

Mr. DOMENICI. The Senator is correct. It is my understanding that the transfer of the matter under section 347(a)(2) does not affect or otherwise modify the standard for activities undertaken pursuant to Public Law 96-514. The Senate included language in section 107(b) of the Senate bill relating to mitigation of adverse effects that the managers have not adopted as unnecessary. It is the understanding of the managers that the Department of the Interior is interpreting the current standard in the manner set forth in the Senate language.

Mr. BINGAMAN. Finally, the conference report contains an entire title designed to help Native Americans promote the development of tribal energy resources, including an innovative program of tribal energy resource agreements. Would the distinguished chairman of the Senate conferees comment on this title?

Mr. DOMENICI. I would be happy to, Mr. President. The managers recognized the large supply of energy resources existing on Indian lands, as well as the desire of many Tribes to increase access to those resources. The Indian Energy title is designed to provide economic development opportunities to Indian tribes by assisting and empowering them to develop and utilize tribal energy resources in a manner that meets the needs of Indian country and the Nation as a whole.

The title will also continue and strengthen efforts to improve access to electricity for native people who are ten times more likely to be without such access than their counterparts residing outside of Indian reservations. Of particular note, is the creation of a new Office of Indian Energy Policy and Programs within the Department of Energy that is dedicated to working with Indian tribes on energy development matters.

The Title also creates a new program in section 503 related to energy leases, agreements, and rights-of-way on tribal lands that continues a policy of promoting tribal self-determination while preserving the trust relationship between Tribes and the Federal Government. The leases, agreements, and rights-of-way section preserves the full application of Federal environmental laws while authorizing eligible Tribes to approve individual energy projects without duplicative Federal approvals.

The title contains several other provisions, all of which the managers believe will provide significant benefits to Indian country.

Mr. BINGAMAN. I thank Senator DOMENICI for placing these explanations in the RECORD.

Mr. President, before I yield back the remaining time, since I see there are no additional Senators waiting to speak, unless there are some who appear, I want to take a few minutes to thank committee staff for the excellent work that went into the development of this bill. We have had superb staff work here in the Senate on the

Democratic side and the Republican side. I particularly want to single out the staff members on the Democratic side who have worked so hard, over many weeks, months, and even years in the development of this legislation. To the extent this work product is a step forward, it is a result of their hard work and their commitment, and clearly this is an accomplishment which could not have been achieved without that excellent work.

Bob Simon is the staff director on the Democratic side. He has done a superb job. Sam Fowler is the chief counsel and also has done yeoman work. Vicky Thorne; Bill Wicker; Patty Beneke; Deborah Estes; Mike Connor; Jennifer Michael; Leon Lowery; Jonathan Black; Al Stayman; Scott Miller; David Brooks; Michael Carr; Sreela Nandi, who is an AAAS fellow sponsored by the American Chemical Society who works with our committee staff; Tara Billingsley, who is a Department of Energy detailee who worked with the committee in May and June of this year; Amanda Goldman; Mark Wilson; Jonathan Epstein, who is a fellow in my personal office who also worked hard on various aspects of this legislation; and James Dennis in my office, who worked on the tax provisions of the bill.

In addition, I want to acknowledge the extremely capable staff on the Republican side, in particular Alex Flint, who was mentioned by Senator DOMENICI earlier, the staff director; Judy Pensabene, who is the chief counsel on the Republican side; and the other many staff members who I am sure will be recognized by Senator DOMENICI before action on this legislation is complete.

Let me also acknowledge key House staff who worked so hard during this conference committee that we concluded: Mark Menezes, who is counsel for Chairman JOE BARTON; Sue Sheridan and Bruce Harris, who are counsels for the ranking member on the House side, Congressman JOHN DINGELL.

All of these individuals whom I named made a tremendous contribution to this legislation and all of them deserve our great thanks. No constructive work is done here in the Congress without this kind of excellent staff work and we are very fortunate in the case of this legislation.

I am informed there are no other Senators wishing to speak at this point. I am also informed we will have additional time tomorrow for statements before any actual votes occur on or in relation to the conference report.

I yield the floor at this time. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent there now be a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### IN MEMORY OF BRETT KARLIN

Mr. DURBIN. Mr. President, I rise today to remember a young man from Illinois whose future was full of promise and hope. Last summer, 18-year-old Brett Karlin of Buffalo Grove, IL, was anticipating a summer of youthful fun. Just weeks after his graduation from Adlai E. Stevenson High School, on July 30, 2004, Brett and his best friend Andy set out on a fateful drive through the outskirts of a neighboring suburban town. Neither Andy nor Brett was under the influence of drugs or alcohol, and Brett's seatbelt was fastened, but it was little help as they raced over the posted 30-mile-per-hour speed limit. As they pushed the speedometer of the Honda Accord they were driving to 112 miles per hour, the car skidded out of control and collided with a tree. The crash left twisted metal, protruding shards of shattered glass, and a head trauma that cost Brett his life 6 days later. A reckless pastime gone awry had cut a promising life short and left a grieving family in its wake.

Unfortunately, tragedies like Brett's occur each day. According to a 2003 report by the Centers for Disease Control and Prevention, more than 4,700 U.S. teenagers between the ages of 16 and 19 died of injuries caused by motor vehicle crashes in 2001. In my home State, teenagers make up only 6 percent of all Illinois drivers, but they account for 16 percent of all crash fatalities. We must work to prevent these tragic losses, and one of the ways we can do that is by encouraging legislators, teachers, and parents to educate America's teenage drivers about driver safety.

To memorialize Brett's life, Brett's father, Michael Karlin, founded the Brakes for Brett nonprofit organization. Through peer presentations to high schools and religious and community groups, and by maintaining an informational Web site, Mr. Karlin, Andy, and other friends of Brett educate young adults about the dangers associated with reckless driving. I commend Mr. Karlin and those who collaborate with the Brakes for Brett organization for their work to save the lives of young drivers.

Together, we can work to alert teens to the hazards associated with speeding and joyriding, including its social, emotional, psychological, and financial effects.

In 2003, the National Highway Traffic Safety Administration estimated that the economic costs of both fatal and nonfatal police-reported crashes involving drivers age 15 to 20 were approximately \$40.8 billion. Our Nation

bears nearly three-fourths of these costs, primarily through medical expenses, increased insurance premiums, taxes, and lost worker productivity.

Yet these costs pale in comparison to the agony endured by parents, families, and friends of a teen driver whose life ends tragically and prematurely.

Brett Karlin's family, despite their immense pain and grief, made the generous decision to donate Brett's organs, providing the opportunity for others to live. That opportunity to give the gift of life often comes in the wake of sudden tragedy. When families embrace that opportunity, organ donation often provides renewed hope for the donor's family as well as for the recipients whose lives are saved by the donation.

A new person is added to the national organ donation waiting list in America every 13 minutes, and sadly, 17 people each day die waiting for transplants that cannot take place because of the shortage of donated organs. Illinois is fortunate to have the country's largest donor registry with more than 6 million participants. Although tremendous strides in promoting organ donation have been made, more than 320 Illinois residents died in 2004 while waiting for an organ transplant.

I commend Brakes for Brett for its valuable educational efforts. Today we remember Brett Karlin's life and honor him by recommitting ourselves to teen driver safety education and organ donation. Through these and similar efforts, we can make great strides to preserve young lives that might otherwise be lost.

#### BUDGET SCOREKEEPING REPORT

Mr. GREGG. Mr. President, I hereby submit to the Senate the budget scorekeeping report prepared by the Congressional Budget Office under Section 308(b) and in aid of Section 311 of the Congressional Budget Act of 1974, as amended. This report meets the requirements for Senate scorekeeping of Section 5 of S. Con. Res. 32, the First Concurrent Resolution on the Budget for 1986.

This report shows the effects of congressional action on the 2005 budget through July 26, 2005. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of the 2006 Concurrent Resolution on the Budget, H. Con. Res. 95.

The estimates show that current level spending is under the budget resolution by \$4.986 billion in budget authority and by \$27 million in outlays in 2005. Current level for revenues is \$407 million above the budget resolution in 2005.

Since my last report dated June 30, 2005, the Congress has cleared and the President has signed the TANF Extension Act of 2005, P.L. 109-19, the Surface Transportation Act of 2005, Part II, P.L. 109-20, the Surface Transportation Act of 2005, Part III, P.L. 109-35,

and the Surface Transportation Act of 2005, Part IV, P.L. 109-37 which changed budget authority and outlays.

I ask unanimous consent that the report be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, July 28, 2005.

Hon. JUDD GREGG,  
Chairman, Committee on the Budget,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed tables show the effects of Congressional action on the 2005 budget and are current through July 26, 2005. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions for fiscal year 2005 that underlie H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2006.

Since my last letter, dated June 29, 2005, the Congress has cleared and the President has signed the following acts that changed budget authority, outlays, or revenues:

TANF Extension Act of 2005 (Public Law 109-19); Surface Transportation Extension Act of 2005, Part II (Public Law 109-20); Surface Transportation Extension Act of 2005, Part III (Public Law 109-35); and Surface Transportation Extension Act of 2005, Part IV (Public Law 109-37).

In addition, a correction was made to the final scoring of the Surface Transportation Extension Act of 2005 (P.L. 109-14). The estimate of budget authority was reduced by \$28 million for fiscal year 2005.

Sincerely,

ELIZABETH M. ROBINSON,  
(For Douglas Holtz-Eakin, Director).

TABLE 1.—SENATE CURRENT-LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2005, AS OF JULY 26, 2005

[In billions of dollars]

	Budget resolution <sup>1</sup>	Current level <sup>2</sup>	Current level over/under (—) resolution
<b>ON-BUDGET</b>			
Budget Authority .....	1,996.6	1,991.6	—5.0
Outlays .....	2,023.9	2,023.9	*
Revenues .....	1,483.7	1,484.1	0.4
<b>OFF-BUDGET</b>			
Social Security Outlays .....	398.1	398.1	0
Social Security Revenues .....	573.5	573.5	0

<sup>1</sup>H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2006, assumed the enactment of emergency supplemental appropriations for fiscal year 2005, in the amount of \$81,811 million in budget authority and \$32,121 million in outlays, which would be exempt from the enforcement of the budget resolution. Since current level excludes the emergency appropriations in P.L. 109-13 (see footnote 2 of Table 2), the amounts specified in the budget resolution have also been reduced for purposes of comparison.

<sup>2</sup>Current level is the estimated effect on revenue and spending of all legislation that the Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations even if the appropriations have not been made.

Note: \* = less than \$50 million.

Source: Congressional Budget Office.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT-LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2005, AS OF JULY 26, 2005

[In millions of dollars]

	Budget authority	Outlays	Revenues
<b>Enacted in Previous Sessions<sup>1</sup></b>			
Revenues .....	n.a.	n.a.	1,484,024
Permanents and other spending legislation .....	1,109,476	1,070,500	n.a.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT-LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2005, AS OF JULY 26, 2005—Continued

[In millions of dollars]

	Budget authority	Outlays	Revenues
Appropriation legislation .....	1,298,963	1,369,221	n.a.
Offsetting receipts .....	—415,912	—415,912	n.a.
Total, enacted in previous sessions: .....	1,992,527	2,023,809	1,484,024
Enacted This Session: Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (P.L. 109-13) <sup>2</sup> .....	—1,058	4	41
Surface Transportation Extension Act of 2005 (P.L. 109-14) .....	16	0	0
TANF Extension Act of 2005 (P.L. 109-19) .....	81	45	0
Surface Transportation Extension Act of 2005, Part II (P.L. 109-20) .....	15	0	0
Surface Transportation Extension Act of 2005, Part III (P.L. 109-35) .....	3	0	0
Surface Transportation Extension Act of 2005, Part IV (P.L. 109-37) .....	5	0	0
Total, enacted this session: .....	—938	49	41
Total Current Level <sup>2,3</sup> .....	1,991,589	2,023,858	1,484,065
Total Budget Resolution Adjustment to budget resolution for emergency requirements <sup>4</sup> .....	2,078,456	2,056,006	1,483,658
Adjusted Budget Resolution .....	1,996,575	2,023,885	1,483,658
Current Level Over Adjusted Budget Resolution .....	n.a.	n.a.	407
Current Level Under Adjusted Budget Resolution .....	4,986	27	n.a.

<sup>1</sup>The effects of an act to provide for the proper tax treatment of certain disaster mitigation payments (P.L. 109-7) and the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (P.L. 109-8) are included in this section of the table, consistent with the budget resolution assumptions.

<sup>2</sup>Pursuant to section 402 of H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2006, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, the current level excludes \$83,140 million in budget authority and \$33,034 million in outlays from the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (P.L. 109-13).

<sup>3</sup>Excludes administrative expenses of the Social Security Administration, which are off-budget.

<sup>4</sup>H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2006, assumed the enactment of emergency supplemental appropriations for fiscal year 2005, in the amount of \$81,811 million in budget authority and \$32,121 million in outlays, which would be exempt from the enforcement of the budget resolution. Since current level excludes the emergency appropriations in P.L. 109-13 (see footnote 2), the amounts specified in the budget resolution have also been reduced for purposes of comparison.

Notes: n.a. = not applicable; P.L. = Public Law; \* = less than \$500,000.

Source: Congressional Budget Office.

#### CHANGES TO 302(a) ALLOCATIONS AND SPENDING LIMITS

Mr. GREGG. Mr. President, the President's fiscal year 2006 budget request includes four cap adjustments to encourage adequate funding for program integrity efforts. In each of the four programs, continuing disability reviews, IRS tax enforcement, health care fraud and abuse control, and unemployment insurance, additional funding dedicated to program integrity can reduce improper payments and return money to the treasury. For example, the administration estimates that