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No. 43

## House of Representatives

The House met at 10:30 a.m.

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: Eternal Source of life and human freedom, unite those here present with all the Members of the United States House of Representatives in this moment of prayer.

Help them to be fully engaged in their work today as they shape laws that will make this country stronger in integrity and solidarity.

Inspire them to reach out with policies of compassion to those most in need of society's concern.

May our military sons and daughters be protected from harm and remain focused on doing what is right and just.

Assist the poor and the sick, especially those who are disabled or uninsured.

By Your love and presence, claim us as Your very own, both now and forever. Amen.

### THE JOURNAL

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

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

Mr. McDERMOTT. Madam 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. McDERMOTT. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Pennsylvania (Mr. DENT) come

forward and lead the House in the Pledge of Allegiance.

Mr. DENT 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.

### MOMENT OF SILENCE FOR THE BRAVE AND FALLEN MEMBERS OF THE U.S. MILITARY

The SPEAKER. The Chair recognizes the gentleman from Pennsylvania (Mr. MURPHY).

Mr. PATRICK MURPHY of Pennsylvania. Madam Speaker, as we prepare to mark the 5-year anniversary of the war in Iraq, I would like to take a moment and offer a moment of silence for the brave and the fallen, including 19 members of my unit, the 82nd Airborne Division, who never made it home.

On this somber occasion, we are united behind our troops. We honor the memories of thousands, and we pledge our support for those still fighting for our freedom.

The SPEAKER. All Members will stand and observe a moment of silence.

### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3547

Mr. GALLEGLY. Madam Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 3547.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 10 requests for 1-minute speeches on each side of the aisle.

### COMMEMORATING THE 90TH BIRTHDAY OF AN AMERICAN HERO, MR. JAMES W. MURDY OF ALLENTOWN, PENNSYLVANIA

(Mr. DENT asked and was given permission to address the House for 1 minute.)

Mr. DENT. Madam Speaker, I rise today to commemorate the 90th birthday of an American hero, my constituent, Mr. James W. Murdy.

James Murdy wanted to serve his country in the United States military and learn a trade. He joined the Navy in 1940 and soon thereafter served as an electrician aboard the USS *Helena*, a St. Louis-class light cruiser stationed at Pearl Harbor. On December 7, 1941, shortly after James began serving on the *Helena*, the ship was hit by a torpedo dropped by a lone Japanese torpedo plane. Thankfully, James Murdy survived the attack that killed 20 of his fellow sailors.

James Murdy then attended the Naval Mine Warfare School and worked as a minesweeper for the next 3 years. He was honorably discharged from the Navy in 1946 after achieving the rank of chief electrician's mate, the highest rank he could obtain as an enlisted man.

Shortly after being discharged from the Navy, James wed Mary Robb, with whom he had three children; James Murdy, Rosemary Murdy-Haber, and Patricia Murdy-Cressman. He still lives in Allentown, Pennsylvania and loves rebuilding or constructing items from scratch and being called upon to speak about his experiences at Pearl Harbor. He is an ardent fan of the Philadelphia Phillies and Eagles and loves spending time with his family, including his granddaughter and step-granddaughter.

Mr. Murdy served our county with valor and distinction, and we should honor his service, his dedication, and his allegiance to our great Nation. It is my honor to join with his many friends

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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and family in celebrating the 90th birthday of this wonderful man.

**DEMOCRATIC BUDGET IS FIS-  
CALLY RESPONSIBLE BUT ALSO  
FUNDS CRITICAL PRIORITIES**

(Mr. ELLISON asked and was given permission to address the House for 1 minute.)

Mr. ELLISON. Madam Speaker, today we continue debate on the Democratic budget that boosts economic growth and restores fiscal responsibility. While the Bush administration's budget priorities and policies are responsible for the largest fiscal deterioration in our Nation's history, the 2009 Democratic budget is not only balanced by 2012, but it also invests in our Nation's top priorities.

We reject the President's budget proposal because it creates a \$396 billion deficit this year, while cutting funding for Medicaid and Medicare, veterans and homeland security. Our budget rejects the President's cuts and instead fully invests in Medicare and Medicaid, so that the most vulnerable amongst us, our children and our seniors, continue to have access to healthcare assistance.

We also reject the President's proposal to add more than \$18 billion, billion with a B, over the next 5 years in new fees for our veterans and military retirees.

We reject the President's attempt to eliminate several State and local law enforcement programs, including the successful COPS, Community Oriented Policing Services program, which has put more police on the street to help reduce crime.

**CALLING FOR AN IMMEDIATE  
VOTE ON THE FOREIGN INTELLI-  
GENCE SURVEILLANCE ACT**

(Mr. KLINE of Minnesota asked and was given permission to address the House for 1 minute.)

Mr. KLINE of Minnesota. Madam Speaker, the Protect America Act expired on February 16. It has been almost a full month since the majority allowed this important element of our national security to lapse.

President Lincoln once told this Nation, "A house divided against itself cannot stand." Madam Speaker, for this past month, Democratic leadership has needlessly attempted to divide this Congress on a national security matter. A bipartisan majority of this House wants to adopt the Senate version of the bill to restore our intelligence teams' ability to protect us, but we have been denied a chance to even vote on the Senate measure.

The leadership has kept this House divided, and for what reason? This morning the newspapers are full of reports that we are jeopardizing our national security in order to benefit the trial lawyers, who stand to gain billions of dollars in suits against the telecommunications companies. These

are the companies that reportedly responded to pleas from our government for help, and now they are subject to potentially crippling lawsuits.

A house divided against itself cannot stand. The people of this great Nation expect bipartisan action, and the time is long overdue to come together.

□ 1045

**IN MEMORY OF ALDO TATANGELO**

(Mr. CUELLAR asked and was given permission to address the House for 1 minute.)

Mr. CUELLAR. Madam Speaker, I rise to recognize a man that made a significant impact on my hometown of Laredo, former Mayor Aldo Tatangelo.

Mayor Tatangelo passed away last Friday, but not before leaving a mark on our great city. Mayor Aldo Tatangelo served as mayor in Laredo from 1978 to 1990. He is remembered by those closest to him as being a man of honesty and fairness, a man with a vision to improve the city that he loved so much.

Immediately upon taking over as mayor, Tatangelo ordered taking care of a lot of services for Laredo, including the restructuring of the city's Public Works Department, oversaw comprehensive drainage projects, established a pension system for city workers, and created many departments to make sure that the quality of life was improved.

Mayor Aldo Tatangelo pushed for affordable housing for low-income residents, and he also, when he left the office, was active in civic affairs and encouraged young people to get involved in public service.

I rise to recognize a Laredo hero, former Mayor Aldo Tatangelo, and thank him and his family for the great work that they did.

**CELEBRATING THE 100TH BIRTH-  
DAY OF CHINCOTEAGUE, VIR-  
GINIA**

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

Mrs. DRAKE. Madam Speaker, I am delighted to rise in tribute to the town of Chincoteague, Virginia, which is celebrating its 100th birthday today.

Since its founding one century ago, Chincoteague has enamored citizens and visitors alike with its small town charm and pristine natural beauty. This is no small feat if you consider just how much has changed in the past few 100 years.

As we commemorate Chincoteague's proud history and rich traditions, we must acknowledge its roots as a small fishing village. Today, thousands of people still flock to Chincoteague each year to share in its bountiful shores and the abundance of nearby wildlife. Chincoteague should serve as an example of a happy coexistence between people and nature.

From Chincoteague's annual pony roundup to the annual seafood festival, even the simple everyday beauty of its sunsets, the town of Chincoteague is truly a unique community which has come a long way without letting time erode its proud heritage.

That is why I ask my colleagues to join me today in wishing the town of Chincoteague a happy 100th birthday.

**LET US SPEAK OUT FOR PEACE**

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

Mr. KUCINICH. Madam Speaker, we are at the fifth anniversary of the war in Iraq, a war based on lies. A war that has cost the lives of over 4,000 of our brave young men and women, the injuries to tens of thousands, over 1 million innocent Iraqis have perished, a cost of up to \$3 trillion.

Let us speak out for peace, as the Winter Soldiers today are speaking out for peace by communicating the truth of a soldier's experience in Iraq and Afghanistan. Let us speak out for peace as the young people involved in the Stop Loss project are doing. Let us speak out for peace and stop financing this war and use the money to bring our troops home.

Let us speak out for peace, for international peacekeepers to move into Iraq as our troops lead. America has had a long period of silence about this war. Let us be silent no more. Let us speak out for peace.

**OUTSOURCING NATIONAL  
DEFENSE**

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Madam Speaker, the next Air Force plane that you will see in the air will be branded with "Made in France" on the side of it. Not only France but Spain, Germany, and the United Kingdom will be making 170 or more of the new Air Force super-tankers built by that European subsidized company, Airbus.

This \$40 billion contract will rob thousands of workers of Boeing Company of their jobs. Why is our Air Force outsourcing national defense to the Europeans, of all people? Aren't they the ones that take every opportunity to bash our U.S. military?

The Air Force is trying to do damage control by saying the Airbus is better than the Boeing plane.

Madam Speaker, that dog just won't hunt. U.S.-built planes have been successfully defending our skies and our homeland since before World War II. We are not talking about outsourcing some cheap Wal-Mart product that's made in China. We are talking about outsourcing sensitive military equipment. Some things should always be made in America, by Americans, for Americans.

What's next? Is the Air Force going to outsource those airplane crews with the French as well?

And that's just the way it is.

#### AVOID MILITARY CONFRONTATION WITH IRAN

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

Mr. McDERMOTT. Madam Speaker, any voice of reason inside the current administration is a voice in the wilderness, a voice that will be silenced by the President, all of which should be a matter of grave urgency for the American people.

The administration has set its sights on military confrontation with Iran. Just like Iraq, any voice of reason will not be merely muffled; it will be silenced.

Remember Colin Powell? Where is he? Remember General Shinseki? He was drummed out for speaking truth to power about what it would really take to win in Iraq.

Now Admiral Fallon, the Secretary of Defense, wouldn't return phone calls until the Admiral got the message to turn in his resignation because he questioned the President's policy toward Iran.

The President's foreign policy is open hostility and a finger on the trigger looking for any provocation for a military strike against Iran. That's what the neocons want; that's what co-President DICK CHENEY wants.

Their thirst for oil is matched only by their thirst for war. They think the U.S. will dominate the world with military confrontation. They are the only ones who believe that. We must keep the pressure on to ensure the President does not launch another war. Four thousand have already died.

That's enough.

#### THE HIGH SPRINGS FARMERS MARKET

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

Mr. STEARNS. Madam Speaker, I rise today to recognize and honor the contributions of High Springs Farmers Market, which is in my congressional district.

It was established in 2001. The market provides local growers with an opportunity to sell their products directly to consumers and to provide area residents with high quality, fresh produce and other farm products at affordable prices.

This market then has encouraged and assisted local residents to grow fresh produce through a community garden program, and it provides training and entrepreneurial opportunities for the new growers. By promoting local Florida products, this market allows traditional farmers to sell in today's competitive market.

In addition, the High Spring Farmers Market is the first and only market in the State of Florida to accept food stamps, providing high-quality, fresh food to those who otherwise could not afford it.

I am grateful for the market's dedication to the entrepreneurial spirit and am proud to have it in my district. Congratulations to them and keep up the great work.

#### COLORECTAL CANCER AWARENESS

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

Mr. BOREN. Madam Speaker, I rise today in support of access to colorectal cancer screening for all Americans. The month of March is Colorectal Cancer Awareness Month.

Like far too many other Americans, my life has been touched by cancer. Nine years ago I lost my mother, Janna, to colon cancer. I understand too well the importance of catching this type of cancer early. Colorectal cancer is one of the leading killers in the United States that will this year unnecessarily take the lives of almost 50,000 of our constituents nationwide.

This is a tragedy because we have every tool necessary to prevent the suffering and death from this disease. Only 22 States and the District of Columbia have protections in place to provide access to screening and early detection procedures for colorectal cancer. This is unacceptable. Life-saving tests that are widely available and reliable should be accessible to each and every one of our constituents.

Please join me in recognizing Colorectal Cancer Awareness Month and the importance of making early detection of this disease a priority.

#### FIFTH ANNIVERSARY OF THE WAR IN IRAQ

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

Mr. PENCE. Madam Speaker, on this fifth anniversary of the war in Iraq being commemorated in the Capitol today, the statistics tell the tale.

Because of the military surge and Sunni cooperation, we are making significant progress towards stability and freedom in Iraq. Violence is down nationwide by more than 60 percent in the last year.

But as the saying goes, seeing is believing, and thanks to the miracle of youtube.com, Americans can join me for a walk down the streets of Haditha, Iraq, in the heart of al Anbar province. On March 2, with a military security detail and our bipartisan delegation, we walked the streets of this war-torn city, and I posted 15 minutes of unedited interviews with local Iraqis on youtube.com.

The fight is far from over, but we are making significant progress in Iraq.

Thanks to youtube.com, the American people can hear and see that progress for themselves.

#### HONORING KAREN BASS

(Ms. RICHARDSON asked and was given permission to address the House for 1 minute.)

Ms. RICHARDSON. Madam Speaker, I rise today to honor the newly elected Speaker of the California State Assembly, the Honorable Karen Bass. It is with great pleasure that I applaud her accomplishments and wish her future much success.

At the end of this legislative year, Karen Bass will break historic glass ceilings in California and across this Nation by becoming the first African American woman Speaker of the State legislative body.

Speaker-elect Karen Bass, who is respected on both sides of the aisle, received unanimous support. Throughout her career, her public service and social justice has been something that she commonly really used not only in her community but now in her service. In 1990, Speaker-elect Bass founded the Community Coalition for Substance Abuse, Prevention and Treatment. She served as its executive director for 14 years. After the 1992 civil unrest, her organization played a pivotal role in the success of South Los Angeles.

Speaker-elect Bass turned to politics when she concluded that the best way to implement change would be to be an elected official herself. At the time of her election, there were no other African American women serving in the California Legislature. She was immediately appointed majority whip, and now she serves as majority leader.

Please join me in congratulating her as we wish her tremendous success.

#### THE PRICE OF OIL

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

Mr. SHIMKUS. Madam Speaker, energy security is national security. When President Bush was sworn into office, a barrel of crude oil was approximately \$27 a barrel. When the Democrats took over the House, the price of a barrel of crude oil was \$58, a \$31 increase.

Since this Democrat-controlled House has been in power, the price of a barrel of crude oil has gone from \$35 to today \$110 a barrel of crude oil.

Now, what's the solution? The solution is more supply. Democrats continue to block Outer Continental Shelf exploration. They continue to block oil exploration. They continue to block coal-to-liquid technologies.

More supply brings lower prices. If you know basic economics supply and demand, you know that if you have a high demand you need more supply.

Until we bring more supply back into this debate, the only thing we could

tell our consumers and our constituents is be prepared for more price spikes. Energy security is national security.

#### HONORING OTTO SCHNELLBACHER AND THE UNIVERSITY OF KANSAS

(Mrs. BOYDA of Kansas asked and was given permission to address the House for 1 minute.)

Mrs. BOYDA of Kansas. Madam Speaker, I rise today because earlier this week the House passed H.R. 948 to recognize the University of Kansas football team on their astonishing accomplishments of the last season and their victory at the Orange Bowl.

I also rise this morning with great sadness because just this Monday KU lost one of its great all-time athletes. Otto Schnellbacher was an all-American who, in 1948, led KU to its very first Orange Bowl appearance. He was a wide receiver whose career 58 catches was a record for almost three decades. As a professional athlete, he played in both the NFL and the NBA.

This man was an American and an astonishing athlete. Otto was a giant of Kansas athletics. He was a very good friend. He leaves behind many admirers and a legacy that will last forever.

To the University of Kansas, congratulations again on a historic season. To Otto Schnellbacher, we will miss you. To his widow, Jane, God be with you.

#### THE BUDGET

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

Mr. PITTS. Madam Speaker, we are voting later today on the Democrat budget.

I am not surprised that it represents larger government and higher taxes. That is the type of government our friends on the other side of the aisle generally prefer. I am surprised, however, that at a time when our economy is shaky and American families are making difficult budget decisions at their kitchen table, that our friends have chosen not to make the difficult decisions necessary to craft a responsible budget.

Their proposal represents what will be the largest tax increase in American history; \$683 billion in increased taxes. It is nothing short of irresponsible to simply ignore the coming fiscal crisis, a tsunami, represented by increased spending and entitlement programs.

Perhaps if our friends on the other side of the aisle would ask their constituents what they think, they would hear what I heard from a constituent named Debra in Pennsylvania who said she is working two jobs to pay taxes and oil bills. She said, "There is no way I can afford to pay more taxes. Enough is enough."

Well said, Debra.

□ 1100

#### SUPPORT DEMOCRATIC BUDGET

(Mr. KAGEN asked and was given permission to address the House for 1 minute.)

Mr. KAGEN. Madam Speaker, I rise today to express in the strongest terms possible my opposition to President Bush's proposed budget for 2009, a budget that simply does not reflect our traditional American values. The Republican budget would sink us deeper into debt and will destroy Medicare and Medicaid as we know them. Everything, everything the President says he is, he is not. And with the help of his party, the President is doing what Germany and Japan could not do in World War II, destroying our Nation.

The question America voters must ask is: Whose side are we on? Does anyone in this Chamber seriously intend to cut Community Service Block Grants, Community Oriented Policing, the Centers for Disease Control, NIH, the FAA, and Social Service Block Grants? These are essential people-oriented programs that serve as our Nation's social safety net, and we must invest in them.

Join me in supporting the Democratic budget. Let's invest our hard-earned tax dollars right here at home in America based upon our traditional American values.

#### FISA: FACT VERSUS FICTION

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

Ms. SOLIS. Madam Speaker, President Bush and the congressional Republicans refuse to face the facts on the expiration of the President's Protect America Act, and instead continue their false and misleading scare tactics that are not productive and will do nothing to protect our Nation.

Republicans continue to claim that the expiration of the Protect America Act has reduced our ability to conduct surveillance. That is false, and Republicans know it. They know that the Protect America Act gave the intelligence community authorization for one full year, meaning that they are all still in effect until August of this year.

If Republicans really believed that the expiration of the act would jeopardize our national security, why did every single Republican Member of this body vote against a 21-day extension of the act last month?

Washington Republicans can't have it both ways. Rather than resorting to political games, congressional Republicans should have joined bicameral negotiations that were conducted for several weeks to develop a strong compromise bill. It is time that the Republicans get off the sidelines and work with our Congress. Let's see this legislation come to the floor today.

#### DEMOCRATS' FISA BILL PROTECTS AMERICA

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

Mr. ARCURI. Madam Speaker, later today the House will have an opportunity to vote on a strong new FISA bill that has been negotiated over the last couple of weeks.

The new legislation will modernize the Foreign Intelligence Surveillance Act. First, it rejects the President's plan to provide blanket immunity to telecom companies who turned over information about their customers. Instead, it gives the Federal court the exclusive opportunity to hear clear classified evidence in order to make a determination whether telecom companies should be held liable for their actions.

Our legislation also requires a special bipartisan commission to investigate the Bush administration's use of wiretaps and other surveillance programs. The commission would be similar to the bipartisan 9/11 Commission that played a critical role in reviewing the events leading up to 9/11 and developing recommendations on how to best protect our Nation.

Madam Speaker, House Democrats are hopeful that Republicans will join us in supporting a FISA bill that protects our Nation and our civil liberties.

#### RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE OF REPRESENTATIVES

Mr. PRICE of Georgia. Madam Speaker, pursuant to clause 2(a)1 of rule IX, I hereby notify the House of my intention to offer a resolution as a question of the privileges of the House.

The form of my resolution is as follows:

#### H. RES. —

Whereas on December 11, 2007, a bipartisan group of 21 State attorneys general wrote to Senate Majority Leader Reid and Senate Minority Leader McConnell regarding the FISA Amendments Act of 2007 (S. 2248);

Whereas this bipartisan group of State attorneys general represents the States of Alabama, Arkansas, Colorado, Florida, Georgia, Kansas, Nebraska, New Hampshire, North Carolina, North Dakota, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Texas, Utah, Virginia, West Virginia, Washington, and Wisconsin;

Whereas the State attorneys general stated that protecting communications carriers from "unprecedented legal exposure is essential to domestic and national security. State, local and federal law enforcement and intelligence agencies rely heavily on timely and responsive assistance from communications providers and other private parties; indeed, this assistance is utterly essential to the agencies' functions. If carriers and other parties run the risk of facing massive litigation every time they assist the government or law enforcement, they will lack incentives to cooperate, with potentially devastating consequences for public safety";

Whereas on February 5, 2008, the Director of the Federal Bureau of Investigation testified before the Senate Select Committee on

Intelligence that “in protecting the homeland . . . it’s absolutely essential we have the support, willing support of the communications carriers”;

Whereas in the same hearing, Director Mueller further stated “[m]y concern is that if we do not have this immunity, we will not have that willing support of the communications carriers”;

Whereas on March 4, 2008, a bipartisan group of 25 State attorneys general wrote to the Speaker of the FISA Amendments Act of 2007;

Whereas this bipartisan group of State attorneys general represents the States of Alabama, Alaska, Arkansas, Colorado, Florida, Georgia, Idaho, Indiana, Kansas, Maryland, Michigan, Nebraska, New Hampshire, North Carolina, North Dakota, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Texas, Utah, Virginia, Washington, and West Virginia;

Whereas the State attorneys general stated they “are our states’ chief law enforcement officials and therefore responsible for taking whatever action is necessary to keep our citizens safe”;

Whereas the State attorneys general also stated “[a] bipartisan majority of the United States Senate recently approved S. 2248. But until it is also passed by the House of Representatives, intelligence officials must obtain FISA warrants every time they attempt to monitor suspected terrorists in overseas countries. Passing S. 2248 would ensure our intelligence experts are once again able to conduct real-time surveillance. As you know, prompt access to intelligence data is critical to the ongoing safety and security of our nation.”;

Whereas on February 12, 2008, after passage of S. 2248, the Senate amended the bill H.R. 3773 with the text of S. 2248 and sent the amended bill back to the House for its consideration;

Whereas the State attorneys general concluded that with “S. 2248 still pending in the House of Representatives, our national security is in jeopardy.”;

Whereas all Members of the House of Representatives have a responsibility to provide the intelligence community and Federal law enforcement with all the necessary and appropriate tools to keep Americans and the homeland safe;

Whereas all Members of the House of Representatives have a responsibility to ensure they are not impeding the efforts of State and local law enforcement to use all the necessary and appropriate tools to keep Americans and the homeland safe;

Whereas according to the calendar distributed to Members by the House majority, the House of Representatives is scheduled to be in recess during the two-week period beginning on March 17, 2008; and

Whereas it would bring discredit to the House of Representatives to adjourn for two weeks without considering the amendments to H.R. 3773 now pending before the House: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) should immediately consider a motion to concur in the Senate amendment to the bill, H.R. 3773; and

(2) should not adjourn for the Easter District Work Period prior to consideration of a motion to concur in the Senate amendment to the bill, H.R. 3773.

Mr. PRICE of Georgia. Madam Speaker, I rise to a question of the privileges of the House and offer the resolution just noticed.

The SPEAKER pro tempore (Mrs. TAUSCHER). The Clerk will report the resolution.

The Clerk read as follows:

H. RES. —

Whereas on December 11, 2007, a bipartisan group of 21 State attorneys general wrote to Senate Majority Leader Reid and Senate Minority Leader McConnell regarding the FISA Amendments Act of 2007 (S. 2248);

Whereas this bipartisan group of State attorneys general represents the States of Alabama, Arkansas, Colorado, Florida, Georgia, Kansas, Nebraska, New Hampshire, North Carolina, North Dakota, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Texas, Utah, Virginia, West Virginia, Washington, and Wisconsin;

Whereas the State attorneys general stated that protecting communications carriers from “unprecedented legal exposure is essential to domestic and national security. State, local and federal law enforcement and intelligence agencies rely heavily on timely and responsive assistance from communications providers and other private parties; indeed, this assistance is utterly essential to the agencies’ functions. If carriers and other parties run the risk of facing massive litigation every time they assist the government or law enforcement, they will lack incentives to cooperate, with potentially devastating consequences for public safety”;

Whereas on February 5, 2008, the Director of the Federal Bureau of Investigation testified before the Senate Select Committee on Intelligence that “in protecting the homeland . . . it’s absolutely essential we have the support, willing support of the communications carriers”;

Whereas in the same hearing, Director Mueller further stated “[m]y concern is that if we do not have this immunity, we will not have that willing support of the communications carriers”;

Whereas on March 4, 2008, a bipartisan group of 25 State attorneys general wrote to the Speaker of the FISA Amendments Act of 2007;

Whereas this bipartisan group of State attorneys general represents the States of Alabama, Alaska, Arkansas, Colorado, Florida, Georgia, Idaho, Indiana, Kansas, Maryland, Michigan, Nebraska, New Hampshire, North Carolina, North Dakota, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Texas, Utah, Virginia, Washington, and West Virginia;

Whereas the State attorneys general stated they “are our states’ chief law enforcement officials and therefore responsible for taking whatever action is necessary to keep our citizens safe”;

Whereas the State attorneys general also stated “[a] bipartisan majority of the United States Senate recently approved S. 2248. But until it is also passed by the House of Representatives, intelligence officials must obtain FISA warrants every time they attempt to monitor suspected terrorists in overseas countries. Passing S. 2248 would ensure our intelligence experts are once again able to conduct real-time surveillance. As you know, prompt access to intelligence data is critical to the ongoing safety and security of our nation.”;

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(2) should not adjourn for the Easter District Work Period prior to consideration of a motion to concur in the Senate amendment to the bill, H.R. 3773.

The SPEAKER pro tempore. Does the gentleman from Georgia wish to be heard on whether the resolution constitutes a question of the privileges of the House?

Mr. PRICE of Georgia. I do, Madam Speaker.

The SPEAKER pro tempore. The gentleman is recognized.

Mr. PRICE of Georgia. Madam Speaker, we are now 27 days, 27 days into a unilateral disarmament. We are not doing our job in the House of Representatives. We are not fulfilling our oath, and we are not protecting the American people. This brings discredit on the House of Representatives.

□ 1115

The underlying bill simply allows the American intelligence community to make certain that they are able to listen or surveil on terrorists in a foreign land speaking to another terrorist or suspected terrorist in a foreign land.

My constituents don’t understand why the House isn’t acting on this. They believe the House is bringing discredit on the Nation. Americans don’t understand.

The Senate has acted responsibly. It is imperative that the majority of the House be given an opportunity to vote on this issue. The majority of the House has said that they would pass this bill. Not bringing this bill to the floor for a vote brings discredit and abrogates our responsibility as Representatives of the United States of America.

I urge the Speaker and I urge my colleagues to allow this to come to the floor for a vote.

The SPEAKER pro tempore. As the Chair ruled on March 11, 2008, under the precedents recorded in section 702 of the House Rules and Manual, the resolution addresses a legislative sentiment and not a question of the privileges of the House.

Mr. PRICE of Georgia. Madam Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is, Shall the decision of the

Chair stand as the judgment of the House?

MOTION TO TABLE OFFERED BY MR. SCOTT OF VIRGINIA

Mr. SCOTT of Virginia. Madam Speaker, I move that the appeal be laid on the table.

The SPEAKER pro tempore. The question is on the motion to table.

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

Mr. PRICE of Georgia. Madam 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 clause 8 of rule XX, this 15-minute vote on the motion to table will be followed by a 5-minute vote on approval of the Journal.

The vote was taken by electronic device, and there were—yeas 222, nays 192, not voting 15, as follows:

[Roll No. 135]

YEAS—222

Abercrombie	Ellison	Lofgren, Zoe
Ackerman	Ellsworth	Lowe
Allen	Emanuel	Lynch
Altmire	Engel	Mahoney (FL)
Andrews	Eshoo	Maloney (NY)
Arcuri	Etheridge	Markey
Baca	Farr	Marshall
Baird	Fattah	Matheson
Baldwin	Filner	Matsui
Bean	Foster	McCarthy (NY)
Becerra	Frank (MA)	McColum (MN)
Berkley	Giffords	McDermott
Berman	Gillibrand	McGovern
Berry	Gonzalez	McIntyre
Bishop (GA)	Gordon	McNerney
Bishop (NY)	Green, Al	McNulty
Blumenauer	Green, Gene	Meek (FL)
Boren	Grijalva	Meeks (NY)
Boswell	Gutierrez	Melancon
Boucher	Hall (NY)	Michaud
Boyd (FL)	Hare	Miller (NC)
Boyd (KS)	Harman	Miller, George
Brady (PA)	Hastings (FL)	Mitchell
Braley (IA)	Herseth Sandlin	Mollohan
Brown, Corrine	Higgins	Moore (KS)
Butterfield	Hill	Moore (WI)
Capps	Hinche	Moran (VA)
Capuano	Hinojosa	Murphy (CT)
Cardoza	Hirono	Murphy, Patrick
Carney	Hodes	Murtha
Castor	Holden	Nadler
Chandler	Holt	Napolitano
Clarke	Honda	Neal (MA)
Clay	Hoyer	Obey
Cleaver	Insee	Olver
Clyburn	Israel	Ortiz
Cohen	Jackson (IL)	Pallone
Conyers	Jackson-Lee	Pascarell
Cooper	(TX)	Pastor
Costa	Jefferson	Paul
Costello	Johnson (GA)	Payne
Courtney	Johnson, E. B.	Perlmutter
Cramer	Jones (OH)	Peterson (MN)
Crowley	Kagen	Pomeroy
Cuellar	Kanjorski	Price (NC)
Cummings	Kaptur	Rahall
Davis (AL)	Kennedy	Reyes
Davis (CA)	Kildee	Richardson
Davis (IL)	Kilpatrick	Rodriguez
Davis, Lincoln	Kind	Ross
DeFazio	Klein (FL)	Rothman
DeGette	Kucinich	Roybal-Allard
Delahunt	Langevin	Ryan (OH)
DeLauro	Larsen (WA)	Salazar
Dicks	Larson (CT)	Sanchez, Linda
Dingell	Lee	T.
Doggett	Levin	Sanchez, Loretta
Donnelly	Lewis (GA)	Sarbanes
Doyle	Lipinski	Schakowsky
Edwards	Loeb sack	Schiff

Schwartz	Spratt	Visclosky
Scott (GA)	Stark	Walz (MN)
Scott (VA)	Stupak	Wasserman
Serrano	Sutton	Schultz
Sestak	Tanner	Waters
Shea-Porter	Tauscher	Watson
Sherman	Taylor	Watt
Shuler	Thompson (CA)	Waxman
Sires	Thompson (MS)	Weiner
Skelton	Tierney	Welch (VT)
Slaughter	Towns	Wexler
Smith (WA)	Tsongas	Wilson (OH)
Snyder	Udall (NM)	Wu
Solis	Van Hollen	Wynn
Space	Velázquez	Yarmuth

NAYS—192

Aderholt	Foxx	Musgrave
Akin	Franks (AZ)	Myrick
Alexander	Frelinghuysen	Neugebauer
Bachmann	Gallegly	Nunes
Bachus	Garrett (NJ)	Pearce
Barrett (SC)	Gerlach	Pence
Barrow	Gilchrest	Peterson (PA)
Bartlett (MD)	Gingrey	Petri
Barton (TX)	Gohmert	Pickering
Bigert	Goode	Pitts
Billray	Goodlatte	Platts
Bilirakis	Granger	Poe
Bishop (UT)	Graves	Porter
Blackburn	Hall (TX)	Price (GA)
Blunt	Hastings (WA)	Pryce (OH)
Boehner	Hayes	Putnam
Bonner	Heller	Radanovich
Bono Mack	Hensarling	Ramstad
Boozman	Herger	Regula
Brady (TX)	Hobson	Rehberg
Broun (GA)	Hoekstra	Reichert
Brown (SC)	Hulshof	Reynolds
Brown-Waite,	Inglis (SC)	Rogers (AL)
Ginny	Johnson (IL)	Rogers (KY)
Buchanan	Johnson, Sam	Rogers (MI)
Burgess	Jones (NC)	Rohrabacher
Burton (IN)	Jordan	Ros-Lehtinen
Buyer	Keller	Roskam
Calvert	King (IA)	Royce
Camp (MI)	King (NY)	Ryan (WI)
Campbell (CA)	Kingston	Sali
Cannon	Kirk	Saxton
Cantor	Kline (MN)	Schmidt
Capito	Knollenberg	Sensenbrenner
Carnahan	Kuhl (NY)	Sessions
Carter	Lamborn	Shadegg
Castle	Lampson	Shays
Chabot	Latham	Shimkus
Coble	LaTourrette	Shuster
Cole (OK)	Latta	Simpson
Conaway	Lewis (CA)	Smith (NE)
Crenshaw	Lewis (KY)	Smith (NJ)
Culberson	Linder	Smith (TX)
Davis (KY)	LoBiondo	Souder
Davis, David	Lucas	Stearns
Davis, Tom	Lungren, Daniel	Sullivan
Deal (GA)	E.	Terry
Dent	Mack	Thornberry
Diaz-Balart, L.	Manzullo	Tiahrt
Diaz-Balart, M.	Marchant	Tiberi
Doollittle	McCarthy (CA)	Turner
Drake	McCaul (TX)	Upton
Dreier	McCotter	Walberg
Duncan	McCrery	Walden (OR)
Ehlers	McHenry	Walsh (NY)
Emerson	McHugh	Wamp
English (PA)	McKeon	Weldon (FL)
Everett	McMorris	Weller
Fallin	Rodgers	Westmoreland
Feeney	Mica	Whitfield (KY)
Ferguson	Miller (FL)	Wilson (NM)
Flake	Miller (MI)	Wilson (SC)
Forbes	Miller, Gary	Witman (VA)
Fortenberry	Moran (KS)	Wolf
Fossella	Murphy, Tim	Young (FL)

NOT VOTING—15

Boustany	LaHood	Rush
Cubin	Oberstar	Tancredo
Hooley	Rangel	Udall (CO)
Hunter	Renzi	Woolsey
Issa	Ruppersberger	Young (AK)

□ 1141

Messrs. COSTELLO and ALTMIRE changed their vote from “nay” to “yea.”

So the motion to table was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker’s approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker’s approval of the Journal.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 222, nays 183, answered “present” 1, not voting 23, as follows:

[Roll No. 136]

YEAS—222

Abercrombie	Foster	Miller, George
Ackerman	Frank (MA)	Mollohan
Allen	Gillibrand	Moore (KS)
Andrews	Gonzalez	Moore (WI)
Arcuri	Goodlatte	Moran (VA)
Baca	Green, Al	Murphy (CT)
Bachus	Green, Gene	Murphy, Patrick
Baird	Grijalva	Murtha
Baldwin	Gutierrez	Nadler
Barrow	Hall (NY)	Napolitano
Bean	Hare	Neal (MA)
Becerra	Harman	Obey
Berkley	Hastings (FL)	Olver
Berman	Herseth Sandlin	Ortiz
Berry	Higgins	Pallone
Biggert	Hinche	Pascarell
Bishop (GA)	Hinojosa	Pastor
Bishop (NY)	Hirono	Paul
Blumenauer	Hodes	Payne
Boren	Holden	Pomeroy
Boswell	Holt	Price (NC)
Boucher	Honda	Rahall
Boyd (FL)	Hoyer	Reyes
Boyd (KS)	Insee	Richardson
Brady (PA)	Israel	Rodriguez
Braley (IA)	Jackson (IL)	Ross
Brown, Corrine	Jackson-Lee	Rothman
Brown-Waite,	(TX)	Roybal-Allard
Ginny	Jefferson	Ryan (OH)
Buchanan	Johnson (GA)	Salazar
Butterfield	Johnson (IL)	Sanchez, Linda
Capps	Johnson, E. B.	T.
Capuano	Jones (OH)	Sanchez, Loretta
Cardoza	Kagen	Sarbanes
Carnahan	Kanjorski	Schakowsky
Castle	Kaptur	Schiff
Castor	Kennedy	Schwartz
Chandler	Kildee	Scott (GA)
Clarke	Kilpatrick	Scott (VA)
Clay	Kind	Serrano
Cleaver	Kirk	Sestak
Clyburn	Klein (FL)	Shea-Porter
Cohen	Kucinich	Sherman
Conyers	Kuhl (NY)	Sires
Cooper	Lampson	Skelton
Costa	Langevin	Slaughter
Costello	Larsen (WA)	Smith (TX)
Courtney	Larson (CT)	Smith (WA)
Cramer	Latham	Snyder
Crowley	Lee	Solis
Cuellar	Levin	Space
Cummings	Lewis (GA)	Spratt
Davis (AL)	Lipinski	Stark
Davis (CA)	Loeb sack	Sutton
Davis (IL)	Lofgren, Zoe	Tanner
Davis, Lincoln	Lowey	Tauscher
DeFazio	Lynch	Taylor
Delahunt	Mahoney (FL)	Thompson (MS)
DeLauro	Maloney (NY)	Tierney
Dent	Markey	Towns
Diaz-Balart, M.	Matheson	Tsongas
Dicks	Matsui	Udall (NM)
Dingell	McCarthy (NY)	Van Hollen
Doggett	McDermott	Velázquez
Doyle	McGovern	Visclosky
Edwards	McIntyre	Walberg
Ellison	McNerney	Walz (MN)
Emanuel	McNulty	Wasserman
Engel	Meek (FL)	Schultz
Eshoo	Meeks (NY)	Waters
Farr	Melancon	Watson
Fattah	Michaud	Watt
Filner	Miller (NC)	Waxman

Weiner	Wilson (OH)	Yarmuth
Welch (VT)	Wu	
Wexler	Wynn	

NAYS—183

Aderholt	Galleghy	Pence
Akin	Garrett (NJ)	Perlmutter
Alexander	Gerlach	Peterson (MN)
Altmire	Giffords	Peterson (PA)
Bachmann	Gilchrest	Petri
Barrett (SC)	Gingrey	Pickering
Bartlett (MD)	Goode	Platts
Barton (TX)	Gordon	Poe
Bilbray	Granger	Porter
Bilirakis	Graves	Price (GA)
Bishop (UT)	Hall (TX)	Pryce (OH)
Blunt	Hastings (WA)	Putnam
Boehner	Hayes	Radanovich
Bonner	Heller	Ramstad
Bono Mack	Hensarling	Regula
Boozman	Herger	Rehberg
Brady (TX)	Hill	Reichert
Broun (GA)	Hobson	Reynolds
Brown (SC)	Hoekstra	Rogers (AL)
Burgess	Hulshof	Rogers (KY)
Burton (IN)	Inglis (SC)	Rogers (MI)
Buyer	Johnson, Sam	Rohrabacher
Calvert	Jones (NC)	Ros-Lehtinen
Camp (MI)	Keller	Roskam
Campbell (CA)	King (IA)	Royce
Cannon	King (NY)	Ryan (WI)
Cantor	Kingston	Sali
Capito	Knollenberg	Saxton
Carney	Lamborn	Schmidt
Carter	LaTourette	Sensenbrenner
Chabot	Latta	Sessions
Coble	Lewis (CA)	Shadegg
Cole (OK)	Lewis (KY)	Shays
Conaway	LoBiondo	Shimkus
Crenshaw	Lucas	Shuler
Culberson	Lungren, Daniel E.	Shuster
Davis (KY)	E.	Simpson
Davis, David	Mack	Smith (NE)
Davis, Tom	Manzullo	Smith (NJ)
Deal (GA)	Marchant	Souder
Diaz-Balart, L.	Marshall	Stearns
Donnelly	McCarthy (CA)	Stupak
Doolittle	McCaul (TX)	Terry
Drake	McCotter	Thompson (CA)
Dreier	McCrery	Thornberry
Duncan	McHenry	Tiaht
Ehlers	McHugh	Tiberi
Ellsworth	McKeon	Turner
Emerson	McMorris	Upton
English (PA)	Rodgers	Walden (OR)
Etheridge	Mica	Walsh (NY)
Everett	Miller (FL)	Wamp
Fallin	Miller (MI)	Weldon (FL)
Feeney	Miller, Gary	Weller
Ferguson	Mitchell	Westmoreland
Flake	Moran (KS)	Whitfield (KY)
Forbes	Murphy, Tim	Wilson (NM)
Fortenberry	Musgrave	Wilson (SC)
Fossella	Myrick	Wittman (VA)
Foxx	Neugebauer	Wolf
Franks (AZ)	Nunes	Young (FL)
Frelinghuysen	Pearce	

ANSWERED "PRESENT"—1

Gohmert

NOT VOTING—23

Blackburn	Kline (MN)	Ruppersberger
Boustany	LaHood	Rush
Cubin	Linder	Sullivan
DeGette	McCullum (MN)	Tancredo
Hooley	Oberstar	Udall (CO)
Hunter	Pitts	Woolsey
Issa	Rangel	Young (AK)
Jordan	Renzi	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining on this vote.

□ 1149

So the Journal was approved.

The result of the vote was announced as above recorded.

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2009

The SPEAKER pro tempore. Pursuant to House Resolution 1036 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the concurrent resolution, H. Con. Res. 312.

□ 1150

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the concurrent resolution (H. Con. Res. 312) revising the congressional budget for the United States Government for fiscal year 2008, establishing the congressional budget for the United States Government for fiscal year 2009, and setting forth appropriate budgetary levels for fiscal years 2010 through 2013, with Mr. PASTOR (Acting Chairman) in the chair.

The Clerk read the title of the concurrent resolution.

The Acting CHAIRMAN. When the Committee of the Whole rose on Wednesday, March 12, 2008, all time for general debate had expired.

Pursuant to the rule, the concurrent resolution is considered read for amendment under the 5-minute rule.

The text of the concurrent resolution is as follows:

H. CON. RES. 312

*Resolved by the House of Representatives (the Senate concurring),*

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2009.

(a) DECLARATION.—The Congress determines and declares that the concurrent resolution on the budget for fiscal year 2008 is revised and replaced and that this is the concurrent resolution on the budget for fiscal year 2009, including appropriate budgetary levels for fiscal years 2010 through 2013.

(b) TABLE OF CONTENTS.—  
Sec. 1. Concurrent resolution on the budget for fiscal year 2009.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.  
Sec. 102. Major functional categories.

TITLE II—RECONCILIATION

Sec. 201. Reconciliation in the House of Representatives.

TITLE III—RESERVE FUNDS

Sec. 301. Deficit-neutral reserve fund for SCHIP legislation.  
Sec. 302. Deficit-neutral reserve fund for veterans and servicemembers.  
Sec. 303. Deficit-neutral reserve fund for education benefits for servicemembers, veterans, and their families.  
Sec. 304. Deficit-neutral reserve fund for infrastructure investment.  
Sec. 305. Deficit-neutral reserve fund for renewable energy and energy efficiency.  
Sec. 306. Deficit-neutral reserve fund for middle-income tax relief and economic equity.  
Sec. 307. Deficit-neutral reserve fund for reform of the alternative minimum tax.  
Sec. 308. Deficit-neutral reserve fund for higher education.

Sec. 309. Deficit-neutral reserve fund for affordable housing.  
Sec. 310. Deficit-neutral reserve fund for medicare improvements.  
Sec. 311. Deficit-neutral reserve fund for health care quality, effectiveness, and efficiency.  
Sec. 312. Deficit-neutral reserve fund for Medicaid and other programs.  
Sec. 313. Deficit-neutral reserve fund for trade adjustment assistance and unemployment insurance modernization.  
Sec. 314. Deficit-neutral reserve fund for county payments legislation.  
Sec. 315. Deficit-neutral reserve fund for San Joaquin River restoration and Navajo Nation water rights settlements.  
Sec. 316. Deficit-neutral reserve fund for the National Park Centennial Fund.  
Sec. 317. Deficit-neutral reserve fund for child support enforcement.

TITLE IV—BUDGET ENFORCEMENT

Sec. 401. Program integrity initiatives.  
Sec. 402. Oversight of government performance.  
Sec. 403. Point of order against advance appropriations.  
Sec. 404. Overseas deployments and emergency needs.  
Sec. 405. Budgetary treatment of certain discretionary administrative expenses.  
Sec. 406. Application and effect of changes in allocations and aggregates.  
Sec. 407. Adjustments to reflect changes in concepts and definitions.  
Sec. 408. Exercise of rulemaking powers.

TITLE V—POLICY

Sec. 501. Policy on middle-income tax relief.  
Sec. 502. Policy on defense priorities.

TITLE VI—SENSE OF THE HOUSE

Sec. 601. Sense of the House on the Innovation Agenda and America Competes Act.  
Sec. 602. Sense of the House on servicemembers' and veterans' health care and other priorities.  
Sec. 603. Sense of the House on homeland security.  
Sec. 604. Sense of the House regarding long-term fiscal reform.  
Sec. 605. Sense of the House regarding waste, fraud, and abuse.  
Sec. 606. Sense of the House regarding extension of the statutory pay-as-you-go rule.  
Sec. 607. Sense of the House on long-term budgeting.  
Sec. 608. Sense of the House regarding the need to maintain and build upon efforts to fight hunger.  
Sec. 609. Sense of the House regarding affordable health coverage.  
Sec. 610. Sense of the House regarding pay parity.  
Sec. 611. Sense of the House regarding subprime lending and foreclosures.  
Sec. 612. Sense of House regarding the importance of child support enforcement.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2008 through 2013:

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

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

Fiscal year 2008: \$1,879,540,000,000.  
 Fiscal year 2009: \$2,027,124,000,000.  
 Fiscal year 2010: \$2,205,864,000,000.  
 Fiscal year 2011: \$2,442,025,000,000.  
 Fiscal year 2012: \$2,669,315,000,000.  
 Fiscal year 2013: \$2,771,740,000,000.

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

Fiscal year 2008: \$0.  
 Fiscal year 2009: –\$70,000,000,000.  
 Fiscal year 2010: \$23,000,000,000.  
 Fiscal year 2011: \$14,000,000,000.  
 Fiscal year 2012: \$16,000,000,000.  
 Fiscal year 2013: \$17,000,000,000.

(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 2008: \$2,556,254,000,000.  
 Fiscal year 2009: \$2,529,246,000,000.  
 Fiscal year 2010: \$2,564,161,000,000.  
 Fiscal year 2011: \$2,698,039,000,000.  
 Fiscal year 2012: \$2,740,065,000,000.  
 Fiscal year 2013: \$2,866,862,000,000.

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

Fiscal year 2008: \$2,462,616,000,000.  
 Fiscal year 2009: \$2,563,380,000,000.  
 Fiscal year 2010: \$2,622,295,000,000.  
 Fiscal year 2011: \$2,716,979,000,000.  
 Fiscal year 2012: \$2,728,965,000,000.  
 Fiscal year 2013: \$2,857,394,000,000.

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

Fiscal year 2008: \$583,076,000,000.  
 Fiscal year 2009: \$536,256,000,000.  
 Fiscal year 2010: \$416,431,000,000.  
 Fiscal year 2011: \$274,954,000,000.  
 Fiscal year 2012: \$59,650,000,000.  
 Fiscal year 2013: \$85,654,000,000.

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

Fiscal year 2008: \$9,567,484,000,000.  
 Fiscal year 2009: \$10,199,551,000,000.  
 Fiscal year 2010: \$10,724,264,000,000.  
 Fiscal year 2011: \$11,103,954,000,000.  
 Fiscal year 2012: \$11,295,107,000,000.  
 Fiscal year 2013: \$11,495,218,000,000.

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

Fiscal year 2008: \$5,396,807,000,000.  
 Fiscal year 2009: \$5,753,900,000,000.  
 Fiscal year 2010: \$5,981,334,000,000.  
 Fiscal year 2011: \$6,047,654,000,000.  
 Fiscal year 2012: \$5,885,687,000,000.  
 Fiscal year 2013: \$5,744,120,000,000.

#### SEC. 102. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2008 through 2013 for each major functional category are:

##### (1) National Defense (050):

Fiscal year 2008:  
 (A) New budget authority, \$590,686,000,000.  
 (B) Outlays, \$576,173,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$542,497,000,000.  
 (B) Outlays, \$573,362,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$550,414,000,000.  
 (B) Outlays, \$560,726,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$557,026,000,000.  
 (B) Outlays, \$560,099,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$565,800,000,000.  
 (B) Outlays, \$556,699,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$576,223,000,000.

(B) Outlays, 568,829,000,000.  
 (2) International Affairs (150):

##### Fiscal year 2008:

(A) New budget authority, \$32,648,000,000.  
 (B) Outlays, \$32,843,000,000.

##### Fiscal year 2009:

(A) New budget authority, \$37,111,000,000.  
 (B) Outlays, \$35,702,000,000.

##### Fiscal year 2010:

(A) New budget authority, \$38,516,000,000.  
 (B) Outlays, \$36,918,000,000.

##### Fiscal year 2011:

(A) New budget authority, \$39,433,000,000.  
 (B) Outlays, \$37,679,000,000.

##### Fiscal year 2012:

(A) New budget authority, \$40,247,000,000.  
 (B) Outlays, \$38,154,000,000.

##### Fiscal year 2013:

(A) New budget authority, \$40,677,000,000.  
 (B) Outlays, \$38,346,000,000.

##### (3) General Science, Space, and Technology (250):

##### Fiscal year 2008:

(A) New budget authority, \$27,407,000,000.  
 (B) Outlays, \$26,456,000,000.

##### Fiscal year 2009:

(A) New budget authority, \$29,934,000,000.  
 (B) Outlays, \$28,700,000,000.

##### Fiscal year 2010:

(A) New budget authority, \$31,165,000,000.  
 (B) Outlays, \$30,604,000,000.

##### Fiscal year 2011:

(A) New budget authority, \$32,474,000,000.  
 (B) Outlays, \$32,201,000,000.

##### Fiscal year 2012:

(A) New budget authority, \$33,853,000,000.  
 (B) Outlays, \$33,564,000,000.

##### Fiscal year 2013:

(A) New budget authority, \$35,298,000,000.  
 (B) Outlays, \$34,477,000,000.

##### (4) Energy (270):

##### Fiscal year 2008:

(A) New budget authority, \$3,548,000,000.  
 (B) Outlays, \$1,681,000,000.

##### Fiscal year 2009:

(A) New budget authority, \$4,674,000,000.  
 (B) Outlays, \$2,192,000,000.

##### Fiscal year 2010:

(A) New budget authority, \$4,645,000,000.  
 (B) Outlays, \$2,878,000,000.

##### Fiscal year 2011:

(A) New budget authority, \$4,712,000,000.  
 (B) Outlays, \$3,371,000,000.

##### Fiscal year 2012:

(A) New budget authority, \$4,803,000,000.  
 (B) Outlays, \$3,738,000,000.

##### Fiscal year 2013:

(A) New budget authority, \$4,895,000,000.  
 (B) Outlays, \$4,020,000,000.

##### (5) Natural Resources and Environment (300):

##### Fiscal year 2008:

(A) New budget authority, \$32,560,000,000.  
 (B) Outlays, \$34,440,000,000.

##### Fiscal year 2009:

(A) New budget authority, \$38,651,000,000.  
 (B) Outlays, \$35,576,000,000.

##### Fiscal year 2010:

(A) New budget authority, \$33,782,000,000.  
 (B) Outlays, \$36,192,000,000.

##### Fiscal year 2011:

(A) New budget authority, \$34,670,000,000.  
 (B) Outlays, \$36,420,000,000.

##### Fiscal year 2012:

(A) New budget authority, \$35,568,000,000.  
 (B) Outlays, \$36,745,000,000.

##### Fiscal year 2013:

(A) New budget authority, \$36,490,000,000.  
 (B) Outlays, \$37,299,000,000.

##### (6) Agriculture (350):

##### Fiscal year 2008:

(A) New budget authority, \$22,456,000,000.  
 (B) Outlays, \$21,528,000,000.

##### Fiscal year 2009:

(A) New budget authority, \$21,529,000,000.  
 (B) Outlays, \$21,279,000,000.

##### Fiscal year 2010:

(A) New budget authority, \$21,719,000,000.

(B) Outlays, \$20,680,000,000.

##### Fiscal year 2011:

(A) New budget authority, \$21,891,000,000.  
 (B) Outlays, \$20,876,000,000.

##### Fiscal year 2012:

(A) New budget authority, \$22,263,000,000.  
 (B) Outlays, \$21,435,000,000.

##### Fiscal year 2013:

(A) New budget authority, \$22,621,000,000.  
 (B) Outlays, \$21,816,000,000.

##### (7) Commerce and Housing Credit (370):

##### Fiscal year 2008:

(A) New budget authority, \$11,216,000,000.  
 (B) Outlays, \$5,381,000,000.

##### Fiscal year 2009:

(A) New budget authority, \$9,560,000,000.  
 (B) Outlays, \$3,722,000,000.

##### Fiscal year 2010:

(A) New budget authority, \$13,887,000,000.  
 (B) Outlays, \$5,835,000,000.

##### Fiscal year 2011:

(A) New budget authority, \$8,998,000,000.  
 (B) Outlays, \$2,193,000,000.

##### Fiscal year 2012:

(A) New budget authority, \$9,246,000,000.  
 (B) Outlays, \$1,735,000,000.

##### Fiscal year 2013:

(A) New budget authority, \$9,642,000,000.  
 (B) Outlays, \$1,648,000,000.

##### (8) Transportation (400):

##### Fiscal year 2008:

(A) New budget authority, \$79,794,000,000.  
 (B) Outlays, \$77,795,000,000.

##### Fiscal year 2009:

(A) New budget authority, \$73,444,000,000.  
 (B) Outlays, \$80,443,000,000.

##### Fiscal year 2010:

(A) New budget authority, \$77,507,000,000.  
 (B) Outlays, \$83,861,000,000.

##### Fiscal year 2011:

(A) New budget authority, \$78,534,000,000.  
 (B) Outlays, \$86,062,000,000.

##### Fiscal year 2012:

(A) New budget authority, \$79,485,000,000.  
 (B) Outlays, \$88,134,000,000.

##### Fiscal year 2013:

(A) New budget authority, \$80,478,000,000.  
 (B) Outlays, \$90,443,000,000.

##### (9) Community and Regional Development (450):

##### Fiscal year 2008:

(A) New budget authority, \$20,029,000,000.  
 (B) Outlays, \$27,819,000,000.

##### Fiscal year 2009:

(A) New budget authority, \$14,553,000,000.  
 (B) Outlays, \$24,251,000,000.

##### Fiscal year 2010:

(A) New budget authority, \$14,826,000,000.  
 (B) Outlays, \$21,816,000,000.

##### Fiscal year 2011:

(A) New budget authority, \$15,134,000,000.  
 (B) Outlays, \$17,874,000,000.

##### Fiscal year 2012:

(A) New budget authority, \$15,450,000,000.  
 (B) Outlays, \$15,817,000,000.

##### Fiscal year 2013:

(A) New budget authority, \$15,755,000,000.  
 (B) Outlays, \$15,561,000,000.

##### (10) Education, Training, Employment, and Social Services (500):

##### Fiscal year 2008:

(A) New budget authority, \$90,077,000,000.  
 (B) Outlays, \$90,729,000,000.

##### Fiscal year 2009:

(A) New budget authority, \$95,235,000,000.  
 (B) Outlays, \$90,947,000,000.

##### Fiscal year 2010:

(A) New budget authority, \$102,594,000,000.  
 (B) Outlays, \$98,345,000,000.

##### Fiscal year 2011:

(A) New budget authority, \$105,612,000,000.  
 (B) Outlays, \$103,135,000,000.

##### Fiscal year 2012:

(A) New budget authority, \$107,828,000,000.  
 (B) Outlays, \$104,397,000,000.

##### Fiscal year 2013:

(A) New budget authority, \$101,690,000,000.  
 (B) Outlays, \$103,490,000,000.



(11) Health (550):  
 Fiscal year 2008:  
 (A) New budget authority, \$285,101,000,000.  
 (B) Outlays, \$286,688,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$306,795,000,000.  
 (B) Outlays, \$305,334,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$323,767,000,000.  
 (B) Outlays, \$324,138,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$344,749,000,000.  
 (B) Outlays, \$343,718,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$367,766,000,000.  
 (B) Outlays, \$366,312,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$393,085,000,000.  
 (B) Outlays, \$391,326,000,000.  
 (12) Medicare (570):  
 Fiscal year 2008:  
 (A) New budget authority, \$390,458,000,000.  
 (B) Outlays, \$390,454,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$420,191,000,000.  
 (B) Outlays, \$419,974,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$445,225,000,000.  
 (B) Outlays, \$445,349,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$494,370,000,000.  
 (B) Outlays, \$494,193,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$491,353,000,000.  
 (B) Outlays, \$491,110,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$552,389,000,000.  
 (B) Outlays, \$552,503,000,000.  
 (13) Income Security (600):  
 Fiscal year 2008:  
 (A) New budget authority, \$389,865,000,000.  
 (B) Outlays, \$394,100,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$411,699,000,000.  
 (B) Outlays, \$414,032,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$417,519,000,000.  
 (B) Outlays, \$418,617,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$426,924,000,000.  
 (B) Outlays, \$427,541,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$412,355,000,000.  
 (B) Outlays, \$412,831,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$427,988,000,000.  
 (B) Outlays, \$427,703,000,000.  
 (14) Social Security (650):  
 Fiscal year 2008:  
 (A) New budget authority, \$19,378,000,000.  
 (B) Outlays, \$19,378,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$21,308,000,000.  
 (B) Outlays, \$21,308,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$23,794,000,000.  
 (B) Outlays, \$23,794,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$27,330,000,000.  
 (B) Outlays, \$27,330,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$30,342,000,000.  
 (B) Outlays, \$30,342,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$33,162,000,000.  
 (B) Outlays, \$33,162,000,000.  
 (15) Veterans Benefits and Services (700):  
 Fiscal year 2008:  
 (A) New budget authority, \$86,365,000,000.  
 (B) Outlays, \$83,551,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$93,268,000,000.  
 (B) Outlays, \$92,443,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$96,000,000,000.  
 (B) Outlays, \$95,710,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$101,800,000,000.

(B) Outlays, \$101,475,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$99,115,000,000.  
 (B) Outlays, \$98,271,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$105,094,000,000.  
 (B) Outlays, \$104,266,000,000.  
 (16) Administration of Justice (750):  
 Fiscal year 2008:  
 (A) New budget authority, \$46,237,000,000.  
 (B) Outlays, \$44,282,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$48,104,000,000.  
 (B) Outlays, \$47,936,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$49,101,000,000.  
 (B) Outlays, \$49,602,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$50,338,000,000.  
 (B) Outlays, \$50,596,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$51,622,000,000.  
 (B) Outlays, \$51,501,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$52,967,000,000.  
 (B) Outlays, \$52,542,000,000.  
 (17) General Government (800):  
 Fiscal year 2008:  
 (A) New budget authority, \$56,407,000,000.  
 (B) Outlays, \$56,920,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$23,520,000,000.  
 (B) Outlays, \$23,890,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$19,961,000,000.  
 (B) Outlays, \$19,987,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$20,611,000,000.  
 (B) Outlays, \$20,496,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$21,319,000,000.  
 (B) Outlays, \$21,332,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$22,007,000,000.  
 (B) Outlays, \$21,787,000,000.  
 (18) Net Interest (900):  
 Fiscal year 2008:  
 (A) New budget authority, \$349,296,000,000.  
 (B) Outlays, \$349,296,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$334,233,000,000.  
 (B) Outlays, \$334,233,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$370,534,000,000.  
 (B) Outlays, \$370,534,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$406,997,000,000.  
 (B) Outlays, \$406,997,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$427,954,000,000.  
 (B) Outlays, \$427,954,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$436,292,000,000.  
 (B) Outlays, \$436,292,000,000.  
 (19) Allowances (920):  
 Fiscal year 2008:  
 (A) New budget authority, \$1,000,000,000.  
 (B) Outlays, \$531,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$0.  
 (B) Outlays, \$307,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, -\$150,000,000.  
 (B) Outlays, -\$53,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, -\$200,000,000.  
 (B) Outlays, -\$164,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, -\$200,000,000.  
 (B) Outlays, -\$178,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, -\$200,000,000.  
 (B) Outlays, -\$200,000,000.  
 (20) Undistributed Offsetting Receipts (950):  
 Fiscal year 2008:  
 (A) New budget authority, -\$86,330,000,000.  
 (B) Outlays, -\$86,330,000,000.  
 Fiscal year 2009:

(A) New budget authority, -\$67,060,000,000.  
 (B) Outlays, -\$67,060,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, -\$70,645,000,000.  
 (B) Outlays, -\$70,645,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, -\$73,364,000,000.  
 (B) Outlays, -\$73,364,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, -\$76,104,000,000.  
 (B) Outlays, -\$76,104,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, -\$79,691,000,000.  
 (B) Outlays, -\$79,691,000,000.  
 (21) Overseas Deployments and Other Activities (970):  
 Fiscal year 2008:  
 (A) New budget authority, \$108,056,000,000.  
 (B) Outlays, \$28,901,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$70,000,000,000.  
 (B) Outlays, \$74,809,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$0.  
 (B) Outlays, \$47,407,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$0.  
 (B) Outlays, \$18,251,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$0.  
 (B) Outlays, \$5,176,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$0.  
 (B) Outlays, \$1,775,000,000.

**TITLE II—RECONCILIATION**

**SEC. 201. RECONCILIATION IN THE HOUSE OF REPRESENTATIVES.**

(a) CHANGES IN MANDATORY SPENDING.—Not later than September 12, 2008, the House Committee on Ways and Means shall report a reconciliation bill making changes in laws within its jurisdiction sufficient to reduce direct spending by \$750,000,000 for the period of fiscal years 2008 through 2013.

(b) CHANGES IN REVENUE.—Not later than July 15, 2008, the House Committee on Ways and Means shall report a reconciliation bill making changes in laws within its jurisdiction that will reduce total revenues by \$70,000,000,000 for fiscal year 2009 and will increase total revenues by \$70,000,000,000 for the period of fiscal years 2010 through 2013.

(c) ADJUSTMENTS TO ALLOCATIONS AND AGGREGATES.—

(1) Upon the reporting to the House of any bill that has complied with reconciliation instructions, the chairman of the Committee on the Budget may file with the House appropriately revised allocations under section 302(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates.

(2) Upon the submission to the House of any conference report recommending a reconciliation bill in which a committee has complied with its reconciliation instructions, the chairman of the Committee on the Budget 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.

**TITLE III—RESERVE FUNDS**

**SEC. 301. DEFICIT-NEUTRAL RESERVE FUND FOR SCHIP LEGISLATION.**

In the House, the chairman of the Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report, which contains matter within the jurisdiction of the Committee on Energy and Commerce that expands coverage and improves children's

health through the State Childrens Health Insurance Program (SCHIP) under title XXI of the Social Security Act and the program under title XIX of such Act (commonly known as Medicaid) and that increases new budget authority that will result in no more than \$50,000,000,000 in outlays in fiscal years 2008 through 2013, and others which contain offsets so designated for the purpose of this section within the jurisdiction of another committee or committees, if the combined changes would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 302. DEFICIT-NEUTRAL RESERVE FUND FOR VETERANS AND SERVICEMEMBERS.**

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that—

- (1) enhances medical care for wounded or disabled military personnel or veterans;
- (2) maintains affordable health care for military retirees and veterans;
- (3) improves disability benefits or evaluations for wounded or disabled military personnel or veterans, including measures to expedite the claims process;
- (4) expands eligibility to permit additional disabled military retirees to receive both disability compensation and retired pay;
- (5) eliminates the offset between Survivor Benefit Plan annuities and veterans' dependency and indemnity compensation; or
- (6) provides or increases benefits for Filipino veterans of World War II or their survivors and dependents;

by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 303. DEFICIT-NEUTRAL RESERVE FUND FOR EDUCATION BENEFITS FOR SERVICEMEMBERS, VETERANS, AND THEIR FAMILIES.**

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that enhances education benefits or assistance for servicemembers (including Active Duty, National Guard, and Reserve), veterans, or their spouses, survivors, or dependents by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 304. DEFICIT-NEUTRAL RESERVE FUND FOR INFRASTRUCTURE INVESTMENT.**

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides for increased investment in infrastructure projects by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 305. DEFICIT-NEUTRAL RESERVE FUND FOR RENEWABLE ENERGY AND ENERGY EFFICIENCY.**

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides tax incentives for or otherwise encourages the production of renewable en-

ergy or increased energy efficiency; encourages investment in emerging energy or vehicle technologies or carbon capture and sequestration; provides for reductions in greenhouse gas emissions; or facilitates the training of workers for these industries ("green collar jobs") by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 306. DEFICIT-NEUTRAL RESERVE FUND FOR MIDDLE-INCOME TAX RELIEF AND ECONOMIC EQUITY.**

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides for tax relief for middle-income families and taxpayers or enhanced economic equity, such as extension of the child tax credit, extension of marriage penalty relief, extension of the 10 percent individual income tax bracket, elimination of estate taxes on all but a minute fraction of estates by reforming and substantially increasing the unified credit, extension of the research and experimentation tax credit, extension of the deduction for small business expensing, extension of the deduction for State and local sales taxes, and a tax credit for school construction bonds, by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 307. DEFICIT-NEUTRAL RESERVE FUND FOR REFORM OF THE ALTERNATIVE MINIMUM TAX.**

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides for reform of the Internal Revenue Code of 1986 by reducing the tax burden of the alternative minimum tax on middle-income families by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 308. DEFICIT-NEUTRAL RESERVE FUND FOR HIGHER EDUCATION.**

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that makes college more affordable or accessible through reforms to the Higher Education Act of 1965 or other legislation by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 309. DEFICIT-NEUTRAL RESERVE FUND FOR AFFORDABLE HOUSING.**

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides for an affordable housing fund, offset by reforming the regulation of certain government-sponsored enterprises, by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 310. DEFICIT-NEUTRAL RESERVE FUND FOR MEDICARE IMPROVEMENTS.**

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that improves the Medicare program for beneficiaries and protects access to care, through measures such as increasing the reimbursement rate for physicians while protecting beneficiaries from associated premium increases and making improvements to the prescription drug program under part D, by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 311. DEFICIT-NEUTRAL RESERVE FUND FOR HEALTH CARE QUALITY, EFFECTIVENESS, AND EFFICIENCY.**

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that—

- (1) provides incentives or other support for adoption of modern information technology, including electronic prescribing, to improve quality and protect privacy in health care;
- (2) establishes a new Federal or public-private initiative for research on the comparative effectiveness of different medical interventions; or
- (3) provides parity between health insurance coverage of mental health benefits and benefits for medical and surgical services, including parity in public programs;

by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 312. DEFICIT-NEUTRAL RESERVE FUND FOR MEDICAID AND OTHER PROGRAMS.**

(a) REGULATIONS AND ADMINISTRATIVE ACTIONS.—In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that prevents or delays the implementation or administration of regulations or other administrative actions that would affect the Medicaid, SCHIP, or other programs by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

(b) TRANSITIONAL MEDICAL ASSISTANCE AND QUALIFYING INDIVIDUALS.—In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that extends the transitional medical assistance program or the qualifying individuals program, which are included in title XIX of the Social Security Act, by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 313. DEFICIT-NEUTRAL RESERVE FUND FOR TRADE ADJUSTMENT ASSISTANCE AND UNEMPLOYMENT INSURANCE MODERNIZATION.**

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report

that reauthorizes the trade adjustment assistance program to better meet the challenges of globalization or modernizes the unemployment insurance system to improve access to needed benefits by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 314. DEFICIT-NEUTRAL RESERVE FUND FOR COUNTY PAYMENTS LEGISLATION.**

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides for the reauthorization of the Secure Rural Schools and Community Self Determination Act of 2000 (Public Law 106-393) or makes changes to the Payments in Lieu of Taxes Act of 1976 (Public Law 94-565) by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 315. DEFICIT-NEUTRAL RESERVE FUND FOR SAN JOAQUIN RIVER RESTORATION AND NAVAJO NATION WATER RIGHTS SETTLEMENTS.**

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that would fulfill the purposes of the San Joaquin River Restoration Settlement Act or implement a Navajo Nation water rights settlement as authorized by the Northwestern New Mexico Rural Water Projects Act by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 316. DEFICIT-NEUTRAL RESERVE FUND FOR THE NATIONAL PARK CENTENNIAL FUND.**

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides for the establishment of the National Parks Centennial Fund by the amounts provided in such measure for that purpose if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 317. DEFICIT-NEUTRAL RESERVE FUND FOR CHILD SUPPORT ENFORCEMENT.**

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that improves Federal child support collection efforts or results in more collected child support reaching families by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**TITLE IV—BUDGET ENFORCEMENT**

**SEC. 401. PROGRAM INTEGRITY INITIATIVES.**

(a) ADJUSTMENTS TO DISCRETIONARY SPENDING LIMITS.—

(1) CONTINUING DISABILITY REVIEWS AND SUPPLEMENTAL SECURITY INCOME REDETERMINATIONS.—In the House, prior to consideration of a bill or joint resolution making appropriations for fiscal year 2009 that appropriates \$264,000,000 for continuing disability reviews and Supplemental Security Income

redeterminations for the Social Security Administration, and provides an additional appropriation of up to \$240,000,000, and the amount is designated for continuing disability reviews and Supplemental Security Income redeterminations for the Social Security Administration, the allocation to the Committee on Appropriations shall be increased by the amount of the additional budget authority and outlays resulting from that budget authority for fiscal year 2009.

(2) INTERNAL REVENUE SERVICE TAX COMPLIANCE.—In the House, prior to consideration of a bill or joint resolution making appropriations for fiscal year 2009 that appropriates \$6,997,000,000 to the Internal Revenue Service and the amount is designated to improve compliance with the provisions of the Internal Revenue Code of 1986 and provides an additional appropriation of up to \$490,000,000, and the amount is designated to improve compliance with the provisions of the Internal Revenue Code of 1986, the allocation to the Committee on Appropriations shall be increased by the amount of the additional budget authority and outlays resulting from that budget authority for fiscal year 2009.

(3) HEALTH CARE FRAUD AND ABUSE CONTROL PROGRAM.—In the House, prior to consideration of a bill or joint resolution making appropriations for fiscal year 2009 that appropriates up to \$198,000,000 and the amount is designated to the health care fraud and abuse control program at the Department of Health and Human Services, the allocation to the Committee on Appropriations shall be increased by the amount of additional budget authority and outlays resulting from that budget authority for fiscal year 2009.

(4) UNEMPLOYMENT INSURANCE PROGRAM INTEGRITY ACTIVITIES.—In the House, prior to consideration of a bill or joint resolution making appropriations for fiscal year 2009 that appropriates \$10,000,000 for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews for the Department of Labor and provides an additional appropriation of up to \$40,000,000, and the amount is designated for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews for the Department of Labor, the allocation to the Committee on Appropriations shall be increased by the amount of additional budget authority and outlays resulting from that budget authority for fiscal year 2009.

(b) PROCEDURE FOR ADJUSTMENTS.—

(1) IN GENERAL.—In the House, prior to consideration of a bill, joint resolution, amendment, or conference report, the chairman of the Committee on the Budget shall make the adjustments set forth in subsection (a) for the incremental new budget authority in that measure and the outlays resulting from that budget authority if that measure meets the requirements set forth in subsection (a), except that no adjustment shall be made for provisions exempted for the purposes of titles III and IV of the Congressional Budget Act of 1974 under section 404 of this resolution.

(2) MATTERS TO BE ADJUSTED.—The adjustments referred to in paragraph (1) are to be made to—

(A) 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

(B) the budgetary aggregates as set forth in this resolution.

**SEC. 402. OVERSIGHT OF GOVERNMENT PERFORMANCE.**

In the House, all committees are directed to review programs within their jurisdiction to root out waste, fraud, and abuse in program spending, giving particular scrutiny to

issues raised by Government Accountability Office reports. Based on these oversight efforts and committee performance reviews of programs within their jurisdiction, committees are directed to include recommendations for improved governmental performance in their annual views and estimates reports required under section 301(d) of the Congressional Budget Act of 1974 to the Committee on the Budget.

**SEC. 403. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.**

(a) IN GENERAL.—In the House, except as provided in subsection (b), a bill or joint resolution making a general appropriation or continuing appropriation, or an amendment thereto or a conference report thereon, may not provide for advance appropriations.

(b) EXCEPTIONS.—In the House, an advance appropriation may be provided for fiscal year 2010 for programs, projects, activities, or accounts identified in the report to accompany this resolution or the joint explanatory statement of managers to accompany this resolution under the heading "Accounts Identified for Advance Appropriations" in an aggregate amount not to exceed \$27,558,000,000 in new budget authority, and for 2011, accounts separately identified under the same heading.

(c) DEFINITION.—In this section, the term "advance appropriation" means any new discretionary budget authority provided in a bill or joint resolution making general appropriations or any new discretionary budget authority provided in a bill or joint resolution continuing appropriations for fiscal year 2009 that first becomes available for any fiscal year after 2009.

**SEC. 404. OVERSEAS DEPLOYMENTS AND EMERGENCY NEEDS.**

(a) OVERSEAS DEPLOYMENTS AND RELATED ACTIVITIES.—In the House, if any bill, joint resolution, amendment, or conference report makes appropriations for fiscal year 2008 or fiscal year 2009 for overseas deployments and related activities, and such amounts are so designated pursuant to this subsection, then new budget authority and outlays resulting therefrom shall not count for the purposes of titles III and IV of the Congressional Budget Act of 1974.

(b) EMERGENCY NEEDS.—In the House, if any bill, joint resolution, amendment, or conference report makes appropriations for discretionary amounts, and such amounts are designated as necessary to meet emergency needs, then the new budget authority and outlays resulting therefrom shall not count for the purposes of titles III and IV of the Congressional Budget Act of 1974.

**SEC. 405. BUDGETARY TREATMENT OF CERTAIN DISCRETIONARY ADMINISTRATIVE EXPENSES.**

(a) IN GENERAL.—In the House, notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974, section 13301 of the Budget Enforcement Act of 1990, and section 4001 of the Omnibus Budget Reconciliation Act of 1989, 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 and of the Postal Service.

(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 off-budget discretionary amounts.

**SEC. 406. 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.**—In the House, upon the enactment of this resolution, 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 Committee on the Budget.

**SEC. 407. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.**

In the House, upon the enactment of any bill or joint resolution providing for a change in concepts or definitions, the chairman of the Committee on the Budget may 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).

**SEC. 408. EXERCISE OF RULEMAKING POWERS.**

The House adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the House and as such they shall be considered as part of the rules of the House, and these rules shall supersede other rules of the House only to the extent that they are inconsistent with other such rules of the House; and

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

**TITLE V—POLICY**

**SEC. 501. POLICY ON MIDDLE-INCOME TAX RELIEF.**

It is the policy of this resolution to—

(1) minimize fiscal burdens on middle-income families and their children and grandchildren;

(2) provide immediate relief for the tens of millions of middle-income households who would otherwise be subject to the alternative minimum tax (AMT) under current law, in the context of permanent, revenue-neutral AMT reform; and

(3) support extension of middle-income tax relief and enhanced economic equity through policies such as—

(A) extension of the child tax credit;

(B) extension of marriage penalty relief;

(C) extension of the 10 percent individual income tax bracket;

(D) elimination of estate taxes on all but a minute fraction of estates by reforming and substantially increasing the unified tax credit;

(E) extension of the research and experimentation tax credit;

(F) extension of the deduction for State and local sales taxes;

(G) extension of the deduction for small business expensing; and

(H) enactment of a tax credit for school construction bonds.

This resolution assumes that the cost of enacting such policies is offset by reforms within the Internal Revenue Code of 1986 that promote a fairer distribution of taxes across families and generations, economic efficiency, higher rates of tax compliance to close the “tax gap,” and reduced taxpayer burdens through tax simplification.

**SEC. 502. POLICY ON DEFENSE PRIORITIES.**

It is the policy of this resolution that—

(1) the Administration’s budget requests should comply with section 1008, Public Law 109-364, the John Warner National Defense Authorization Act for Fiscal Year 2007, and the Administration should no longer attempt to fund overseas military operations through emergency supplemental appropriations requests;

(2) the Department of Defense should exclude nonwar requirements from its funding requests for Iraq and Afghanistan;

(3) implementing the recommendation of the National Commission on Terrorist Attacks Upon the United States (commonly referred to as the 9/11 Commission) to adequately fund cooperative threat reduction and nuclear nonproliferation programs (securing “loose nukes”) is a high priority and should receive far greater emphasis than the President’s budget provides;

(4) readiness of our troops, particularly the National Guard and Reserve, is a high priority, and that greater emphasis needs to be placed on mitigating equipment and training shortfalls;

(5) TRICARE fees for military retirees under the age of 65 should not be increased as the President’s budget proposes;

(6) military pay and benefits should be enhanced to improve the quality of life of military personnel;

(7) improving military health care services continues to be a high priority and adequate funding to ensure quality health care for returning combat veterans should be provided;

(8) higher priority defense needs could be addressed by funding missile defense at an adequate but lower level, not providing funding for development of space-based missile defense interceptors, and by restraining excessive cost and schedule growth in defense research, development and procurement programs;

(9) the Department of Defense should reassess current defense plans to ensure that weapons developed to counter cold war-era threats are not redundant and are applicable to 21st century threats;

(10) sufficient resources should be provided for the Department of Defense to do an aggressive job of addressing as many as possible of the 1,260 unimplemented recommendations made by the Government Accountability Office (GAO) over the last 7 years to improve practices at the Department of Defense, including investigation of the billions of dollars of obligations, disbursements and overcharges for which the Department of Defense cannot account;

(11) savings from the actions recommended in paragraphs (8) and (10) of this section should be used to fund the priorities identified in paragraphs (3) through (7);

(12) the Department of Defense report to Congress on its assessment of cold war weapons and progress on implementing GAO recommendations as outlined in paragraphs (9) and (10) by a time determined by the appropriate authorizing committees; and

(13) the GAO report to the appropriate congressional committees by the end of the 110th Congress regarding the Department of Defense’s progress in implementing its audit recommendations.

**TITLE VI—SENSE OF THE HOUSE**

**SEC. 601. SENSE OF THE HOUSE ON THE INNOVATION AGENDA AND AMERICA COMPETES ACT.**

It is the sense of the House that—

(1) the House should provide sufficient funding so that our Nation may continue to be the world leader in education, innovation and economic growth;

(2) last year, Congress passed and the President signed the America COMPETES

Act, bipartisan legislation designed to ensure that American students, teachers, businesses, and workers are prepared to continue leading the world in innovation, research, and technology well into the future;

(3) this resolution supports the efforts authorized in the America COMPETES Act, providing substantially increased funding above the President’s requested level for 2009, and increased amounts after 2009 in Function 250 (General Science, Space and Technology) and Function 270 (Energy);

(4) additional increases for scientific research and education are included in Function 500 (Education, Employment, Training and Social Services), Function 550 (Health), Function 300 (Environment and Natural Resources), and Function 370 (Commerce and Housing Credit), all of which receive more funding than the President’s budget provides;

(5) because America’s greatest resource for innovation resides within classrooms across the country, the increased funding provided in this resolution will support initiatives within the America COMPETES Act to educate tens of thousands of new scientists, engineers, and mathematicians, and place highly qualified teachers in math and science K–12 classrooms; and

(6) because independent scientific research provides the foundation for innovation and future technologies, this resolution will keep us on the path toward doubling funding for the National Science Foundation, basic research in the physical sciences, and collaborative research partnerships, and toward achieving energy independence through the development of clean and sustainable alternative energy technologies.

**SEC. 602. SENSE OF THE HOUSE ON SERVICEMEMBERS’ AND VETERANS’ HEALTH CARE AND OTHER PRIORITIES.**

It is the sense of the House that—

(1) the House supports excellent health care for current and former members of the United States Armed Services—they have served well and honorably and have made significant sacrifices for this Nation;

(2) this resolution provides \$48,150,000,000 in discretionary budget authority for 2009 for Function 700 (Veterans Benefits and Services), including veterans’ health care, which is \$4,888,000,000 more than the 2008 level, \$3,602,000,000 more than the Congressional Budget Office’s baseline level for 2009, and \$3,232,000,000 more than the President’s budget for 2009; and also provides more discretionary budget authority than the President’s budget in every year after 2009;

(3) this resolution provides funding to continue addressing problems such as those identified at Walter Reed Army Medical Center to improve military and veterans’ health care facilities and services;

(4) this resolution assumes the rejection of the health care enrollment fees and pharmaceutical co-payment increases in the President’s budget;

(5) this resolution provides additional funding above the President’s inadequate budget levels for the Department of Veterans Affairs to research and treat veterans’ mental health, post-traumatic stress disorder, and traumatic brain injury; and

(6) this resolution provides additional funding above the President’s inadequate budget levels for the Department of Veterans Affairs to improve the speed and accuracy of its processing of disability compensation claims, including funding to hire additional personnel above the President’s requested level.

**SEC. 603. SENSE OF THE HOUSE ON HOMELAND SECURITY.**

It is the sense of the House that—

(1) this resolution assumes additional homeland security funding above the President's requested level for 2009 and every subsequent year;

(2) this resolution assumes funding above the President's requested level for 2009, and additional amounts in subsequent years, in the four budget functions—Function 400 (Transportation), Function 450 (Community and Regional Development), Function 550 (Health), and Function 750 (Administration of Justice)—that fund most nondefense homeland security activities; and

(3) the homeland security funding provided in this resolution will help to strengthen the security of our Nation's transportation system, particularly our ports where significant security shortfalls still exist and foreign ports, by expanding efforts to identify and scan all high-risk United States-bound cargo, equip, train and support first responders (including enhancing interoperable communications and emergency management), strengthen border patrol, and increase the preparedness of the public health system.

**SEC. 604. SENSE OF THE HOUSE REGARDING LONG-TERM FISCAL REFORM.**

It is the sense of the House that—

(1) both the Government Accountability Office and the Congressional Budget Office have warned that the Federal budget is on an unsustainable path of rising deficits and debt;

(2) using recent trend data and reasonable policy assumptions, CBO has projected that the gap between spending and revenues over the next 75 years will reach 6.9 percent of GDP;

(3) publicly held debt will rise from 36 percent today to 400 percent of GDP by the decade beginning in 2050 under CBO's alternative policy scenario;

(4) the most significant factor affecting the long-term Federal fiscal landscape is the expectation that total public and private health spending will continue to grow faster than the economy;

(5) the House calls upon governmental and nongovernmental experts to develop specific options to reform the health care system and control costs, that further research and analysis on topics including comparative effectiveness, health information technology, preventative care, and provider incentives is needed, and that of critical importance is the development of a consensus on the appropriate methods for estimating the budgetary impact and health outcome effects of these proposals; and

(6) immediate policy action is needed to address the long-term fiscal challenges facing the United States, including the rising costs of entitlements, in a manner that is fiscally responsible, equitable, and lasting, and that also honors commitments made to beneficiaries, and that such action should be bipartisan, bicameral, involve both legislative and executive branch participants, as well as public participation, and be conducted in a manner that ensures full, fair, and timely Congressional consideration.

**SEC. 605. SENSE OF THE HOUSE REGARDING WASTE, FRAUD, AND ABUSE.**

It is the sense of the House that—

(1) all committees should examine programs within their jurisdiction to identify wasteful and fraudulent spending;

(2) title IV of this resolution includes cap adjustments to provide appropriations for agencies that control programs that accounted for a significant share of improper payments reported by Federal agencies: Social Security Administration Continuing Disability Reviews, the Medicare/Medicaid Health Care Fraud and Abuse Control Program, and Unemployment Insurance Program Integrity;

(3) title IV also includes a cap adjustment for the Internal Revenue Services for tax compliance efforts to close the \$300,000,000,000 tax gap;

(4) the resolution's deficit-neutral reserve funds require authorizing committees to cut lower priority and wasteful spending to accommodate any new high-priority entitlement benefits; and

(5) title IV of the resolution directs all committees to review the performance of programs within their jurisdiction and report recommendations annually to the Committee on the Budget as part of the views and estimates process required by section 301(d) of the Congressional Budget Act.

**SEC. 606. SENSE OF THE HOUSE REGARDING EXTENSION OF THE STATUTORY PAY-AS-YOU-GO RULE.**

It is the sense of the House that to reduce the deficit, Congress should extend the PAYGO rules originally enacted in the Budget Enforcement Act of 1990.

**SEC. 607. SENSE OF THE HOUSE ON LONG-TERM BUDGETING.**

It is the sense of the Congress that the determination of the congressional budget for the United States Government and the President's budget request should include consideration of the Financial Report of the United States Government, especially its information regarding the Governments net operating cost, financial position, and long-term liabilities.

**SEC. 608. SENSE OF THE HOUSE REGARDING THE NEED TO MAINTAIN AND BUILD UPON EFFORTS TO FIGHT HUNGER.**

It is the sense of the House that—

(1) 35.5 million Americans (12.6 million of them children) are food insecure—uncertain of having, or unable to acquire, enough food, and that 11.1 million Americans are hungry because of lack of food;

(2) despite the critical contributions of the Department of Agriculture nutrition programs (particularly the food stamp program), which significantly reduced payment error rates while providing help to partially mitigate the effects of rising poverty and unemployment, significant need remains, even among families that receive food stamps;

(3) nearly 25 million people, including more than nine million children and nearly three million seniors, sought emergency food assistance from food pantries, soup kitchens, shelters, and local charities last year;

(4) legislation that passed the House with bipartisan support was an appropriate first step toward ensuring that nutrition assistance keeps up with inflation and rising food prices; and

(5) Department of Agriculture programs that help us fight hunger should be maintained and that the House should continue to seize opportunities to reach Americans in need and to fight hunger.

**SEC. 609. SENSE OF THE HOUSE REGARDING AFFORDABLE HEALTH COVERAGE.**

It is the sense of the House that—

(1) nearly 47 million Americans, including nine million children, lack health insurance;

(2) people without health insurance are more likely to experience problems getting medical care and to be hospitalized for avoidable health problems;

(3) most Americans receive health coverage through their employers, and a major issue facing all employers is the rising cost of health insurance;

(4) small businesses, which have generated most of the new jobs annually over the last decade, have an especially difficult time affording health coverage, because of higher administrative costs and fewer people over whom to spread the risk of catastrophic costs;

(5) because it is especially costly for small businesses to provide health coverage, their

employees make up a large proportion of the Nation's uninsured individuals; and

(6) legislation consistent with the pay-as-you-go principle should be adopted that makes health insurance more affordable and accessible, with attention to the special circumstances affecting employees of small businesses, and that lowers costs and improves the quality of health care by encouraging integration of health information technology tools into the practice of medicine, and by promoting improvements in disease management and disease prevention.

**SEC. 610. SENSE OF THE HOUSE REGARDING PAY PARITY.**

It is the sense of the House that rates of compensation for civilian employees of the United States should be adjusted at the same time, and in the same proportion, as are rates of compensation for members of the uniformed services.

**SEC. 611. SENSE OF THE HOUSE REGARDING SUBPRIME LENDING AND FORECLOSURES.**

It is the sense of the House that—

(1) over the last six months, the Nation has experienced a significant increase in the number of homeowners facing the risk of foreclosure with estimates of as many as 2.8 million subprime and other distressed borrowers facing the loss of their homes over the next five years;

(2) the rise in foreclosures not only has an immediate, devastating impact on homeowners and their families, but it also has ripple effects—

(A) local communities experiencing high levels of foreclosures experience deterioration as a result of the large number of vacant foreclosed and abandoned homes;

(B) rising foreclosure rates can accelerate drops in home prices, affecting all homeowners; and

(C) home mortgage default and foreclosure rates increase risk for lenders, further restricting the availability of credit, which can in turn slow economic growth; and

(3) the rise in foreclosures is not only a crisis for subprime borrowers, but a larger problem for communities as a whole, and considering the multi-layered effects of increasing foreclosures, the House should consider steps to address this complex problem.

**SEC. 612. SENSE OF HOUSE REGARDING THE IMPORTANCE OF CHILD SUPPORT ENFORCEMENT.**

It is the sense of the House that—

(1) additional legislative action is needed to ensure that States have the necessary resources to collect all child support that is owed to families and to allow them to pass 100 percent of support on to families without financial penalty; and

(2) when 100 percent of child support payments are passed to the child, rather than administrative expenses, program integrity is improved and child support participation increases.

The Acting CHAIRMAN. No amendment to the concurrent resolution is in order except the amendments printed in House Report 110-548. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, and shall not be subject to amendment.

AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 1 OFFERED BY MS. KILPATRICK

The Acting CHAIRMAN. It is now in order to consider amendment No. 1 printed in House Report 110-548.

Ms. KILPATRICK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment in the nature of a substitute No. 1 offered by Ms. KILPATRICK:

Strike all after the resolving clause and insert the following:

**SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2009.**

The Congress determines and declares that the concurrent resolution on the budget for fiscal year 2009, including appropriate budgetary levels for fiscal years 2010 through 2013.

**TITLE I—RECOMMENDED LEVELS AND AMOUNTS**

**SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.**

The following budgetary levels are appropriate for each of fiscal years 2009 through 2013:

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

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

Fiscal year 2009: \$2,113,137,000,000.  
Fiscal year 2010: \$2,333,975,000,000.  
Fiscal year 2011: \$2,520,860,000,000.  
Fiscal year 2012: \$2,736,299,000,000.  
Fiscal year 2013: \$2,838,866,000,000.

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

Fiscal year 2009: \$16,013,000,000.  
Fiscal year 2010: \$151,111,000,000.  
Fiscal year 2011: \$92,835,000,000.  
Fiscal year 2012: \$82,984,000,000.  
Fiscal year 2013: \$84,126,000,000.

(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 2009: \$2,597,686,000,000.  
Fiscal year 2010: \$2,630,042,000,000.  
Fiscal year 2011: \$2,761,520,000,000.  
Fiscal year 2012: \$2,790,731,000,000.  
Fiscal year 2013: \$2,929,212,000,000.

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

Fiscal year 2009: \$2,596,055,000,000.  
Fiscal year 2010: \$2,680,087,000,000.  
Fiscal year 2011: \$2,777,894,000,000.  
Fiscal year 2012: \$2,790,731,000,000.  
Fiscal year 2013: \$2,919,409,000,000.

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

Fiscal year 2009: \$482,918,000,000.  
Fiscal year 2010: \$346,112,000,000.  
Fiscal year 2011: \$257,034,000,000.  
Fiscal year 2012: \$54,432,000,000.  
Fiscal year 2013: \$80,543,000,000.

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

Fiscal year 2009: \$10,146,000,000.  
Fiscal year 2010: \$10,601,000,000.  
Fiscal year 2011: \$10,963,000,000.  
Fiscal year 2012: \$11,149,000,000.  
Fiscal year 2013: \$11,344,000,000.

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

Fiscal year 2009: \$5,701,000,000.  
Fiscal year 2010: \$5,858,000,000.  
Fiscal year 2011: \$5,907,000,000.  
Fiscal year 2012: \$5,740,000,000.  
Fiscal year 2013: \$5,593,000,000.

**SEC. 102. MAJOR FUNCTIONAL CATEGORIES.**

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2009 through 2013 for each major functional category are:

(1) National Defense (050):

Fiscal year 2009:

(A) New budget authority, \$542,497,000,000.  
(B) Outlays, \$573,362,000,000.

Fiscal year 2010:

(A) New budget authority, \$550,414,000,000.  
(B) Outlays, \$560,726,000,000.

Fiscal year 2011:

(A) New budget authority, \$557,026,000,000.  
(B) Outlays, \$560,099,000,000.

Fiscal year 2012:

(A) New budget authority, \$565,800,000,000.  
(B) Outlays, \$556,699,000,000.

Fiscal year 2013:

(A) New budget authority, \$576,223,000,000.  
(B) Outlays, \$568,829,000,000.

(2) International Affairs (150):

Fiscal year 2009:

(A) New budget authority, \$40,506,000,000.  
(B) Outlays, \$37,529,000,000.

Fiscal year 2010:

(A) New budget authority, \$41,911,000,000.  
(B) Outlays, \$39,535,000,000.

Fiscal year 2011:

(A) New budget authority, \$42,828,000,000.  
(B) Outlays, \$40,665,000,000.

Fiscal year 2012:

(A) New budget authority, \$43,642,000,000.  
(B) Outlays, \$41,307,000,000.

Fiscal year 2013:

(A) New budget authority, \$44,072,000,000.  
(B) Outlays, \$41,672,000,000.

(3) General Science, Space, and Technology (250):

Fiscal year 2009:

(A) New budget authority, \$30,049,000,000.  
(B) Outlays, \$28,761,000,000.

Fiscal year 2010:

(A) New budget authority, \$31,280,000,000.  
(B) Outlays, \$30,704,000,000.

Fiscal year 2011:

(A) New budget authority, \$32,589,000,000.  
(B) Outlays, \$32,312,000,000.

Fiscal year 2012:

(A) New budget authority, \$33,968,000,000.  
(B) Outlays, \$33,677,000,000.

Fiscal year 2013:

(A) New budget authority, \$35,413,000,000.  
(B) Outlays, \$34,591,000,000.

(4) Energy (270):

Fiscal year 2009:

(A) New budget authority, \$5,374,000,000.  
(B) Outlays, \$2,423,000,000.

Fiscal year 2010:

(A) New budget authority, \$5,345,000,000.  
(B) Outlays, \$3,354,000,000.

Fiscal year 2011:

(A) New budget authority, \$5,412,000,000.  
(B) Outlays, \$3,983,000,000.

Fiscal year 2012:

(A) New budget authority, \$5,503,000,000.  
(B) Outlays, \$4,370,000,000.

Fiscal year 2013:

(A) New budget authority, \$5,595,000,000.  
(B) Outlays, \$4,684,000,000.

(5) Natural Resources and Environment (300):

Fiscal year 2009:

(A) New budget authority, \$41,428,000,000.  
(B) Outlays, \$37,340,000,000.

Fiscal year 2010:

(A) New budget authority, \$36,559,000,000.  
(B) Outlays, \$38,557,000,000.

Fiscal year 2011:

(A) New budget authority, \$37,447,000,000.  
(B) Outlays, \$39,030,000,000.

Fiscal year 2012:

(A) New budget authority, \$38,345,000,000.  
(B) Outlays, \$39,424,000,000.

Fiscal year 2013:

(A) New budget authority, \$39,267,000,000.  
(B) Outlays, \$40,038,000,000.

(6) Agriculture (350):

Fiscal year 2009:

(A) New budget authority, \$22,094,000,000.  
(B) Outlays, \$21,726,000,000.

Fiscal year 2010:

(A) New budget authority, \$22,284,000,000.

(B) Outlays, \$21,226,000,000.

Fiscal year 2011:

(A) New budget authority, \$22,456,000,000.  
(B) Outlays, \$21,436,000,000.

Fiscal year 2012:

(A) New budget authority, \$22,828,000,000.  
(B) Outlays, \$21,995,000,000.

Fiscal year 2013:

(A) New budget authority, \$23,186,000,000.  
(B) Outlays, \$22,376,000,000.

(7) Commerce and Housing Credit (370):

Fiscal year 2009:

(A) New budget authority, \$11,022,000,000.  
(B) Outlays, \$4,913,000,000.

Fiscal year 2010:

(A) New budget authority, \$15,349,000,000.  
(B) Outlays, \$7,245,000,000.

Fiscal year 2011:

(A) New budget authority, \$10,460,000,000.  
(B) Outlays, \$3,617,000,000.

Fiscal year 2012:

(A) New budget authority, \$10,708,000,000.  
(B) Outlays, \$3,188,000,000.

Fiscal year 2013:

(A) New budget authority, \$11,104,000,000.  
(B) Outlays, \$3,110,000,000.

(8) Transportation (400):

Fiscal year 2009:

(A) New budget authority, \$74,619,000,000.  
(B) Outlays, \$81,067,000,000.

Fiscal year 2010:

(A) New budget authority, \$78,682,000,000.  
(B) Outlays, \$84,845,000,000.

Fiscal year 2011:

(A) New budget authority, \$79,709,000,000.  
(B) Outlays, \$87,159,000,000.

Fiscal year 2012:

(A) New budget authority, \$80,660,000,000.  
(B) Outlays, \$89,274,000,000.

Fiscal year 2013:

(A) New budget authority, \$81,653,000,000.  
(B) Outlays, \$91,609,000,000.

(9) Community and Regional Development (450):

Fiscal year 2009:

(A) New budget authority, \$16,546,000,000.  
(B) Outlays, \$24,684,000,000.

Fiscal year 2010:

(A) New budget authority, \$16,819,000,000.  
(B) Outlays, \$22,720,000,000.

Fiscal year 2011:

(A) New budget authority, \$17,127,000,000.  
(B) Outlays, \$19,392,000,000.

Fiscal year 2012:

(A) New budget authority, \$17,443,000,000.  
(B) Outlays, \$17,669,000,000.

Fiscal year 2013:

(A) New budget authority, \$17,748,000,000.  
(B) Outlays, \$17,507,000,000.

(10) Education, Training, Employment, and Social Services (500):

Fiscal year 2009:

(A) New budget authority, \$115,485,000,000.  
(B) Outlays, \$96,894,000,000.

Fiscal year 2010:

(A) New budget authority, \$122,844,000,000.  
(B) Outlays, \$118,545,000,000.

Fiscal year 2011:

(A) New budget authority, \$125,862,000,000.  
(B) Outlays, \$123,385,000,000.

Fiscal year 2012:

(A) New budget authority, \$128,078,000,000.  
(B) Outlays, \$124,647,000,000.

Fiscal year 2013:

(A) New budget authority, \$121,940,000,000.  
(B) Outlays, \$123,740,000,000.

(11) Health (550):

Fiscal year 2009:

(A) New budget authority, \$323,727,000,000.  
(B) Outlays, \$310,812,000,000.

Fiscal year 2010:

(A) New budget authority, \$340,699,000,000.  
(B) Outlays, \$337,134,000,000.

Fiscal year 2011:

(A) New budget authority, \$361,681,000,000.  
(B) Outlays, \$359,998,000,000.

Fiscal year 2012:

(A) New budget authority, \$384,698,000,000.

(B) Outlays, \$383,092,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$410,017,000,000.  
 (B) Outlays, \$408,170,000,000.  
 (12) Medicare (570):  
 Fiscal year 2009:  
 (A) New budget authority, \$420,691,000,000.  
 (B) Outlays, \$420,420,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$445,725,000,000.  
 (B) Outlays, \$445,825,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$494,870,000,000.  
 (B) Outlays, \$494,693,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$491,853,000,000.  
 (B) Outlays, \$491,610,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$552,889,000,000.  
 (B) Outlays, \$553,003,000,000.  
 (13) Income Security (600):  
 Fiscal year 2009:  
 (A) New budget authority, \$419,956,000,000.  
 (B) Outlays, \$420,166,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$425,776,000,000.  
 (B) Outlays, \$426,298,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$435,181,000,000.  
 (B) Outlays, \$435,414,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$420,612,000,000.  
 (B) Outlays, \$421,056,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$436,245,000,000.  
 (B) Outlays, \$435,944,000,000.  
 (14) Social Security (650):  
 Fiscal year 2009:  
 (A) New budget authority, \$21,308,000,000.  
 (B) Outlays, \$21,308,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$23,794,000,000.  
 (B) Outlays, \$23,794,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$27,330,000,000.  
 (B) Outlays, \$27,330,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$30,342,000,000.  
 (B) Outlays, \$30,342,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$33,162,000,000.  
 (B) Outlays, \$33,162,000,000.  
 (15) Veterans Benefits and Services (700):  
 Fiscal year 2009:  
 (A) New budget authority, \$97,404,000,000.  
 (B) Outlays, \$96,269,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$100,136,000,000.  
 (B) Outlays, \$99,789,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$105,936,000,000.  
 (B) Outlays, \$105,581,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$103,251,000,000.  
 (B) Outlays, \$102,386,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$109,230,000,000.  
 (B) Outlays, \$108,398,000,000.  
 (16) Administration of Justice (750):  
 Fiscal year 2009:  
 (A) New budget authority, \$52,104,000,000.  
 (B) Outlays, \$52,184,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$53,101,000,000.  
 (B) Outlays, \$53,336,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$54,338,000,000.  
 (B) Outlays, \$54,526,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$55,622,000,000.  
 (B) Outlays, \$55,474,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$56,967,000,000.  
 (B) Outlays, \$56,542,000,000.  
 (17) General Government (800):  
 Fiscal year 2009:  
 (A) New budget authority, \$24,020,000,000.  
 (B) Outlays, \$24,328,000,000.

Fiscal year 2010:  
 (A) New budget authority, \$20,461,000,000.  
 (B) Outlays, \$20,469,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$21,111,000,000.  
 (B) Outlays, \$20,985,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$21,819,000,000.  
 (B) Outlays, \$21,827,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$22,507,000,000.  
 (B) Outlays, \$22,283,000,000.  
 (18) Net Interest (900):  
 Fiscal year 2009:  
 (A) New budget authority, \$333,566,000,000.  
 (B) Outlays, \$333,566,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$367,308,000,000.  
 (B) Outlays, \$367,308,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$401,371,000,000.  
 (B) Outlays, \$401,371,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$421,521,000,000.  
 (B) Outlays, \$421,521,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$429,535,000,000.  
 (B) Outlays, \$429,535,000,000.  
 (19) Allowances (920):  
 Fiscal year 2009:  
 (A) New budget authority, \$2,350,000,000.  
 (B) Outlays, \$1,554,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$2,200,000,000.  
 (B) Outlays, \$1,915,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$2,150,000,000.  
 (B) Outlays, \$2,031,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$2,150,000,000.  
 (B) Outlays, \$2,101,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$2,150,000,000.  
 (B) Outlays, \$2,132,000,000.  
 (20) Undistributed Offsetting Receipts (950):  
 Fiscal year 2009:  
 (A) New budget authority, -\$67,060,000,000.  
 (B) Outlays, -\$67,060,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, -\$70,645,000,000.  
 (B) Outlays, -\$70,645,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, -\$73,364,000,000.  
 (B) Outlays, -\$73,364,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, -\$76,104,000,000.  
 (B) Outlays, -\$76,104,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, -\$79,691,000,000.  
 (B) Outlays, -\$79,691,000,000.  
 (21) Overseas Deployments and Other Activities (970):  
 Fiscal year 2009:  
 (A) New budget authority, \$70,000,000,000.  
 (B) Outlays, \$74,809,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$0.  
 (B) Outlays, \$47,407,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$0.  
 (B) Outlays, \$18,251,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$0.  
 (B) Outlays, \$5,176,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$0.  
 (B) Outlays, \$1,775,000,000.

**TITLE II—MISCELLANEOUS PROVISIONS**  
**SEC. 201. DEPARTMENT OF DEFENSE REPORT TO CONGRESS.**

(a) FINDINGS.—The Congress finds that—  
 (1) between 2001 and 2007, GAO provided the Department of Defense with 2864 recommendations, many related to improving their business practices and, to date, the Department of Defense has implemented 1389 recommendations and closed 215 recommendations without implementation; and

(2) the GAO estimates that the 1389 implemented recommendations have yielded the Department of Defense a savings of \$63.7 billion between fiscal years 2001 and 2007.  
 (b) ASSUMPTION; REPORT.—  
 (1) ASSUMPTION.—This resolution assumes \$300,000,000 to be used by the Department of Defense to implement the remaining 1260 recommendations of the Government Accountability Office.  
 (2) REPORT.—The Secretary of Defense should submit a report to Congress within 90 days that demonstrates how each such recommendation will be implemented, and, in the case of any such recommendation that cannot be implemented, a detailed reason for such inability to implement such recommendation.  
**SEC. 202. REDEPLOYMENT.**  
 It is the sense of the Congress that—  
 (1) the war in Iraq should end as safely and quickly as practicable and our troops should be brought home;  
 (2) the performance of United States military personnel in Iraq and Afghanistan should be commended, their courage and sacrifice have been exceptional, and when they come home, their service should be recognized appropriately; and  
 (3) the purpose of funds made available by this Act should be to transition the mission of United States Armed Forces in Iraq and undertake their redeployment, and not to extend or prolong the war and occupation.  
 The Acting CHAIRMAN. Pursuant to House Resolution 1036, the gentlewoman from Michigan (Ms. KILPATRICK) and a Member opposed each will control 30 minutes.  
 The Chair recognizes the gentlewoman from Michigan.  
 Ms. KILPATRICK. Mr. Chairman, at this time, the Congressional Black Caucus will present our 2009 budget for the fiscal year: Tough Choices, Right Priorities.  
 The Federal budget is \$3.1 trillion. Of these four main entitlements: Medicare, programs for over 40 million Americans, disabled children, low-income; Medicaid, 40 million children, low-income, disabled; Medicare, 44 million seniors' health program; and veterans, who have worked to build our country's security over these many years.  
 The budget we have before us invests in American families. It invests in our children, in our families, and it secures us at the same time.  
 There is no tax increase in this budget. And you will hear over and over from the other side that we're increasing taxes. We are not. We are rolling back those permanent tax cuts, for any American citizen who earns over \$200,000 will have the regular tax procedure. What we're rolling back and increasing the revenue so that we invest in America's families are incomes over \$200,000, that we might ensure all of America's children, that we might invest and save Medicare, as well as Medicaid.  
 We will increase the funding for No Child Left Behind, our premier education program that has never been properly funded. Education is the equalizer. America now falls behind the major nations of the world because our education system is crumbling, and our Congressional Black Caucus budget invests in education. We also offer money

in our Justice Department for having safer communities across America.

We will present to you our 2009 Congressional Black Caucus budget. It is fair, it reduces the deficit, and it invests in America's children and in America's families.

It is my opportunity, as we move on and present the various Members who will speak, that we will show you that this budget is a budget that America needs: tough choices, right priorities.

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

Mr. MARIO DIAZ-BALART of Florida. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman is recognized for 30 minutes.

Mr. MARIO DIAZ-BALART of Florida. First of all, let me commend the gentlelady from Michigan and the other colleagues for bringing forth an alternative budget. As a member of the Budget Committee for the past 6 years, I know how difficult it is to put together a budget of this magnitude. It takes a lot of work and a lot of dedication, so I commend my colleagues for doing this.

This is a true substitute budget, Mr. Chairman. It highlights the stark differences between the Democrats' priorities and the Republican priorities. And yes, it does increase taxes by actually more than \$1.1 trillion. I think that bears repeating. It increases taxes by more than \$1.1 trillion over the next 5 years. This includes actually \$427 billion in increases on top of the \$683 billion in the underlying Democratic budget.

The differences between the Republican budget priorities and those of my Democrat friends, frankly, are rather clear. They're crystal clear. The Democratic budget that came to the floor yesterday will raise taxes by \$683 billion over the next 5 years. Apparently, however, some of my Democratic friends think that that increase is still not enough, so this substitute raises taxes by, as I said before, \$1.1 trillion over the next 5 years. Now, however, Mr. Chairman, the Republican substitute that will be offered later today does not raise a single penny in taxes. It contains absolutely no tax increases.

Mr. Chairman, I would like to take some time to discuss frankly the underlying Democratic budget.

Last year, the Democratic budget promised to raise taxes by \$217 billion, and a lot of us were shocked because that was such a huge tax increase. A lot of us thought that was a lot of money. But this year they offer a newer and, frankly, bolder, more dramatic budget and more dramatic tax increase than last year. The underlying Democratic budget raises taxes by over \$683 billion over 5 years. It sets up years and years of even higher spending and higher taxes.

Mr. Chairman, at last week's committee markup, the Budget Committee that I am privileged to serve on, a number of my Republican colleagues

and I offered several amendments to extend the widely popular middle class tax provisions. And we're going to hear that this budget and the underlying Democratic budget only raises taxes on the wealthy. Well, we had that debate also in the Budget Committee. So, we offered some amendments to see if, in fact, that maybe they had just made a mistake. And yet, not one of these commonsense tax relief amendments were adopted. Every single Democrat on the committee voted against these amendments.

And I want to talk about what those amendments are, because, again, we're going to hear time and time again, oh, that's tax cuts for the wealthy. Let's talk about the specifics of the amendments that were voted down, that did not receive one single Democratic vote in the committee.

They voted against extending the \$1,000 child tax credit. You know, I don't know, maybe it's different in the rest of the country, but in Florida, not only the wealthy have children. And they voted against that, against extending the \$1,000 child tax credit. And that's raising taxes on families with children by \$51 billion.

They voted against extending the marginal tax rates for all Americans and, thus, increasing taxes by \$326 billion. They voted against, Mr. Chairman, eliminating the death tax. Now, I thought we could at least all agree that there should be, as a friend of mine here once said on the floor, "no taxation without respiration," but no, they voted against eliminating the death tax, increasing taxes again by 181 additional dollars.

They voted against extending tax relief for married couples, increasing taxes by \$25 billion on married couples.

□ 1200

And, again, I don't know, maybe Florida is different; but at least in the State of Florida not only the wealthy get married. That is a tax increase on every married couple in the entire country.

They voted against extending the 10 percent tax bracket for the very-low-income taxpayers. That's correct; we will hear time and time again, no, we only want to raise taxes on the wealthy. Yes, but then why did they vote against extending the 10 percent tax bracket for the very-low-income taxpayers?

Again, extending the State and local sales deduction for States like Florida, Nevada, and Texas, where people should be able to deduct what they pay in sales taxes because we don't have an income tax, which is deductible in other States, this provision expires this year. But the Democratic budget rejected this deduction, increasing taxes on Floridians and others right away.

My friends on the other side of the aisle claim they support tax relief, and they'll say it time and time again; but, frankly, their actions just don't match their rhetoric.

Those amendments were defeated in committee just a few days ago. Those amendments which are not tax cuts for the wealthy, as we're going to hear, no. They were for middle-class American families in the United States, and they voted against every single one of those amendments. And, again, every single one of them our colleagues on the Democratic side voted against those tax cuts for middle America, for American families, for small businesses, et cetera. Again, not one single Democrat voted for these tax cuts for the middle class.

But these tax provisions affect real people, Mr. Chairman, real American families, workers, and small business owners. Let's take a look at what these tax increases mean. Again, these are real numbers. This is not theory. This is not rhetoric:

A family of four with \$50,000 in annual income, not wealthy people but a family of four with \$50,000 in annual income, would see its tax bill increase by \$2,100. That's \$2,100 in tax increases in 2011 as a result of the Democrats' budget. That's a 191 percent increase in their Federal taxes.

Forty-eight million married couples will see their tax bills rise by an average of \$3,000; 12 million single women with dependents will face a tax increase of nearly \$1,100; 18 million seniors, seniors, will see a tax increase of more than \$2,100 in the year 2011; 27 million small business owners, Mr. Chairman, which are the backbone of our economy, which are the job creators in our economy, will see their tax bills increase by over \$4,000. More than six million taxpayers who previously had no Federal income tax liability will become subject to the individual income tax in 2011. Again, these are low-income Americans, because, again, unfortunately, the 10 percent bracket has gone away, and also their child deduction will go away.

These are just a few examples, not rhetoric, concrete specific examples of how this amendment and the underlying bill will affect hardworking American families, the American taxpayer.

With this budget, 116 million American taxpayers will see their tax increase by an average of \$1,800 in the year 2011. That's actually the underlying bill. With this amendment it would be even higher than that.

I often hear my Democratic friends say that a budget sets priorities. And it's obvious that this budget and this amendment to the budget set priorities. And what are those? More runaway spending and much higher taxes. That's what this budget offers and what this amendment offers. More of the same, just more taxes, more spending, more taxes, more spending, and no reform.

Some people, I guess, believe in this budget, and this amendment shows that some people believe that the Federal Government just doesn't have enough money and that the people



have too much money in their wallets; so the Federal Government needs to take it from them because we can do a better job here. The bureaucracy and those smart men and women in Congress, we know much better how to spend people's money than they do.

But, Mr. Chairman, wait. Like those TV commercials: but wait, there's even more. This budget does absolutely nothing to address the huge entitlements, the crisis that our Nation faces. As entitlement programs continue to grow, this underlying budget contains no instructions to reform them so that we will be able to keep them so that they can continue to serve the people that they are serving and they will not bankrupt those programs and also not bankrupt the country.

Again, the truth is, Mr. Chairman, that Medicare and Medicaid are both growing at more than 7 percent a year. Social Security is growing at 7 percent per year. These huge growth rates are, unfortunately, unsustainable for our economy, for those programs, for our fiscal future. We must tackle this crisis. We must reform them to save those programs and also to make sure that we save the fiscal situation in this country. And if we don't, if we put it off for another 5 years, as this amendment does and as the underlying budget does, it will just make the situation worse. We have to act on that now.

Mr. Chairman, this substitute budget and the underlying Democratic budgets are both deeply flawed. They both raise taxes on hardworking Americans to a level that we have never seen. We know what higher taxes will do. It will kill job creation. I mean, we all agreed to that. When we wanted to make sure that we avoided a recession, what did this Congress do on a bipartisan level? We cut taxes because we know that cutting taxes, on a bipartisan level we know, that helps economic growth. But yet this amendment and the underlying budget will increase taxes on the American people without precedent, at levels that, frankly, have no precedent. And this is just more of the same.

And for those reasons, Mr. Chairman, I would respectfully request that we vote down this amendment.

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

Ms. KILPATRICK. Mr. Chairman, I am honored to yield 4 minutes to the chairperson of our House Congressional Black Caucus Budget Task Force, as well as a proud member of the House Democratic Budget Committee, the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. I thank the gentlewoman for her leadership in the Congressional Black Caucus.

Mr. Chairman, I would like to begin the discussion on the budget with where we are. And I'd like to use charts because a lot of rhetoric goes back and forth.

This is a statement of where we are right now. You will see the budget deficit year by year was improved in the 8 years of Democratic leadership on the

budget and in the last few years has totally collapsed. It has collapsed to the point where we had a surplus projected, a 5- or 10-year surplus of \$5.5 trillion, a surplus projected for those 10 years starting in 2001. Those 10 years look like they're going to come in at a \$3 trillion deficit. That's an \$8.8 trillion deterioration. That's an average of over \$800 billion a year deterioration in the budget.

We didn't create any jobs during this time. This job performance under this administration is the worst since Herbert Hoover. You can say what you want, but that's just the arithmetic fact.

The Congressional Black Caucus is dealing with this budget responsibly. We, first of all, repeal the tax cuts that put us into the ditch to begin with. You can call that process whatever you want. You can rant and rave, but the fact is we are repealing all of those tax cuts that got us in the ditch, except those tax cuts that primarily affect that portion of your income under \$200,000. Under \$200,000 those tax cuts are protected. Those tax cuts that primarily affect your income over \$200,000, those are the ones that we are repealing. We are able to, with that money, balance the budget and to go into surplus.

The red is the President's budget, which is significantly worse than the Congressional Black Caucus every year. The Congressional Black Caucus has a lower deficit in the first 3 years and a higher surplus in the next 3 years than either the President's budget or the Democratic budget. We are so responsible, in fact, that we save interest on the national debt. Cumulative compared to the President we save \$23 billion in the fifth year alone, \$48 billion saved in interest over the 5 years compared to the President's budget.

We are also able to spend on our priorities. Education, compared to the President's budget, \$160 billion more on education, particularly No Child Left Behind; \$119 billion more in health care, particularly children's health that the President vetoed. Veterans benefits, \$60 billion over the President's budget. We're not charging our veterans fees for the services that they desperately need. And justice programs, prevention programs, after-school programs, and Second Chance Programs to make our communities safer, almost \$35 billion extra.

This budget is responsible. It invests in our priorities, and it is much more fiscally responsible than the President's budget.

Mr. MARIO DIAZ-BALART of Florida. Mr. Chairman, at this time I would like to recognize, frankly, one of the most talented and one of the most knowledgeable Members in the United States Congress on fiscal matters, that is, the ranking member of the Budget Committee, the gentleman from Wisconsin (Mr. RYAN), for 5 minutes.

Mr. RYAN of Wisconsin. I thank the gentleman for yielding.

First off, Mr. Chairman, I would like to congratulate the gentlewoman from Michigan and the gentleman from Virginia. The gentleman from Virginia is a knowledgeable man who's very sincere, who understands the budget process, and I want to congratulate you for bringing a budget to the floor. It's not easy to write a budget resolution, and it's important to bring a budget to the floor that reflects your priorities. So first of all, to the CBC, I simply want to congratulate you and your staff for doing this because that's how a debate works here. It's not enough just to criticize; it's important to propose things.

Now for the criticizing part. I simply want to talk about the underlying Democratic Party budget. And there was a debate yesterday about this for a number of hours, whether there's a tax increase in the Democrats' budget or not.

Well, when we hear the Democrat chairman say that they are balancing the budget, that is what their budget does. It is certified by the Congressional Budget Office as actually achieving balance. So we need to accept the fact that their budget does balance.

There's only one reason, there's only one way that it balances. It does so by passing the largest tax increase in American history.

Now, here's what they do with their budget: this red line, which is what we call the Congressional Budget Office baseline, that is the line they use to show that they are achieving a balanced budget. The green line here says here's what the line would be if you don't raise taxes, if you keep the marriage penalty repealed, if you don't raise the child tax credit, and so on. This is the difference between the two budgets.

So when we hear our friends on the other side of the aisle say, We're balancing the budget and we're not raising taxes, they can't have it both ways. It's simply not correct. It's simply untrue. You can't, on the one hand, say you're balancing the budget, which by very definition requires by their math you raise taxes in order to achieve balance, and then not say you're raising taxes.

The question is this: What taxes are we talking about? Are these taxes that just hit wealthy people? No. Everybody who pays income tax rates will see a giant tax increase. All income tax rates will be increased under the Democratic budget. The per child tax credit will get cut in half, from \$1,000 per child to \$500 per child. That means every family in America will see a \$500 per child tax increase. The marriage penalty will come back in full force. That hits people, on average, \$1,400 for married couples. Capital gains and dividends tax, which is the tax on our pensions and our 401(k)s, that goes on. And the death tax comes back in full force.

The question before us now, Mr. Chairman, is this: We are almost going

into a recession. We are clearly in an economic downturn. Is this the time for a tax increase? I think the answer is no.

The other question is this: We have high prices. It costs a lot to fill the gas tank today. It costs a lot to send kids to school. It costs a lot of money for health insurance. Where I come from in Wisconsin, it costs a lot to heat your home. So the real question for this Congress here and for the American people is, Can you afford the Democrats' tax hike? Can you afford the massive tax increases? We are paying higher prices for everything in America today. Our paychecks for working men and women in America aren't going as far as they used to go. So at this time can we afford this tax increase?

We think there's a better way. And in 2 hours we will be showing the American people the better way we think we ought to go, and that is let's balance the budget, but let's do it not by raising taxes but by controlling spending.

The big problem I also see with the Democratic budget in addition to that it has the largest tax increase in history is that it doesn't think there is any waste in Washington.

□ 1215

They believe we should keep earmarking this place. They believe there is no room to find waste, fraud, abuse and inefficiencies in government. We disagree. We think that there is waste in Washington. We think that there is fraud in the way our taxpayer dollars are being spent. And we think we ought to say this earmark system is coming unglued.

This earmarking system needs to be cleaned up. All this pork, 11,000 pieces of which left this Congress last year, to the tune of \$14.9 billion. Let's say stop it for this year and let's clean it up. Let's have a bipartisan commission, clean up the way Congress porks this place up. Save that money. Reduce the deficit. Make sure we don't raise taxes and clean up the way Congress spends taxpayer dollars.

By simply saying no to pork this year and banking that savings in this budget, we can make sure that that per child tax credit stays. We can make sure that people don't pay higher taxes by virtue of simply being married.

Those are the choices we have before us today. We in the Republican budget say no more pork. Let's protect paychecks, and let's make sure we are not taxing people for having children or for getting married.

That's the values we have in our budget. And we think we can go farther and say, let's reform government. Let's reform spending. Let's clean it up. Let's not raise taxes.

Ms. KILPATRICK. Mr. Chairman, I ask unanimous consent that the gentleman from Virginia be permitted to control the balance of my time.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SCOTT of Virginia. Mr. Chairman, I yield myself 30 seconds.

First of all, the gentleman indicated that we have nothing in there for waste, fraud and abuse. In fact, we spend \$300 million in the Defense Department budget to make sure that they follow through on the GAO recommendations to reduce fraud, waste and abuse.

Furthermore, we protect all of those tax cuts for that portion of the taxpayers' income under \$200,000. It is just the tax cuts over \$200,000 that primarily got us in the ditch.

At this point, Mr. Chairman, I yield 2 minutes to the gentlelady from the Virgin Islands (Mrs. CHRISTENSEN).

Mrs. CHRISTENSEN. Mr. Chairman, I rise today in strong support of the Congressional Black Caucus alternative budget which exercises fiscal and moral responsibility. And I thank Chairwoman KILPATRICK and Congressman SCOTT for their leadership.

The President's budget contains disastrous cuts which the base Democratic budget goes a long way to restoring. But people who have been left out of the health, education and the economic mainstream need more to ensure the equality, fairness and justice which our country has promised.

The CBC budget does this while balancing the budget and bringing back a surplus. Our budget will strengthen our Nation's overwhelmed and under-resourced health care system, extend the Children's Health Insurance Program, strengthen Medicaid and Medicare, save and expand programs to build the diverse work force we need, and increase health information technology.

We fund more vital services for people with HIV/AIDS, increase funding to our National Center and rural, infant, mental health and other critically needed programs.

Very importantly, for the first time, the CBC budget creates a Health Equity Fund, a bold but long overdue step that would fund the Health Equity and Accountability Act of 2007 and begin to eliminate the health disparities that claim the lives of 100,000 African Americans and other people of color every year. And we do this by providing tax relief where it is needed, recalibrating taxes so that they are fair, and we put that money where it is needed most.

Mr. Chairman and colleagues, the time is now to pass a budget that balances tough decisions with fiscal and moral responsibility and reflects the needs of all Americans and not just a privileged few.

Mr. Chairman, I rise today in full support of the Congressional Black Caucus' alternative budget—Tough Choices—Right Priorities: Exercising Fiscal and Moral Responsibility. Thank you, Chairwoman KILPATRICK and Congressman SCOTT, for your leadership.

The President's budget contains disastrous cuts which make it blatantly clear that his priorities are out of sync with African-Americans and all Americans.

The base Democratic budget is a good budget. It goes a long way to restoring the cuts and eliminations the President proposes, but people who have for so long been left behind and left out of the health care mainstream and others, need more to ensure the equality, fairness, and justice which this country promises to all.

The CBC alternative budget provides additional critical funding to health, education, crime prevention, economic opportunity and more, this while still maintaining sound fiscal policy, providing moral leadership while balancing the budget and bringing back a surplus in five years.

As a physician and as the chair of the CBC Health Braintrust, I want to focus on the health care fixes the CBC budget provides.

The CBC budget alternative will strengthen our Nation's overwhelmed and under-resourced health care system, champions critically important health care needs, and fills the gaps in health care access and quality that detrimentally affect our Nation's health care providers, and the overall health care system. It expands the State Children's Health Insurance Program to insure the majority of the Nation's 9 million uninsured children and strengthens Medicaid and Medicare. It also saves title VII programs to build the diverse workforce we need; it implements health information technology to improve continuity and safety of care.

We fund the Ryan White Program including ADAP, National Minority AIDS Education and Training Centers, and the other vital services for persons with HIV/AIDS; increase funding to the National Center on Minority Health and Health Disparities at NIH and save rural, infant, mental health and other critically needed health programs that the President wants to terminate.

Mr. Chairman, very importantly, for the first time, the CBC budget creates a health equity fund. It is a bold but long overdue step that would finally put our money where our mouth is and finally fund the Health Equity and Accountability Act of 2007 and begin to eliminate the health disparities that literally claim the lives of 100,000 African-Americans and other people of color every single year—bringing wellness within the reach of millions of innocent, hard-working Americans who are now in poorer health, un- and under-insured, and more likely to become disabled or die prematurely from preventable causes during what ought to be their most productive years.

Mr. Chairman and colleagues, the time has come for us—as lawmakers—to pass a budget that delicately balances tough decisions with fiscal and, more important, moral responsibility in a manner that reflects the needs of all Americans and not just a privileged few.

The alternative CBC budget does just that and I encourage all of my colleagues to support it.

Mr. MARIO DIAZ-BALART of Florida. Mr. Chairman, I yield myself 30 seconds.

I want everybody to kind of listen to this debate, to just listen to see where you hear one reduction in this amendment or in the underlying budget, one reduction in Federal spending, one reduction in waste, one cut in waste, one program that is eliminated, one thing in the Federal Government that should get a little bit less money. Please listen to that, and what you will hear is

just the opposite. More spending. More spending. More spending, more Federal programs, and not one reduction.

Is the Federal Government so efficient there is nothing that can be reduced? I don't think so.

I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 2 minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I want to thank Chairwoman KILPATRICK, the Congressional Black Caucus and my colleague, Congressman SCOTT from Virginia, for their leadership and unwavering support for the development of this alternative budget.

The CBC alternative budget is filled with progressive and visionary funding that is motivated by principle and compassion. It is a budget that voices the concerns and needs of the poor, the children, and the elderly that have been so easily set aside by this current administration.

The CBC alternative budget understands that our Nation's transportation system is the backbone of our economy and our way of life, neither of which we cannot afford to shortchange.

Funding included in the CBC budget also supports great competitiveness in science and technology. As a senior member of the House Science Committee, I feel it is important to invest in our children's futures, which is also an investment in our own future.

Provisions for the science and technology fields will address access to higher education, enrichment programs in the STEM fields, and spur critical research and development to meet the needs of this country.

Our Nation's future depends more and more on the quality of our innovative ideas. The fruits of these investments meet vital national needs and improve the quality of life for all Americans.

The CBC alternative budget also provides funding for programs and services crucial to the American people, rather than continuing to provide tax breaks for those who least need it.

By repealing several of the tax cuts implemented under the current administration, the CBC budget provides robust funding for much-needed programs and services. Such programs include health care for uninsured children, education, and job training programs, an expanded GI Bill for post-9/11 veterans, as well as increases in benefits and services, juvenile justice prevention and intervention programs, community and regional development, public housing, the Army Corps of Engineers, and homeland security needs.

Mr. Chairman, we are in a position to provide funding for long-neglected programs and to advance on our promise for progress.

The CBC alternative understands that our Nation's transportation system is the backbone of our economy and our way of life, neither of which we can afford to shortchange.

Funding included in the CBC budget also supports greater competitiveness in science

and technology. As a senior Member of the House Science Committee, I feel it is important to invest in our children's futures. Provisions for the science and technology fields will address access to higher education, enrichment programs in STEM fields, and spur critical research and development to meet the needs of our country.

Our Nation's future depends more and more on the quality of our innovative ideas. The fruits of these investments meet vital national needs and improve the quality of life for all Americans.

I ask, Mr. Chairman, that Members of this body listen to their conscience.

Mr. MARIO DIAZ-BALART of Florida. I reserve my time.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 2½ minutes to the gentlewoman from California, Ms. Maxine Waters.

Ms. WATERS. Mr. Chairman, I would like to thank Mr. SCOTT for the tremendous effort that he has put forward to help develop this CBC alternative budget.

We have before us perhaps the most important piece of legislation that we will vote on all year; the budget resolution that sets forth the priorities this House will pursue for the remainder of the year.

I am very pleased to join with my colleagues in the Congressional Black Caucus to present an alternative budget, a budget that is wise, prudent, responsible and balanced. I have many concerns, deep concerns with health care, education, criminal justice elements of the resolution. But I think I want to focus my time on housing and community development, given my position as the chair of the subcommittee that bears that name.

We have all witnessed the instability of our economy in the face of turmoil directly resulting from the housing and mortgage market. Incredibly, at a time when we should be focusing more resources on this area, the President's budget slashes programs that provide housing and supportive services to our country's poorest disabled and elderly households. It starves the local housing authorities of funds they need to sustain and modernize public housing stock, and once again seeks to cripple the Community Development Block Grant program.

Specifically, the President's budget reduces funding for HUD 202 supportive housing for the elderly by 27 percent. If enacted, this cut would leave funding for this program at a level 40 percent below its fiscal year 2001 appropriations. The CBC adds \$300 million to the President's request to rectify this cut.

There are a number of other cuts, but let me draw your attention to the proposed elimination of the HOPE VI program, which the House of Representatives recently voted to reauthorize on a bipartisan vote of 271-130. The CBC budget adds \$1 billion to restore this program.

Let me also bring to your attention a cut in the Community Development Block Grant program of \$657 million

and a zeroing out of the section 108 Loan Guarantee program. If enacted, the President's budget would culminate a multi-year attack on CDBG that could put the program at a funding level of about one-half of its appropriation in fiscal year 2001.

I ask support of the CBC budget. I believe that all of America would be served well by this budget.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I reserve.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 2½ minutes to the gentlewoman from California, Ms. BARBARA LEE.

Ms. LEE. Mr. Chairman, let me thank my colleague from Virginia for his leadership. Also I want to thank the chairwoman of the Congressional Black Caucus, Congresswoman Carolyn Cheeks Kilpatrick, for her leadership and all of our staff for their very diligent work in putting together this fiscally and morally responsible budget.

This budget rejects the President's budget and his attack on working families, minority communities and many of our most vulnerable populations like seniors and low-income individuals. Instead it, invests in the right priorities for our Nation.

It calls for the implementation of GAO's recommendation to cut waste, fraud and abuse at the Defense Department. We have witnessed billions and billions of dollars disappear, lost or misspent through companies such as Halliburton or Blackwater. We have found, and the GAO has found, that there is at least now a savings of \$63.7 billion between fiscal year 2001 and 2007. We want them to complete their audit, and this budget will allow them to do that so we can realize these savings and invest in our communities, in our families and in our children.

This budget also recognizes that domestic security enhances national security. It makes critical investments to build housing and to strengthen our communities. It fully funds SCHIP and increases funding to fight HIV/AIDS. It expands education and job training programs and rebuilds schools destroyed by Hurricane Katrina.

In short, the Congressional Black Caucus budget is fiscally and it is morally responsible. I urge my colleagues to support it.

Let me just highlight the HIV/AIDS budget. We have not received the type of increases for the minority AIDS initiative that our communities need so desperately. The HIV/AIDS pandemic is wreaking havoc on the African American and now unfortunately the Latino communities in our country. And so this bill funds the Ryan White HIV/AIDS program in a way that it should be funded, but it also funds the minority AIDS initiative in the manner that it should be funded.

Also let me just say we have seen such massive cuts in programs for education, such as for our historically black colleges and universities. This budget makes sure that our historically black colleges and universities

receive the type of funding they need to educate our young people.

Also it is important to recognize the Congressional Black Caucus understands that our children need health care this, and this budget provides the funding through SCHIP for health care for our children, our most precious resources, who are our future. And it is a shame and disgrace that we haven't been able to do what we needed to do.

So I thank the gentleman from Virginia for making sure this budget is fiscally and morally responsible.

Mr. MARIO DIAZ-BALART of Florida. Mr. Chairman, I yield myself 30 seconds.

I think if you ask the American taxpayer if it helps our domestic security to increase their taxes by \$1.1 trillion over the next 5 years like this amendment does, they would probably tell you that no, and that frankly, it puts their domestic security in great jeopardy, or the \$683 billion in tax increases in the underlying Democratic budget. I think obviously the answer would be the same.

I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Chairman, I yield myself 15 seconds to remind the public of where we are and how we got in the ditch, and these taxes they are talking about is just repealing what got us into the ditch.

I yield 2 minutes to the gentleman from Texas (Mr. GREEN).

Mr. AL GREEN of Texas. Thank you, Member SCOTT, and I thank you for the stellar job that you have done on this budget. I thank Chairwoman KILPATRICK for what she has done as well.

The Members on the other side talk about control spending. I think we need to give some indication of what "control spending" is. Control spending occurs when you spend \$144 billion per year on war and you cut Medicaid by \$500 billion over 10 years.

□ 1230

Control spending is spending \$12 billion a month on war, and you are cutting Medicaid by \$100 billion over 10 years.

Control spending means that you can't fully fund health care, education, first responders and infrastructure repair; but you can spend \$243,550 per minute on war.

It is time for us to assess our priorities. If we can spend \$395 million per day on war, then we can spend \$32 million to fully fund FHIP, the Federal initiative to make sure that we end discrimination in housing. We can fund it for 1 year for \$32 million. It has been cut. In 2006 we had 27,000 housing discrimination complaints; 18,000 were resolved. The administration is presently requesting \$26 million in 2008. That is a 15 percent cut, given that \$6 million of it will go toward a study.

FHIP is a way to end discrimination in housing. We have to have the will to fund it. If we fund FHIP, we can end housing discrimination. The Fair Housing Initiative Program deserves to be

funded, and let's control spending in some other areas and take care of home.

Mr. MARIO DIAZ-BALART of Florida. Mr. Chairman, I reserve my time.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 2½ minutes to the gentleman from Wisconsin (Ms. MOORE).

Ms. MOORE of Wisconsin. Mr. Chairman, I thank the gentleman from Virginia. I rise in favor of the CBC alternative budget.

Mr. Chairman, a nation is judged by how it treats its most vulnerable; and during the last 7 years, families have experienced a decline in their income, increased hunger, skyrocketing home heating costs, and higher taxes. This has had a devastating impact on children, families, and our seniors; and that is why our CBC budget assumes extension of these family-friendly tax cuts, but just not extending the tax cuts, for example, for corporate offshoring of jobs.

The CBC budget goes above and beyond the President's budget request. Yes, we are spending. We are spending to reinvest in the future of America's children by providing increased funding for the State Child Health Insurance Program, the Low Income Heating and Energy Assistance Program, the child welfare services, the Child Care and Development Block Grants, the Community Supplemental Food Program, child nutrition programs, and Child Support Enforcement to address the problem of the 13 million children who live in poverty.

The CBC budget also recognizes the importance of fueling the global economy by providing increased funding for educational programs like TRIO and Head Start, and fully funds No Child Left Behind.

The CBC program also increases funding for Pell Grants and Perkins loans to ensure that young people will continue to have the opportunity to get a college education and, again, support America's aspiration to stay ahead in the global economy.

Last week, a government report revealed that employers made their deepest cut in staffing in almost 5 years in the month of February. The report showed that there was a net loss of 63,000 jobs, according to the Labor Department. The CBC budget acknowledges the importance of job training programs by providing increased funding for programs under the Workforce Investment Act.

Along with laying a strong foundation for children, families and seniors and workers, the CBC budget also takes care of our Nation's veterans by providing increased funding for post-traumatic stress disorder and mental health services. It is imperative that we provide veterans with the necessary resources to guarantee excellent health care for these courageous men and women.

Most importantly, the Congressional Black Caucus alternative budget applies over \$16 billion to reduce the egregious Federal deficit.

I want to thank my colleagues, and particularly the gentleman from Virginia who worked on this budget.

Mr. MARIO DIAZ-BALART of Florida. Mr. Chairman, I yield myself 1 minute.

As you have heard, yes, we have heard time and time again this amendment does, and the underlying budget does, increase spending. And how do they pay for the increased spending? Well, \$1.1 trillion over the next 5 years in increased taxes. Let me repeat that: \$1.1 trillion in increased taxes. Including who? Who would get taxed? Well, everybody would get a tax increase, including, for example, reducing the child tax credit in half; including raising taxes by not extending the 10 percent tax bracket for the very-low-income taxpayers of this country; including not extending the tax relief for married couples.

This \$1.1 trillion in increased taxes would hit every American, every small business, every family, every taxpayer.

Mr. SCOTT of Virginia. Mr. Chairman, I yield myself an additional 30 seconds to remind the public that we are in the ditch. We are repealing what got us in the ditch; but we are protecting those tax cuts, many of which were just mentioned, those that affect that portion of your income under \$200,000. But the alternative is to stay in the ditch.

We have a problem in that we have got Social Security we are going to end up having to pay in a few years. We have got more money coming in in Social Security than going out now. That is going to change in 2018, and we are not setting aside any money for that. We have a credible plan to get us out of the ditch by repealing what got us into the ditch.

Mr. Chairman, I yield 4 minutes to the gentleman 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. Chairman, let me thank the gentleman from Virginia for the leadership of the Budget Committee and the CBC budget effort that he has led continuously, and Congresswoman KILPATRICK, the chairperson of the Congressional Black Caucus.

It is important to note that I think Americans are tired of the "I's and me's" budget, and that is the budget of this administration, a lot of "I's," a lot of "me's," but never a lot of "we's."

I think it is evident that this budget, the Congressional Black Caucus budget, reflects some of the startling facts that Americans are facing. First, the loss of 63,000 jobs in the last month under this administration, the categorizing of this administration as second only to former President Hoover in having the worst economy in the Nation's history. And, of course, if you just go out and talk to Mr. and Mrs. Smith or Mr. and Mrs. Gonzalez or many others, they will tell you that a recession is on the way.

This budget acknowledges the needs of our Nation. It provides the honor to our veterans by increasing that budget for health care, benefits and educational opportunities \$60.9 billion. Today we honored the wounded warriors. We spoke to some of them, who said that we are now being assessed for our benefits.

This is what this budget does: it provides more dollars for Community Development Block Grants going into our community for nutrition programs and housing programs by \$27.4 billion. I can tell you that the City of Houston has 1,500 senior citizens on a waiting list to rehab their homes that need this budget.

In addition, this administration has had the worst civil rights enforcement ever in the history of the United States. This budget ups the President's budget by \$200 million to help those who have been discriminated against.

As you can see, this tells you about the income of Americans under this administration. It is now minus. Minus. Americans are losing money. They are now losing income. We are now in the red. Americans are struggling. If you listen to the Nation's reports about foreclosures, you will find out that Americans are losing their homes by the hundreds. You will find out that the foreclosure market is stalled to the extent that so many people are losing their homes and not trying to regain them. What does that mean? People are out in the streets looking for housing.

Let me applaud Mr. SCOTT and the CBC budget team for recognizing the concept of competitiveness. For in addition to reflecting the need for increased science activity, I am very glad that they have added moneys to aeronautics. They have likewise put in a \$175 million plus-up on aeronautics research.

Right now as we stand here today, *Endeavor* is making its way to the international space station. It is there now putting forward outstanding research that will bring about jobs. And that is maintained.

Let me also thank them in my concluding remarks to recognize that we must continue to provide for the soldiers, but we want those troops home. We have in this budget language that suggests that any dollars given to the administration must be used to redeploy our troops home. These are the same troops in Iraq and Afghanistan who have been redeployed once, twice, three times, four times. Their families are suffering. This bill provides us with an outlet for these returning soldiers by increasing the educational budget and providing, of course, more for health care, and, yes, fighting the international drudge of HIV/AIDS.

So I am grateful for a budget that does not stand on I's and me's. It stands on the we's and the us of America. It gives the Americans, Mr. and Mrs. America, the opportunity to dig out of a hole, to stand above this terrible income gap, and to be able to stand again in a great Nation.

This is a great budget. I ask my colleagues to support it.

Mr. Chairman, I rise in support of the Congressional Black Caucus (CBC) Budget Substitute for the Fiscal Year Budget for 2009, introduced by my distinguished colleague from Michigan, Representative CAROLYN CHEEKS KILPATRICK and my colleague from Virginia, Representative ROBERT C. "BOBBY" SCOTT.

While I support the Budget as put forth by our majority on the Budget Committee. I believe there is more that needs to be done when this country is on the verge of a recession, the housing market is at one of its worst points in history, and we have a growing population of uninsured Americans.

#### CBC BUDGET RESCINDS TAX CUTS

The CBC budget rescinds tax cuts for the top two income tax rates and rescinds capital gains and dividend tax cuts in addition to closing other loopholes. By rescinding these tax cuts, the CBC budget fully funds No Child Left Behind (NCLB), the State Children's Health Insurance Program (SCHIP), and it provides additional funding for the fight against global AIDS, Community Development Block Grants (CDBG) and higher education among other items.

#### BALANCES THE BUDGET

Even after funding these priorities, the CBC alternative budget still manages to balance the budget after FY12 and in fact creates a surplus of \$141 billion. The Democratic budget is also in surplus in FY12, but does not fund the priorities of the American people at the same levels as the CBC budget. In comparison, the President's budget deficit in the FY12 is -31 billion.

Moreover, in FY08-FY12, the CBC budget's total cumulative deficit is \$107 billion better than the Democratic budget and \$339 billion better than the President's budget. As a result, over the next five years, the CBC budget saves \$18.3 billion on interest on the national debt compared to the Democratic budget and 27.7 billion compared to the President's budget.

The bottom line is that the CBC budget chooses programs important to the American people over tax cuts for those who need it least. At the same time, it reduces the deficit and reaches a surplus in FY 2012.

#### ADVANCING THE PRIORITIES OF THE AMERICAN PEOPLE

We must not only be economically healthy, but assist in balancing it with the health, education, and security of our citizens. The CBC budget will advance the priorities of the American people by:

Covering all eligible children with health insurance through funding SCHIP, with \$119.3 billion more than the President's budget and \$84.6 billion more than the Democratic budget to help one of our most vulnerable populations—children;

Ensuring No Child Left Behind (NCLB) has increased funding for Head Start programs, IDEA, college access programs, college loan programs and job training with \$162.7 billion more than the President's budget and \$101.2 billion more than the Democratic budget;

Honoring our veterans by increasing funding for health care, benefits and educational opportunities with \$60.9 billion more than the President's budget, and \$17.7 billion than the Democratic budget;

Making more local communities with support through increases to Community Development

Block Grants, nutrition programs and housing programs with \$27.4 billion more than the President's budget and \$20 billion more than the Democratic budget; and

Contributing to the global community by investing in child survival and, health, international family planning and the global effort to fight AIDS with \$11.5 billion more than the President's budget and \$16.9 billion more on international affairs than the Democratic budget.

#### HEALTH INITIATIVES

The CBC budget under the Health Function 550 included a program that I continually push for increased funding, and that is the Juvenile Diabetes Research Foundation. Hope for juvenile diabetes cure lies in research. Real progress is being made, thanks largely to government funding of the Special Diabetes Program. However without the renewal of the program, federal support for Type I Diabetes will be reduced by 35 percent

The health and health care spending in the CBC budget alternative is the fiscally, socially and morally appropriate and responsible response to the President's FY 09 healthcare budget proposal, which showcases grave cuts to every office and agency, as well as to every program that is integrally important to efforts to eliminate health disparities and improve the health, well being and life opportunities of all Americans.

The CBC budget alternative, unlike the President's FY 09 budget, strengthens our nation's overwhelmed and under-resourced health care system, champions the critically important health care needs of health care seekers, and fills the gaps in health care access and quality that detrimentally affect our nation's health care providers and the overall health care system.

The CBC budget alternative makes a more than \$174 billion additional investment in the health, health care, well being and thus life opportunities of not only African Americans, but all Americans. Additionally, the budget makes this very wise investment as it generates monies to reduce the nation's deficit.

The CBC budget alternative strengthens and expands the State Children's Health Insurance Program to ensure that the majority of the nation's 9 million uninsured children have access to health care. This is of particular relevance to the CBC because a disproportionate number of the 9 million uninsured children today are African American or Hispanic. Without reliable access to quality health care, children are in poorer health, are less productive in school and in their communities, and are less likely to fulfill their life's potential.

#### HEALTH EQUITY FUND

The CBC budget alternative creates the Health Equity Fund, which will help ensure that this nation take a giant step forward in efforts to reduce and eliminate all health disparities and achieve health equity.

#### STRENGTHENS MEDICARE

The CBC budget alternative strengthens Medicare—a critically important program that ensures that our nations' senior citizens, as well as those living with disabilities, have access to the health care services and treatments they need to live longer, healthier and fuller lives.

The CBC budget alternative also: saves Title VII (health professions training) programs, which are integral to strengthening and

expanding tomorrow's health care workforce; funds the Ryan White HIV/AIDS Program in a manner that allows it to expand ADAP, the efforts of National Minority AIDS Education Training Centers, and the other important services and treatments offered to our most vulnerable with HIV infection; funds the Minority AIDS Initiative in a manner that will build the needed capacity in racial and ethnic minority communities throughout the nation to respond and address HIV/AIDS;

It is our children that will bring forth a thriving future. We need to invest in tomorrow by investing in them today. This starts with their physical well-being. Children, who cannot see the doctor when they are sick, research programs that are not adequately funded to find a cure for diseases such as diabetes, hurt our future generations, and not help lay a foundation for a bright future.

#### EDUCATION AND AFRICAN AMERICANS IN TEXAS

A quality education continues to be the best pathway to social and economic mobility in this country. As a Member and Senior Whip of the Congressional Black Caucus, I have consistently advocated for the maintenance of Historically Black Colleges and Universities. This budget provides greater funding to our nation's schools and colleges than even our Democratic budget supplies.

For African Americans health and education concerns spill beyond budgetary issues into the criminal justice consequences. In Texas, over 87,000 African-Americans are incarcerated compared to approximately 48,000 African-Americans attending college or university.

The disparity between the percentages of our youth in prison versus the number of young people in college, particularly in the African-American community, is disturbing to say the least. Higher education continues to be one of the main pathways to social and economic mobility, particularly in the African-American and Hispanic communities.

#### THE REPUBLICAN BUDGET SUBSTITUTE

Under the Republican Budget the national debt continues to explode. The gross federal debt reached \$9.0 trillion at the end of 2007. The CBO projects that the debt will rise by a total of \$3.9 trillion at the end of 2008. This unprecedented rise in debt puts our President in the history books. During the seven years of the current Administration, the government has posted the highest deficits in this nation's history. The President's 2009 Budget continues the failed policies that brought us to this point.

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The CBC budget improves the deficit by \$564 billion over the President's budget and \$152 billion over the Democratic budget.

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Just yesterday, I had the pleasure of meeting with the Port Authority of Houston. They

were here to discuss their security measures but also their need for continued federal dollars. The Bush Administration claims they want to secure our nation but cuts funding in areas that are important to our local security such as the ports in Houston, Texas. The CBC seeks to cure that shortfall.

#### PAY-GO AND SUNSET PROVISIONS

The President's budget and the Republican alternatives violate pay-go and the fiscal responsibility that reconciliation is intended to achieve, by proposing tax cuts that are not offset.

The sunsets for the 2001 and 2003 tax cuts were part of the tax legislation which Republicans voted for and passed. The expiration of the tax cuts is their policy. The Democratic budgets actually calls for the extension of many of these tax cuts, but responsibly requires that tax cut extensions, like other policies, must be fiscally sound, and not make the deficit worse.

#### CONCLUSION

This important piece of legislation gives us a budget that is balanced fiscally and morally. It does not sacrifice the great many programs and services that this nation needs for a War that the President seems never to end.

Defense of our nation is important, however, we must not support only one portion of the budget to the detriment of everything else. The CBC budget makes tough choices that result in a fiscally and morally responsible budget that will fund essential programs and services vital to our communities and the American people as a whole.

I urge my colleagues to join me in supporting the Congressional Black Caucus Budget Substitute for FY2009.

Mr. MARIO DIAZ-BALART of Florida. Mr. Chairman, I yield 2 minutes to the ranking member of the Budget Committee, the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Mr. Chairman, I thank the gentleman for yielding.

I don't know what kind of statistical contortion must have gone through producing that last chart. We just finished 52 consecutive months of job growth, the largest expansion in our Nation's history.

But more to the point is this issue of whether we are raising taxes here or not, because we need to be honest with the American people. The underlying Democratic budget, don't take my word for it, it raises taxes. Take the Senate's word for it. Because just this morning on a 99-1 vote in the U.S. Senate, they rejected the logic of this budget. They said we want to preserve the middle-class tax cuts, which they define as the kid credit and the marriage penalty and 10 percent bracket and some others. But they changed the budget by \$341 billion to prevent \$341 billion of the \$683 billion tax increase from taking place.

So don't take my word for it, but the Democrats and the Republicans in the Senate. All but one person said we should not raise taxes as much as the House Democrats are raising taxes; let's raise taxes half as much.

So the point is this: our friends on the other side of the aisle can come up

with reserve funds and senses of Congress and preferences and hopes and dreams and aspirations. But what counts is what you put in the budget. And if you are coming to the floor and saying you are balancing the budget, by the way this budget is written, it only does so by giving us the largest tax increase in American history. No sense of Congress, no empty reserve fund can change that fact.

Don't listen to me. Listen to the fact that the Senate looked at this same budget and said, that is not what we want to do. We want to preserve some of these tax cuts, and they just voted 99-1 to do just that. They decided to raise taxes half as much as the Democrats here in the House are doing.

So what really matters are budgets, because that is the numbers. They don't lie. This budget that we are voting on, this underlying budget, gives us the largest tax increase in American history. Let me read a few of them:

Some 116 million taxpayers will see an average tax increase of more than \$1,800 per year.

More than 6 million low-income individuals and couples who currently pay no taxes will be no longer exempt.

A family of four earning \$50,000 will see their taxes increase by \$2,100.

Approximately 48 million married couples will face an average tax increase of \$3,000 per year.

Low-income families with one or two children will no longer be eligible for the refundable child tax credit.

Roughly 12 million single women with children will see their taxes increase by \$1,100 a year.

About 18 million seniors will be subjected to tax increases of more than \$2,100 a year.

Tax bills for an estimated 27 million small business owners will increase by more than \$4,000 each.

That is what the underlying Democratic budget does. It was rejected in the Democratically controlled Senate. It ought to be rejected in this House here today.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Ms. CORRINE BROWN).

□ 1245

I want to thank the gentleman, Mr. SCOTT, for his leadership on the CBC budget.

Mr. Chairman, I rise to support the Congressional Black Caucus alternative budget offered today. The CBC budget once again proposed to change a 7-year Republican policy that I have called Reverse Robin Hood, stealing from the poor to give tax breaks to the rich.

You might ask why the Democratic budget, which I support, needs improvement. The Democratic budget needs improvement because when America has a cold, the African American community has pneumonia. The CBC budget reversed the deep cuts that have been made to the programs that

serve the neediest Americans. This year's Congressional Black Caucus budget covers all eligible children with health care insurance through funding for CHIP, \$84 billion more than the Democratic budget and \$119 billion more than the President's; ensures no child is left behind by funding education and providing increased funding for Head Start, college access programs, college loans, and job training programs, \$101 billion more than the Democratic budget and \$162 billion more than the President's; honors our veterans by increasing funding for health care, benefits, and educational opportunities, \$17 billion more than the Democratic budget and \$60 billion over the President's budget; makes local community more secure by fully funding justice, gang prevention, and local law enforcement programs, as well as ensuring every voice counts by funding the Help America Vote Act.

We talk about a stimulus, and the only stimulus is the investment in our people, in education, in health care, in job training, so support economic and fiscal recovery. Vote "yes" on the budget. I encourage us to vote for the economic recovery by voting for the CBC budget.

Mr. MARIO DIAZ-BALART of Florida. Mr. Chairman, I once again want to commend our colleagues from the CBC. They have done a lot of work to put this budget together. It is not an easy task to do. It takes a lot of work, not only from the members, from their staffs, so I want to commend them for putting together a work product that I know they spent a lot of time and a lot of effort on, and they must be commended for that.

Obviously, as you have heard today, we have some huge disagreements. This amendment would raise taxes by more than \$1.1 trillion, that's trillion with a "T," over the next 5 years.

It's \$427 billion above and beyond the already \$683 billion in tax increases in the underlying Democratic budget that, frankly, was pretty much just rejected in a very strong vote in the Senate, 99-1.

The reason there was a 99-1 vote was because the Senators on both sides of the aisle, Republicans and Democrats, do not want to support eliminating all of these middle class tax cuts, the tax cuts on families, the tax cuts per child, et cetera, et cetera, which is why they rejected that and adopted an amendment to have half the size of the tax increase that the underlying budget has. Half that size of an increase in taxes is still way too high.

However, the underlying budget that the House is looking at, again, would raise taxes on the American people by \$683 billion over the next 5 years, and this amendment goes even further than that by increasing taxes \$1.1 trillion over the next 5 years.

For those reasons and many others, I respectfully would ask to vote against this amendment. But I do want to end one more time by commending the gen-

tleman from Virginia and all his colleagues for doing a lot of work and putting together a work program that requires a lot of effort and a lot of work, even though, again, when it came out, obviously it's a \$1.1 trillion tax increase, which is why, among other reasons, we cannot support it.

I would respectfully then ask my colleagues to vote against this amendment.

Mr. Chairman, I yield back the remainder of my time.

Mr. SCOTT of Virginia. Mr. Chairman, I yield myself the balance of my time.

I just want to make a couple of closing comments. First on defense, the number on defense, we keep the same number on the defense budget. However, we have different priorities. Those priorities will be debated in a different forum.

The \$70 billion for the war we restrict to redeployment. We want those troops back as soon as practicable, consistent with our national security interests.

On waste, fraud, and abuse, we just don't talk about waste, fraud, and abuse. We spend \$300 million to implement the GAO's studies and recommendations for how you can reduce fraud, waste, and abuse in the military. We make them spend the money to actually implement those recommendations.

Our budget eliminates the fees and copays that the President's budget has for our veterans. It is insulting to try to balance the budget on the backs of our courageous veterans. We do have entitlement reform, \$150 billion in entitlement reform, by reducing the subsidies to private corporations who provide Medicare Advantage. Those that provide, those are the subsidies that you get nothing for. Medicare could do it cheaper, \$150 billion cheaper, and that's the reform that we have.

A lot has been said about tax cuts. We repeal what got us in the ditch. We protect those tax cuts that primarily affect that portion of your income under \$200,000.

In summary, this is where we are, back in the ditch. We repeal the tax cuts that got us into the ditch. One of those tax cuts that we want to repeal is a \$20 billion tax cut referred to as PEP and Pease, affecting personal exemptions and standard deductions. The only people that get this essentially are millionaires. If you make over \$1 million you get this much tax cut; \$200,000 to \$1 million, you get that much tax cut; \$100,000 to \$200,000 you don't need ink to draw the bar; and \$100,000, out of this \$20 billion, you get, on average, zero. All of those tax cuts, we have said, had the greatest expansion in recent history.

Let's talk about the arithmetic. Arithmetic fact, worst job growth since Herbert Hoover. Look at the job growth of all the Presidents down to President Hoover; worst, this administration, and they are bragging about it.

We have a responsible budget that reduces the deficit, goes into surplus. It's

a responsible budget that also funds many of our priorities: education, health care, veterans, justice. It is a responsible budget, and I would ask for the House to adopt this budget.

Mr. DAVIS of Illinois. Mr. Chairman, I rise in support of the CBC FY09 alternative budget. I'm particularly excited today, because last night the Second Chance Act of 2007, a bipartisan piece of legislation, unanimously passed the Senate. I look forward to President Bush signing the legislation and the appropriation of money in DOJ to fund vital programs which the bill promotes.

Indeed, currently, the Administration FY09 budget proposes to: Merge 30 grant programs under State and Local Law Enforcement Assistance for a reduction in funding of \$1.008 billion; collapse 14 Community Oriented Policing Services (COPS) for a reduction in funding of \$587.2 million; consolidate Weed and Seed programs for a reduction in funding of \$32.1 million; collapse 7 juvenile justice grants into 1 grant program for a reduction in funding of \$198.5 million; and lastly, merge current formula and discretionary grant programs into 1 program for a reduction in funding of \$120 million, for an overall collapse of 70 DOJ programs into 5 programs and a reduction in funding totaling \$1.5 billion.

These cuts come as America's prisons reach an alltime high and State incarceration costs are bursting at the seams. According to the latest study, between 1987 and 2007, States spent more than double on corrections (+127 percent) while higher education spending has been moderate (+21 percent).

It's with this in mind that I categorically support CBC's proposed budget, which includes \$4 billion dollars to these vital DOJ programs. The CBC has made tough choices, established right priorities while exercising fiscal and moral responsibility to reduce recidivism and State incarceration costs.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise today in support of the Congressional Black Caucus, CBC, Budget Substitute for the Fiscal Year Budget for 2009, introduced by my distinguished colleague from Michigan, Representative CAROLYN CHEEKS KILPATRICK and my colleague from Virginia, Representative ROBERT C. "BOBBY" SCOTT.

While I support the Budget as put forth by our majority on the Budget Committee, I believe there is more that needs to be done when this country is on the verge of a recession, the housing market is at one of its worst points in history, and we have a growing population of uninsured Americans.

#### CBC BUDGET RESCINDS TAX CUTS

The CBC budget rescinds tax cuts for the top two income tax rates and rescinds capital gains and dividend tax cuts in addition to closing other loopholes. By rescinding these tax cuts, the CBC budget fully funds No Child Left Behind, NCLB, the State Children's Health Insurance Program, SCHIP, and it provides additional funding for the fight against global AIDS, Community Development Block Grants, CDBG, and higher education, among other items.

#### BALANCES THE BUDGET

Even after funding these priorities, the CBC alternative budget still manages to balance the budget after FY12 and in fact creates a surplus of \$141 billion. The Democratic budget is also in surplus in FY12 but does not fund the priorities of the American people at the same

levels as the CBC budget. In comparison, the President's budget deficit in the FY12 is –31 billion.

Moreover, in FY08–FY12, the CBC budget's total cumulative deficit is \$107 billion better than the Democratic budget and \$339 billion better than the President's budget. As a result, over the next 5 years, the CBC budget saves \$18.3 billion on interest on the national debt compared to the Democratic budget and \$27.7 billion compared to the President's budget.

The bottom line is that the CBC budget chooses programs important to the American people over tax cuts for those who need it least. At the same time, it reduces the deficit and reaches a surplus in FY 2012.

#### ADVANCING THE PRIORITIES OF THE AMERICAN PEOPLE

We must not only be economically healthy but assist in balancing it with the health, education, and security of our citizens. The CBC budget will advance the priorities of the American people by:

Covering all eligible children with health insurance through funding SCHIP, with \$119.3 billion more than the President's budget and \$84.6 billion more than the Democratic budget to help one of our most vulnerable populations—children;

Ensuring No Child Left Behind, NCLB, has increased funding for Head Start programs, IDEA, college access programs, college loan programs and job training with \$162.7 billion more than the President's budget and \$101.2 billion more than the Democratic budget;

Honoring our veterans by increasing funding for health care, benefits and educational opportunities with \$60.9 billion more than the President's budget, and \$17.7 billion than the Democratic budget;

Making more local communities with support through increases to Community Development Block Grants, nutrition programs and housing programs with \$27.4 billion more than the President's budget and \$20 billion more than the Democratic budget; and

Contributing to the global community by investing in child survival and health, international family planning and the global effort to fight AIDS with \$11.5 billion more than the President's budget and \$16.9 billion more on international affairs than the Democratic budget.

#### HEALTH INITIATIVES

The CBC budget under the Health Function 550 included a program that I continually push for increased funding, and that is the Juvenile Diabetes Research Foundation. Hope for juvenile diabetes cure lies in research. Real progress is being made, thanks largely to Government funding of the Special Diabetes Program. However without the renewal of the program, Federal support for Type I Diabetes will be reduced by 35 percent.

The health and health care spending in the CBC budget alternative is the fiscally, socially and morally appropriate and responsible response to the President's FY09 health care budget proposal, which showcases grave cuts to every office and agency, as well as to every program that is integrally important to efforts to eliminate health disparities and improve the health, well-being and life opportunities of all Americans.

The CBC budget alternative, unlike the President's FY09 budget, strengthens our Nation's overwhelmed and under-resourced health care system, champions the critically important health care needs of health care

seekers, and fills the gaps in health care access and quality that detrimentally affect our Nation's health care providers and the overall health care system.

The CBC budget alternative makes a more than \$174 billion additional investment in the health, health care, well-being and thus life opportunities of not only African-Americans, but all Americans. Additionally, the budget makes this very wise investment as it generates monies to reduce the Nation's deficit.

The CBC budget alternative strengthens and expands the State Children's Health Insurance Program to ensure that the majority of the Nation's 9 million uninsured children have access to health care. This is of particular relevance to the CBC because a disproportionate number of the 9 million uninsured children today are African-American or Hispanic. Without reliable access to quality health care, children are in poorer health, are less productive in school and in their communities, and are less likely to fulfill their life's potential.

#### HEALTH EQUITY FUND

The CBC budget alternative creates the Health Equity Fund, which will help ensure that this Nation take a giant step forward in efforts to reduce and eliminate all health disparities and achieve health equity.

#### STRENGTHENS MEDICARE

The CBC budget alternative strengthens Medicare—a critically important program that ensures that our Nation's senior citizens, as well as those living with disabilities, have access to the health care services and treatments they need to live longer, healthier and fuller lives.

The CBC budget alternative also: saves Title VII (health professions training) programs, which are integral to strengthening and expanding tomorrow's health care workforce; funds the Ryan White HIV/AIDS Program in a manner that allows it to expand ADAP, the efforts of National Minority AIDS Education Training Centers, and the other important services and treatments offered to our most vulnerable with HIV infection; funds the Minority AIDS Initiative in a manner that will build the needed capacity in racial and ethnic minority communities throughout the Nation to respond and address HIV/AIDS.

It is our children that will bring forth a thriving future. We need to invest in tomorrow by investing in them today. This starts with their physical well-being. Children who cannot see the doctor when they are sick, research programs that are not adequately funded to find a cure for diseases such as diabetes, hurt our future generations, and do not help lay a foundation for a bright future.

#### EDUCATION AND AFRICAN-AMERICANS IN TEXAS

A quality education continues to be the best pathway to social and economic mobility in this country. As a Member and Senior Whip of the Congressional Black Caucus, I have consistently advocated for the maintenance of Historically Black Colleges and Universities. This budget provides greater funding to our Nation's schools and colleges than even our Democratic budget supplies.

For African-Americans, health and education concerns spill beyond budgetary issues into the criminal justice consequences. In Texas, over 87,000 African-Americans are incarcerated compared to approximately 48,000 African-Americans attending college or university. The disparity between the percentages of our

youth in prison versus the number of young people in college, particularly in the African-American community, is disturbing to say the least. Higher education continues to be one of the main pathways to social and economic mobility, particularly in the African-American and Hispanic communities.

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#### ADMINISTRATION OF JUSTICE

Under the proposed CBC budget, there is a greater emphasis on the administration of justice and the protection of all Americans. The CBC budget funds programs that the President's budget had severely reduced or not funded at all. These programs must be funded. The CBC budget funds the Justice Assistance Grant Program, Juvenile Justice Programs, the Byrne Weed and Seed Program, Office of Violence Against Women, COPS and JAG programs. All of these programs help keep American communities safe and provide for greater law enforcement at the Federal, State, and local enforcement levels. The CBC budget reinvests in DOJ Prisoner Reentry Program. In addition, the CBC budget invests in our children by requiring funding for Boys and Girls clubs. This investment in our communities and in our children helps keep our youths safe and out of the prison system.

#### GENERAL SCIENCES, SPACE AND TECHNOLOGY

The CBC budget proposes to invest heavily in our Nation's development in science, space, and technology. The CBC budget invests \$31 million in NASA educational programs and \$8 million in HBCU-UP. The CBC budget also invests in the NSF Education and Research Programs, with a special emphasis on minority post doctorates. The CBC budget not only invests in minorities, it also invests in women by



providing over \$500,000 for Graduate Research Fellowships for Women in Engineering and Computer Science.

ENERGY

The CBC budget addresses the environment, energy, and natural resources. The CBC budget provides for \$250 million to the weatherization assistance and it provides for \$400 million for the energy efficiency and renewable energy programs. These programs are of particular interest to the people of Texas and I think it is necessary for America to remain a vital, energy efficient country. With respect to natural resources and the environment, the CBC budget provides \$100 million for EPA funding and \$1 billion for the HBCU Historic Preservation Program.

EDUCATION, TRAINING, EMPLOYMENT, AND SOCIAL SERVICES

The proposed CBC budget puts greater emphasis on education, training, employment, and social services. These are critical to the needs of Americans and minority populations in general.

The CBC budget provides funding for the No Child Left Behind Act. Included in that act is funding for Title I, Safe and Drug Free Schools, 21st Century Learning Centers, and Teacher Quality Programs. We must continue to invest in our children because they represent the future of America.

The CBC budget also recognizes that there must be investment in Head Start, mentoring, and dropout prevention. The proposed CBC budget provides \$50 million to vocational programs and increases the funding of HBCUs by \$200 million. The CBC budget provides for \$50 million in investment in minority science and engineering improvement. The CBC budget provides \$2 million for Thurgood Marshall Legal Fund, which is a very important measure for educating minority qualified minority lawyers. In addition, the CBC budget invests in adult employment and training activities.

PAY-GO AND SUNSET PROVISIONS

The President's budget and the Republican alternatives violate pay-go and the fiscal responsibility that reconciliation is intended to achieve, by proposing tax cuts that are not offset.

The sunsets for the 2001 and 2003 tax cuts were part of the tax legislation which Republicans voted for and passed. The expiration of the tax cuts is their policy. The Democratic budgets actually calls for the extension of many of these tax cuts, but responsibly requires that tax cut extensions, like other policies, must be fiscally sound, and not make the deficit worse.

CONCLUSION

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Defense of our Nation is important, however, we must not support only one portion of the budget to the detriment of everything else. The CBC budget makes tough choices that result in a fiscally and morally responsible budget that will fund essential programs and services vital to our communities and the American people as a whole.

I urge my colleagues to join me in supporting the Congressional Black Caucus Budget Substitute for FY2009.

Mr. CONYERS. Mr. Chairman, I rise today in support of the Congressional Black Caucus budget alternative.

Our friends on the other side of the aisle have criticized this proposal because they say that it raises taxes and spending.

The fact is, our Republican colleagues have different priorities than we do. In these perilous economic times, the Congressional Black Caucus believes our priority should be to help those Americans who are losing their jobs and their homes, who can't afford health care, higher education, and job training, who have to decide between paying the gas bill or paying for prescription drugs.

The Republicans want to know where the cuts are in the CBC budget. Their budget slashes Medicare, Medicaid, the Low Income Heating and Energy Assistance Program and countless other critical social service programs. They think these programs are unnecessary; their priority is to preserve the Bush tax cuts, more than 99 percent of which go to people making more than \$225,000 per year. More than 85 percent of the money we lose due to these cuts goes to households with incomes above \$500,000 per year; 65 percent goes to households with incomes above \$1 million. In fact, \$51 billion next year alone will go to tax breaks for millionaires.

By rescinding Bush's tax cuts, the Congressional Black Caucus increases funding for needed social programs while reducing the deficit even more than the Republicans do.

It would seem the Republicans' concern is not fiscal responsibility, but preserving tax cuts for the rich, even if this grows the national debt. And, of course, we aren't even discussing the President's war today, which spends \$12 billion dollars a month, more than most of these social service programs spend in a year, or 5 years, or 10 years. The debate today is clear. It's about priorities. We believe in keeping working Americans in their homes; the Republicans want to make sure the rich can stay in their mansions and yachts.

I want to draw particular attention to some of my personal priorities within the CBC budget alternative. I am happy that the CBC accepted my proposal to add \$10 million to the National Health Service Corps to help train the next generation of doctors to go into underserved communities without being crippled by educational debt.

The CBC budget also includes several of my proposals to increase funding for Department of Justice programs.

The highly successful COPS program focuses on local strategies to fight crime and has been praised by federal, state, and local law enforcement and political officials. The President's budget terminates the COPS program. In contrast, the CBC fully funds COPS at \$500 million for FY 2009.

I also recommended, and the CBC budget includes, increased funding for other vital local law enforcement programs, including Drug Courts and the Byrne Justice Assistance Grants. In addition, we significantly increase funding for programs serving juveniles who have entered our justice system, in an effort to break the cycle of crime and violence and to help these children to become productive members of our society.

It's about priorities, and the choice today is clear. Supporting the CBC budget means prioritizing the basic needs of the American people. Supporting the Republicans' proposal means continuing our current course, where the rich keep getting richer, while the needs of the poor and middle class are neglected.

Mr. SCOTT of Virginia. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Michigan (Ms. KILPATRICK).

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

RECORDED VOTE

Mr. MARIO DIAZ-BALART of Florida. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 126, noes 292, not voting 16, as follows:

[Roll No. 137]

AYES—126

Abercrombie	Gutierrez	Napolitano
Ackerman	Hare	Neal (MA)
Andrews	Harman	Norton
Baca	Hastings (FL)	Obey
Baldwin	Hinchee	Olver
Becerra	Hirono	Pallone
Berman	Holt	Pascarell
Bishop (GA)	Honda	Pastor
Blumenauer	Hoyer	Payne
Boswell	Jackson (IL)	Price (NC)
Brady (PA)	Jackson-Lee	Richardson
Bralley (IA)	(TX)	Rothman
Brown, Corrine	Jefferson	Roybal-Allard
Butterfield	Johnson (GA)	Ruppersberger
Capps	Johnson, E. B.	Ryan (OH)
Capuano	Jones (OH)	Sánchez, Linda
Castor	Kaptur	T.
Christensen	Kennedy	Sarbanes
Clarke	Kildee	Shakowsky
Clay	Kilpatrick	Scott (GA)
Cleaver	Kucinich	Scott (VA)
Clyburn	Langevin	Serrano
Cohen	Larson (CT)	Sherman
Conyers	Lee	Sires
Costello	Levin	Slaughter
Crowley	Loeb sack	Solis
Cuellar	Lofgren, Zoe	Stark
Cummings	Lowey	Sutton
Davis (AL)	Lynch	Thompson (MS)
Davis (CA)	Maloney (NY)	Tierney
Delahunt	Markey	Towns
DeLauro	Matsui	Tsongas
Doyle	McCollum (MN)	Van Hollen
Ellison	McDermott	Velázquez
Emanuel	McGovern	Wasserman
Engel	McNulty	Schultz
Faleomavaega	Meek (FL)	Waters
Farr	Meeks (NY)	Watson
Fattah	Miller (NC)	Watt
Filner	Miller, George	Waxman
Frank (MA)	Moore (WI)	Weiner
Green, Al	Moran (VA)	Wexler
Grijalva	Nadler	Wynn

NOES—292

Aderholt	Boren	Cole (OK)
Akin	Boucher	Conaway
Alexander	Boyd (FL)	Cooper
Allen	Boyda (KS)	Costa
Altmire	Brady (TX)	Courtney
Arcuri	Broun (GA)	Cramer
Bachmann	Brown (SC)	Crenshaw
Bachus	Brown-Waite,	Culberson
Baird	Ginny	Davis (KY)
Barrett (SC)	Buchanan	Davis, David
Barrow	Burgess	Davis, Lincoln
Bartlett (MD)	Burton (IN)	Davis, Tom
Barton (TX)	Buyer	Deal (GA)
Bean	Calvert	DeFazio
Berkley	Camp (MI)	DeGette
Berry	Campbell (CA)	Dent
Biggert	Cannon	Diaz-Balart, L.
Bilbray	Cantor	Diaz-Balart, M.
Bilirakis	Capito	Dicks
Bishop (NY)	Cardoza	Dingell
Bishop (UT)	Carnahan	Doggett
Blackburn	Carney	Donnelly
Blunt	Carter	Doolittle
Boehner	Castle	Drake
Bonner	Chabot	Dreier
Bono Mack	Chandler	Duncan
Boozman	Coble	Edwards

Ehlers	Larsen (WA)	Reynolds
Ellsworth	Latham	Rodriguez
Emerson	LaTourette	Rogers (AL)
English (PA)	Latta	Rogers (KY)
Eshoo	Lewis (CA)	Rogers (MI)
Etheridge	Lewis (KY)	Rohrabacher
Everett	Linder	Ros-Lehtinen
Fallin	Lipinski	Roskam
Feeney	LoBiondo	Ross
Ferguson	Lucas	Royce
Flake	Lungren, Daniel	Ryan (WI)
Forbes	E.	Salazar
Fortenberry	Mack	Sali
Fortuno	Mahoney (FL)	Sanchez, Loretta
Fossella	Manzullo	Saxton
Foster	Marchant	Schiff
Fox	Marshall	Schmidt
Franks (AZ)	Matheson	Schwartz
Frelinghuysen	McCarthy (CA)	Sensenbrenner
Galleghy	McCarthy (NY)	Sessions
Garrett (NJ)	McCaul (TX)	Sestak
Gerlach	McCotter	Shadegg
Giffords	McCrery	Shays
Gilchrest	McHenry	Shea-Porter
Gillibrand	McHugh	Shimkus
Gingrey	McIntyre	Shuler
Gohmert	McKeon	Shuster
Gonzalez	McMorris	Simpson
Goode	Rodgers	Skelton
Goodlatte	McNerney	Smith (NE)
Gordon	Melancon	Smith (NJ)
Granger	Mica	Smith (TX)
Graves	Michaud	Smith (WA)
Green, Gene	Miller (FL)	Snyder
Hall (NY)	Miller (MI)	Souder
Hall (TX)	Miller, Gary	Spratt
Hastings (WA)	Mitchell	Stearns
Hayes	Mollohan	Stupak
Heller	Moore (KS)	Sullivan
Hensarling	Moran (KS)	Murphy (CT)
Herger	Murphy (CT)	Murphy, Patrick
Herseth Sandlin	Murphy, Patrick	Murphy, Tim
Higgins	Murphy, Tim	Murtha
Hill	Murtha	Musgrave
Hinojosa	Musgrave	Myrick
Hobson	Myrick	Neugebauer
Hodes	Neugebauer	Ortiz
Hoekstra	Ortiz	Paul
Holden	Paul	Pearce
Hulshof	Pearce	Pence
Inglis (SC)	Pence	Perlmutter
Inslee	Perlmutter	Peterson (MN)
Israel	Peterson (MN)	Peterson (PA)
Issa	Peterson (PA)	Petri
Johnson (IL)	Petri	Pickering
Johnson, Sam	Pickering	Pitts
Jones (NC)	Pitts	Platts
Jordan	Platts	Poe
Kagen	Poe	Pomeroy
Kanjorski	Pomeroy	Porter
Keller	Porter	Price (GA)
Kind	Price (GA)	Price (OH)
King (IA)	Price (OH)	Putnam
King (NY)	Putnam	Radanovich
Kingston	Radanovich	Rahall
Kirk	Rahall	Ramstad
Klein (FL)	Ramstad	Regula
Kline (MN)	Regula	Rehberg
Knollenberg	Rehberg	Reichert
Kuhl (NY)	Reichert	Reyes
Lamborn	Reyes	
Lampson		

## NOT VOTING—16

Bordallo	LaHood	Space
Boustany	Lewis (GA)	Tancredo
Cubin	Oberstar	Woolsey
Davis (IL)	Rangel	Young (AK)
Hooley	Renzi	
Hunter	Rush	

□ 1316

Mr. ISRAEL changed his vote from “aye” to “no.”

Messrs. EMANUEL, CLEAVER, COHEN, PALLONE and Ms. KAPTUR changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. SPACE. Mr. Chairman, I was unavoidably detained during rollcall vote 137. Had I been present, I would have voted “no.”

AMENDMENT IN THE NATURE OF A SUBSTITUTE  
NO. 2 OFFERED BY MS. LEE

The Acting CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 110-548.

Ms. LEE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment in the nature of a substitute No. 2 offered by Ms. LEE:

Strike all after the resolving clause and insert the following:

**SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2009.**

The Congress determines and declares that the concurrent resolution on the budget for fiscal year 2008 is revised and replaced and that this is the concurrent resolution on the budget for fiscal year 2009, including appropriate budgetary levels for fiscal years 2010 through 2018.

**SEC. 2. RECOMMENDED LEVELS AND AMOUNTS.**

The following budgetary levels are appropriate for each of fiscal years 2008 through 2018:

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

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

Fiscal year 2008: \$1,895,099,000,000.  
Fiscal year 2009: \$2,133,180,000,000.  
Fiscal year 2010: \$2,325,649,000,000.  
Fiscal year 2011: \$2,531,506,000,000.  
Fiscal year 2012: \$2,671,192,000,000.  
Fiscal year 2013: \$2,772,290,000,000.  
Fiscal year 2014: \$2,958,205,000,000.  
Fiscal year 2015: \$3,077,843,000,000.  
Fiscal year 2016: \$3,229,982,000,000.  
Fiscal year 2017: \$3,392,139,000,000.  
Fiscal year 2018: \$3,565,088,000,000.

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

Fiscal year 2008: \$4,441,000,000.  
Fiscal year 2009: \$36,056,000,000.  
Fiscal year 2010: \$142,785,000,000.  
Fiscal year 2011: \$103,481,000,000.  
Fiscal year 2012: \$17,877,000,000.  
Fiscal year 2013: \$17,550,000,000.  
Fiscal year 2014: \$49,669,000,000.  
Fiscal year 2015: \$49,578,000,000.  
Fiscal year 2016: \$49,647,000,000.  
Fiscal year 2017: \$49,781,000,000.  
Fiscal year 2018: \$49,781,000,000.

(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 2008: \$2,673,946,000,000.  
Fiscal year 2009: \$2,616,978,000,000.  
Fiscal year 2010: \$2,715,278,000,000.  
Fiscal year 2011: \$2,867,630,000,000.  
Fiscal year 2012: \$2,931,558,000,000.  
Fiscal year 2013: \$3,115,760,000,000.  
Fiscal year 2014: \$3,254,760,000,000.  
Fiscal year 2015: \$3,391,086,000,000.  
Fiscal year 2016: \$3,574,696,000,000.  
Fiscal year 2017: \$3,696,318,000,000.  
Fiscal year 2018: \$3,804,202,000,000.

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

Fiscal year 2008: \$2,555,301,000,000.  
Fiscal year 2009: \$2,633,489,000,000.  
Fiscal year 2010: \$2,742,901,000,000.  
Fiscal year 2011: \$2,868,360,000,000.  
Fiscal year 2012: \$2,906,718,000,000.  
Fiscal year 2013: \$3,098,022,000,000.  
Fiscal year 2014: \$3,237,564,000,000.  
Fiscal year 2015: \$3,369,163,000,000.  
Fiscal year 2016: \$3,556,338,000,000.  
Fiscal year 2017: \$3,672,919,000,000.

Fiscal year 2018: \$3,784,879,000,000.

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

Fiscal year 2008: \$680,203,000,000.  
Fiscal year 2009: \$500,309,000,000.  
Fiscal year 2010: \$417,252,000,000.  
Fiscal year 2011: \$336,854,000,000.  
Fiscal year 2012: \$235,527,000,000.  
Fiscal year 2013: \$325,732,000,000.  
Fiscal year 2014: \$299,359,000,000.  
Fiscal year 2015: \$291,320,000,000.  
Fiscal year 2016: \$326,356,000,000.  
Fiscal year 2017: \$280,780,000,000.  
Fiscal year 2018: \$219,791,000,000.

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

Fiscal year 2008: \$9,665,000,000,000.  
Fiscal year 2009: \$10,261,000,000,000.  
Fiscal year 2010: \$10,786,000,000,000.  
Fiscal year 2011: \$11,228,000,000,000.  
Fiscal year 2012: \$11,595,000,000,000.  
Fiscal year 2013: \$12,035,000,000,000.  
Fiscal year 2014: \$12,446,000,000,000.  
Fiscal year 2015: \$12,846,000,000,000.  
Fiscal year 2016: \$13,259,000,000,000.  
Fiscal year 2017: \$13,637,000,000,000.  
Fiscal year 2018: \$13,963,000,000,000.

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

Fiscal year 2008: \$5,494,000,000,000.  
Fiscal year 2009: \$5,815,000,000,000.  
Fiscal year 2010: \$6,043,000,000,000.  
Fiscal year 2011: \$6,172,000,000,000.  
Fiscal year 2012: \$6,185,000,000,000.  
Fiscal year 2013: \$6,284,000,000,000.  
Fiscal year 2014: \$6,351,000,000,000.  
Fiscal year 2015: \$6,405,000,000,000.  
Fiscal year 2016: \$6,495,000,000,000.  
Fiscal year 2017: \$6,541,000,000,000.  
Fiscal year 2018: \$6,528,000,000,000.

**SEC. 3. MAJOR FUNCTIONAL CATEGORIES.**

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2009 through 2013 for each major functional category are:

(1) National Defense (050):

Fiscal year 2008:

(A) New budget authority, \$590,686,000,000.  
(B) Outlays, \$576,173,000,000.

Fiscal year 2009:

(A) New budget authority, \$447,581,000,000.  
(B) Outlays, \$511,354,000,000.

Fiscal year 2010:

(A) New budget authority, \$459,368,000,000.  
(B) Outlays, \$480,072,000,000.

Fiscal year 2011:

(A) New budget authority, \$472,272,000,000.  
(B) Outlays, \$476,871,000,000.

Fiscal year 2012:

(A) New budget authority, \$485,586,000,000.  
(B) Outlays, \$475,791,000,000.

Fiscal year 2013:

(A) New budget authority, \$499,094,000,000.  
(B) Outlays, \$490,585,000,000.

Fiscal year 2014:

(A) New budget authority, \$513,212,000,000.  
(B) Outlays, \$503,768,000,000.

Fiscal year 2015:

(A) New budget authority, \$527,678,000,000.  
(B) Outlays, \$518,179,000,000.

Fiscal year 2016:

(A) New budget authority, \$542,899,000,000.  
(B) Outlays, \$537,546,000,000.

Fiscal year 2017:

(A) New budget authority, \$558,342,000,000.  
(B) Outlays, \$548,691,000,000.

Fiscal year 2018:

(A) New budget authority, \$574,487,000,000.  
(B) Outlays, \$559,777,000,000.

(2) International Affairs (150):

Fiscal year 2008:

(A) New budget authority, \$32,648,000,000.

(B) Outlays, \$32,843,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$78,708,000,000.  
 (B) Outlays, \$58,091,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$80,799,000,000.  
 (B) Outlays, \$69,354,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$82,696,000,000.  
 (B) Outlays, \$75,316,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$84,581,000,000.  
 (B) Outlays, \$78,716,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$86,082,000,000.  
 (B) Outlays, \$82,004,000,000.  
 Fiscal year 2014:  
 (A) New budget authority, \$88,183,000,000.  
 (B) Outlays, \$83,742,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$90,302,000,000.  
 (B) Outlays, \$85,752,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$92,503,000,000.  
 (B) Outlays, \$87,813,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$94,708,000,000.  
 (B) Outlays, \$89,907,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$96,989,000,000.  
 (B) Outlays, \$91,849,000,000.  
 (3) General Science, Space, and Technology  
 (250):  
 Fiscal year 2008:  
 (A) New budget authority, \$27,407,000,000.  
 (B) Outlays, \$26,456,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$27,934,000,000.  
 (B) Outlays, \$27,645,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$28,472,000,000.  
 (B) Outlays, \$28,507,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$29,071,000,000.  
 (B) Outlays, \$29,297,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$29,679,000,000.  
 (B) Outlays, \$29,917,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$30,290,000,000.  
 (B) Outlays, \$30,026,000,000.  
 Fiscal year 2014:  
 (A) New budget authority, \$30,930,000,000.  
 (B) Outlays, \$30,417,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$31,576,000,000.  
 (B) Outlays, \$30,991,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$32,255,000,000.  
 (B) Outlays, \$31,754,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$32,933,000,000.  
 (B) Outlays, \$32,288,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$33,645,000,000.  
 (B) Outlays, \$32,956,000,000.  
 (4) Energy (270):  
 Fiscal year 2008:  
 (A) New budget authority, \$3,548,000,000.  
 (B) Outlays, \$1,681,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$33,874,000,000.  
 (B) Outlays, \$11,831,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$33,832,000,000.  
 (B) Outlays, \$22,716,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$33,880,000,000.  
 (B) Outlays, \$28,901,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$33,950,000,000.  
 (B) Outlays, \$30,073,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$34,022,000,000.  
 (B) Outlays, \$31,681,000,000.  
 Fiscal year 2014:  
 (A) New budget authority, \$33,989,000,000.  
 (B) Outlays, \$31,695,000,000.

Fiscal year 2015:  
 (A) New budget authority, \$345,096,000,000.  
 (B) Outlays, \$31,850,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$34,203,000,000.  
 (B) Outlays, \$31,917,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$34,318,000,000.  
 (B) Outlays, \$32,019,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$34,443,000,000.  
 (B) Outlays, \$32,167,000,000.  
 (5) Natural Resources and Environment  
 (300):  
 Fiscal year 2008:  
 (A) New budget authority, \$45,960,000,000.  
 (B) Outlays, \$42,952,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$46,290,000,000.  
 (B) Outlays, \$45,834,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$47,182,000,000.  
 (B) Outlays, \$47,922,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$48,070,000,000.  
 (B) Outlays, \$48,656,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$48,968,000,000.  
 (B) Outlays, \$49,384,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$49,890,000,000.  
 (B) Outlays, \$50,111,000,000.  
 Fiscal year 2014:  
 (A) New budget authority, \$44,106,000,000.  
 (B) Outlays, \$46,623,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$45,045,000,000.  
 (B) Outlays, \$45,838,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$47,484,000,000.  
 (B) Outlays, \$47,643,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$49,976,000,000.  
 (B) Outlays, \$49,972,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$52,998,000,000.  
 (B) Outlays, \$51,603,000,000.  
 (6) Agriculture (350):  
 Fiscal year 2008:  
 (A) New budget authority, \$22,456,000,000.  
 (B) Outlays, \$21,528,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$21,529,000,000.  
 (B) Outlays, \$21,279,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$21,719,000,000.  
 (B) Outlays, \$20,680,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$21,891,000,000.  
 (B) Outlays, \$20,876,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$22,263,000,000.  
 (B) Outlays, \$21,435,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$22,621,000,000.  
 (B) Outlays, \$21,816,000,000.  
 Fiscal year 2014:  
 (A) New budget authority, \$23,003,000,000.  
 (B) Outlays, \$22,180,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$22,278,000,000.  
 (B) Outlays, \$21,483,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$22,605,000,000.  
 (B) Outlays, \$21,754,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$23,102,000,000.  
 (B) Outlays, \$22,136,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$23,445,000,000.  
 (B) Outlays, \$22,443,000,000.  
 (7) Commerce and Housing Credit (370):  
 Fiscal year 2008:  
 (A) New budget authority, \$11,216,000,000.  
 (B) Outlays, \$5,381,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$9,899,000,000.  
 (B) Outlays, \$3,998,000,000.

Fiscal year 2010:  
 (A) New budget authority, \$13,887,000,000.  
 (B) Outlays, \$5,886,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$8,998,000,000.  
 (B) Outlays, \$2,197,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$9,246,000,000.  
 (B) Outlays, \$1,742,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$9,642,000,000.  
 (B) Outlays, \$1,651,000,000.  
 Fiscal year 2014:  
 (A) New budget authority, \$9,742,000,000.  
 (B) Outlays, \$1,366,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$9,677,000,000.  
 (B) Outlays, \$985,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$9,360,000,000.  
 (B) Outlays, \$442,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$19,282,000,000.  
 (B) Outlays, \$5,249,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$14,300,000,000.  
 (B) Outlays, \$5,138,000,000.  
 (8) Transportation (400):  
 Fiscal year 2008:  
 (A) New budget authority, \$98,594,000,000.  
 (B) Outlays, \$87,772,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$97,798,000,000.  
 (B) Outlays, \$98,321,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$86,607,000,000.  
 (B) Outlays, \$97,871,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$90,527,000,000.  
 (B) Outlays, \$98,670,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$95,470,000,000.  
 (B) Outlays, \$103,030,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$99,456,000,000.  
 (B) Outlays, \$108,070,000,000.  
 Fiscal year 2014:  
 (A) New budget authority, \$94,588,000,000.  
 (B) Outlays, \$107,880,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$97,628,000,000.  
 (B) Outlays, \$109,579,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$100,659,000,000.  
 (B) Outlays, \$112,823,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$103,685,000,000.  
 (B) Outlays, \$116,645,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$95,302,000,000.  
 (B) Outlays, \$119,603,000,000.  
 (9) Community and Regional Development  
 (450):  
 Fiscal year 2008:  
 (A) New budget authority, \$20,029,000,000.  
 (B) Outlays, \$27,819,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$20,178,000,000.  
 (B) Outlays, \$25,473,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$20,470,000,000.  
 (B) Outlays, \$24,372,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$20,804,000,000.  
 (B) Outlays, \$22,173,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$21,149,000,000.  
 (B) Outlays, \$21,076,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$21,483,000,000.  
 (B) Outlays, \$21,109,000,000.  
 Fiscal year 2014:  
 (A) New budget authority, \$21,843,000,000.  
 (B) Outlays, \$21,045,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$22,202,000,000.  
 (B) Outlays, \$21,368,000,000.  
 Fiscal year 2016:

(A) New budget authority, \$22,577,000,000.  
 (B) Outlays, \$21,726,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$22,960,000,000.  
 (B) Outlays, \$22,100,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$23,352,000,000.  
 (B) Outlays, \$22,512,000,000.  
 (10) Education, Training, Employment, and Social Services (500):  
 Fiscal year 2008:  
 (A) New budget authority, \$100,077,000,000.  
 (B) Outlays, \$93,665,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$152,938,000,000.  
 (B) Outlays, \$114,540,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$159,402,000,000.  
 (B) Outlays, \$154,790,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$163,118,000,000.  
 (B) Outlays, \$160,122,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$166,089,000,000.  
 (B) Outlays, \$162,091,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$160,703,000,000.  
 (B) Outlays, \$161,936,000,000.  
 Fiscal year 2014:  
 (A) New budget authority, \$163,075,000,000.  
 (B) Outlays, \$160,666,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$165,862,000,000.  
 (B) Outlays, \$162,859,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$168,896,000,000.  
 (B) Outlays, \$165,817,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$172,108,000,000.  
 (B) Outlays, \$168,982,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$175,190,000,000.  
 (B) Outlays, \$172,248,000,000.  
 (11) Health (550):  
 Fiscal year 2008:  
 (A) New budget authority, \$315,101,000,000.  
 (B) Outlays, \$316,688,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$325,947,000,000.  
 (B) Outlays, \$322,038,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$342,990,000,000.  
 (B) Outlays, \$342,678,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$364,074,000,000.  
 (B) Outlays, \$362,827,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$387,180,000,000.  
 (B) Outlays, \$385,634,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$412,555,000,000.  
 (B) Outlays, \$410,734,000,000.  
 Fiscal year 2014:  
 (A) New budget authority, \$461,751,000,000.  
 (B) Outlays, \$459,405,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$490,571,000,000.  
 (B) Outlays, \$488,275,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$522,027,000,000.  
 (B) Outlays, \$519,484,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$560,796,000,000.  
 (B) Outlays, \$558,123,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$598,392,000,000.  
 (B) Outlays, \$595,600,000,000.  
 (12) Medicare (570):  
 Fiscal year 2008:  
 (A) New budget authority, \$390,458,000,000.  
 (B) Outlays, \$390,454,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$420,086,000,000.  
 (B) Outlays, \$419,880,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$445,118,000,000.  
 (B) Outlays, \$445,247,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$494,261,000,000.  
 (B) Outlays, \$494,084,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$491,241,000,000.  
 (B) Outlays, \$490,999,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$552,274,000,000.  
 (B) Outlays, \$552,389,000,000.  
 Fiscal year 2014:  
 (A) New budget authority, \$592,257,000,000.  
 (B) Outlays, \$592,056,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$634,929,000,000.  
 (B) Outlays, \$634,673,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$712,077,000,000.  
 (B) Outlays, \$712,180,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$740,467,000,000.  
 (B) Outlays, \$740,257,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$767,646,000,000.  
 (B) Outlays, \$767,378,000,000.  
 (13) Income Security (600):  
 Fiscal year 2008:  
 (A) New budget authority, \$435,615,000,000.  
 (B) Outlays, \$435,150,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$474,208,000,000.  
 (B) Outlays, \$472,869,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$488,352,000,000.  
 (B) Outlays, \$486,209,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$505,021,000,000.  
 (B) Outlays, \$502,945,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$498,262,000,000.  
 (B) Outlays, \$495,754,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$519,205,000,000.  
 (B) Outlays, \$517,057,000,000.  
 Fiscal year 2014:  
 (A) New budget authority, \$532,617,000,000.  
 (B) Outlays, \$531,454,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$547,151,000,000.  
 (B) Outlays, \$545,700,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$567,206,000,000.  
 (B) Outlays, \$565,806,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$576,948,000,000.  
 (B) Outlays, \$575,380,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$587,245,000,000.  
 (B) Outlays, \$585,652,000,000.  
 (14) Social Security (650):  
 Fiscal year 2008:  
 (A) New budget authority, \$19,378,000,000.  
 (B) Outlays, \$19,378,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$21,208,000,000.  
 (B) Outlays, \$21,220,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$23,692,000,000.  
 (B) Outlays, \$23,696,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$27,226,000,000.  
 (B) Outlays, \$27,226,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$30,235,000,000.  
 (B) Outlays, \$30,236,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$33,053,000,000.  
 (B) Outlays, \$33,053,000,000.  
 Fiscal year 2014:  
 (A) New budget authority, \$36,065,000,000.  
 (B) Outlays, \$36,066,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$39,363,000,000.  
 (B) Outlays, \$39,364,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$43,054,000,000.  
 (B) Outlays, \$43,054,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$47,046,000,000.  
 (B) Outlays, \$47,046,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$51,400,000,000.  
 (B) Outlays, \$51,400,000,000.  
 (15) Veterans Benefits and Services (700):  
 Fiscal year 2008:  
 (A) New budget authority, \$86,365,000,000.  
 (B) Outlays, \$83,551,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$94,258,000,000.  
 (B) Outlays, \$100,762,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$96,246,000,000.  
 (B) Outlays, \$97,493,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$100,984,000,000.  
 (B) Outlays, \$101,609,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$97,137,000,000.  
 (B) Outlays, \$97,053,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$138,057,000,000.  
 (B) Outlays, \$137,573,000,000.  
 Fiscal year 2014:  
 (A) New budget authority, \$139,850,000,000.  
 (B) Outlays, \$139,467,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$141,742,000,000.  
 (B) Outlays, \$141,300,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$147,423,000,000.  
 (B) Outlays, \$147,195,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$145,847,000,000.  
 (B) Outlays, \$145,682,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$144,051,000,000.  
 (B) Outlays, \$143,814,000,000.  
 (16) Administration of Justice (750):  
 Fiscal year 2008:  
 (A) New budget authority, \$46,237,000,000.  
 (B) Outlays, \$44,282,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$45,858,000,000.  
 (B) Outlays, \$45,610,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$44,784,000,000.  
 (B) Outlays, \$46,744,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$45,924,000,000.  
 (B) Outlays, \$46,897,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$47,107,000,000.  
 (B) Outlays, \$47,069,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$48,349,000,000.  
 (B) Outlays, \$47,990,000,000.  
 Fiscal year 2014:  
 (A) New budget authority, \$49,617,000,000.  
 (B) Outlays, \$49,236,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$53,261,000,000.  
 (B) Outlays, \$52,875,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$55,606,000,000.  
 (B) Outlays, \$55,180,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$57,212,000,000.  
 (B) Outlays, \$56,799,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$58,887,000,000.  
 (B) Outlays, \$58,413,000,000.  
 (17) General Government (800):  
 Fiscal year 2008:  
 (A) New budget authority, \$56,407,000,000.  
 (B) Outlays, \$56,920,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$23,841,000,000.  
 (B) Outlays, \$24,171,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$20,273,000,000.  
 (B) Outlays, \$20,289,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$21,159,000,000.  
 (B) Outlays, \$21,008,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$21,853,000,000.  
 (B) Outlays, \$21,856,000,000.  
 Fiscal year 2013:

(A) New budget authority, \$22,527,000,000.  
 (B) Outlays, \$22,301,000,000.  
 Fiscal year 2014:  
 (A) New budget authority, \$23,285,000,000.  
 (B) Outlays, \$23,044,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$23,728,000,000.  
 (B) Outlays, \$23,650,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$24,430,000,000.  
 (B) Outlays, \$24,444,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$25,115,000,000.  
 (B) Outlays, \$24,867,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$25,848,000,000.  
 (B) Outlays, \$25,566,000,000.  
 (18) Net Interest (900):  
 Fiscal year 2008:  
 (A) New budget authority, \$350,038,000,000.  
 (B) Outlays, \$350,038,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$336,143,000,000.  
 (B) Outlays, \$336,143,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$372,731,000,000.  
 (B) Outlays, \$372,731,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$411,018,000,000.  
 (B) Outlays, \$411,018,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$437,665,000,000.  
 (B) Outlays, \$437,665,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$456,148,000,000.  
 (B) Outlays, \$456,148,000,000.  
 Fiscal year 2014:  
 (A) New budget authority, \$478,881,000,000.  
 (B) Outlays, \$478,881,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$499,189,000,000.  
 (B) Outlays, \$499,189,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$517,770,000,000.  
 (B) Outlays, \$517,770,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$533,414,000,000.  
 (B) Outlays, \$533,414,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$548,262,000,000.  
 (B) Outlays, \$548,262,000,000.  
 (19) Allowances (920):  
 Fiscal year 2008:  
 (A) New budget authority, \$108,056,000,000.  
 (B) Outlays, \$28,901,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$5,760,000,000.  
 (B) Outlays, \$39,491,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$0,000,000.  
 (B) Outlays, \$26,291,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$0,000,000.  
 (B) Outlays, \$11,032,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$0,000,000.  
 (B) Outlays, \$3,302,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$0,000,000.  
 (B) Outlays, \$1,478,000,000.  
 Fiscal year 2014:  
 (A) New budget authority, \$0,000,000.  
 (B) Outlays, \$805,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$0,000,000.  
 (B) Outlays, \$445,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$0,000,000.  
 (B) Outlays, \$327,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$0,000,000.  
 (B) Outlays, \$302,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$0,000,000.  
 (B) Outlays, \$177,000,000.  
 (20) Undistributed Offsetting Receipts (950):  
 Fiscal year 2008:  
 (A) New budget authority, \$ -86,330,000,000.

(B) Outlays, \$ -86,330,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$ -67,060,000,000.  
 (B) Outlays, \$ -67,060,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$ -70,645,000,000.  
 (B) Outlays, \$ -70,645,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$ -73,364,000,000.  
 (B) Outlays, \$ -73,364,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$ -76,104,000,000.  
 (B) Outlays, \$ -76,104,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$ -79,691,000,000.  
 (B) Outlays, \$ -76,691,000,000.  
 Fiscal year 2014:  
 (A) New budget authority, \$ -82,234,000,000.  
 (B) Outlays, \$ -82,234,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$ -85,193,000,000.  
 (B) Outlays, \$ -85,193,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$ -88,338,000,000.  
 (B) Outlays, \$ -88,338,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$ -96,941,000,000.  
 (B) Outlays, \$ -96,941,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$ -101,681,000,000.  
 (B) Outlays, \$ -101,681,000,000.  
 (21) Overseas Deployments and Other Activities (970):  
 Fiscal year 2008:  
 (A) New budget authority, \$ \_\_\_\_\_,000,000.  
 (B) Outlays, \$ \_\_\_\_\_,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$ \_\_\_\_\_,000,000.  
 (B) Outlays, \$ \_\_\_\_\_,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$ \_\_\_\_\_,000,000.  
 (B) Outlays, \$ \_\_\_\_\_,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$ \_\_\_\_\_,000,000.  
 (B) Outlays, \$ \_\_\_\_\_,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$ \_\_\_\_\_,000,000.  
 (B) Outlays, \$ \_\_\_\_\_,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$ \_\_\_\_\_,000,000.  
 (B) Outlays, \$ \_\_\_\_\_,000,000.  
 Fiscal year 2014:  
 (A) New budget authority, \$ \_\_\_\_\_,000,000.  
 (B) Outlays, \$ \_\_\_\_\_,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$ \_\_\_\_\_,000,000.  
 (B) Outlays, \$ \_\_\_\_\_,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$ \_\_\_\_\_,000,000.  
 (B) Outlays, \$ \_\_\_\_\_,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$ \_\_\_\_\_,000,000.  
 (B) Outlays, \$ \_\_\_\_\_,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$ \_\_\_\_\_,000,000.  
 (B) Outlays, \$ \_\_\_\_\_,000,000.

**SEC. 4.**  
 The Acting CHAIRMAN. Pursuant to House Resolution 1036, the gentlewoman from California (Ms. LEE) and a Member opposed each will control 30 minutes.

The Chair recognizes the gentlewoman from California.

Ms. LEE. Mr. Chairman, I yield myself as much time as I may consume.

Along with my colleague from California, Congresswoman LYNN WOOLSEY, I cochair the Congressional Progressive Caucus. And let me just take a moment to acknowledge our cochair, Congresswoman WOOLSEY, whose hard work, whose brilliant intellect, and whose soaring spirit really is with us today,

even though she's at home recuperating very well from back surgery. She'll be back very soon to continue to fight to bring our young men and women home from Iraq.

I rise today to offer the Congressional Progressive Caucus budget. We call it our antipoverty, pro-opportunity, peace, and security budget.

Budgets really are moral documents. They provide a road map to identify and invest in our Nation's values and our priorities. The CPC alternative budget reflects our American mainstream values by making the right investments to fight poverty, to grow our economy, to assist survivors of Hurricane Katrina, to bring common sense to our national security budget, and to redeploy our troops and military contractors from Iraq.

Our budget does this in a way that not only balances our priorities but balances the Federal budget. Our budget stands in stark contrast to the President's very cynical proposal that he presented to us last month.

The Progressive budget rejects the President's budget and its attack on working families, minority communities, and many of our most vulnerable populations, like seniors and low-income individuals.

The Progressive budget rejects the President's ongoing occupation of Iraq that's costing taxpayers \$12 billion, \$12 billion each month. And the Progressive budget rejects the President's \$200 billion cuts to Medicare and Medicaid that would raise premiums for our Nation's seniors and cut payments to the doctors and hospitals who serve them.

Our budget is different. It faces the poverty crisis in America head on, starting with redress and reconstruction for gulf coast victims of Hurricane Katrina. It is designed to reverse the Iraq recession by providing a vital stimulus to jump-start the economy. It is the only budget that brings common sense to national security by reinvesting the President's bloated defense funding request for the Pentagon, the highest since World War II.

The Progressive alternative will provide at least \$551 billion for domestic, nonmilitary discretionary spending in fiscal year 2009, \$131.9 billion above the President's request. As part of this increase in domestic discretionary spending, the Progressive Caucus budget also includes \$73 billion to develop a sustained, coordinated, public private sector strategy that recommit America to a renewed war on poverty. This will cut the poverty rate in America in half in a decade. This goal is in line with H. Con. Res. 198, a resolution that I introduced which passed unanimously in the House in January.

We have budgeted the dollars to bring millions of children out of poverty by expanding the earned income tax credit for larger families and making the child tax credit fully refundable for any family earning more than \$3,000. It will also finally begin to fully redress the continuing plight of the survivors of Hurricane Katrina.

Our alternative would provide the funds for the housing and the health care, education, and infrastructure investment, and the vital social services needed to bring people back to Louisiana and Mississippi.

Our budget would also immediately provide \$118 billion to fund the most effective stimulus programs available to the government. We extend unemployment insurance, food stamp benefits, and critical Medicaid payments to States that will not only help keep State governments solvent, but keep more workers healthy and productive. The economic stimulus package will include assistance for low-income and unemployed people that were ignored by the first stimulus.

Additionally, the CPC budget provides foreclosure relief and includes new investments to rebuild our Nation's schools, fix our highways and bridges, and build new affordable housing. These initiatives will create jobs that will help keep more families in their homes.

Now, all of these vital programs will be a down payment on our rebuild and reinvest in America initiative. This long-term, sustainable project will create green jobs, reinvigorate our schools, and foster a new commitment to excellence in our students. We will repair our water, power, and transportation systems so that America cannot only compete in the global economy, but once again lead.

The Progressive budget also brings common sense to national security spending, providing \$468 billion, which is \$68 billion under the President's bloated request. Our budget cuts government waste, fraud, and abuse, and eliminates outdated and ineffective Cold War air weapons systems that were developed to fight an enemy that really no longer exists.

Most importantly, the CPC budget will end the occupation of Iraq by rapidly and safely redeploying our troops and military contractors. We have wasted far too much money on this occupation already, over a half trillion dollars to date. We cannot afford to spend another \$3 trillion that some have estimated this will take.

So this budget achieves all these goals and brings the Federal budget, mind you, into budget by fiscal year 2012 and, upon the completion of our reinvest and rebuild America initiative, back into balance in 2018. I urge this body to reject the President's draconian cuts to vital programs for working American families and to support the CPC's alternative budget.

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

Mr. HENSARLING. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Texas is recognized for 30 minutes.

Mr. HENSARLING. Mr. Chairman, I yield myself as much time as I may consume.

Mr. Chairman, there are three different budgets that are offered by our

friends on the other side of the aisle, the Democrats, today. They have many common elements. This one, perhaps, though, is the worst. It's the worst in that it raises taxes by the highest amount on working families all across America, especially at a time when they're trying to stretch their paychecks to make sure that they can keep a roof over their head, to make sure that they can fill up their cars and their pickup trucks, to make sure that maybe for the first time they're able to send somebody to college.

Now, we know that the main Democrat alternative, the one that ultimately will be voted on by the majority of our friends on the other side of the aisle, that has over a \$600 billion tax increase included in it. That's roughly \$3,000 for every family in America. That's the average tax increase that will be imposed upon families over the next 5-year period.

Now, this particular budget increases taxes by almost a third more. So I haven't, Mr. Chairman, quite had the time to do the back-of-the-envelope calculation, but who knows, maybe they're raising taxes by \$4,000 per family.

And not unlike all the other Democrat budgets we hear, they're saying, well, we don't really want to raise taxes on working families, and we really want to give them tax relief.

But what I don't see, Mr. Chairman, is any effort whatsoever for people to put their vote where their rhetoric is.

If I've done my homework properly, over the last 6 years there have been 21 different votes on the House floor to stop these huge automatic tax increases that are part of current law. And yet, my guess is, and I don't have the list in front of me, that most of my friends on the other side of the aisle kept those tax increases, and so now they're going to be imposed on working people.

Now we're told, well, it's not really a tax increase. It's just the expiration of tax relief. Well, that's kind of interesting, because I can tell you that is a fine distinction that's going to be lost on the working men and women of the Fifth Congressional District of Texas.

If you wake up one day and your paycheck, if you're making the same salary next year that you made last year, and all of a sudden your taxes are higher, I can tell you, to the school teacher in Mesquite, Texas, that's a tax increase. To the rancher in Mineola, Texas, that's a tax increase. To a factory worker in Garland, that's a tax increase. So I know that it's very common and seems to be favorable within the Halls of Congress to say, well, there's no tax increase; we're just letting tax relief expire. Well, ultimately, especially in 2011 when the full brunt of this tax increase occurs, working families all across America will be hit, and it will impact, again, their ability to keep a roof over their head, their ability to send someone to college.

The Republican budget doesn't have any tax increases in it. It also, on the

other hand, has no tax cuts in it. But what it does do is it prevents automatic tax increases that are part of current law from occurring.

Now, a second part of this budget, which is common with all the Democrat budgets, is it does nothing, nothing about the proliferation of earmarks. There's been a huge debate in the United States Congress about what to do about earmarks.

Now, Mr. Chairman, I'll admit not all earmarks are bad, but the system is bad. And our friends on the other side of the aisle told us they would come here and clean them up. They said they'd cut them in half. But last year we had the second highest amount of earmarks that we've ever had.

We were told there would be transparency, yet we had almost 300 of what we call air-dropped earmarks that just somehow appear mystically out of the heavens into these bills that nobody knows they're there and no opportunity to come to the House floor to debate.

And so here we have on the one hand, Mr. Chairman, we have working families struggling, struggling to stretch their paychecks, and yet our friends on the other side of the aisle want to perpetuate the status quo of earmarks, which many Americans are now waking up to the fact that all too often someone in Congress is taking a bite out of their paycheck so that some Member of Congress can keep theirs. It's not fair to them, particularly in tough, challenging economic times.

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So in the Republican budget, we declare a year-long moratorium on earmarks. And we give that money to the taxpayer. We say, You know what, it's more important that you are able to pay your heating bill, and it is more important that you be able to put gasoline in your car than it is to fund some kind of monument to me as has been done for the chairman of the Ways and Means Committee. It's more important that you have \$2 million than some Member of Congress get a monument to himself.

We say it's more important, again, that the rancher in Mineola, Texas, is able to send a kid to college than it is to send \$100,000 to make sure we have proper landscaping in the L.A. fashion district.

These are two very distinct differences. So we are having the largest tax increase in American history to pay for more congressional earmarks, and clearly this budget and every other Democrat budget needs to be summarily rejected by this body.

With that, I reserve the balance of my time.

Ms. LEE. I would like to yield 2½ minutes to the gentleman from Massachusetts (Mr. FRANK), the Chair of the Financial Services Committee, who has had a very good handle on what it takes to bring our economy back.

Mr. FRANK of Massachusetts. Mr. Chairman, I thought the Republican

budget deficits that we have seen since they took power in 2001 were pretty big, but the rhetoric deficit between what they say and economic reality is even bigger. There are zero tax increases or cuts in any of these budgets. The tax situation at the end of the year, the end of this fiscal year, will be the same.

Now, the gentleman from Texas is worried about people who will be facing tax increases later on. By the way, he says tax increases that are in current law, that's current law that the Republicans passed.

I didn't vote for the current law, so they don't like what they put into the law. But the people I talk with, working people in my district, no, they are not worried about estate taxes on \$20 million. They're not worried about incomes over \$200,000.

The gentleman did make an accurate point. He said, What about the person whose paycheck will be exactly the same next year? Well, before the Republicans took over, her paycheck wasn't exactly the same. They used to go up. Paychecks used to increase. Only with the Republicans in power have we seen this freeze on real pay, in fact, a decrease in real pay.

Let me tell you why I am for the Progressive budget, because I do believe we ought to save the taxpayers money. I am prepared to say that when the Republicans were in power, we won the Cold War. They apparently don't recognize that, because they've got a budget that's still fighting it. In addition to the enormous waste of lives and American prestige and everything else that is involved in the Iraq war and the enormous waste of money there, we are still funding weapons in this budget. Now, many of these weapons are great weapons, but they have one defect: they have no enemy. A weapon without an enemy is a pretty silly thing to have.

So I like the Progressive budget because, among other things, it brings under control this enormous increase in Pentagon spending, and apparently according to my right-wing Republican colleagues, spending on weapons that we don't need is good spending. Spending to pay for health care for children is bad spending. I think they get it exactly opposite and the Progressive budget is the way to fix that.

Mr. HENSARLING. Mr. Chairman, at this time I would yield 5 minutes to the distinguished ranking member of the Budget Committee, the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Mr. Chairman, I wish my friend from Massachusetts would have stayed at the mike.

I simply want to ask if the Democratic budget balances the budget, if it achieves balance. Would the gentleman care to answer the question if the Democratic budget achieves balance in 2012?

Mr. FRANK of Massachusetts. If the gentleman will yield to me, I haven't looked at that part. I was addressing

the assertion that it raises taxes in this current year.

Mr. RYAN of Wisconsin. My question was, Does the budget achieve balance in 2012?

Mr. FRANK of Massachusetts. I will give the answer.

No. I don't think it does, anymore than the President's does or yours does.

Mr. RYAN of Wisconsin. Oh, well, that's different than what the Budget chairman says.

Mr. FRANK of Massachusetts. Well, if the gentleman has me confused with the chairman, I would like to hear from the chairman.

Mr. RYAN of Wisconsin. Reclaiming my time from the chairman of Financial Services, I'm not sure if he's on the same page as the chairman of the Budget Committee. The chairman of the Budget Committee is claiming that their budget balances the budget by 2012. I'll take him at his word, and actually it's correct. The Congressional Budget Office certifies that the Democratic budget does indeed balance in 2012. Here is how they certify it balances in 2012: by raising taxes.

They simply cannot say on the one hand they're balancing the budget, and then on the other hand not raising taxes. Because the only way their budget balances is only by raising taxes.

So, Mr. Chairman, don't listen to me. Listen to the 99 Senators who just voted this morning to validate everything I just said. Ninety-nine Senators, just a couple hours ago, voted for the Baucus amendment, the Democratic chairman of the Finance Committee's amendment, that said the tax increases in this budget are just a little too big; let's cut them in half. Let's reduce the tax increases by \$341 billion. So it's only about a \$300 billion tax increase. The Senate budget now has half the tax increase in it that this budget here does.

My friends, the Progressives, I want to compliment them because they're bringing a budget to the floor that reflects the principles that respect their values, and they are putting their rhetoric where their mouth is by bringing a budget to the floor, and I want to commend my Progressive friends for doing that. That's what we all should be doing.

You hear me criticizing the underlying budget. You hear me criticizing the Progressive budget. But we will be bringing our own budget to the floor in just a few minutes to show what we stand for; and what we stand for is controlling spending, is doing an earmark moratorium and saving that money. By just saying "no" to earmarks for a year, as our budget proposes to do, we can pay for making the child tax credit permanent, making the marriage penalty repeal permanent. Just those two things.

So at the end of the day, Mr. Chairman, it's about choices. It is about values. Do we want pork, or do we want

more money in paychecks of Americans? Pork or paychecks? We are going to vote for paychecks. And the reason we're going to vote for putting more money in people's paychecks, for protecting their paychecks, is because people's paychecks aren't stretching as far as they used to.

You have high gas prices, high home health heating prices, high health care prices, high food prices. The last thing the American workers need today, the last thing American families need today is an average \$3,000 tax increase. We shouldn't be taxing people because they're married. We shouldn't be raising taxes \$500 per child. We shouldn't be making small businesses pay a higher tax rate than the largest corporations in America. Yet, that is exactly what the Democratic budget does.

It's what the Progressive budget does as well. It's what the Congressional Black Caucus budget does as well. It's a difference of opinion. It's a difference of values. We think Washington spends too much money. And my friend from California, she was right when she said it is about morals; it is about values. And we have different ideas.

We believe that the engine of economic growth, what makes America great, is its people, are the families, the workers, the small businesses, the entrepreneurs of America.

We also believe we have a moral imperative to make right by future generations. You know, my parents told me that the legacy of America is you leave the next generation better off. You make them safer, more prosperous, and will to them a higher standard of living.

We may sever that relationship because of the unsustainable past of our entitlement programs which each of these budgets makes worse. The Democratic budget, just in two programs, sends two programs, Medicare and Social Security, \$14 trillion deeper in debt. That's wrong. That's giving our children and grandchildren a huge debt, a higher debt.

We think we need to go the other direction. We need to reform these programs so it can fulfill the mission of health and retirement security, but do so while still guaranteeing our children and grandchildren get a better future, a more prosperous future, a higher standard of living. That's why we should vote "no" on all of these budgets.

Ms. LEE. I yield myself 30 seconds.

First of all, the Democratic budget does balance by 2012. The Congressional Black Caucus budget balances by 2012. The Congressional Progressive Caucus budget balances by 2012. There are people in this country making over \$1 million, \$1 million, and all that we do is we provide the tax cuts which will expire in 2010 for the people in our country who make over \$1 million. That's the top 1 percent, mind you, 1 percent of taxpayers, and that brings us at least \$222 billion.

I yield now 3 minutes to the gentlelady from California (Ms. WATERS), who chairs the Housing and Community Opportunity Subcommittee of the Financial Services Committee and who has helped us put together this budget, especially the Rebuild America's Communities budget, who has worked on our housing issues, Katrina issues and so many issues for so many years. And this section of this budget is a remarkable section, and I hope everyone will listen to her so they can understand exactly what we did in our Progressive Caucus budget.

Ms. WATERS. Mr. Chairman, I would like to thank Congresswoman BARBARA LEE and Congresswoman LYNN WOOLSEY for their leadership on the Progressive Caucus for all of the work that they do, not only putting this alternative budget together, but the leadership they have provided to this Congress and trying to get this Congress moving in the right direction and representing all of the people.

I certainly did not want to take my time responding to the gentleman from Wisconsin, but we need to understand the definitions. When he talks about raising taxes, what he's really talking about is the fact that both of these budgets, the Congressional Black Caucus budget and the Progressive Caucus budget simply will eliminate the tax giveaways to the richest corporations in America. And that's what he calls raising taxes, the very people who are responsible for getting us in this subprime mess that we are in now where we have people who are losing their homes to foreclosures.

Having said all of that, I have already spoken about my support for the Congressional Black Caucus. And I'm offering today my very, very strong support for the Progressive Caucus budget.

Many of the priorities are the same in these two budgets, including vastly increasing funds for housing and community development, veterans education, health programs, and energy independence. I strongly support these increases.

As I said, when I talked about the Congressional Black Caucus budget, they had eliminated HOPE VI, a program that would provide decent housing for the most vulnerable people in our society in a responsible way. They tried to reduce the CDBG program, the program that goes to these small cities and to these towns that are using them for infrastructure and helping senior citizens and youth. And this budget would put the money back in to make them continue to be credible programs.

Let me talk a little bit about the economic stimulus. The components of the economic stimulus package included in the Progressive Caucus budget, for which we have been advocating for many weeks now, are certainly needed to help those Americans hardest hit by the worsening economic situation.

Most importantly, stimulation will come from increased funds for housing

assistance and community development. The economic downturn came from the devastating housing market, and that is where we need to focus our resources.

The Progressive Caucus also targets unemployment, insurance, food stamps, FMAP and health care aid and large infrastructure projects in each of our States to invest in our cities and create new jobs. With well-founded fears of a recession being discussed at dinner tables across the country, these investments are absolutely necessary to support our constituents and stimulate our economy.

The Progressive Caucus also focuses on cutting the fat from our bloated Pentagon budget. Our military is still preparing to fight the Cold War against the USSR. I won't go any further than that.

I thank the gentlewoman for the time, and I'd like to express my support for the Progressive Caucus.

Mr. HENSARLING. Mr. Chairman, how much time is remaining on each side?

The Acting CHAIRMAN. The gentleman from Texas has 19 minutes. The gentlewoman from California has 18 minutes.

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Mr. HENSARLING. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I think it is very important for all the American people who are following this debate, we always hear these claims that all we're going to do is somehow tax the rich. Well, again we've heard the gentlelady from California say that this budget balances, but according to the Congressional Budget Office, headed up by a Democrat, their appointee, the only way that that budget balances or any of the Democrat budgets balance is by huge automatic tax increases that will take place over the next few years. And under the tax increases that will take place in current law, you're going to have 116 million taxpayers see an average tax increase of \$1,800 a year.

More than 6 million low-income individuals and couples who currently pay no tax, no tax, will no longer be exempt. Approximately 48 million married couples will face an average tax increase of \$3,000 a year. Low-income families with one or two children will no longer be eligible for the refundable child tax credit in 2011. Roughly 12 million single women, and we know that often to be poor in America is to be a single mother, 12 million single women will see their tax increases by \$1,100 per year. And again, don't take my word for it, go to the Congressional Budget Office and look at the numbers and their impact on all the different tax brackets. Those who are at the lowest bracket today, the 10 percent bracket, are going to see their taxes increase 50 percent to a 15 percent bracket.

So I hope the American people are watching this debate very closely, because every time we hear the Demo-

crats say, oh, we're just going to tax the wealthy, we're going to tax the wealthy, that's a sign for any working American to hold on to their wallet, Mr. Chairman. That's what that sign is.

And we're also debating today the AMT, the alternative minimum tax, which would have been more aptly named the "absolute maximum tax." Well, when that was brought to the floor by Democrats in the first place, Mr. Chairman, we were told that's going to only impact 150 high-income Americans, and yet today we know it threatens 25 million Americans with an additional tax payment of over \$2,000 a year.

So our friends on the other side of the aisle can't have it both ways. Either you do not balance the budget, or if you do, you certainly have no spending discipline in your budget, then you're doing it through the tax increases. And look at the numbers of your Congressional Budget Office. They say you will impose the single largest tax increase in American history. And it's not just aimed for the wealthy; it's aimed at all.

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

Ms. LEE. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio, Congressman DENNIS KUCINICH.

Mr. KUCINICH. Mr. Chairman, I rise in support of the Progressive Caucus budget because it includes home foreclosure relief. The foreclosure crisis is at the epicenter of our economic slowdown, and northeast Ohio is among the hardest hit in the Nation.

Hardworking American families deserve financial security. Foreclosure undermines the physical, emotional, and financial security of America's families, has a detrimental effect on the greater community. Neighborhoods with foreclosed properties are likely to experience declining property values. Cuyahoga County, which includes Cleveland, my hometown, had 11,000 foreclosures in 2005, more than triple the number a decade earlier.

My home State of Ohio has the ninth highest rate of foreclosures, and fourth nationwide for the number of preforeclosure and foreclosure filings. So I'm urging my colleagues to support this budget for that reason. But there's another reason, too.

We can talk about the transfer of wealth, which is a lot of the discussions that go on. This whole government is an engine to transfer the wealth of the country upwards. We have to recognize it. If there is one engine that's transferring the wealth upwards with great acceleration it's the war. Because this war would be as if every American family took out a checkbook and wrote out a check already for \$16,000 and handed it over to the government. Already it has cost each family in this country \$16,000. And if we continue this war, if you read Joseph Stiglitz, the Nobel Prize winning economist, the war is going to cost \$3



trillion, and by the time we get over it, it will be upwards of \$5 trillion.

Let's talk about how this budget is being used to accelerate the wealth of the Nation. Now, portend, it's the Progressive budget which offers an alternative which says, end the war, stop funding the war, stop funding wasteful military spending. We want a secure Nation, but we cannot secure our Nation on lies. The war is based on lies. We're on the fifth anniversary of this war. We went into war based on lies at a cost of \$3 trillion now, 4,000 of our troops, a million innocent Iraqis, the morality of the United States, our position in the world all under attack because the truth wasn't told.

This budget is the truth. This budget gives the American people an opportunity to finally have their basic needs met. And those needs are going to continue to be neglected as long as we stay riveted to a war that is based on lies.

Bring those troops home. The Progressive budget does it. Stop the war. The Progressive budget does it. Take a new direction with our international policy. The Progressive budget does it. Take care of things here at home. The Progressive budget does it. Vote for the Progressive budget.

Mr. HENSARLING. Mr. Chairman, at this time, I will yield 4 minutes again to the distinguished ranking member of the Budget Committee, the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. I thank the gentleman for yielding. And I thank the gentleman for all the work he has done on making us fiscally secure, being fiscally responsible, and bringing fiscal sanity to Congress. He's one of the leaders.

Mr. Chairman, the problem in Washington is not that we have too little tax money coming in. The problem in Washington is spending is too high.

Let me show you what this chart shows. It's a little complicated. The red line shows you the Democrats' line of higher taxes. The blue line shows you the revenue line that our budget will do, which is lower taxes. That's the difference of the marriage penalty, the child tax credit, income tax rates across the board, capital gains, dividends, the death taxes. The green line is the current spending trajectory that we are on. Let me describe what it looks like in just one program, as foreseen in the Democratic budget.

Under the Democratic budget, the Medicare program today has an unfunded liability of \$34 trillion. What does that mean per household, per family? Three hundred thousand dollars. Right now, every family in America would have to put in \$300,000 just to make Medicare secure, just to make Medicare viable and solvent. Under the Democratic budget, they increase that debt by \$11 trillion in just 5 years. This 5-year budget says that in 5 years, by the time their budget expires, it will be about a \$400,000 burden to every single household in America. You can buy a pretty darn nice house for \$400,000.

Let me explain what this looks like across the board. And that's just one program where they're raising the debt by \$11 trillion. This is the one that counts the most, Mr. Chairman.

For the last 40 years, the Federal Government has been pretty consistent in how much money it has had to tax to pay for the Federal Government. Washington had had to tax about 18.3 cents on the dollar for every dollar made in America. About 18.3 cents of the dollar made in America went to pay for Washington. Well, because of the baby boomers, because of their retirement, this isn't a Democrat thing or a Republican thing. It's just what's happening in America, because we are doubling the amount of retirees we have in this country, we're going from 40 million retirees to 78 million retirees. And these programs are what we call pay-as-you-go, where current workers pay a current tax to finance the benefits for current beneficiaries.

So I'm paying my payroll taxes and my income taxes for my mom, who's on Medicare and Social Security. That's the way the system works. And it works out well if you have an equal ratio of workers and beneficiaries, but we don't. The reason we don't is because our birth rates declined after the baby boomer generation. There's nothing wrong, nothing sinister about it. It's just that it is what it is.

And so we're increasing our tax-consuming generation. We're increasing the beneficiaries by 100 percent, but we're only increasing the taxpayers by 17 percent. That, in a nutshell, is why we have this fiscal train wreck. That, in a nutshell, is why we're staring at these enormous debts in our country's future.

What does that mean to the future of our country? What does that mean for our children and our grandchildren? I'll tell you what it means to my three children. My son Sam is 3, my son Charlie is 4, my daughter Liza is 6. By the time my three children are exactly my age, and I'm not the oldest guy around here, by the time they are my age, they will have to pay twice what we pay in taxes just to keep today's Federal Government going for them at that time.

Let me say it a different way. Instead of taking 18.3 cents out of every dollar made in America today, when my three kids are my age, they're going to have to spend 40 cents on every dollar made in America just to pay the bills to the Federal Government.

Mr. Chairman, we have real competition that we have staring us in the face. We have competition from India, from China. The age of the global economy is here with us whether we like it or not, it is here. You can't extend and give a prosperous Nation a higher standard of living to the next generation if we're doubling their taxes. If we say today it's 18 cents on the dollar, and tomorrow it's 40 cents on the dollar, you can't give our children and grandchildren a chance at a great career at

a higher standard of living in this new competitive era we're in. If we do go down this path, we're going to give more and more jobs to China, to India, to other countries.

So we say what we ought to do is do what our employers want us to do. The people that sent us here to Congress want us to fix this problem. They want us to fulfill the mission of healthy retirement security and do it without bankrupting future generations, and do it so we can stay competitive in a global economy so that we can pass a better future on to future generations. That's why this budget should be defeated.

Ms. LEE. Mr. Chairman, I yield 4 minutes now to the gentlelady from Texas, whose voice is heard loud and clear in terms of her priorities with regard to the Progressive Caucus budget, Congresswoman SHEILA JACKSON-LEE.

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

Ms. JACKSON-LEE of Texas. Mr. Chairman, it is interesting to listen to my good friends about the tax cuts that they believe will generate happiness in America. I want to remind my friends that the last 8 years have been governed by a Republican administration that has had as the definition of their viability in this country that they are the big tax cutters. And they're right. If you're making a million dollars or you're Warren Buffet, you're celebrating and dancing in the streets. That's the tax cuts that my friend is talking about. But if you're hardworking, middle class Americans that have looked toward the dream that Americans have offered, those who built cars with their hands or drive trucks, teachers and nurses, the very people who made America great, the kind of salt of the Earth that a Thomas Edison came from or a George Washington Carver, then you're not dancing in the street. In fact, you're trying to pick the pieces up and walk through the street.

Because if you look at what this administration has generated, \$1.47 in 2001, now the average price per gallon \$3.13, maybe going to \$4, because right now the price per barrel of oil is \$110 dollars a barrel. Not only hurting those hardworking Americans, but even in Texas, some of the refineries that hire blue collar workers can barely make it because they can't make a recovery when they're paying \$110 a barrel for gas or for oil. They don't answer that question.

The Progressive budget is a budget that addresses the heartburn of America. What it says to his children and their grandchildren is that we believe in a domestic agenda that gets you out of the pits of depression and economic recession. We believe in helping children and parents work by improving and expanding early child care and increasing Head Start. If you've got a 1962 car, 1977, 1999, barely you can make it, trying to get to work and pay

child care. We get them out of the doldrums of the recession.

We understand that there are people who are now evicted who were homeowners. We give out 200,000 housing vouchers so that those in my district alone, 25,000 people on the waiting list for section 8 and other housing resources, not because they can't work, because there are no facilities for them and because the market is out of control. This is what the Progressive budget does.

And then it takes to the least of those, those children in the foster care system that circle around in the system. Who knows who they turn out to be. Maybe it's the unfortunate young men that found themselves on the streets of North Carolina to take the life of a coed.

There are tragedies out there, and this budget understands that investing in America and these workers will make a difference. That's why this budget supports an increase in the EITC to increase work incentives and reduce poverty. And it brings the troops home. That's where the money is going. And it doesn't stifle competition. It promotes the space program. It applauds science and math for young people to aspire to space, but it gives those whose pocket has a hole in it, it gives them opportunity.

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It is a bill, a budget, that stamps out poverty, that recognizes that it is important to not ignore those who you can ignore because they're not in front of you.

I applaud Warren Buffett for his ingenuity and his greatness in terms of his economic prowess. But I also applaud Mrs. Jones who gets up every morning at 3 a.m. trying to get to work. This is what she's facing.

The domestic budget by the Progressive Caucus should be supported.

I rise today in support of the budget substitute offered by the Congressional Progressive Caucus. I support this budget proposal because it represents the mainstream values of our great nation, providing crucial boosts in domestic spending by eliminating expenditure on outdated and obsolete military technologies.

#### SECOND ECONOMIC STIMULUS

This budget includes funding for a second economic stimulus package, designed to infuse \$119.9 billion into our struggling economy. While I was very pleased to see the passage earlier this year of an economic stimulus package injecting \$145.9 billion into the economy in 2008, I continue to be concerned about a number of important provisions that were omitted from the package. The "Economic Stimulus #2" package included in the Progressive Caucus budget includes more effective stimulus tools to meet the outstanding needs of the American people.

The Progressive Caucus budget extends Federal spending for unemployment insurance and food stamp benefits, and it increases Federal spending on Federal Medical Assistance Percentage (FMAP) Medicaid payments to states. In addition, this budget recognizes the

crisis posed by rising home foreclosure rates, and it provides home foreclosure relief and housing assistance. The Economic Stimulus #2 package also includes the creation of jobs repairing the nation's schools, transportation infrastructure, and public housing.

#### ANTI-POVERTY PLATFORM

In addition to the inclusion of the second economic stimulus package, this alternative budget is also unique because it includes a focused and concerted anti-poverty platform. The Progressive Caucus's "Anti-Poverty and Opportunity Initiative" is committed to cutting the poverty rate in America in half over the next ten years, and we will begin to do so under this budget. This alternative budget invests \$73.05 billion in FY09 and increases to \$129.3 billion in FY 18 for a sustained, coordinated public-private sector strategy.

#### POVERTY AND THE PEOPLE

This morning Tavis Smiley shared with the Tom Joyner Morning Show, his thoughts and the American people's thoughts, on what is really going on in America. He shared how we have easily gotten side-tracked with non-essential staff and consultants to the CLINTON and OBAMA campaigns and to the exploits of Governor Spitzer; all the while forgetting the issues of importance to the people.

Eradicating poverty is something the Progressive Caucus is addressing with its funding of anti-poverty legislation.

#### CHILDREN AND THE BUDGET

As Chair of the Congressional Children's Caucus and the Progressive Caucus, I am proud to support this budget alternative because it contains provisions designed to help our children succeed.

This budget improves and expands early child care and it increases Head Start funding. It will help parents and families by making the Child Tax Credit fully refundable and expanding the EITC for larger families. It also fully funds Community Development Block Grants and distributing grants to families with disabled members and as such promises to lift every child out of deep poverty. Furthermore, this budget provides for the improvement of Child Support Distribution as well as helping abused and neglected children by improving the Foster Care system.

Specifically the Progressive budget:

Iraq—projects complete U.S. military redeployment out of Iraq before the end of FY09—savings of at least \$135 billion and replicated in subsequent years.

Target waste, fraud, and abuse, starting with Pentagon savings—projects enactment of the Common Sense Budget Act, which would save at least \$60 billion/year on largely obsolete Cold War-era weapons systems plus tens of billions more in waste, fraud, and abuse in DOD spending identified by the nonpartisan Government Accounting Office, GAO—savings of at least \$687 billion over ten years;

Repeal of Bush tax cuts for the top 1 percent of taxpayers—due to expire in 2010 regardless and beyond—savings of at least \$222 billion;

Crackdown on corporate welfare—increased revenue of at least \$18–50 billion/year throughout the next decade from the elimination of some of the many corporate tax loopholes throughout the tax code, including but not limited to special tax breaks for the oil and gas industry and other extraction industries;

SMART Security Alternative to Preemption Doctrine—shifts some spending and increases other non-military spending to enhance homeland security and fight the root causes of terrorism—21st century diplomacy and meeting basic human needs (e.g. HIV/AIDS/TB/Malaria, universal basic education for all);

Global Warming and Energy Independence—funding for immediate, cost-effective steps to redress global warming and the rapid acceleration of renewable energy development and commercialization;

Education for All—fully fund the ESEA and IDEA and improve Teacher Corps and job training;

Medicare for All—affordable, accessible, quality health care for all Americans, starting with fully funding of the SCHIP program to ensure that every American child eligible is covered for basic health insurance;

Guaranteed Veterans' Health Care—ensure whatever federal funding is needed to provide health care (including mental health care) for All America's veterans (including but not limited to veterans of the Iraq and Afghanistan military operations);

Fairness for Middle-Class—increase funding to protect fundamental worker rights, enforce fair credit and lending practices, and promote livable wages and safe workplaces;

Renew the Social Contract and 21st Century Safety Net—substantially increase funding for decent affordable housing, anti-hunger programs, and more quality child care for low-income and impoverished Americans (including Hurricane Katrina victims); and

Rebuild America's Communities—increase funding for Community Development Block Grants, Hurricane Katrina relief and reconstruction, community policing, and priority clean-up of leaking underground storage tanks that threaten the drinking water of nearly half of all Americans—a down payment on the implementation of other urgently needed environmental justice programs.

#### PENTAGON AND DEFENSE SPENDING

The Progressive Caucus Budget will be the only budget substitute offered in this debate that will actually cut even one penny from the Pentagon budget below the full amount that President Bush requested for Fiscal Year 2009—a 7.4 percent increase boost over last year (not counting Iraq and Afghanistan operations).

#### UNIFIED SECURITY BUDGET

If Congress fully funds President Bush's military budget request of \$707 billion (including Iraq operations more accurately at \$170 billion and Afghanistan operations) for next fiscal year, our Nation will spend more on our armed forces next year than at any time since World War II. As Bush administration officials defend their latest defense spending request before congressional committees, they and their supporters are also arguing for a substantial increase above this amount in future years, even as they disingenuously project spending on the current operations in Iraq and Afghanistan to go down.

A consistent theme of these presentations is that military spending currently represents a relatively low percentage of our national Gross Domestic Product. We should spend more, according to this argument, because we can. The fallacy of this argument is readily apparent as we fall deeper into debt.

The Bush Administration's national security doctrine of pre-emptive warfare, drawn up before the current wars were launched, prescribes an expansive, global role for the U.S. military, one that even current levels of spending and manpower don't come close to covering. After five years of failed tests, it's time to ask: Does the Bush doctrine of preemptive warfare and its costs make sense? What we must ask ourselves is does it make us safer and more secure?

No Member of this Congress can claim credibly to be fiscally responsible and not tackle head-on the soaring, unsustainable financial costs of the Iraq debacle. Accordingly, we hope virtually all of our Republican colleagues and most Blue Dog Democrats will stop paying for this foreign policy disaster with a credit card that seemingly has no limits.

#### SAVINGS

The Progressive Caucus Budget is the most transparent and accurate, when it comes to scoring the fiscal impact of on-going U.S. military operations in Iraq. We can save at least \$135 billion if we end the U.S. military occupation of Iraq by the end of FY09.

The Progressive budget will save at least \$135 billion over the subsequent nine fiscal years if we change the Bush policy, end the U.S. military occupation of Iraq, don't establish permanent military bases in Iraq, and bring virtually all U.S. troops and military contractors no later than September 30, 2009.

Let me state that we already approved \$70 billion of the \$170 billion in President Bush's supplementary request for FY08. The remainder to be voted upon in April 2008 or soon thereafter should be strictly fenced, so that it can only be used for the safe and orderly re-deployment of U.S. troops and military contractors.

#### CUTTING OUTDATED AND UNNEEDED WEAPONS SYSTEMS (\$60 BILLION/YEAR)

The Defense Department is wrought with waste, fraud, and abuse as it continues to spend in excess of \$60 billion a year on hold-over Cold War era weapons systems.

It's time that we bring some common sense back to the budget process and see to it that the basic human needs of all Americans come before the needs of the military industrial complex. The Progressive Caucus budget targets weapons programs that are either outdated or poorly conceived from the very beginning for elimination. Despite what a handful of giant defense contractors would have us believe, this inexcusable waste actually makes us less safe.

#### COMBATING GLOBAL HIV/AIDS, TUBERCULOSIS, AND MALARIA (\$5.412 BILLION)

It is also in our national security interest for America to do more to meet the world's growing humanitarian crises. Let me cite just one example from our Progressive Caucus Budget.

Over the last five years the United States has achieved significant progress in fighting the global HIV/AIDS pandemic. Direct funding provided to developing countries heavily impacted by HIV/AIDS through the Emergency Plan for AIDS Relief has supported treatment for over 1.45 million people with life saving anti-retroviral medications.

Additionally, U.S. contributions to the Global Fund to Fight AIDS, Tuberculosis, and Malaria have supported AIDS treatment for another 1.4 million people, while also providing treatment for tuberculosis to over 3.3 million people, and distributing 46 million insecticide treated bed nets to protect against malaria.

In line with pending legislation in the House and Senate to reauthorize the Emergency Plan for AIDS Relief, and to continue U.S. involvement with the Global Fund, this increase in funding will fully fund our efforts to combat the global HIV/AIDS, tuberculosis, and malaria pandemics for the next five years.

This increase in funding will help reach the goal of preventing 12 million new HIV infections; treating at least 3 million people living with HIV/AIDS—including 450,000 children; providing care for 12 million individuals affected by HIV/AIDS—including 5 million orphans and vulnerable children in communities affected by HIV/AIDS; and training and retaining at least 140,000 new health care professionals for HIV/AIDS prevention, treatment and care.

This overall level of funding will fundamentally help our programs achieve sustainability as we increase program linkages and strengthen country ownership of these important initiatives.

#### INVESTING IN CLEAN RENEWABLE ENERGY SOURCES

If we want a more peaceful, secure world, then America must act with a sense of urgency to end our growing dependency upon imported oil and bring on line the full range of renewable energy technologies. We need a national commitment to accelerate the development and commercialization of renewable energy sources on the scale of the Manhattan Project during World War II or the moon shot of the 1960s. That is what we provide in the Progressive Caucus Budget.

It calls for spending \$30 billion/year for the next decade to create 3 million new, clean energy jobs to free America from foreign oil dependence. We want to reinvest in the competitiveness of American industry, rebuild our cities, create good jobs for working families, and ensure good stewardship of both our national economy and the environment we share with the rest of the world.

#### INFRASTRUCTURE NEEDS

Our Nation faces a crumbling transportation infrastructure that is being asked to handle ever-increasing loads. Between 1955 and 2005, the U.S. population grew by 130 million to 295 million. Over the next 50 years it is expected to grow by 140 million to 435 million. Over the next 30 years, 88 percent of that growth will occur in the south and west. By 2030, the population of people over 65 will have grown from 35 million to 70 million. More than 70 percent of the Nation's population growth and 80 percent of its economic growth are expected to take place in metropolitan areas. At the same time, rural States will face the enormous cost of preserving the network of roads they have built over the past 80 years. Congestion on our Nation's highways gets worse by the year as funding fails to keep pace.

The Progressive Caucus Budget reverses this trend with additional transportation funding over a ten-year period to strengthen our infrastructure and provide millions of new construction jobs. The Federal Highway Trust Fund is facing shortfalls that need to be met and this Budget addresses those needs by funding the gap between what we need to maintain the current system versus the degradation that is projected over the life of this Budget.

#### TRANSPORTATION STIMULUS (\$18 BILLION IN FY09)

Every billion dollars spent on infrastructure creates 42,000 new jobs. States have identi-

fied 3,000 projects (see below) that could be up and running in 30–90 days for a total cost of \$18 billion dollars. In a time when the economy is in trouble due to the over-inflated price of housing and the sub-prime mortgage market, the people in most need of jobs are construction workers. Funding transportation projects puts these people to work, in good paying jobs, which serve an overall benefit to the economy.

As a woman, a mother, a Member of Congress, and the Progressive Caucus, I am proud of the initiatives taken by the Progressive Caucus and morally compelled to support this budget.

Mr. HENSARLING. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I'm not sure the hard-working men and women of America need a chart to know how expensive gasoline is, and I was interested in my friend from Texas's history lesson. But there is a more recent history lesson that I believe the American people could benefit from.

Elections have consequences. The Democrats took control of the Senate and took control of the House in January of 2007. They've been in control of the Nation's economy now for 15 months. This is what the price of oil was when the Democrats took control of this body. Here's where the price of oil is now. Roughly double.

Since the Democrats took control of this body, Mr. Chairman, job growth has been cut in half, and the economy has actually lost over 80,000 jobs in the most recent 2 months. The average family's grocery bill has increased about \$70 per month since the Democrats took control of Congress. The stock market has lost about 10 percent of its value since the Democrats took control of Congress. Home prices have fallen roughly 8 percent since the Democrats took control of Congress. Consumer price inflation has increased over 4 percent, the largest calendar year increase since the early 1990s, since the Democrats have taken control of Congress. That is the more recent history lesson that the American people can profit from.

There is another aspect, though, of these Democrat budgets that, again, I believe deserve very special attention. I want to again thank the ranking member for his insight into the peril that these budgets present to future generations and really the threat to the retirement security of our children and grandchildren because these budgets compromise it.

We know that Medicare, Medicaid, and Social Security won't be around for future generations unless they are reformed. But I want to focus again on the fact that this budget and every Democrat budget will raise taxes on hardworking American families by at least \$3,000 a month.

And what do they do with that money? They keep alive an earmark system that far too many Americans have rightfully concluded that all too often represent the victory of secrecy over transparency and special interest

over the national interest and privilege over merit. So they're going to raise taxes on American families \$3,000 a year. And what are they going to pay for? Well, they are going to pay for things like \$2 million to study yoga in the Defense bill that was placed in by a Democrat Member of Congress. And perhaps they don't have a bridge to nowhere, but according to CBS News, we have an arch to nowhere. A Democrat Member of Congress wanted to rebuild an arch in a park.

We fund the Doyle Center for Manufacturing Technology, named after a Democrat Member of Congress. I have already mentioned the Charlie Rangel Center. They raise taxes on the American people, \$3,000 a family, to pay for the Charlie Rangel Center for Public Service. I've already mentioned the fact that they are spending \$100,000 for the L.A. fashion district for "signage and streetscape improvements." One of the district's main thoroughfares, Robertson Boulevard, is known as a "great place to spot celebrity shoppers." The Democrat budgets keep these earmarks alive and well and raise taxes on the American people \$3,000 a year to pay for it.

There's \$231,000 for something called the Lincoln Airport Commission, an airport in Illinois that does not even exist, the executive director of whom apparently is on the staff of a Democrat Member of the United States Congress.

In order to raise taxes \$3,000 a year on American families, the Democrats also continue to fund earmarks like \$300,000, requested for a Democrat Member, to help train future employees of Hollywood movie sets. I'm sure the movie studios are struggling as they make their multimillions at the box office. And \$2 million for the "paint shield" for protecting people from micro-bio threats, which was given to one specific company. No competitive bid. They just handed the money to Sherwin-Williams and said no need to compete. No need to show merit. We're going to raise taxes on the American family \$3,000 a year to pay for more earmarks. And the list goes on and on.

Two very different budgets, Mr. Chairman. The Republican budget says enough's enough; declare a year-long moratorium on earmarks and fix this broken system. Every single Democrat budget, Mr. Chairman, says the status quo is fine. Let's keep these earmarks acoming. Let's make sure we take from the family paychecks so some Member of Congress can keep theirs.

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

Ms. LEE. Mr. Chairman, I would like to yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. I thank the gentlewoman for yielding.

Mr. Chairman, let me again thank Congresswoman BARBARA LEE and Congresswoman WOOLSEY for their steadfast commitment to addressing the

concerns of the most heavily impacted Americans in this most disruptive economic season.

Let me remind my friends that we are speaking of a Congress Democratically led for a little over a year. In that time frame, we have, in fact, increased the minimum wage. We have waged a valiant fight for the Children's Health Insurance Program to insure 10 million children.

But what you have seen that has occurred, if you will, under this administration, which is really the definition of this Republican minority, they are the residents on the ship captained by this administration. So if they want to talk about what burdens are falling on the American people, the Democratic House and Senate leadership is no more than a year, but the helm of this government has been captained by a Republican administration. And we can clearly see that a surplus existed under the past administration, under the Clinton administration; but under this administration not only have we eaten up the surplus, thrown hardworking Americans under the bus, but it is growing and growing and growing. Now, that is with the so-called tax cuts that this administration insists on making permanent, that the Progressive budget recognizes cannot continue to eat away in the pockets of those who go out and work every day.

And to my good friend on the earmarks, let me suggest to him that he might read some of the studies that say that earmarks are fairly distributed.

This is the cause of our depression. The Progressive budget should be supported.

Mr. HENSARLING. Mr. Chairman, at this time I yield 2½ minutes to the distinguished ranking member on the Budget Committee.

Mr. RYAN of Wisconsin. Mr. Chairman, as the gentleman from Texas mentioned, we are not saying all earmarks are bad. Some of them are worthy. Some of them are vetted. Some of them fit within the proper role of the Federal Government. But a lot of them are bad. A lot of them are wasteful. A lot of them probably go outside of what most people think is the proper role of the Federal Government.

The point is we don't have all the answers on how to make it work right. That's why we think we ought to have a commission of an equal number of Democrats, an equal number of Republicans, the Kingston-Wolf Commission is what everybody calls it, to figure out how to make these things work right so that Congress can regain the trust and confidence of the American people. But in the meantime, let's say "no" to these earmarks for a year. Let's do a moratorium. That's what we do.

Do you know what we can accomplish by actually having a moratorium of earmarks for 1 year? By banking those savings, by saying "no" to earmarks for a year and carrying those savings in our budget, we can make

sure that we're not going to cut the child tax credit in half; that we are not going to tax people for being married. We can make permanent the \$1,000 per-child tax credit, the repeal of the marriage tax penalty.

Let me just read along this list of earmarks that we have: an ode to Tom Daschle, a nice guy, former Senate majority leader, a \$1 million earmark to create a center for Tom Daschle in South Dakota. Or we could look at the Hippie Museum. This one's been pretty well known, \$1 million to commemorate hippies at Woodstock. Or we can look at the sailing earmark, they call it, a 65-foot catamaran sailing around Monterey Bay. It sounds like a fun thing to do. Why should people in Wisconsin pay their Federal taxes to pay for that? Or we could take a look at all the lists and lists and lists that go on. One of my personal favorites is the "ferry to nowhere." That came from our side of the aisle, \$50 million for a Navy expeditionary marine craft, just a ferry to go to a peninsula that serves 40 people.

The point is, Mr. Chairman, we're not saying that Republicans are so much better than Democrats on all of this. We're saying Congress is broken in this area. Let's fix it. But in the meantime, let's save this money. Let's have a time out. Let's fix this problem so that we can regain the trust and take that money and do two really important things: let's not tax people for being married, and let's not raise taxes on American families by \$500 per child. We can do those two things by simply saying "no" to earmarks this year. That's what our budget will do.

Ms. LEE. Mr. Chairman, I would like to now yield 4 minutes to the gentlewoman from California, a very active and strong member of the Hispanic Caucus (Ms. SOLIS).

Ms. SOLIS. Mr. Chairman, I rise today in strong support of the Congressional Progressive Caucus budget.

As Chair of the Hispanic Task Force on Health and the Environment, this budget speaks to the growing need to create green collar jobs and reinvest in our country, and I am very proud that they were able to include that language in this proposed budget.

It also increases Federal spending for unemployment insurance and food stamps. And we know that Latinos are hard-pressed and hard hit when it comes to bad economic times in this country, and we are no different. Right now in my district in East Los Angeles, we see upwards of 7.2 percent of unemployment and foreclosures occurring almost every hour. In my district alone, 650,000 people have already lost their home. It's time for a change. It's time for a new direction.

This budget also increases Federal spending on Federal Medicaid assistance percentage payments to our States, which are sorely in need of that assistance right now, providing help, again, for foreclosures and housing assistance; reinvesting and creating jobs

in the near term repairing the Nation's schools, transportation, and infrastructure.

I also want to touch base on something that's very deeply of much concern with our community, and that is with respect to education and health care overall. And I'll tell you the temperature of the patient in terms of Latinos, African Americans, and people of color is not good. Right now what we see is 40 million people that don't have health care insurance. About 40 percent of those happen to be Latino children under the age of 6. We know there has to be a change. We need to promote a budget that will provide that kind of safety net for all Americans.

Our budget also increases veterans funding in 2009 by \$3.6 billion, something that we should keep as an honorable deed when we say that we want to send our soldiers out there to defend, first and foremost, our liberties. Let's make sure that we take care of them when they come home. A high percentage tend to be those young men and women of color using the military because they have no other way of gaining access. When they come home, whether they are disabled or not, they need to have the kind of assistance that's ready made available for them where they don't have to trek 2 hours to get on a bus to go down to the nearest Veterans Administration to get help and assistance. We need to change that and this budget does that.

In terms of the environment and global warming, Latinos' low-income communities are always hard-pressed. We need to reverse that trend and make sure that EPA gets the full assistance that they need to enforce our current laws that will create a better level playing field for all Americans.

□ 1415

This budget addresses that issue.

Again, I would like to say that I am strongly supportive of the Congressional Progressive Caucus budget and would ask the Members of the House to support this budget in a new direction and new reform for this country.

Mr. HENSARLING. Mr. Chairman, may I inquire how much time is remaining on each side.

The Acting CHAIRMAN (Mr. SERRANO). The gentleman has 4½ minutes remaining. The gentlewoman has 7 minutes remaining.

Mr. HENSARLING. At this time, Mr. Chairman, I would like to yield 2½ minutes to the distinguished gentleman from Georgia (Mr. KINGSTON), one of the prime authors of the Kingston-Wolf earmark moratorium bill.

Mr. KINGSTON. I thank the gentleman for yielding.

I want to say from the beginning I am supporting the Republican budget. And I do find it ironic that a Congress that just distributed a one-time \$1,200 per household tax credit is now going to turn around and raise taxes by \$3,155 per household. It doesn't make sense. And for that reason, I'm planning to

vote "no" on the Democrat tax increase budget and support the Republican alternative.

But also I wanted to speak specifically about the earmark portion. I'm a member of the Appropriations Committee, and I realize that if you are a member of one party, you might not always disagree with the members of the other party. For example, if you are a Democrat right now, you might not be in complete agreement with the Bush budget. Likewise, if you're a Republican, should a President from another party get elected, you might not agree with their budget all the time. Therefore, it is important for equal branches of government to have a say-so in the construction of a budget.

Within that framework, it is often important that Congress have the ability to earmark. However, I want to say that, as a Republican, earmarking got out of control under our Republican watch. We know that for a fact. Any Republican who is denying that probably has his head in the sand. And I want to give Democrats credit. They have tried to reform earmarks. However, unfortunately, the reforms haven't been apparent, they haven't been given the credit, and they haven't been enough. We still have work to do.

Therefore, I am supporting the Kingston-Wamp-Wolf approach, which is to call for a bipartisan, bicameral select committee to review earmarks, with a moratorium for the time period that the select committee is in existence. And I know that ours isn't, the moratorium is lifted when they come back, report back to Congress. In this bill there's a 1-year moratorium. But I think either way you can take a step back and look, what is the process and how can we improve it?

Because as an appropriator, we are always focused on appropriations earmarks, and yet the infamous Bridge to Nowhere did not come from an appropriations bill. It came from a transportation bill.

In December 2006, we passed a tax relief bill that had, I think, over 100 different types of earmarks on it. But because it was a tax bill, they weren't defined as earmarks. We see the same thing in trade bills. I believe that all earmarks should be put on the table and the process should be reviewed. And that should include the White House earmarks. That is why it is important for us, on a bipartisan, bicameral basis, to take a step back and see what we can do to improve this. We all agree earmarks should not increase a budget but work within the existing budget limits passed by Congress.

Ms. LEE. Mr. Chairman, I would like to yield 2 minutes to the gentleman from Michigan, the Chair of the Judiciary Committee, Congressman CONYERS, and thank him for his leadership.

Mr. CONYERS. I thank the cochair of the caucus for allowing me to make it clear to our friends on the other side of the aisle that the budget, as a document of what it is we believe in, what

we put our money down in support of, expresses in some greater way the values of the Nation. And so we come to this 2008 budget consideration in the midst of what some call an economic downturn, others call a recession and other things.

Now, what we have done, and if there are parts of the Progressive Caucus budget that are specifically objected to, I would like to invite our friends on the other side to let us know what they are so that we can continue our work on it, because the Progressive Caucus every year always introduces an alternative budget. We've been getting more support on it each year.

It's our hope that with your enlightened analysis of it, we will get more support. I'm looking for the day when we get a bipartisan vote on the Progressive Caucus budget. I think it's possible. I think it states our priorities that don't have "Democratic" or "Republican" stamped on them. What we are saying is let's look at these issues in the budget and point out which ones make your favorite, make the hit list, and which ones don't match the aspirations and viewpoints of the minority.

I thank you, Madam Floor Manager. I rise today in support of the budget alternative offered by the Congressional Progressive Caucus, CPC.

We often say that the Federal budget is a moral document, expressing the values and priorities of our Nation.

During this economic downturn, when more families are facing unemployment, foreclosure and bankruptcy, our top priority should be protecting our most vulnerable citizens and keeping more Americans from falling into poverty.

The President, however, seems to have his priorities upside-down. In this final budget proposal of his presidency, he once again sacrifices services for low- and moderate-income families failing to provide adequate funding for health care, housing, child care, job training and a host of other programs.

Even though the President cuts these vital programs, his budget still makes the deficit worse, because it continues to give stunningly high tax cuts to the rich. Tax cuts for millionaires alone will cost \$51 billion in FY '09.

The CPC alternative budget gets our priorities straight. In stark contrast to the President's proposal, the CPC budget puts the needs of the economically vulnerable ahead of the needs of millionaires.

The CPC budget proposal is the only one under consideration today that cuts wasteful cold war era defense spending, according to standards recommended by the GAO, so that we can employ our scarce resources to help people, not to keep feeding the military industrial complex for weapons we don't need.

I want to draw attention today to the efforts of the Congressional Out of Poverty Caucus, which I co-chair along with my colleagues Ms. LEE, Mr. HONDA, Mr. BACA and Mr. BUTTERFIELD.

Under Ms. LEE's leadership, the House recently passed by unanimous consent H. Con. Res. 198, which commits the Congress to cutting poverty in half in the next decade. With the passage of H. Con. Res. 198, the House went on record, with unanimous, bipartisan support, making the alleviation of poverty a priority for this government.

For the good of the Nation, it is imperative that we live up to our commitment. The Congress must take action to make good on this promise.

The CPC budget promotes policy initiatives that can move us toward this goal by expanding programs with a proven track record of success in reducing poverty, like the Earned Income Tax Credit. We don't need more war and tax breaks for the rich. We need jobs, job training and better access to health care, child care and education. The CPC budget provides these critical tools that can help Americans lift themselves out of poverty.

Let's get our priorities straight. Let's pass the CPC budget alternative.

Mr. HENSARLING. Mr. Chairman, am I correct in assuming I have the right to close?

The Acting CHAIRMAN. The gentleman from Texas has the right to close.

Mr. HENSARLING. In that case, I reserve my time.

Ms. LEE. Mr. Chairman, let me say a couple of things as I close in response to my colleagues on the other side of the aisle.

First, let me just talk about the argument with regard to tax increases. Our budget provides for tax fairness. We want to bring back some real justice in the Tax Code. Let me just say to you that the Progressive Caucus believes that individuals earning \$1 million or more a year, which is the top 1 percent of our country, that those tax breaks should be rolled back, the tax bracket should be rolled back to 39.6 percent. That raises at least \$96 billion. I finally think that that \$96 billion can be put into restoring some of the very draconian cuts in our budget to initiatives such as education and health care which the President has cut.

Secondly, we're talking about repealing capital gains and dividends tax breaks raises at least \$74.4 billion. I think that that \$74.4 billion can restore the 50 education programs, including student financial aid, which the President has sought to cut. We also want to roll back the estate tax break, raising at least \$74 billion. I think that that \$74 billion can go to restore those deep cuts to highway infrastructure or, of all things he is slashing, support for law enforcement. I think that those resources could better be used in those areas.

Also, we're talking about in terms of repealing all additional tax breaks for the top 1 percent. That means we have \$177 billion. Maybe that could go to help restore the energy assistance for low-income families that the President cut. Or maybe it could go to restore the renewable energy and energy conservation programs that the President decided to cut.

And what about this when you talk about tax increases? How about what we want to do to eliminate the corporate tax incentives for offshore jobs? The Tax Code has a number of preferences that directly or indirectly encourages, mind you, encourages United States companies to relocate oper-

ations and jobs overseas. How about using those revenues to create some jobs and to invest in job training programs which, of course, the President wants to cut in his budget? That makes sense to me. That's about fairness. That's not about tax increases.

We're not talking about increasing taxes on middle-income individuals. We're talking about tax fairness, restoring some tax fairness to the Tax Code. And I don't believe that anyone in our country, if they knew the bogus nature, I think, of this argument with regard to what all of us are trying to do to bring some fairness into the Tax Code, I think the American people would say, what is wrong with raising revenue from those making over \$1 million a year? They actually didn't really support that tax cut when they received it, so what's wrong with creating jobs in our own country rather than giving tax breaks for sending jobs offshore? I don't think the American people see that as being the wrong way to use our tax dollars. I don't think that they would worry at all about us repealing some of these estate taxes and individual tax breaks for the 1 percent.

And so I think that when you talk about tax increases, we need to be honest and say what we're really talking about, and that's giving tax breaks, continuing to give tax breaks for the very wealthy while our young people, our children, our senior citizens, the poor, low-income, middle-income individuals are struggling to just manage to survive through this recession that has been created, yes, by many of these tax cuts, but also by this deep hole that we are digging in terms of the Iraq war and the Iraq recession.

I yield to the gentleman from Michigan.

Mr. CONYERS. I thank you so much. I just wanted to commend you before our debate closes on the Progressive Caucus proposal, because I'm hearing for the first time, we want to get beyond partisan positions, progressive partisan positions, progressive or conservative positions.

Ms. LEE. In fact, this is a moral document. A budget should be a moral document. We have bipartisan support from Catholic Charities, from many faith groups, from many organizations around the country.

The Acting CHAIRMAN. The time of the gentlewoman from California has expired.

Mr. HENSARLING. Mr. Chairman, how much time do I have remaining?

The Acting CHAIRMAN. The gentleman from Texas has 2 minutes remaining.

Mr. HENSARLING. Mr. Chairman, I want to congratulate my friends on the other side of the aisle. Although we have very strong disagreements, I respect their principle and I respect the passion that they bring to the floor in this debate. We on this side of the aisle have our passion. We have our principles. And I think, Mr. Chairman, that

it's important to note that no matter what Democrat budget you're talking about, there's really only one Democrat budget, and they differ from the Republican budget in many different ways. Theirs values the government budget. Ours values the family budget. Every Democrat budget, including this Progressive budget, will increase taxes on the American family, the largest single tax increase in American history, by over \$3,000 per family. The Republican budget will prevent those tax increases while hardworking American families are trying to fill up their cars, send their kids to college, and put food on the table.

Second of all, every Democrat budget provides the highest amount of government spending we've ever seen. More government. If you think the answer to your problems is more government, then maybe you want this Democrat budget. If you think the answer to your problems is more freedom, more opportunity, a secure paycheck, and greater career opportunities, then you want the Republican budget.

The Democrat budgets are silent, silent on earmark reform. They want to preserve the status quo. They will continue to take a bite out of people's paychecks again so that some Member of Congress might keep theirs.

But for as bad as what these budgets do, they are even worse for what they don't do. They are stone cold silent on the number one fiscal challenge in the land, and that is out-of-control entitlement spending. Mr. Chairman, Medicare, Medicaid, Social Security will not be here for future generations unless we reform them. We are on the verge of being the first generation in American history to leave the next generation with a lower standard of living, double their taxes with just the government we have today. I will not sit idly by, nor will any Republican, and let that happen.

Defeat the Democrat budget. Vote for less government, more freedom, and our children's future.

Mr. DAVIS of Illinois. Mr. Chairman, I rise in support of the Congressional Progressive Caucus, CPC, PC fiscal year 2009 alternative budget. In an attempt to meet head on the administration's proposed fiscal year 2009 upside-down budget priorities, the CPC budget calls for a more humanitarian approach addressing the current deficit and economic downturns.

Indeed, CPC's alternative budget:

Funds a second economic stimulus package designed to pump \$118.9 billion into our declining economy and help the hardest hit low- and middle-income Americans;

Repeals the President's tax cuts for the top 1 percent of taxpayers;

Leaves no child behind by fully funding NCLB and IDEA while improving Teacher Corps and job training;

Provides Medicare for all with affordable, accessible quality health care for all Americans;

Renews the Social Contract and 21st Century Safety Net by substantially increasing funding for decent affordable housing, anti-

hunger programs, and more quality childcare; and foremost

Rebuilds America's communities that are being plagued by the aftermath of Katrina by substantially increasing funding for Community Development Block Grants, community policing, and priority cleanup of leaking underground storage tanks that threaten the drinking water of nearly half of all Americans.

Collectively, these provisions reflect a commitment to addressing socioeconomic woes affecting middle- to-lower class Americans across the country. I commend CPC for their pledge to cut the poverty rate in America in half during the next decade and for a progressive budget that appropriates funding to much needed programs.

Mr. HENSARLING, Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentlewoman from California (Ms. LEE).

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

RECORDED VOTE

Ms. LEE. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 98, noes 322, not voting 14, as follows:

[Roll No. 138]

AYES—98

Abercrombie	Gutierrez	Moore (WI)
Ackerman	Hare	Nadler
Baca	Hastings (FL)	Napolitano
Baldwin	Hinchee	Neal (MA)
Becerra	Hirono	Norton
Blumenauer	Holt	Olver
Brady (PA)	Honda	Pallone
Butterfield	Inslee	Pastor
Capps	Jackson (IL)	Payne
Capuano	Jackson-Lee	Ryan (OH)
Castor	(TX)	Sánchez, Linda
Christensen	Jefferson	T.
Clarke	Johnson (GA)	Schakowsky
Clay	Johnson, E. B.	Scott (GA)
Cleaver	Jones (OH)	Serrano
Clyburn	Kagen	Slaughter
Cohen	Kaptur	Solis
Conyers	Kilpatrick	Stark
Crowley	Kucinich	Thompson (MS)
Cummings	Larson (CT)	Tierney
Davis (IL)	Lee	Towns
Delahunt	Levin	Tsongas
Doyle	Lewis (GA)	Velázquez
Ellison	Loftgren, Zoe	Wasserman
Engel	Lynch	Schultz
Faleomavaega	Maloney (NY)	Waters
Farr	Markey	Watson
Fattah	McCollum (MN)	Watt
Filner	McDermott	Waxman
Frank (MA)	McGovern	Weiner
Gordon	McNulty	Welch (VT)
Green, Al	Meek (FL)	Wexler
Green, Gene	Meeks (NY)	Wynn
Grijalva	Miller, George	

NOES—322

Aderholt	Berman	Boucher
Akin	Berry	Boyd (FL)
Alexander	Biggert	Boyda (KS)
Allen	Bilbray	Brady (TX)
Altmire	Bilirakis	Braley (IA)
Andrews	Bishop (GA)	Brown (GA)
Arcuri	Bishop (NY)	Brown (SC)
Bachmann	Bishop (UT)	Brown, Corrine
Bachus	Blackburn	Brown-Waite,
Baird	Blunt	Ginny
Barrett (SC)	Boehner	Buchanan
Barrow	Bonner	Burgess
Bartlett (MD)	Bono Mack	Burton (IN)
Barton (TX)	Boozman	Buyer
Bean	Boren	Calvert
Berkley	Boswell	Camp (MI)

Campbell (CA)	Hoyer	Porter
Cannon	Hulshof	Price (GA)
Cantor	Inglis (SC)	Price (NC)
Capito	Israel	Pryce (OH)
Cardoza	Issa	Putnam
Carnahan	Johnson (IL)	Radanovich
Carney	Johnson, Sam	Rahall
Carter	Jones (NC)	Ramstad
Castle	Jordan	Regula
Chabot	Kanjorski	Rehberg
Chandler	Keller	Reichert
Coble	Kennedy	Reyes
Cole (OK)	Kildee	Reynolds
Conaway	Kind	Richardson
Cooper	King (IA)	Rodriguez
Costa	King (NY)	Rogers (AL)
Costello	Kingston	Rogers (KY)
Courtney	Kirk	Rogers (MI)
Cramer	Klein (FL)	Rohrabacher
Crenshaw	Kline (MN)	Ros-Lehtinen
Cubin	Knollenberg	Roskam
Cuellar	Kuhl (NY)	Ross
Culberson	Lamborn	Rothman
Davis (AL)	Lampson	Roybal-Allard
Davis (CA)	Langevin	Royce
Davis (KY)	Larsen (WA)	Ruppersberger
Davis, David	Latham	Ryan (WI)
Davis, Lincoln	LaTourette	Salazar
Davis, Tom	Latta	Sali
Deal (GA)	Lewis (CA)	Sanchez, Loretta
DeFazio	Lewis (KY)	Sarbanes
DeGette	Linder	Saxton
DeLauro	Lipinski	Schiff
Dent	LoBiondo	Schmidt
Diaz-Balart, L.	Loebsack	Schwartz
Diaz-Balart, M.	Lowey	Scott (VA)
Dicks	Lucas	Sensenbrenner
Dingell	Lungren, Daniel	Sessions
Doggett	E.	Sestak
Donnelly	Mack	Shadegg
Doolittle	Mahoney (FL)	Shays
Drake	Manzullo	Shea-Porter
Dreier	Marchant	Sherman
Duncan	Marshall	Shimkus
Edwards	Matheson	Shuler
Ehlers	Matsui	Shuster
Ellsworth	McCarthy (CA)	Simpson
Emanuel	McCarthy (NY)	Sires
Emerson	McCaul (TX)	Skelton
English (PA)	McCotter	Smith (NE)
Eshoo	McCrery	Smith (NJ)
Etheridge	McHenry	Smith (TX)
Everett	McHugh	Smith (WA)
Fallin	McIntyre	Snyder
Feeney	McKeon	Souder
Ferguson	McMorris	Space
Flake	Rodgers	Spratt
Forbes	McNerney	Stearns
Fortenberry	Melancon	Stupak
Fortuño	Mica	Sullivan
Fossella	Michaud	Sutton
Foster	Miller (FL)	Tanner
Fox	Miller (MI)	Tauscher
Franks (AZ)	Miller (NC)	Taylor
Frelinghuysen	Miller, Gary	Terry
Galegally	Mitchell	Thompson (CA)
Gerlach	Mollohan	Thornberry
Giffords	Moore (KS)	Tiahrt
Gilchrest	Moran (KS)	Tiberi
Gillibrand	Moran (VA)	Turner
Gingrey	Murphy (CT)	Udall (CO)
Gohmert	Murphy, Patrick	Udall (NM)
Gonzalez	Murphy, Tim	Upton
Goode	Murtha	Van Hollen
Goodlatte	Musgrave	Walberg
Granger	Myrick	Walsh (NY)
Graves	Neugebauer	Walz (MN)
Hall (NY)	Nunes	Wamp
Hall (TX)	Obey	Walden (OR)
Harman	Ortiz	Walsh (NY)
Hastings (WA)	Pascrell	Walz (MN)
Hayes	Paul	Whitfield (KY)
Heller	Pearce	Wilson (NM)
Hensarling	Pence	Wilson (OH)
Herger	Perlmutter	Wilson (SC)
Herseth Sandlin	Peterson (MN)	Wittman (VA)
Higgins	Peterson (PA)	Wolf
Hill	Petri	Wu
Hinojosa	Pickering	Yarmuth
Hobson	Pitts	Young (FL)
Hodes	Platts	
Hoekstra	Poe	
Holden	Pomeroy	

NOT VOTING—14

Bordallo	Hooley	Oberstar
Boustany	Hunter	Rangel
Garrett (NJ)	LaHood	

Renzi	Tancredo	Woolsey
Rush	Weller	Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there are 2 minutes left on this vote.

□ 1453

Mr. MORAN of Virginia changed his vote from "aye" to "no."

Messrs. KAGEN and BECERRA changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Ms. LEE. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CARNEY) having assumed the chair, Mr. SERRANO, Acting Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the concurrent resolution (H. Con. Res. 312) revising the congressional budget for the United States Government for fiscal year 2008, establishing the congressional budget for the United States Government for fiscal year 2009, and setting forth appropriate budgetary levels for fiscal years 2010 through 2013, had come to no resolution thereon.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

MARCH 12, 2008.

Hon. NANCY PELOSI, Speaker, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from Mr. Matthew Tusing, Deputy Secretary of State, Office of the Secretary of State of Indiana, indicating that, according to the unofficial returns of the Special Election held March 11, 2008, the Honorable André D. Carson was elected Representative to Congress for the Seventh Congressional District, State of Indiana.

With best wishes, I am,

Sincerely,

LORRAINE C. MILLER, Clerk.

Enclosure.

MARCH 12, 2008.

Hon. LORRAINE C. MILLER, Clerk, House of Representatives, The Capitol, Washington, DC.

DEAR MS. MILLER: This is to advise you that the unofficial results of the Special Election held on Tuesday, March 11, 2008, for Representative in Congress from the Seventh Congressional District of Indiana show that André D. Carson received 45,598 or 54.04% of the total number of votes cast for that office.

It would appear from these unofficial results that André D. Carson was elected as Representative in Congress from the Seventh Congressional District of Indiana.

To the best of our knowledge and belief at this time, there is no contest in this election.

If you have additional questions, please contact my office.

Sincerely,

MATTHEW TUSING,  
Deputy Secretary of State,  
Office of the Indiana Secretary of State.

**SWEARING IN OF THE HONORABLE  
ANDRÉ CARSON, OF INDIANA, AS  
A MEMBER OF THE HOUSE**

Mr. VISCLOSKY. Madam Speaker, I ask unanimous consent that the gentleman from Indiana, the Honorable ANDRÉ CARSON, be permitted to take the oath of office today.

His certificate of election has not yet arrived, but there is no contest and no question has been raised with regard to his election.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The SPEAKER. Will the Representative-elect and the members of the Indiana delegation present themselves in the well.

Mr. CARSON appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear or affirm that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations. You are now a Member of the 110th Congress.

**WELCOMING THE HONORABLE  
ANDRÉ CARSON TO THE HOUSE  
OF REPRESENTATIVES**

The SPEAKER. Without objection, the gentleman from Indiana (Mr. BURTON) is recognized for 1 minute.

There was no objection.

Mr. BURTON of Indiana. Madam Speaker, I know Julia Carson, who was a beloved Member of all of us in this body, is looking down from heaven today and is very, very proud of ANDRÉ. He was the apple of her eye, her grandson, and if there was one thing she wanted, she wanted him to succeed her in the Congress of the United States. I am sure she is very, very happy today.

André has a background in law enforcement. He worked with the State police, he worked with Homeland Security in the area of terrorism watching and controlling. He is a past member of the City-County Council of Indianapolis, and I presume they are going to have to pick somebody else to fill your seat now.

He will be a welcome Member of this body. We congratulate you on your election and we look forward to working with you.

Madam Speaker, I yield to my colleague from Indiana (Mr. BUYER).

□ 1500

Mr. BUYER. Madam Speaker, I would like everyone to know that we all enjoyed Julia very much. But I want you to know this, what just happened in the well is ANDRÉ responded to the Speaker with two words that would make Julia very proud. His first two words as a new Member of Congress, he turned and said, "Yes, ma'am."

Mr. BURTON of Indiana. ANDRÉ's wife, I presume, is here with him today, Mariama. They are the proud parents of a 1-year-old daughter, Salimah. I am sure when she is a little older, she will be very proud as well.

I yield to the gentleman from Indiana (Mr. VISCLOSKY).

Mr. VISCLOSKY. I appreciate the gentleman yielding, and I appreciate the biographical information. That is very important for all of us to recognize as far as ANDRÉ's achievement. I do think today as he is sworn in, he is probably best known as Julia Carson's grandson. Henceforth, he will be ANDRÉ CARSON, Member of Congress, and we welcome you.

Mr. BURTON of Indiana. Madam Speaker, I yield to our new Member of Congress.

Mr. CARSON of Indiana. Madam Speaker, my fellow colleagues, thank you for your warm welcome.

Today, I want to thank the people of Indiana's 7th Congressional District. I am truly and extremely humbled by the trust they have placed in me, grateful for their support, and committed to serving them each and every day.

I want to thank my wife, Mariama, who has stood with me every step of the way, and our 1-year-old daughter, Salimah, who inspires me to serve.

I also want to thank and honor and salute a great leader who I wish were here, my grandmother, Congresswoman Julia Carson.

Thank you.

For 11 years, she came to this floor as the people's champion. I am committed to building on her accomplishments and service to the people of the 7th Congressional District and the City of Indianapolis. I can think of no better way to honor her memory than by rolling up my sleeves and getting to work on day one.

Our working families, our seniors, our children and our troops are counting on us to stand up and take responsibility for the changes we need in our country. In Indianapolis and across America, working families are struggling in our failing economy. As we are all painfully aware, in February alone, 63,000 Americans lost their jobs, many of them in the great Hoosier State of Indiana.

Overseas, we must honor and care for our brave troops. And the best way to honor them is to change our direction in Iraq, end this war, and bring our troops home.

Solving these problems won't be easy, but together we can make real changes and offer real solutions. We can start by giving middle-class families property tax relief. That is why I am proud that today, as my first official legislative action, I am signing on to my colleague Congressman BARON HILL's bill to provide property tax relief. This will help families in Indianapolis and those who have been hit hard with high taxes.

As we move forward, I look forward to meeting with working with all of you, Republicans and Democrats, to strengthen our economy, create good jobs, and invest in our children.

Thank you, Indiana; thank you, 7th Congressional District; and thank you all. God bless.

**ANNOUNCEMENT BY THE SPEAKER**

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath to the gentleman from Indiana, the whole number of the House is 431.

**CALL OF THE HOUSE**

The SPEAKER. Without objection, a call of the House is ordered.

There was no objection.

The call was taken by electronic device, and the following Members responded to their names:

[Roll No. 139]

Ackerman	Butterfield	Diaz-Balart, M.
Aderholt	Buyer	Dicks
Akin	Calvert	Dingell
Alexander	Camp (MI)	Doggett
Allen	Campbell (CA)	Donnelly
Altmore	Cannon	Drake
Andrews	Cantor	Dreier
Arcuri	Capito	Duncan
Baca	Capps	Edwards
Bachmann	Capuano	Ehlers
Bachus	Cardoza	Ellison
Baldwin	Carnahan	Ellsworth
Barrett (SC)	Carney	Emanuel
Barrow	Carson	Engel
Bartlett (MD)	Castle	English (PA)
Barton (TX)	Castor	Eshoo
Bean	Chabot	Etheridge
Becerra	Chandler	Everett
Berkley	Clarke	Fallon
Berman	Clay	Farr
Berry	Cleaver	Fattah
Biggart	Clyburn	Ferguson
Billbray	Coble	Filner
Bilirakis	Cohen	Flake
Bishop (GA)	Conaway	Forbes
Bishop (NY)	Conyers	Fortenberry
Bishop (UT)	Cooper	Fossella
Blackburn	Costa	Foster
Blunt	Costello	Fox
Boehner	Courtney	Franks (AZ)
Bonner	Crenshaw	Frelinghuysen
Boozman	Crowley	Galleghy
Boren	Cubin	Garrett (NJ)
Boswell	Cuellar	Gerlach
Boucher	Culberson	Giffords
Boyd (FL)	Cummings	Gilchrest
Boyda (KS)	Davis (AL)	Gillibrand
Brady (PA)	Davis (CA)	Gonzalez
Brady (TX)	Davis (IL)	Goode
Brale (IA)	Davis (KY)	Goodlatte
Broun (GA)	Davis, David	Gordon
Brown (SC)	Davis, Lincoln	Granger
Brown, Corrine	Deal (GA)	Graves
Brown-Waite,	DeGette	Green, Al
Ginny	Delahunt	Green, Gene
Buchanan	DeLauro	Grijalva
Burgess	Dent	Gutierrez
Burton (IN)	Diaz-Balart, L.	Hall (NY)



Hall (TX)	McCarthy (NY)	Sali
Hare	McCaul (TX)	Sánchez, Linda
Harman	McCotter	T.
Hastings (FL)	McDermott	Sanchez, Loretta
Hastings (WA)	McGovern	Sarbanes
Hayes	McHugh	Saxton
Heller	McIntyre	Schakowsky
Hensarling	McKeon	Schiff
Herger	McMorris	Schmidt
Hereth Sandlin	Rodgers	Schwartz
Higgins	McNerney	Scott (GA)
Hinchey	McNulty	Scott (VA)
Hinojosa	Meek (FL)	Sensenbrenner
Hirono	Meeks (NY)	Serrano
Hobson	Melancon	Sessions
Hodes	Mica	Sestak
Hoekstra	Michaud	Shadegg
Holden	Miller (FL)	Shays
Holt	Miller (MI)	Shea-Porter
Honda	Miller (NC)	Sherman
Hoyer	Miller, Gary	Shimkus
Hulshof	Miller, George	Shuler
Inglis (SC)	Mitchell	Shuster
Inslee	Mollohan	Sires
Israel	Moore (KS)	Skelton
Issa	Moore (WI)	Slaughter
Jackson (IL)	Moran (KS)	Smith (NE)
Jackson-Lee	Moran (VA)	Smith (NJ)
(TX)	Murphy (CT)	Smith (TX)
Jefferson	Murphy, Patrick	Smith (WA)
Johnson (GA)	Murphy, Tim	Snyder
Johnson (IL)	Murtha	Solis
Johnson, E. B.	Musgrave	Souder
Johnson, Sam	Myrick	Space
Jones (NC)	Nadler	Spratt
Jones (OH)	Napolitano	Stark
Jordan	Neal (MA)	Stearns
Kagen	Neugebauer	Stupak
Kanjorski	Nunes	Sullivan
Kaptur	Obey	Sutton
Keller	Olver	Tanner
Kildee	Ortiz	Tauscher
Kilpatrick	Pallone	Taylor
Kind	Pascrell	Terry
King (IA)	Pastor	Thompson (MS)
King (NY)	Paul	Thornberry
Kingston	Pearce	Tiahrt
Kirk	Pence	Tiberi
Klein (FL)	Perlmutter	Tierney
Knollenberg	Petri	Towns
Kucinich	Pickering	Tsongas
Kuhl (NY)	Pitts	Turner
Lamborn	Platts	Udall (NM)
Lampson	Poe	Upton
Langevin	Pomeroy	Van Hollen
Larsen (WA)	Porter	Velázquez
Larson (CT)	Price (GA)	Viscosky
Latham	Price (NC)	Walberg
LaTourette	Putnam	Walden (OR)
Latta	Radanovich	Walsh (NY)
Lee	Rahall	Walz (MN)
Levin	Ramstad	Wamp
Lewis (CA)	Regula	Wasserman
Lewis (GA)	Rehberg	Schultz
Lewis (KY)	Reichert	Waters
Lipinski	Reyes	Watson
LoBiondo	Reynolds	Watt
Loeb sack	Richardson	Waxman
Lofgren, Zoe	Rodriguez	Weiner
Lowe	Rogers (KY)	Welch (VT)
Lucas	Rogers (MI)	Weldon (FL)
Lungren, Daniel	Rohrabacher	Westmoreland
E.	Ros-Lehtinen	Wexler
Lynch	Roskam	Whitfield (KY)
Mack	Ross	Wilson (NM)
Mahoney (FL)	Rothman	Wilson (OH)
Maloney (NY)	Roybal-Allard	Wilson (SC)
Marchant	Royce	Wittman (VA)
Markey	Ruppersberger	Wolf
Matheson	Ryan (OH)	Wynn
Matsui	Ryan (WI)	Yarmuth
McCarthy (CA)	Salazar	Young (FL)

□ 1524

The SPEAKER pro tempore (Mr. ELLISON). On this rollcall of the House, 384 Members have recorded their presence by electronic device, a quorum.

Under the rule, further proceedings under the call are dispensed with.

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2009

The SPEAKER pro tempore. Pursuant to House Resolution 1036 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the concurrent resolution, H. Con. Res. 312.

□ 1525

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the concurrent resolution (H. Con. Res. 312) revising the Congressional budget for the United States Government for fiscal year 2008, establishing the Congressional budget for the United States Government for fiscal year 2009, and setting forth appropriate budgetary levels for fiscal years 2010 through 2013, with Mr. SERRANO (Acting Chairman) in the chair.

The Clerk read the title of the concurrent resolution.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, amendment No. 2 printed in House Report 110-548 by the gentleman from California (Ms. LEE) had been disposed of.

AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 3 OFFERED BY MR. RYAN OF WISCONSIN

The Acting CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 110-548.

Mr. RYAN of Wisconsin. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 3 OFFERED BY MR. RYAN OF WISCONSIN:

Strike all after the resolving clause and insert the following:

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2009.

(a) DECLARATION.—The Congress determines and declares that the concurrent resolution on the budget for fiscal year 2008 is revised and replaced and that this is the concurrent resolution on the budget for fiscal year 2009, including appropriate budgetary levels for fiscal years 2010 through 2013.

(b) TABLE OF CONTENTS.—  
Sec. 1. Concurrent resolution on the budget for fiscal year 2009.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.  
Sec. 102. Major functional categories.

TITLE II—RECONCILIATION

Sec. 201. Reconciliation in the House of Representatives.

TITLE III—EARMARK REFORM

Sec. 301. Moratorium on earmarks.  
Sec. 302. Joint select committee on earmark reform.

TITLE IV—BUDGET ENFORCEMENT

Sec. 401. Enhance accountability by requiring a separate vote on an increase in the public debt.  
Sec. 402. Same-day consideration of reports.  
Sec. 403. Two-thirds requirement for certain waivers under the Rules of the House.

Sec. 404. Two-thirds requirement for availability of certain measures on the Internet.

Sec. 405. Cost estimates for conference reports and unreported measures.

Sec. 406. Roll call votes for new spending.

Sec. 407. Nondefense, nonterrorism related spending point of order.

Sec. 408. Limitation on long-term spending proposals.

Sec. 409. Limit on new direct spending in reconciliation legislation.

Sec. 410. Restrictions on advance appropriations.

Sec. 411. Policy statement on hanford and nuclear clean-up.

Sec. 412. Policy statement on war funding.

Sec. 413. Policy statement on medical liability.

Sec. 414. Policy statement on the Medicare “trigger”.

Sec. 415. Program integrity initiatives.

Sec. 416. Policy statement on the alternative minimum tax.

Sec. 417. Policy statement on health care spending.

TITLE V—EMERGENCY RESERVE FUND

Sec. 501. Nondefense reserve fund for emergencies.

Sec. 502. Emergency criteria.

Sec. 503. Development of guidelines for application of emergency definition.

Sec. 504. Committee notification of emergency legislation.

Sec. 505. Up-to-date tabulations.

Sec. 506. Contingency operations related to the global war on terrorism and for unanticipated defense needs.

TITLE VI—LEGISLATIVE LINE ITEM VETO AUTHORITY

Sec. 601. Presidential recommendations.

Sec. 602. Procedures in the United States Congress.

Sec. 603. Identification of targeted tax benefits.

Sec. 604. Additional matters.

Sec. 605. Abuse of proposed cancellations.

TITLE VII—PAY-AS-YOU-GO

Sec. 701. Strengthening pay-as-you-go.

TITLE VIII—GENERAL PROVISIONS

Sec. 801. Application and effect of changes in allocations and aggregates.

Sec. 802. Adjustments to reflect changes in concepts and definitions.

Sec. 803. Compliance with section 13301 of the Budget Enforcement Act of 1990.

Sec. 804. Exercise of rulemaking powers.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2008 through 2013:

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

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

Fiscal year 2008: \$1,873,540,000,000.  
Fiscal year 2009: \$2,017,033,000,000.  
Fiscal year 2010: \$2,104,764,000,000.  
Fiscal year 2011: \$2,198,889,000,000.  
Fiscal year 2012: \$2,291,296,000,000.  
Fiscal year 2013: \$2,352,645,000,000.

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

Fiscal year 2008: -\$6,000,000,000.  
Fiscal year 2009: -\$80,091,000,000.  
Fiscal year 2010: -\$78,100,000,000.  
Fiscal year 2011: -\$229,136,000,000.  
Fiscal year 2012: -\$362,019,000,000.  
Fiscal year 2013: -\$402,095,000,000.

(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 2008: \$2,546,649,000,000.  
 Fiscal year 2009: \$2,429,637,000,000.  
 Fiscal year 2010: \$2,409,712,000,000.  
 Fiscal year 2011: \$2,514,762,000,000.  
 Fiscal year 2012: \$2,523,758,000,000.  
 Fiscal year 2013: \$2,619,267,000,000.

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

Fiscal year 2008: \$2,461,810,000,000.  
 Fiscal year 2009: \$2,478,438,000,000.  
 Fiscal year 2010: \$2,476,911,000,000.  
 Fiscal year 2011: \$2,523,601,000,000.  
 Fiscal year 2012: \$2,504,363,000,000.  
 Fiscal year 2013: \$2,594,191,000,000.

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

Fiscal year 2008: \$588,270,000,000.  
 Fiscal year 2009: \$462,405,000,000.  
 Fiscal year 2010: \$372,147,000,000.  
 Fiscal year 2011: \$324,712,000,000.  
 Fiscal year 2012: \$213,067,000,000.  
 Fiscal year 2013: \$241,546,000,000.

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

Fiscal year 2008: \$9,572,826,000,000.  
 Fiscal year 2009: \$10,179,229,000,000.  
 Fiscal year 2010: \$10,745,093,000,000.  
 Fiscal year 2011: \$11,281,763,000,000.  
 Fiscal year 2012: \$11,746,433,000,000.  
 Fiscal year 2013: \$12,233,839,000,000.

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

Fiscal year 2008: \$5,402,148,000,000.  
 Fiscal year 2009: \$5,733,577,000,000.  
 Fiscal year 2010: \$6,002,163,000,000.  
 Fiscal year 2011: \$6,225,463,000,000.  
 Fiscal year 2012: \$6,337,014,000,000.  
 Fiscal year 2013: \$6,482,741,000,000.

#### SEC. 102. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2008 through 2013 for each major functional category are:

(1) National Defense (050):

Fiscal year 2008:  
 (A) New budget authority, \$693,273,000,000.  
 (B) Outlays, \$604,289,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$612,497,000,000.  
 (B) Outlays, \$645,433,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$550,414,000,000.  
 (B) Outlays, \$607,032,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$557,026,000,000.  
 (B) Outlays, \$577,925,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$565,800,000,000.  
 (B) Outlays, \$561,666,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$576,223,000,000.  
 (B) Outlays, \$570,503,000,000.  
 (2) International Affairs (150):  
 Fiscal year 2008:  
 (A) New budget authority, \$38,072,000,000.  
 (B) Outlays, \$33,588,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$33,768,000,000.  
 (B) Outlays, \$35,763,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$35,118,000,000.  
 (B) Outlays, \$35,808,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$35,956,000,000.  
 (B) Outlays, \$35,327,000,000.  
 Fiscal year 2012:

(A) New budget authority, \$36,684,000,000.  
 (B) Outlays, \$35,274,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$37,028,000,000.  
 (B) Outlays, \$34,967,000,000.  
 (3) General Science, Space, and Technology (250):

Fiscal year 2008:  
 (A) New budget authority, \$27,407,000,000.  
 (B) Outlays, \$26,456,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$27,934,000,000.  
 (B) Outlays, \$27,645,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$28,472,000,000.  
 (B) Outlays, \$28,507,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$29,071,000,000.  
 (B) Outlays, \$29,297,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$29,679,000,000.  
 (B) Outlays, \$29,917,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$30,290,000,000.  
 (B) Outlays, \$30,026,000,000.  
 (4) Energy (270):  
 Fiscal year 2008:  
 (A) New budget authority, \$3,548,000,000.  
 (B) Outlays, \$1,681,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$3,874,000,000.  
 (B) Outlays, \$1,928,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$3,832,000,000.  
 (B) Outlays, \$2,330,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$3,880,000,000.  
 (B) Outlays, \$2,656,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$3,950,000,000.  
 (B) Outlays, \$2,984,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$4,022,000,000.  
 (B) Outlays, \$3,212,000,000.

(5) Natural Resources and Environment (300):

Fiscal year 2008:  
 (A) New budget authority, \$32,560,000,000.  
 (B) Outlays, \$34,440,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$32,890,000,000.  
 (B) Outlays, \$34,424,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$33,782,000,000.  
 (B) Outlays, \$35,328,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$34,670,000,000.  
 (B) Outlays, \$35,729,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$35,568,000,000.  
 (B) Outlays, \$36,169,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$36,490,000,000.  
 (B) Outlays, \$36,896,000,000.  
 (6) Agriculture (350):  
 Fiscal year 2008:  
 (A) New budget authority, \$22,456,000,000.  
 (B) Outlays, \$21,528,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$21,529,000,000.  
 (B) Outlays, \$21,279,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$21,719,000,000.  
 (B) Outlays, \$20,680,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$21,891,000,000.  
 (B) Outlays, \$20,876,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$22,263,000,000.  
 (B) Outlays, \$21,435,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$22,621,000,000.  
 (B) Outlays, \$21,816,000,000.  
 (7) Commerce and Housing Credit (370):  
 Fiscal year 2008:  
 (A) New budget authority, \$11,216,000,000.  
 (B) Outlays, \$5,381,000,000.  
 Fiscal year 2009:

(A) New budget authority, \$8,560,000,000.  
 (B) Outlays, \$2,907,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$8,687,000,000.  
 (B) Outlays, \$1,448,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$8,798,000,000.  
 (B) Outlays, \$1,244,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$9,246,000,000.  
 (B) Outlays, \$1,637,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$9,642,000,000.  
 (B) Outlays, \$1,535,000,000.  
 (8) Transportation (400):  
 Fiscal year 2008:  
 (A) New budget authority, \$79,794,000,000.  
 (B) Outlays, \$77,795,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$74,798,000,000.  
 (B) Outlays, \$80,350,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$76,607,000,000.  
 (B) Outlays, \$83,694,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$77,527,000,000.  
 (B) Outlays, \$85,807,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$78,470,000,000.  
 (B) Outlays, \$87,808,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$79,456,000,000.  
 (B) Outlays, \$90,112,000,000.  
 (9) Community and Regional Development (450):  
 Fiscal year 2008:  
 (A) New budget authority, \$20,029,000,000.  
 (B) Outlays, \$27,819,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$14,553,000,000.  
 (B) Outlays, \$24,251,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$14,826,000,000.  
 (B) Outlays, \$21,816,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$15,134,000,000.  
 (B) Outlays, \$17,874,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$15,450,000,000.  
 (B) Outlays, \$15,817,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$15,755,000,000.  
 (B) Outlays, \$15,561,000,000.  
 (10) Education, Training, Employment, and Social Services (500):  
 Fiscal year 2008:  
 (A) New budget authority, \$90,077,000,000.  
 (B) Outlays, \$90,729,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$92,835,000,000.  
 (B) Outlays, \$89,831,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$98,754,000,000.  
 (B) Outlays, \$94,527,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$101,693,000,000.  
 (B) Outlays, \$99,246,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$103,814,000,000.  
 (B) Outlays, \$100,416,000,000.  
 Fiscal year 2013:  
 (A) New budget authority, \$97,578,000,000.  
 (B) Outlays, \$99,411,000,000.  
 (11) Health (550):  
 Fiscal year 2008:  
 (A) New budget authority, \$285,101,000,000.  
 (B) Outlays, \$286,688,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$305,795,000,000.  
 (B) Outlays, \$304,946,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$322,751,000,000.  
 (B) Outlays, \$323,300,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$343,709,000,000.  
 (B) Outlays, \$342,746,000,000.  
 Fiscal year 2012:  
 (A) New budget authority, \$366,700,000,000.

(B) Outlays, \$365,286,000,000.  
Fiscal year 2013:  
(A) New budget authority, \$391,993,000,000.  
(B) Outlays, \$390,267,000,000.  
(12) Medicare (570):  
Fiscal year 2008:  
(A) New budget authority, \$390,458,000,000.  
(B) Outlays, \$390,454,000,000.  
Fiscal year 2009:  
(A) New budget authority, \$420,086,000,000.  
(B) Outlays, \$419,880,000,000.  
Fiscal year 2010:  
(A) New budget authority, \$445,118,000,000.  
(B) Outlays, \$445,247,000,000.  
Fiscal year 2011:  
(A) New budget authority, \$494,261,000,000.  
(B) Outlays, \$494,084,000,000.  
Fiscal year 2012:  
(A) New budget authority, \$491,241,000,000.  
(B) Outlays, \$490,999,000,000.  
Fiscal year 2013:  
(A) New budget authority, \$552,274,000,000.  
(B) Outlays, \$552,389,000,000.  
(13) Income Security (600):  
Fiscal year 2008:  
(A) New budget authority, \$389,865,000,000.  
(B) Outlays, \$394,100,000,000.  
Fiscal year 2009:  
(A) New budget authority, \$410,152,000,000.  
(B) Outlays, \$412,970,000,000.  
Fiscal year 2010:  
(A) New budget authority, \$414,946,000,000.  
(B) Outlays, \$416,690,000,000.  
Fiscal year 2011:  
(A) New budget authority, \$424,315,000,000.  
(B) Outlays, \$425,038,000,000.  
Fiscal year 2012:  
(A) New budget authority, \$410,706,000,000.  
(B) Outlays, \$410,707,000,000.  
Fiscal year 2013:  
(A) New budget authority, \$426,299,000,000.  
(B) Outlays, \$426,036,000,000.  
(14) Social Security (650):  
Fiscal year 2008:  
(A) New budget authority, \$19,378,000,000.  
(B) Outlays, \$19,378,000,000.  
Fiscal year 2009:  
(A) New budget authority, \$21,308,000,000.  
(B) Outlays, \$21,308,000,000.  
Fiscal year 2010:  
(A) New budget authority, \$23,794,000,000.  
(B) Outlays, \$23,794,000,000.  
Fiscal year 2011:  
(A) New budget authority, \$27,330,000,000.  
(B) Outlays, \$27,330,000,000.  
Fiscal year 2012:  
(A) New budget authority, \$30,342,000,000.  
(B) Outlays, \$30,342,000,000.  
Fiscal year 2013:  
(A) New budget authority, \$33,162,000,000.  
(B) Outlays, \$33,162,000,000.  
(15) Veterans Benefits and Services (700):  
Fiscal year 2008:  
(A) New budget authority, \$86,365,000,000.  
(B) Outlays, \$83,551,000,000.  
Fiscal year 2009:  
(A) New budget authority, \$94,268,000,000.  
(B) Outlays, \$92,943,000,000.  
Fiscal year 2010:  
(A) New budget authority, \$96,000,000,000.  
(B) Outlays, \$96,210,000,000.  
Fiscal year 2011:  
(A) New budget authority, \$101,800,000,000.  
(B) Outlays, \$101,475,000,000.  
Fiscal year 2012:  
(A) New budget authority, \$99,115,000,000.  
(B) Outlays, \$98,271,000,000.  
Fiscal year 2013:  
(A) New budget authority, \$105,094,000,000.  
(B) Outlays, \$104,266,000,000.  
(16) Administration of Justice (750):  
Fiscal year 2008:  
(A) New budget authority, \$46,237,000,000.  
(B) Outlays, \$44,282,000,000.  
Fiscal year 2009:  
(A) New budget authority, \$50,024,000,000.  
(B) Outlays, \$47,520,000,000.  
Fiscal year 2010:

(A) New budget authority, \$48,972,000,000.  
(B) Outlays, \$49,384,000,000.  
Fiscal year 2011:  
(A) New budget authority, \$47,218,000,000.  
(B) Outlays, \$48,912,000,000.  
Fiscal year 2012:  
(A) New budget authority, \$48,425,000,000.  
(B) Outlays, \$48,887,000,000.  
Fiscal year 2013:  
(A) New budget authority, \$49,692,000,000.  
(B) Outlays, \$49,540,000,000.  
(17) General Government (800):  
Fiscal year 2008:  
(A) New budget authority, \$56,407,000,000.  
(B) Outlays, \$56,920,000,000.  
Fiscal year 2009:  
(A) New budget authority, \$22,970,000,000.  
(B) Outlays, \$23,408,000,000.  
Fiscal year 2010:  
(A) New budget authority, \$19,402,000,000.  
(B) Outlays, \$19,449,000,000.  
Fiscal year 2011:  
(A) New budget authority, \$20,039,000,000.  
(B) Outlays, \$19,938,000,000.  
Fiscal year 2012:  
(A) New budget authority, \$20,733,000,000.  
(B) Outlays, \$20,753,000,000.  
Fiscal year 2013:  
(A) New budget authority, \$21,407,000,000.  
(B) Outlays, \$21,194,000,000.  
(18) Net Interest (900):  
Fiscal year 2008:  
(A) New budget authority, \$349,335,000,000.  
(B) Outlays, \$349,335,000,000.  
Fiscal year 2009:  
(A) New budget authority, \$333,462,000,000.  
(B) Outlays, \$333,462,000,000.  
Fiscal year 2010:  
(A) New budget authority, \$367,501,000,000.  
(B) Outlays, \$367,501,000,000.  
Fiscal year 2011:  
(A) New budget authority, \$403,836,000,000.  
(B) Outlays, \$403,836,000,000.  
Fiscal year 2012:  
(A) New budget authority, \$429,556,000,000.  
(B) Outlays, \$429,556,000,000.  
Fiscal year 2013:  
(A) New budget authority, \$445,455,000,000.  
(B) Outlays, \$445,455,000,000.  
(19) Allowances (920):  
Fiscal year 2008:  
(A) New budget authority, -\$8,599,000,000.  
(B) Outlays, -\$274,000,000.  
Fiscal year 2009:  
(A) New budget authority, -\$84,556,000,000.  
(B) Outlays, -\$72,700,000,000.  
Fiscal year 2010:  
(A) New budget authority, -\$129,273,000,000.  
(B) Outlays, -\$124,124,000,000.  
Fiscal year 2011:  
(A) New budget authority, -\$155,968,000,000.  
(B) Outlays, -\$168,315,000,000.  
Fiscal year 2012:  
(A) New budget authority, -\$195,848,000,000.  
(B) Outlays, -\$205,425,000,000.  
Fiscal year 2013:  
(A) New budget authority, -\$229,181,000,000.  
(B) Outlays, -\$246,124,000,000.  
(20) Undistributed Offsetting Receipts (950):  
Fiscal year 2008:  
(A) New budget authority, -\$86,330,000,000.  
(B) Outlays, -\$86,330,000,000.  
Fiscal year 2009:  
(A) New budget authority, -\$68,110,000,000.  
(B) Outlays, -\$68,110,000,000.  
Fiscal year 2010:  
(A) New budget authority, -\$71,710,000,000.  
(B) Outlays, -\$71,710,000,000.  
Fiscal year 2011:  
(A) New budget authority, -\$77,424,000,000.  
(B) Outlays, -\$77,424,000,000.  
Fiscal year 2012:  
(A) New budget authority, -\$78,136,000,000.  
(B) Outlays, -\$78,136,000,000.  
Fiscal year 2013:  
(A) New budget authority, -\$86,033,000,000.  
(B) Outlays, -\$86,033,000,000.

**TITLE II—RECONCILIATION**

**SEC. 201. RECONCILIATION IN THE HOUSE OF REPRESENTATIVES.**

(a) SUBMISSION TO PROVIDE FOR THE REFORM OF MANDATORY SPENDING.—

(1) IN GENERAL.—Not later than July 29, 2008, the House committees named in paragraph (2) shall submit their recommendations to the House Committee on the Budget. After receiving those recommendations, the Committee on the Budget shall report to the House a reconciliation bill carrying out all such recommendations without substantive revision.

(2) INSTRUCTIONS.—

(A) COMMITTEE ON AGRICULTURE.—The Committee on Agriculture shall report changes in laws within its jurisdiction sufficient to reduce direct spending \$9,321,000,000 for the period of fiscal years 2009 through 2013.

(B) COMMITTEE ON ARMED SERVICES.—The Committee on Armed Services shall report changes in laws within its jurisdiction sufficient to reduce direct spending \$1,292,000,000 for the period of fiscal years 2009 through 2013.

(C) COMMITTEE ON EDUCATION AND LABOR.—The Committee on Education and the Labor shall report changes in laws within its jurisdiction sufficient to reduce direct spending \$15,926,000,000 for the period of fiscal years 2009 through 2013.

(D) COMMITTEE ON ENERGY AND COMMERCE.—The Committee on Energy and Commerce shall report changes in laws within its jurisdiction sufficient to reduce direct spending \$115,812,000,000 for the period of fiscal years 2009 through 2013.

(E) COMMITTEE ON FINANCIAL SERVICES.—The Committee on Financial Services shall report changes in laws within its jurisdiction sufficient to reduce direct spending \$73,000,000 for the period of fiscal years 2009 through 2013.

(F) COMMITTEE ON FOREIGN AFFAIRS.—The Committee on Foreign Relations shall report changes in laws within its jurisdiction sufficient to reduce direct spending \$250,000,000 for the period of fiscal years 2009 through 2013.

(G) COMMITTEE ON THE JUDICIARY.—The Committee on the Judiciary shall report changes in laws within its jurisdiction sufficient to reduce direct spending \$3,450,000,000 for the period of fiscal years 2009 through 2013.

(H) COMMITTEE ON NATURAL RESOURCES.—The Committee on Natural Resources shall report changes in laws within its jurisdiction sufficient to reduce direct spending \$3,721,000,000 for the period of fiscal years 2009 through 2013.

(I) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—The Committee on Oversight and Government Reform shall report changes in laws within its jurisdiction sufficient to reduce direct spending \$4,679,000,000 for the period of fiscal years 2009 through 2013.

(J) COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE.—The Committee on Transportation and Infrastructure shall report changes in laws within its jurisdiction sufficient to reduce direct spending \$4,672,000,000 for the period of fiscal years 2009 through 2013.

(K) COMMITTEE ON WAYS AND MEANS.—The Committee on Ways and Means shall report changes in laws within its jurisdiction sufficient to reduce direct spending \$253,204,000,000 for the period of fiscal years 2009 through 2013.

(b) REVENUE RECONCILIATION.—The House Committee on Ways and Means shall report a reconciliation bill not later than July 29, 2008, that consists of changes in laws within its jurisdiction sufficient to reduce revenues

by not more than \$1,151,441,000,000 for the period of fiscal years 2009 through 2013.

(c) **SUBMISSION OF REVISED ALLOCATIONS.**—

(1) Upon the submission to the Committee on the Budget pursuant to subsection (a), or the reporting of a measure pursuant to subsection (b), a recommendation that has complied with its reconciliation instructions pursuant to section 310(c) 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 may file with the House appropriately revised allocations and aggregates under such Act.

(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.

**TITLE III—EARMARK REFORM**

**SEC. 301. MORATORIUM ON EARMARKS.**

(a) **HOUSE.**—In the House, for the remainder of the 110th Congress, it shall not be in order to consider a bill, joint resolution, or conference report, containing a congressional earmark, limited tax benefit, or limited tariff benefit, as such terms are defined in clause 9 of rule XXI of the Rules of the House of Representatives.

(b) **SENATE.**—In the Senate, [to be supplied]

**SEC. 302. JOINT SELECT COMMITTEE ON EARMARK REFORM.**

(a) **ESTABLISHMENT AND COMPOSITION.**—There is established a Joint Select Committee on Earmark Reform. The joint select committee shall be composed of 16 members as follows:

(1) 8 Members of the House of Representatives, 4 appointed from the majority by the Speaker of the House and 4 from the minority by the minority leader; and

(2) 8 Members of the Senate, 4 appointed from the majority by the majority leader of the Senate and 4 from the minority by the minority leader. A vacancy in the joint select committee shall not affect the power of the remaining members to execute the functions of the joint select committee, and shall be filled in the same manner as the original selection.

(b) **STUDY AND REPORT.**—

(1) **STUDY.**—The joint select committee shall make a full study of the practices of the House, Senate, and executive branch, regarding earmarks in authorizing, appropriation, tax, and tariff measures. As part of the study, the joint select committee shall consider the efficacy of—

(A) the disclosure requirements of clause 9 of rule XXI and clause 17 of rule XXIII of the Rules of the House of Representatives, House Resolution 491, and rule XLIV of the Standing Rules of the Senate, and the definitions contained therein;

(B) requiring full transparency in the process, with earmarks listed in bills at the outset of the legislative process and continuing throughout consideration;

(C) requiring that earmarks not be placed in any bill after initial committee consideration;

(D) requiring that Members be permitted to offer amendments to remove earmarks at subcommittee, full committee, floor consideration, and during conference committee meetings;

(E) requiring that bill sponsors and majority and minority managers certify the validity of earmarks contained in their bills;

(F) recommending changes to earmark requests made by the executive branch through the annual budget submitted to Congress pursuant to section 1105 of title 31, United States Code;

(G) requiring that House and Senate amendments meet earmark disclosure requirements, including amendments adopted pursuant to a special order of business;

(H) establishing new categories for earmarks, including—

(i) projects with national scope;

(ii) military projects; and

(iii) local or provincial projects, including the level of matching funds required for such project.

(2) **REPORT.**—

(A) the joint select committee shall submit to the House and the Senate a report of its findings and recommendations not later than 6 months after adoption of this concurrent resolution.

(B) no recommendation shall be made by the joint select committee except upon the majority vote of the members from each House, respectively.

(C) notwithstanding any other provision of this resolution, any recommendation with respect to the rules and procedures of one House that only affects matters related solely to that House may only be made and voted on by members of the joint select committee from that House and, upon its adoption by a majority of such members, shall be considered to have been adopted by the full committee as a recommendation of the joint select committee. In conducting the study under paragraph (1), the joint select committee shall hold not fewer than 5 public hearings.

(c) **RESOURCES AND DISSOLUTION.**—

(1) The joint select committee may utilize the resources of the House and Senate.

(2) The joint select committee shall cease to exist 30 days after the submission of the report described in subsection (a)(2).

(d) **DEFINITION.**—For purposes of this section, the term “earmark” shall include congressional earmarks, congressionally directed spending items, limited tax benefits, or limited tariff benefits as those terms are defined in clause 9 of rule XXI of the Rules of the House of Representatives and rule XLIV of the Standing Rules of the Senate. Nothing in this subsection shall confine the study of the joint select committee or otherwise limit its recommendations.

**TITLE IV—BUDGET ENFORCEMENT**

**SEC. 401. ENHANCE ACCOUNTABILITY BY REQUIRING A SEPARATE VOTE ON AN INCREASE IN THE PUBLIC DEBT.**

(a) **PUBLIC DEBT LIMIT.**—In the House, a joint resolution prepared pursuant to the adoption of a concurrent resolution on the budget, or any revision to such concurrent resolution, under the procedures set forth in rule XXVIII of the Rules of the House of Representatives shall reflect an increase in the statutory limit on the public debt of zero.

(b) **STATEMENT.**—The report of the Committee on the Budget on a concurrent resolution and the joint explanatory statement of the managers on a conference report to accompany such concurrent resolution shall

(1) include the language of the joint resolution described in rule XXVIII, which will reflect no increase in the statutory limit on the public debt;

(2) contain a clear statement that an increase in the statutory limit on the public debt requires a separate roll call vote of all Members of the House of Representatives.

**SEC. 402. SAME-DAY CONSIDERATION OF REPORTS.**

A report on a rule, joint rule, or the order of business may not be called up for consideration on the same calendar day, or less than 17 hours after that, it is presented to the House except—

(1) when so determined by a vote of two-thirds of the Members voting, a quorum being present;

(2) in the case of a resolution proposing only to waive a requirement of clause 4 or of clause 8 of rule XXII concerning the availability of reports; or

(3) during the last three days of a session of Congress.

**SEC. 403. TWO-THIRDS REQUIREMENT FOR CERTAIN WAIVERS UNDER THE RULES OF THE HOUSE.**

It is not in order to consider a rule or order that waives—

(1) the layover requirement of clause 8 of rule XXII concerning the availability of reports;

(2) clause 8(a)(1) of rule XXII;

(3) the scope requirement of the last sentence of clause 9 of rule XXII;

by a vote of less than two-thirds of the Members voting, a quorum being present.

**SEC. 404. TWO-THIRDS REQUIREMENT FOR AVAILABILITY OF CERTAIN MEASURES ON THE INTERNET.**

(a) **AVAILABILITY OF COMMITTEE REPORTED MEASURES.**—Except as specified in subparagraph (2) of clause 4(a) of rule XIII of the Rules of the House of Representatives, it shall not be in order to consider in the House a measure or matter reported by a committee until the third calendar day (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day) on which each report of a committee on that measure or matter has been available and until the third such calendar day on which the underlying measure or matter has been made available by the Committee on Rules on its Internet site.

(b) **AVAILABILITY OF CONFERENCE REPORTS.**—Except as specified in subparagraph (2) of clause (a) of rule XXII of the House of Representatives, it shall not be in order to consider a conference report until—

(1) the third calendar day (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day) on which the conference report and the accompanying joint explanatory statement have been available, published in the Congressional Record and until the third such calendar day on which such conference report and joint explanatory statement have been made available by the standing committee of the House with subject matter jurisdiction over the underlying legislation on its Internet site; and

(2) copies of the conference report and the accompanying joint explanatory statement have been available to Members, Delegates, and the Resident Commissioner for at least two hours.

(c) **POINT OF ORDER.**—It is not in order to consider a rule or order which would waive subsections (a) or (b) by a vote of less than two-thirds of the Members voting, a quorum being present.

**SEC. 405. COST ESTIMATES FOR CONFERENCE REPORTS AND UNREPORTED MEASURES.**

It shall not be in order to consider a conference report or an unreported bill or joint resolution unless an estimate of costs as described in clause 3(d)(2) of rule XIII has been printed in the Congressional Record at least one day before its consideration.

**SEC. 406. ROLL CALL VOTES FOR NEW SPENDING.**

The yeas and nays shall be considered as ordered when the Speaker puts the question on passage of a bill or joint resolution, or on

adoption of a conference report, for which the chairman of the Budget Committee has advised the Speaker that such bill, joint resolution or conference report authorizes or provides new budget authority of not less than \$50,000,000. The Speaker may not entertain a unanimous consent request or motion to suspend this section.

**SEC. 407. NONDEFENSE, NONTERRORISM RELATED SPENDING POINT OF ORDER.**

(a) NONDEFENSE AND NONTERRORISM-RELATED SPENDING.—It shall not be in order to consider any supplemental appropriation measure that primarily provides funding for war-related defense needs and for the global war on terrorism, that also provides funding for domestic discretionary programs, projects or activities designated as emergencies.

(b) LISTING OF NONDEFENSE AND NONTERRORISM-RELATED PROVISIONS.—Prior to the consideration of any appropriation bill or joint resolution referred to in subsection (a), the Committee on the Budget of the House shall transmit to the Speaker, the Majority Leader, the Minority Leader, and the Ranking Member of the Committee on the Budget, and, to the extent practicable, publish in the Congressional Record, a list of any non-defense and nonterrorism related provisions designated as emergency included in that bill or joint resolution.

**SEC. 408. 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) DIRECT SPENDING LIMITATION.—In the House, it shall not be in order to consider any bill, joint resolution, amendment, 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.

**SEC. 409. LIMIT ON NEW DIRECT SPENDING IN RECONCILIATION LEGISLATION.**

In the House, it shall not be in order to consider any reconciliation bill, joint resolution, amendment, or conference report, in relation to, a reconciliation bill pursuant to section 310 of the Congressional Budget Act of 1974, that produces an increase in outlays, if—

(1) the effect of all the provisions in the jurisdiction of any committee is to create gross new direct spending that exceeds 20 percent of the total savings instruction to the committee; or

(2) the effect of the adoption of an amendment would result in gross new direct spending that exceeds 20 percent of the total savings instruction to the committee.

**SEC. 410. RESTRICTIONS ON ADVANCE APPROPRIATIONS.**

(a) IN GENERAL.—

(1) In the House, except as provided in subsection (b), 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.

(2) Managers on the part of the House may not agree to a Senate amendment that would violate paragraph (1) unless specific authority to agree to the amendment first is given by the House by a separate vote with respect thereto.

(b) ADVANCE APPROPRIATION.—In the House, an advance appropriation may be provided for the fiscal years 2010 and 2011 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 \$23,565,000,000 in new budget authority in each year.

(c) DEFINITION.—In this section, 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 making continuing appropriations for fiscal year 2009 that first becomes available for any fiscal year after 2009.

**SEC. 411. POLICY STATEMENT ON HANFORD AND NUCLEAR CLEAN-UP.**

It is the policy of this resolution that the United States Government must meet its responsibility in cleaning up nuclear waste sites created in the name of our Nation's defense by our World War II and Cold War era nuclear weapons production and is an obligation of the Federal Government, not an option. The Environmental Management program responsible for cleaning up these wastes requires a sufficient level of funding so as not to cause legal cleanup milestones and obligations to be missed.

**SEC. 412. POLICY STATEMENT ON WAR FUNDING.**

(a) FINDINGS.—Congress finds that—

(1) there are currently more than 183,000 troops in the theater supporting Operations Iraqi and Enduring Freedom;

(2) in February of 2007, the President submitted a war request for supplemental funding to support these troops and their ongoing operations in the global war on terrorism;

(3) more than a year later, Congress has only acted to partially fund that request by providing less than half of the funding required by the troops;

(4) this policy assumes Congress will act on war funding requests in a timely manner so as to avoid—

(A) not having sufficient funds to pay United States soldiers, serving at home or abroad;

(B) not having sufficient funds to pay civilian Army personnel;

(C) significant disruption in base budget activities, which may result in delaying or foregoing contracts and activities (e.g., training) that ultimately may increase cost; and

(D) losing the ability to use the Commanders Emergency Response Program, which is critical to the success of United States and Coalition Forces in Iraq and Afghanistan.

(b) POLICY OF THE HOUSE ON WAR FUNDING.—It is the policy of the House that funding for troops in Operations Iraqi and Enduring Freedom should be provided in a timely manner so as not hinder their performance or needlessly place them in harms way.

**SEC. 413. POLICY STATEMENT ON MEDICAL LIABILITY.**

(a) FINDINGS.—Congress finds that—

(1) medical liability and the resulting practice of defensive medicine continue to plague the medical profession in the United States, reducing access for patients, increasing the cost of medical care generally, and increasing the cost of government programs such as Medicare and Medicaid for the United States taxpayer; and

(2) as the medical liability crisis grows, a large fraction of these dollars will be spent on wasteful health care services provided solely to shield providers from a lawsuits.

(b) POLICY STATEMENT ON MEDICAL LIABILITY.—It is the policy of this resolution that it assumes effective medical liability reform

which will contribute to the overall goal of domestic entitlement reform, constraining the growth of vital programs such as Medicare and Medicaid and helping to ensure their long-term viability.

**SEC. 414. POLICY STATEMENT ON THE MEDICARE “TRIGGER”.**

This resolution assumes that the committees of jurisdiction, in complying with the reconciliation instruction set forth in section 20, will submit to the Committee on the Budget language that locks in any savings resulting from Medicare funding warning legislation designed to reduce the program's general revenue spending exceeding 45 percent. By directing savings solely to deficit reduction, this provision will help Medicare fulfill its mission for the long term.

**SEC. 415. PROGRAM INTEGRITY INITIATIVES.**

(a) ADJUSTMENTS TO DISCRETIONARY SPENDING LIMITS.—

(1) CONTINUING DISABILITY REVIEWS AND SUPPLEMENTAL SECURITY INCOME REDETERMINATIONS.—In the House, prior to consideration of a bill or joint resolution making appropriations for fiscal year 2009 that appropriates \$264,000,000 for continuing disability reviews and Supplemental Security Income redeterminations for the Social Security Administration, and provides an additional appropriation of up to \$240,000,000, and the amount is designated for continuing disability reviews and Supplemental Security Income redeterminations for the Social Security Administration, the allocation to the Committee on Appropriations shall be increased by the amount of the additional budget authority and outlays resulting from that budget authority for fiscal year 2009.

(2) INTERNAL REVENUE SERVICE TAX COMPLIANCE.—In the House, prior to consideration of a bill or joint resolution making appropriations for fiscal year 2009 that appropriates \$6,997,000,000 to the Internal Revenue Service and the amount is designated to improve compliance with the provisions of the Internal Revenue Code of 1986 and provides an additional appropriation of up to \$490,000,000, and the amount is designated to improve compliance with the provisions of the Internal Revenue Code of 1986, the allocation to the Committee on Appropriations shall be increased by the amount of the additional budget authority and outlays resulting from that budget authority for fiscal year 2009.

(3) HEALTH CARE FRAUD AND ABUSE CONTROL PROGRAM.—In the House, prior to consideration of a bill or joint resolution making appropriations for fiscal year 2009 that appropriates up to \$198,000,000 and the amount is designated to the health care fraud and abuse control program at the Department of Health and Human Services, the allocation to the Committee on Appropriations shall be increased by the amount of additional budget authority and outlays resulting from that budget authority for fiscal year 2009.

(4) UNEMPLOYMENT INSURANCE PROGRAM INTEGRITY ACTIVITIES.—In the House, prior to consideration of a bill or joint resolution making appropriations for fiscal year 2009 that appropriates \$10,000,000 for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews for the Department of Labor and provides an additional appropriation of up to \$40,000,000, and the amount is designated for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews for the Department of Labor, the allocation to the Committee on Appropriations shall be increased by the amount of additional budget authority and outlays resulting from that budget authority for fiscal year 2009.

(b) PROCEDURE FOR ADJUSTMENTS.—

(1) IN GENERAL.—In the House, prior to consideration of a bill, joint resolution, amendment, or conference report, the chairman of the Committee on the Budget shall make the adjustments set forth in subsection (a) for the incremental new budget authority in that measure and the outlays resulting from that budget authority if that measure meets the requirements set forth in subsection (a), except that no adjustment shall be made for provisions exempted for the purposes of titles III and IV of the Congressional Budget Act of 1974 under section 404 of this resolution.

(2) MATTERS TO BE ADJUSTED.—The adjustments referred to in paragraph (1) are to be made to—

(A) 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

(B) the budgetary aggregates as set forth in this resolution.

(c) PRESIDENT'S BUDGET.—In determining whether an adjustments may be made pursuant to this section, the Chairman of the Committee on the Budget shall take into consideration, the recommendations made in President's budget related to such adjustments.

**SEC. 416. POLICY STATEMENT ON THE ALTERNATIVE MINIMUM TAX.**

This resolution assumes that the Committee on Ways and Means, in complying with the reconciliation instruction set forth pursuant to section 201(b) of this resolution, will prepare legislative language which will phase out the alternative minimum tax.

**SEC. 417. POLICY STATEMENT ON HEALTH CARE SPENDING.**

(a) FINDINGS.—The Congress finds that—

(1) Medicare's unfunded liability will grow from \$34 trillion to \$45 trillion in the next 5 years;

(2) health care spending is expected to reach nearly 20 percent of GDP by 2017;

(3) half of the Nation's \$2.4 trillion in annual health care spending comes from taxpayer dollars; and

(4) the only way to ensure health care entitlement programs survive and continue to fulfill their missions in the 21st century is through fundamental reform.

(b) POLICY STATEMENT ON HEALTH CARE SPENDING.—This resolution assumes that the committees of jurisdiction over health care spending issues will report legislation to reduce health care costs and expand coverage, in part, by removing distortions in the health care market. The removal of these distortions may be accomplished by increasing personal ownership and improving health care quality and information through the sharing of information, including the passage of H.R. 1174 and H.R. 3370.

**TITLE V—EMERGENCY RESERVE FUND**

**SEC. 501. NONDEFENSE RESERVE FUND FOR EMERGENCIES.**

(a) NONDEFENSE SET ASIDE.—In the House:

(1) Except as provided by subsection 506, if a bill or joint resolution is reported, or an amendment is offered thereto (or considered as adopted) or a conference report is filed thereon, that provides new discretionary budget authority (and outlays flowing therefrom), and such provision is designated as an emergency pursuant to this section, the chairman of the Committee on the Budget shall make adjustments to the allocations and aggregates set forth in this resolution up to the amount of such provisions if the requirements set forth in section 504 are met, but the sum of all adjustments made under this paragraph shall not exceed \$7,300,000,000 for fiscal year 2009.

(2) If a bill or joint resolution is reported or a conference report is filed thereon, and a

direct spending or receipt provision included therein is designated as an emergency pursuant to this paragraph, the chairman of the Committee on the Budget may make adjustments to the allocations and aggregates set forth in this resolution.

(b) ADDITIONAL ADJUSTMENT PROCEDURES.—In the House, before any adjustment is made pursuant to this section for any bill, joint resolution, or conference report that designates a provision an emergency, the enactment of which would cause the total amount of the set aside fund set forth in subsection (a)(1) for fiscal year 2009 to be exceeded:

(1) The chairman of the Committee on the Budget shall convene a meeting of that committee, where it shall be in order, subject to the terms set forth in this section, for one motion described in paragraph (2) to be made to authorize the chairman to make adjustments above the maximum amount of adjustments set forth in subsection (a). If the Chairman does not call such a meeting within 24 hours of a committee reporting such a measure, any member of the Committee may call such a meeting.

(2) The motion referred to in paragraph (1) shall be in the following form: "I move that the chairman of the Committee on the Budget be authorized to adjust the allocations and aggregates set forth in the concurrent resolution on the budget for fiscal year 2009 by the following amount: \$\_\_\_\_\_,000,000 for fiscal year 2009.", with the blank being filled in with amount determined by the chairman of the Committee on the Budget. For any measure referred to in subsection (a)(1), such amount shall not exceed the total amount for fiscal year 2009 designated as an emergency in excess of the applicable amount remaining in the set aside fund.

(3) The motion set forth in paragraph (2) shall be open for debate and amendment, but any amendment offered thereto is only in order if limited to changing an amount in the motion.

(4) Except as provided by paragraph (5), the chairman of the Committee on the Budget may not make any adjustments under subsection (a) or subsection (b) unless or until the committee filing a report or joint statement of managers on a conference report on a measure including an emergency designation fulfills the terms set forth in section 504.

(5) The chairman of the Committee on the Budget shall make any adjustments he deems necessary under this section if he determines the enactment of the provision or provisions designated as an emergency is essential to respond to an urgent and imminent need, the chairman determines the exceptional circumstances referred to in rule 3 of the rules of the committee are met and the committee cannot convene to consider the motion referred to in this section in a timely fashion.

(c) APPLICATION OF ADJUSTMENTS.—The adjustments made pursuant to subsection (a) or (b) shall

(1) apply while that bill, joint resolution, conference report or amendment is under consideration;

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

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

**SEC. 502. EMERGENCY CRITERIA.**

As used in this title:

(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.

**SEC. 503. DEVELOPMENT OF GUIDELINES FOR APPLICATION OF EMERGENCY DEFINITION.**

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, the Ranking Member of the Committee on the Budget, and the Director of the Congressional Budget Office, prepare additional guidelines for application of the definition of an emergency and shall issue a committee print from the Committee on the Budget for this purpose.

**SEC. 504. COMMITTEE NOTIFICATION OF EMERGENCY LEGISLATION.**

(a) COMMITTEE NOTIFICATION.—Whenever a committee of the House (including a committee of conference) reports any bill or joint resolution that includes a provision designated as an emergency pursuant to this title, the report accompanying that bill or joint resolution (or the joint explanatory statement of managers in the case of a conference report on any such bill or joint resolution) shall identify all provisions that provide amounts designated as an emergency and shall provide an explanation of the manner in which the provision meets the criteria set forth in section 502.

(b) CONGRESSIONAL RECORD.—If such a measure is to be considered by the House without being reported by the committee of jurisdiction, then the committee shall cause the explanation to be published in the Congressional Record as soon as practicable.

**SEC. 505. UP-TO-DATE TABULATIONS.**

The Committee on the Budget of the House shall publish in the Congressional Record up-to-date tabulations of amounts remaining in the set aside fund set forth in section 501, or authorized in excess thereof, as soon as practicable after the enactment of such amounts designated as emergencies.

**SEC. 506. CONTINGENCY OPERATIONS RELATED TO THE GLOBAL WAR ON TERRORISM AND FOR UNANTICIPATED DEFENSE NEEDS.**

(a) EXEMPTION OF CONTINGENCY OPERATIONS RELATED TO THE GLOBAL WAR ON TERRORISM AND FOR UNANTICIPATED DEFENSE NEEDS.—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 appropriations for fiscal year 2009 for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, then the new budget authority, new entitlement authority, outlays, or receipts resulting therefrom shall not count for purposes of titles III or IV of the Congressional Budget Act of 1974.

(b) CURRENT LEVEL.—Amounts included in this resolution for the purpose set forth in this section 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.

**TITLE VI—LEGISLATIVE LINE ITEM VETO AUTHORITY**

**SEC. 601. PRESIDENTIAL RECOMMENDATIONS.**

(a) PROPOSED CANCELLATIONS.—If, within 45 calendar days after the enactment of any bill or joint resolution providing any discretionary budget authority, item of direct

spending, limited tariff benefit, or targeted tax benefit, the President proposes, in the manner provided in subsection (b), the cancellation of any dollar amount of such discretionary budget authority, item of direct spending, or targeted tax benefit, such recommendation shall be introduced as a free-standing measure consistent with the terms of this title and shall be eligible for the expedited procedures set forth herein. If the 45 calendar-day period expires during a period where either House of Congress stands adjourned sine die at the end of a Congress or for a period greater than 45 calendar days, the President may propose a cancellation under this section and transmit a special message under subsection (b) on the first calendar day of session following such a period of adjournment.

(b) TRANSMITTAL OF SPECIAL MESSAGE.—

(1) SPECIAL MESSAGE.—

(A) CONTENTS OF SPECIAL MESSAGE.—Each special message shall specify, with respect to the discretionary budget authority, items of direct spending proposed, limited tariff benefits, or targeted tax benefits to be canceled—

(i) the dollar amount of discretionary budget authority, the specific item of direct spending (that OMB, after consultation with CBO, estimates to increase budget authority or outlays as required by section 1017(9)), the limited tariff benefit, or the targeted tax benefit that the President proposes be canceled;

(ii) any account, department, or establishment of the Government to which such discretionary budget authority is available for obligation, and the specific project or governmental functions involved;

(iii) the reasons why such discretionary budget authority, item of direct spending, limited tariff benefit, or targeted tax benefit should be canceled;

(iv) to the maximum extent practicable, the estimated fiscal, economic, and budgetary effect (including the effect on outlays and receipts in each fiscal year) of the proposed cancellation;

(v) to the maximum extent practicable, all facts, circumstances, and considerations relating to or bearing upon the proposed cancellation and the decision to propose the cancellation, and the estimated effect of the proposed cancellation upon the objects, purposes, or programs for which the discretionary budget authority, item of direct spending, limited tariff benefit, or the targeted tax benefit is provided;

(vi) a numbered list of cancellations to be included in an approval bill that, if enacted, would cancel discretionary budget authority, items of direct spending, limited tariff benefit, or targeted tax benefits proposed in that special message; and

(vii) if the special message is transmitted subsequent to or at the same time as another special message, a detailed explanation why the proposed cancellations are not substantially similar to any other proposed cancellation in such other message.

(C) DUPLICATIVE PROPOSALS PROHIBITED.—The President may not propose to cancel the same or substantially similar discretionary budget authority, item of direct spending, limited tariff benefit, or targeted tax benefit more than one time under this Act.

(D) MAXIMUM NUMBER OF SPECIAL MESSAGES.—The President may not transmit to the Congress more than 5 special messages under this subsection related to any bill or joint resolution described in subsection (a), but may transmit not more than 10 special messages for any omnibus budget reconciliation or appropriation measure.

(2) ENACTMENT OF APPROVAL BILL.—

(A) DEFICIT REDUCTION.—Amounts of budget authority, items of direct spending, limited tariff benefit, or targeted tax benefits

which are canceled pursuant to enactment of a bill as provided under this section shall be dedicated only to reducing the deficit or increasing the surplus.

(B) ADJUSTMENT OF LEVELS IN THE CONCURRENT RESOLUTION ON THE BUDGET.—Not later than 5 days after the date of enactment of an approval bill as provided under this section, the chairs of the Committees on the Budget of the Senate and the House of Representatives shall revise allocations and aggregates and other appropriate levels under the appropriate concurrent resolution on the budget to reflect the cancellation, and the applicable committees shall report revised suballocations pursuant to section 302(b), as appropriate.

(C) TRUST FUNDS AND SPECIAL FUNDS.—Notwithstanding subparagraph (A), nothing in this title shall be construed to require or allow the deposit of amounts derived from a trust fund or special fund which are canceled pursuant to enactment of a bill as provided under this section to any other fund.

#### SEC. 602. PROCEDURES IN THE UNITED STATES CONGRESS.

(a) EXPEDITED CONSIDERATION.—

(1) IN GENERAL.—The majority leader or minority leader of each House or his designee shall (by request) introduce an approval bill as defined in section 1017 not later than the third day of session of that House after the date of receipt of a special message transmitted to the Congress under section 1011(b). If the bill is not introduced as provided in the preceding sentence in either House, then, on the fourth day of session of that House after the date of receipt of the special message, any Member of that House may introduce the bill.

(2) CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.—

(A) REFERRAL AND REPORTING.—Any committee of the House of Representatives to which an approval bill is referred shall report it to the House without amendment not later than the seventh legislative day after the date of its introduction. If a committee fails to report the bill within that period or the House has adopted a concurrent resolution providing for adjournment sine die at the end of a Congress, such committee shall be automatically discharged from further consideration of the bill and it shall be placed on the appropriate calendar.

(B) PROCEEDING TO CONSIDERATION.—After an approval bill is reported by or discharged from committee or the House has adopted a concurrent resolution providing for adjournment sine die at the end of a Congress, it shall be in order to move to proceed to consider the approval bill in the House. Such a motion shall be in order only at a time designated by the Speaker in the legislative schedule within two legislative days after the day on which the proponent announces his intention to offer the motion. Such a motion shall not be in order after the House has disposed of a motion to proceed with respect to that special message. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(C) CONSIDERATION.—The approval bill shall be considered as read. All points of order against an approval bill and against its consideration are waived. The previous question shall be considered as ordered on an approval bill to its passage without intervening motion except five hours of debate equally divided and controlled by the proponent and an opponent and one motion to limit debate on the bill. A motion to reconsider the vote on passage of the bill shall not be in order.

(D) SENATE BILL.—An approval bill received from the Senate shall not be referred to committee.

(3) CONSIDERATION IN THE SENATE.—

(A) MOTION TO PROCEED TO CONSIDERATION.—A motion to proceed to the consideration of a bill under this subsection in the Senate shall not be debatable. It shall not be in order to move to reconsider the vote by which the motion to proceed is agreed to or disagreed to.

(B) LIMITS ON DEBATE.—Debate in the Senate on a bill under this subsection, and all debatable motions and appeals in connection therewith (including debate pursuant to subparagraph (D)), shall not exceed 10 hours, equally divided and controlled in the usual form.

(C) APPEALS.—Debate in the Senate on any debatable motion or appeal in connection with a bill under this subsection shall be limited to not more than 1 hour, to be equally divided and controlled in the usual form.

(D) MOTION TO LIMIT DEBATE.—A motion in the Senate to further limit debate on a bill under this subsection is not debatable.

(E) MOTION TO RECOMMIT.—A motion to recommit a bill under this subsection is not in order.

(F) CONSIDERATION OF THE HOUSE BILL.—

(i) IN GENERAL.—If the Senate has received the House companion bill to the bill introduced in the Senate prior to the vote required under paragraph (1)(C), then the Senate may consider, and the vote under paragraph (1)(C) may occur on, the House companion bill.

(ii) PROCEDURES AFTER VOTE ON SENATE BILL.—If the Senate votes, pursuant to paragraph (1)(C), on the bill introduced in the Senate, then immediately following that vote, or upon receipt of the House companion bill, the House bill shall be deemed to be considered, read the third time, and the vote on passage of the Senate bill shall be considered to be the vote on the bill received from the House.

(b) AMENDMENTS PROHIBITED.—No amendment to, or motion to strike a provision from, a bill considered under this section shall be in order in either the Senate or the House of Representatives.

#### SEC. 603. IDENTIFICATION OF TARGETED TAX BENEFITS.

(a) STATEMENT.—The chairman of the Committee on Ways and Means of the House of Representatives and the chairman of the Committee on Finance of the Senate acting jointly (hereafter in this subsection referred to as “the chairmen”) shall review any revenue or reconciliation bill or joint resolution which includes any amendment to the Internal Revenue Code of 1986 that is being prepared for filing by a committee of conference of the two Houses, and shall identify whether such bill or joint resolution contains any targeted tax benefits. The chairmen shall provide to the committee of conference a statement identifying any such targeted tax benefits or declaring that the bill or joint resolution does not contain any targeted tax benefits. Any such statement shall be made available to any Member of Congress by the chairmen immediately upon request.

(b) STATEMENT INCLUDED IN LEGISLATION.—

(1) IN GENERAL.—Notwithstanding any other rule of the House of Representatives or any rule or precedent of the Senate, any revenue or reconciliation bill or joint resolution which includes any amendment to the Internal Revenue Code of 1986 reported by a committee of conference of the two Houses may include, as a separate section of such bill or joint resolution, the information contained in the statement of the chairmen, but only in the manner set forth in paragraph (2).

(2) APPLICABILITY.—The separate section permitted under subparagraph (A) shall read

as follows: Section 1021 of the Congressional Budget and Impoundment Control Act of 1974 shall “\_\_\_\_\_” apply to “\_\_\_\_\_” with the blank spaces being filled in with—

(A) in any case in which the chairmen identify targeted tax benefits in the statement required under subsection (a), the word “only” in the first blank space and a list of all of the specific provisions of the bill or joint resolution in the second blank space; or

(B) in any case in which the chairmen declare that there are no targeted tax benefits in the statement required under subsection (a), the word “not” in the first blank space and the phrase “any provision of this Act” in the second blank space.

(C) IDENTIFICATION IN REVENUE ESTIMATE.—With respect to any revenue or reconciliation bill or joint resolution with respect to which the chairmen provide a statement under subsection (a), the Joint Committee on Taxation shall—

(1) in the case of a statement described in subsection (b)(2)(A), list the targeted tax benefits in any revenue estimate prepared by the Joint Committee on Taxation for any conference report which accompanies such bill or joint resolution, or

(2) in the case of a statement described in section 13(b)(2)(B), indicate in such revenue estimate that no provision in such bill or joint resolution has been identified as a targeted tax benefit.

(d) PRESIDENT’S AUTHORITY.—If any revenue or reconciliation bill or joint resolution is signed into law

(1) with a separate section described in subsection (b)(2), then the President may use the authority granted in this section only with respect to any targeted tax benefit in that law, if any, identified in such separate section; or

(2) without a separate section described in subsection (b)(2), then the President may use the authority granted in this section with respect to any targeted tax benefit in that law.

#### SEC. 604. ADDITIONAL MATTERS.

##### (a) DEFINITIONS.—

(1) APPROPRIATION LAW.—The term “appropriation law” means an Act referred to in section 105 of title I, United States Code, including any general or special appropriation Act, or any Act making supplemental, deficiency, or continuing appropriations, that has been signed into law pursuant to Article I, section 7, of the Constitution of the United States.

(2) APPROVAL BILL.—The term “approval bill” means a bill or joint resolution which only approves proposed cancellations of dollar amounts of discretionary budget authority, items of new direct spending, limited tariff benefits, or targeted tax benefits in a special message transmitted by the President under this part and

(A) the title of which is as follows: “A bill approving the proposed cancellations transmitted by the President on \_\_\_\_\_,” the blank space being filled in with the date of transmission of the relevant special message and the public law number to which the message relates;

(B) which does not have a preamble; and

(C) which provides only the following after the enacting clause: “That the Congress approves of \_\_\_\_\_ proposed cancellations: \_\_\_\_\_,” the blank space being filled in with a list of the cancellations contained in the President’s special message, “as transmitted by the President in a special message on \_\_\_\_\_,” the blank space being filled in with the appropriate date, “regarding \_\_\_\_\_,” the blank space being filled in with the Public Law number to which the special message relates;

(D) which only includes proposed cancellations that are estimated by CBO to meet the definition of discretionary budgetary authority or items of direct spending, or limited tariff benefits, or that are identified as targeted tax benefits pursuant to section 1014;

(E) if any proposed cancellation other than discretionary budget authority or targeted tax benefits is estimated by CBO to not meet the definition of item of direct spending, then the approval bill shall include at the end: “The President shall cease the suspension of the implementation of the following under section 1013 of the Legislative Line Item Veto Act of 2006: \_\_\_\_\_,” the blank space being filled in with the list of such proposed cancellations; and

(F) if no CBO estimate is available, then the entire list of legislative provisions proposed by the President is inserted in the second blank space in subparagraph (C).

(3) CALENDAR DAY.—The term “calendar day” means a standard 24-hour period beginning at midnight.

(4) CANCEL OR CANCELLATION.—The terms “cancel” or “cancellation” means to prevent

(A) budget authority from having legal force or effect;

(B) in the case of entitlement authority, to prevent the specific legal obligation of the United States from having legal force or effect;

(C) in the case of the food stamp program, to prevent the specific provision of law that provides such benefit from having legal force or effect;

(D) a limited tariff benefit from having legal force or effect, and to make any necessary, conforming statutory change to ensure that such limited tariff benefit is not implemented; or

(E) a targeted tax benefit from having legal force or effect, and to make any necessary, conforming statutory change to ensure that such targeted tax benefit is not implemented and that any budgetary resources are appropriately canceled.

(5) CBO.—The term “CBO” means the Director of the Congressional Budget Office.

(6) DIRECT SPENDING.—The term “direct spending” means—

(A) budget authority provided by law (other than an appropriation law);

(B) entitlement authority; and

(C) the food stamp program.

(7) DOLLAR AMOUNT OF DISCRETIONARY BUDGET AUTHORITY.—

(A) Except as provided in subparagraph (B), the term “dollar amount of discretionary budget authority” means the dollar amount of budget authority—

(i) specified in an appropriation law, or the dollar amount of budget authority or obligation limitation required to be allocated by a specific proviso in an appropriation law for which a specific dollar figure was not included;

(ii) represented separately in any table, chart, or explanatory text included in the statement of managers or the governing committee report accompanying such law;

(iii) required to be allocated for a specific program, project, or activity in a law (other than an appropriation law) that mandates the expenditure of budget authority from accounts, programs, projects, or activities for which budget authority is provided in an appropriation law;

(iv) represented by the product of the estimated procurement cost and the total quantity of items specified in an appropriation law or included in the statement of managers or the governing committee report accompanying such law; or

(v) represented by the product of the estimated procurement cost and the total quantity of items required to be provided in a law (other than an appropriation law) that man-

dates the expenditure of budget authority from accounts, programs, projects, or activities for which budget authority is provided in an appropriation law.

(B) The term “dollar amount of discretionary budget authority” does not include—

(i) direct spending;

(ii) budget authority in an appropriation law which funds direct spending provided for in other law;

(iii) any existing budget authority canceled in an appropriation law; or

(iv) any restriction, condition, or limitation in an appropriation law or the accompanying statement of managers or committee reports on the expenditure of budget authority for an account, program, project, or activity, or on activities involving such expenditure.

(8) ITEM OF DIRECT SPENDING.—The term “item of direct spending” means any provision of law that results in an increase in budget authority or outlays for direct spending relative to the most recent levels calculated consistent with the methodology used to calculate a baseline under section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 and included with a budget submission under section 1105(a) of title 31, United States Code, in the first year or the 5-year period for which the item is effective. Such item does not include an extension or reauthorization of existing direct spending, but only refers to provisions of law that increase such direct spending.

(9) LIMITED TARIFF BENEFIT.—The term “limited tariff benefit” means any provision of law that modifies the Harmonized Tariff Schedule of the United States in a manner that benefits 10 or fewer entities (as defined in paragraph (12)(B)).

(10) OMB.—The term “OMB” means the Director of the Office of Management and Budget.

(11) OMNIBUS RECONCILIATION OR APPROPRIATION MEASURE.—The term “omnibus reconciliation” or “appropriation measure” means—

(A) in the case of a reconciliation bill, any such bill that is reported to its House by the Committee on the Budget; or

(B) in the case of an appropriation measure, any such measure that provides appropriations for programs, projects, or activities falling within 2 or more section 302(b) suballocations.

(12) TARGETED TAX BENEFIT.—

(A) The “term targeted tax benefit” means any revenue-losing provision that provides a Federal tax deduction, credit, exclusion, or preference to ten or fewer beneficiaries (determined with respect to either present law or any provision of which the provision is a part) under the Internal Revenue Code of 1986 in any year for which the provision is in effect;

(B) For purposes of subparagraph (A)—

(i) all businesses and associations that are members of the same controlled group of corporations (as defined in section 1563(a) of the Internal Revenue Code of 1986) shall be treated as a single beneficiary;

(ii) all shareholders, partners, members, or beneficiaries of a corporation, partnership, association, or trust or estate, respectively, shall be treated as a single beneficiary;

(iii) all employees of an employer shall be treated as a single beneficiary;

(iv) all qualified plans of an employer shall be treated as a single beneficiary;

(v) all beneficiaries of a qualified plan shall be treated as a single beneficiary;

(vi) all contributors to a charitable organization shall be treated as a single beneficiary;

(vii) all holders of the same bond issue shall be treated as a single beneficiary; and



(viii) if a corporation, partnership, association, trust or estate is the beneficiary of a provision, the shareholders of the corporation, the partners of the partnership, the members of the association, or the beneficiaries of the trust or estate shall not also be treated as beneficiaries of such provision;

(C) For the purpose of this paragraph, the term "revenue-losing provision" means any provision that is estimated to result in a reduction in federal tax revenues (determined with respect to either present law or any provision of which the provision is a part) for a period of the—

(i) first fiscal year for which the provision is effective; or

(ii) five fiscal years beginning with the first fiscal year for which the provision is effective;

(D) the "term targeted tax benefit" does not include any provision which applies uniformly to an entire industry; and

(E) the terms used in this paragraph shall have the same meaning as those terms have generally in the Internal Revenue Code of 1986, unless otherwise expressly provided.

#### SEC. 605. ABUSE OF PROPOSED CANCELLATIONS.

The President, or any executive branch official, should not condition the inclusion or exclusion or threaten to condition the inclusion or exclusion of any proposed cancellation in any special message under this title upon any vote cast or to be cast by any Member of either House of Congress.

#### TITLE VII—PAY-AS-YOU-GO

##### SEC. 701. STRENGTHENING PAY-AS-YOU-GO.

(a) LIMITATION.—In the House, in determining the effect of a bill, joint resolution, amendment or conference report on the deficit or surplus for purposes of clause 10 of rule XXI of the Rules of the House of Representatives, the Committee on the Budget shall disregard provisions that are impermissible offsets.

(b) DEFINITION OF IMPERMISSIBLE OFFSETS.—A provision is an "impermissible offset" if the Committee on the Budget determines that it—

(1) is the same or substantially the same as a change in law reducing the deficit included in a bill, joint resolution, or conference report previously passed by the House but not enacted;

(2) causes a decrease in outlays within the first time period set forth in clause 10 of such rule XXI, but causes no change in outlays over the second time period included in the clause; or

(3) causes an increase in revenue within the first time period set forth in clause 10 of such rule XXI, but causes no change in revenues over the second time period included in the clause.

(c) TREATMENT OF DIRECT SPENDING PROVISIONS.—In the House:

(1) For purposes of enforcing clause 10 of rule XXI of the Rules of the House of Representatives, a provision included in a bill, joint resolution, or conference report increasing direct spending in any year may be deemed by the chairman of the Committee on the Budget to be structured such that it artificially disguises an increase in entitlement spending by use of expiration dates or reductions in entitlement or beneficiary levels.

(2) The chairman of the Committee on the Budget shall cause a clear statement for any bill, joint resolution or conference report as to whether a provision increasing mandatory budget authority or outlays has or has not been structured as described in paragraph (1), to be inserted in the Congressional Record if requested by the Speaker, the Majority Leader, the Minority Leader or the Ranking Member of the Committee on the Budget.

(d) STRENGTHEN PAY-AS-YOU-GO.—It shall not be in order to consider any bill, joint resolution, or conference report that increases the deficit in the budget year or the five-fiscal year period following the second period of fiscal years set forth in clause 10 of rule XXI of the Rules of the House of Representatives. The effect of such measure on the deficit or surplus shall be determined on the same basis as set forth in such clause.

#### TITLE VIII—GENERAL PROVISIONS

##### SEC. 801. 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 to reflect the timing of responses to reconciliation directives pursuant to section 201 of this resolution.

##### SEC. 802. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

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).

##### SEC. 803. 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. 804. 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.

The Acting CHAIRMAN. Pursuant to House Resolution 1036, the gentleman from Wisconsin (Mr. RYAN) and a Member opposed each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. Mr. Chairman, at this time I would like to yield 1 minute to the esteemed minority leader, Mr. BOEHNER.

Mr. BOEHNER. Mr. Chairman, I want to thank my colleague from Wisconsin for yielding and congratulate him and the Republican members of the Budget Committee for a job well done in putting this budget together.

I also want to thank our colleague from South Carolina, Mr. SPRATT, the chairman of the committee for their budget. Although I'll be critical of it, still, the gentleman did his work, and the House is considering the budget at the time of the year the House should be considering its budget, in March, and in early March, which has not always happened.

When we think about our budgets, it's not as complicated as people think. It's about revenue coming into the Federal Government and revenue going out of the Federal Government to provide benefits for the American people. And it's not just about numbers for this year. It's about numbers for next year and over the next 5 or 10 years that we need to look at so that there is a balance between revenues and expenses.

Clearly, over the last 40 years, there's been a big imbalance between what goes out and what comes in. And the fact is that in 36 of those 40 years, the Federal Government has run a deficit, at least 36. I think 36 of the 40 years we've run a deficit. We balanced the budget in the late 1990s when Republicans controlled the Congress by holding the line on spending while revenues to the Federal Government were growing in a healthy economy, held the line on spending at or near the rate of inflation, and revenues surpassed expenses for the first time in some almost 30 years.

But here we are again, back in a situation where we're spending more than what's coming in, mostly as a result of the attacks of 9/11, the aftershocks to our economy. But if you look at the revenue over the last 5 years, revenues have grown at 11 percent annually in each of the last 4 years, going back through 2006. And even in 2007, revenues to the Federal Government grew, estimated to grow at about 8 to 9 percent. And so revenue growth to the Federal Government, I think, has been healthy since we reduced taxes on capital gains and dividends, per child tax credit, and relief for the marriage penalty back in 2001 and 2003.

□ 1530

And so you can see that reducing tax rates doesn't mean less revenue to the Federal Government. Matter of fact, you can look back over the last 27 years, other than a couple of small exceptions, there has been a significant effort to lower tax rates, income tax rates, capital gain tax rates; and as a result, there has been more economic activity in our country, more people employed in our country, and more people paying taxes.

And so if you look at the marginal tax rates today as compared to 1980, you see that those tax rates are significantly lower. Yet the Federal revenue, the taxes that American families pay, continues to come into Washington at very high levels of growth on an annual basis.

I would argue that making the capital gains tax rate permanent, making the rate on dividends permanent, would give more people reasons to invest in America's economy allowing those rates of growth in revenue to the Federal Government to continue.

And so Washington doesn't have a revenue problem. Washington has a spending problem. And when you look at the Washington spending problems, it really rolls down to several things: one is controlling the growth of domestic discretionary spending. I think, by and large, if you look at the budgets that we've seen over the last 15 years, we've done a fairly good job of controlling domestic discretionary programs and the spending that goes there. There are some exceptions, and there is certainly some room to eliminate some of what I would call wasteful Washington spending. But if you look at the increases, most of it has gone into the area of defense.

The real problem that we have is that we continue to have an older America. The number of Americans over 65 continues to grow and will grow significantly as I and other baby boomers begin to retire.

And so when you look at the problem today in terms of the spending problem, it is in the entitlement area. And the underlying budget that the majority has put forward does nothing to reform entitlement spending. I came here in 1990 because I thought that programs like Social Security and Medicare were unsustainable unless Congress was willing to act to protect those programs.

And here we are in my 18th year. We've nibbled around the edges of a couple of these programs, but have never really done anything that would make these programs sustainable for tomorrow and for succeeding generations. As I have said hundreds of times on this floor, our generation has made promises to ourselves that our kids and grandkids can't afford.

So if you look at the budget being presented by myself and our Republican colleagues, we assume that the capital gains rate of 15 percent will be made permanent. We assume that the

rate on dividends at 15 percent is made permanent and the per-child tax credit is put in permanent law as is the marriage penalty, the tax cuts that were put in place on a temporary basis in 2001 and 2003.

So our budget balances over the next 5 years, and it balances because we go in and actually do something about the spending side of the equation.

Now, if you look at the Democrat budget, they assume that the 15 percent capital gains rate goes back to 20 percent. They assume that the 15 percent rate on dividends goes to whatever the marginal tax rate for that taxpayer would be, probably an average tax rate of about 30 percent on dividends, or double that tax, that the marriage penalty comes back in for all Americans and that the \$1,000 per-child tax credit goes away.

And I forgot one, of all things: the death tax that we want to see go away completely in 2010. The death tax, under the Democrat proposal, comes back in full force putting the Federal Government back into a competition with the heirs over the balance that we have in people's estates.

But the real issue in the Democrat budget is spending. If you look at the chart I'm holding here, the Democrat budget assumes all of these tax cuts go away. So you have a \$683 billion tax increase in their budget, the largest one in American history; and they have it in because if you look at their spending levels, they do nothing about reforming entitlement programs or putting a lid on the growth of domestic discretionary spending.

So I think that the budget that the Republicans are putting forward here is a responsible budget, and I think, frankly, a majority of the American people would agree with me. We ought to keep tax rates low. We ought to encourage economic activity and more economic growth in America that would provide more opportunity for more jobs and better paying jobs in America, and to get the balance, do something constructive about Social Security and Medicare, especially, to modify those programs so that we can save them for future generations.

At some point, we are going to have to ante up to the piper, and the sooner we begin to address the long-term problems in Social Security and Medicare, the better off we will be.

So I would encourage my colleagues to look closely at the budget put together by Mr. RYAN and his Republican colleagues on the Budget Committee, and I ask all of our Members to consider supporting it.

Mr. SPRATT. Mr. Chairman, I rise in opposition to the substitute.

The Acting CHAIRMAN (Mr. SERRANO). The gentleman from South Carolina is recognized for 30 minutes.

Mr. SPRATT. Mr. Chairman, I yield myself 6½ minutes.

Mr. Chairman, I think it bears remembering that 8 short years ago the budget of this government was \$236 bil-

lion in surplus. Since 2001, we have experienced, on the watch of this administration, the largest deficits, nominal deficits, in American history, and an accumulation of debt that's enough to blow the mind. The debt of this country was \$5.7 trillion when Mr. Bush came to office. When he leaves office, it will be \$10 trillion. So that explains why we are skeptical, if you will, and even more skeptical and dubious when we look at the substitute resolution that has been brought to the floor, about which the leader barely spoke until he got to the very end of his presentation a few minutes ago.

To find the real numbers in this resolution, the leader said that this is addressed to deal with a spending problem, not a revenue problem. So as we look through the spending side of the resolution, we have to go all the way to an obscure account called function 920 Allowances to find where the real action is.

Now, this function is typically an allowance function where we have things we haven't decided how to assign yet and put into allowances because we know it is a catch-all account until some decision is made as to how to treat it.

Typically, therefore, you find smaller amounts in this account; but in this particular case, in this particular resolution, \$817 billion in additional cuts are called for.

If you look at the Republican resolution, initially it seems to be providing current services for just about every function. But then you get to function 920 and you see that what has been provided is taken back. And when you ask where these cuts are distributed, who bears the brunt of \$817 billion in cuts over a 5-year period of time, there is no real answer because they're unallocated. We've heard them say they've added a billion dollars to veterans health care; but once they begin allocating the \$817 billion, that billion dollars is likely to be wiped out.

The same can happen to defense and nondefense programs. We can't say, because \$817 billion is left unresolved tucked away in this account called function 920. This is the first black hole in this budget.

This budget then goes on. You can do a little arithmetic and figure out that \$405 billion is assigned to cuts in domestic discretionary spending, \$417 billion is assigned to mandatory cuts. Mandatory cuts are entitlement programs like Social Security, Medicare and Medicaid; and if you look at the accounts here, you will find that basically it appears that the Ways and Means Committee is being directed to save \$253 billion, is presumably out of Medicare; the Energy and Commerce Committee is being asked, told, directed to save that \$116 billion out of Medicaid. These are not just small cuts, minor adjustments that you would normally find in function 920. These are emasculating cuts for programs that are critically important.

Then when we come to the reconciliation provisions, we find that the Republicans' substitute anticipates at least another \$1.1 trillion in tax reduction. How that's allocated, we can't tell for sure; but the tax cuts have to be reconciled against the mandatory spending cuts. When you do that, what we find is the tax cuts equal \$1.1 trillion; the mandatory spending cuts equal \$412 as a \$739 billion addition to the deficit. It worsens the deficit rather than improving the deficit. That's the second black hole in this particular budget.

Reconciliation actually works as a problem instead of improves it. We know that the other side intends to repeal the alternative minimum tax after 3 years. We know also that they intend to extend the tax cuts that were enacted in 2001 and 2003. The total of these would come to \$2.5 trillion easily over a period of 5 to 10 years; and if that's the case, the third hole, the third hole that this resolution leaves is a big hole in the bottom of the budget.

So what we've got here is work that is not really a completed product. It is not a finished product because function 920 leaves \$817 billion still to be distributed, still to be determined. By whom? Apparently by the appropriators or someone like this, but not today on the floor. When you vote for this today, it has tremendous consequences.

Let me just offer one illustration of what the consequence might be.

After the cuts in Medicare and Medicaid, which are truly sizable, they are starkly large, there is a cut called for of \$115 billion in savings by the Education and Labor Committee. Now, where would the Education and Labor Committee go to get such cuts? They would go to student loans.

We have just done something phenomenal. In last year's budget, we were able to make some rearrangements and reduce the interest rate over time and subsidize student loans from 6.8 percent to 3.4 percent. A phenomenal accomplishment. This indicates that the reduction in interest would be abolished, reversed, as one way of achieving that direction to save \$115 billion.

We just passed a College Cost Reduction and Access Act. One of the things it did would take Pell Grants up to \$5,400 over time. That, too, would have to be repealed in order to meet \$115 billion.

So watch out for the black holes. Watch out for the things that won't easily appear as you read the language here. If anyone votes for this, we are voting, in effect, in my opinion, to go back to where we were over the last 7 years in a period of endless deficits and mountainous debts. This is not the way to go. This is not good work. This is not a finished product, and we should not support this as an amendment to the base bill.

I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Chairman, at this time I would like to yield 2 minutes to our minority whip, Mr. BLUNT.

Mr. BLUNT. Mr. Chairman, I rise in support of the budget he brings to the floor. I think it's clear, looking at that budget, that the specific cuts that have just been suggested don't have to be the cuts that are made. That's up to those committees.

Now, I personally, as a former university president, would not go to student loans as the first thing to look at of all of the things that are in the Education and Labor Committee to decide what the Federal Government's doing that it could be doing better. This is a budget that's willing to take that kind of responsibility. This is a budget, a budget that's being presented by Mr. RYAN, that's willing to look at the things that otherwise will overwhelm us in the future.

The mandatory spending in the Federal Government is going to be overwhelming if it is not dealt with. This budget deals with it. I had people yesterday, reporters, asking, well, how could you slow the growth of these mandatory programs from 5.2 percent to 3.8 percent? That would be \$400 billion over 5 years.

□ 1545

Now, the key is slow the growth. The other key is they would still grow by 3.8 percent. And the final key is we're going to have to look at these programs and not just think about them in terms of whether we care based on how much money we spend, but whether we care based on the service we provide.

And we can look at these programs, as this budget anticipates we will, in a way that makes us look at health care so that people have more rights to have choices in health care, so they have more rights to their information in health care. We can look at health care. We can look at Social Security. We can look at things that provide a better service in a better way for taxpayers and recipients.

Just simply not exceeding inflation as our goal doesn't mean we're going to provide worse service. It means we're going to really look at these programs seriously. This budget has the courage to do that. I rise in support of it and hope that my colleagues will join me.

Mr. SPRATT. Mr. Chairman, I yield 4 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. I thank my friend for yielding.

Mr. Chairman, this week, the House has in front of it two well-thought-out but starkly different visions of where to take the country. We have put forward a budget that is true to our principles. We believe that you grow the economy and create opportunity for people by stopping the practice of running the government on borrowed money, by investing in the education, health care, and development of our people, and by expanding opportunities

for economic development both here and around the world.

The minority, true to its principles, has introduced a budget which follows its strategy. I think this is a sincere and well-thought-out budget whose principles are just wrong. And if anything, I think that this budget is nostalgic because it does remind us of the 6 years in which the minority had the majority in both the House and the Senate and the White House. And it follows a tried and true, but failed, strategy, which is to say that you reduce taxes by more than you cut spending, and you borrow the difference.

Now, if I add this up correctly, in reading the minority's budget, it calls for spending cuts in the area of \$800 billion over 5 years. Perhaps there's a different interpretation, but it would seem to me that there is entitlement spending reduction there and also discretionary. And it calls for reductions in revenue over a 5-year period in the vicinity of \$1.2 trillion. So it would appear to me that there is about a one-third or \$400 billion difference between the reduction in revenues that is called for and the reduction in spending that is called for. That is, if nothing else, traditional to the practice of borrowing money to run the government.

Second, I have a concern about the specificity of the spending cuts that are put forward. Our friend from Missouri, the minority whip, just talked about the instructions to cut spending in the Education and Labor Committee's area. And our friend said that, as a former university president, he would not first look to cut student loans as a way to deal with the cuts that are required under the minority's budget. Well, I would respectfully say to him, Mr. Chairman, through you, that to my knowledge there is only two other places one could look to find those cuts: The first would be in the pensions of Americans through the Pension Benefit Guaranty Corporation, and the second would be through the school nutrition program, through school breakfasts or lunches.

So, one can say that you don't want to cut student loans, but if you do, then you've got to turn either to the school lunch or breakfast program, or the pensions of Americans.

We, frankly, disagree with that approach. We took a very different approach on student loans, as the chairman said. What we did was to cut student loan rates in half and expand opportunities for Pell Grants and other scholarships, and we did so without borrowing money. What we did was to go after what we felt were unjustifiably high subsidies for the student loan banking industry. So, this example, I think, shows the difference in philosophies.

In order to finance tax cuts which are skewed toward the wealthiest in our country, the minority would borrow a substantial amount of money on top of the debt it has already run up, and it would pay for it in part by cutting either student loans, by raising interest

rates to students, or cutting school lunches and school breakfast programs, or somehow getting money out of the Pension Guaranty Corporation. We would not do that. What we did was to cut student loan rates in half, increase Pell Grants and other scholarship opportunities, and pay for it without borrowing money by reducing what we view as a corporate welfare subsidy to the student loan banking industry.

This is a very big difference. It's a legitimate difference. We think it's why the gentleman's amendment should be rejected.

Mr. RYAN of Wisconsin. Mr. Chairman, I would like to yield myself 6 minutes, and I'm going address the House in the well.

Mr. Chairman, first of all, I want to start off by thanking my friends from New Jersey and South Carolina. They did put together a credible budget that adds up. We did, too.

Budgets are about priorities; they're about values; they're about what way you think the country should go on a fiscal ship. Let me walk through our budget and how it's different.

Number one, my friend from New Jersey and the chairman himself said that by calling our budget that makes today's tax policy a permanent tax cut, I want to thank them for saying that. By keeping tax rates where they are today, which is what we propose, a tax cut, then the opposite of that is a tax increase. They have proven my point. Their budget raises taxes.

Now, let me simply show you, Mr. Chairman. This red line is the baseline that the Democrats have chosen to adopt for their budget. This blue line is the baseline we've chosen on revenues to adopt for our budget. The blue line says, make the child tax credit permanent, repeal the marriage penalty forever, make the income tax rate not go up, keep the death tax repealed, keep the lowered tax rate on capital gains and dividends. What does the Democrat budget do? It raises taxes \$683 billion on everybody, not just rich people.

What do we do on the alternative minimum tax? Here's what the Democratic budget proposes to do: It proposes to patch it for a year by swapping it out with another tax increase. Then, by 2009, about 30 million people are going to get hit by it; 2010, 31 million people. On and on and on. We propose to make sure no new people get hit by the alternative minimum tax, then we phase it out completely. That's point two of what our budget achieves.

Point three, and I think you're going to hear this a lot, we cut, cut, cut, cut, cutting here, cutting there. You hear this sort of legislative gobbledegook about function 920. Well, as we looked at the Democratic budget, we really couldn't find any savings, but we did, we found a sliver of savings in the budget. Where was that sliver of savings kept? Function 920.

What matters in a budget resolution are two numbers, the discretionary

number, the 302(a) we call that, we do that, and the direction to the committees, we do that. We do it just like the Democrats did it. That's how we wrote our budget. But there's a difference. You may not be able to see this. For those who are watching on TV, you may have to zoom in. The CBO baseline is the red line. The Republican substitute is the blue line. Not a huge gap of difference in spending. We are simply saying let's not spend that money as fast, and by controlling the growth and the increase in spending, we can make sure we don't raise taxes on the American people. We can repeal the alternative minimum tax. That's the difference in values between the two of us.

Let me give it to you in a different way. What we Republicans are proposing to do is, instead of spending \$15.82 trillion over the next 5 years, let's instead spend \$15.32 trillion over the next 5 years. Don't spend 15.8, spend 15.3. What's the difference? We're not cutting the child tax credit in half. We're not bringing back the marriage tax penalty. We're not raising every single income tax payer's tax rates across the board. We're not raising the tax on pensions and 401(k)s by raising the tax on dividends and capital gains, and we're not going to keep taxing people when they die. At the end of the day, though, what are we doing for our children and our grandchildren? That's what we should be talking about in budgeting.

Budgets are moral documents. There is a moral imperative before this country, before this Congress, and that moral imperative is, what are we doing for future generations? In just one program, in just one program, the Medicare program, one of the most important programs in the history of the Federal Government, the Democrats' budget proposes to increase its debt by \$11 trillion. The debt for Medicare right now stands at \$34 trillion; that's the unfunded liability. What are the Democrats doing by doing nothing, by going 5 years with blinders on? \$45 trillion. That breaks down to \$395,000 per household, each household would owe to make Medicare whole.

What are we doing? We're reforming the program. We're making it work better. We're giving it changes that are needed so that we can make it sustainable, so we can save the program for the baby boomers.

We lower the Medicare debt and unfunded liability by \$11 trillion to 23. The Democrats raise the debt to Medicare alone by \$11 trillion; we reduced it by \$11 trillion. At the end of the day, it's about priorities.

We also call for a 1-year moratorium on earmarks. We're simply saying, let's just take a time-out from pork for a year in Congress. What do we achieve with that? By not doing earmarks for 1 year and by saving that money in this budget, we can make sure we don't raise taxes on every household by \$500 per child. We can make sure we don't

return to the days of taxing people when they're married. Just those two things can be accomplished by saying "no" to earmarks for a year, having a time-out, saying let's have Democrats and Republicans from both parties from both the Senate and the House get together and figure out how to clean up this system and, in the meantime, save the money. So we don't tax people for having kids and we don't tax people for being married.

At the end of the day, you're going to hear all this rhetoric about cuts, about devastation, about how wrong it is and how immoral it is. We're simply saying, instead of spending \$15.8 trillion, spend \$15.3 trillion. We're still increasing spending, but let's not increase it as fast as Washington has been spending it so we can save that money, so we can make sure we don't raise taxes on Americans. That's what our budget does.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. Mr. Chairman, this week, or just today, rather, it was found out, we discovered and it was reported, that the United States is running a \$176 billion deficit in February alone. Earlier this week, we also found out that the Iraqis have a surplus of over \$50 billion.

We also know that the American taxpayers have paid for 20 Iraqi hospitals to be refurbished and 80 health clinics to have been built and 60 more planned. And the Republican budget, in the area of health care, cuts \$370 billion from Medicare and Medicaid.

The Iraqis, due to the American taxpayers, will get 6,700 schools rehabbed. The Republican budget eliminates the Pell Grant increases that Congress proposed this year.

We're also increasing our funding and training of the Iraqi teachers. The Republicans plan to reduce the military retirement and health care benefits by \$1.3 billion. And while Iraq is running a surplus and not spending their resources on improving their country, the entire deficit over the entire period of time that the Republican budget has is a little over \$700 billion.

President Kennedy once said, "To govern is to choose," and my friends on the other side have made some choices. While the Iraqis run a surplus, they've made sure that America runs a deficit. While Iraq and American taxpayers are asked to make sure that we rebuild schools and hospitals in Iraq, here in the United States their budget cuts those very investments.

In fact, the Democratic budget turns this ship around of inheriting \$3.8 trillion in new debt that has accumulated over the last 6 years and ensures that we invest in American schools, in American hospitals, in American health clinics, and in American teachers. And it ensures, also, that we have a middle class tax cut. So, it makes sure that, while we are doing what we are supposed to do in Iraq, we don't do

it at the expense of what we need to do here at home. We have invested in Iraq, and our budget ensures that we invest in America.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself 30 seconds just to simply say to my friend from Illinois, cutting military benefits? Where did that one come from? Not true, not even anywhere in our budget. You know what? Medicare goes up, spending goes up. Education? Spending increases. I don't know where these cuts are coming from that he's talking about, but that's not in our budget.

At this time, Mr. Chairman, I would like to yield 2 minutes to the gentleman from Virginia, our assistant minority whip, Mr. CANTOR.

Mr. CANTOR. I thank the gentleman.

First of all, let me respond to some of the assertions made by our friend from Illinois. He tries to portray this as a choice, a budget document that represents a choice between the Iraqi people and the American people. I beg to differ with the gentleman.

This budget document is not a choice about that. This budget document represents a choice about the future of where we're going in this country. This represents a choice about whether we here in Washington are actually going to do something for the American people.

You know, if you think about the American people right now when they're watching us on TV, you know, I don't blame them when they look at the TV in disgust and say, you know, they just don't get it up in Washington.

□ 1600

They believe, and they're right, that Washington is broken and we have got to do something to fix it. Frankly, we have got to get the Federal Government working for the people again. But that means we have got to spend less.

The gentleman from Wisconsin talked about the fact that there is absolutely no treatment, no curtailment of anything having to do with the earmark question. Earmarks are just the tip of the iceberg as far as our spending culture is here in Washington. Let's go ahead and take the first step. Let's reform that process because we have got to spend less.

Let's face it: gas prices, they're too high. The American public is sick and tired of excuses coming out of Washington. But the way to fix it is not to put more burden on the American family while they are already facing the prospects of \$4-a-gallon gas this summer. That's just not what we do. People across this country are worried about their health care. They're worried about their jobs. This stuff about we're going to provide you with middle-class tax cuts, have you looked to see what's in this document? This document will lead us to the largest tax increase in American history.

The choice here is not between whether we are going to provide for our national security and the people of

America. The choice here is whether we are going to trust in the people to control their own destiny.

Mr. SPRATT. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. I thank the chairman for yielding.

Mr. Chairman, we have to remind ourselves exactly where we are with the policies that took place in 2001 and 2003 and what has happened to our budget. You will see that we dug ourselves out of a ditch from 1993 to 2001, and it had a surplus. And overnight that surplus has absolutely collapsed. And we need a chart because there is a lot of partisanship on the floor. If you tried to describe this, people would think you're being partisan because they can't believe that you could do this to the budget.

In fact, in the 10 years after 2001, we had a projected surplus of \$5.5 trillion. After the policies of 2001 and 2003, it looks like we are going to have a \$3 trillion deficit, not a surplus, a swing of \$8.8 trillion.

Now, a \$5.5 trillion surplus. Everybody knows that the Social Security program is in trouble. In 2001 we had a shortfall of \$4 trillion in the Social Security program. If we had \$4 trillion in the bank in 2001, we could pay Social Security for 75 years without reducing benefits. We had a surplus of \$5.6 trillion, not just the \$4 trillion we needed to solve all of the problems in Social Security.

When we started in 2001, one of the questions that Chairman Greenspan had to answer was, what's going to happen when we pay off the national debt? Because by 2013 we would have paid off the national debt and put all the money back in the trust funds. Zero debt, zero interest on the national debt. Now it looks like in 2013 we're going to have to pay \$300 billion a year in interest on the national debt because we messed up the budget. And \$300 billion at \$30,000 each is enough to hire everybody now drawing unemployment with money to spare with a \$30,000-a-year job. That's \$30,000 a year for everybody drawing unemployment. You've got money left over before you run out of people.

Now, we have heard that by cutting all these taxes, we increase revenues. Well, let me just show you this chart that shows the income tax revenues over the past years going back to 1960. The color code says that green is a year in which you had a record revenue. Red is a year in which you did not have a record revenue. You look back since 1960 through recessions, depressions, good times, bad times, high taxes, low taxes. We had record revenues every year but two, and the following year you had a record revenue. So we always get record revenues. Whoops, excuse me. Until 2001 and 2003, 1, 2, 3, 4, 5, 6 consecutive years without record revenues. So we didn't get record revenues.

And we hear that people are bragging about jobs that were created during

this time. Let's look at the chart, get rid of the arithmetic. The worst job performance in this administration since Herbert Hoover. You've got to go back to Herbert Hoover to find job performance any worse than this.

So we've gotten into the ditch. We're trying to get out of the ditch. The Democratic budget makes the responsible decisions to try to get us out of the ditch. We've had tough decisions.

And other things like earmarks, we have heard this thing about earmarks: just cut out the earmarks and we will save some money. Let's have a word about how these earmarks work. If you have an appropriation of \$200 million and I have got a little earmark for \$1 million for a program in my district, that comes out of the \$200 million. If I don't get an earmark, \$200 million. If I get an earmark, \$200 million. Get rid of the earmarks, and you're not saving the taxpayers any money. What this Republican budget does is it has a fantasy of about \$800 billion in unspecified cuts. We don't know where these cuts are coming from. It might be health care. It might be student loans, school lunches, food safety, airline inspections, homeland security, port security grants, public safety. We've already tried to cut back on the COPS program.

This budget makes no sense unless you actually name the cuts, because the fact of matter is you're probably not going to cut student loans. You're probably not going to cut the school nutrition program. You say you're going to cut, and you don't do it. And so you've had the tax cuts. You got us in the ditch. And then when the spending cuts come around, nothing happens. So until they start naming what will be cut, this entire budget proposal substitute makes no sense.

I would hope that we would adopt the Democratic budget. I would have hoped that we had had the Congressional Black Caucus budget, but the Democratic budget makes a responsible attempt to reduce the deficit, go into surplus, and make the expenditures on the priorities that we desperately need.

We should reject this substitute and adopt the underlying bill.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself 30 seconds to make three points.

The gentleman's revenue chart makes our point. After the dot-com bubble, we went into recession and revenues went down. After the tax cuts, and his own chart makes the point clear, revenues went up.

Point number two, this budget, the Democratic budgets, has the single largest increase in the national debt in any given year in the history of the country.

Point number three, Mr. Chairman, as the gentleman just acknowledged more or less, their budget raises taxes. We don't believe we should be raising taxes at a time when people are paying a lot just to live in a time when we're about to go into recession.

With that, Mr. Chairman, I would like to yield 2 minutes to the gentleman from South Carolina, the vice-ranking member of the Budget Committee (Mr. BARRETT).

Mr. BARRETT of South Carolina. I thank the gentleman for yielding.

Mr. Chairman, I rise in strong support of the Republican substitute. And there is a clear difference between the two proposals on the table.

The key to managing, and budgeting, is to set priorities. Everybody knows that that has had a family or run a business. You have to do this. You have to make tough choices, and you can't have everything you want when you want it.

But the Democrats have refused to set priorities, Mr. Chairman. They simply want to spend more on everything and everyone within the reach of the Federal Government. And to pay for all this new spending, well, they simply want to raise taxes, this time by \$683 billion, the largest tax increase in American history.

If you want me to bring it home in South Carolina terms so all my folks in South Carolina can understand it, this is a \$2,500 tax increase for the average South Carolina home, \$2,500.

The Republican substitute achieves a balance by 2012 without raising taxes. Also, this substitute attempts to repeal another looming tax increase by completely repealing the AMT, the alternative minimum tax, by 2013.

Our country's on the verge of a financial crisis, Mr. Chairman. The total unfunded entitlement liability, Medicare and Social Security, this country faces is \$53 trillion. Former Comptroller General David Walker said, "You are not going to tax your way out of this problem. You are not going to grow your way out of this problem. You are not going to do it by constraining spending. You are going to have to do it by a combination of things, and the biggest thing you are going to have to do is entitlement reform, Social Security and Medicare being the greater challenge. And we need to start soon because time's working against us. That \$53 trillion number is going up between 2 and \$3 trillion a year by doing nothing."

The Republican substitute reduces the \$53 trillion unfunded liability by \$11 trillion. It makes an attempt to secure the future existence and benefits of major entitlement programs, especially Medicare and Medicaid, which are currently on an unsustainable path to spending.

Mr. Chairman, therefore, I not only firmly support this Republican substitute but insist on it so we don't raise taxes any higher on the American citizens.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Chairman, we have heard about this average tax cut. I just want to show a chart of what they mean when they talk about "average."

This is a \$20 billion tax cut that's in the Republican package. It's involving personal exemption phaseout and the elimination of ceilings on itemized deductions. This is \$20 billion, which is an average \$100 for every man, woman, and child. And here's how you distribute the average for this tax cut: if you make over \$1 million, you get \$17,500. If you make \$200,000 to \$1 million, you get about \$650. If you make \$100,000 to \$200,000, you get \$11 out of this tax cut. And if you make under \$100,000, you get on average zero. This is what they call an "average" \$100-a-person tax cut.

When they talk about the biggest tax cut and all this kind of stuff, let's be clear. What is repealed or what we allow to expire are the kinds of policies that got us into the ditch to begin with. We need to let them expire, get back on the right track, balance the budget, and address our priorities.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 3 minutes to the gentleman from Texas, a senior member of the Budget Committee, (Mr. HENSARLING).

Mr. HENSARLING. I thank the ranking member for yielding, and I certainly thank him for his leadership and all he does to protect the family budget from the Federal budget.

Mr. Chairman, today the American people are truly presented a tale of two budgets. Look at the Democrat budget: a \$683 billion tax increase, the single largest tax increase in American history. And, Mr. Chairman, it's about \$3,000 out of every American family paycheck a year. This is written in the law. This isn't something they are planning. This is something written into law. And I hope, Mr. Chairman, that they'll reflect upon how this impacts working families in their district because I can assure you I hear from families in my district.

I heard from the Vance family in Maybank, Texas, in the Fifth Congressional District. They write: "Dear Jeb, both my wife and I are cancer patients, and I can't for the life of me understand why anyone would think this Nation could survive such a huge tax increase at this time. As it stands right now, I would have to sell my house, lose my small business, and go without health insurance" to pay the Democrat tax increase. The Republican budget: no tax increases.

Let's look at the spending side. No news here. The largest single budget in American history. More government programs, more government spending, more of the same. The Republican budget actually has spending control, holds discretionary spending to 4.3 percent, and still funds our Nation's priorities.

Let's look at the national debt. What did the Democrats bring us? The single largest 1-year increase in the Federal debt. The Republican budget balances the budget in 2012 without, I repeat, Mr. Chairman, without tax increases.

Let's look at earmarks. The Democrat budget: status quo. They want to

continue the earmarks. While they are raising taxes on hardworking American families \$3,000 a year, just look at what they did last year.

□ 1615

There was \$100,000 for landscaping for the L.A. fashion district; \$300,000 to train people to work on Hollywood movie sets; \$2 million, \$2 million so they could create a monument to one of their Members, all while putting the single largest tax increase on American families. Now let's think about entitlement spending: Medicare, Medicaid, and Social Security. They're not going to be around for my 6-year-old daughter or my 4-year-old son unless we reform these entitlements.

The Democrat budget? Stone cold silent. What does that mean? Listen to our former Comptroller General: "The rising cost of government entitlements are a fiscal cancer that threatens catastrophic consequences for our country and could bankrupt America."

The Republican budget reforms these programs. It is a budget for the next generation. Theirs is a budget for the next election. Two completely different visions, Mr. Chairman. Theirs is a vision of more government, less opportunity, and higher taxes. Ours is about greater economic security and a brighter future for our children. We don't want to be the first generation in America's history to leave the next generation with a lower standard of living. And that's what they do by remaining stone cold silent on the greatest fiscal challenge to our Nation. We can have a brighter future for our children, but we must enact the Republican budget.

Mr. SPRATT. Mr. Chairman, I yield 1 minute to the majority leader of the House, Mr. HOYER, the gentleman from Maryland.

Mr. HOYER. I'm always interested to listen to some of the representations made on this floor. I have been here some time, as all of you know.

Ronald Reagan said "trust but verify." For 27 years, all but 8 of those with Republican Presidents, I have heard representations from the floor by Republicans about what their deficits were going to do.

For every one of those 27 years that Republicans were President of the United States, every one without exception, we ran huge deficits. And this year will be no different. The Republicans have had monopoly on policymaking in this town for essentially 7 years. This past year, we had some authority because the American people wanted change. But clearly, the President of the United States would not agree with us, and we had to do what the President would agree to so that, essentially, without restraint, the Republicans have had, for the last 7 years, the authority to do whatever they wanted to do.

The first 8 years I was here, Ronald Reagan was President. He ran \$1 trillion in deficits. Then George Bush became President, a little over \$1 trillion. This President, a little over \$1.6

trillion. President Clinton was President for 8 years, only 8 years that we have had the Presidency, and America ran a net surplus.

So when you hear the protestations of the distinguished ranking member of the Budget Committee and the gentleman who just spoke from Texas, listen to them, but verify. Look at the record of Republican fiscal irresponsibility undiminished in the 27 years I have been here.

Mr. RYAN, for whom I have a great deal of respect, and I have very substantial differences on how you get from here to there, is he correct that we need to look at our entitlement system? He is absolutely correct. As a matter of fact, as he knows, I went to the Senate and testified on behalf of a resolution that does that. There is a resolution here that does that, as well. We have to do that. There is no alternative.

Have they done that over the last 7 years of this Presidency? They did not. Did we do it in 1983 with Ronald Reagan as President, Tip O'Neill as Speaker of the House? We did. And we made Social Security secure for the next 60 years. But when we were running up those deficits that Ronald Reagan said we were not going to run up, the Social Security, Medicare, and Medicaid crisis that confronts us was decades away.

Today, the gentleman from Wisconsin is correct. It is years away. However, the solution is not to cut medical services for senior citizens and to cut education for our college students. The solution is not to put the car in reverse. The solution, as Ross Perot said, is to lift up the hood and fix it. And that is what the Spratt budget is doing. The Spratt budget is saying to all the Members of this House and to this Congress, we must act responsibly. Responsibly is not only acting fiscally responsibly, but also investing responsibly in the future of our country.

I would urge my colleagues to reject this tired, tired, tired shibboleth about "the biggest tax increase in history." Frankly, the biggest per capita real tax increase in my tenure was under Bob Dole and Ronald Reagan in 1982. And then, of course, George Bush was defeated, presumably because he tried to help balance the budget. And in fact, George Bush made a significant contribution because it was the George Bush agreement on pay-as-you-go, the 1997 Newt Gingrich-Bill Clinton agreement on pay-as-you-go that got us those 4 years of surplus of which I have spoken.

JOHN SPRATT was involved in the leadership of that effort. Tom Kahn of the committee was involved in that effort. And as a result of that effort, we brought surpluses, 4 years. Surprisingly, one of those years was a real surplus. And when I say "real surplus," notwithstanding the Social Security income that we are counting to get to either balance or surplus which is really not what we should be doing, I agree with that, on either side of the aisle.

But ladies and gentlemen, John Spratt's budget meets the test of verification. It meets the test of reality. It meets the test of saying we need to pay for what we buy and not pass it along to our children and grandchildren. The budget vote is one of the most important that we make. Not because the American people really will look closely at the budget or because they think it has great consequence in their lives. It is very difficult to see the consequence of the budget because the budget then needs to be carried out in appropriations, authorizations, and policy.

But ladies and gentlemen of this House, we know that it speaks to whether or not we have the courage of our appropriations. The gentleman that spoke before me from Texas talked about earmarks. I am always interested to hear Republicans talk about earmarks. They came to Congress and quadrupled, quadrupled, four times, the number of earmarks.

Mr. RYAN of Wisconsin. Will the gentleman yield for a friendly point on that?

Mr. HOYER. I am always pleased to yield to a friendly point. Do I get to make the judgment as to how friendly it is?

Mr. RYAN of Wisconsin. The gentleman is right. Earmarks proliferated under Republican watch. You're right about that. Both parties are guilty. That is why we should have a moratorium and clean the system up.

Mr. HOYER. I am reclaiming my time.

The tears, the crocodile tears that flow from the eyes of the ranking member of the Budget Committee about this awful thing that we called "congressional investments." It is so sad that for 6 years they were unable to discipline themselves. And by the way, last year, they were unable to discipline themselves. And guess what? This year they wanted a moratorium for 6 months.

Mr. RYAN of Wisconsin. Will the gentleman yield on that point? This budget is a 1-year, for-the-rest-of-the-Congress moratorium.

Mr. HOYER. You have gone much longer than your caucus wanted to go. I understand that. But the conference wanted to go for 6 months.

I thought it was such an interesting proposal because it meant "we will go just long enough until we really do appropriations and when it really means something." Too often, "hypocrisy, thy name is ourselves." I say it on both sides of the aisle.

Now, I'm for, as everybody knows, congressional initiatives. But I am for paying for them. When we quadrupled them, we borrowed for them from the Chinese, from the Germans, and from the Saudis. As a matter of fact, this President, as my friend knows, has borrowed more money from foreign governments than all of the other Presidents combined. Trust but verify.

Every year that I have been here, ranking members have risen, one of

whom is now the chairman of the OMB, and told me what a bright future it would be if their budgets were adopted. Now, the problem is that sometimes they can't get agreement between Senate Republicans and House Republicans on what that beautiful budget ought to be. We passed a budget last year. We lived within that budget last year. We need to do so this year. And we are trying to pay for things. We had a stimulus we didn't pay for. Some of us were concerned about that, but you can't stimulate and depress at the same time.

So my colleagues in the House, Republicans and Democrats, vote for our children and future generations today. Vote for the John Spratt Democratic budget. Reject this budget that pretends it's going to bring you balance but has never done so once, not once in the 27 years that I have been here. Vote for the Spratt budget. It is good for our country. It is good for our people. It is good for our future.

Let me first thank the chairman of the Budget Committee, JOHN SPRATT of South Carolina, for all of his hard work, patience and intelligence in producing this Democratic budget resolution—which is nothing less than a blueprint of our values and priorities.

Let me also thank my colleagues in the Congressional Black Caucus and Progressive Caucus for offering their important budget alternatives—alternatives that reflect our shared commitment to the American people and a stronger America.

Now, before I discuss what I believe to be the vastly superior and realistic Democratic budget, let me briefly address the Republican budget substitute that we are now debating.

I both like and respect the gentleman from Wisconsin, the ranking member on the Budget Committee, Mr. RYAN. He is a thoughtful, diligent Member.

And, I believe that were it up to him, he might actually try to implement the provisions in the Republican budget substitute.

But the problem, of course, is that he would be fighting a lonely, losing, untenable battle.

This we know: many, many Republicans would not support the deep, draconian cuts to domestic programs called for in their own budget.

The fact is, this Republican budget only reaches balance in 2012 by slashing funding for mandatory programs by \$412 billion.

This Republican budget would cut Medicare and safety-net programs; cut Medicaid, thereby jeopardizing health care for more than 50 million children, parents, seniors and disabled Americans; cut—and possibly eliminate—the recently enacted increase in Pell Grants; and cut funding for military retirement and health care.

Furthermore, the Republican budget implies very deep cuts in discretionary programs, devastating public health, education, safety net and infrastructure programs.

This Republican budget fails to reflect the values and priorities of the American people.

In contrast, the Democratic budget continues to move our Nation in a new direction and to clean up the fiscal train wreck caused by failed Republican economic policies over the last 7 years.

Remember, in just 86 months, Republicans have turned projected budget surpluses into

record deficits—including a projected \$386 billion this year and another \$340 billion next year—and added more than \$3 trillion to the national debt, which today stands at \$9 trillion.

Our Democratic budget restores fiscal responsibility, adhering to pay-as-you-go budget rules and bringing the Federal budget back to balance by 2012.

It rejects the drastic funding cuts in the Republican substitute and the President's budget, which includes cuts to Medicare, Medicaid, State and local law enforcement programs, and environmental protection.

It strengthens our economy, providing crucial funding for our innovation agenda, efficient and renewable energy programs, education, and infrastructure.

It provides tax relief for hard-working Americans, including a reconciliation instruction that provides offsets for a new one-year patch of the alternative minimum tax.

And, our Democratic budget makes America safer, providing for a robust defense, boosting homeland security funding, and rejecting the President's cuts to first responder programs.

This is a budget that we can be proud of. And, it stands in stark contrast to the irresponsible fiscal policies of the current administration and former Republican majorities in Congress.

I urge all of my colleagues:

Vote for fiscal responsibility, and a bright future for our children.

Vote for the budget that reflects our values—and meets the needs of the American people.

Vote for this Democratic budget.

Mr. RYAN of Wisconsin. Mr. Chairman, at this time, I yield myself 1 minute simply to praise the majority leader before he leaves because he has been a man who has sincerely discussed and talked about the need to reform entitlements most of his career. And we need to talk to each other more often. I want to praise him for his leadership on entitlements.

I also want to say that this budget proposes to borrow more in one year from foreign governments than any has in history. Also, Mr. Chairman, let's take a look at the 2003 taxes.

Mr. HOYER. Will my friend yield on his last point?

Mr. RYAN of Wisconsin. I yield to the gentleman from Maryland.

Mr. HOYER. I agree with him, and the reason for that, of course, is while you cut revenues, you didn't cut spending when you were in charge.

Mr. RYAN of Wisconsin. Reclaiming my time, my point is the Democrats' budget, the Spratt budget, has the single largest increase in national debt in any given year, which comes from largely foreign governments these days.

My other point was I understand why my friends on the other side of the aisle are so dismissive of these tax cuts in 2003. Only three Democrats who are here today voted for them. All but three of them voted against them. They voted against reducing the marriage tax penalty. They voted against expanding the child tax credit. They voted against lowering tax rates across the board. They voted against lowering

dividends and capital gains and repealing the death tax.

I simply would say that, as this chart shows you, even after all of those tax cuts, look what happened. Receipts went up. Four straight years of income tax receipts increased. Do you know why? People went to work. They got jobs. They paid taxes. Economic growth, even at those lower tax rates.

At this time, Mr. Chairman, I would like to yield 2 minutes to the distinguished gentleman from Indiana (Mr. PENCE).

Mr. HOYER. It is too late to ask you to yield, I take it, on the employment issue.

Mr. PENCE. I thank the ranking member for yielding, and I thank him for his extraordinary leadership on this budget. Mr. Chairman, I rise in support of fiscal responsibility, and my conscience therefore demands that I rise in support of the Republican budget.

Now, the American people deserve to know the truth. We have a \$9.3 trillion national debt, but that is not the whole story. The American people also deserve to know that we have some \$53 trillion in unfunded liability in Social Security and Medicare over the next 75 years. Frankly, if this government were a business back in Indiana, it would have to file bankruptcy.

Republicans are offering an alternative budget to deal with this fiscal crisis at the national level based on spending restraint and entitlement reform. It balances the budget without taxes and without earmarks.

But the answer from the Democrat majority? Get this: The largest budget in American history, \$3.1 trillion. The largest 1-year increase in the public debt in American history, some \$646 billion. Higher taxes and nothing to reform earmarks or the very entitlement spending that threatens the economic vitality of our children and our grandchildren's future.

□ 1630

In 2006, the American people voted for change in Washington, D.C., but they weren't referring to what would be left in their pockets after the Democrats took control. We must balance the Federal budget with fiscal discipline and reform, not with more spending and more taxes. We must reject the policies of the new liberal Democratic majority in Congress and reject their budget.

I urge my colleagues to vote for fiscal discipline and reform, to end earmarking as usual, and to stand for fundamental entitlement reform in Washington, D.C. Vote for the budget priorities of the Republican minority in Congress. They are, I believe with all my heart, the budget priorities of the overwhelming majority of the American people.

Mr. RYAN of Wisconsin. I want to inquire of the time, Mr. Chairman.

The Acting CHAIRMAN (Mr. CAPUANO). Both sides currently have 10 minutes each.

Mr. SPRATT. Mr. Chairman, I yield myself 4 minutes.

We have heard throughout this debate the charge repeatedly that we are raising taxes by as much as any tax increase since the history of time. The charge won't really bear itself out. But let me just turn to third parties. Don't take it from me, let me turn to third parties who have a tremendous interest in the Federal budget and in the deficit in particular. None is more respected or more truly nonpartisan than the Concord Coalition, and here is what the Concord Coalition says:

"Allowing some of the tax cuts to expire would not be the result of Congress' raising taxes. It would be the result of sunsets that were included when those tax cuts were originally enacted to avoid the level of fiscal scrutiny that PAYGO is designed to ensure."

Now, I have a chart here which is a replica of our famous eye chart to test your visual acuity. I am not sure whether you can see it, but the bottom line is instructive. We will reach surplus, starting from a CBO baseline, our budget will take us to surplus by the year 2012. That surplus will continue throughout time, 2012, 2013. And if you total that surplus up between 2012 and 2018, the total amount you get is \$1.4 trillion.

Out of that \$1.4 trillion in surpluses, a lot of money can be derived if we so choose to offset tax cuts. And toward that end, we have pledged ourselves as specifically and explicitly as we possibly can in the budget resolution before you in commitment to the middle-income tax relief. And anyone who has any doubt of this should come and read this paragraph in our budget resolution itself, not in the report, it is in the budget resolution itself, which says the following:

"It is the policy of this resolution to minimize the fiscal burdens on middle-income families and children and grandchildren, to provide immediate relief for tens of millions of middle-income families who would otherwise be subject to the AMT, the alternative minimum tax," and, by the way, we provide a 1-year patch. Talk about tax cuts, we have got a tax cut, and it is offset in our bill.

To extend the child tax credit we commit ourselves; to extend the marriage penalty relief, we commit ourselves; to eliminate estate taxes on all but a small fraction of estates, we are committed to that; to extend the research and experimentation tax credit, we are committed to that; to extend the deduction for State and local sales taxes; to extend the deduction for small business expenses; to enact a tax credit for schools.

This resolution assumes that the cost of enacting these policies is offset by reforms within the Internal Revenue Code that promote a fairer distribution of taxes across families and generations and economic efficiency and higher rates of tax compliance. And we



put money in the bill for program integrity, for the IRS to bear down and try to close the tax gap.

When you take what we can reap from doing that, it may not be as great as it would seem since the tax gap is estimated to be \$500 billion, when you add to that the \$1.4 trillion in surpluses per our projection of our budget, you have a lot to work with, not just for tax relief, but for other things as well. Debt retirement, the retirement of the baby boomers, all of these things will be demanding.

That is why we put this decision off until a later time. It is not pressing now. It doesn't have to be committed to now. The tax cuts don't expire until December 31, 2010. In the interim, nobody's taxes are going up because of what is done here on the House floor today, and nobody's taxes are going down, because it doesn't work that way.

Over time, we think that we have got a partial solution here. If we can simply adhere to the budget that we are proposing in House Concurrent Resolution 312, we believe that we can produce surpluses along this bottom line, a substantial portion of which can be used to offset tax cuts.

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

Mr. RYAN of Wisconsin. Mr. Chairman, may I inquire as to who has the right to close. There seems to be difficulties about that.

The Acting CHAIRMAN. The gentleman from South Carolina has the right to close.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL of California. Mr. Chairman, I thank the gentleman for yielding.

You know, our friends on the other side of the aisle may not like and may have problems with our budget, but the one thing they can't say is that we are not doing what we say we are going to do. We have said that we are not going to raise taxes, and it doesn't. We said we will balance the budget in 5 years without raising taxes, and it in fact does that. We have said that entitlements are a big problem and that they will swamp this budget and the next generation with debt if we don't deal with them, and this budget begins to deal with it. They may not like that, but we are doing what we say.

And there is an old saying that says "do what I say, not what I do." That is what somebody who intends to have their actions be different than their words says, "do what I say, not what I do."

Let's take a look at this Democratic budget, which I would argue is the "listen to what I say, don't watch what I do budget." We have heard over the last year how PAYGO and all these other things were going to result in and lead towards a balanced budget and that is where they wanted to go. But

yet this budget nearly doubles, actually more than doubles, the deficit from the last budget passed under Republican rule.

Our friends on the other side say that they want to eliminate the alternative minimum tax, at least they say for whatever they define as "middle-class taxpayers." But yet in this budget, this budget counts on and continues the revenues from the alternative minimum tax at its current rate or higher for the entire 5 years of the budget.

Our Democratic friends have always talked about how they want a tax cut for the middle class. But yet as has been mentioned, this budget counts on all of the money, all of the tax increases that have been described. It counts on eliminating the marriage penalty credit and the child care credit; it counts on raising the tax rates all the way from the 10 percent rate to 35 percent, raising them all.

They talk about health care, that they want to cover everyone with health care, universal health care and all of that. Is any of that in this budget? No. There are no changes to anything like that in the budget. They were offered the opportunity to put that in the Budget Committee and they didn't do it.

They talk a lot about the death tax, that the death tax is strangling farmers and small businesses. And it is. And what does this budget do? It takes the death tax back up to the rates it was 10 years ago. It increases the death tax over where it is now.

Then there is the big issue of entitlement reform. All of the analyses, liberal, conservative, in the middle, everyone agrees if we don't reform Medicare, Social Security and Medicaid, they will bankrupt this country. What do they do to reform those in the next 5 years in this budget? Nothing. Absolutely nothing.

Yes, my friends, Mr. Chairman, this is the "listen to what I say, but don't pay attention to what I do" budget. It is like the Wizard of Oz. Watch the smoke in the front, but don't pay attention to what the man behind the curtain is doing. This budget, if you look at it, is what the man behind the curtain is doing and really wants to do, but it is not what is right or what is good for America or for taxpayers.

Mr. SPRATT. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the Speaker of the House of Representatives.

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding.

May I begin by thanking the gentleman from South Carolina, Mr. SPRATT, the chairman of the Budget Committee, for his masterly work in bringing this budget before us. It is fiscally sound. It is a responsible blueprint to build our economy, moving us forward and strengthening our national security. The Democratic budget, which is the budget for our country, puts the future first. It is about future generations, and it moves us to surplus by 2012.

Thank you, Mr. Chairman, for the fiscal soundness of this budget.

While being fiscally sound, the budget is also a plan again to get our country moving. It is a budget for the future by putting family budgets first, helping make affordable everything from energy to groceries to college education, helping families avoid foreclosures, and lowering, lowering, taxes. It provides for us to have middle-income tax cuts. This is about America's families and their economic security.

It invests in the future by investing in renewable energy to make America more energy independent and secure and to create green jobs. It is a blueprint for a green revolution in our country.

It creates a new generation of innovators by investing in math, science, engineering and technology, to keep good-paying jobs here in America. In total, we provide \$7.1 billion more than last year for education and job training.

It rebuilds America's crumbling infrastructure, which again is an engine of job creation, and makes health care more affordable for families and veterans. VA health care will receive a \$3.6 billion increase to care for the men and women who have defended America.

I read this list of provisions in the bill to show that this budget is really a statement of our values. It shows to the American people that we indeed care about them and the budget that we write is relevant to their lives. These are priorities that leading economic experts have said will put our Nation on solid economic footing.

Our budget is also a plan for a stronger America that begins to restore military readiness and better protect Americans against terrorism. Many of you know that the distinguished chairman of the Budget Committee is also the second-highest ranking Democrat on the Armed Services Committee, so he brings to this budget process a full knowledge of our national security needs, a full commitment to our military and their families, and dedication to our veterans which has been unsurpassed.

In this bill in terms of national security, ours is a plan to make Americans safer and stands in stark contrast to the President's priorities in Iraq. That misguided war has badly strained our military, distracted us from the fight against terrorism, and damaged our reputation in the world. In fact, the funds committed to that war, some say \$3 trillion, huge amounts of money, not only are an opportunity cost for investments here at home in our own education and reconstruction and military readiness, but the deep debt that we are incurring because of the war in Iraq is damaging to our economy. We cannot continue to borrow to pay for the war in Iraq and not see it have an impact on our economy, and that is in addition to the rising cost of oil prices that are related to the war in Iraq as well.

We begin in our national security to reestablish America's strength by rebuilding our military, investing in equipment and training that our military requires, and making caring for our troops, veterans, and military families a top priority.

Our plan stands in stark contrast to the President's priorities and the Republican budget, which would undermine health care for seniors and working families by cutting Medicare and Medicaid over half a trillion dollars over the next 10 years and charge veterans and military retirees more than \$18 billion in new fees over 5 years. Our budget does not do that. The Republican budget puts the burden of additional fees on our veterans.

The Republican budget eliminates essential funding for State and local law enforcement and cuts EPA grants that would help protect our planet and our health.

□ 1645

On inauguration day 2009, President Bush will move out of the White House. But, unfortunately, his fiscal legacy will remain unless we can reverse that.

The Bush administration turned a projected \$5.6 trillion surplus, I heard our distinguished majority leader talking about this earlier, into a \$3.2 trillion deficit. That is historic, that is a historic fiscal turnaround of epic proportions, nearly a \$10 trillion swing in fiscal soundness. The President leaves a record of breathtaking fiscal recklessness.

Budgets are more than just accounting documents. Budgets, our Federal budget, I believe, should be a statement of our national values. What we believe in our Nation should be reflected in the allocation of our resources, in our budget.

With this budget, the New Direction Congress and under the leadership of Chairman SPRATT is saying that we value families and their economic future, we will fight to insure their hard work is rewarded, and that the American Dream is renewed.

With this statement of our values, we are saying that we do value our valiant men and women in uniform. We will insist that they receive the tools and training they need to perform their mission, and that when they return home, they will come to high quality health care.

And we were saying in this statement that we value our children. We will invest in their education, their health care, and their future, and do this without leaving them a legacy of debt.

My colleagues, we must make clear that the American values are the values of this House. We should have a statement of the values of the American people in the budget that we put forth, and we do today, to invest in our children's health and education and strengthening families, to provide for the national security of our country by rebuilding our military and respecting our responsibility to our veterans, by

investing in the future and innovation and new energy technologies and the education that goes with it. We must make clear that this is a budget plan for a stronger America, for stronger families, for a stronger economy, and a stronger military.

I urge my colleagues to support with great pride the budget put forth by Mr. SPRATT in the Budget Committee this evening.

Mr. RYAN of Wisconsin. Mr. Chairman, I will just take 30 seconds for myself.

I would simply say our budget does not have the veterans fee increases. That is in the President's budget. That is not in our budget.

Also, our budget does not cut Medicare and Medicaid by a half a trillion dollars. Under our budget, Medicare and Medicaid increases every year, one year after the other. We simply think it should not increase as fast as it is because we want to make it more solvent.

Third point, they say this is a new vision budget that they are proposing. All they are really doing is bringing us a CBO baseline and slapping another \$280 billion on top of it. That's what their budget is. The problem is that the CBO baseline requires the largest tax increase in history. That's what we don't support.

Mr. Chairman, I yield 2 minutes to the new Member from Georgia, Dr. BROUN.

Mr. BROUN of Georgia. I thank the gentleman for yielding.

Mr. Chairman, the Speaker is absolutely right, but this is about their values, not America's values. We hear it's about the children. The Democrat Party's budget, the one that they have proposed, is going to bankrupt our children. They are not going to live at a standard of life as we live today because of their budget, if this is put into place.

The Republican budget is about the children, because it will save their future. Our budget is about the children's well-being. The Democratic Party's budget is about their values, bigger government, greater control of people's lives. They want to do that. They want to take money away from hardworking American citizens and build a bigger government, and they want to tax them to death, tax them into bankruptcy.

But our budget doesn't do that. It actually helps to balance the budget. It helps to have a future for our children. That's the difference. Our budget is about the children. It's about families. It's about businesses. It's about having a strong financial future for small business. That's what our budget does. Their budget guarantees a bigger future for government bureaucrats.

I encourage anyone in this House who is interested in, truly, our children and furthering the best interests of America and the middle class to vote for the Republican budget.

Mr. SPRATT. Mr. Chairman, I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Chairman, may I just ask the chairman of the Budget Committee, are you the last person? You are going to close next, no more speakers on your side; is that right?

Mr. SPRATT. I reserve the right to close. I have no further speakers.

Mr. RYAN of Wisconsin. All right. I will address the House from the well for the remainder of my time.

Mr. Chairman, may I ask how much time I have left?

The Acting CHAIRMAN. The gentleman has 5 minutes.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself such time as I may consume.

First of all, I would like to say thank you to a few people. I would like to take this moment to recognize the hard work of the minority staff of the Budget Committee.

I want to thank Austin Smythe, our new staff director; Chauncey Goss, Pat Knudson, Charlene Crawford, Tim Flynn, John Gray, Jim Herz, Charlotte Ivancic, Angela Kuck, Paul Restuccia, Jon Romito, Stephen Sepp and Clete Willems; and our interns, Sigurd Neubauer, Dustin Antonello, and Ryan Michaels.

I am very fortunate to have very bright, very talented, and very dedicated coworkers on the Budget Committee. I also want to thank the chairman for being a gentleman and for his staff for being professional as well.

I have a problem with the budget the chairman has brought to the floor. We have a different vision. It's good that we have these choices. We owe the American people a choice. We owe them two different visions to choose from in this country.

That's what's good about elections. Lately, the differences have been muddled. I'm glad we are making them more clear. What do we want to do with our budget?

We believe that we should do a few things. We should balance the budget, number one, and we shouldn't raise taxes. We think that it's really tough for people to afford just the cost of living today. You are filling up your gas pump at the highest prices you have ever paid before. You are paying health care costs the highest you have probably ever paid before. Food prices are up \$70 a month for the average family these days.

The last thing the American taxpayer needs is a big tax increase, an average of \$3,000 per family per year. That's what the Democrat budget has.

Now, the Democrats like to say they have this policy document in their budget. On page 48, it's the policy that we don't want these taxes to go up. Then they say, later on, but we are balancing the budget.

The first 27 pages are ones that matter in this budget, the numbers. They can't have it both ways. They can't look the American people in the eye and say we are balancing the budget and we are not raising taxes, because

the only way they balance the budget, you can bring out all these left-of-center experts that tell you otherwise, but according to the numbers, according to the Congressional Budget Office, the only way they balance the budget is by enacting the largest tax increase in American history.

So the question is, at this time of economic uncertainty, at this time of job loss, at this time where we possibly could go into a recession, at this time of high prices of living, can we afford the Democrats' tax hike? I would like to know. I would like to get e-mails and calls from people to know, can we afford this?

What is our vision? Our vision is to balance the budget without raising taxes. The key thing is we have got to save money. We are not even proposing to cut spending. We are saying instead of spending \$15.832 trillion over the next 5 years, let's spend \$15.32 trillion over the next 5 years. Instead of growing spending at 5.2 percent, let's grow it at 3.8 percent.

In that, we are saying let's put a down payment for reform on our children and grandchildren so we can make Medicare and Social Security more solvent, so we can say to the seniors of this country we want Social Security and Medicare to last for you and for our kids.

But we also say, this Congress is broken. Most people get that. We don't call earmarks congressional initiatives or investments; it's pork. If we just do away with the pork for 1 year, we can put a down payment on making sure we don't have our taxes increased. For 1 year, we can make sure we don't raise taxes on everybody who has children by \$500 per child. We can make sure we are not going to tax people simply because they are married if Congress just says "no" for pork for a year.

So what's the question? Do we want pork or paychecks? More money in workers' paychecks or more pork up here in Washington?

I agree that earmarks are necessary and are a function of this branch of government. It's out of control. It's broken. It needs to be fixed.

Let's stop them for a year, fix this problem so that it has the integrity and the faith that the American people deserve. While we are doing that, let's balance the budget without raising taxes. That is what our budget does.

Yet you hear this same old thing in Washington every year. What they always say is, if you are doing anything other than spending as much as they want, you are cutting spending. If you are not throwing all this money at new programs, you are cutting spending, you are hurting the veterans, you are hurting children, you are hurting people, you are doing this, you are doing that. We are simply saying we need to control our spending in this town.

You see, Washington doesn't have a tax revenue problem. Plenty of money is coming in. Washington has a spending problem. We have got to get our handle on that spending.

By controlling that spending, by growing it at a slower pace, by putting a down payment on reform, by making Medicare more solvent, we can do those things while we balance the budget without raising taxes.

That's the choice. We can have their plan with the largest tax increase in history, more and more and more spending, more earmarks, more pork, less money in our paychecks, or we can have our plan: control spending, balance the budget, keep more money in your paychecks.

Because you know what? Paychecks aren't going as far as they used to. They don't cover as much groceries, as many gas tanks. They don't cover as much of health care bills as they used to. We believe it's the people's money; they believe it's Washington's money. That's the basic difference at the end of the day.

We believe people ought to keep more of their own money because it is their money. They believe it's Washington money, and they want more of it.

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

Mr. SPRATT. Mr. Chairman, for purpose of closing, I yield myself the balance of my time.

Mr. Chairman, like Mr. RYAN, I want to express my heartfelt gratitude to the staff on both sides: Tom Kahn, Sarah Abernathy, Ellen Balis, Arthur Burris, Linda Bywaters, Barbara Chow, Marsha Douglass, Stephen Elmore, Chuck Fant, Jason Freihage, Jose Guillen, Jennifer Hanson-Kilbride, Dick Magee, Sheila McDowell, Diana Meredith, Gail Millar, Morna Miller, Namrata Mujumdar, Kimberly Overbeek, Kitty Richards, Diane Rogers, Scott Russell, Marcus Stephens, Naomi Stern, Lisa Venus, Greg Waring, Andrea Weathers, and interns Les Braswell and Tina Shah.

We have had a fast track on which to bring this resolution out of committee onto the floor to passage. Without their assistance, long nights, weekends, you name it, we certainly could not have done it. We certainly could not have done it without the presentation we put on the last 2 days. To them, I am deeply indebted for all of their help, both sides of the aisle, my staff in particular, which I think is one of the best committee staffs of any committee on the Hill in either House.

If I had a chart of my choice, I would have a counterpart to Mr. RYAN's chart, which said, can we afford the Democrats' tax? It would say, can our children afford the Republicans' debt tax? Because the legacy of this administration, 8 years, is nearly \$5 trillion in additional debt, a phenomenal increase in debt that will have to be borne by our children.

When I say that our first objective in taking on this budget was to move it to balance, that's not some economic goal. That's not some green eyeshade objective. That's because I think we are morally wrong in leaving this mountain of debt to our children and our grandchildren.

□ 1700

If I had a chart, it would say just that, because I would assign the blame, the primary blame, to our Republican colleagues for the last 7 years.

We have brought to this floor a budget resolution, the base bill on which we will vote. After we vote on the Ryan amendment, we will vote on the base bill. I would ask for a vote against the Ryan amendment and for the base bill, H. Con. Res. 312, which is the Democratic-reported budget resolution.

We set as our first objective balancing the budget within a reasonably foreseeable period of time. The day we chose was 2012, and we hit that day. In fact, by our calculations, using CBO numbers, we will have a surplus that year under certain assumptions of \$178 billion. That surplus will grow as time moves on; and by the year 2018, we will have accumulated \$1.4 billion in surpluses. Now, I know they will be dissipated and used for other purposes, but I am suggesting here and have been suggesting that is one of the ways that we will pay for the tax cuts, particularly the middle-income tax cuts to which we have explicitly committed ourselves. That is one way we will make certain that they are cared for and extended.

Secondly, even though we are committed to balancing the budget, we are also morally committed to doing other things that shouldn't be held up or put aside while we try to bring our books in order, one of which is the education of our children. The President's budget basically flat funds education for the next 5 years.

I am proud to say that our budget provides \$7.3 billion, \$7.1 billion more than the President requested in his budget for the education of our children.

And watch out for education when they begin to, if you adopt the Ryan resolution, when they begin to distribute these undistributed, unallocated cuts, because education is right there in the bore sights.

Secondly, veterans health care. Of all of the promises government makes, the promises we make to our veterans ought to be upheld. And right now we have an increasing caseload. Therefore, we are proposing \$3.6 billion over and above current services in order to pay for the additional case loads.

CHIP, children's health insurance. I am proud to claim a little paternity there. I was involved in 1997 when we created the program in the Balanced Budget Act of 1997. Now we are saying that we can balance our budget and still balance our priorities by seeing that our children, all of our children who don't have health insurance, can get health insurance. We provide for that. We provide for that in this budget resolution.

Finally, we provide for innovation, competitiveness, energy, research, things that will keep our economy on a competitive edge. For all of these reasons, we think we have brought to the

floor a good budget resolution which is worthy of the support of not just the Democrats on this side, but Republicans as well. It moves us toward balance, and it has balanced priorities. It is good for America and good for our economy.

I, therefore, request a vote in favor of the Spratt resolution, H. Con. Res. 312, which is the base bill and against the Ryan resolution which, if it were adopted, and I don't think it will be, but were it to be adopted, it would displace our bill. Vote for the base bill, H. Con. Res. 312, and vote to do these things that are so important to our economy, our country, our families, and our children. This is a good bill and I commend it to you for your support today.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. RYAN).

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

## RECORDED VOTE

Mr. SPRATT. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 157, noes 263, not voting 15, as follows:

[Roll No. 140]

## AYES—157

Aderholt	Ehlers	McCotter
Akin	Everett	McCreery
Alexander	Fallin	McHenry
Bachmann	Feeney	McIntyre
Bachus	Ferguson	McKeon
Barrett (SC)	Flake	McMorris
Bartlett (MD)	Forbes	Rodgers
Barton (TX)	Fortenberry	Mica
Biggert	Fox	Miller (FL)
Bilbray	Franks (AZ)	Miller (MI)
Bilirakis	Gallely	Miller, Gary
Bishop (UT)	Garrett (NJ)	Musgrave
Blackburn	Gilchrest	Myrick
Blunt	Gingrey	Neugebauer
Boehner	Gohmert	Nunes
Bonner	Goodlatte	Paul
Bono Mack	Granger	Pearce
Brady (TX)	Graves	Pence
Broun (GA)	Hall (TX)	Peterson (PA)
Brown (SC)	Hastings (WA)	Petri
Brown-Waite,	Hensarling	Pickering
Ginny	Herger	Pitts
Buchanan	Hoekstra	Platts
Burgess	Hulshof	Poe
Burton (IN)	Inglis (SC)	Price (GA)
Buyer	Issa	Pryce (OH)
Calvert	Johnson, Sam	Putnam
Camp (MI)	Jones (NC)	Radanovich
Campbell (CA)	Jordan	Rehberg
Cannon	Keller	Reynolds
Cantor	King (IA)	Rogers (KY)
Carter	Kingston	Rogers (MI)
Chabot	Kline (MN)	Rohrabacher
Coble	Knollenberg	Ros-Lehtinen
Cole (OK)	Lamborn	Roskam
Conaway	Lampson	Royce
Cooper	Latham	Ryan (WI)
Crenshaw	Latta	Sali
Cubin	Lewis (CA)	Sensenbrenner
Culberson	Lewis (KY)	Sessions
Davis (KY)	Linder	Shadegg
Davis, David	Lucas	Shimkus
Davis, Tom	Lungren, Daniel	Shuler
Deal (GA)	E.	Shuster
Diaz-Balart, L.	Mack	Simpson
Diaz-Balart, M.	Manzullo	Smith (NE)
Doolittle	Marchant	Smith (TX)
Drake	McCarthy (CA)	Souder
Dreier	McCaul (TX)	Stearns

Sullivan	Walberg
Terry	Wamp
Thornberry	Westmoreland
Tiberi	Whitfield (KY)
Upton	Wilson (NM)

## NOES—263

Abercrombie	Gordon
Ackerman	Green, Al
Allen	Green, Gene
Altmire	Grijalva
Andrews	Gutierrez
Arcuri	Hall (NY)
Baca	Hare
Baird	Harman
Baldwin	Hastings (FL)
Barrow	Hayes
Bean	Heller
Becerra	Herseth Sandlin
Berkley	Higgins
Berman	Hill
Berry	Hinchev
Bishop (GA)	Hinojosa
Bishop (NY)	Hirono
Blumenauer	Hobson
Boozman	Hodes
Boren	Holden
Boswell	Holt
Boucher	Honda
Boyd (FL)	Hoyer
Boyd (KS)	Inslee
Brady (PA)	Israel
Braley (IA)	Jackson (IL)
Brown, Corrine	Jackson-Lee
Butterfield	(TX)
Capito	Jefferson
Capps	Johnson (GA)
Capuano	Johnson (IL)
Cardoza	Johnson, E. B.
Carnahan	Jones (OH)
Carney	Kagen
Carson	Kanjorski
Castle	Kaptur
Castor	Kennedy
Chandler	Kildee
Christensen	Kilpatrick
Clarke	Kind
Clay	King (NY)
Cleaver	Kirk
Clyburn	Klein (FL)
Cohen	Kucinich
Cohners	Kuhl (NY)
Costa	Langevin
Costello	Larsen (WA)
Courtney	Larson (CT)
Cramer	LaTourette
Crowley	Lee
Cuellar	Levin
Cummings	Lewis (GA)
Davis (AL)	Lipinski
Davis (CA)	LoBiondo
Davis (IL)	Loebbeck
Davis, Lincoln	Lofgren, Zoe
DeFazio	Lowey
DeGette	Lynch
DeLauro	Delahunt
Dent	Maloney (NY)
Dicks	Markey
Dingell	Marshall
Doggett	Matheson
Donnelly	Matsui
Doyle	McCarthy (NY)
Duncan	McCollum (MN)
Edwards	McDermott
Ellison	McGovern
Ellsworth	McHugh
Emanuel	McNerney
Emerson	McNulty
Engel	Meek (FL)
English (PA)	Meeke (NY)
Eshoo	Melancon
Etheridge	Michaud
Faleomavaega	Miller (NC)
Farr	Miller, George
Fattah	Mitchell
Filner	Mollohan
Fossella	Moore (KS)
Foster	Moore (WI)
Frank (MA)	Moran (KS)
Frelinghuysen	Moran (VA)
Gerlach	Murphy (CT)
Giffords	Murphy, Patrick
Gillibrand	Murphy, Tim
Gonzalez	Murtha
Goode	Nadler
	Napolitano

Wilson (SC)	Wittman (VA)
Young (FL)	

Bordallo
Boustany
Fortuño
Hooley
Hunter

## NOT VOTING—15

LaHood	Tancredo
Oberstar	Waters
Rangel	Weller
Renzi	Woolsey
Rush	Young (AK)

□ 1730

Ms. ZOE LOFGREN of California, Messrs. GUTIERREZ, SAXTON, Ms. LINDA T. SANCHEZ of California, Messrs. HOYER, COHEN, FRELINGHUYSEN, FATTAH, TURNER and Mrs. SCHMIDT changed their vote from "aye" to "no."

Messrs. FLAKE, EHLERS, FRANKS of Arizona, SHULER and McINTYRE changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Ms. MCCOLLUM of Minnesota: Mr. Chairman, I rise in support of H. Con. Res. 312 and congratulate Chairman SPRATT for putting forward a budget that reflects the values of American families.

Again this year, President Bush proposed a reckless, fiscally irresponsible budget that would have neglected key investments and made significant cuts to critical services while driving up an already unsustainable deficit. Democrats reject Republican policies that have led to record debt and a weakened economy and today offer a budget that invests in families, makes America safer, strengthens our economy and improves our global competitiveness.

This budget proposal recognizes that smart investments in our country today will result in significant savings in the long run. H. Con. Res. 312 invests in renewable energy and "green collar jobs". Record gas prices are straining family, business and government budgets. This investment in the Midwest will reduce our dependence on oil, reduce greenhouse gas emissions, and create new jobs in our communities.

While the President proposed to cut education, the Democrats budget provides for a significant investment in our children by including \$7.1 billion above the President's request. This funding will provide needed increases for No Child Left Behind, Head Start and Special Education. The underfunding of these programs under Republican leadership has led to reduced opportunities for our students and increased taxes for homeowners. The Democratic budget makes an important step in living up to the federal government's promises on education funding. It also provides funding for the America COMPETES Act, allowing for the education of the teachers, scientists, engineers and mathematicians we need to remain competitive in the global economy.

The Democratic budget invests in health care. It provides health care for all children and makes significant investments in health research and public health. Importantly, this budget rejects the draconian cuts to Medicare and Medicaid proposed by the President. Democrats recognize that access to health care includes access to quality health care providers.

In contrast to claims made by my colleagues on the other side of the aisle, this budget does not raise taxes on the middle class families. In fact, it includes a 1-year fix for the Alternative Minimum Tax and extends middle class tax cuts including the child tax

credit, the marriage penalty relief, and the deduction for state and local sales taxes. It also calls for immediate action on the foreclosure crisis and provides for an affordable housing trust fund to help families find safe, stable housing and to begin to create wealth.

Democrats support investing in our communities. This budget recognizes the declining status of our nation's infrastructure and makes it a priority to invest in the necessary rebuild and expansion. In Minnesota, because of the tragic bridge collapse last August, we are all too aware of the need for upgrade and repair to our infrastructure. In addition, families are spending too much time and too much money commuting. This budget will allow for investment in transportation—both to increase options and to improve safety.

I also commend the Congressional Black Caucus and the Progressive Caucus for putting forward alternative budget proposals. I strongly support the emphasis on diplomacy and investments in global health proposed in these amendments.

Mr. Chairman, the Democratic budget reflects America's priorities and will put this country back on track by reducing our debt and investing in our future. I urge my colleagues to support H. Con. Res. 312.

Mr. ORTIZ. Mr. Chairman, this budget is a commitment to restoring fiscal responsibility while providing for programs that boost economic growth, create new jobs, and provide tax relief to millions of middle-class families.

When the President presented the last budget proposal of his administration last month, he cemented his legacy of fiscal irresponsibility. Since January 2001, a \$5.6 trillion 10-year surplus has been converted into record deficits and mounting debt.

The budget, which will outline Congressional spending for the next fiscal year, rejects the President's original proposal of cutting Medicare/Medicaid, key education programs, and the COPS law enforcement agency grant programs.

In contrast to the Administration's budget proposal, this budget passed by the House reaches a balance by FY 2012. It ensures that, under the adopted pay-as-you-go principles, any new spending is offset and does not add to the deficit.

With over 20 million middle-class American families facing the burden of paying the Alternative Minimum Tax, AMT, we have included fiscally responsible legislation that will provide a one-year 'patch' and provide AMT relief to those families.

This is a budget that defends our Nation and provides for our Nation's veterans and wounded heroes. It increases veterans funding for FY 2009 by \$3.6 billion above current levels and \$38 billion over the next 5 years. Our budget also allows the Department of Veterans Affairs to treat 5.8 million patients in 2009 and rejects the \$2.3 billion in health care fee increases imposed by the President's budget proposal.

The budget also prioritizes resources to restore military readiness that has been worn down by repeated deployments and more than 6 years of war. As chairman of the Readiness Subcommittee of the House Armed Services Committee, I am fully aware of the need to restore the strength of our military and protect our country from future attacks.

Despite the President's insistence on not expanding children's health insurance pro-

gram, CHIP, this budget includes a reserve fund to provide up to \$50 billion for CHIP. The President's budget proposal also cuts Medicaid by \$94 billion over 10 years and a whopping \$479 billion from Medicare over the same period. That is unacceptable and Congress rejects those cuts.

I urge all my colleagues to support this fiscally responsible budget that properly funds our nation's priorities.

Mr. UDALL of Colorado. Mr. Chairman, I support this budget resolution, which will lay the foundation for the decisions about spending and taxes that we must make this year.

Our first responsibility as Members of Congress is to provide for our national defense and homeland security, in order to safeguard the lives and liberties of the American people.

For that reason, and as a Member of the Armed Services Committee, I am glad to be able to say that this budget meets that responsibility by providing \$537.8 billion for national defense, which is in line not only with the amounts requested but also the recommendation of our committee.

I also support the budget because it puts the needed priority on moving to restore the capabilities so seriously eroded by repeated deployments and more than 6 years of war. And, even more important, it includes instructions to properly care for the men and women in uniform by rejecting TRICARE fee increases, providing funding to continue addressing problems such as those at Walter Reed Army Medical Center, and calling for enhanced pay and benefits to improve the quality of life of our troops and their families. It also calls for allocating \$4.9 billion more than in the current fiscal year for veterans' health care.

But that is not the end of our responsibility. We also need to act responsibly to change the policies that over the last seven years have brought us deeper budget deficits and massive increases in the national debt even as we make needed investments in our society here at home.

This budget meets that responsibility as well. It lays out a path that can bring the budget back to balance. It includes an essential aspect of fiscal responsibility by following the "pay-as-you-go" approach now embodied in our House rules, requiring that any entitlement spending increases or revenue reductions be offset, so that the bottom line of the budget is not worsened.

At the same time it allows for funding priority investments in education, children's health care, veterans' health care, and innovation but also accommodating tax relief for middle-income Americans. It rejects President Bush's proposed cuts in Medicare, Medicaid, and assistance to local law-enforcement agencies while accommodating \$50 billion over 5 years for the State Children's Health Insurance Program (SCHIP). It also allows for substantially greater appropriations that the president has requested for education, and energy efficiency and renewable energy programs.

And it includes a deficit-neutral reserve fund to accommodate middle-income tax cuts, such as extension of the child tax credit, marriage penalty relief, extension of the 10 percent individual income tax bracket, elimination of most estate taxes, extension of the research and experimentation tax credit, extension of the deduction for state and local sales taxes, and a tax credit for school construction bonds. In

addition, through a reconciliation instruction to the Ways and Means Committee, it allows for action to protect more than 20 million middle-income taxpayers from exposure to the alternative minimum tax, which was never intended to apply to them.

As a member of the Committee on Science and Technology, I applaud the fact that the budget will allow an additional \$1.98 billion over the amounts appropriated for this fiscal year for science, space, and technology.

That amount will fully accommodate the commitments made in the America COMPETES Act—a measure I was proud to co-sponsor and champion in the conference committee—for the National Science Foundation and the Department of Energy Office of Science.

Further, the budget includes increased budget authority for energy technology research programs such as those at the Advanced Research Projects Agency for Energy, ARPA-E and the National Institute of Standards and Technology, which include help for small manufacturers and technology companies through the Manufacturing Extension Partnership and Technology Innovation Program.

These programs have great potential to increase our economic growth and to foster innovation. As the global marketplace becomes more competitive, it is essential that we compete on the basis of improved skills and greater productivity, rather than follow the destructive path of trying to compete solely on cost with the half of the world's workers who earn less than \$2 a day.

That is the purpose of the America COMPETES Act, and why it is so important that we provide adequate funding for it. And it also the point of the resolution's provision saying the House should provide sufficient funding so that our Nation may continue to be the world leader in education, innovation, and economic growth and so we can stay on a path toward doubling funding for the National Science Foundation, basic research in the physical sciences, and collaborative research partnerships, and toward achieving energy independence through the development of clean and sustainable alternative energy technologies.

In addition, as a member of the Natural Resources, and as a westerner, I also support the budget because it will allow for an increase of more than \$6 billion in the amounts available for protection of our water and air and the sound management of our public lands and other natural resources.

Mr. Chairman, it is said that to govern is to choose—and today's debate demonstrates the truth of that adage because the House must choose among four competing proposals for how the budget should be shaped in the years ahead.

Before deciding to support the resolution approved by the Budget Committee, I carefully reviewed the three competing alternatives, and in each I found some things that I think have considerable merit. For example, I liked the additional investments in education, job training, and employment included in the alternative advanced by the Congressional Black Caucus, as well as the provisions regarding unemployment insurance, food stamps, and housing assistance highlighted in the Progressive Caucus alternative. And the Republican alternative includes procedures for a legislative line-item veto similar to legislation (H.R.

595) I have introduced under the name of the Stimulating Leadership in Limiting Expenditures (or "SLICE") Act and would place a moratorium on spending earmarks pending review of the earmarking process by a bipartisan panel—two ideas that I think could result in worthwhile reforms.

But, on balance, I have concluded that the version now before us, developed in the Budget Committee under the able leadership of its distinguished Chairman, the gentleman from South Carolina, Mr SPRATT, is the best choice. It is a sound proposal that will enable our government to meet its responsibilities, at home and abroad, in a way that is fiscally sound and respectful of the need to provide tax relief for middle-income Americans and promoting a sound economy.

I will vote for it and I urge its approval by the House.

Mr. ETHERIDGE. Mr. Chairman, on behalf of North Carolina's children and our working families, I rise in support of this budget resolution and I congratulate you, Chairman JOHN SPRATT for your visionary leadership in crafting this important document.

With this budget resolution, the Democratic majority will succeed where our Republican predecessors failed. To budget is to govern, and this resolution will produce a balanced budget with balanced priorities.

As the only former State schools chief serving in Congress, I am particularly pleased about this measure's provisions for education and innovation. Specifically, rather than continue the Republicans' record of passing a crushing debt burden on to future generations, the Spratt resolution contains tough budget discipline for a new direction for the Federal budget. The Spratt resolution rejects the President's proposed education cuts and instead provides greater investment in our Nation's schools, including the school construction bonds Chairman RANGEL and I have been working on for nearly a decade and increased Impact Aid for federally impacted local public schools. It provides \$50 billion for children's health insurance. And it protects millions of middle income families from the onslaught of the alternative minimum tax.

As a Member of the Committee on Homeland Security, I am pleased that after 7 years of this Administration failing to address fully some of our most pressing security needs, the Chairman's mark provides the necessary resources to meet critical threats to the Nation. Specifically, the Chairman's mark places high priority on rejecting the President's cuts to first responder support. This includes the State Homeland Security Grant Program through which States may direct grants to local law enforcement, firefighters, emergency medical services, and other preparedness officials to address a wide array of public safety needs. The Administration proposed cutting this proven security initiative by \$705 million, and the Spratt budget rejects that misguided cut. The Chairman's mark also rejects these other mistaken budget cuts: \$463 million from firefighter assistance grants that give local firefighters the tools they need to do their dangerous jobs protecting the public; \$173 million from Byrne Justice Assistance Grants flexible funding for local criminal justice efforts; \$599 million from the Community Congress Oriented Policing Services COPS funds that help local communities hire, train and retain police officers and to improve law enforcement technology. I

strongly believe the homeland security starts with hometown security, and I strongly support the Chairman's mark as it provides essential services for local first responders. Unbelievably, for the sixth year in a row, the President's budget proposes to eliminate the State Criminal Alien Assistance fund of \$417 million which helps States cope with the costs of incarcerating undocumented aliens who commit crimes. I am pleased the Chairman's mark rejects this misguided budget cut.

I was disappointed to see the President's proposed budget contains the failed Social Security privatization plan, and the leading Republican Presidential candidate just this week embraced this risky plan. When the President first proposed privatizing Social Security, I toured the country to oppose this risky gamble with Social Security. The American people have spoken loud and clear that they want their Social Security benefits to be an ironclad guarantee instead of a risky gamble like the Republicans continue to propose. The Bush/McCain plan is a bad idea. I am pleased the Chairman's mark rejects this risky Social Security privatization scheme.

Finally, Mr. Chairman, I have become increasingly concerned about the legacy of debt this Administration is passing on to future generations. The \$5.6 trillion projected surplus that the Administration inherited when it took office has been transformed into a \$3.2 trillion deficit. More than 80 cents of every dollar of new debt since 2001 is owed to foreign investors, including foreign governments. The high level of indebtedness to foreign investors heightens the American economy's exposure to potential instability or even from financial threat from unfriendly foreign governments, and places additional burdens on our children and grandchildren. It is a massively irresponsible tax on posterity.

There are many reasons to support this resolution, but in my brief allotment of time, I want to say that I support this resolution on behalf of my grandchildren and all the children of this country and their families who deserve a budget that puts their needs first. That's the definition of a budget that's truly balanced.

Mr. LANGEVIN. Mr. Chairman, I rise today in support of H. Con. Res. 312, the Budget Resolution for fiscal year 2009. This proposal fulfills an important commitment that we have made to the American people by investing in fiscally responsible tax relief to millions of households and in programs that strengthen the economy, make America safer, and help families struggling to make ends meet in an economic downturn.

On February 6, I expressed my strong concerns over the misguided budget request that the President transmitted to Congress. I am very pleased to see that the budget before us today restores many of the important programs that the President proposed to cut, while achieving balance by 2012. It is more vital than ever that we remain responsive to the needs of the American people, while maintaining strong fiscal stewardship to ensure our financial obligations are not passed along to our children and grandchildren.

Any budgetary blueprint that we expect to bolster the economy must also include an investment in education and job training programs that will promote new employment and ensure our workforce can adapt to the jobs of the future. Unfortunately, those programs were not priorities for this Administration. Under the

President's proposal, Rhode Island would see \$1.5 million less for after-school programs and a cut of almost \$6 million for career and technical education. In contrast, the Democratic budget resolution would provide \$7.1 billion more than the President for vital education, job training, and social services programs nationwide in 2009.

I am pleased that this resolution addresses the President's failure to make higher education affordable for students with economic challenges, especially in Rhode Island, where college tuition has risen 45 percent in 4 years. This measure also includes crucial funding for the Democratic innovation agenda and the America COMPETES Act, which will enhance our edge in math and science education and research. To maintain our economic advantage in the coming years, our Nation must invest more in science, technology, engineering and mathematics, STEM, education.

Also critical to America's economic prosperity is a budget that promotes fiscally responsible tax relief to millions of families struggling to make ends meet. In particular, this measure includes a 1-year patch to keep millions of hard-working, middle-class Americans outside the ever-widening net of the alternative minimum tax, AMT, and it is fully offset. In addition, the Democratic budget will extend the R&D tax credit, which will spur economic growth, create new jobs, and help struggling small businesses regain their competitive edge.

Community development and social services programs will play an important role for businesses and families as we attempt to reclaim our economic prosperity, and I am proud to support a budget that funds these initiatives. This budget restores community and regional development programs, like the Community Development Block Grant, CDBG, program, which provides vital funding for economic and community development in both urban and rural areas nationwide. The House Democratic budget resolution also reverses cuts to the Low Income Home Energy Assistance Program, LIHEAP, and the Weatherization Assistance Program, which helps people actually reduce their energy consumption. These programs are vital to places like Rhode Island where families are struggling with astronomical heating costs.

This budget resolution also includes \$1.2 billion more than the President's budget for energy programs. As families face unprecedented costs to heat their homes and put gas in their cars, it is imperative that we fund efficient and renewable energy programs. H. Con. Res. 312 does this by encouraging the production of renewable energy alternatives, increasing energy efficiency, investing in new energy and vehicle technologies, and training workers for "green collar" jobs. This resolution also encourages mass transit by increasing funding for Amtrak. I am proud that Rhode Island has already started many of these initiatives, but Democrats recognize that we need to support them on a broad, nationwide basis.

Equally important during this challenging economic time is the continued need for strong health care funding. The Democratic budget measure rejects the President's proposed 10-year cut of over \$500 billion to both Medicare and Medicaid, two vital safety net programs serving our Nation's elderly, low-income, and disabled citizens. It also provides

an increase over the President's proposed discretionary health care budget to fund programs that emphasize support for disease-prevention, food safety, and access to quality health care for underserved populations. I am also very pleased to see that this budget will accommodate up to a \$50 billion increase to expand children's health insurance to cover millions of uninsured children.

Health care also remains the highest priority for our Nation's veterans and the brave men and women currently serving in our Armed Forces. This resolution appropriately addresses veterans' needs by rejecting the President's proposed new fees and increasing veterans funding by \$3.6 billion relative to the amount needed to keep pace with inflation. This will provide increased resources for the VA to treat 5.8 million patients in 2009, including 333,275 Iraq and Afghanistan war veterans. We cannot lose sight of the fact that the VA will play a larger role in the coming years as more servicemembers return from ongoing conflicts.

As the Chairman of the Homeland Security Subcommittee on Emerging Threats, Cybersecurity, Science and Technology, I am proud to support a budget that properly invests in our homeland security. Unlike the President's budget, this resolution provides robust funding for programs important to State and local law enforcement in Rhode Island, including the State Homeland Security Grant Program, which awarded \$34.8 million to Rhode Island from 2004 to 2007, and the Law Enforcement Terrorism Prevention Program, LETPP, from which Rhode Island received \$11.5 million from 2004 to 2006. By passing the Democratic budget, we can give local law enforcement officials in Rhode Island the tools they need to continue to keep our citizens safe.

The Democratic budget resolution also makes America safer by investing in our Nation's transportation systems, including highways and waterways, providing sufficient funding as well as a reserve fund to facilitate new infrastructure initiatives. This budget also meets the President's funding level for the Department of Defense, but shifts resources to high priorities such as nuclear nonproliferation programs, which was a recommendation of the 9/11 Commission. Finally, this resolution responds to the current hardships faced by our servicemembers by funding quality of life improvements for the troops as well as their families.

In this time of uncertainty, the American people are relying on us as decisionmakers to put forth a plan that will restore our economic prosperity, strengthen our national security, provide relief where it is needed, and promote fiscal discipline. Today, I am pleased to rise in support of a Democratic proposal that will accomplish each one of these goals. This budget resolution represents a new roadmap toward achieving the true priorities of Americans, and I urge my colleagues to join me in voting yes on this measure.

Mr. SKELTON. Mr. Chairman, let me take this means to congratulate Budget Committee Chairman JOHN SPRATT, also a senior and well-respected member of the House Armed Services Committee, for crafting a strong, balanced budget for fiscal year 2009. I am pleased to support this bill that would provide for a strong national defense, would put our country on a path to budget surpluses in 2012, would promote tax relief for middle-class

American families, and would invest in programs that have been priorities for those living in rural Missouri.

On defense, the House Budget Resolution would prioritize resources to restore military readiness that has been worn down by repeated deployments and more than 6 years of war. The resolution would reject TRICARE fee increases, provide funding to continue addressing problems such as those identified at Walter Reed Army Medical Center, and would call for enhanced pay and benefits to improve the quality of life of our troops and their families.

On rural affairs, the House Budget Resolution would bolster commodity support, agricultural research, and animal and plant inspection programs. It would assume sufficient resources for the Farm Bill, which provides Missouri farmers with a secure economic safety. It would also set aside critical funds for rural development, for food and nutrition programs, and for conservation.

Also important to Fourth District residents are commitments in the House Budget Resolution to infrastructure improvements, to local police and firefighters, to the health care needs of Missouri's senior citizens and low-income children, to education, and to our cherished veterans.

The resolution would provide immediate and long-term relief from the alternative minimum tax and provide for additional middle-class tax relief and enhanced economic equity through tax policies. And, importantly, it would adhere to the "pay-as-you-go" rule adopted by House Democrats early in 2007. That rule requires new entitlement spending or revenue reductions to be offset so the budget remains in balance.

On behalf of the rural Missourians I am privileged to represent, I am pleased to support Chairman SPRATT's work product.

The Acting CHAIRMAN. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. TAUSCHER) having assumed the chair, Mr. CAPUANO, Acting Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the concurrent resolution (H. Con. Res. 312) revising the congressional budget for the United States Government for fiscal year 2008, establishing the congressional budget for the United States Government for fiscal year 2009, and setting forth appropriate budgetary levels for fiscal years 2010 through 2013, pursuant to House Resolution 1036, he reported the concurrent resolution back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the concurrent resolution.

Under clause 10 of rule XX, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, this 15-minute vote on adoption of the concurrent resolution will be followed by a 5-minute vote on the motion to suspend the rules on House Resolution 991.

The vote was taken by electronic device, and there were—yeas 212, nays 207, not voting 12, as follows:

[Roll No. 141]

YEAS—212

Abercrombie	Green, Gene	Oliver
Ackerman	Grijalva	Ortiz
Allen	Gutierrez	Pallone
Altmire	Hall (NY)	Pascarell
Andrews	Hare	Pastor
Arcuri	Harman	Payne
Baca	Hastings (FL)	Pelosi
Baird	Herseth Sandlin	Perlmutter
Baldwin	Higgins	Peterson (MN)
Becerra	Hinchev	Pomeroy
Berkley	Hinojosa	Price (NC)
Berman	Hirono	Rahall
Berry	Hodes	Reyes
Bishop (GA)	Holden	Richardson
Bishop (NY)	Holt	Rodriguez
Blumenauer	Honda	Ross
Boswell	Hoyer	Rothman
Boucher	Inslie	Roybal-Allard
Boyd (FL)	Israel	Ruppersberger
Boyda (KS)	Jackson (IL)	Ryan (OH)
Brady (PA)	Jackson-Lee	Salazar
Braley (IA)	(TX)	Sánchez, Linda
Brown, Corrine	Jefferson	T.
Butterfield	Johnson (GA)	Sarbanes
Capps	Johnson, E. B.	Schakowsky
Capuano	Jones (OH)	Schiff
Cardoza	Kagen	Schwartz
Carnahan	Kanjorski	Scott (GA)
Carney	Kaptur	Scott (VA)
Carson	Kennedy	Serrano
Castor	Kildee	Sestak
Chandler	Kilpatrick	Shea-Porter
Clarke	Kind	Sherman
Clay	Klein (FL)	Sires
Cleaver	Langevin	Skelton
Clyburn	Larsen (WA)	Slaughter
Cohen	Larson (CT)	Smith (WA)
Conyers	Lee	Snyder
Cooper	Levin	Solis
Costa	Lewis (GA)	Space
Costello	Lipinski	Spratt
Courtney	Loeb sack	Stark
Cramer	Lofgren, Zoe	Stupak
Crowley	Lowey	Sutton
Cuellar	Lynch	Tanner
Cummings	Mahoney (FL)	Tauscher
Davis (AL)	Maloney (NY)	Taylor
Davis (CA)	Markey	Thompson (CA)
Davis (IL)	Matsui	Thompson (MS)
Davis, Lincoln	McCarthy (NY)	Tierney
DeFazio	McCollum (MN)	Towns
DeGette	McDermott	Tsongas
Delahunt	McGovern	Udall (CO)
DeLauro	McIntyre	Udall (NM)
Dicks	McNerney	Van Hollen
Dingell	McNulty	Velázquez
Doggett	Meek (FL)	Visclosky
Doyle	Meeks (NY)	Walz (MN)
Edwards	Melancon	Wasserman
Ellison	Michaud	Schultz
Emanuel	Miller (NC)	Waters
Engel	Miller, George	Watson
Eshoo	Mollohan	Watt
Etheridge	Moore (KS)	Waxman
Farr	Moore (WI)	Weiner
Fattah	Moran (VA)	Welch (VT)
Filner	Murphy (CT)	Wexler
Frank (MA)	Murtha	Wilson (OH)
Gillibrand	Nadler	Wu
Gonzalez	Napolitano	Wynn
Gordon	Neal (MA)	Yarmuth
Green, Al	Obey	

NAYS—207

Aderholt	Broun (GA)	Culberson
Akin	Brown (SC)	Davis (KY)
Alexander	Brown-Waite,	Davis, David
Bachmann	Ginny	Davis, Tom
Bachus	Buchanan	Deal (GA)
Barrett (SC)	Burgess	Dent
Barrow	Burton (IN)	Diaz-Balart, L.
Bartlett (MD)	Buyer	Diaz-Balart, M.
Barton (TX)	Calvert	Donnelly
Bean	Camp (MI)	Doolittle
Biggart	Campbell (CA)	Drake
Billbray	Cannon	Dreier
Bilirakis	Cantor	Duncan
Bishop (UT)	Capito	Ehlers
Blackburn	Carter	Ellsworth
Blunt	Castle	Emerson
Boehner	Chabot	English (PA)
Bonner	Coble	Everett
Bono Mack	Cole (OK)	Fallin
Boozman	Conaway	Feeney
Boren	Crenshaw	Ferguson
Brady (TX)	Cubin	Flake





PENSION PROTECTION TECHNICAL CORRECTIONS ACT OF 2008

Mr. STARK. Madam Speaker, I ask unanimous consent that the Clerk be authorized to engross the bill, H.R. 3361, in the form of the bill that I have placed at the desk.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

H.R. 3361

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE; REFERENCES TO ACTS.**

(a) IN GENERAL.—This Act may be cited as the “Pension Protection Technical Corrections Act of 2008”.

(b) REFERENCES TO ACTS.—For purposes of this Act—

(1) AMENDMENT OF 1986 CODE.—The term “1986 Code” means the Internal Revenue Code of 1986.

(2) AMENDMENT OF ERISA.—The term “ERISA” means the Employee Retirement Income Security Act of 1974.

(3) 2006 ACT.—The term “2006 Act” means the Pension Protection Act of 2006.

**SEC. 2. AMENDMENTS RELATED TO TITLE I.**

(a) AMENDMENTS RELATED TO SECTIONS 101 AND 111.—

(1) AMENDMENTS TO ERISA.—

(A) Clause (i) of section 302(c)(1)(A) of ERISA is amended by striking “the plan is” and inserting “the plan are”.

(B) Section 302(c)(7) of ERISA is amended by inserting “which reduces the accrued benefit of any participant” after “subsection (d)(2)” in subparagraph (A).

(C) Section 302(d)(1) of ERISA is amended by striking “, the valuation date.”.

(2) AMENDMENTS TO 1986 CODE.—

(A) Clause (i) of section 412(c)(1)(A) of the 1986 Code is amended by striking “the plan is” and inserting “the plan are”.

(B) Section 412(c)(7) of the 1986 Code is amended by inserting “which reduces the accrued benefit of any participant” after “subsection (d)(2)” in subparagraph (A).

(C) Section 412(d)(1) of the 1986 Code is amended by striking “, the valuation date.”.

(b) AMENDMENTS RELATED TO SECTIONS 102 AND 112.—

(1) AMENDMENTS TO ERISA.—

(A) Section 303(b) of ERISA is amended to read as follows:

“(b) TARGET NORMAL COST.—For purposes of this section—

“(1) IN GENERAL.—Except as provided in subsection (i)(2) with respect to plans in at-risk status, the term ‘target normal cost’ means, for any plan year, the excess of—

“(A) the sum of—

“(i) the present value of all benefits which are expected to accrue or to be earned under the plan during the plan year, plus

“(ii) the amount of plan-related expenses expected to be paid from plan assets during the plan year, over

“(B) the amount of mandatory employee contributions expected to be made during the plan year.

“(2) SPECIAL RULE FOR INCREASE IN COMPENSATION.—For purposes of this subsection, if any benefit attributable to services performed in a preceding plan year is increased by reason of any increase in compensation during the current plan year, the increase in such benefit shall be treated as having accrued during the current plan year.”.

(B) Section 303(c)(5)(B)(iii) of ERISA is amended by inserting “beginning” before “after 2008”.

(C) Section 303(c)(5)(B)(iv)(II) of ERISA is amended by inserting “for such year” after “beginning in 2007”.

(D) Section 303(f)(4)(A) of ERISA is amended by striking “paragraph (2)” and inserting “paragraph (3)”.

(E) Section 303(h)(2)(F) of ERISA is amended—

(i) by striking “section 205(g)(3)(B)(iii)(I) for such month” and inserting “section 205(g)(3)(B)(iii)(I) for such month”, and

(ii) by striking “subparagraph (B)” and inserting “subparagraph (C)”.

(F) Section 303(i) of ERISA is amended—

(i) in paragraph (2)—

(I) by striking subparagraph (A) and inserting the following new subparagraph:

“(A) the excess of—

“(i) the sum of—

“(I) the present value of all benefits which are expected to accrue or to be earned under the plan during the plan year, determined using the additional actuarial assumptions described in paragraph (1)(B), plus

“(II) the amount of plan-related expenses expected to be paid from plan assets during the plan year, over

“(ii) the amount of mandatory employee contributions expected to be made during the plan year, plus”, and

(II) in subparagraph (B), by striking “the target normal cost (determined without regard to this paragraph) of the plan for the plan year” and inserting “the amount determined under subsection (b)(1)(A)(i) with respect to the plan for the plan year”, and

(ii) by striking “subparagraph (A)(ii)” in the last sentence of paragraph (4)(B) and inserting “subparagraph (A)”.

(G) Section 303(j)(3) of ERISA—

(i) is amended by adding at the end of subparagraph (A) the following new sentence: “In the case of plan years beginning in 2008, the funding shortfall for the preceding plan year may be determined using such methods of estimation as the Secretary of the Treasury may provide.”,

(ii) by adding at the end of subparagraph (E) the following new clause:

“(iii) PLAN WITH ALTERNATE VALUATION DATE.—The Secretary of the Treasury shall prescribe regulations for the application of this paragraph in the case of a plan which has a valuation date other than the first day of the plan year.”, and

(iii) by striking “AND SHORT YEARS” in the heading of subparagraph (E) and inserting “, SHORT YEARS, AND YEARS WITH ALTERNATE VALUATION DATE”.

(H) Section 303(k)(6)(B) of ERISA is amended by striking “, except” and all that follows and inserting a period.

(2) AMENDMENTS TO 1986 CODE.—

(A) Section 430(b) of the 1986 Code is amended to read as follows:

“(b) TARGET NORMAL COST.—For purposes of this section—

“(1) IN GENERAL.—Except as provided in subsection (i)(2) with respect to plans in at-risk status, the term ‘target normal cost’ means, for any plan year, the excess of—

“(A) the sum of—

“(i) the present value of all benefits which are expected to accrue or to be earned under the plan during the plan year, plus

“(ii) the amount of plan-related expenses expected to be paid from plan assets during the plan year, over

“(B) the amount of mandatory employee contributions expected to be made during the plan year.

“(2) SPECIAL RULE FOR INCREASE IN COMPENSATION.—For purposes of this subsection, if any benefit attributable to services performed in a preceding plan year is increased by reason of any increase in compensation during the current plan year, the increase in such benefit shall be treated as having accrued during the current plan year.”.

(B) Section 430(c)(5)(B)(iii) of the 1986 Code is amended by inserting “beginning” before “after 2008”.

(C) Section 430(c)(5)(B)(iv)(II) of the 1986 Code is amended by inserting “for such year” after “beginning in 2007”.

(D) Section 430(f) of the 1986 Code is amended—

(i) by striking “as of the first day of the plan year” the second place it appears in the first sentence of paragraph (3)(A),

(ii) by striking “paragraph (2)” in paragraph (4)(A) and inserting “paragraph (3)”.

(iii) by striking “paragraph (1), (2), or (4) of section 206(g)” in paragraph (6)(B)(iii) and inserting “subsection (b), (c), or (e) of section 436”.

(iv) by striking “the sum of” in paragraph (6)(C), and

(v) by striking “of the Treasury” in paragraph (8).

(E) Section 430(h)(2) of the 1986 Code is amended—

(i) by inserting “and target normal cost” after “funding target” in subparagraph (B),

(ii) by striking “liabilities” and inserting “benefits” in subparagraph (B),

(iii) by striking “section 417(e)(3)(D)(i) for such month” in subparagraph (F) and inserting “section 417(e)(3)(D)(i) for such month”, and

(iv) by striking “subparagraph (B)” in subparagraph (F) and inserting “subparagraph (C)”.

(F) Section 430(i) of the 1986 Code is amended—

(i) in paragraph (2)—

(I) by striking subparagraph (A) and inserting the following new subparagraph:

“(A) the excess of—

“(i) the sum of—

“(I) the present value of all benefits which are expected to accrue or to be earned under the plan during the plan year, determined using the additional actuarial assumptions described in paragraph (1)(B), plus

“(II) the amount of plan-related expenses expected to be paid from plan assets during the plan year, over

“(ii) the amount of mandatory employee contributions expected to be made during the plan year, plus”, and

(II) in subparagraph (B), by striking “the target normal cost (determined without regard to this paragraph) of the plan for the plan year” and inserting “the amount determined under subsection (b)(1)(A)(i) with respect to the plan for the plan year”, and

(ii) by striking “subparagraph (A)(ii)” in the last sentence of paragraph (4)(B) and inserting “subparagraph (A)”.

(G) Section 430(j)(3) of the 1986 Code is amended—

(i) by adding at the end of subparagraph (A) the following new sentence: “In the case of plan years beginning in 2008, the funding shortfall for the preceding plan year may be determined using such methods of estimation as the Secretary may provide.”,

(ii) by striking “section 302(c)” in subparagraph (D)(ii)(II) and inserting “section 412(c)”.

(iii) by adding at the end of subparagraph (E) the following new clause:

“(iii) PLAN WITH ALTERNATE VALUATION DATE.—The Secretary shall prescribe regulations for the application of this paragraph in the case of a plan which has a valuation date other than the first day of the plan year.”, and

(iv) by striking “AND SHORT YEARS” in the heading of subparagraph (E) and inserting “, SHORT YEARS, AND YEARS WITH ALTERNATE VALUATION DATE”.

(H) Section 430(k) of the 1986 Code is amended—

(i) by inserting “(as provided under paragraph (2))” after “applies” in paragraph (1), and

(ii) by striking “, except” and all that follows in paragraph (6)(B) and inserting a period.

(C) AMENDMENTS RELATED TO SECTIONS 103 AND 113.—

(1) AMENDMENTS TO ERISA.—

(A) Section 101(j) of ERISA is amended—

(i) in paragraph (2), by striking “section 206(g)(4)(B)” and inserting “section 206(g)(4)(A)”; and

(ii) by adding at the end the following: “The Secretary of the Treasury, in consultation with the Secretary, shall have the authority to prescribe rules applicable to the notices required under this subsection.”.

(B) Section 206(g)(1)(B)(ii) of ERISA is amended by striking “a funding” and inserting “an adjusted funding”.

(C) The heading for section 206(g)(1)(C) of ERISA is amended by inserting “BENEFIT” after “EVENT”.

(D) Section 206(g)(3)(E) of ERISA is amended by adding at the end the following new flush sentence:

“Such term shall not include the payment of a benefit which under section 203(e) may be immediately distributed without the consent of the participant.”.

(E) Section 206(g)(5)(A)(iv) of ERISA is amended by inserting “adjusted” before “funding”.

(F) Section 206(g)(9)(C) of ERISA is amended—

(i) by striking “without regard to this subparagraph and” in clause (i), and

(ii) in clause (iii)—

(I) by striking “without regard to this subparagraph” and inserting “without regard to the reduction in the value of assets under section 303(f)(4)”, and

(II) by inserting “beginning” before “after” each place it appears.

(G) Section 206(g) of ERISA is amended by redesignating paragraph (10) as paragraph (11) and by inserting after paragraph (9) the following new paragraph:

“(10) SECRETARIAL AUTHORITY FOR PLANS WITH ALTERNATE VALUATION DATE.—In the case of a plan which has designated a valuation date other than the first day of the plan year, the Secretary of the Treasury may prescribe rules for the application of this subsection which are necessary to reflect the alternate valuation date.”.

(H) Section 502(c)(4) of ERISA is amended by striking “by any person” and all that follows through the period and inserting “by any person of subsection (j), (k), or (l) of section 101 or section 514(e)(3).”.

(2) AMENDMENTS TO 1986 CODE.—

(A) Section 436(b)(2) of the 1986 Code is amended—

(i) by striking “section 303” and inserting “section 430” in the matter preceding subparagraph (A), and

(ii) by striking “a funding” and inserting “an adjusted funding” in subparagraph (B).

(B) Section 436(b)(3) of the 1986 Code is amended—

(i) by inserting “BENEFIT” after “EVENT” in the heading, and

(ii) by striking “any event” in subparagraph (B) and inserting “an event”.

(C) Section 436(d)(5) of the 1986 Code is amended by adding at the end the following new flush sentence:

“Such term shall not include the payment of a benefit which under section 411(a)(11) may be immediately distributed without the consent of the participant.”.

(D) Section 436(f) of the 1986 Code is amended—

(i) by inserting “adjusted” before “funding” in paragraph (1)(D), and

(ii) by striking “prefunding balance under section 430(f) or funding standard carryover balance” in paragraph (2) and inserting “prefunding balance or funding standard carryover balance under section 430(f)”.

(E) Section 436(j)(3) of the 1986 Code is amended—

(i) in subparagraph (A)—

(I) by striking “without regard to this paragraph and”,

(II) by striking “section 430(f)(4)(A)” and inserting “section 430(f)(4)”, and

(III) by striking “paragraph (1)” and inserting “paragraphs (1) and (2)”, and

(ii) in subparagraph (C)—

(I) by striking “without regard to this paragraph” and inserting “without regard to the reduction in the value of assets under section 430(f)(4)”, and

(II) by inserting “beginning” before “after” each place it appears.

(F) Section 436 of the 1986 Code is amended by redesignating subsection (k) as subsection (m) and by inserting after subsection (j) the following new subsections:

“(k) SECRETARIAL AUTHORITY FOR PLANS WITH ALTERNATE VALUATION DATE.—In the case of a plan which has designated a valuation date other than the first day of the plan year, the Secretary may prescribe rules for the application of this section which are necessary to reflect the alternate valuation date.

“(l) SINGLE-EMPLOYER PLAN.—For purposes of this section, the term ‘single-employer plan’ means a plan which is not a multiemployer plan.”.

(3) AMENDMENTS TO 2006 ACT.—Sections 103(c)(2)(A)(ii) and 113(b)(2)(A)(ii) of the 2006 Act are each amended—

(A) by striking “subsection” and inserting “section”, and

(B) by striking “subparagraph” and inserting “paragraph”.

(d) AMENDMENTS RELATED TO SECTIONS 107 AND 114.—

(1) AMENDMENTS TO ERISA.—

(A) Section 103(d) of ERISA is amended—

(i) in paragraph (3), by striking “the normal costs, the accrued liabilities” and inserting “the normal costs or target normal costs, the accrued liabilities or funding target”, and

(ii) by striking paragraph (7) and inserting the following new paragraph:

“(7) A certification of the contribution necessary to reduce the minimum required contribution determined under section 303, or the accumulated funding deficiency determined under section 304, to zero.”.

(B) Section 4071 of ERISA is amended by striking “as section 303(k)(4) or 307(e)” and inserting “or section 303(k)(4)”,.

(2) AMENDMENTS TO 1986 CODE.—

(A) Section 401(a)(29) of the 1986 Code is amended by striking “ON PLANS IN AT-RISK STATUS” in the heading.

(B) Section 401(a)(32)(C) of the 1986 Code is amended—

(i) by striking “section 430(j)” and inserting “section 430(j)(3)”, and

(ii) by striking “paragraph (5)(A)” and inserting “section 430(j)(4)(A)”,.

(C) Section 401(a)(33) of the 1986 Code is amended—

(i) by striking “section 412(c)(2)” in subparagraph (B)(iii) and inserting “section 412(d)(2)”, and

(ii) by striking “section 412(b)(2) (without regard to subparagraph (B) thereof)” in subparagraph (D) and inserting “section 412(b)(1), without regard to section 412(b)(2)”,.

(D) Section 411 of the 1986 Code is amended—

(i) by striking “section 412(c)(2)” in subsection (a)(3)(C) and inserting “section 412(d)(2)”, and

(ii) by striking “section 412(e)(2)” in subsection (d)(6)(A) and inserting “section 412(d)(2)”,.

(E) Section 414(1)(2)(B)(i)(I) of the 1986 Code is amended to read as follows:

“(I) the sum of the funding target and target normal cost determined under section 430, over”.

(F) Section 4971 of the 1986 Code is amended—

(i) by striking “required minimum” in subsection (b)(1) and inserting “minimum required”,

(ii) by inserting “or unpaid minimum required contribution, whichever is applicable” after “accumulated funding deficiency” each place it appears in subsections (c)(3) and (d)(1), and

(iii) by striking “section 412(a)(1)(A)” in subsection (e)(1) and inserting “section 412(a)(2)”,.

(3) AMENDMENT TO 2006 ACT.—Section 114 of the 2006 Act is amended by adding at the end the following new subsection:

“(g) EFFECTIVE DATES.—

“(1) IN GENERAL.—The amendments made by this section shall apply to plan years beginning after 2007.

“(2) EXCISE TAX.—The amendments made by subsection (e) shall apply to taxable years beginning after 2007, but only with respect to plan years described in paragraph (1) which end with or within any such taxable year.”.

(e) AMENDMENT RELATED TO SECTION 116.—Section 409A(b)(3)(A)(ii) of the 1986 Code is amended by inserting “to an applicable covered employee” after “under the plan”.

**SEC. 3. AMENDMENTS RELATED TO TITLE II.**

(a) AMENDMENT RELATED TO SECTIONS 201 AND 211.—Section 201(b)(2)(A) of the 2006 Act is amended by striking “has not used” and inserting “has not adopted, or ceased using”,.

(b) AMENDMENTS RELATED TO SECTIONS 202 AND 212.—

(1) AMENDMENTS TO ERISA.—

(A) Section 302(b)(3) of ERISA is amended by striking “the plan adopts” and inserting “the plan sponsor adopts”.

(B) Section 305(b)(3)(C) of ERISA is amended by striking “section 101(b)(4)” and inserting “section 101(b)(1)”,.

(C) Section 305(b)(3)(D) of ERISA is amended by striking “The Secretary” in clause (iii) and inserting “The Secretary of the Treasury, in consultation with the Secretary”.

(D) Section 305(c)(7) of ERISA is amended—

(i) by striking “to agree on” and all that follows in subparagraph (A)(ii) and inserting “to adopt a contribution schedule with terms consistent with the funding improvement plan and a schedule from the plan sponsor”, and

(ii) by striking subparagraph (B) and inserting the following new subparagraph:

“(B) DATE OF IMPLEMENTATION.—The date specified in this subparagraph is the date which is 180 days after the date on which the collective bargaining agreement described in subparagraph (A) expires”, and

(iii) by adding at the end the following new subparagraph:

“(C) FAILURE TO MAKE SCHEDULED CONTRIBUTIONS.—Any failure to make a contribution under a schedule of contribution rates provided under this paragraph shall be treated as a delinquent contribution under section 515 and shall be enforceable as such.”.

(E) Section 305(e) of ERISA is amended—

(i) in paragraph (3)(C)—

(I) by striking all that follows “to adopt a” in clause (i)(II) and inserting “to adopt a contribution schedule with terms consistent with the rehabilitation plan and a schedule from the plan sponsor under paragraph (1)(B)(i),”,

(II) by striking clause (ii) and inserting the following new clause:

“(ii) DATE OF IMPLEMENTATION.—The date specified in this clause is the date which is 180 days after the date on which the collective bargaining agreement described in clause (i) expires.”, and

(III) by adding at the end the following new clause:

“(iii) FAILURE TO MAKE SCHEDULED CONTRIBUTIONS.—Any failure to make a contribution under a schedule of contribution rates provided under this subsection shall be treated as a delinquent contribution under section 515 and shall be enforceable as such.”,

(i) in paragraph (4)—

(I) by striking “the date of” in subparagraph (A)(ii), and

(II) by striking “and taking” in subparagraph (B) and inserting “but taking”,

(iii) in paragraph (6)—

(I) by striking “paragraph 1(B)(i)” and inserting “the last sentence of paragraph (1)”, and

(II) by striking “established” and inserting “establish”,

(iv) in paragraph (8)(C)(iii)—

(I) by striking “the Secretary” in subclause (I) and inserting “the Secretary of the Treasury, in consultation with the Secretary”, and

(II) by striking “Secretary” in the last sentence and inserting “Secretary of the Treasury”, and

(v) by striking “an employer’s withdrawal liability” in paragraph (9)(B) and inserting “the allocation of unfunded vested benefits to an employer”.

(F) Section 305(f)(2)(A)(i) of ERISA is amended by adding at the end the following: “to a participant or beneficiary whose annuity starting date (as defined in section 205(h)(2)) occurs after the date such notice is sent.”,

(G) Section 305(g) of ERISA is amended by inserting “under subsection (c)” after “funding improvement plan” the first place it appears.

(H) Section 502(c)(2) of ERISA is amended by striking “101(b)(4)” and inserting “101(b)(1)”.

(I) Section 502(c)(8)(A) of ERISA is amended by inserting “plan” after “multiemployer”.

(2) AMENDMENTS TO 1986 CODE.—

(A) Section 432(b)(3)(C) of the 1986 Code is amended by striking “section 101(b)(4)” and inserting “section 101(b)(1)”.

(B) Section 432(b)(3)(D)(iii) of the 1986 Code is amended by striking “The Secretary of Labor” and inserting “The Secretary, in consultation with the Secretary of Labor”.

(C) Section 432(c) of the 1986 Code is amended—

(i) in paragraph (3), by striking “section 304(d)” in subparagraph (A)(ii) and inserting “section 431(d)”, and

(ii) in paragraph (7)—

(I) by striking “to agree on” and all that follows in subparagraph (A)(ii) and inserting “to adopt a contribution schedule with terms consistent with the funding improvement plan and a schedule from the plan sponsor.”, and

(II) by striking subparagraph (B) and inserting the following new subparagraph:

“(B) DATE OF IMPLEMENTATION.—The date specified in this subparagraph is the date which is 180 days after the date on which the collective bargaining agreement described in subparagraph (A) expires.”.

(D) Section 432(e) of the 1986 Code is amended—

(i) in paragraph (3)(C)—

(I) by striking all that follows “to adopt a” in clause (i)(II) and inserting “to adopt a contribution schedule with terms consistent

with the rehabilitation plan and a schedule from the plan sponsor under paragraph 1(B)(i).”, and

(II) by striking clause (ii) and inserting the following new clause:

“(ii) DATE OF IMPLEMENTATION.—The date specified in this clause is the date which is 180 days after the date on which the collective bargaining agreement described in clause (i) expires.”,

(i) in paragraph (4)—

(I) by striking “the date of” in subparagraph (A)(ii), and

(II) by striking “and taking” in subparagraph (B) and inserting “but taking”,

(iii) in paragraph (6)—

(I) by striking “paragraph 1(B)(i)” and inserting “the last sentence of paragraph (1)”, and

(II) by striking “established” and inserting “establish”,

(iv) in paragraph (8)—

(I) by striking “section 204(g)” in subparagraph (A)(i) and inserting “section 411(d)(6)”,

(II) by inserting “of the Employee Retirement Income Security Act of 1974” after “4212(a)” in subparagraph (C)(i)(II),

(III) by striking “the Secretary of Labor” in subparagraph (C)(iii)(I) and inserting “the Secretary, in consultation with the Secretary of Labor”, and

(IV) by striking “the Secretary of Labor” in the last sentence of subparagraph (C)(iii) and inserting “the Secretary”, and

(v) by striking “an employer’s withdrawal liability” in paragraph (9)(B) and inserting “the allocation of unfunded vested benefits to an employer”.

(E) Section 432(f)(2)(A)(i) of the 1986 Code is amended—

(i) by striking “section 411(b)(1)(A)” and inserting “section 411(a)(9)”; and

(ii) by inserting at the end the following: “to a participant or beneficiary whose annuity starting date (as defined in section 417(f)(2)) occurs after the date such notice is sent.”,

(F) Section 432(g) of the 1986 Code is amended by inserting “under subsection (c)” after “funding improvement plan” the first place it appears.

(G) Section 432(i) of the 1986 Code is amended—

(i) by striking “section 412(a)” in paragraph (3) and inserting “section 431(a)”, and

(ii) by striking paragraph (9) and inserting the following new paragraph:

“(9) PLAN SPONSOR.—For purposes of this section, section 431, and section 4971(g)—

“(A) IN GENERAL.—The term ‘plan sponsor’ means, with respect to any multiemployer plan, the association, committee, joint board of trustees, or other similar group of representatives of the parties who establish or maintain the plan.

“(B) SPECIAL RULE FOR SECTION 404(C) PLANS.—In the case of a plan described in section 404(c) (or a continuation of such plan), such term means the bargaining parties described in paragraph (1).”.

(H) Section 412(b)(3) of the 1986 Code is amended by striking “the plan adopts” and inserting “the plan sponsor adopts”.

(I) Section 4971(g)(4) of the 1986 Code is amended—

(i) in subparagraph (B)(ii), by striking “first day of” and inserting “day following the close of”, and

(ii) by striking clause (ii) of subparagraph (C) and inserting the following new clause:

“(ii) PLAN SPONSOR.—For purposes of clause (i), the term ‘plan sponsor’ has the meaning given such term by section 432(i)(9).”.

(3) AMENDMENTS TO 2006 ACT.—

(A) Section 212(b)(2) of the 2006 Act is amended by striking “Section 4971(c)(2) of

such Code” and inserting “Section 4971(e)(2) of such Code”.

(B) Section 212(e)(1) of the 2006 Act is amended by inserting “, except that the amendments made by subsection (b) shall apply to taxable years beginning after 2007, but only with respect to plan years beginning after 2007 which end with or within any such taxable year” before the period at the end.

(C) Section 212(e)(2) of the 2006 Act is amended by striking “section 305(b)(3) of the Employee Retirement Income Security Act of 1974” and inserting “section 432(b)(3) of the Internal Revenue Code of 1986”.

**SEC. 4. AMENDMENTS RELATED TO TITLE III.**

(a) AMENDMENT RELATED TO SECTION 301.— Clause (ii) of section 101(c)(2)(A) of the Pension Funding Equity Act of 2004, as amended by section 301(c) of the 2006 Act, is amended by striking “2008” and inserting “2009”.

(b) AMENDMENTS RELATED TO SECTION 302.—

(1) AMENDMENT TO ERISA.—Section 205(g)(3)(B)(iii)(II) of ERISA is amended by striking “section 205(g)(3)(B)(iii)(II)” and inserting “section 205(g)(3)(A)(ii)(II)”.

(2) AMENDMENTS TO 1986 CODE.—

(A) Section 417(e)(3)(D)(i) of the 1986 Code is amended by striking “clause (ii)” and inserting “subparagraph (C)”.

(B)(i) Section 415(b)(2)(E)(v) of the 1986 Code is amended to read as follows:

“(v) For purposes of adjusting any benefit or limitation under subparagraph (B), (C), or (D), the mortality table used shall be the applicable mortality table (within the meaning of section 417(e)(3)(B)).”.

(ii)(I) Except as provided in subclause (II), the amendment made by clause (i) shall apply to years beginning after December 31, 2008.

(II) A plan sponsor may elect to have the amendment made by clause (i) apply to any year beginning after December 31, 2007, and before January 1, 2009, or to any portion of any such year.

**SEC. 5. AMENDMENTS RELATED TO TITLE IV.**

(a) AMENDMENT RELATED TO SECTION 401.— Section 4006(a)(3)(A)(i) of ERISA is amended by striking “1990” and inserting “2005”.

(b) AMENDMENT RELATED TO SECTION 402.— Section 402(c)(1)(A) of the 2006 Act is amended by striking “commercial airline” and inserting “commercial”.

(c) AMENDMENT RELATED TO SECTION 408.— Section 4044(e) of ERISA, as added by section 408(b)(2) of the 2006 Act, is redesignated as subsection (f).

(d) AMENDMENTS RELATED TO SECTION 409.— Section 4041(b)(5)(A) of ERISA is amended by striking “subparagraph (B)” and inserting “subparagraphs (B) and (D)”.

(e) AMENDMENTS RELATED TO SECTION 410.— Section 4050(d)(4)(A) of ERISA is amended—

(1) by striking “and” at the end of clause (i), and

(2) by striking clause (ii) and inserting the following new clauses:

“(ii) which is not a plan described in paragraph (2), (3), (4), (6), (7), (8), (9), (10), or (11) of section 4021(b), and

“(iii) which, was a plan described in section 401(a) of the Internal Revenue Code of 1986 which includes a trust exempt from tax under section 501(a) of such Code, and”.

**SEC. 6. AMENDMENTS RELATED TO TITLE V.**

(a) AMENDMENT RELATED TO SECTION 501.— Section 101(f)(2)(B)(ii) of ERISA is amended—

(1) by striking “for which the latest annual report filed under section 104(a) was filed” in subclause (I)(aa) and inserting “to which the notice relates”, and

(2) by striking subclause (II) and inserting the following new subclause:

“(II) in the case of a multiemployer plan, a statement, for the plan year to which the notice relates and the preceding 2 plan years, of

the value of the plan assets (determined both in the same manner as under section 304 and under the rules of subclause (I)(bb)) and the value of the plan liabilities (determined in the same manner as under section 304 except that the method specified in section 305(i)(8) shall be used).”

(b) AMENDMENTS RELATED TO SECTION 502.—  
(1) Section 101(k)(2) of ERISA is amended by filing at the end the following new flush sentence:

“Subparagraph (C)(i) shall not apply to individually identifiable information with respect to any plan investment manager or adviser, or with respect to any other person (other than an employee of the plan) preparing a financial report required to be included under paragraph (1)(B).”

(2) Section 4221 of ERISA is amended by striking subsection (e) and by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

(c) AMENDMENTS RELATED TO SECTION 503.—  
(1) AMENDMENTS TO ERISA.—

(A) Section 104(b)(3) of ERISA is amended by—

(i) striking “section 103(f)” and inserting “section 101(f)”, and

(ii) striking “the administrators” and inserting “the administrator”.

(B) Section 104(d)(1)(E)(ii) of ERISA is amended by inserting “funding” after “plan’s”.

(2) AMENDMENTS TO 2006 ACT.—Section 503(e) of the 2006 Act is amended by striking “section 101(f)” and inserting “section 104(d)”.

(d) AMENDMENT RELATED TO SECTION 505.—  
Section 4010(d)(2)(B) of ERISA is amended by striking “section 302(d)(2)” and inserting “section 303(d)(2)”.

(e) AMENDMENTS RELATED TO SECTION 506.—

(1) Section 4041(c)(2)(D)(i) of ERISA is amended by striking “subsection (a)(2)” the second place it appears and inserting “subparagraph (A) or the regulations under subsection (a)(2)”.

(2) Section 4042(c)(3)(C)(i) of ERISA is amended—

(A) by striking “and plan sponsor” and inserting “, the plan sponsor, or the corporation”, and

(B) by striking “subparagraph (A)(i)” and inserting “subparagraph (A)”.

(f) AMENDMENTS RELATED TO SECTION 508.—  
Section 209(a) of ERISA is amended—

(1) in paragraph (1)—

(A) by striking “regulations prescribed by the Secretary” and inserting “such regulations as the Secretary may prescribe”, and

(B) by striking the last sentence and inserting “The report required under this paragraph shall be in the same form, and contain the same information, as periodic benefit statements under section 105(a).”, and

(2) by striking paragraph (2) and inserting the following:

“(2) If more than one employer adopts a plan, each such employer shall furnish to the plan administrator the information necessary for the administrator to maintain the records, and make the reports, required by paragraph (1). Such administrator shall maintain the records, and make the reports, required by paragraph (1).”

(g) AMENDMENT RELATED TO SECTION 509.—  
Section 101(i)(8)(B) of ERISA is amended to read as follows:

“(B) ONE-PARTICIPANT RETIREMENT PLAN.—  
For purposes of subparagraph (A), the term ‘one-participant retirement plan’ means a retirement plan that on the first day of the plan year—

“(i) covered only one individual (or the individual and the individual’s spouse) and the individual (or the individual and the individual’s spouse) owned 100 percent of the plan sponsor (whether or not incorporated), or

“(ii) covered only one or more partners (or partners and their spouses) in the plan sponsor.”.

#### SEC. 7. AMENDMENTS RELATED TO TITLE VI.

(a) AMENDMENTS RELATED TO SECTION 601.—

(1) AMENDMENTS TO ERISA.—

(A) Section 408(g)(3)(D)(ii) of ERISA is amended by striking “subsection (b)(14)(B)(ii)” and inserting “subsection (b)(14)(A)(ii)”.

(B) Section 408(g)(6)(A)(i) of ERISA is amended by striking “financial adviser” and inserting “fiduciary adviser”.

(C) Section 408(g)(11)(A) of ERISA is amended—

(i) by striking “the participant” each place it appears and inserting “a participant”, and

(ii) by striking “section 408(b)(4)” in clause (ii) and inserting “subsection (b)(4)”.

(2) AMENDMENTS TO 1986 CODE.—

(A) Section 4975(d)(17) of the 1986 Code, in the matter preceding subparagraph (A), is amended by striking “and that permits” and inserting “that permits”.

(B) Section 4975(f)(8) of the 1986 Code is amended—

(i) in subparagraph (A), by striking “subsection (b)(14)” and inserting “subsection (d)(17)”,

(ii) in subparagraph (C)(iv)(II), by striking “subsection (b)(14)(B)(ii)” and inserting “(d)(17)(A)(ii)”,

(iii) in subparagraph (F)(i)(I), by striking “financial adviser” and inserting “fiduciary adviser”,

(iv) in subparagraph (I), by striking “section 406” and inserting “subsection (c)”, and

(v) in subparagraph (J)(i)—

(I) by striking “the participant” each place it appears and inserting “a participant”,

(II) in the matter preceding subclause (I), by inserting “referred to in subsection (e)(3)(B)” after “investment advice”, and

(III) in subclause (II), by striking “section 408(b)(4)” and inserting “subsection (d)(4)”.

(3) AMENDMENT TO 2006 ACT.—Section 601(b)(4) of the 2006 Act is amended by striking “section 4975(c)(3)(B)” and inserting “section 4975(e)(3)(B)”.

(b) AMENDMENTS RELATED TO SECTION 611.—

(1) AMENDMENT TO ERISA.—Section 408(b)(18)(C) of ERISA is amended by striking “or less”.

(2) AMENDMENTS TO 1986 CODE.—Section 4975(d) of the 1986 Code is amended—

(A) in the matter preceding subparagraph (A) of paragraph (18)—

(i) by striking “party in interest” and inserting “disqualified person”, and

(ii) by striking “subsection (e)(3)(B)” and inserting “subsection (e)(3)”,

(B) in paragraphs (19), (20), and (21), by striking “party in interest” each place it appears and inserting “disqualified person”, and

(C) by striking “or less” in paragraph (21)(C).

(c) AMENDMENTS RELATED TO SECTION 612.—  
Section 4975(f)(11)(B)(i) of the 1986 Code is amended by—

(1) inserting “of the Employee Retirement Income Security Act of 1974” after “section 407(d)(1)”, and

(2) inserting “of such Act” after “section 407(d)(2)”.

(d) AMENDMENTS RELATED TO SECTION 624.—  
Section 404(c)(5) of ERISA is amended by striking “participant” each place it appears and inserting “participant or beneficiary”.

#### SEC. 8. AMENDMENTS RELATED TO TITLE VII.

(1) AMENDMENTS TO ERISA.—

(A) Section 203(f)(1)(B) of ERISA is amended to read as follows:

“(B) the requirements of section 204(c) or 205(g), or the requirements of subsection (e), with respect to accrued benefits derived from employer contributions.”.

(B) Section 204(b)(5) of ERISA is amended—  
(i) by striking “clause” in subparagraph (A)(iii) and inserting “subparagraph”, and

(ii) by inserting “otherwise” before “allowable” in subparagraph (C).

(C) Subclause (II) of section 204(b)(5)(B)(i) of ERISA is amended to read as follows:

“(II) PRESERVATION OF CAPITAL.—An applicable defined benefit plan shall be treated as failing to meet the requirements of paragraph (1)(H) unless the plan provides that an interest credit (or equivalent amount) of less than zero shall in no event result in the account balance or similar amount being less than the aggregate amount of contributions credited to the account.”.

(2) AMENDMENTS TO 1986 CODE.—

(A) Section 411(b)(5) of the 1986 Code is amended—

(i) by striking “clause” in subparagraph (A)(iii) and inserting “subparagraph”, and

(ii) by inserting “otherwise” before “allowable” in subparagraph (C).

(B) Section 411(a)(13)(A) of the 1986 Code is amended—

(i) by striking “paragraph (2)” in clause (i) and inserting “subparagraph (B)”,

(ii) by striking clause (ii) and inserting the following new clause:

“(ii) the requirements of subsection (a)(11) or (c), or the requirements of section 417(e), with respect to accrued benefits derived from employer contributions,” and

(iii) by striking “paragraph (3)” in the matter following clause (ii) and inserting “subparagraph (C)”.

(C) Subclause (II) of section 411(b)(5)(B)(i) of the 1986 Code is amended to read as follows:

“(II) PRESERVATION OF CAPITAL.—An applicable defined benefit plan shall be treated as failing to meet the requirements of paragraph (1)(H) unless the plan provides that an interest credit (or equivalent amount) of less than zero shall in no event result in the account balance or similar amount being less than the aggregate amount of contributions credited to the account.”.

(3) AMENDMENTS TO 2006 ACT.—

(A) Section 701(d)(2) of the 2006 Act is amended by striking “204(g)” and inserting “205(g)”.

(B) Section 701(e) of the 2006 Act is amended—

(i) by inserting “on or” after “period” in paragraph (3),

(ii) in paragraph (4)—

(I) by inserting “the earlier of” after “before” in the matter preceding subparagraph (A), and

(II) by striking “earlier” and inserting “later” in subparagraph (A),

(iii) by inserting “on or” before “after” each place it appears in paragraph (5), and

(iv) by adding at the end the following new paragraph:

“(6) SPECIAL RULE FOR VESTING REQUIREMENTS.—The requirements of section 203(f)(2) of the Employee Retirement Income Security Act of 1974 and section 411(a)(13)(B) of the Internal Revenue Code of 1986 (as added by this Act)—

“(A) shall not apply to a participant who does not have an hour of service after the effective date of such requirements (as otherwise determined under this subsection); and

“(B) in the case of a plan other than a plan described in paragraph (3) or (4), shall apply to plan years ending on or after June 29, 2005.”.

#### SEC. 9. AMENDMENTS RELATED TO TITLE VIII.

(a) AMENDMENTS RELATED TO SECTION 801.—

(1) Section 404(o) of the 1986 Code is amended—

(A) by striking “430(g)(2)” in paragraph (2)(A)(ii) and inserting “430(g)(3)”, and

(B) by striking “412(f)(4)” in paragraph (4)(B) and inserting “412(d)(3)”.

(2) Section 404(a)(7)(A) of the 1986 Code is amended—

(A) by striking the next to last sentence, and

(B) by striking “the plan’s funding shortfall determined under section 430” in the last sentence and inserting “the excess (if any) of the plan’s funding target (as defined in section 430(d)(1)) over the value of the plan’s assets (as determined under section 430(g)(3))”.

(b) AMENDMENT RELATED TO SECTION 802.—Section 404(a)(1)(D)(i) of the 1986 Code is amended by striking “431(c)(6)(C)” and inserting “431(c)(6)(D)”.

(c) AMENDMENT RELATED TO SECTION 803.—Clause (iii) of section 404(a)(7)(C) of the 1986 Code is amended to read as follows:

“(iii) LIMITATION.—In the case of employer contributions to 1 or more defined contribution plans—

“(I) if such contributions do not exceed 6 percent of the compensation otherwise paid or accrued during the taxable year to the beneficiaries under such plans, this paragraph shall not apply to such contributions or to employer contributions to the defined benefit plans to which this paragraph would otherwise apply by reason of contributions to the defined contribution plans, and

“(II) if such contributions exceed 6 percent of such compensation, this paragraph shall be applied by only taking into account such contributions to the extent of such excess.

For purposes of this clause, amounts carried over from preceding taxable years under subparagraph (B) shall be treated as employer contributions to 1 or more defined contribution plans to the extent attributable to employer contributions to such plans in such preceding taxable years.”

(d) AMENDMENTS RELATED TO SECTION 824.—

(1) Section 408A(c)(3)(B) of the 1986 Code, as in effect after the amendments made by section 824(b)(1) of the 2006 Act, is amended—

(A) by striking the second “an” before “eligible”,

(B) by striking “other than a Roth IRA”, and

(C) by adding at the end the following new flush sentence:

“This subparagraph shall not apply to a qualified rollover contribution from a Roth IRA or to a qualified rollover contribution from a designated Roth account which is a rollover contribution described in section 402A(c)(3)(A).”

(2) Section 408A(d)(3)(B), as in effect after the amendments made by section 824(b)(2)(B) of the 2006 Act, is amended by striking “(other than a Roth IRA)” and by inserting at the end the following new sentence: “This paragraph shall not apply to a distribution which is a qualified rollover contribution from a Roth IRA or a qualified rollover contribution from a designated Roth account which is a rollover contribution described in section 402A(c)(3)(A).”

(e) AMENDMENT TO SECTION 827.—The first sentence of section 72(t)(2)(G)(iv) of the 1986 Code is amended by inserting “on or” before “before”.

(f) AMENDMENTS RELATED TO SECTION 829.—(1) Section 402(c)(11) of the 1986 Code is amended—

(A) by inserting “described in paragraph (8)(B)(iii)” after “eligible retirement plan” in subparagraph (A), and

(B) by striking “trust” before “designated beneficiary” in subparagraph (B).

(2)(A) Section 402(f)(2)(A) of the 1986 Code is amended by adding at the end the following new sentence: “Such term shall include any distribution to a designated beneficiary which would be treated as an eligible rollover distribution by reason of subsection (c)(11), or section 403(a)(4)(B), 403(b)(8)(B), or 457(e)(16)(B), if the requirements of subsection (c)(11) were satisfied.”

(B) Clause (i) of section 402(c)(11)(A) of the 1986 Code is amended by striking “for purposes of this subsection”.

(C) The amendments made by this paragraph shall apply with respect to plan years beginning after December 31, 2008.

(g) AMENDMENT RELATED TO SECTION 832.—Section 415(f) of the 1986 Code is amended by striking paragraph (2) and by redesignating paragraph (3) as paragraph (2).

(h) AMENDMENTS RELATED TO SECTION 833.—(1) Section 408A(c)(3)(C) of the 1986 Code, as added by section 833(c) of the 2006 Act, is redesignated as subparagraph (E).

(2) In the case of taxable years beginning after December 31, 2009, section 408A(c)(3)(E) of the 1986 Code (as redesignated by paragraph (1))—

(A) is redesignated as subparagraph (D), and

(B) is amended by striking “subparagraph (C)(ii)” and inserting “subparagraph (B)(ii)”.

(i) AMENDMENTS RELATED TO SECTION 841.—

(1) Section 420(c)(1)(A) of the 1986 Code is amended by adding at the end the following new sentence: “In the case of a qualified future transfer or collectively bargained transfer to which subsection (f) applies, any assets so transferred may also be used to pay liabilities described in subsection (f)(2)(C).”

(2) Section 420(f)(2) of the 1986 Code is amended by striking “such” before “the applicable” in subparagraph (D)(i)(I).

(3) Section 4980(c)(2)(B) of the 1986 Code is amended by striking “or” at the end of clause (i), by striking the period at the end of clause (ii) and inserting “, or”, and by adding at the end the following new clause: “(iii) any transfer described in section 420(f)(2)(B)(ii)(II).”

(j) AMENDMENTS RELATED TO SECTION 845.—(1) Subsection (l) of section 402 of the 1986 Code is amended—

(A) in paragraph (1)—

(i) by inserting “maintained by the employer described in paragraph (4)(B)” after “an eligible retirement plan”, and

(ii) by striking “of the employee, his spouse, or dependents (as defined in section 152)”,

(B) in paragraph (4)(D), by—

(i) inserting “(as defined in section 152)” after “dependents”, and

(ii) striking “health insurance plan” and inserting “health plan”, and

(C) in paragraph (5)(A), by striking “health insurance plan” and inserting “health plan”.

(2) Subparagraph (B) of section 402(l)(3) of the 1986 Code is amended by striking “all amounts distributed from all eligible retirement plans were treated as 1 contract for purposes of determining the inclusion of such distribution under section 72” and inserting “all amounts to the credit of the eligible public safety officer in all eligible retirement plans maintained by the employer described in paragraph (4)(B) were distributed during such taxable year and all such plans were treated as 1 contract for purposes of determining under section 72 the aggregate amount which would have been so includible”.

(k) AMENDMENTS RELATED TO SECTION 854.—

(1) Section 3121(b)(5)(E) of the 1986 Code is amended by striking “or special trial judge”.

(2) Section 210(a)(5)(E) of the Social Security Act is amended by striking “or special trial judge”.

(l) AMENDMENTS RELATED TO SECTION 856.—Section 856 of the 2006 Act, and the amendments made by such section, are hereby repealed, and the Internal Revenue Code of 1986 shall be applied and administered as if such sections and amendments had not been enacted.

(m) AMENDMENT RELATED TO SECTION 864.—Section 864(a) of the 2006 Act is amended by striking “Reconciliation”.

## SEC. 10. AMENDMENTS RELATED TO TITLE IX.

(a) AMENDMENT RELATED TO SECTION 901.—Section 401(a)(35)(E)(iv) of the 1986 Code is amended to read as follows:

“(iv) ONE-PARTICIPANT RETIREMENT PLAN.—For purposes of clause (iii), the term ‘one-participant retirement plan’ means a retirement plan that on the first day of the plan year—

“(I) covered only one individual (or the individual and the individual’s spouse) and the individual (or the individual and the individual’s spouse) owned 100 percent of the plan sponsor (whether or not incorporated), or

“(II) covered only one or more partners (or partners and their spouses) in the plan sponsor.”

(b) AMENDMENTS RELATED TO SECTION 902.—

(1) Section 401(k)(13)(D)(i)(I) of the 1986 Code is amended by striking “such compensation as exceeds 1 percent but does not” and inserting “such contributions as exceed 1 percent but do not”.

(2) Sections 401(k)(8)(E) and 411(a)(3)(G) of the 1986 Code are each amended—

(A) by striking “an erroneous automatic contribution” and inserting “a permissible withdrawal”, and

(B) by striking “ERRONEOUS AUTOMATIC CONTRIBUTION” in the heading and inserting “PERMISSIBLE WITHDRAWAL”.

(3) Section 402(g)(2)(A)(ii) of the 1986 Code is amended by inserting “through the end of such taxable year” after “such amount”.

(4) Section 414(w)(3) of the 1986 Code is amended—

(A) in subparagraph (B), by inserting “and” after the comma at the end,

(B) by striking subparagraph (C), and

(C) by redesignating subparagraph (D) as subparagraph (C).

(5) Section 414(w)(5) of the 1986 Code is amended by striking “and” at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting a comma, and by adding at the end the following:

“(D) a simplified employee pension the terms of which provide for a salary reduction arrangement described in section 408(k)(6), and

“(E) a simple retirement account (as defined in section 408(p)).”

(6) Section 414(w)(6) of the 1986 Code is amended by inserting “or for purposes of applying the limitation under section 402(g)(1)” before the period at the end.

(c) AMENDMENTS RELATED TO SECTION 903.—

(1) AMENDMENT OF 1986 CODE.—Section 414(x)(1) of the 1986 Code is amended by adding at the end of paragraph (1) the following new sentence: “In the case of a termination of the defined benefit plan and the applicable defined contribution plan forming part of an eligible combined plan, the plan administrator shall terminate each such plan separately.”

(2) AMENDMENTS OF ERISA.—Section 210(e) of ERISA is amended—

(A) by adding at the end of paragraph (1) the following new sentence: “In the case of a termination of the defined benefit plan and the applicable defined contribution plan forming part of an eligible combined plan, the plan administrator shall terminate each such plan separately.”, and

(B) by striking paragraph (3) and by redesignating paragraphs (4), (5), and (6) as paragraphs (3), (4), and (5), respectively.

(d) AMENDMENTS RELATED TO SECTION 906.—

(1) Section 906(b)(1)(B)(ii) of the 2006 Act is amended by striking “paragraph (1)” and inserting “paragraph (10)”.

(2) Section 4021(b) of ERISA is amended by inserting “or” at the end of paragraph (12), by striking “; or” at the end of paragraph (13) and inserting a period, and by striking paragraph (14).

**SEC. 11. AMENDMENTS RELATED TO TITLE X.**

(a) AMENDMENTS TO RAILROAD RETIREMENT ACT.—

(1) Section 14(b) of the Railroad Retirement Act of 1974 (45 U.S.C. 231m(b)) is amended by adding at the end the following:

“(3)(i) Payments made pursuant to paragraph (2) of this subsection shall not require that the employee be entitled to an annuity under section 2(a)(1) of this Act: Provided, however, That where an employee is not entitled to such an annuity, payments made pursuant to paragraph (2) may not begin before the month in which the following three conditions are satisfied:

“(A) The employee has completed ten years of service in the railroad industry or, five years of service all of which accrues after December 31, 1995.

“(B) The spouse or former spouse attains age 62.

“(C) The employee attains age 62 (or if deceased, would have attained age 62).

“(ii) Payments made pursuant to paragraph (2) of this subsection shall terminate upon the death of the spouse or former spouse, unless the court document provides for termination at an earlier date. Notwithstanding the language in a court order, that portion of payments made pursuant to paragraph (2) which represents payments computed pursuant to section 3(f)(2) of this Act shall not be paid after the death of the employee.

“(iii) If the employee is not entitled to an annuity under section 2(a)(1) of this Act, payments made pursuant to paragraph (2) of this subsection shall be computed as though the employee were entitled to an annuity.”.

(2) Subsection (d) of section 5 of the Railroad Retirement Act (45 U.S.C. 231d) is repealed.

(b) EFFECTIVE DATES.—

(1) SUBSECTION (a)(1).—The amendment made by subsection (a)(1) shall apply with respect to payments due for months after August 2007. If, prior to the effective date of such amendment, payment pursuant to paragraph (2) of section 14(b) of the Railroad Retirement Act of 1974 (45 U.S.C. 231m(b)) was terminated because of the employee's death, payment to the former spouse may be reinstated for months after August 2007.

(2) SUBSECTION (a)(2).—The amendment made by subsection (a)(2) shall take effect upon the date of the enactment of this Act.

**SEC. 12. AMENDMENTS RELATED TO TITLE XI.**

(a) AMENDMENT RELATED TO SECTION 1104.—Section 1104(d)(1) of the 2006 Act is amended by striking “Act” the first place it appears and inserting “section”.

(b) AMENDMENTS RELATED TO SECTION 1105.—Section 3304(a) of the 1986 Code is amended—

(1) in paragraph (15)—

(A) by redesignating clauses (i) and (ii) of subparagraph (A) as subclauses (I) and (II),

(B) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii),

(C) by striking the semicolon at the end of clause (ii) (as so redesignated) and inserting “, and”;

(D) by striking “(15)” and inserting “(15)(A) subject to subparagraph (B),”;

(E) by adding at the end the following:

“(B) the amount of compensation shall not be reduced on account of any payments of governmental or other pensions, retirement or retired pay, annuity, or other similar payments which are not includible in the gross income of the individual for the taxable year in which it was paid because it was part of a rollover distribution;”;

(F) by striking the last sentence.

(c) AMENDMENTS RELATED TO SECTION 1106.—Section 3(37)(G) of ERISA is amended by—

(1) striking “paragraph” each place it appears in clauses (ii), (iii), and (v)(I) and inserting “subparagraph”;

(2) striking “subclause (i)(II)” in clause (iii) and inserting “clause (i)(II)”;

(3) striking “subparagraph” in clause (v)(II) and inserting “clause”, and

(4) by striking “section 101(b)(4)” in clause (v)(III) and inserting “section 101(b)(1)”.

**SEC. 13. EFFECTIVE DATE.**

Except as otherwise provided in this Act, the amendments made by this Act shall take effect as if included in the provisions of the 2006 Act to which the amendments relate.

Mr. STARK (during the reading). Madam Speaker, I ask unanimous consent that the reading be dispensed with.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. Without objection, the gentleman's initial request is agreed to.

There was no objection.

PERMISSION TO RESOLVE INTO  
SECRET SESSION

Mr. HOYER. Madam Speaker, at the request of, and after discussion with, the distinguished Republican whip, I ask unanimous consent that at a time designated by the Speaker on the legislative day of March 13, 2008, the House resolve itself into secret session as though pursuant to clause 8 of rule XVII; secondly, debate in such secret session proceed without intervening motion for 1 hour equally divided and controlled by the majority leader and the minority whip; and, thirdly, at the conclusion of that debate, the secret session shall be dissolved.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

Mr. BLUNT. Reserving the right to object, Madam Speaker, I believe I heard the leader say clause 8.

Did you mean clause 9?

Mr. HOYER. Clause 9. Excuse me.

Mr. BLUNT. Clause 9. And this secret session would be convened at some time by the Speaker today when the room has been secured and would dissolve at the end of an hour of discussion? Is that what I understand?

Mr. HOYER. That's what the consent agreement is, pursuant to our discussions.

Mr. BLUNT. I withdraw my reservation, Madam Speaker.

Mr. KUCINICH. Reserving the right to object, Madam Speaker, would the gentleman from Maryland yield to a question?

Mr. HOYER. Certainly.

Mr. KUCINICH. Can you divulge to this House what is going to be discussed, not the content of it, but the topic that's going to be discussed?

Mr. HOYER. My presumption is, and I think that's accurate because of my discussions with the Republican whip, the discussion will be with reference to the Foreign Intelligence Surveillance Act.

Mr. KUCINICH. And the debate that will take place regarding the Foreign Intelligence Surveillance Act, what would conceivably be the nature of that debate?

Mr. HOYER. I can't tell you that because I don't know.

Mr. KUCINICH. Is it going to be debate over legislation?

Mr. HOYER. I presume, I tell the gentleman from Ohio, that it certainly will relate to the legislation that we will then be considering probably at this point in time tomorrow.

Mr. KUCINICH. The gentleman, in his long experience in the House, could he communicate to those who have, in my case, been in this House 12 years or less, anytime in your experience where the House has debated legislation in secret?

Mr. HOYER. My presumption is that we will not debate the legislation in secret. Not only is that my presumption, I think we will clearly have public debate tomorrow on the bill. The minority whip came to me indicating that there were things he thought the Members ought to have knowledge of that he was of the opinion could not be divulged in public debate. There is a provision under our rules to accomplish that objective. After discussion with him and limitation on the time so that we could, in fact, get to a vote on what we believe is very important legislation, we have agreed to this arrangement. Again, it's limited, but we did not want to be nor are we in the position of saying to the minority whip if he has such information that we want to preclude that from being offered, because we want no indication that any information is being withheld. That is appropriate, obviously. There are going to be restrictions, obviously, even in the context of the session.

Mr. KUCINICH. My friend has said two things. One is that there's an assumption that it's going to be about FISA, and another one is that there is going to be a debate of sorts.

When I asked the question if you are aware of whether or not anything like this has happened before, we are talking about specific legislation that is before this House, would the gentleman know what the precedent for this is? Is this unprecedented that the House of Representatives would be meeting in secret preliminary to legislation that it intends to pass? I haven't experienced this in my time; and for information purposes, I would ask the gentleman, who has been here, I think 26, 28 years, if in his experience he can remember that.

Mr. HOYER. I thank the gentleman. In responding to him, I believe, and I'm not, frankly, absolutely positive, and I am hoping that somebody perhaps on the Intelligence Committee staff or others in the House knows, but I believe that during the early 1980s, 1983, on Contragate there was such a session.

Mr. KUCINICH. When?

Mr. HOYER. In 1983.

Mr. KUCINICH. On what?

Mr. HOYER. Contragate.  
Mr. KUCINICH. Iran-Contra?  
Mr. HOYER. Yes.

Mr. KUCINICH. Was that before the hearings or after the hearings?

Mr. HOYER. I don't know the answer to that question.

Mr. KUCINICH. Well, I mean there's relevance here.

Mr. HOYER. If you will yield to Mr. BLUNT, he may be able to offer some information.

Mr. KUCINICH. I yield to my friend, Mr. BLUNT.

Mr. BLUNT. My friend, I didn't quite hear your last question.

Mr. KUCINICH. I said was it Iran-Contra?

Mr. BLUNT. It was not on Iran-Contra. It was 1983 and it was on Contra. In fact, our colleague from Florida (Mr. YOUNG) called for that secret session in 1983. There was also a secret session in 1979 and in 1980. So there have been three of these. They were in recent years, but it has obviously been a long time since 1983.

Mr. KUCINICH. And they were preliminary to the passing of legislation?

Mr. BLUNT. I don't know the answer to that.

Mr. KUCINICH. I just want to point out something here, Madam Speaker, as this House proceeds on this track. There are some of us here who feel that this country has drifted towards a version of a national security state. When the House begins to meet in secret on matters that relate to security prior to legislative acts, it raises questions about the Constitution of the United States. I know I am familiar with my friends' awareness that the Constitution gives the Congress the ability to make its own rules. I also understand from the first amendment that Congress wouldn't restrict any establishment of free speech. This is the citadel of free speech. This is the only place in America that someone can stand and say anything they want at any time and be free from any kind of a legal attack.

Once we close that up, we're changing the nature of it at a time when this country's at war, when there have been questions raised about secret meetings and what was told with respect to torture, about secret meetings and what was told with respect to rendition, about secret meetings and what was told with respect to private corporations doing wiretapping.

I just want the Members of this House to incorporate that in their reflections when we proceed to approve an agreement for a secret meeting.

I'd also like to state this, to just share my experience, and that is without referring to any content of any secret meeting I have been in, and I have been in a few at the beginning of my term in the House, I have found from my own experience, from my own experience, that secret meetings end up being occasions for the communication of information of, at least at best, dubious value. And I am not in any way

impugning the motives of my good friends who are asking for a secret meeting in this case. But I am sharing with you my experience prior to this moment that secret meetings have been the occasion to communicate information that hasn't been particularly forthright or true.

Now, I could point to individuals, at least one individual who is sitting in this Chamber right now, who, when we had a secret meeting right after 9/11, walked right down that aisle and uttered a famous barnyard expletive after we were being briefed in a secret meeting by a member of the administration. Some of you who were there at the time remember. So I'm just communicating a concern here about the path we're going down, and I can only do that.

I will not attend that meeting. I will withdraw my reservation of objection. But I want to have my friends here know that we ought to be proceeding with the utmost caution in going in this direction. I am not going to be attending such a session. I believe that it violates the spirit of this House, but I will withdraw my reservation of objection since my good friend feels that this is the path that he has to go.

The SPEAKER pro tempore. Is there further objection?

Mr. PASTOR. Madam Speaker, reserving the right to object, would the leader yield for two questions?

Mr. HOYER. Yes.

Mr. PASTOR. As I understand the situation, we are going to secure the Chamber, and in securing the Chamber, I think it means that from the Cloakroom, the people who work the Cloakroom who usually tell us when the Chamber will be cleared, how are they going to communicate that we can come back in for the secret session?

Mr. HOYER. The answer to the question is you will all be receiving from the leader and the whip's office on your e-mails notification of the time and you will get sufficient notice. It is contingent upon how long it takes those that have the responsibility to do so. But you will be getting your e-mails in a time frame that will allow you to get back notice.

Mr. PASTOR. The second question I have is do you expect to have further votes tonight, for those of us who will not attend this secret session and we won't know when it's finished?

Mr. HOYER. If this is approved, my expectation is there probably will be no further votes tonight.

Mr. PASTOR. I withdraw my reservation of objection, Madam Speaker.

The SPEAKER pro tempore. Is there further objection?

Mr. DOGGETT. Reserving the right to object, Madam Speaker, certainly if the minority leader or any other Member of this House has classified information about a sensitive, important subject like foreign intelligence and there is no other way to present it, this is an appropriate way to do it. I want to be sure that I understand the parameters under which that's being done.

It is occurring pursuant to a unanimous consent agreement that sets forth the conditions of this meeting?

Mr. HOYER. Yes.

Mr. DOGGETT. And the minority leader has mentioned there were secret sessions in this House in 1979, in 1980, and 1983; and apparently there has not been one since 1983, to the best of your knowledge?

Mr. HOYER. I think that's accurate.

Mr. BLUNT. If the gentleman would yield, that's to the best of my knowledge. I'm the minority whip. I am sure the leader would verify that as well, and we have Members who were here during that time. But there has not been a secret session since 1983. There have clearly been times when the room has been secured, but not for secret session.

Mr. DOGGETT. So in the history of the United States Congress since its founding, there have been secret sessions no more than five times?

Mr. BLUNT. That's not correct.

Mr. DOGGETT. Do you have an estimate of it?

Mr. BLUNT. I think in the early days they were in secret session all the time or much of the time. Since 1825, I think, there have been three secret sessions. Prior to that I think there were many secret sessions.

Mr. DOGGETT. So since 1825, three times in the history of this country, and at no time since 1983 we have done what you are proposing in this unanimous consent agreement to do.

□ 1815

Now, in this session, so that I understand the parameters and assure that we are not really doing the public's business in secret that ought to be done out here in public, will the session and the debate be limited to the presentation of classified material or the discussion of the significance of that classified material?

Mr. HOYER. That is my expectation.

Mr. BLUNT. If we move this without unanimous consent under the rules, it provides for 1 hour of debate, and you can debate and discuss the information that is presented and the conclusions that may have been drawn from that information.

Mr. DOGGETT. Let me just get clarification of that.

Mr. BLUNT. I don't have the time.

Mr. DOGGETT. I would not want to limit the ability of anyone to debate any aspect of this. If their points are clear and justified, I would want them to do that in front of the American people and not in a secret session, unless it in some way compromised the confidentiality and the classified nature of the material.

And that is why I am trying to be sure that if I come tonight, as I intend to do, to this session, and I hear an hour or 15 or 20 minutes of debate that has nothing to do with these classified materials, I want to know if I am going to have the right to raise a point of order that this is conducting the

public's business in secret and that we have been brought here under false pretenses. I assume that won't happen, but I want to be clear before going into this session what my rights are pursuant to the unanimous consent agreement. Because if the unanimous consent agreement does not protect that, then it would be appropriate, I suppose, at this time, to ask that the agreement be amended to provide something along those lines.

Mr. HOYER. I think the answer is that, within the framework of the unanimous consent, I've requested there is not such a limitation. I think the gentleman is correct on that. However, as I said, my expectation and my discussions with the whip are that the purpose of the session is to offer information that might not otherwise be appropriate to disclose in public session.

My expectation is there is going to be a fulsome debate, as there has been, tomorrow on the legislation itself. So my expectation, given the shortness of the time that we are talking about, 30 minutes per side, we will have the Intelligence Committee here and the Judiciary Committee here to comment, obviously it is going to be a little difficult, because if there is information brought up that there may be comment on that information, and very frankly, the parameters of the debate tomorrow may, although not disclosing that information, may obviously be perceived by many of us as relating to whatever is discussed. It is very difficult to know specifically because I do not know the specific information that that request was made for.

Mr. DOGGETT. I understand. If there is discussion and debate of matters that do not concern classified materials, then under the terms of the unanimous consent agreement and the rules of the House, is any Member of this House who is present for that discussion free to openly discuss in public, during later debate, what was said during that session?

Mr. HOYER. I think that's a very good question. Let me tell you that we have asked. Mr. BLUNT and I have discussed that. And we have asked the appropriate officials, bipartisan officials, of this House, under the rules, to give us the answer to that question and to have on paper the specific advice to every Member of the House so that we cannot have Members go out of here, put themselves at risk of violation of the rules, have clear advice and counsel as to what that is.

Now, it is my belief, this is not an opinion given to me, but it is my belief that every Member of this House that receives information from sources unrelated to this hour are certainly free, as they are right now, to discuss that information. And the fact that it is discussed in the session would not adversely affect that right. I would be shocked and not in agreement with this unanimous consent if the case were otherwise.

Mr. DANIEL E. LUNGREN of California. Would the gentleman yield?

Mr. DOGGETT. I believe I control the time under the reservation, but I yield to you.

The SPEAKER pro tempore. The gentleman from Texas controls the time.

Mr. DANIEL E. LUNGREN of California. I was here for the last three secret sessions we had. They are unusual, but it is within the rules that did deal with subject matter dealing with legislation that we were to talk about. We should be careful, however, while some classified information might be discussed, the information that those of us on the Judiciary Committee and Intelligence Committee received of the program we were read into, we are not able to discuss what we were briefed on specifically. We are, as I understand under the rules, able to draw conclusions and attempt to present that based on what we saw, but the fact that we have a secret session does not allow us to speak to that.

Secondly, that which is discussed in the secret session cannot be revealed even if it is of an unclassified nature. It does not prohibit you in the later debate on the floor from discussing the same subject saying the same thing; it is that you cannot refer to it having been in the secret session.

And I hope that helps the gentleman.

Mr. DOGGETT. You are saying you were here in 1979, 1980 and 1983 for those three sessions?

Mr. DANIEL E. LUNGREN of California. Believe it or not, I was, as young as I am now.

Mr. HOYER. We are not surprised by that.

Mr. DOGGETT. I would just suggest that we could be better off having this done in the unanimous consent agreement itself, since that is what's setting out the terms of this discussion. It is a very, very serious matter when we do the public's business in secret. That is why it has only been done three times since 1825. And it is a very bad precedent for this House to get into the business of conducting any of its business in secret, except, and Mr. BLUNT appears to provide the exception, except under a circumstance where there's classified material on something as important as the security of our families. And so long as we have set out all the parameters of the meeting in the agreement, then I have no problem with it. But I don't want it to wander off in debate, which now my friend tells me I can't talk about afterwards, because I came to this secret session about something that maybe didn't need to be secret.

Mr. HOYER. Madam Speaker, will the gentleman yield?

Mr. DOGGETT. I yield to the gentleman from Maryland.

Mr. HOYER. The contemplation of this unanimous consent is that there will be no business done in the sense of "doing business" as taking legislative action. Nobody contemplates that.

Mr. DOGGETT. I understand the distinction, but I think of my history with the Texas Open Meetings Act, and

just the discussing of these matters is part of public business.

Mr. HOYER. If I could continue, there are some in this body who have, because of their membership on particular committees, been able to see information in secret which other Members of this body have not seen. As the distinguished gentleman from California observed, there are still limitations notwithstanding this secret session.

We have a room that allows people to receive information in secret. They are not necessarily transacting business; although, the Intelligence Committee obviously on both Houses does, in fact, conduct its business in secret in that they vote in secret on some legislation.

All this contemplates is the offering and receiving of information that the minority has represented they believe they want to give to the Members that they ought not to give in open session. The matter that we are considering obviously is a very important, critical matter. There are substantial, as you know, differences. You and I agree on most of those. We perhaps disagree with others. It was the Speaker's and my view after discussing with Mr. CONYERS and Mr. REYES that to deny that would give Members the impression that somehow we did not believe they ought to have that information.

Now, I don't know what the information is, as I have said. But having said that, we certainly do not contemplate any business being done. Now, the fact that a Member may say something that is not secret, I would presume things are going to be said in there that are not secret. The gentleman from Ohio raised some excellent points. I share the concern of the gentleman from Texas and the concerns.

But I also understand this is a serious matter. We believe in public we will debate tomorrow a serious proposal as to how to serve our intelligence interests and our constitutional responsibilities. So I am hopeful that we will not object to this, although I think the concerns raised are absolutely legitimate, very serious, worthwhile concerns, and as the gentleman from Texas observes, which is why this is done so very infrequently. I have only been a participant in the 1983 session.

I thank the gentleman for yielding. But that is my take on what is going to transpire.

Mr. BLUNT. Madam Speaker, will the gentleman yield?

Mr. DOGGETT. I yield to the gentleman from Texas.

Mr. BLUNT. I will say to my friend, I appreciate your concern about this. I would also say the rules provide for this kind of session. Many Members of the House, more Members in the majority than the minority were here when we had a secret session before when we talked about implementing legislation of the Panama Canal Zone or Cuba and other Communist block countries' involvement in Nicaragua.



I actually think that the debate that we are entering into this week is at a high level of security for the country. I believe I will bring information to the secret session that some Members are aware of but most are not. I also think that by the definition of the mutual agreement that we would divide the time, that I am only bringing part of the discussion. I certainly can't suggest what will happen in the questions, comments, and concerns that will come from the other side. So at least 30 minutes of the hour, I also have no idea what will be said in that, but I thought that was a fair way to divide the hour that I could at least ask for to control on my own under the rules with none of the restrictions the gentleman has suggested, and a majority of the Members of the House can either decide to do that or not.

And I appreciate the Speaker and the leader trying to work in this important issue to create an environment where we can talk about topics that we could not otherwise talk about. I am also sure, as my friend from California suggested, that some of the things that will be talked about very likely can and will be talked about later in the week, because they will be related to a secret topic but not secret in nature. You just can't discuss them as having been discussed as part of this secret session. You just discuss them as you would if we hadn't had the secret session that the rules clearly allow for.

And again, the most times these rules were exercised in the history of the Congress was not in the 1820s or 1830s. It was in the 1970s and the 1980s. And many Members of the majority were here during that time and participated in those sessions.

I thank the gentleman for yielding.

Mr. DOGGETT. You ease some of my concerns. But when you talk about the seventies and the eighties and the like, it is three times since 1825.

Let me just be sure that I'm clear, because maybe we are in agreement on this. The only purpose of your requesting this secret session is to present to the House, or have others present, matters that you feel you cannot present in public concerning matters that are classified. It may be necessary to discuss other interrelated matters, and you can anticipate what questions you may be asked, but the only reason for convening the House tonight in secret is because there are classified matters that you feel would jeopardize the security of our country if we discussed them in public.

Mr. BLUNT. I think I am in agreement with the parameters the gentleman has suggested. I also understand that when you raise those topics, you have perhaps a fuller exchange of ideas, but certainly you can't control what the exchange of ideas will be in the hour that we would mutually agree to give ourselves for this topic. And I believe the topic is every bit as important as implementing legislation for the Panama Canal Zone or other things

that this has been used for in the past. And I frankly think the topic is of supreme importance to the security of the country.

And that is why I was prepared to make the request, but also prepared not to make the request with, my discussions with the majority leader and the Speaker about a way that we could mutually agree how to divide the time, how to establish rules that go beyond the rule that I would have been entitled to ask for, but perhaps not as far as being able to prove that we wouldn't talk about anything in that hour that wasn't of a secret nature. And I would thank the gentleman for yielding.

Mr. OBEY. Madam Speaker, will the gentleman yield?

Mr. DOGGETT. I yield to the gentleman from Wisconsin.

Mr. OBEY. I thank the gentleman. Let me simply say I was here for those secret sessions. And I think the great utility of having another one, given the mumbo jumbo that I heard at the last three, is simply to demonstrate the almost total uselessness of secret sessions.

□ 1830

Mr. DOGGETT. Madam Speaker, I will at this point withdraw my reservation, but would want noted by the reservation my concern as a former member of the Judiciary about the precedent-setting nature of this. This is the fourth time since 1825, and I just ask that we stick to the purpose for which the gentleman has said we are gathering, and we give the most careful consideration before embarking on any such secret sessions in the future.

Mr. HOYER. I appreciate the gentleman's comments.

Mr. DOGGETT. I withdraw my reservation.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

Mr. PRICE of Georgia. Madam Speaker, reserving the right to object, I appreciate the comments of my friend from Texas on our concern about our not conducting our business in secret. We share those concerns. Although this isn't unprecedented, it is an extraordinary act for this Congress to take.

I think it is important that many of us, at least on this side of the aisle, believe the necessity for this is because the Protect America Act has not been brought to the floor and the House hasn't been allowed to vote on it. Consequently, we believe that it is important to have a discussion that hopefully will allow our friends, many of our friends on the other side of the aisle, to see the imperative of moving forward with the Protect America Act and allowing H.R. 3773 with the Senate amendments to be voted on on this floor of the House.

So I will be supporting moving into the secret session, because I believe that it is a step that will allow our colleagues on the other side of the aisle to appreciate and understand the impera-

tive of having a vote on the floor of the House to the Senate amendments and concur in those Senate amendments to H.R. 3773.

Madam Speaker, I withdraw my reservation.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

Mr. SERRANO. Madam Speaker, I reserve the right to object.

The SPEAKER pro tempore. The gentleman from New York is recognized.

Mr. SERRANO. The least important thing I can think of, the least important, is that the American public doesn't think too well of Congress right now, and going into a secret session is not going to help that. But that is the least important thing.

It almost sounds like we need a secret session prior to the secret session to tell the membership what we are allowed to do and say after the secret session. Some of us who oppose many of the things that have happened since September 11 have already drawn conclusions as to what we think is happening or not happening. I am not privy to all the intelligence and I don't think anyone is, and there are some folks in our government and some agencies historically that I don't trust. So I will never really know what the truth is. But I have a sense of what the truth may be and what the danger is of what we are doing in this country at this point.

So my concern is, at what point does what I feel and know become part of what is discussed at this session, and therefore if I keep discussing it in public I have now violated the secret session that I wasn't supposed to violate? I heard before that some things will be discussed at the secret session that are not classified. So if I discuss them later, am I in violation of House rules?

In other words, what I am suggesting, Mr. Leader, is that to tell the membership that we are having a secret session and have someone like me who has been here 18 years say what is that, without preparation for this extreme type of behavior, is to put the membership at risk. At risk.

We don't want to walk into this blindly, and I am walking into it blindly if I decide to attend. I don't know what I am allowed to say and do, and I say a lot of things about our behavior.

So I would hope if we are going to do this, we actually, and this is not a very popular notion, take some extra time in private to tell us. I know what happens when a general comes to me and tells me something that is going on in Iraq. I know I can't say that, because it was a classified meeting. I know that. But this is going to be debate. How is that debate going to be different from some things we say tomorrow in open debate? And if I forget, and I am not trying to be funny here, and mention some of that debate in this debate, what violation am I in?

My last point: With all due respect, if the gentleman has secret information

that speaks to the safety of my beloved country, our country, why didn't the gentleman take that information to the chairman of the Intelligence Committee, where it belongs? Why bring it to the whole House and put us all in that situation, when indeed we have an Intelligence Committee, we have a ranking member, we have a full committee?

I as a Member would be totally comfortable with the gentleman bringing that information. I assure you that if I ever learn anything that I believe can hurt our country, I will bring it to the Intelligence Committee right away. I will not call for a secret session that puts us at risk, that makes the American people think that we don't want to discuss in public some things, and that may in fact strike fear into Members to vote for a bill that we probably should not vote for.

Madam Speaker, I withdraw my reservation.

The SPEAKER pro tempore. Does any Member further object?

Mr. HASTINGS of Florida. Madam Speaker, I reserve the right to object.

The SPEAKER pro tempore. The gentleman from Florida is recognized.

Mr. HASTINGS of Florida. Madam Speaker, one of the reasons that we find ourselves in this position is the discussion between both Houses of Congress and Members on either side regarding immunity. It is fascinating that we find ourselves in the position of debating giving immunity to people that we don't know what violations they have committed that we are giving them immunity for. Very strange.

But I would ask the distinguished majority leader and the distinguished minority leader a very serious question: Who has the classified information? As I listened to both of you, I did not get clarity as to whether either of you know what is supposed to be that information. And if that person has classified information, at what level is it? Is it at top secret, or is it at secret? Can either of the distinguished gentlemen provide that information to this Member?

Mr. BLUNT. Madam Speaker, will the gentleman yield?

Mr. HASTINGS of Florida. I would be happy to yield to the gentleman from Missouri.

Mr. BLUNT. I think it would be my obligation, even though I haven't actually moved to do so based on our discussions, to bring information and communicate information that is confidential and that I believe ought to be kept secret at this time. I will also remind my colleagues that many of them in September of 2006 voted to go into secret session, and we didn't go into secret session that day. I am pleased that we appear to be moving in that direction. But there is a time that the rules call for when you are in a situation where the national security of the country is important, and there is much of the information that reaches a secret level that could be discussed in a

secret session that conclusions have been drawn from and can be drawn from, that my belief is we would benefit from that discussion.

Mr. HASTINGS of Florida. Reclaiming my time and continuing my reservation, with all due respect, I don't think the distinguished minority leader answered the question that I asked, and that is, Who has the classified information?

Mr. BLUNT. If the gentleman will yield further, I think I said it would be my obligation to bring that information. Because of my clearance level, I have seen the secret information, and information at other levels as well, and would anticipate bringing information to the secret session at the secret level.

Mr. HASTINGS of Florida. It is at the secret level.

Mr. BLUNT. At the secret level.

Mr. HASTINGS of Florida. That being said, I will not object. But as other Members have, I will place on the RECORD I came here with the thought in mind that there was a substantial reason for us to go forward with a secret session, but I have learned from a considerable amount of experience in this arena that there are times when it is best not to be where ostensibly secret information is supposed to be provided, so at least I will not attend the session.

Madam Speaker, I withdraw my reservation.

The SPEAKER pro tempore. Is there further objection?

Ms. KAPTUR. I reserve the right to object, Madam Speaker.

The SPEAKER pro tempore. The gentlewoman from Ohio is recognized.

Ms. KAPTUR. Madam Speaker, reserving the right to object, and I likely will object, in my 26th year in the House I guess first I look at the clock. It is Thursday night, almost 7 p.m. here in Washington. We have been in session all week long. We knew that FISA would be coming up. Now at this moment a secret session is requested.

As a member of one of the key committees in the House, the Defense Appropriations Subcommittee, whatever is so secret has never been discussed in our subcommittee. We have been having repeated meetings every day for the last several weeks.

I don't know if this has come up before our Intelligence Committee. I notice that most of the people who are asking are not ranking members on some of our key committees dealing with the oversight of intelligence in our country, and that makes me wonder why on Thursday night, when people have had to change their plane reservations, this is coming up now.

I ask myself, is there any imminent danger to our country that would require such a secret session now, and why is the gentleman asking and not the minority leader asking, if it is so imminent and it is so much a threat?

Mr. BLUNT. Madam Speaker, will the gentlewoman yield?

Ms. KAPTUR. I yield to the gentleman from Missouri.

Mr. BLUNT. The timing of the floor, I would tell my friend from Ohio, is not up to me, and it has been well known for this entire day that I would make this request at sometime during the day. We worked with the majority to try to get the budget out of the way. It is my impression we were going to be here on Friday anyway. Maybe others had better knowledge of plane reservations than I did, but I think we are here on Friday.

I think the Friday work we would do is critically important, and my view is that this discussion adds to the knowledge that the Members will have as we have the debate on the bill tomorrow. Of course, I would much prefer we were voting on the Senate bill tomorrow, a bill that could go to the President; but I don't control that either, not being in the majority.

Ms. KAPTUR. Continuing my reservation, most of the information that I have ever sought relating to intelligence, one can ask special permission. You can go up to the room in the Capitol and you can read anything. You can read for days. I really don't understand what the minority is doing here tonight.

I am not comfortable with this at all. We had caucus meetings this week. This never came up. I understand under the rules you can ask for it and it can come up almost immediately, but I just am extraordinarily uncomfortable with being asked to hold this session tonight.

I won't attend, and I think there is special responsibility on the gentleman for providing documentation in the regular channels in the Intelligence Committee and in the other committees that have oversight over intelligence for the information that you claim you are going to be presenting to this Chamber.

I would just urge our leadership to not approve this.

Madam Speaker, I withdraw my reservation for the moment.

The SPEAKER pro tempore. Is there further objection?

Ms. WATSON. Madam Speaker, I reserve the right to object to this process.

I am feeling manipulated. My question is, if there is confidential information, why was it not taken to the Intelligence Committee first before there is a secret session?

The SPEAKER pro tempore. Does the gentlewoman reserve the right to object to the request?

Mr. HOYER. If the gentlewoman will yield, I believe the gentlewoman is reserving her right to object and wanted to speak on the issue.

Ms. WATSON. I reserve my right to object. That is what I said before I came to the mike. I guess I wasn't heard.

Mr. HOYER. The gentlewoman has the floor.

The SPEAKER pro tempore. The gentlewoman from California is recognized.

Ms. WATSON. Madam Speaker, I want to know why the Intelligence Committee did not receive the confidential information that I am hearing is going to be discussed here. If the information discussed here is not confidential, why do we need a secret session and to what end are we having this? We are supposed to vote on FISA tomorrow. I understand there is a compromise that pretty much has been agreed upon. I have been whipping it.

So I want to know to what end we are having this secret session. I would like to yield to you, Mr. BLUNT.

□ 1845

Mr. BLUNT. I thank the gentlelady for yielding.

I would say that every knowledge I have would indicate that our Intelligence Committees have seen the information, and that does not preclude moving to secret session to share information with other Members. I appreciate what some other Members have said about the difficulty of remembering what's secret and what's not, because those of us who have the obligation or the clearance level to look at this information have to do that.

I think the information we will bring to the floor will not be confusing to the Members but enlightening to the Members, and that's why I propose that we will move for a secret session later in the day if this UC is not agreed to.

Ms. WATSON. Reclaiming my time, I would like to know the purpose of the secret session, if you have confidential information, why it was not taken to Intelligence before it was brought here to the Chambers in secret?

I have got to go back to my district and explain to my constituents why we had a secret session before we voted on the FISA bill.

Mr. BLUNT. I actually think it would be harder to explain to our constituents why we didn't have a secret session.

This is a bill that goes well beyond the information that most Members would normally have. I think the secret session will be helpful to the Members, or I wouldn't have said early today that I would ask for it. The information that I have, I believe, will be information that, in my opinion, has been available to the Members with the security clearance that allows them to normally see this information.

The Intelligence Committee would already know the kinds of things that I would intend to discuss this evening.

Ms. WATSON. Reclaiming my time, I asked the Chair, and the Chair is unaware of what this information might be. I am continuing to object until I am satisfied that this meeting is necessary in secrecy and why it didn't go to the Intelligence Committee first.

I don't feel comfortable being manipulated with scare tactics.

Why is it this didn't come forward prior to voting on FISA?

Mr. HOYER. Will my friend yield?

Ms. WATSON. I yield.

Mr. HOYER. I thank my good friend for yielding. What I think the whip is saying, the Whip came to me earlier today, said he wanted to discuss information which the Intelligence Committee has, which the broad reach of the Members do not have, but he did not want to, he did not feel he could discuss that in open session.

The rules provide for the whip to make a motion to do that. That will then be a relatively lengthy process. The whip and I discussed this on his representation that he had information that he felt, in good conscience, he could not divulge, not because it's not in the bosom of the Intelligence Committees or, frankly, maybe the Judiciary Committee, which has been cleared, but because he felt it was information that was not releasable.

What we have done is reached an agreement that makes it very clear that there are very short parameters for this discussion and debate.

I want to say that I, generally, have not been here as long as Mr. OBEY, but my experience on these kinds of sessions, whether they are briefings, has been the same as his. I have rarely learned something that I couldn't read in U.S. News & World Report or Time the day before or the day after.

But having said that, we have tried to reach an agreement with the minority that would facilitate the receiving of information which many Members, not the Intelligence members or the Judiciary members, but many Members have not had available to them and could not be discussed in open session.

I thank the gentlelady for yielding.

Ms. WATSON. I just want to end this with this: I went over to the Chair of Intelligence. I said, Do you know about this? He said, No. He can speak for himself. But why at this time are we given information that is supposed to be so strategic we have to do it before we take the vote on FISA? I smell something, and I do not like to be manipulated.

Madam Speaker, I withdraw my reservation.

The SPEAKER pro tempore. Are there further objections?

Ms. JACKSON-LEE of Texas. Madam Speaker, I reserve the right to object.

Madam Speaker, listening to this discussion and the minority whip, as we have gathered a number of overlays of a discussion, people who are frustrated by the idea of a secret session.

Mr. Majority Leader, I am always interested in Members having the full understanding of the challenges that they face. It is important to know that the chairman of the Judiciary Committee and chairman of the Intelligence Committee made every opportunity for Members to engage in materials or to utilize materials that they might find helpful in this discussion on the FISA bill. Certainly members of the two committees, of which I am a member of the Judiciary Committee, had intense opportunity and, of course, meetings in the appropriate place to be able to garner information.

To the minority whip, I think what I have heard from Members is a degree of confusion and opposition at the same time. We do understand that majority leader has been most gracious in cooperating with Members who are unready, but our difficulty is that it seems as if it is a tool to delay our full discussion on FISA.

I would ask the first question of whether that is the case. Then the other part of it is: There are a number of Members who have already indicated that they will not be present. I am disappointed in that, not in the Members, but in their concern of being held accountable when they debate the question on the floor tomorrow as to why they have said a statement or not said a statement, whether it's relevant or whether it is in this discussion today.

The first question: Is this a tool to delay us from the ultimate business that the people of America want us to engage in is to pass a FISA bill from this floor?

I yield to the gentleman.

Mr. BLUNT. I thank the gentlelady for yielding. I would say it is not intended for that but, in fact, to further amplify our ability to have that discussion tomorrow as we thoughtfully reflect on information. You couldn't talk about the information but you could talk about your reflections on things that you now know other Members are discussing. I think it helps that.

In terms of FISA, the rule allows for 20 minutes to the entire Intelligence Committee to discuss this issue and 40 minutes for Judiciary.

I just think this provides for a fuller moment for the Members to think about, talk about, and discuss some specific information at the secret level that otherwise would not have a chance to be discussed before we move forward with this vote tomorrow.

Ms. JACKSON-LEE of Texas. Reclaiming my time, Mr. Majority Leader, on a very detailed explanation of why we should do this; however, there are gaping holes in the explanation of why we should do this, the timing of it. I think you are being enormously cooperative. I think it's important for the minority that ask for a privilege to be given a privilege.

Mr. Leader, I am concerned, if I might yield to you again, the two-edged sword that Members want to be vigorous in their discussion and want to be open minded, if they participate in this closed session, closed to the American people, the lights out, in essence, questions about the constitutionality, not because it might not have that basis, but others may question it because it is so unique, three times since 1825.

What is the standard, what is the criteria for Members' discussion in a closed session and then the Member going to the floor tomorrow and wanting to be within the realm of the rules of debate tomorrow, want to make the right decision, and now may be caught in a two-edged sword?

It should not be that a Member has to not come tonight to be fully briefed, as Mr. BLUNT seems to think we need to be, and then be in the crosshairs tomorrow when we need to have a full debate in front of the American people.

Madam Speaker, I yield to the gentleman.

Mr. HOYER. I thank the gentlelady for yielding.

For my part, I believe I will be fully engaged on this piece of legislation, on its merits, what it does to facilitate the interception of communications which may prove dangerous to our country and at the same time protect our Constitution.

I don't think I am going to be constrained in any way.

Now, what I will be constrained on saying is that, obviously, I have had the opportunity and taken the opportunity to go to the committee to review information in the bosom of the committee and to make conclusions on that. I will not discuss that specific information, but there is, most of the information that I have, having done that, is from the New York Times, the Washington Post, the Wall Street Journal, other news magazines, from articles that I have read. I frankly think that no Member is going to have to be confused about debating the merits or the demerits of the issue that will be before us tomorrow based upon this secret session.

Now, the gentleman, as I say, has made a request that he has information that he wants to discuss which he believes ought not to be discussed in public. I think everybody, not in public in the sense of depriving the American people from the information, but information that we need to hold close so that it is not used by those who would cause us harm, without speculating as to what that information may be. I frankly think that every Member will be able to make that judgment.

But, more than that, we have discussed this, and we hope to have, and I forget who it was who was mentioned, very appropriately, we hope being prepared now is directive from a non-partisan source of security people. This is, after all, a rule of the House that is being pursued. It could be pursued by motion, but it's being pursued by unanimous consent. Doing so, we believe, sets the parameters more appropriately.

Ms. JACKSON-LEE of Texas. Reclaiming my time, this point was made earlier, but I don't think that it has been clearly enunciated for Members. What you are suggesting is that Members can participate in this discussion. Unfortunately, closed to the American people sounds ominous, and it is unfortunate that we have reached this point, because I do believe that Members have the individual opportunity to visit the Intelligence information, as was made possible by both the Intelligence Committee and the Judiciary Committee.

But I think it's important to note that a Member could be on the floor

this evening and review materials and be in debate, be on the floor tomorrow and say, in my studied opinion on the discussions of last evening, I believe so and so, meaning that I think this FISA bill is solid on its four corners, it is protected, it is constitutional, it protects those individuals covered by it, it gives the American people the sense of national security but also the protection of their civil liberties.

They will at least be able to refer in that general term, is that my understanding? They are not completely silenced from even referring to the fact that they were in a secret session last evening or they were looking at materials in a secret condition.

Mr. HOYER. Would the gentlelady yield?

Ms. JACKSON-LEE of Texas. I am happy to yield.

Mr. HOYER. I don't want to go further than I am absolutely confident on the response to this. However, let me say that I believe that all the information that Members need to debate this bill tomorrow is currently in their possession and will be elicited in public debate.

The minority whip does not believe that. He believes there is additional information.

I think Members, I would not want to leave the impression with any of our Members that somebody had information that they believed was very important to the security of our country that they were precluded from giving to Members. That is why we pursued this objective.

As I say, the rules provide for that. But in terms of the debate, my suggestion is, I think, particularly the gentlewoman who serves so ably on the Judiciary Committee has all the information, and she has some information she knows she can't speak of because she has received briefings as a member of the Judiciary Committee.

□ 1900

But I believe there will be no constraints.

However, the constraint I think is you would not say, out of a secret session, and none of us should say out of a secret session, that X, Y and Z was said in a secret session, or that I got this information from a secret session. And if you did not have that information but for being in that session, my advice would be not to tell that information. But my view has been this has been a very wide, public debate; and I don't have any problems debating this vigorously tomorrow, as I intend to do because I think the bill is a good bill and protects both our intelligence ability and our Constitution. So I will not feel constrained at all. But I will not say I will not tell information that I received in this secret session because I don't think I am going to need to at all.

Ms. JACKSON-LEE of Texas. I yield to the minority whip.

Mr. BLUNT. I would just say obviously some Members were here and

others were not when we had these sessions, five times since 1825, or three times since 1979, depending on how you want to use those numbers. My understanding is that you constantly in your efforts with the information you have as a member of the Judiciary Committee know where that line is. And you can't refer to the secret session, although you can clearly refer to any information that happened to be discussed there that was generally available before that session. You just don't say that it came out of the secret session. And the gentlelady does that with frequency based on her level of current clearance, and you know that line better than most Members of the House do and how to do that.

This would be the same kind of source of information that you would use in your other access, and it is a secret session under the rules on the basis that the rules then provide that what is there is not later to be discussed.

Ms. JACKSON-LEE of Texas. Reclaiming my time, I want it to be clear that a Member can rise on the floor and say, having been in a secret session last evening, not recounting what was in the secret session, but I find that my position remains the same in my support of the bill or my opposition to the bill. One could say that.

Members are going to be coming to the floor and some Member may want to say tomorrow that they were here. They would not be reciting what they heard. They would simply say what they heard did not move them or it moved them. Can someone not say tomorrow they were in the session without recounting what you heard?

Mr. HOYER. I think the fact of attending the session is not secret. The answer is "yes."

Ms. JACKSON-LEE of Texas. Having not been in a session, Members don't know the parameters. Minimally they can say they were here, and what they heard, which they don't recount; they can proceed in their debate on how they review the bill. But they don't recount what was heard.

I yield.

Mr. HOYER. I think every Member will in fact say based upon the information they have, as I will say and as you will say, some of that information is held close. Some is not. And we will make our decisions based upon the information we have. So I think the gentlelady is absolutely correct.

Ms. JACKSON-LEE of Texas. I would be happy to yield to the gentleman from Ohio.

Mr. KUCINICH. This reflects on what our distinguished majority leader said, Congresswoman JACKSON-LEE. In the House under rule XVII, clause 9, it is true that any Member could ask for a secret session, claim they have information. That is a privilege. Furthermore, under rule X, clause 11, and then a subparagraph, the Select Committee

on Intelligence may move to hold a secret session to determine whether classified information held by the committee should be made public.

Now, we haven't seen our distinguished colleague ask for such a secret session, although our other distinguished colleague is requesting it. Now obviously since this has only been done five times in 182 years, five times in 182 years of this institution, it would seem to me that a very high bar has been reached here.

Now my question would be, hypothetically, since any Member has the ability to call for a secret session, if a secret session is requested and the bar that one would assume that we would need to clear to achieve a secret session has in fact not been met, that in fact a secret session was called for reasons for something that was not really all that secret, or not evidence that was probative and weighty, but instead that one person may have felt. And I am not impugning my friend here because he may have some information.

But generally speaking, under the rule, we can all ask for it. But, Mr. HOYER, I think since you are our senior Member here who is our majority leader, or maybe the Parliamentary knows, if a secret session is called for and the bar isn't reached, what then? What happens then with that secret session?

Ms. JACKSON-LEE of Texas. Reclaiming my time, I would be happy to yield to the majority leader.

Mr. KUCINICH. And what happens to the Member, if I may.

Mr. HOYER. There are a lot of hypotheticals, a, I believe the gentleman is correct, there is a high bar. I will tell you that as everybody in this House knows, Mr. BLUNT and I are friends. I have great respect for Mr. BLUNT. Mr. BLUNT came to me, without denigrating any other Member, he is a leader of his party and I accord him the respect of making the judgment that in fact he is going to meet that high bar.

I have not interrogated him any more than I would want him to interrogate me on that issue. I take him at his word as a Member. Now, the consequence of not meeting that high bar is only that Members will say that a request was made that was not justified. I think that is the consequence. There is certainly no consequence in the rules. And, first of all, we would, I suppose, as a body have to judge, a, what the bar was and whether you met it.

In any event, I think the gentleman understands the answer to my question. I respect him as the leader of his party. He has made this request, and we are trying to honor it, I might say, in a way that most fashions it so that it will be as focused and as helpful as can be.

Mr. KUCINICH. Would the gentlelady yield?

Ms. JACKSON-LEE of Texas. Reclaiming my time, I yield to the gentleman from Ohio.

Mr. KUCINICH. It is my understanding relative to these proceedings in a secret session that the proceedings of a secret session are not published unless the relevant Chamber votes during the meeting or at a later time to release them. Then portions can be released in the CONGRESSIONAL RECORD. Is that right, Congressman JACKSON-LEE and Mr. HOYER?

Ms. JACKSON-LEE of Texas. Reclaiming my time, I yield to Mr. HOYER.

Mr. HOYER. The gentleman is reading from the rule and he is a very bright, good friend; and I am sure he read the rule accurately. So my presumption is that he is accurate.

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Ohio.

Mr. KUCINICH. So that is the remedy, that the House could vote at some point to release.

Mr. HOYER. The gentleman is absolutely correct on that observation.

Ms. JACKSON-LEE of Texas. Reclaiming my time, I indicate to the majority leader and to the minority whip just the discussion here this evening highlights, one, the collegiality of the relationship and the effort, Mr. Leader, you are making, and you are to be commended.

But it also highlights the constitutional weakness, if you will, of the understanding of the Members and the whole question of what we are doing before the American public in a secret session.

I would like to simply say to the American public it is not that we are denying you the opportunity to be fully informed. It is my understanding that Members are asking to debate information that may be classified or secret. Whether this is the right approach, I take great question to this, and would rather it not be.

I think all Members have had access to materials. They can study the FISA bill. The good news is that the American people will have a FISA bill tomorrow passed by this House.

I have a continuing reservation. However, at this time I will withdraw my reservation acknowledging that this is both a unique challenge that we are being offered and that it is possible that there is a better way. But I hope the debate tomorrow, in front of the eyes of the American people, will be vigorous and honest and straightforward and that a bill will be passed.

Madam Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

Mr. SCOTT of Georgia. Reserving the right to object, Madam Speaker, I just wanted to very briefly come down because I think we need to remember, first of all, that we are standing on some very hallowed ground here. We are standing on the grounds of the citadel of this Nation where some heavy prices were paid for the foundation of our government, the hallmark of which

is openness and freedom. So when we take a step to close our proceedings to the American people, we are treading on treacherous ground.

And so I believe, I think that it is very important, Mr. Minority Whip, that I ask you this question because I think you certainly need to answer this for those of us here and the American people, and that question is: Is this a political ploy? In the land of Greek mythology was a land called Troy, and in that land they brought a Trojan horse. And so when you look at the facts that have been exposed in this discourse this evening, you say you have information that is of high intelligence matter, that you are asking us to undermine the very hallmark and foundation of our free, open Republic to present, that has not even been presented to the proper channels of our Intelligence Committee on the eve of a vote that has been moving around these Chambers for well over a month.

Here, just before we are about to go for a 2-week recess, we come with this mysterious information. So the question has to be answered: Is this a Trojan horse? Is this a political ploy? To call a meeting in secret to give secret information, those of us that would come have to abide by the secrecy, then when the vote takes place, if it doesn't go the way that you want it, you can say to the press, well, hey, we called a secret meeting. We gave them valuable information, and see what they did.

It puts this whole situation in a very confounding box, and I ask you to answer that question. Is this not a political ploy? Is this not a Trojan horse? And if so, could it not be a misuse of the sanctity of the House of Representatives?

Mr. BLUNT. I would say to my friend that it is not a political ploy. I would also say that beginning in 1978 when we passed actually the first Foreign Intelligence Surveillance Act, we set a new structure in place where the House of Representatives took more responsibility for intelligence information in the country.

And we can talk about how many times we have done this since 1825 or whatever, but three times, and certainly three times after the House decided in 1978 to take more responsibility for the intelligence issues in the country, we had a discussion that I thought was possible to have here today.

The bar certainly, I understand why my friends would want to raise the bar, but I have information that has been available to the Intelligence Committee that I thought the Members that have not seen that information would benefit from talking about.

I haven't suggested it is at the top secret level. I haven't suggested it is at the program level. I have said it is at the secret level. That kind of information is important to discuss, I think, and should not be discussed in a general session, but also does not rise to

the kinds of things that even in a secret session of the whole House I don't think should be discussed.

You know, the suggestion that somehow here the bar is that if the Member doesn't bring information that the entire country should know, the very future of the country, the essence of the country, rests on, that is not the determination of either a secret level of intelligence or a secret session.

Nor in saying to my good friend, the majority leader, I would be glad to discuss this for an hour, this topic generally, based on information that I think would be important for all of the Members to talk about. Many of the Members have not seen this. It is information I think would be helpful.

□ 1915

I certainly can't control the discussion of the hour, the 30 minutes that I've said I'd be more than happy for the majority to have. I hope we'd both try to be positive here in creating a discussion of items on an issue that, after all, does relate to some of the most sensitive techniques and procedures in our country.

I'm not going to talk about the highly classified parts of the program. I'm not going to talk about the top secret parts of the program that the chairman and the ranking member and others, including the majority leader and I am aware of. But I did have some information that I thought would help the debate that rose to the secret level that all of the Members otherwise would not hear.

Mr. SCOTT of Georgia. But if you were, if that information rose to that level, Mr. Minority Leader, to that level of secrecy, then why would it not certainly have raised to the level that you could have shared it with the chairman of the Intelligence Committee?

Mr. BLUNT. I've said three times now this was information that's been available to the Intelligence Committee.

Mr. SCOTT of Georgia. What I'm saying, but the point is that you, yourself, had the information, but you, yourself, did not share it with the chairman of the committee.

Mr. BLUNT. That is not what I said or what the record would reflect.

Mr. HOYER. Will the gentleman yield?

Mr. SCOTT of Georgia. I will yield to the majority leader.

Mr. HOYER. The reason I stand is because again I want to explain. The information, I don't know the information, but the information that Mr. BLUNT has clearly is within the bosom of the Intelligence Committee, and I don't know, but I presume the Judiciary Committee has had access to it under the President's order. What has not been done is that information has not been shared with the Members. It's not a question of the sharing with the Intelligence Committee. I understand the gentleman's concern. What Mr.

BLUNT is simply saying is he wants to share with the Members. He cannot share it in open session. I don't know what the information is, but, again, as I expressed to my friend, and I would hope that we would understand that at some point in time, we need to accord to one another the credibility. Particularly I would hope that he would accord to me, as the leader, credibility, and as I accord to him credibility on his assertion that this is something he wants to share with the Members, some of whom would not have had access. They may have had access to it, but they haven't heard it. That is all I think he's saying. And in that context, we have come to this agreement which we think, as I say, focuses and serves the concerns that you have legitimately raised and focuses our efforts.

Mr. DANIEL E. LUNGREN of California. Will the gentleman yield?

Mr. SCOTT of Georgia. I will yield to you.

Mr. DANIEL E. LUNGREN of California. As a member of the Judiciary Committee who's read into the program, when Mr. BLUNT talked to me about the possibility of this effort, it was in the context of how do we make that careful distinction, and those of us who've been read into the program, to try and inform the membership without violating the confidentiality under which we work. And the suggestion was that a secret session might allow for a freer discussion, while those of us who've been read into the program still protect the classified nature of the program.

Now, I don't know if it's going to work. All I'm saying is it's no information that's, from my standpoint, that is unknown to other members of the Judiciary or the Intelligence Committee who've been read into the program, but it's our effort to try and find some vehicles by which we can inform the membership while still preserving the confidential status of that information. It's nothing that we have within our bosom that no one else has. It is information that we're trying to find a vehicle to allow the other membership to be informed. And I hope that helps the gentleman.

Mr. SCOTT of Georgia. My final concern is, and I will let this rest, is that after tomorrow when we read the accounts of this, or when we go home and the American people ask us that question, the issue is going to be, Was it worth it? Was it, did it reach that level to really undermine the openness in government?

Our Nation is littered with examples of secrecy when it should have been openness. And as we've seen from those who've been here long before I have, who've gone through these previous times, in the five times and the most recent two or three times that some of those that spoke have been here, it proved to not reach that bar. And I'd just say, these are hallowed grounds. This is a precious country, the centerpiece of which is openness, and if we

keep tipping away at this, we undermine the very fabric of our country. And I just submit to you, Mr. Leader, this is really what's at stake tonight.

Mr. BLUNT. Would the gentleman yield?

Mr. SCOTT of Georgia. Yes.

Mr. BLUNT. I would just say to my friend that the information that I had hoped we would discuss today and still hope we will be able to discuss today is not, is information that most of the Members do not have and have not had access to. And I think our respect for each other as we approach this important decision would indicate that a further discussion, and my view was a discussion that could not be had because of the nature of some of the implications of what we do in an open session, would benefit the debate and the final decision at whatever point that decision will be made.

We do know tomorrow when we leave, the Senate's leaving and there will be no decision made that becomes law this week. But my thought was that all of the Members would benefit from a discussion based on information at a level that could not be disclosed in full debate and a discussion that I hoped would actually see the Members respond with appreciation for each other and our ability to talk about one or two items that were secret and what those items might mean, rather than say, Did that rise to the level of our time?

I don't know what all Members had planned to do tonight, but I suspect that you could argue, if you wanted to, that that discussion will lead, will be well worth the time. I also suspect if you don't want to, you could argue that it doesn't. But my intention was not to create animus among the Members, but to try to create an opportunity where all of our Members, as they have this ongoing discussion about foreign intelligence, have just a little broader window. I think it's important we all understand.

I'm not proposing we open the entire window. I'm not proposing that we go to levels that we probably even among 431 of us who respect each other would want to go to. I thought it would be helpful. We've already debated whether to have this discussion far longer than I had anticipated the discussion taking. But I respect the Member's concern about something that we've only done three times in 30 years, haven't done very many times in the history of the Congress, and we may decide that the expectation of this discussion becomes so high that no Member would ever even consider saying, you know, I saw something here that I think we, it is truly secret so I can't talk about it in the full session. I think we should discuss it in a bigger session.

But if Members begin to think that that has to be that somebody has the plans, and we didn't know it, to nuclear weapons before it's worth having that discussion, we'll never have that discussion. That's not what I'm proposing at all, nor was I anticipating

setting any kind of condition that my friends would have a problem with. I truly believe, after months of looking at this issue, that if the Members understood, even at the entry level, some of the problems it creates not to have a program in place that deals with these problems, the Members would reach a different conclusion. It may turn out that I am wrong on that, and I may take the advice of others who were here 30 years ago when we had three of these and decide this is never worth advancing again to my colleagues; but could we have a discussion in private about things that we can only discuss in private.

The option here is to discuss it in private or not to discuss it at all. And if my friends want to set a level of that discussion so high that if a Member walks out of here and says, well, the world wouldn't have survived without that session, we're never going to have a session where any more of us know the secret level items available to the Congress than know those items right now.

I was trying to be expansive in my sense of this discussion, rather than restrictive. By the end of the day, I'm beginning to think that may have been a mistake, but I'm still optimistic that we can have a discussion that the Members will think, you know, I don't know what I intended to do with the hour tonight, but that was actually as valuable as whatever it was I expected to do. And I would hope that would be the decision the Members would make, was this a more valuable hour for me as I looked to the future of these programs than the hour I might have spent doing whatever you would have been doing if you hadn't been here as Members of Congress talking about things that, if they're going to be talked about, can only be talked about in this way.

Mr. SCOTT of Georgia. Well, just finally, in conclusion, I just want to say that I know that I speak for every single Member of the House of Representatives, both Democrat and Republican, when I say that foremost in all of our minds, foremost is the security of the United States of America, and foremost in our minds is that we do that in the context of the foundations of this country, which are freedom and openness.

We walk a very delicate balance this evening. Let us hope we walk it right.

I withdraw my reservation.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

□ 1930

PERMISSION TO ADJOURN UPON DISSOLUTION OF SECRET SESSION

Mr. REYES. Madam Speaker, I ask unanimous consent that when the secret session of the House is dissolved pursuant to the previous order of the House, the House stand adjourned.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair desires to read to the Members the contents of clause 9 of rule XVII:

SECRET SESSION

Whenever confidential communications are received from the President of the United States, or whenever the Speaker or any Member shall inform the House that he has communications which he believes ought to be kept secret for the present, the House shall be cleared of all persons except the Members and officers thereof, and so continue during the reading of such communications, the debates and the proceedings thereon, unless otherwise ordered by the House.

The galleries of the House Chamber will be cleared of all persons and the House Chamber will be cleared of all persons except Members of the House and those officers and employees specified by the Speaker whose attendance on the floor is essential to the functioning of the secret session of the House. All proceedings in the House during such consideration shall be kept secret until otherwise ordered by the House.

In addition to the provisions of clause 13 of rule XXIII, which is applicable to all Members, officers and employees, every employee and officer present in the Chamber during the secret session will sign an oath of secrecy, which is in the Speaker's Ceremonial Office, room H-210.

The Chair will declare a recess long enough for this order to be carried out.

The Chair will ask all Members to leave the Chamber temporarily until the security check is completed.

Three bells will be rung approximately 15 minutes before the House reconvenes for the secret session.

RECESS

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

Accordingly (at 7 o'clock and 33 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 2211

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. TAUSCHER) at 10 o'clock and 11 minutes p.m.

SECRET SESSION

The SPEAKER pro tempore. Pursuant to the previous order of the House,

the Chair declares the House in secret session.

(House proceedings held in secret session.)

The SPEAKER pro tempore. The secret session is dissolved.

SENATE ENROLLED BILLS SIGNED

The Speaker announced her signature to enrolled bills of the Senate of the following titles:

S. 2733. An act to temporarily extend the programs under the Higher Education Act of 1965.

S. 2745. An act to extend agricultural programs beyond March 15, 2008, to suspend permanent price support authorities beyond that date, and for other purposes.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to the previous order of the House, the House stands adjourned until 10 a.m. tomorrow.

Accordingly (at 11 o'clock and 9 minutes p.m.), the House adjourned until tomorrow, Friday, March 14, 2008, at 10 a.m.

OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

"I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 110th Congress, pursuant to the provisions of 2 U.S.C. 25:

ANDRÉ CARSON, Indiana, Seventh.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

5710. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Fruits and Vegetables [Docket No. APHIS-2007-0116] (RIN: 0579-AC64) received March 6, 2008, pursuant to 5

U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5711. A letter from the Director, Regulations Policy and Mgmt. Staff, Department of Health and Human Services, transmitting the Department's final rule — Food Labeling: Health Claims; Soluble Fiber From Certain Foods and Risk of Coronary Heart Disease [[Docket No. FDA-2009-P-0090](formerly Docket No. 2006P-0393)] received March 11, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5712. A letter from the Regulatory Specialist, LRAD, Department of the Treasury, transmitting the Department's final rule — Securities Offering Disclosure Rules [Docket ID OCC-2008-0003] (RIN: 1557-AD04) received March 7, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5713. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Standardized and Enhanced Disclosure Requirements for Television Broadcast License Public Interest Obligations Extension of the Filing Requirement For Children's Television Programming Report (FCC Form 398) [MM Docket No. 00-168 MM Docket No. 00-44] received March 10, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5714. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of DTV Consumer Education Initiative [MB Docket No. 07-148] received March 10, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5715. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Advanced Television Systems and their Impact Upon the Existing Television Broadcast Service [MB Docket No. 87-268] received March 10, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5716. A letter from the Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fisheries of the Gulf of Mexico; Revisions to Bycatch Reduction Devices and Testing Protocols [Docket No. 0612243163-7151-01] (RIN: 0648-AU59) received March 11, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5717. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure [Docket No. 001005281-0369-02] (RIN: 0648-XF24) received March 11, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5718. A letter from the Director Office of Standards, Regulations, and Variances, Department of Labor, transmitting the Department's final rule — Criteria and Procedures for Proposed Assessment of Civil Penalties (RIN: 1219-AB57) received March 11, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5719. A letter from the SSA Regulations Officer, Social Security Administration, transmitting the Administration's final rule — Amendment to the Attorney Advisor Program [Docket No. SSA 2007-0036] (RIN: 0960-AG49) received March 11, 2008, pursuant to 5

U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. ELLSWORTH (for himself, Mr. EMANUEL, Mr. MCDERMOTT, Mr. LEWIS of Georgia, and Mr. POMEROY):

H.R. 5602. A bill to amend the Internal Revenue Code of 1986 and the Social Security Act to treat certain domestically controlled foreign persons performing services under contract with the United States Government as American employers for purposes of certain employment taxes and benefits; to the Committee on Ways and Means.

By Mr. TOM DAVIS of Virginia (for himself and Mr. TAYLOR):

H.R. 5603. A bill to amend title 10, United States Code, to enhance the national defense through empowerment of the National Guard, enhancement of the functions of the National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes; to the Committee on Armed Services.

By Mr. DOGGETT (for himself, Mr. LINCOLN DIAZ-BALART of Florida, Mr. RAMSTAD, Mr. ALLEN, Mrs. CAPITO, Mr. COHEN, Mr. MARIO DIAZ-BALART of Florida, Mr. AL GREEN of Texas, Mr. HOLDEN, Mr. KENNEDY, Mrs. MCCARTHY of New York, Ms. MCCOLLUM of Minnesota, Ms. MATSUI, Mr. MORAN of Virginia, Mr. PLATTS, Ms. ROS-LEHTINEN, and Ms. LINDA T. SANCHEZ of California):

H.R. 5604. A bill to amend title XVIII of the Social Security Act to reduce cost-sharing under part D of such title for certain non-institutionalized full-benefit dual eligible individuals; 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. DEFAZIO (for himself, Mr. STARK, Mr. BERRY, Mr. CHANDLER, Mr. MORAN of Virginia, Mr. HINCHEY, Mr. MCGOVERN, Mr. ISRAEL, Mr. DOGGETT, Ms. LEE, Mr. WU, and Mr. KUCINICH):

H.R. 5605. A bill to amend title XI of the Social Security Act to provide for transparency in the relationship between physicians and manufacturers of drugs, devices, or medical supplies for which payment is made under Medicare, Medicaid, or SCHIP, 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. SCHIFF (for himself and Mr. ROGERS of Michigan):

H.R. 5606. A bill to amend the National Child Protection Act of 1993 to establish a permanent background check system; to the Committee on the Judiciary.

By Mr. NADLER (for himself, Mr. PETRI, Mr. CONYERS, and Mr. DELAHUNT):

H.R. 5607. A bill to provide safe, fair, and responsible procedures and standards for resolving claims of state secret privilege; to the Committee on the Judiciary.

By Mr. RAHALL (for himself and Mr. KILDEE):

H.R. 5608. A bill to establish regular and meaningful consultation and collaboration with tribal officials in the development of Federal policies that have tribal implications, to strengthen the United States government-to-government relationships with Indian tribes, and to reduce the imposition of unfunded mandates upon Indian tribes; to the Committee on Natural Resources.

By Mr. BISHOP of Georgia (for himself, Mr. BUYER, Mr. TAYLOR, Mr. MILLER of Florida, Mr. SAXTON, Mr. WILSON of South Carolina, Mr. ELLISON, Ms. CORRINE BROWN of Florida, Mr. RANGEL, Mr. REICHERT, Mr. FILNER, Mr. PASTOR, Mrs. LOWEY, Mr. HINCHEY, Mr. MCDERMOTT, Mrs. NAPOLITANO, Mrs. MALONEY of New York, Mr. BUTTERFIELD, Ms. BORDALLO, Ms. SHEA-PORTER, Mr. LEWIS of Georgia, Mr. CUMMINGS, Mr. LOEBSACK, Mr. COHEN, Mr. MCNERNEY, Mr. BOYD of Florida, Mr. CARNEY, Mr. CRAMER, Ms. HARMAN, Mr. MARSHALL, Mr. MELANCON, Mr. PETERSON of Minnesota, Mr. POMEROY, Mr. WILSON of Ohio, Mr. SENSENBRENNER, Mr. KAGEN, Mr. BOSWELL, Mr. ABERCROMBIE, Mr. WALZ of Minnesota, Mr. MICHAUD, and Mrs. BOYDA of Kansas):

H.R. 5609. A bill to provide for transitional health care for members of the Armed Forces separated from active duty who agree to serve in the Selected Reserve of the Ready Reserve; to the Committee on Armed Services.

By Mr. GRIJALVA (for himself, Mr. RAHALL, Mr. DEFAZIO, Mr. COSTA, and Mr. UDALL of New Mexico):

H.R. 5610. A bill to designate as wilderness additional National Forest System lands, Bureau of Land Management Lands, and National Parks Service lands in the States of West Virginia, Arizona, New Mexico, Oregon, and California, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, 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. SCOTT of Georgia (for himself, Mr. DAVIS of Kentucky, Mr. GERLACH, Mr. MANZULLO, Mr. BARRETT of South Carolina, Mr. NEUGEBAUER, Mr. JONES of North Carolina, Mr. WILSON of Ohio, Mr. CLAY, Mr. ROSS, Mr. MEEKS of New York, Ms. MOORE of Wisconsin, Mr. DONNELLY, Ms. GINNY BROWN-WAITE of Florida, and Mr. LINCOLN DAVIS of Tennessee):

H.R. 5611. A bill to reform the National Association of Registered Agents and Brokers, and for other purposes; to the Committee on Financial Services.

By Mr. TAYLOR (for himself, Mr. MELANCON, Mr. JEFFERSON, Mr. THOMPSON of Mississippi, and Mr. PICKERING):

H.R. 5612. A bill to amend the Internal Revenue Code of 1986 to waive the deadline on the construction of GO Zone property which is eligible for bonus depreciation; to the Committee on Ways and Means.

By Mr. DINGELL (for himself and Mr. TIM MURPHY of Pennsylvania):

H.R. 5613. A bill to extend certain moratoria and impose additional moratoria on certain Medicaid regulations through April 1, 2009; to the Committee on Energy and Commerce.

By Mr. CASTLE (for himself and Mr. GUTIERREZ):

H.R. 5614. A bill to authorize the production of Saint-Gaudens Double Eagle ultra-high relief bullion coins in palladium to provide affordable opportunities for investments in precious metals, and for other purposes; to the Committee on Financial Services.



By Mr. ANDREWS (for himself, Mr. GEORGE MILLER of California, Mr. PLATTS, Mr. LINCOLN DIAZ-BALART of Florida, and Mr. MARIO DIAZ-BALART of Florida):

H.R. 5615. A bill to provide parity under group health plans and group health insurance coverage in the provision of benefits for prosthetic devices and components and benefits for other medical and surgical services; to the Committee on Education and Labor.

By Mrs. BACHMANN (for herself, Mr. DAVID DAVIS of Tennessee, Mrs. BLACKBURN, Mr. SMITH of Nebraska, Mrs. CUBIN, Mr. GOODE, Mr. FEENEY, Mrs. DRAKE, Mr. WALBERG, Mr. SENBRENNER, Mr. WELDON of Florida, and Mr. SHADEGG):

H.R. 5616. A bill to provide for the repeal of the phase out of incandescent light bulbs unless the Comptroller General makes certain specific findings; to the Committee on Energy and Commerce.

By Mr. BAIRD (for himself and Ms. SLAUGHTER):

H.R. 5617. A bill to amend the Lobbying Disclosure Act of 1995 to require the disclosure of political intelligence activities; to the Committee on the Judiciary.

By Ms. BORDALLO (for herself, Mr. FALCOMA, Mr. SAXTON, Mr. ABERCROMBIE, Mr. GILCHREST, and Mr. FARR):

H.R. 5618. A bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; to the Committee on Natural Resources.

By Mr. BOUCHER (for himself and Mr. SMITH of Texas):

H.R. 5619. A bill to enhance the ability to combat methamphetamine; 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. BRALEY of Iowa (for himself, Mr. COHEN, Mr. FILNER, and Mr. PAYNE):

H.R. 5620. A bill to establish a program to assure the safety of fresh produce intended for human consumption, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Agriculture, 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. GINNY BROWN-WAITE of Florida:

H.R. 5621. A bill to amend title 10, United States Code, to extend concurrent receipt authority to members and former members of the uniformed services who are entitled to voluntary separation incentive payments and are also entitled to veterans' disability compensation; to the Committee on Armed Services.

By Ms. GINNY BROWN-WAITE of Florida:

H.R. 5622. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program to establish standards of access to care for veterans seeking health care from certain Department of Veterans Affairs medical facilities, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. GINNY BROWN-WAITE of Florida (for herself and Mr. MILLER of Florida):

H.R. 5623. A bill to amend title 38, United States Code, to establish licensure requirements for employees and contractor personnel of the Department of Veterans Affairs performing orthotics services, pedorthics services, or prosthetics services in any State

in which there is a State licensure requirement for persons performing those services in private practice; to the Committee on Veterans' Affairs.

By Ms. CLARKE (for herself, Mr. THOMPSON of Mississippi, Mr. LANGEVIN, Ms. HARMAN, and Mrs. LOWEY):

H.R. 5624. A bill to amend the Homeland Security Act of 2002 to secure domestic sources of radiological materials that could be used to make a radiological dispersion device against access by terrorists, and for other purposes; to the Committee on Energy and Commerce, 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. CLEAVER:

H.R. 5625. A bill to amend the Economic Stimulus Act of 2008 to provide for a temporary increase in the maximum loan guaranty amount for housing loans guaranteed by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. DELAHUNT (for himself and Ms. DELAURO):

H.R. 5626. A bill to reassert the constitutional role of Congress in making long-term security commitments, to defer significant long-term security commitments to Iraq to the next Administration and Congress, and to maintain international legal authority and immunity for United States Armed Forces in Iraq by promoting the extension of the United Nations mandate; to the Committee on Foreign Affairs, 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 Mr. LINCOLN DIAZ-BALART of Florida (for himself, Mr. SIREN, Ms. ROS-LEHTINEN, Mr. MARIO DIAZ-BALART of Florida, Mr. BURTON of Indiana, and Mr. SMITH of New Jersey):

H.R. 5627. A bill to award the congressional gold medal to Dr. Oscar Elias Biscet, in recognition of his courageous and unwavering commitment to democracy and human rights in Cuba; to the Committee on Financial Services.

By Mr. ELLISON (for himself, Ms. LEE, and Ms. MOORE of Wisconsin):

H.R. 5628. A bill to amend the Help America Vote Act of 2002 to give individuals who are permitted to cast a provisional ballot in elections for Federal office the option to re-register to vote in such elections at the polling place, to establish a uniform standard for the treatment of provisional ballots cast at incorrect polling places, and for other purposes; to the Committee on House Administration.

By Ms. ESHOO (for herself, Mr. BARTON of Texas, Mr. HILL, Mr. UPTON, Mr. WYNN, Mr. PRTTS, Ms. ZOE LOFGREN of California, Mr. ROGERS of Michigan, Mr. CAPUANO, Mr. BUYER, Mr. MCGOVERN, Mr. TIM MURPHY of Pennsylvania, Mr. LYNCH, and Mr. FERGUSON):

H.R. 5629. A bill to amend the Public Health Service Act to establish a pathway for the licensure of biosimilar biological products, and for other purposes; 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 Ms. GIFFORDS:

H.R. 5630. A bill to modify certain requirements with respect to H-1B nonimmigrants; to the Committee on the Judiciary.

By Mr. GOODE (for himself, Mr. TOM DAVIS of Virginia, Mr. BOUCHER, Mr. CANTOR, Mr. GOODLATTE, Mr. FORBES, Mr. SCOTT of Virginia, Mrs. DRAKE, Mr. WOLF, Mr. WITTMAN of Virginia, and Mr. MORAN of Virginia):

H.R. 5631. A bill to designate the facility of the United States Postal Service located at 1155 Seminole Trail in Charlottesville, Virginia, as the "Corporal Bradley T. Arms Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. GORDON (for himself, Mr. WHITFIELD of Kentucky, and Mr. MATHESON):

H.R. 5632. A bill to prohibit the importation of certain low-level radioactive waste into the United States; 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. GUTIERREZ (for himself, Mr. WATT, and Mr. FRANK of Massachusetts):

H.R. 5633. A bill to amend the Fair Credit Reporting Act to prohibit certain discriminatory uses of consumer reports and consumer information in connection with certain personal lines of insurance, and for other purposes; to the Committee on Financial Services.

By Mr. KENNEDY (for himself and Mr. MCCAUL of Texas):

H.R. 5634. A bill to exempt from numerical limitations any alien who has received a Ph.D. from an institution of higher education within the 3-year period preceding such alien's petition for special immigrant status; to the Committee on the Judiciary.

By Mr. KIND (for himself and Mr. BRADY of Texas):

H.R. 5635. A bill to suspend temporarily the duty on digital-to-analog converter boxes; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia:

H.R. 5636. A bill to establish a comprehensive process to inform American consumers about food and product recalls, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LEWIS of Georgia:

H.R. 5637. A bill to authorize the Attorney General to award grants to eligible entities to prevent or alleviate community violence by providing education, mentoring, and counseling services to children, adolescents, teachers, families, and community leaders on the principles and practice of non-violence; to the Committee on Education and Labor.

By Ms. ZOE LOFGREN of California:

H.R. 5638. A bill to amend title 35, United States Code, to create an exception from infringement for certain component parts used to repair another article of manufacture; to the Committee on the Judiciary.

By Mr. UDALL of Colorado (for himself and Mr. WAMP):

H.R. 5639. A bill to direct the Secretary of Health and Human Services to publish physical activity guidelines for the general public, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ELLISON (for himself, Mr. ALLEN, Ms. MCCOLLUM of Minnesota, Mr. OBERSTAR, Mr. PETERSON of Minnesota, Mr. RAMSTAD, and Mr. WALZ of Minnesota):

H.J. Res. 78. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Centers for Medicare & Medicaid Services within the Department of Health and Human Services relating to optional State plan case management

services under the Medicaid Program; to the Committee on Energy and Commerce.

By Mr. INSLEE (for himself, Mr. REICHERT, Ms. BALDWIN, Mr. PRICE of North Carolina, Mr. HINCHEY, and Ms. SLAUGHTER):

H.J. Res. 79. A joint resolution disapproving the rule submitted by the Federal Communications Commission with respect to broadcast media ownership; to the Committee on Energy and Commerce.

By Mr. MCGOVERN (for himself and Mr. DANIEL E. LUNGREN of California):

H. Res. 1045. A resolution recognizing the paramount need to address the threat of international terrorism and protect the global security of the United States by reducing the number and accessibility of nuclear weapons and preventing their proliferation, and directing a portion of the resulting savings towards child survival, hunger, and universal education, and calling on the President to take action to achieve these goals; to the Committee on Foreign Affairs.

By Mrs. DAVIS of California (for herself, Mr. SHAYS, Mr. FARR, Mr. MORAN of Virginia, Mr. GALLEGLY, Mr. MOORE of Kansas, Mr. COHEN, Mr. RANGEL, Ms. WOOLSEY, Mr. BERMAN, Mr. GERLACH, Ms. SCHAKOWSKY, Mr. KUCINICH, and Ms. LINDA T. SÁNCHEZ of California):

H. Res. 1046. A resolution expressing support for the designation of September 2008 as "National Link Awareness Month" and recognizing the link between animal cruelty and other forms of societal violence; to the Committee on the Judiciary, and in addition to the Committee on Agriculture, 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. GERLACH:

H. Res. 1047. A resolution expressing the strong support of the House of Representatives for the North Atlantic Treaty Organization to enter into a Membership Action Plan with Ukraine; to the Committee on Foreign Affairs.

By Ms. ZOE LOFGREN of California (for herself, Mr. DANIEL E. LUNGREN of California, and Ms. ROS-LEHTINEN):

H. Res. 1048. A resolution condemning the detention of Dr. Nguyen Quoc Quan, a citizen of the United States, by the Government of Vietnam, and expressing the sense of the House of Representatives that the United States should remove permanent normal trade relations status with Vietnam unless Dr. Nguyen is released; to the Committee on Foreign Affairs, 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. MACK (for himself, Ms. ROS-LEHTINEN, Mr. PENCE, Mr. MARIO DIAZ-BALART of Florida, Mr. LAMBORN, Mr. MCHENRY, Mrs. BONO MACK, Mr. MCCAUL of Texas, Mr. WESTMORELAND, and Mr. LINCOLN DIAZ-BALART of Florida):

H. Res. 1049. A resolution calling for the Bolivarian Republic of Venezuela to be designated a state sponsor of terrorism; to the Committee on Foreign Affairs.

By Mr. OLVER (for himself, Mr. TIERNEY, Mr. NEAL of Massachusetts, Mr. MCGOVERN, Mr. FRANK of Massachusetts, Ms. TSONGAS, Mr. CAPUANO, Mr. LYNCH, Mr. DELAHUNT, Mr. HODES, Ms. SHEA-PORTER, Mr. WELCH of Vermont, Mr. LARSON of Connecticut, Mr. BLUMENAUER, Mr. LANGEVIN, Mr. MURPHY of Con-

necticut, Mr. FARR, Mr. MICHAUD, Mr. COURTNEY, Mr. SHAYS, Mr. MARKEY, Ms. DELAURO, Mr. KENNEDY, Mr. ALLEN, Mr. AL GREEN of Texas, Mr. UDALL of Colorado, and Mr. TOM DAVIS of Virginia):

H. Res. 1050. A resolution recognizing Pittsfield, Massachusetts, as being home to the earliest known reference to the word "baseball" in the United States as well as being the birthplace of college baseball; to the Committee on Education and Labor.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 82: Mr. KUHL of New York and Mr. LATTA.

H.R. 211: Mr. MATHESON.

H.R. 333: Mrs. WILSON of New Mexico.

H.R. 406: Mr. MEEKS of New York, Mr. BOYD of Florida, Mr. ALTMIRE, Mr. LAHOOD, Mr. MURPHY of Connecticut, Mr. BOOZMAN, Ms. TSONGAS, Mr. HELLER, and Mrs. MCMORRIS RODGERS.

H.R. 552: Mr. JEFFERSON, Mr. SARBANES, Ms. CLARKE, Ms. GIFFORDS, Mr. MCNULTY, Mr. BUCHANAN, Mr. TIM MURPHY of Pennsylvania, Mr. PATRICK MURPHY of Pennsylvania, Mr. SESSIONS, Mr. RUSH, and Mr. MURPHY of Connecticut.

H.R. 594: Mr. WOLF.

H.R. 619: Ms. DELAURO.

H.R. 690: Mr. MCINTYRE.

H.R. 706: Ms. BERKLEY and Mr. CROWLEY.

H.R. 760: Mr. NADLER.

H.R. 847: Ms. BERKLEY.

H.R. 882: Mrs. WILSON of New Mexico.

H.R. 1017: Ms. RICHARDSON.

H.R. 1043: Mrs. MYRICK and Mr. JOHNSON of Illinois.

H.R. 1072: Mr. FARR.

H.R. 1103: Ms. ESHOO.

H.R. 1108: Mr. SHAYS.

H.R. 1178: Ms. NORTON.

H.R. 1193: Mr. ELLISON.

H.R. 1237: Mr. SAM JOHNSON of Texas, Ms. CLARKE, Mr. LYNCH, and Mr. RUSH.

H.R. 1264: Mr. GERLACH and Mr. KAGEN.

H.R. 1295: Mr. SHIMKUS.

H.R. 1363: Mr. HINCHEY and Mr. HOLDEN.

H.R. 1418: Mr. GOODE, Mr. WYNN, and Mr. COHEN.

H.R. 1431: Mr. ALEXANDER.

H.R. 1439: Mr. FORTUÑO.

H.R. 1594: Mr. FILNER.

H.R. 1665: Mr. TIM MURPHY of Pennsylvania.

H.R. 1767: Mr. LATHAM.

H.R. 1781: Mr. MOORE of Kansas.

H.R. 1820: Mr. STARK.

H.R. 1843: Ms. RICHARDSON and Mr. JEFFERSON.

H.R. 1992: Mr. CLAY and Mr. MCCOTTER.

H.R. 2054: Mr. HOLDEN.

H.R. 2091: Mr. KAGEN and Mr. DOGGETT.

H.R. 2123: Mr. COHEN.

H.R. 2138: Mrs. BLACKBURN and Mrs. MYRICK.

H.R. 2205: Mr. KING of New York.

H.R. 2342: Ms. BORDALLO.

H.R. 2469: Mr. BILBRAY.

H.R. 2495: Mr. ALTMIRE.

H.R. 2790: Mr. RODRIGUEZ, Mr. PASTOR, and Mr. ALLEN.

H.R. 2792: Mr. WU and Mr. PASTOR.

H.R. 2820: Mr. MILLER of North Carolina.

H.R. 2892: Mr. TOWNS.

H.R. 2894: Mr. KENNEDY.

H.R. 2896: Mr. BERRY.

H.R. 2897: Mr. ABERCROMBIE, Mr. CARNEY, and Mr. KILDEE.

H.R. 2922: Mr. BOUCHER.

H.R. 2965: Ms. ESHOO and Mr. MARSHALL.

H.R. 3036: Mr. DELAHUNT.

H.R. 3089: Mr. KUHL of New York.

H.R. 3098: Mr. SMITH of Nebraska.

H.R. 3175: Ms. DEGETTE.

H.R. 3212: Mr. CONYERS and Ms. CORRINE BROWN of Florida.

H.R. 3223: Ms. BORDALLO.

H.R. 3232: Mr. NEAL of Massachusetts, Mr. LYNCH, Mr. ENGEL, and Mr. INGLIS of South Carolina.

H.R. 3287: Mr. TOWNS.

H.R. 3314: Mr. NEAL of Massachusetts.

H.R. 3406: Ms. SUTTON.

H.R. 3533: Mr. TOM DAVIS of Virginia, Mr. HULSHOF, Mr. KNOLLENBERG, Mr. LEVIN, Mr. KAGEN, Mr. RAMSTAD, and Mrs. CHRISTENSEN.

H.R. 3543: Ms. DELAURO.

H.R. 3544: Mr. BERRY.

H.R. 3547: Ms. ROYBAL-ALLARD, Ms. LINDA T. SÁNCHEZ of California, Ms. SOLIS, and Mr. BERMAN.

H.R. 3609: Mr. BRADY of Pennsylvania, Ms. KILPATRICK, Mr. MARKEY, Ms. SLAUGHTER, and Mr. OLVER.

H.R. 3622: Mr. TIM MURPHY of Pennsylvania.

H.R. 3652: Mr. FILNER.

H.R. 3654: Mr. BISHOP of New York.

H.R. 3660: Ms. RICHARDSON.

H.R. 3726: Mrs. CHRISTENSEN and Mr. CARSON.

H.R. 3797: Mr. DOGGETT.

H.R. 3799: Mr. LEWIS of Georgia, Mr. FATTAH, Mr. AL GREEN of Texas, and Mr. SERRANO.

H.R. 3822: Mr. RAMSTAD.

H.R. 3825: Mr. TIM MURPHY of Pennsylvania and Ms. HIRONO.

H.R. 3834: Ms. FALLIN, Mr. GONZALEZ, and Ms. BALDWIN.

H.R. 3846: Mr. MILLER of North Carolina.

H.R. 3865: Mr. OLVER.

H.R. 3934: Mrs. DRAKE and Ms. PRYCE of Ohio.

H.R. 3968: Mr. AKIN, Mr. MCNULTY, and Ms. CLARKE.

H.R. 4044: Mrs. GILLIBRAND.

H.R. 4054: Mr. BAIRD.

H.R. 4055: Mr. HINCHEY.

H.R. 4061: Mr. HULSHOF and Mr. PLATTS.

H.R. 4088: Mr. BUYER.

H.R. 4105: Mr. MCNERNEY.

H.R. 4116: Mr. MCINTYRE.

H.R. 4139: Mr. SALAZAR.

H.R. 4230: Ms. SOLIS and Ms. WATERS.

H.R. 4248: Mrs. CAPITO, Mr. CALVERT, and Mr. FERGUSON.

H.R. 4313: Mr. BACA, Mr. KAGEN, Ms. SUTTON, Mr. COOPER, and Mr. WAXMAN.

H.R. 4318: Mr. TERRY.

H.R. 4460: Mr. MARIO DIAZ-BALART of Florida.

H.R. 4884: Mr. MCNERNEY.

H.R. 4897: Ms. WOOLSEY.

H.R. 4900: Mr. PORTER, Mr. BOUSTANY, Mr. DAVID DAVIS of Tennessee, Mr. AKIN, Mr. PEARCE, Mr. PUTNAM, Mr. KAGEN, Mr. MATHESON, Mr. NUNES, Mr. ADERHOLT, Mr. CULBERSON, Mr. MURTHA, Mr. SALLI, Mr. NEUGEBAUER, Mr. SMITH of Nebraska, Mr. STEARNS, Ms. FOXX, Mr. BOREN, and Mr. ROYCE.

H.R. 4926: Mr. GORDON and Ms. WOOLSEY.

H.R. 4930: Mr. JOHNSON of Georgia.

H.R. 4934: Mr. SCOTT of Georgia.

H.R. 4959: Mr. FILNER.

H.R. 4987: Mr. FEENEY.

H.R. 5032: Mr. BRADY of Texas, Ms. FOXX, Mr. BARRETT of South Carolina, Mrs. CUBIN, Mr. CANTOR, Mr. WAMP, and Mrs. DRAKE.

H.R. 5038: Mr. SIREN and Ms. WOOLSEY.

H.R. 5109: Mr. SMITH of Nebraska.

H.R. 5130: Mr. CUMMINGS, Mr. MEEK of Florida, Mr. INSLEE, Mr. SCOTT of Virginia, Mrs. JONES of Ohio, Ms. KILPATRICK, and Mr. CONYERS.

H.R. 5136: Mr. SHAYS.

H.R. 5173: Mr. PRICE of North Carolina and Mr. KAGEN.

- H.R. 5180: Mrs. BOYDA of Kansas, Mr. HINOJOSA, Mr. LEWIS of Georgia, Mr. DAVIS of Alabama, Mr. WYNN, Mr. DAVIS of Illinois, Mr. BARROW, Mr. KLEIN of Florida, and Ms. SOLIS.  
 H.R. 5223: Mrs. NAPOLITANO.  
 H.R. 5235: Mr. WELDON of Florida and Mr. MILLER of Florida.  
 H.R. 5244: Mr. LEWIS of Georgia.  
 H.R. 5268: Mr. STARK and Ms. WOOLSEY.  
 H.R. 5315: Mr. MOORE of Kansas and Mr. WALBERG.  
 H.R. 5437: Mr. BOREN and Mr. SHIMKUS.  
 H.R. 5440: Mr. SHIMKUS.  
 H.R. 5443: Mr. LARSEN of Washington and Mr. JOHNSON of Georgia.  
 H.R. 5445: Mr. FORTENBERRY and Ms. GINNY BROWN-WAITE of Florida.  
 H.R. 5448: Mr. ENGLISH of Pennsylvania, Mr. MCNERNEY, Ms. BORDALLO, Mr. MOORE of Kansas, Mr. TERRY, and Mr. KAGEN.  
 H.R. 5461: Mr. KUCINICH.  
 H.R. 5465: Mr. GRIJALVA.  
 H.R. 5467: Mr. MILLER of Florida, Mr. MCINTYRE, and Mr. POE.  
 H.R. 5470: Mr. BERRY and Mr. THOMPSON of California.  
 H.R. 5475: Mr. GRAVES.  
 H.R. 5481: Mr. SOUDER and Mr. FOSSELLA.  
 H.R. 5489: Mr. YOUNG of Florida, Mr. PUTNAM, and Mrs. CAPPS.  
 H.R. 5490: Ms. FOXX, Mr. KINGSTON, Mr. BRADY of Texas, Mrs. CUBIN, Mr. GOODE, Mr. FEENEY, Mr. WAMP, and Mr. SHADEGG.  
 H.R. 5505: Mr. LIPINSKI.  
 H.R. 5510: Ms. EDDIE BERNICE JOHNSON of Texas.  
 H.R. 5514: Mr. PITTS.  
 H.R. 5529: Mr. MILLER of North Carolina, Mr. MCNERNEY, and Mr. GRIJALVA.  
 H.R. 5532: Mrs. BLACKBURN and Mr. BOUCHER.  
 H.R. 5534: Mr. DEFazio and Mr. LEVIN.  
 H.R. 5542: Ms. EDDIE BERNICE JOHNSON of Texas.  
 H.R. 5543: Ms. GINNY BROWN-WAITE of Florida and Mr. MCNERNEY.  
 H.R. 5558: Mr. ENGLISH of Pennsylvania.  
 H.R. 5559: Mr. PAUL, Mr. GRIJALVA, Mr. GOODLATTE, and Mr. SOUDER.  
 H.R. 5561: Mr. CLEAVER.  
 H.J. Res. 53: Mr. FALDOMAVAEGA.  
 H.J. Res. 68: Mr. FILNER.  
 H. Con. Res. 28: Mr. CARNEY.  
 H. Con. Res. 75: Ms. SHEA-PORTER.  
 H. Con. Res. 223: Mr. MARSHALL.  
 H. Con. Res. 244: Mr. BILBRAY, Mr. COURTNEY, and Mr. SMITH of Nebraska.  
 H. Con. Res. 305: Ms. WOOLSEY, Mr. DOGGETT, Mr. DOYLE, and Mr. BISHOP of Georgia.  
 H. Con. Res. 315: Mr. ROGERS of Kentucky, Mr. BROWN of South Carolina, Mr. CALVERT, Mr. COLE of Oklahoma, Mr. DAVIS of Kentucky, Mr. PETERSON of Pennsylvania, Ms. ROS-LEHTINEN, Mr. SAXTON, Mr. SULLIVAN, Mr. TANCREDO, Mr. SHUSTER, Mr. TERRY, and Mr. GRAVES.  
 H. Res. 356: Mr. RADANOVICH.  
 H. Res. 424: Mr. WALZ of Minnesota, Mr. ALTMIRE, Ms. SUTTON, Mrs. MALONEY of New York, Mr. RYAN of Ohio, Ms. CASTOR, Ms. MOORE of Wisconsin, Mr. KILDEE, Ms. BALDWIN, Mr. HILL, Mr. BRADY of Pennsylvania, Mr. EMANUEL, Mrs. MCCARTHY of New York, Mr. BAIRD, Mr. BOSWELL, and Mr. MARKEY.  
 H. Res. 538: Mr. GEORGE MILLER of California, Ms. SCHAKOWSKY, Mr. ELLISON, Ms. MCCOLLUM of Minnesota, Ms. JACKSON-LEE of Texas, Mr. BLUMENAUER, Mr. KIRK, and Mr. VAN HOLLEN.  
 H. Res. 887: Mr. BURTON of Indiana.  
 H. Res. 888: Mr. KINGSTON and Mr. BACHUS.  
 H. Res. 896: Ms. EDDIE BERNICE JOHNSON of Texas.  
 H. Res. 985: Mr. ENGLISH of Pennsylvania and Mr. DAVIS of Illinois.  
 H. Res. 987: Mr. ISRAEL and Mr. HINCHEY.  
 H. Res. 988: Mr. SAM JOHNSON of Texas and Mr. HULSHOF.  
 H. Res. 990: Mr. JEFFERSON.  
 H. Res. 992: Ms. SUTTON.  
 H. Res. 997: Mr. ALTMIRE and Mr. COSTA.  
 H. Res. 1006: Mr. MARSHALL.  
 H. Res. 1011: Mr. RUSH, Mr. SHAYS, Mr. STARK, Mr. FRANKS of Arizona, Ms. WATERS, and Ms. JACKSON-LEE of Texas.  
 H. Res. 1016: Mr. JORDAN, Mrs. MCMORRIS RODGERS, Mr. MCCOTTER, Mr. KUHL of New York, Mrs. CUBIN, and Mr. MCCARTHY of California.  
 H. Res. 1026: Mr. SMITH of Washington, Mr. PEARCE, and Mr. REYES.  
 H. Res. 1044: Ms. JACKSON-LEE of Texas.

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#### DELETION 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. 3547: Mr. GALLEGLY.  
 H.R. 5464: Mr. SENSENBRENNER.