

SCONRES 95

An original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009.

Congress: 108 (2003–2005, Ended)

Chamber: Senate

Policy Area: Economics and Public Finance

Introduced: Mar 5, 2004

Current Status: Conference papers: Senate report and manager's statement and message on House action held at the desk

Latest Action: Conference papers: Senate report and manager's statement and message on House action held at the desk in Senate. (May 20, 2004)

Official Text: <https://www.congress.gov/bill/108th-congress/senate-concurrent-resolution/95>

Sponsor

Name: Sen. Nickles, Don [R-OK]

Party: Republican • **State:** OK • **Chamber:** Senate

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Budget Committee	Senate	Reported Original Measure	Mar 5, 2004

Subjects & Policy Tags

Policy Area:

Economics and Public Finance

Related Bills

Bill	Relationship	Last Action
108 HRES 649	Procedurally related	May 19, 2004: Motion to reconsider laid on the table Agreed to without objection.
108 HCONRES 393	Procedurally related	Mar 25, 2004: Motion to reconsider laid on the table Agreed to without objection.

Sets forth the congressional budget for the Government for FY 2005, including the appropriate budgetary levels for FY 2004 and for FY 2006 through 2009.

Title I: Recommended Levels and Amounts - (Sec. 101) Lists recommended budgetary levels and amounts for FY 2004 through 2009 with respect to: (1) Federal revenues; (2) new budget authority; (3) budget outlays; (4) deficits (on-budget); (5) debt subject to limit; and (6) debt held by the public.

(Sec. 102) Lists the appropriate levels of new budget authority and outlays for specified major functional categories for FY 2004 through 2009.

Title II: Reconciliation and Report Submission - (Sec. 201) Requires recommendations of changes in law within its jurisdiction sufficient to reduce revenues and increase or reduce (as indicated) the total level of outlays by specified amounts to the House Committee on the Budget by the following Committees: (1) Agriculture; (2) Education and the Workforce; (3) Energy and Commerce; (4) Government Reform; and (5) Ways and Means.

Requires the House Committee on the Budget to report to the House a reconciliation bill carrying out all such recommendations without any substantive revision.

Requires the House Committee on Ways and Means to report a budget reconciliation bill that consists of changes in laws within its jurisdiction sufficient to reduce revenues by not more than \$13.182 billion for FY 2005 and by not more than \$137.580 billion for FY 2005 through 2009.

Provides that if such reconciliation bill does not increase the deficit for such fiscal years above the permitted levels, the chairman of the House Committee on the Budget (Chairman) may revise the reconciliation instructions to permit the Committee on Ways and Means to increase the level of direct spending outlays, make conforming adjustments to the revenue instruction to decrease the reduction in revenues, and make conforming changes in allocations to the Committee on Ways and Means and in budget aggregates.

(Sec. 202) Requires the House Committee on Armed Services to report to the House Budget Committee on its findings that identify \$2 billion in savings from activities determined to be a low priority to the successful execution of current military operations, or to be wasteful or unnecessary to national defense.

Requires the identified funds to be reallocated to programs and activities that directly contribute to enhancing the combat capabilities of the U.S. military forces with an emphasis on force protection, munitions, and surveillance capabilities. Directs the Chairman to insert the report by the Committee on Armed Services in the Congressional Record by May 21, 2004.

Title III: Reserve Funds and Contingency Procedure - Subtitle A: Reserve Funds for Legislation Assumed in Budget Aggregates - (Sec. 301) Authorizes the Chairman, if the House reports legislation that provides health insurance for the uninsured, to make the appropriate adjustments in allocations and aggregates to the extent such measure is deficit neutral in FY 2005 and for FY 2005 through 2009.

(Sec. 302) Authorizes the Chairman, if the Committee on Energy and Commerce reports legislation that provides medicaid coverage for children with special needs (the Family Opportunity Act), to make the appropriate adjustments in allocations and aggregates to the extent such measure is deficit neutral in FY 2005 and for FY 2005 through 2009.

(Sec. 303) Authorizes the Chairman, if the Committee on Armed Services reports legislation that increases survivors' benefits under the Military Survivors' Benefit Plan, to make the appropriate adjustments in allocations and aggregates to the extent such measure is deficit neutral resulting from a change other than to discretionary appropriations in FY 2005 and for FY 2005 through 2009.

(Sec. 304) Authorizes the Chairman, for any bill, including a bill that provides for the safe importation of FDA-approved prescription drugs or places limits on medical malpractice litigation, that has passed the House in the first session of the 108th Congress and, after the adoption of this resolution, is acted on by the Senate, enacted by Congress, and presented to the President, to make the appropriate adjustments in the allocations and aggregates to reflect any resulting savings from any such measure.

Subtitle B: Contingency Procedure - (Sec. 311) Authorizes the Chairman, if the Committee on Transportation and Infrastructure reports legislation that provides new budget authority for accounts in the highway transit categories in specified amounts and the amount of excess is offset by reductions in mandatory outlays from the Highway Trust Fund or an increase in receipts appropriated to such Fund, to revise committee allocations, aggregates, and allocations of budget authority and outlays in this resolution by the amount provided in such legislation.

Authorizes the Chairman to increase the allocation of outlays and appropriate aggregates for FY 2004 or 2005 for a House Committee by the amount of outlays corresponding to such obligation limitations if such committee reports legislation establishing obligation limitations in excess of \$40.116 billion for FY 2004 or \$41.204 billion for FY 2005 but an amount up to such limit was offset under this subtitle for programs, projects, and activities within the highway and transit categories, and if legislation has been enacted that satisfies specified conditions of this subtitle.

Title IV: Budget Enforcement - (Sec. 401) Sets forth prohibitions on advance appropriations in the House. Allows advance appropriations for FY 2006 or 2007 for specified accounts identified in the joint explanatory statement accompanying this resolution, but only in an aggregate of up to \$23.568 billion in new budget authority.

(Sec. 402) States that if legislation is reported that makes supplemental appropriations for FY 2005 for contingency operations related to the global war on terrorism, or for any emergency requirements, then the resulting new budget authority, new entitlement authority, outlays, and receipts shall not count for certain purposes of the Congressional Budget Act of 1974 for the provisions of such measure that are designated as making appropriations for such contingency operations.

Requires the committee report and any accompanying managers' statement, if legislation is designated as an emergency requirement, to explain the manner in which it meets specified emergency criteria, including a threat to life, property, or the national security that is sudden, quick, unforeseen, unpredictable, and temporary in nature. Requires the committee to cause the explanation to be printed in the Congressional Record in advance of floor consideration if such legislation is to be considered by the House without being reported.

Deems an emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, as not unforeseen.

(Sec. 403) Requires all House budgetary legislation, as well as the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget, to include in its estimated levels of new budget authority and total outlays, or allocations, any discretionary amounts provided for the Social Security Administration.

Title V: Sense of the House - (Sec. 501) Expresses the sense of the House that, in order to enact legislation to

eliminate waste, fraud, and abuse to ensure the efficient use of taxpayer dollars, authorizing committees should actively engage in oversight utilizing: (1) the plans and goals submitted by executive agencies pursuant to the Government Performance and Results Act of 1993; and (2) the performance evaluations submitted by such agencies (that are based upon the Program Assessment Rating Tool which is designed to improve agency performance).

Expresses the sense of the House that: (1) all Federal programs should be periodically reauthorized and funding for unauthorized programs should be level-funded in FY 2005 unless there is a compelling justification; (2) committees should submit written justifications for earmarks and should consider not funding those most egregiously inconsistent with national policy; (3) the FY 2005 budget resolution should be vigorously enforced and legislation should be enacted establishing statutory limits on appropriations and a PAY-AS-YOU-GO rule for new and expanded entitlement programs; and (4) Congress should make every effort to offset nonwar-related supplemental appropriations.

(Sec. 502) Expresses the sense of the House that authorizing committees should: (1) systematically review all means-tested entitlement programs and track beneficiary participation across programs and time; (2) enact legislation to develop common eligibility requirements for such programs, accurately rename them, and coordinate program benefits in order to limit to a reasonable period of time the Government dependency of means-tested entitlement program participants; (3) evaluate the costs of, and justifications for, nonmeans-tested, nonretirement-related entitlement programs; and (4) identify and utilize resources that have conducted cost-benefit analyses of participants in multiple means- and nonmeans-tested entitlement programs to understand their cumulative costs and collective benefits.

Actions Timeline

- **May 20, 2004:** Conference papers: Senate report and manager's statement and message on House action held at the desk in Senate.
- **May 19, 2004:** Conference report filed: Conference report H. Rept. 108-498 filed.(text of conference report: CR 5/18/2004 H3187-3226)
- **May 19, 2004:** Conference report H. Rept. 108-498 filed. (text of conference report: CR 5/18/2004 H3187-3226)
- **May 19, 2004:** Rules Committee Resolution H. Res. 649 Reported to House. Rule provides for consideration of the conference report to S. Con. Res. 95 with 1 hour of general debate. Upon adoption in the House of the conference report to accompany Senate Concurrent Resolution 95, and until a concurrent resolution on the budget for fiscal year 2005 has been adopted by the Congress the provisions of the conference report and its joint explanatory statement shall have force and effect in the House and for purposes for title III of the Congressional Budget Act of 1974, the conference report shall be considered adopted by the Congress. Nothing in this section may be construed to engage rule XXVII.
- **May 19, 2004:** Conference committee actions: Conferees agreed to file conference report.
- **May 19, 2004:** Conferees agreed to file conference report.
- **May 19, 2004:** Rule H. Res. 649 passed House.
- **May 19, 2004:** Mr. Nussle brought up conference report H. Rept. 108-498 for consideration under the provisions of H. Res. 649. (consideration: CR H3358-3369)
- **May 19, 2004:** DEBATE - The House proceeded with one hour of debate on the conference report to accompany S. Con. Res. 95.
- **May 19, 2004:** The previous question was ordered without objection. (consideration: CR H3369)
- **May 19, 2004:** Conference report agreed to in House: On agreeing to the conference report Agreed to by the Yeas and Nays: 216 - 213 (Roll no. 198).
- **May 19, 2004:** Motions to reconsider laid on the table Agreed to without objection.
- **May 19, 2004:** On agreeing to the conference report Agreed to by the Yeas and Nays: 216 - 213 (Roll no. 198).
- **May 18, 2004:** NOTIFICATION OF INTENT TO OFFER MOTION TO INSTRUCT - Mr. Price of North Carolina notified the House of his intent to offer a motion to instruct conferees on S. Con. Res. 95.
- **May 18, 2004:** Mr. Stenholm moved that the House instruct conferees. (consideration: CR H3162-3168; text: CR H3162)
- **May 18, 2004:** DEBATE - The House proceeded with one hour of debate on the Stenholm motion to instruct conferees on S. Con. Res. 95. The instructions contained in the motion seek to require the managers on the part of the House to, within the scope of the conference, reject provisions that provide for an increase in the statutory debt limit.
- **May 18, 2004:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Stenholm motion to instruct conferees, the Chair put the question on adoption of the motion and by voice vote, announced that the ayes had prevailed. Mr. Nussle objected to the voice vote based upon the absence of a quorum and the Chair postponed further proceedings on the question of adoption of the motion until a later time. The point of no quorum was considered as withdrawn.
- **May 17, 2004:** NOTIFICATION OF INTENT TO OFFER MOTION TO INSTRUCT - Mr. Stenholm notified the House of his intent to offer a motion to instruct conferees on S. Con. Res. 95.
- **May 13, 2004:** On motion that the House instruct conferees Failed by the Yeas and Nays: 207 - 211 (Roll no. 171). (consideration: CR H2949-2950)
- **May 13, 2004:** Motion to reconsider laid on the table Agreed to without objection.
- **May 12, 2004:** Mr. Pomeroy moved that the House instruct conferees. (consideration: CR H2876-2882)
- **May 12, 2004:** DEBATE - The House proceeded with one hour of debate on the Pomeroy motion to instruct conferees on S. Con. Res. 95.
- **May 11, 2004:** NOTIFICATION OF INTENT TO OFFER MOTION TO INSTRUCT - Mr. Pomeroy notified the House of his intention to offer a motion to instruct conferees on S. Con. Res. 95.
- **May 5, 2004:** Mr. Moore moved that the House instruct conferees. (consideration: CR H2585-2593, H2598-2599)
- **May 5, 2004:** DEBATE - The House proceeded with one hour of debate on the Moore motion to instruct conferees on S. Con. Res. 95. The instructions contained in the motion seek to require the managers on the part of the House to agree to the pay-as-you-go enforcement provisions within the scope of the conference regarding direct spending increases and tax cuts in the House and Senate by receding to the Senate on the provisions contained in section 408 of the Senate concurrent resolution (relating to the pay-as-you-go point of order regarding all legislation increasing the deficit a result of direct spending increases and tax cuts).

- **May 5, 2004:** The previous question was ordered without objection.
- **May 5, 2004:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Moore motion to instruct conferees, the Chair put the question on adoption of the motion and by voice vote, announced that the noes had prevailed. Mr. Moore demanded the yeas and nays and the Chair postponed the ordered vote until later in the legislative day.
- **May 5, 2004:** On motion that the House instruct conferees Failed by the Yeas and Nays: 208 - 215 (Roll no. 145).
- **May 5, 2004:** Motion to reconsider laid on the table Agreed to without objection.
- **Mar 31, 2004:** Senate disagreed to House amendment, agreed to request for conference, and appointed conferees. Nickles; Domenici; Grassley; Gregg; Conrad; Hollings; Sarbanes. (consideration: CR S3393-3407; text as Senate disagreed to House amendment: CR S3393-3397)
- **Mar 31, 2004:** Message on Senate action sent to the House.
- **Mar 31, 2004:** Conference committee actions: Conference held.
- **Mar 31, 2004:** Conference held.
- **Mar 30, 2004:** Mr. Nussle asked unanimous consent that the House insist upon its amendment, and request a conference.
- **Mar 30, 2004:** On motion that the House insist upon its amendment, and request a conference Agreed to without objection.
- **Mar 30, 2004:** Mr. Thompson (CA) moved that the House instruct conferees.
- **Mar 30, 2004:** DEBATE - The House proceeded with one hour of debate on the Thompson of California motion to instruct conferees. The instructions contained in the motion seek to require the managers on the part of the House to agree to the pay-as-you-go enforcement provisions within the scope of the conference regarding direct spending increases and tax cuts in the House and Senate. In complying with this instruction, such managers shall be instructed to recede to the Senate on the provisions contained in section 408 of the Senate concurrent resolution (relating to pay-as-you-go point of order regarding all legislation increasing the deficit as a result of spending increases and tax cuts).
- **Mar 30, 2004:** The previous question was ordered without objection.
- **Mar 30, 2004:** On motion that the House instruct conferees Failed by the Yeas and Nays: 209 - 209 (Roll no. 97).
- **Mar 30, 2004:** Motion to reconsider laid on the table Agreed to without objection.
- **Mar 30, 2004:** The Speaker appointed conferees for consideration of the Senate concurrent resolution and the House amendment, and modifications committed to conference: Nussle, Portman, and Spratt.
- **Mar 30, 2004:** Message on House action received in Senate and at desk: House amendment to Senate bill and House requests a conference.
- **Mar 29, 2004:** Mr. Nussle asked unanimous consent to take from the Speaker's table and consider.
- **Mar 29, 2004:** Considered by unanimous consent. (consideration: CR H1602-1611)
- **Mar 29, 2004:** The House struck all after the enacting clause and inserted in lieu thereof the provisions of a similar measure H. Con. Res. 393. Agreed to without objection.
- **Mar 29, 2004:** Passed/agreed to in House: On agreeing to the resolution Agreed to without objection.(text: CR H1602-1611)
- **Mar 29, 2004:** On agreeing to the resolution Agreed to without objection. (text: CR H1602-1611)
- **Mar 29, 2004:** Motion to reconsider laid on the table Agreed to without objection.
- **Mar 16, 2004:** Received in the House.
- **Mar 16, 2004:** Message on Senate action sent to the House.
- **Mar 16, 2004:** Held at the desk.
- **Mar 12, 2004:** Passed/agreed to in Senate: Resolution agreed to in Senate with amendments by Yea-Nay Vote. 51 - 45. Record Vote Number: 58.(text as passed Senate: CR 3/24/2004 S3101-3110)
- **Mar 12, 2004:** Resolution agreed to in Senate with amendments by Yea-Nay Vote. 51 - 45. Record Vote Number: 58. (text as passed Senate: CR 3/24/2004 S3101-3110)
- **Mar 11, 2004:** Considered by Senate. (consideration: CR S2591-2641, S2643-2650, CR 3/12/2004 S2651-2699)
- **Mar 10, 2004:** Considered by Senate. (consideration: CR S2465-2537)
- **Mar 9, 2004:** Considered by Senate. (consideration: CR S2377-2403, S2404-2430)
- **Mar 8, 2004:** Measure laid before Senate. (consideration: CR S2256-2294, S2375)
- **Mar 5, 2004:** Introduced in Senate
- **Mar 5, 2004:** Committee on the Budget. Original measure reported to Senate by Senator Nickles under authority of the order of the Senate of 03/04/2004. Without written report.
- **Mar 5, 2004:** Committee on the Budget. Original measure reported to Senate by Senator Nickles under authority of the

order of the Senate of 03/04/2004. Without written report.

- **Mar 5, 2004:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 437.
- **Mar 4, 2004:** Committee on the Budget ordered to be reported an original measure.