about this new security forum for Asia.

Mr. Speaker, Kazakhstan is Central Asia's most progressive nation, positioned to set the example for democratic reform in this most important region. I cannot agree more with the Joint Statement by our two Presidents adopted during the recent visit of President Nazarbayev that "an enhanced strategic partnership between our countries will promote security and prosperity and foster democracy in the 21st Century."

THE LIFE OF JEANNE  
KIRKPATRICK

HON. TODD TIAHRT

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 8, 2006

Mr. TIAHRT. Mr. Speaker, I rise to honor a great American, Ambassador Jeanne Kirkpatrick. Yesterday, the woman who worked diligently to bring peace to the world passed away peacefully in her sleep at the age of 80.

Ambassador Jeanne Kirkpatrick was one of America's foremost authorities on international relations. She was the first female U.S. ambassador to the United Nations and represented our nation honorably. She had unwavering moral convictions and stood up to the world's bullies. Her thoughts on communism through Iraq and Islamic terrorism were firm and clear, just as she was.

My wife Vicki was in the same bible study as Ambassador Kirkpatrick and I had the privilege of meeting her on several occasions. She was an elegant woman with a quiet confidence. This country has lost a great patriot.

The world is a better place because of Jeanne Kirkpatrick. Her work will continue to live on in all those she touched and in those they have touched. God Bless Jeanne Kirkpatrick and her family.

GUIDELINES FOR APPLICATION OF  
PROVISIONS DESIGNATED AS  
EMERGENCIES, CONTINGENCY  
OPERATIONS, OR UNANTICIPATED  
DEFENSE-RELATED OPERATIONS

HON. JIM NUSSLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 8, 2006

Mr. NUSSLE. Mr. Speaker, pursuant to the provisions of House Concurrent Resolution 376, I am transmitting this document titled "Guidelines for the Application of Provisions Designated as Emergencies, Contingency Operations, or Unanticipated Defense-related Operations." It sets forth an explicit explanation of the characteristics of spending that is appropriately exempted from the enforcement controls of the Congressional Budget Act.

This report is required under the terms of House Concurrent Resolution 376, which is currently in effect as a concurrent resolution on the budget in the House for fiscal year 2007, deemed in force under the provisions of House Resolution 818.

GUIDELINES FOR APPLICATION OF PROVISIONS  
DESIGNATED AS EMERGENCIES, CONTINGENCY  
OPERATIONS, OR UNANTICIPATED DEFENSE-  
RELATED OPERATIONS

SUMMARY

The fiscal year 2007 budget resolution, H. Con. Res. 376, sets forth three categories of spending that are treated by Congress under special procedures outside the normal budget process: domestic emergencies, defense-related emergencies, and contingency operations directly related to the global war on terrorism. The first of these, domestic emergencies, has a special reserve fund to finance emergency spending priorities, such as unforeseen natural disasters that tend to occur nearly every year. The remaining two categories—defense-related emergencies and terror-related response contingency operations—are exempted from normal controls due to the special nature of each.

Although Congress did not reach a conference agreement on the budget resolution, the House did deem the House-passed resolution to be in force for all purposes of the Congressional Budget Act. The general definition of an emergency, as spelled out in the budget resolution, is not new: its terms have long been employed by the administration's Office of Management and Budget [OMB], and have been carried in previous budget resolutions. What is new is the enhanced discipline, called for by the resolution, in applying these terms to the three special categories of spending cited above. Section 503 of the resolution includes the following mandate:

"In the House, as soon as practicable after the adoption of this resolution, the chairman of the Committee on the Budget shall, after consultation with the chairmen of the applicable committees, and the Director of the Congressional Budget Office, prepare guidelines for application of the definition of an emergency and publish such guidelines in the Congressional Record, and may issue any committee print from the Committee on the Budget for this or other purposes."

This discussion, therefore, provides guidelines for the application of these spending categories.

DEFINITION AND GENERAL GUIDELINES FOR  
EMERGENCY SPENDING

Section 502 of the Concurrent Resolution on the Budget for Fiscal Year 2007 estab-

lishes in general terms the definition of spending that is appropriately designated as an emergency. Although these guidelines may be used to apply to "unanticipated" defense-related emergencies, they aim principally to help determine what domestic priorities are eligible to be funded through the reserve fund established by the budget resolution, and to define an "emergency" in general.

The term "emergency" is important because any spending so designated escapes the regular controls applicable to all other spending. But the definition, and the guidelines below, are not intended to judge the policy importance of any given emergency spending; that is for the Appropriations Committee and the Congress in general to determine. It is rather to identify general characteristics of such spending that identifies it as meriting special procedures exempting it from the normal congressional budget process.

There are two essential components to the application of this designation: that an "emergency" concerns a threat to life, property, or national security; and that the event was "unanticipated." The definition also asserts that funding in response to an emergency should be temporary in nature.

The applicable text in the resolution fleshes out these terms, and is largely self-explanatory. It reads as follows:

"(1) The term 'emergency' means a situation that—

"(A) requires new budget authority and outlays (or new budget authority and the outlays flowing therefrom) for the prevention or mitigation of, or response to, loss of life or property, or a threat to national security; and

"(B) is unanticipated.

"(2) The term 'unanticipated' means that the underlying situation is—

"(A) Sudden, which means quickly coming into being or not building up over time;

"(B) Urgent, which means a pressing and compelling need requiring immediate action;

"(C) Unforeseen, which means not predicted or anticipated as an emerging need; and

"(D) Temporary, which means not of a permanent duration."

An example of "emergency" spending that was "unanticipated" was the major California earthquake of January 1993. The Emergency Supplemental Appropriations Act of 1994 (Public Law 103-211, 12 February 1994). The measure provided \$376.1 million to programs of the Department of Agriculture, such as for Watershed and Flood Prevention Operations. In contrast, there were attempts to declare the funding for the 2000 Census required by the Constitution as an emergency. This clearly would have been an abuse of the designation: The census has been required every ten years for over two centuries.

An example of "urgent" funding needs appeared in the response to Hurricanes Fran and Hortense and other disasters, Public Law 104-208. The measure provided \$88 million for U.S. Department of Agriculture [USDA] flood assistance programs, including \$63 million for Watershed and Flood Prevention Operations, and \$25 million for the Emergency Conservation Program. Had the funding been delayed until the next budget cycle, the consequences of the hurricanes would have been irreparable, in Congress's judgment.

The term "unforeseen" applies to funding for activities that could not be anticipated as an emerging need and are over and above the aggregate level of anticipated emergencies that are normally estimated in advance. A good example of an unforeseen emergency is the terrorist attacks against New York and Washington, D.C. on 11 September 2001.