

# S. CON. RES. 21

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## CONCURRENT RESOLUTION

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

3 **SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET**  
4 **FOR FISCAL YEAR 2008.**

5        (a) DECLARATION.—The Congress declares that this  
6 resolution is the concurrent resolution on the budget for  
7 fiscal year 2008 and that the appropriate budgetary levels  
8 for fiscal years 2007 and 2009 through 2012 are set forth.

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

Sec. 1. Concurrent Resolution on the Budget for Fiscal Year 2008.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.

Sec. 102. Social Security.

Sec. 103. Major functional categories.

TITLE II—BUDGET PROCESS

Sec. 201. Pay-as-you-go point of order in the Senate.

Sec. 202. Point of order against reconciliation legislation that would increase  
the deficit or reduce a surplus.

Sec. 203. Point of order against legislation increasing long-term deficits.

Sec. 204. Emergency legislation.

Sec. 205. Extension of enforcement of budgetary points of order.

Sec. 206. Point of order against advance appropriations.

Sec. 207. Discretionary spending limits.

Sec. 208. Application of previous allocations in the Senate.

Sec. 209. Point of order to Save Social Security First.

- Sec. 210. Point of order against legislation that raises income tax rates.
- Sec. 211. Circuit breaker to protect Social Security.
- Sec. 212. Point of order—20% limit on new direct spending in reconciliation legislation.
- Sec. 213. Point of order against legislation that raises income tax rates for small businesses, family farms, or family ranches.
- Sec. 214. Point of order against provisions of appropriations legislation that constitutes changes in mandatory programs with net costs.
- Sec. 215. Disclosure of interest costs.

### TITLE III—RESERVE FUNDS AND ADJUSTMENTS

- Sec. 301. Deficit-neutral reserve fund for SCHIP legislation.
- Sec. 302. Deficit-neutral reserve fund for care of wounded service members.
- Sec. 303. Deficit-neutral reserve fund for tax relief.
- Sec. 304. Deficit-neutral reserve fund for comparative effectiveness research.
- Sec. 305. Deficit-neutral reserve fund for higher education.
- Sec. 306. Deficit-neutral reserve fund for the Farm Bill.
- Sec. 307. Deficit-neutral reserve fund for energy legislation.
- Sec. 308. Deficit-neutral reserve fund for Medicare.
- Sec. 309. Deficit-neutral reserve fund for small business health insurance.
- Sec. 310. Deficit-neutral reserve fund for county payments for Secure Rural Schools and Community Self-Determination Act of 2000 reauthorization.
- Sec. 311. Deficit-neutral reserve fund for terrorism risk insurance reauthorization.
- Sec. 312. Deficit-neutral reserve fund for affordable housing.
- Sec. 313. Deficit-neutral reserve fund for receipts from Bonneville Power Administration.
- Sec. 314. Deficit-neutral reserve fund for Indian claims settlement.
- Sec. 315. Deficit-neutral reserve fund for Food and Drug Administration.
- Sec. 316. Deficit-neutral reserve fund for health care reform.
- Sec. 317. Deficit-neutral reserve fund for enhancement of veterans' benefits.
- Sec. 318. Deficit-neutral reserve fund for long-term care.
- Sec. 319. Deficit-neutral reserve fund for health information technology.
- Sec. 320. Deficit-neutral reserve fund for child care.
- Sec. 321. Deficit-neutral reserve fund for comprehensive immigration reform.
- Sec. 322. Deficit-neutral reserve fund for mental health parity.
- Sec. 323. Deficit-neutral reserve fund for preschool opportunities.
- Sec. 324. Deficit-neutral reserve fund for the safe importation of FDA-approved prescription drugs.
- Sec. 325. Application and effect of changes in allocations and aggregates.
- Sec. 326. Adjustments to reflect changes in concepts and definitions.
- Sec. 327. Exercise of rulemaking powers.
- Sec. 328. Deficit-neutral reserve fund for expansion of above-the-line deduction for teacher classroom supplies.
- Sec. 329. Adjustment for Smithsonian Institution salaries and expenses.
- Sec. 330. Deficit-reduction reserve fund for reduction of improper payments.
- Sec. 331. Deficit-neutral reserve fund for extension of the deduction for State and local sales taxes.
- Sec. 332. Deficit-neutral reserve fund for extension of certain energy tax incentives.
- Sec. 333. Reserve fund to provide additional training for physicians and attract more physicians in States that face a shortage of physicians in training.

- Sec. 334. Deficit-neutral reserve fund for repeal of the 1993 increase in the income tax on Social Security Benefits.
- Sec. 335. Sense of Congress on the State Criminal Alien Assistance Program.
- Sec. 336. Deficit-neutral reserve fund for eliminating military retirement and disability offset.
- Sec. 337. Deficit-neutral reserve for asbestos reform legislation.
- Sec. 338. Deficit-neutral reserve fund for manufacturing initiatives.
- Sec. 339. Deficit-reduction reserve fund for increased use of recovery audits.
- Sec. 340. Deficit-neutral reserve fund for a delay in the implementation of a proposed rule relating to the Federal-State Financial Partnerships under Medicaid and SCHIP.
- Sec. 341. Reserve fund to improve the health care system.
- Sec. 342. Reserve fund to improve Medicare hospital payment accuracy.
- Sec. 343. Deficit-neutral reserve fund to improve health insurance.

1           **TITLE I—RECOMMENDED**  
 2           **LEVELS AND AMOUNTS**

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

4           The following budgetary levels are appropriate for  
 5 each of fiscal years 2007 through 2012:

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

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

10           Fiscal year 2007: \$1,900,706,000,000.

11           Fiscal year 2008: \$2,008,975,000,000.

12           Fiscal year 2009: \$2,122,544,000,000.

13           Fiscal year 2010: \$2,221,229,000,000.

14           Fiscal year 2011: \$2,357,776,000,000.

15           Fiscal year 2012: \$2,426,691,000,000.

16           (B) The amounts by which the aggregate  
 17 levels of Federal revenues should be changed  
 18 are as follows:

19           Fiscal year 2007:  $-\$4,000,000,000$ .

1 Fiscal year 2008: -\$41,821,000,000.

2 Fiscal year 2009: \$15,618,000,000.

3 Fiscal year 2010: \$57,508,000,000.

4 Fiscal year 2011: -\$36,774,000,000.

5 Fiscal year 2012: -\$170,405,000,000.

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

9 Fiscal year 2007: \$2,364,566,000,000.

10 Fiscal year 2008: \$2,490,185,000,000.

11 Fiscal year 2009: \$2,506,314,000,000.

12 Fiscal year 2010: \$2,555,623,000,000.

13 Fiscal year 2011: \$2,669,264,000,000.

14 Fiscal year 2012: \$2,696,288,000,000.

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

18 Fiscal year 2007: \$2,298,846,000,000.

19 Fiscal year 2008: \$2,460,251,000,000.

20 Fiscal year 2009: \$2,555,575,000,000.

21 Fiscal year 2010: \$2,587,173,000,000.

22 Fiscal year 2011: \$2,675,133,000,000.

23 Fiscal year 2012: \$2,682,375,000,000.

1           (4) DEFICITS.—For purposes of the enforce-  
2           ment of this resolution, the amounts of the deficits  
3           are as follows:

4           Fiscal year 2007: \$398,140,000,000.

5           Fiscal year 2008: \$451,276,000,000.

6           Fiscal year 2009: \$433,031,000,000.

7           Fiscal year 2010: \$365,944,000,000.

8           Fiscal year 2011: \$317,357,000,000.

9           Fiscal year 2012: \$255,684,000,000.

10          (5) PUBLIC DEBT.—The appropriate levels of  
11          the public debt are as follows:

12          Fiscal year 2007: \$8,960,830,000,000.

13          Fiscal year 2008: \$9,529,811,000,000.

14          Fiscal year 2009: \$10,079,488,000,000.

15          Fiscal year 2010: \$10,562,973,000,000.

16          Fiscal year 2011: \$10,993,669,000,000.

17          Fiscal year 2012: \$11,375,583,000,000.

18          (6) DEBT HELD BY THE PUBLIC.—The appro-  
19          priate levels of debt held by the public are as follows:

20          Fiscal year 2007: \$5,045,226,000,000.

21          Fiscal year 2008: \$5,308,213,000,000.

22          Fiscal year 2009: \$5,537,687,000,000.

23          Fiscal year 2010: \$5,686,479,000,000.

24          Fiscal year 2011: \$5,769,579,000,000.

25          Fiscal year 2012: \$5,779,399,000,000.

1 **SEC. 102. SOCIAL SECURITY.**

2 (a) SOCIAL SECURITY REVENUES.—The amounts of  
3 revenues of the Federal Old-Age and Survivors Insurance  
4 Trust Fund and the Federal Disability Insurance Trust  
5 Fund are as follows:

6 Fiscal year 2007: \$637,586,000,000.

7 Fiscal year 2008: \$668,998,000,000.

8 Fiscal year 2009: \$702,851,000,000.

9 Fiscal year 2010: \$737,589,000,000.

10 Fiscal year 2011: \$772,605,000,000.

11 Fiscal year 2012: \$807,928,000,000.

12 (b) SOCIAL SECURITY OUTLAYS.—The amounts of  
13 outlays of the Federal Old-Age and Survivors Insurance  
14 Trust Fund and the Federal Disability Insurance Trust  
15 Fund are as follows:

16 Fiscal year 2007: \$441,676,000,000.

17 Fiscal year 2008: \$460,224,000,000.

18 Fiscal year 2009: \$478,578,000,000.

19 Fiscal year 2010: \$499,655,000,000.

20 Fiscal year 2011: \$520,743,000,000.

21 Fiscal year 2012: \$546,082,000,000.

22 (c) SOCIAL SECURITY ADMINISTRATIVE EX-  
23 PENSES.—In the Senate, the amounts of new budget au-  
24 thority and budget outlays of the Federal Old-Age and  
25 Survivors Insurance Trust Fund and the Federal Dis-

1 ability Insurance Trust Fund for administrative expenses  
2 are as follows:

3 Fiscal year 2007:

4 (A) New budget authority,  
5 \$4,692,000,000.

6 (B) Outlays, \$4,727,000,000.

7 Fiscal year 2008:

8 (A) New budget authority,  
9 \$5,130,000,000.

10 (B) Outlays, \$5,105,000,000.

11 Fiscal year 2009:

12 (A) New budget authority,  
13 \$5,284,000,000.

14 (B) Outlays, \$5,244,000,000.

15 Fiscal year 2010:

16 (A) New budget authority,  
17 \$5,444,000,000.

18 (B) Outlays, \$5,417,000,000.

19 Fiscal year 2011:

20 (A) New budget authority,  
21 \$5,612,000,000.

22 (B) Outlays, \$5,583,000,000.

23 Fiscal year 2012:

24 (A) New budget authority,  
25 \$5,783,000,000.

1 (B) Outlays, \$5,753,000,000.

2 **SEC. 103. MAJOR FUNCTIONAL CATEGORIES.**

3 The Congress determines and declares that the ap-  
4 propriate levels of new budget authority and outlays for  
5 fiscal years 2007 through 2012 for each major functional  
6 category are:

7 (1) National Defense (050):

8 Fiscal year 2007:

9 (A) New budget authority,  
10 \$619,363,000,000.

11 (B) Outlays, \$560,462,000,000.

12 Fiscal year 2008:

13 (A) New budget authority,  
14 \$648,820,000,000.

15 (B) Outlays, \$617,842,000,000.

16 Fiscal year 2009:

17 (A) New budget authority,  
18 \$584,775,000,000.

19 (B) Outlays, \$626,962,000,000.

20 Fiscal year 2010:

21 (A) New budget authority,  
22 \$545,251,000,000.

23 (B) Outlays, \$572,856,000,000.

24 Fiscal year 2011:



1 (A) New budget authority,  
2 \$551,054,000,000.

3 (B) Outlays, \$558,381,000,000.

4 Fiscal year 2012:

5 (A) New budget authority,  
6 \$559,899,000,000.

7 (B) Outlays, \$551,763,000,000.

8 (2) International Affairs (150):

9 Fiscal year 2007:

10 (A) New budget authority,  
11 \$34,790,000,000.

12 (B) Outlays, \$32,015,000,000.

13 Fiscal year 2008:

14 (A) New budget authority,  
15 \$39,214,000,000.

16 (B) Outlays, \$36,944,400,000.

17 Fiscal year 2009:

18 (A) New budget authority,  
19 \$34,555,000,000.

20 (B) Outlays, \$35,101,600,000.

21 Fiscal year 2010:

22 (A) New budget authority,  
23 \$34,859,000,000.

24 (B) Outlays, \$33,497,400,000.

25 Fiscal year 2011:

1 (A) New budget authority,  
2 \$35,432,000,000.

3 (B) Outlays, \$33,376,600,000.

4 Fiscal year 2012:

5 (A) New budget authority,  
6 \$35,984,000,000.

7 (B) Outlays, \$33,335,000,000.

8 (3) General Science, Space, and Technology  
9 (250):

10 Fiscal year 2007:

11 (A) New budget authority,  
12 \$25,079,000,000.

13 (B) Outlays, \$24,516,000,000.

14 Fiscal year 2008:

15 (A) New budget authority,  
16 \$27,583,000,000.

17 (B) Outlays, \$26,353,000,000.

18 Fiscal year 2009:

19 (A) New budget authority,  
20 \$26,925,000,000.

21 (B) Outlays, \$27,529,000,000.

22 Fiscal year 2010:

23 (A) New budget authority,  
24 \$27,289,000,000.

25 (B) Outlays, \$27,651,000,000.

1 Fiscal year 2011:  
2 (A) New budget authority,  
3 \$27,654,000,000.  
4 (B) Outlays, \$27,267,000,000.  
5 Fiscal year 2012:  
6 (A) New budget authority,  
7 \$28,020,000,000.  
8 (B) Outlays, \$27,593,000,000.  
9 (4) Energy (270):  
10 Fiscal year 2007:  
11 (A) New budget authority,  
12 \$2,958,000,000.  
13 (B) Outlays, \$1,384,000,000.  
14 Fiscal year 2008:  
15 (A) New budget authority,  
16 \$3,662,000,000.  
17 (B) Outlays, \$1,256,000,000.  
18 Fiscal year 2009:  
19 (A) New budget authority,  
20 \$3,142,000,000.  
21 (B) Outlays, \$1,659,000,000.  
22 Fiscal year 2010:  
23 (A) New budget authority,  
24 \$3,198,000,000.  
25 (B) Outlays, \$1,778,000,000.

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Fiscal year 2011:

(A) New budget authority,  
\$3,258,000,000.

(B) Outlays, \$1,766,000,000.

Fiscal year 2012:

(A) New budget authority,  
\$3,306,000,000.

(B) Outlays, \$2,032,000,000.

(5) Natural Resources and Environment (300):

Fiscal year 2007:

(A) New budget authority,  
\$31,332,000,000.

(B) Outlays, \$32,905,000,000.

Fiscal year 2008:

(A) New budget authority,  
\$32,933,000,000.

(B) Outlays, \$34,927,000,000.

Fiscal year 2009:

(A) New budget authority,  
\$33,331,000,000.

(B) Outlays, \$35,250,000,000.

Fiscal year 2010:

(A) New budget authority,  
\$33,999,000,000.

(B) Outlays, \$35,264,000,000.

1 Fiscal year 2011:  
2 (A) New budget authority,  
3 \$34,365,000,000.  
4 (B) Outlays, \$35,337,000,000.  
5 Fiscal year 2012:  
6 (A) New budget authority,  
7 \$35,098,000,000.  
8 (B) Outlays, \$35,624,000,000.  
9 (6) Agriculture (350):  
10 Fiscal year 2007:  
11 (A) New budget authority,  
12 \$26,207,000,000.  
13 (B) Outlays, \$22,580,000,000.  
14 Fiscal year 2008:  
15 (A) New budget authority,  
16 \$20,481,000,000.  
17 (B) Outlays, \$21,497,000,000.  
18 Fiscal year 2009:  
19 (A) New budget authority,  
20 \$20,984,000,000.  
21 (B) Outlays, \$20,108,000,000.  
22 Fiscal year 2010:  
23 (A) New budget authority,  
24 \$21,137,000,000.  
25 (B) Outlays, \$20,118,000,000.

1 Fiscal year 2011:  
2 (A) New budget authority,  
3 \$21,099,000,000.  
4 (B) Outlays, \$20,390,000,000.  
5 Fiscal year 2012:  
6 (A) New budget authority,  
7 \$21,288,000,000.  
8 (B) Outlays, \$20,763,000,000.  
9 (7) Commerce and Housing Credit (370):  
10 Fiscal year 2007:  
11 (A) New budget authority,  
12 \$5,515,000,000.  
13 (B) Outlays, -\$3,522,000,000.  
14 Fiscal year 2008:  
15 (A) New budget authority,  
16 \$8,915,000,000.  
17 (B) Outlays, \$1,882,000,000.  
18 Fiscal year 2009:  
19 (A) New budget authority,  
20 \$8,602,000,000.  
21 (B) Outlays, \$159,000,000.  
22 Fiscal year 2010:  
23 (A) New budget authority,  
24 \$8,566,000,000.  
25 (B) Outlays, \$178,000,000.

1 Fiscal year 2011:  
2 (A) New budget authority,  
3 \$8,591,000,000.  
4 (B) Outlays, -\$27,000,000.  
5 Fiscal year 2012:  
6 (A) New budget authority,  
7 \$8,772,000,000.  
8 (B) Outlays, \$507,000,000.  
9 (8) Transportation (400):  
10 Fiscal year 2007:  
11 (A) New budget authority,  
12 \$81,282,000,000.  
13 (B) Outlays, \$74,739,000,000.  
14 Fiscal year 2008:  
15 (A) New budget authority,  
16 \$83,872,000,000.  
17 (B) Outlays, \$81,383,000,000.  
18 Fiscal year 2009:  
19 (A) New budget authority,  
20 \$75,700,000,000.  
21 (B) Outlays, \$84,032,000,000.  
22 Fiscal year 2010:  
23 (A) New budget authority,  
24 \$76,253,000,000.  
25 (B) Outlays, \$85,893,000,000.

1 Fiscal year 2011:

2 (A) New budget authority,  
3 \$76,887,000,000.

4 (B) Outlays, \$86,307,000,000.

5 Fiscal year 2012:

6 (A) New budget authority,  
7 \$77,476,000,000.

8 (B) Outlays, \$87,721,000,000.

9 (9) Community and Regional Development  
10 (450):

11 Fiscal year 2007:

12 (A) New budget authority,  
13 \$19,117,000,000.

14 (B) Outlays, \$28,281,000,000.

15 Fiscal year 2008:

16 (A) New budget authority,  
17 \$15,415,000,000.

18 (B) Outlays, \$22,461,500,000.

19 Fiscal year 2009:

20 (A) New budget authority,  
21 \$13,561,000,000.

22 (B) Outlays, \$21,264,000,000.

23 Fiscal year 2010:

24 (A) New budget authority,  
25 \$13,742,000,000.



1 (B) Outlays, \$20,059,000,000.

2 Fiscal year 2011:

3 (A) New budget authority,  
4 \$13,921,000,000.

5 (B) Outlays, \$18,076,000,000.

6 Fiscal year 2012:

7 (A) New budget authority,  
8 \$14,098,000,000.

9 (B) Outlays, \$15,084,000,000.

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

12 Fiscal year 2007:

13 (A) New budget authority,  
14 \$92,780,000,000.

15 (B) Outlays, \$92,224,000,000.

16 Fiscal year 2008:

17 (A) New budget authority,  
18 \$93,889,000,000.

19 (B) Outlays, \$90,399,000,000.

20 Fiscal year 2009:

21 (A) New budget authority,  
22 \$97,592,000,000.

23 (B) Outlays, \$93,948,000,000.

24 Fiscal year 2010:

1 (A) New budget authority,  
2 \$99,366,000,000.

3 (B) Outlays, \$96,896,000,000.

4 Fiscal year 2011:

5 (A) New budget authority,  
6 \$99,650,000,000.

7 (B) Outlays, \$98,473,000,000.

8 Fiscal year 2012:

9 (A) New budget authority,  
10 \$100,104,000,000.

11 (B) Outlays, \$98,307,000,000.

12 (11) Health (550):

13 Fiscal year 2007:

14 (A) New budget authority,  
15 \$268,340,000,000.

16 (B) Outlays, \$268,645,000,000.

17 Fiscal year 2008:

18 (A) New budget authority,  
19 \$291,266,000,000.

20 (B) Outlays, \$290,234,000,000.

21 Fiscal year 2009:

22 (A) New budget authority,  
23 \$310,068,000,000.

24 (B) Outlays, \$308,329,000,000.

25 Fiscal year 2010:

1 (A) New budget authority,  
2 \$333,219,000,000.

3 (B) Outlays, \$333,355,000,000.

4 Fiscal year 2011:

5 (A) New budget authority,  
6 \$356,057,000,000.

7 (B) Outlays, \$355,356,000,000.

8 Fiscal year 2012:

9 (A) New budget authority,  
10 \$379,814,000,000.

11 (B) Outlays, \$379,151,000,000.

12 (12) Medicare (570):

13 Fiscal year 2007:

14 (A) New budget authority,  
15 \$365,152,000,000.

16 (B) Outlays, \$370,180,000,000.

17 Fiscal year 2008:

18 (A) New budget authority,  
19 \$389,969,000,000.

20 (B) Outlays, \$390,035,000,000.

21 Fiscal year 2009:

22 (A) New budget authority,  
23 \$414,779,000,000.

24 (B) Outlays, \$414,440,000,000.

25 Fiscal year 2010:

1 (A) New budget authority,  
2 \$439,862,000,000.

3 (B) Outlays, \$440,092,000,000.

4 Fiscal year 2011:

5 (A) New budget authority,  
6 \$484,792,000,000.

7 (B) Outlays, \$484,811,000,000.

8 Fiscal year 2012:

9 (A) New budget authority,  
10 \$481,008,000,000.

11 (B) Outlays, \$480,632,000,000.

12 (13) Income Security (600):

13 Fiscal year 2007:

14 (A) New budget authority,  
15 \$360,365,000,000.

16 (B) Outlays, \$364,204,000,000.

17 Fiscal year 2008:

18 (A) New budget authority,  
19 \$379,759,000,000.

20 (B) Outlays, \$383,609,000,000.

21 Fiscal year 2009:

22 (A) New budget authority,  
23 \$390,801,000,000.

24 (B) Outlays, \$393,118,000,000.

25 Fiscal year 2010:

1 (A) New budget authority,  
2 \$400,706,000,000.

3 (B) Outlays, \$401,774,000,000.

4 Fiscal year 2011:

5 (A) New budget authority,  
6 \$415,851,000,000.

7 (B) Outlays, \$415,874,000,000.

8 Fiscal year 2012:

9 (A) New budget authority,  
10 \$401,275,000,000.

11 (B) Outlays, \$400,684,000,000.

12 (14) Social Security (650):

13 Fiscal year 2007:

14 (A) New budget authority,  
15 \$19,089,000,000.

16 (B) Outlays, \$19,089,000,000.

17 Fiscal year 2008:

18 (A) New budget authority,  
19 \$19,644,000,000.

20 (B) Outlays, \$19,644,000,000.

21 Fiscal year 2009:

22 (A) New budget authority,  
23 \$21,518,000,000.

24 (B) Outlays, \$21,518,000,000.

25 Fiscal year 2010:

1 (A) New budget authority,  
2 \$23,701,000,000.

3 (B) Outlays, \$23,701,000,000.

4 Fiscal year 2011:

5 (A) New budget authority,  
6 \$27,009,000,000.

7 (B) Outlays, \$27,009,000,000.

8 Fiscal year 2012:

9 (A) New budget authority,  
10 \$29,898,000,000.

11 (B) Outlays, \$29,898,000,000.

12 (15) Veterans Benefits and Services (700):

13 Fiscal year 2007:

14 (A) New budget authority,  
15 \$73,896,000,000.

16 (B) Outlays, \$72,342,000,000.

17 Fiscal year 2008:

18 (A) New budget authority,  
19 \$85,262,000,000.

20 (B) Outlays, \$84,424,000,000.

21 Fiscal year 2009:

22 (A) New budget authority,  
23 \$87,372,000,000.

24 (B) Outlays, \$87,943,000,000.

25 Fiscal year 2010:

1 (A) New budget authority,  
2 \$89,559,000,000.

3 (B) Outlays, \$89,210,000,000.

4 Fiscal year 2011:

5 (A) New budget authority,  
6 \$94,707,000,000.

7 (B) Outlays, \$94,314,000,000.

8 Fiscal year 2012:

9 (A) New budget authority,  
10 \$91,513,000,000.

11 (B) Outlays, \$90,957,000,000.

12 (16) Administration of Justice (750):

13 Fiscal year 2007:

14 (A) New budget authority,  
15 \$45,559,000,000.

16 (B) Outlays, \$44,709,000,000.

17 Fiscal year 2008:

18 (A) New budget authority,  
19 \$48,796,000,000.

20 (B) Outlays, \$47,090,500,000.

21 Fiscal year 2009:

22 (A) New budget authority,  
23 \$47,333,000,000.

24 (B) Outlays, \$48,622,900,000.

25 Fiscal year 2010:

1 (A) New budget authority,  
2 \$48,106,000,000.

3 (B) Outlays, \$48,669,000,000.

4 Fiscal year 2011:

5 (A) New budget authority,  
6 \$48,895,000,000.

7 (B) Outlays, \$48,976,000,000.

8 Fiscal year 2012:

9 (A) New budget authority,  
10 \$49,686,000,000.

11 (B) Outlays, \$49,583,000,000.

12 (17) General Government (800):

13 Fiscal year 2007:

14 (A) New budget authority,  
15 \$18,196,000,000.

16 (B) Outlays, \$18,577,000,000.

17 Fiscal year 2008:

18 (A) New budget authority,  
19 \$18,758,000,000.

20 (B) Outlays, \$19,118,000,000.

21 Fiscal year 2009:

22 (A) New budget authority,  
23 \$19,214,000,000.

24 (B) Outlays, \$19,313,000,000.

25 Fiscal year 2010:



1 (A) New budget authority,  
2 \$19,657,000,000.

3 (B) Outlays, \$19,573,000,000.

4 Fiscal year 2011:

5 (A) New budget authority,  
6 \$20,222,000,000.

7 (B) Outlays, \$19,987,000,000.

8 Fiscal year 2012:

9 (A) New budget authority,  
10 \$20,725,000,000.

11 (B) Outlays, \$20,606,000,000.

12 (18) Net Interest (900):

13 Fiscal year 2007:

14 (A) New budget authority,  
15 \$344,475,000,000.

16 (B) Outlays, \$344,475,000,000.

17 Fiscal year 2008:

18 (A) New budget authority,  
19 \$370,425,000,000.

20 (B) Outlays, \$370,425,000,000.

21 Fiscal year 2009:

22 (A) New budget authority,  
23 \$390,393,000,000.

24 (B) Outlays, \$390,393,000,000.

25 Fiscal year 2010:

1 (A) New budget authority,  
2 \$412,002,000,000.

3 (B) Outlays, \$412,002,000,000.

4 Fiscal year 2011:

5 (A) New budget authority,  
6 \$427,476,000,000.

7 (B) Outlays, \$427,476,000,000.

8 Fiscal year 2012:

9 (A) New budget authority,  
10 \$438,455,000,000.

11 (B) Outlays, \$438,455,000,000.

12 (19) Allowances (920):

13 Fiscal year 2007:

14 (A) New budget authority,  
15 \$785,000,000.

16 (B) Outlays, \$755,000,000.

17 Fiscal year 2008:

18 (A) New budget authority,  
19 -\$16,724,000,000.

20 (B) Outlays, -\$7,519,400,000.

21 Fiscal year 2009:

22 (A) New budget authority,  
23 -\$7,296,000,000.

24 (B) Outlays, -\$7,068,500,000.

25 Fiscal year 2010:

1 (A) New budget authority,  
2 -\$7,390,000,000.

3 (B) Outlays, -\$7,935,400,000.

4 Fiscal year 2011:

5 (A) New budget authority,  
6 -\$7,481,000,000.

7 (B) Outlays, -\$7,823,600,000.

8 Fiscal year 2012:

9 (A) New budget authority,  
10 -\$7,574,000,000.

11 (B) Outlays, -\$7,761,000,000.

12 (20) Undistributed Offsetting Receipts (950):

13 Fiscal year 2007:

14 (A) New budget authority,  
15 -\$69,714,000,000.

16 (B) Outlays, -\$69,714,000,000.

17 Fiscal year 2008:

18 (A) New budget authority,  
19 -\$71,754,000,000.

20 (B) Outlays, -\$71,754,000,000.

21 Fiscal year 2009:

22 (A) New budget authority,  
23 -\$67,035,000,000.

24 (B) Outlays, -\$67,044,000,000.

25 Fiscal year 2010:

1 (A) New budget authority,  
2 -\$67,458,000,000.

3 (B) Outlays, -\$67,458,000,000.

4 Fiscal year 2011:

5 (A) New budget authority,  
6 -\$70,175,000,000.

7 (B) Outlays, -\$70,195,000,000.

8 Fiscal year 2012:

9 (A) New budget authority,  
10 -\$72,557,000,000.

11 (B) Outlays, -\$72,560,000,000.

## 12 **TITLE II—BUDGET PROCESS**

### 13 **SEC. 201. PAY-AS-YOU-GO POINT OF ORDER IN THE SENATE.**

14 (a) POINT OF ORDER.—

15 (1) IN GENERAL.—It shall not be in order in  
16 the Senate to consider any direct spending or rev-  
17 enue legislation that would increase the on-budget  
18 deficit or cause an on-budget deficit for any 1 of 4  
19 applicable time periods as measured in paragraphs  
20 (5) and (6).

21 (2) APPLICABLE TIME PERIODS.—For purposes  
22 of this subsection, the term “applicable time period”  
23 means any 1 of the 4 following periods:

24 (A) The current fiscal year.

25 (B) The budget year.

1           (C) The period of the 5 fiscal years fol-  
2           lowing the current fiscal year.

3           (D) The period of the 5 fiscal years fol-  
4           lowing the 5 fiscal years referred to in subpara-  
5           graph (C).

6           (3) DIRECT SPENDING LEGISLATION.—For pur-  
7           poses of this subsection and except as provided in  
8           paragraph (4), the term “direct spending legisla-  
9           tion” means any bill, joint resolution, amendment,  
10          motion, or conference report that affects direct  
11          spending as that term is defined by, and interpreted  
12          for purposes of, the Balanced Budget and Emer-  
13          gency Deficit Control Act of 1985.

14          (4) EXCLUSION.—For purposes of this sub-  
15          section, the terms “direct spending legislation” and  
16          “revenue legislation” do not include—

17               (A) any concurrent resolution on the budg-  
18               et; or

19               (B) any provision of legislation that affects  
20               the full funding of, and continuation of, the de-  
21               posit insurance guarantee commitment in effect  
22               on the date of enactment of the Budget En-  
23               forcement Act of 1990.

24          (5) BASELINE.—Estimates prepared pursuant  
25          to this subsection shall—

1           (A) use the baseline surplus or deficit used  
2           for the most recently adopted concurrent resolu-  
3           tion on the budget; and

4           (B) be calculated under the requirements  
5           of subsections (b) through (d) of section 257 of  
6           the Balanced Budget and Emergency Deficit  
7           Control Act of 1985 for fiscal years beyond  
8           those covered by that concurrent resolution on  
9           the budget.

10          (6) PRIOR SURPLUS.—If direct spending or rev-  
11          enue legislation increases the on-budget deficit or  
12          causes an on-budget deficit when taken individually,  
13          it must also increase the on-budget deficit or cause  
14          an on-budget deficit when taken together with all di-  
15          rect spending and revenue legislation enacted since  
16          the beginning of the calendar year not accounted for  
17          in the baseline under paragraph (5)(A), except that  
18          direct spending or revenue effects resulting in net  
19          deficit reduction enacted in any bill pursuant to a  
20          reconciliation instruction since the beginning of that  
21          same calendar year shall never be made available on  
22          the pay-as-you-go ledger and shall be dedicated only  
23          for deficit reduction.

24          (b) SUPERMAJORITY WAIVER AND APPEALS.—

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

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

15          (c) DETERMINATION OF BUDGET LEVELS.—For pur-  
16          poses of this section, the levels of new budget authority,  
17          outlays, and revenues for a fiscal year shall be determined  
18          on the basis of estimates made by the Senate Committee  
19          on the Budget.

20          (d) SUNSET.—This section shall expire on September  
21          30, 2017.

22          (e) REPEAL.—In the Senate, section 505 of H. Con.  
23          Res. 95 (108th Congress), the fiscal year 2004 concurrent  
24          resolution on the budget, shall no longer apply.

1 **SEC. 202. POINT OF ORDER AGAINST RECONCILIATION**  
 2 **LEGISLATION THAT WOULD INCREASE THE**  
 3 **DEFICIT OR REDUCE A SURPLUS.**

4 (a) IN GENERAL.—It shall not be in order in the Sen-  
 5 ate to consider any reconciliation bill, resolution, amend-  
 6 ment, amendment between Houses, motion, or conference  
 7 report pursuant to section 310 of the Congressional Budg-  
 8 et Act of 1974 that would cause or increase a deficit or  
 9 reduce a surplus in the current fiscal year, the budget  
 10 year, the period of the first 5 fiscal years following the  
 11 current fiscal year, or the period of the second 5 fiscal  
 12 years following the current fiscal year.

13 (b) SUPERMAJORITY WAIVER AND APPEAL.—

14 (1) WAIVER.—This section may be waived or  
 15 suspended in the Senate only by an affirmative vote  
 16 of three-fifths of the Members, duly chosen and  
 17 sworn.

18 (2) APPEAL.—An affirmative vote of three-  
 19 fifths of the Members of the Senate, duly chosen and  
 20 sworn, shall be required in the Senate to sustain an  
 21 appeal of the ruling of the Chair on a point of order  
 22 raised under this section.

23 **SEC. 203. POINT OF ORDER AGAINST LEGISLATION IN-**  
 24 **CREASING LONG-TERM DEFICITS.**

25 (a) CONGRESSIONAL BUDGET OFFICE ANALYSIS OF  
 26 PROPOSALS.—The Director of the Congressional Budget



1 Office shall, to the extent practicable, prepare for each bill  
2 and joint resolution reported from committee (except  
3 measures within the jurisdiction of the Committee on Ap-  
4 propriations), and amendments thereto and conference re-  
5 ports thereon, an estimate of whether the measure would  
6 cause, relative to current law, a net increase in deficits  
7 in excess of \$5,000,000,000 in any of the four 10-year  
8 periods beginning in fiscal year 2018 through fiscal year  
9 2057.

10 (b) POINT OF ORDER.—In the Senate, it shall not  
11 be in order to consider any bill, joint resolution, amend-  
12 ment, motion, or conference report that would cause a net  
13 increase in deficits in excess of \$5,000,000,000 in any of  
14 the four 10-year periods beginning in 2018 through 2057.

15 (c) SUPERMAJORITY WAIVER AND APPEAL.—

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

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

23 (d) DETERMINATIONS OF BUDGET LEVELS.—For  
24 purposes of this section, the levels of net deficit increases

1 shall be determined on the basis of estimates provided by  
2 the Committee on the Budget of the Senate.

3 (e) REPEAL.—In the Senate, section 407 of H. Con.  
4 Res. 95 (109th Congress), the concurrent resolution on  
5 the budget for fiscal year 2006, shall no longer apply.

6 (f) SUNSET.—This section shall expire on September  
7 30, 2017.

8 **SEC. 204. EMERGENCY LEGISLATION.**

9 (a) AUTHORITY TO DESIGNATE.—With respect to a  
10 provision of direct spending or receipts legislation or ap-  
11 propriations for discretionary accounts that the Congress  
12 designates as an emergency requirement in such measure,  
13 the amounts of new budget authority, outlays, and receipts  
14 in all fiscal years resulting from that provision shall be  
15 treated as an emergency requirement for the purpose of  
16 this section, except that the authority to designate shall  
17 not apply to funding for spinach producers on a supple-  
18 mental appropriations bill pursuant to subsection (f)(1)  
19 that is designated to supplement funding for ongoing com-  
20 bat operations.

21 (b) EXEMPTION OF EMERGENCY PROVISIONS.—Any  
22 new budget authority, outlays, and receipts resulting from  
23 any provision designated as an emergency requirement,  
24 pursuant to this section, in any bill, joint resolution,  
25 amendment, or conference report shall not count for pur-

1 poses of sections 302 and 311 of the Congressional Budg-  
2 et Act of 1974 and sections 201 and 207 of this resolution  
3 (relating to pay-as-you-go in the Senate and discretionary  
4 spending limits).

5 (c) DESIGNATIONS.—If a provision of legislation is  
6 designated as an emergency requirement under this sec-  
7 tion, the committee report and any statement of managers  
8 accompanying that legislation shall include an explanation  
9 of the manner in which the provision meets the criteria  
10 in subsection (f).

11 (d) DEFINITIONS.—In this section, the terms “direct  
12 spending”, “receipts”, and “appropriations for discre-  
13 tionary accounts” means any provision of a bill, joint reso-  
14 lution, amendment, motion, or conference report that af-  
15 fects direct spending, receipts, or appropriations as those  
16 terms have been defined and interpreted for purposes of  
17 the Balanced Budget and Emergency Deficit Control Act  
18 of 1985.

19 (e) POINT OF ORDER.—

20 (1) IN GENERAL.—When the Senate is consid-  
21 ering a bill, resolution, amendment, motion, or con-  
22 ference report, if a point of order is made by a Sen-  
23 ator against an emergency designation in that meas-  
24 ure, that provision making such a designation shall

1 be stricken from the measure and may not be of-  
2 ferred as an amendment from the floor.

3 (2) SUPERMAJORITY WAIVER AND APPEALS.—

4 (A) WAIVER.—Paragraph (1) may be  
5 waived or suspended in the Senate only by an  
6 affirmative vote of three-fifths of the Members,  
7 duly chosen and sworn.

8 (B) APPEALS.—Appeals in the Senate  
9 from the decisions of the Chair relating to any  
10 provision of this subsection shall be limited to  
11 1 hour, to be equally divided between, and con-  
12 trolled by, the appellant and the manager of the  
13 bill or joint resolution, as the case may be. An  
14 affirmative vote of three-fifths of the Members  
15 of the Senate, duly chosen and sworn, shall be  
16 required to sustain an appeal of the ruling of  
17 the Chair on a point of order raised under this  
18 subsection.

19 (3) DEFINITION OF AN EMERGENCY DESIGNA-  
20 TION.—For purposes of paragraph (1), a provision  
21 shall be considered an emergency designation if it  
22 designates any item as an emergency requirement  
23 pursuant to this subsection.

24 (4) FORM OF THE POINT OF ORDER.—A point  
25 of order under paragraph (1) may be raised by a

1 Senator as provided in section 313(e) of the Con-  
2 gressional Budget Act of 1974.

3 (5) CONFERENCE REPORTS.—When the Senate  
4 is considering a conference report on, or an amend-  
5 ment between the Houses in relation to, a bill, upon  
6 a point of order being made by any Senator pursu-  
7 ant to this section, and such point of order being  
8 sustained, such material contained in such con-  
9 ference report shall be deemed stricken, and the  
10 Senate shall proceed to consider the question of  
11 whether the Senate shall recede from its amendment  
12 and concur with a further amendment, or concur in  
13 the House amendment with a further amendment,  
14 as the case may be, which further amendment shall  
15 consist of only that portion of the conference report  
16 or House amendment, as the case may be, not so  
17 stricken. Any such motion in the Senate shall be de-  
18 batable. In any case in which such point of order is  
19 sustained against a conference report (or Senate  
20 amendment derived from such conference report by  
21 operation of this subsection), no further amendment  
22 shall be in order.

23 (f) CRITERIA.—

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

4                   (A) necessary, essential, or vital (not mere-  
5                   ly useful or beneficial);

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

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

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

12                  (E) not permanent, temporary in nature.

13           (2) UNFORESEEN.—An emergency that is part  
14           of an aggregate level of anticipated emergencies,  
15           particularly when normally estimated in advance, is  
16           not unforeseen.

17           (g) REPEAL.—In the Senate, section 402 of H. Con.  
18           Res. 95 (109th Congress), the concurrent resolution on  
19           the budget for fiscal year 2006, shall no longer apply.

20           **SEC. 205. EXTENSION OF ENFORCEMENT OF BUDGETARY**  
21                                   **POINTS OF ORDER.**

22           Notwithstanding any provision of the Congressional  
23           Budget Act of 1974 and section 403 of H. Con. Res. 95  
24           (109th Congress), the concurrent resolution on the budget  
25           for fiscal year 2006, subsections (c)(2) and (d)(3) of sec-

1 tion 904 of the Congressional Budget Act of 1974 and  
2 section 403 of H. Con. Res. 95 (109th Congress) shall  
3 remain in effect for purposes of Senate enforcement  
4 through September 30, 2017.

5 **SEC. 206. POINT OF ORDER AGAINST ADVANCE APPROPRIA-**  
6 **TIONS.**

7 (a) IN GENERAL.—

8 (1) POINT OF ORDER.—Except as provided in  
9 subsection (b), it shall not be in order in the Senate  
10 to consider any bill, joint resolution, motion, amend-  
11 ment, or conference report that would provide an ad-  
12 vance appropriation.

13 (2) DEFINITION.—In this section, the term  
14 “advance appropriation” means any new budget au-  
15 thority provided in a bill or joint resolution making  
16 general appropriations or continuing appropriations  
17 for fiscal year 2008 that first becomes available for  
18 any fiscal year after 2008, or any new budget au-  
19 thority provided in a bill or joint resolution making  
20 general appropriations or continuing appropriations  
21 for fiscal year 2009, that first becomes available for  
22 any fiscal year after 2009.

23 (b) EXCEPTIONS.—Advance appropriations may be  
24 provided—

1           (1) for fiscal years 2009 and 2010 for pro-  
2           grams, projects, activities, or accounts identified in  
3           the joint explanatory statement of managers accom-  
4           panying this resolution under the heading “Accounts  
5           Identified for Advance Appropriations” in an aggre-  
6           gate amount not to exceed \$25,158,000,000 in new  
7           budget authority in each year; and

8           (2) for the Corporation for Public Broad-  
9           casting.

10          (c) SUPERMAJORITY WAIVER AND APPEAL.—

11           (1) WAIVER.—In the Senate, subsection (a)  
12           may be waived or suspended only by an affirmative  
13           vote of three-fifths of the Members, duly chosen and  
14           sworn.

15           (2) APPEAL.—An affirmative vote of three-  
16           fifths of the Members of the Senate, duly chosen and  
17           sworn, shall be required to sustain an appeal of the  
18           ruling of the Chair on a point of order raised under  
19           paragraph (a).

20          (d) FORM OF POINT OF ORDER.—A point of order  
21           under subsection (a) may be raised by a Senator as pro-  
22           vided in section 313(e) of the Congressional Budget Act  
23           of 1974.

24          (e) CONFERENCE REPORTS.—When the Senate is  
25           considering a conference report on, or an amendment be-



1 tween the Houses in relation to, a bill, upon a point of  
2 order being made by any Senator pursuant to this section,  
3 and such point of order being sustained, such material  
4 contained in such conference report shall be deemed  
5 stricken, and the Senate shall proceed to consider the  
6 question of whether the Senate shall recede from its  
7 amendment and concur with a further amendment, or con-  
8 cur in the House amendment with a further amendment,  
9 as the case may be, which further amendment shall consist  
10 of only that portion of the conference report or House  
11 amendment, as the case may be, not so stricken. Any such  
12 motion in the Senate shall be debatable. In any case in  
13 which such point of order is sustained against a conference  
14 report (or Senate amendment derived from such con-  
15 ference report by operation of this subsection), no further  
16 amendment shall be in order.

17 (f) REPEAL.—In the Senate, section 401 of H. Con.  
18 Res. 95 (109th Congress), the concurrent resolution on  
19 the budget for fiscal year 2006, shall no longer apply.

20 **SEC. 207. DISCRETIONARY SPENDING LIMITS.**

21 (a) POINT OF ORDER.—

22 (1) IN GENERAL.—Except as otherwise pro-  
23 vided in this section, it shall not be in order in the  
24 Senate to consider any bill or joint resolution (or  
25 amendment, motion, or conference report on that bill

1 or joint resolution) that would cause the discre-  
2 tionary spending limits in this section to be exceed-  
3 ed.

4 (2) SUPERMAJORITY WAIVER AND APPEALS.—

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

9 (B) APPEALS.—Appeals in the Senate  
10 from the decisions of the Chair relating to any  
11 provision of this subsection shall be limited to  
12 1 hour, to be equally divided between, and con-  
13 trolled by, the appellant and the manager of the  
14 bill or joint resolution. An affirmative vote of  
15 three-fifths of the Members of the Senate, duly  
16 chosen and sworn, shall be required to sustain  
17 an appeal of the ruling of the Chair on a point  
18 of order raised under this subsection.

19 (b) DISCRETIONARY SPENDING LIMITS.—In the Sen-  
20 ate and as used in this section, the term “discretionary  
21 spending limit” means—

22 (1) for fiscal year 2007, \$951,140,000,000 in  
23 new budget authority and \$1,029,456,000,000 in  
24 outlays; and

1           (2) for fiscal year 2008, \$942,295,000,000 in  
2       new budget authority and \$1,021,392,000,000 in  
3       outlays;  
4 as adjusted in conformance with the adjustment proce-  
5 dures in subsection (c).

6       (c) ADJUSTMENTS.—

7           (1) IN GENERAL.—After the reporting of a bill  
8       or joint resolution relating to any matter described  
9       in paragraph (2), or the offering of an amendment  
10      thereto or the submission of a conference report  
11      thereon—

12           (A) the chairman of the Senate Committee  
13      on the Budget may adjust the discretionary  
14      spending limits, budgetary aggregates, and allo-  
15      cations pursuant to section 302(a) of the Con-  
16      gressional Budget Act of 1974, by the amount  
17      of new budget authority in that measure for  
18      that purpose and the outlays flowing therefrom;  
19      and

20           (B) following any adjustment under sub-  
21      paragraph (A), the Senate Committee on Ap-  
22      propriations may report appropriately revised  
23      suballocations pursuant to section 302(b) of the  
24      Congressional Budget Act of 1974 to carry out  
25      this subsection.

1           (2) MATTERS DESCRIBED.—Matters referred to  
2 in paragraph (1) are as follows:

3           (A) CONTINUING DISABILITY REVIEWS  
4 AND SSI REDETERMINATIONS.—If a bill or joint  
5 resolution is reported making appropriations for  
6 fiscal year 2008 that appropriates  
7 \$264,000,000 for continuing disability reviews  
8 and Supplemental Security Income redeter-  
9 minations for the Social Security Administra-  
10 tion, and provides an additional appropriation  
11 of up to \$213,000,000 for continuing disability  
12 reviews and Supplemental Security Income re-  
13 determinations for the Social Security Adminis-  
14 tration, then the discretionary spending limits,  
15 allocation to the Senate Committee on Appro-  
16 priations, and aggregates may be adjusted by  
17 the amounts provided in such legislation for  
18 that purpose, but not to exceed \$213,000,000  
19 in budget authority and outlays flowing there-  
20 from for fiscal year 2008.

21           (B) INTERNAL REVENUE SERVICE TAX EN-  
22 FORCEMENT.—If a bill or joint resolution is re-  
23 ported making appropriations for fiscal year  
24 2008 that appropriates \$6,822,000,000 for the  
25 Internal Revenue Service for enhanced tax en-

1           forcement to address the Federal tax gap (taxes  
2           owed but not paid) and provides an additional  
3           appropriation of up to \$406,000,000 for the In-  
4           ternal Revenue Service for enhanced tax en-  
5           forcement to address the Federal tax gap, then  
6           the discretionary spending limits, allocation to  
7           the Senate Committee on Appropriations, and  
8           aggregates may be adjusted by the amounts  
9           provided in such legislation for that purpose,  
10          but not to exceed \$406,000,000 in budget au-  
11          thority and outlays flowing therefrom for fiscal  
12          year 2008.

13           (C) HEALTH CARE FRAUD AND ABUSE  
14          CONTROL.—If a bill or joint resolution is re-  
15          ported making appropriations for fiscal year  
16          2008 that appropriates up to \$383,000,000 to  
17          the health care fraud and abuse control pro-  
18          gram at the Department of Health and Human  
19          Services, then the discretionary spending limits,  
20          allocation to the Senate Committee on Appro-  
21          priations, and aggregates may be adjusted by  
22          the amounts provided in such legislation for  
23          that purpose, but not to exceed \$383,000,000  
24          in budget authority and outlays flowing there-  
25          from for fiscal year 2008.

1           (D) UNEMPLOYMENT INSURANCE IM-  
2           PROPER PAYMENTS REVIEWS.—If a bill or joint  
3           resolution is reported making appropriations for  
4           fiscal year 2008 that appropriates \$10,000,000  
5           for unemployment insurance improper pay-  
6           ments reviews for the Department of Labor,  
7           and provides an additional appropriation of up  
8           to \$40,000,000 for unemployment insurance  
9           improper payments reviews for the Department  
10          of Labor, then the discretionary spending lim-  
11          its, allocation to the Senate Committee on Ap-  
12          propriations, and aggregates may be adjusted  
13          by the amounts provided in such legislation for  
14          that purpose, but not to exceed \$40,000,000 in  
15          budget authority and outlays flowing therefrom  
16          for fiscal year 2008.

17           (E) WILDLAND FIRE SUPPRESSION.—

18           (i) DEFINITION.—For this subpara-  
19           graph, the term “base amount” refers to  
20           the average of the obligations of the pre-  
21           ceding 10 years for wildfire suppression in  
22           the Forest Service and the Department of  
23           the Interior, calculated as of the date of  
24           the applicable year’s budget request is sub-  
25           mitted by the President to Congress.

1                   (ii) ADJUSTMENTS FOR FISCAL YEAR  
2                   2008.—If the amount appropriated for  
3                   Wildland Fire Suppression in fiscal year  
4                   2008 is not less than the base amount,  
5                   then the chairman of the Senate Com-  
6                   mittee on the Budget may adjust the ap-  
7                   propriate allocations, aggregates, discre-  
8                   tionary spending limits, and other budg-  
9                   etary levels in this resolution for any bill,  
10                  joint resolution, amendment, motion, or  
11                  conference report that provides additional  
12                  funding for wildland fire suppression, by  
13                  the amounts provided in such legislation  
14                  for such purpose, but not to exceed the fol-  
15                  lowing amounts in budget authority and  
16                  the outlays flowing therefrom:

17                         (I) for the Forest Service, for fis-  
18                         cal year 2008, \$400,000,000; and

19                         (II) for the Department of the  
20                         Interior, for fiscal year 2008,  
21                         \$100,000,000.

22                   (F) COSTS OF GLOBAL WAR ON TERROR.—  
23                   The Chairman of the Senate Committee on the  
24                   Budget may revise the allocations, aggregates,  
25                   and discretionary spending limits for one or

1 more bills, joint resolutions, motions, amend-  
2 ments, or conference reports that make discre-  
3 tionary appropriations for fiscal year 2008 or  
4 2009 in excess of the levels assumed in this res-  
5 olution for expenses related to the global war on  
6 terror, but not to exceed the following amounts:

7 (i) For fiscal year 2008,  
8 \$145,162,000,000 in budget authority and  
9 the outlays flowing therefrom.

10 (ii) For fiscal year 2009,  
11 \$50,000,000,000 in budget authority and  
12 the outlays flowing therefrom.

13 (G) ADJUSTMENT FOR UNITED STATES  
14 FORCES IN THE GLOBAL WAR ON TERRORISM.—

15 The Chairman of the Senate Committee on the  
16 Budget may revise the allocations, aggregates,  
17 and discretionary spending limits for one or  
18 more bills, joint resolutions, motions, amend-  
19 ments, or conference reports that make discre-  
20 tionary appropriations for fiscal year 2008 for  
21 an amount appropriated, but not to exceed  
22 \$5,000,000,000 in budgetary authority and out-  
23 lays flowing therefrom, to—

24 (i) address training, equipment, force  
25 protection, logistics, or other matters nec-



1           essary for the protection of United States  
2           forces; or

3                   (ii) address deficiencies at Walter  
4           Reed Army Medical Center and other fa-  
5           cilities within the military medical system  
6           providing treatment to service members in-  
7           jured while performing their duties in the  
8           Global War on Terrorism.

9   **SEC. 208. APPLICATION OF PREVIOUS ALLOCATIONS IN**  
10                   **THE SENATE.**

11       Section 7035 of Public Law 109–234 shall no longer  
12   apply in the Senate.

13   **SEC. 209. POINT OF ORDER TO SAVE SOCIAL SECURITY**  
14                   **FIRST.**

15       (a) POINT OF ORDER IN THE SENATE.—It shall not  
16   be in order in the Senate to consider any legislation that  
17   would increase the on-budget deficit in any fiscal year  
18   until the President submits legislation to Congress and  
19   Congress enacts legislation which would restore 75-year  
20   solvency to the Old-Age, Survivors, and Disability Insur-  
21   ance Trust Funds as certified by the Social Security Ad-  
22   ministration actuaries.

23       (b) SUPERMAJORITY WAIVER AND APPEAL.—This  
24   section may be waived or suspended in the Senate only  
25   by an affirmative vote of three-fifths of the Members, duly

1 chosen and sworn. An affirmative vote of three-fifths of  
 2 the Members of the Senate, duly chosen and sworn, shall  
 3 be required in the Senate to sustain an appeal of the rul-  
 4 ing of the Chair on a point of order raised under this sec-  
 5 tion.

6 **SEC. 210. POINT OF ORDER AGAINST LEGISLATION THAT**  
 7 **RAISES INCOME TAX RATES.**

8 (a) IN GENERAL.—It shall not be in order in the Sen-  
 9 ate to consider any bill, resolution, amendment, amend-  
 10 ment between Houses, motion, or conference report that  
 11 includes a Federal income tax rate increase. In this sub-  
 12 section, the term “Federal income tax rate increase”  
 13 means any amendment to subsection (a), (b), (c), (d), or  
 14 (e) of section 1, or to section 11(b) or 55(b), of the Inter-  
 15 nal Revenue Code of 1986, that imposes a new percentage  
 16 as a rate of tax and thereby increases the amount of tax  
 17 imposed by any such section.

18 (b) SUPERMAJORITY WAIVER AND APPEAL.—

19 (1) WAIVER.—This section may be waived or  
 20 suspended in the Senate only by an affirmative vote  
 21 of three-fifths of the Members, duly chosen and  
 22 sworn.

23 (2) APPEAL.—An affirmative vote of three-  
 24 fifths of the Members of the Senate, duly chosen and  
 25 sworn, shall be required in the Senate to sustain an

1 appeal of the ruling of the Chair on a point of order  
2 raised under this section.

3 **SEC. 211. CIRCUIT BREAKER TO PROTECT SOCIAL SECU-**  
4 **RITY.**

5 (a) CIRCUIT BREAKER.—If in any year the Congres-  
6 sional Budget Office, in its report pursuant to section  
7 202(e)(1) of the Congressional Budget Act of 1974  
8 projects an on-budget deficit (excluding Social Security)  
9 for the budget year or any subsequent fiscal year covered  
10 by those projections, then the concurrent resolution on the  
11 budget for the budget year shall reduce on-budget deficits  
12 relative to the projections of Congressional Budget Office  
13 and put the budget on a path to achieve on-budget balance  
14 within 5 years, and shall include such provisions as are  
15 necessary to protect Social Security and facilitate deficit  
16 reduction, except it shall not contain any reduction in So-  
17 cial Security benefits.

18 (b) POINT OF ORDER.—If in any year the Congres-  
19 sional Budget Office, in its report pursuant to section  
20 202(e)(1) of the Congressional Budget Act of 1974  
21 projects an on-budget deficit for the budget year or any  
22 subsequent fiscal year covered by those projections, it shall  
23 not be in order in the Senate to consider a concurrent  
24 resolution on the budget for the budget year or any con-  
25 ference report thereon that fails to reduce on-budget defi-

1 cits relative to the projections of Congressional Budget Of-  
2 fice and put the budget on a path to achieve on-budget  
3 balance within 5 years.

4 (c) AMENDMENTS TO BUDGET RESOLUTION.—If in  
5 any year the Congressional Budget Office, in its report  
6 pursuant to section 202(e)(1) of the Congressional Budget  
7 Act of 1974 projects an on-budget deficit for the budget  
8 year or any subsequent fiscal year covered by those projec-  
9 tions, it shall not be in order in the Senate to consider  
10 an amendment to a concurrent resolution on the budget  
11 that would increase on-budget deficits relative to the con-  
12 current resolution on the budget in any fiscal year covered  
13 by that concurrent resolution on the budget or cause the  
14 budget to fail to achieve on-budget balance within 5 years.

15 (d) SUSPENSION OF REQUIREMENT DURING WAR OR  
16 LOW ECONOMIC GROWTH.—

17 (1) LOW GROWTH.—If the most recent of the  
18 Department of Commerce’s advance, preliminary, or  
19 final reports of actual real economic growth indicate  
20 that the rate of real economic growth (as measured  
21 by real GDP) for each of the most recently reported  
22 quarter and the immediately preceding quarter is  
23 less than 1 percent, this section is suspended.

24 (2) WAR.—If a declaration of war is in effect,  
25 this section is suspended.

1 (e) SUPERMAJORITY WAIVER AND APPEALS.—

2 (1) WAIVER.—Subsections (b) and (c) may be  
3 waived or suspended in the Senate only by an af-  
4 firmative vote of three-fifths of the Members, duly  
5 chosen and sworn.

6 (2) APPEALS.—Appeals in the Senate from the  
7 decisions of the Chair relating to any provision of  
8 this subsection shall be limited to 1 hour, to be  
9 equally divided between, and controlled by, the ap-  
10 pellant and the manager of the bill or joint resolu-  
11 tion, as the case may be. An affirmative vote of  
12 three-fifths of the Members of the Senate, duly cho-  
13 sen and sworn, shall be required to sustain an ap-  
14 peal of the ruling of the Chair on a point of order  
15 raised under this subsection.

16 (f) BUDGET YEAR.—In this section, the term “budg-  
17 et year” shall have the same meaning as in section  
18 250(c)(12) of the Balanced Budget and Emergency Def-  
19 icit Control Act of 1985.

20 **SEC. 212. POINT OF ORDER—20% LIMIT ON NEW DIRECT**  
21 **SPENDING IN RECONCILIATION LEGISLA-**  
22 **TION.**

23 (1) IN THE SENATE.—It shall not be in order  
24 to consider any reconciliation bill, joint resolution,  
25 motion, amendment, or any conference report on, or

1 an amendment between the Houses in relation to a  
2 reconciliation bill pursuant to section 310 of the  
3 Congressional Budget Act of 1974 that produces an  
4 increase in outlays, if—

5 (A) the effect of all the provisions in the  
6 jurisdiction of any committee is to create gross  
7 new direct spending that exceeds 20% of the  
8 total savings instruction to the committee; or

9 (B) the effect of the adoption of an amend-  
10 ment would result in gross new direct spending  
11 that exceeds 20% of the total savings instruc-  
12 tion to the committee.

13 (2)(A) A point of order under paragraph (1)  
14 may be raised by a Senator as provided in section  
15 313(e) of the Congressional Budget Act of 1974.

16 (B) Paragraph (1) may be waived or suspended  
17 only by an affirmative vote of three-fifths of the  
18 Members, duly chosen and sworn. An affirmative  
19 vote of three-fifths of the Members of the Senate,  
20 duly chosen and sworn, shall be required to sustain  
21 an appeal of the ruling of the Chair on a point of  
22 order raised under paragraph (1).

23 (C) If a point of order is sustained under para-  
24 graph (1) against a conference report in the Senate,

1 the report shall be disposed of as provided in section  
2 313(d) of the Congressional Budget Act of 1974.

3 **SEC. 213. POINT OF ORDER AGAINST LEGISLATION THAT**  
4 **RAISES INCOME TAX RATES FOR SMALL BUSI-**  
5 **NESSES, FAMILY FARMS, OR FAMILY**  
6 **RANCHES.**

7 (a) IN GENERAL.—It shall not be in order in the Sen-  
8 ate to consider any bill, resolution, amendment, amend-  
9 ment between Houses, motion, or conference report that  
10 includes a Federal income tax rate increase on incomes  
11 generated by small businesses (within the meaning of sec-  
12 tion 474(c) of the Internal Revenue Code of 1986) or fam-  
13 ily farms or family ranches (within the meaning of section  
14 2032A of such Code) (regardless of the manner by which  
15 such businesses, farms and ranches are organized). In this  
16 subsection, the term “Federal income tax rate increase”  
17 means any amendment to subsection (a), (b), (c), (d), or  
18 (e) of section 1, or to section 11(b) or 55(b), of the Inter-  
19 nal Revenue Code of 1986, that imposes a new percentage  
20 as a rate of tax and thereby increases the amount of tax  
21 imposed by any such section.

22 (b) SUPERMAJORITY WAIVER AND APPEAL.—

23 (1) WAIVER.—This section may be waived or  
24 suspended in the Senate only by an affirmative vote

1 of three-fifths of the Members, duly chosen and  
2 sworn.

3 (2) APPEAL.—An affirmative vote of three-  
4 fifths of the Members of the Senate, duly chosen and  
5 sworn, shall be required in the Senate to sustain an  
6 appeal of the ruling of the Chair on a point of order  
7 raised under this section.

8 **SEC. 214. POINT OF ORDER AGAINST PROVISIONS OF AP-**  
9 **PROPRIATIONS LEGISLATION THAT CON-**  
10 **STITUTES CHANGES IN MANDATORY PRO-**  
11 **GRAMS WITH NET COSTS.**

12 (a) IN GENERAL.—It shall not be in order in the Sen-  
13 ate to consider any appropriations legislation, including  
14 any amendment thereto, motion in relation thereto, or  
15 conference report thereon, which includes one or more pro-  
16 visions that would have been estimated as affecting direct  
17 spending or receipts under section 252 of the Balanced  
18 Budget and Emergency Deficit Control Act of 1985 (as  
19 in effect prior to September 30, 2002) were they included  
20 in legislation other than appropriations legislation, if such  
21 provision has a net cost over the total of the period of  
22 the current year, the budget year, and all fiscal years cov-  
23 ered under the most recently adopted concurrent resolu-  
24 tion on the budget.



1 (b) DETERMINATION.—For purposes of this section,  
2 the determination of whether a provision violates para-  
3 graph (a) shall be made by the Committee on the Budget  
4 of the Senate.

5 (c) SUPERMAJORITY WAIVER AND APPEAL.—This  
6 section may be waived or suspended only by an affirmative  
7 vote of three-fifths of the Members, duly chosen and  
8 sworn. An affirmative vote of three-fifths of the Members  
9 of the Senate, duly chosen and sworn, shall be required  
10 to sustain an appeal of the ruling of the Chair on a point  
11 of order raised under this section.

12 (d) GENERAL POINT OF ORDER.—It shall be in order  
13 for a Senator to raise a single point of order that several  
14 provisions of a bill, resolution, amendment, motion, or con-  
15 ference report violate this section. The Presiding Officer  
16 may sustain the point of order as to some or all of the  
17 provisions against which the Senator raised the point of  
18 order. If the Presiding Officer so sustains the point of  
19 order as to some of the provisions (including provisions  
20 of an amendment, motion, or conference report) against  
21 which the Senator raised the point of order, then only  
22 those provisions (including provision of an amendment,  
23 motion, or conference report) against which the Presiding  
24 Officer sustains the point of order shall be deemed strick-  
25 en pursuant to this section. Before the Presiding Officer

1 rules on such a point of order, any Senator may move to  
2 waive such a point of order as it applies to some or all  
3 of the provisions against which the point of order was  
4 raised. Such a motion to waive is amendable in accordance  
5 with rules and precedents of the Senate. After the Pre-  
6 siding Officer rules on such a point of order, any Senator  
7 may appeal the ruling of the Presiding Officer on such  
8 a point of order as it applies to some or all of the provi-  
9 sions on which the Presiding Officer ruled.

10 (e) FORM OF THE POINT OF ORDER.—When the  
11 Senate is considering a conference report on, or an amend-  
12 ment between the Houses in relation to, a bill, upon a  
13 point of order being made by any Senator pursuant to this  
14 section, and such point of order being sustained, such ma-  
15 terial contained in such conference report or amendment  
16 shall be deemed stricken, and the Senate shall proceed to  
17 consider the question of whether the Senate shall recede  
18 from its amendment and concur with a further amend-  
19 ment, or concur in the House amendment with a further  
20 amendment, as the case may be, which further amendment  
21 shall consist of only that portion of the conference report  
22 or House amendment, as the case may be, not so stricken.  
23 Any such motion shall be debatable. In any case in which  
24 such point of order is sustained against a conference re-  
25 port (or Senate amendment derived from such conference

1 report by operation of this subsection), no further amend-  
2 ment shall be in order.

3 **SEC. 215. DISCLOSURE OF INTEREST COSTS.**

4 (a) POINT OF ORDER.—It shall not be in order in  
5 the Senate to consider any direct spending or revenue leg-  
6 islation that is required to contain the statement described  
7 in section 308(a) of the Congressional Budget Act of  
8 1974, unless such statement contains a projection by the  
9 Congressional Budget Office of the cost of the debt serv-  
10 icing that would be caused by such legislation for such  
11 fiscal year (or fiscal years) and each of the 4 ensuing fiscal  
12 years.

13 (b) SUPERMAJORITY WAIVER AND APPEAL.—

14 (1) WAIVER.—In the Senate, subsection (a)  
15 may be waived or suspended only by an affirmative  
16 vote of three-fifths of the Members, duly chosen and  
17 sworn.

18 (2) APPEAL.—An affirmative vote of three-  
19 fifths of the Members of the Senate, duly chosen and  
20 sworn, shall be required to sustain an appeal of the  
21 ruling of the Chair on a point of order raised under  
22 subsection (a).

1 **TITLE III—RESERVE FUNDS AND**  
2 **ADJUSTMENTS**

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

5 (a) PRIORITY.—The Senate establishes the following  
6 priorities and makes the following findings:

7 (1) The Senate shall make the enactment of  
8 legislation to reauthorize the State Children’s Health  
9 Insurance Program (SCHIP) a top priority for the  
10 remainder of fiscal year 2007, during the first ses-  
11 sion of the 110th Congress.

12 (2) Extending health care coverage to the Na-  
13 tion’s vulnerable uninsured children is an urgent pri-  
14 ority for the Senate.

15 (3) SCHIP has proven itself a successful pro-  
16 gram for covering previously uninsured children.

17 (4) More than 6 million children are enrolled in  
18 this landmark program, which has enjoyed broad bi-  
19 partisan support in Congress, among our Nation’s  
20 governors, and within state and local governments.

21 (5) SCHIP reduces the percentage of children  
22 with unmet health care needs.

23 (6) Since SCHIP was created, enormous  
24 progress has been made in reducing disparities in  
25 children’s coverage rates.

1           (7) Uninsured children who gain coverage  
2 through SCHIP receive more preventive care and  
3 their parents report better access to providers and  
4 improved communications with their children's doc-  
5 tors.

6           (8) Congress has a responsibility to reauthorize  
7 SCHIP before the expiration of its current author-  
8 ization.

9           (b) RESERVE FUND.—The Chairman of the Senate  
10 Committee on the Budget may revise the allocations, ag-  
11 gregates, and other appropriate levels in this resolution  
12 for a bill, joint resolution, amendment, motion, or con-  
13 ference report that provides up to \$50,000,000,000 for re-  
14 authorization of the State Children's Health Insurance  
15 Program (SCHIP), if such legislation maintains coverage  
16 for those currently enrolled in SCHIP, continues efforts  
17 to reach uninsured children who are already eligible for  
18 SCHIP or Medicaid but are not enrolled, and supports  
19 States in their efforts to move forward in covering more  
20 children, by the amounts provided in that legislation for  
21 those purposes up to \$20,000,000,000 over the total of  
22 fiscal years 2007 through 2012, provided that such legisla-  
23 tion would not increase the deficit over the total of the  
24 period of fiscal years 2007 through 2012. Among the pol-  
25 icy changes that could be considered to achieve offsets to

1 the cost of reauthorizing the State Children's Health In-  
2 surance Program and expanding coverage for children is  
3 an increase in the tobacco products user fee rate with all  
4 revenue generated by such increase dedicated to such re-  
5 authorization and expansion.

6 **SEC. 302. DEFICIT-NEUTRAL RESERVE FUND FOR CARE OF**  
7 **WOUNDED SERVICE MEMBERS.**

8 The Chairman of the Senate Committee on the Budg-  
9 et may revise the allocations, aggregates, and other appro-  
10 priate levels in this resolution for a bill, joint resolution,  
11 amendment, motion, or conference report which improves  
12 the medical care of or disability benefits for wounded or  
13 disabled military personnel or veterans (including the  
14 elimination of the offset between Survivor Benefit Plan  
15 annuities and veterans' dependency and indemnity com-  
16 pensation) or improves the disability evaluations of mili-  
17 tary personnel or veterans to expedite the claims process,  
18 by the amounts provided in that legislation for that pur-  
19 pose, provided that such legislation would not increase the  
20 deficit over the total of the period of fiscal years 2007  
21 through 2012.

22 **SEC. 303. DEFICIT-NEUTRAL RESERVE FUND FOR TAX RE-**  
23 **LIEF.**

24 The Chairman of the Senate Committee on the Budg-  
25 et may revise the aggregates, allocations, and other appro-

1 puate levels in this resolution for one or more bills, joint  
2 resolutions, amendments, motions, or conference reports  
3 that would provide tax relief, including extensions of expir-  
4 ing tax relief, such as enhanced charitable giving from in-  
5 dividual retirement accounts, and refundable tax relief and  
6 including the reauthorization of the new markets tax cred-  
7 it under section 45D of the Internal Revenue Code of  
8 1986 for an additional 5 years, by the amounts provided  
9 in that legislation for those purposes, provided that such  
10 legislation would not increase the deficit over the total of  
11 the period of fiscal years 2007 through 2012.

12 **SEC. 304. DEFICIT-NEUTRAL RESERVE FUND FOR COM-**  
13 **PARATIVE EFFECTIVENESS RESEARCH.**

14 The Chairman of the Senate Committee on the Budg-  
15 et may revise the aggregates, allocations, and other appro-  
16 priate levels in this resolution for a bill, joint resolution,  
17 amendment, motion, or conference report that establishes  
18 a new federal or public-private initiative for comparative  
19 effectiveness research, by the amounts provided in such  
20 legislation for that purpose, provided that such legislation  
21 would not increase the deficit over the total of fiscal years  
22 2007 through 2012.

1 **SEC. 305. DEFICIT-NEUTRAL RESERVE FUND FOR HIGHER**  
2 **EDUCATION.**

3 The Chairman of the Senate Committee on the Budget  
4 et may revise the aggregates, allocations, and other appropriate  
5 levels in this resolution for a bill, joint resolution,  
6 amendment, motion, or conference report, including tax  
7 legislation, that would make higher education more accessible  
8 and more affordable, by the amounts provided in  
9 such legislation for that purpose, provided that such legislation  
10 would not increase the deficit over the total of the  
11 period of fiscal years 2007 through 2012.

12 **SEC. 306. DEFICIT-NEUTRAL RESERVE FUND FOR THE**  
13 **FARM BILL.**

14 The Chairman of the Senate Committee on the Budget  
15 et may revise the allocations, aggregates, and other appropriate  
16 levels and limits in this resolution for a bill, joint  
17 resolution, amendment, motion, or conference report  
18 that—

19 (1) reauthorizes the Food Security and Rural  
20 Investment Act of 2002;

21 (2) strengthens our agriculture and rural economies  
22 and critical nutrition programs;

23 (3) provides agriculture-related tax relief;

24 (4) improves our environment by reducing our  
25 Nation's dependence on foreign sources of energy



1 through expanded production and use of alternative  
2 fuels; or

3 (5) combines any of the purposes provided in  
4 paragraphs (1) through (4);

5 by the amounts provided in that legislation for those pur-  
6 poses up to \$15,000,000,000 over the total of fiscal years  
7 2007 through 2012, provided that such legislation would  
8 not increase the deficit over the total of the period of fiscal  
9 years 2007 through 2012.

10 **SEC. 307. DEFICIT-NEUTRAL RESERVE FUND FOR ENERGY**  
11 **LEGISLATION.**

12 The Chairman of the Senate Committee on the Budg-  
13 et may revise the allocations, aggregates, and other appro-  
14 priate levels and limits in this resolution for one or more  
15 bills, joint resolutions, amendments, motions, or con-  
16 ference reports, including tax legislation, that would re-  
17 duce our Nation's dependence on foreign sources of en-  
18 ergy, expand production and use of alternative fuels and  
19 alternative fuel vehicles, promote renewable energy devel-  
20 opment, improve electricity transmission, encourage re-  
21 sponsible development of domestic oil and natural gas re-  
22 sources, or reward conservation and efficiency, by the  
23 amounts provided in that legislation for those purposes,  
24 provided that such legislation would not increase the def-

1 icit over the total of the period of fiscal years 2007  
2 through 2012.

3 **SEC. 308. DEFICIT-NEUTRAL RESERVE FUND FOR MEDI-**  
4 **CARE.**

5 (a) **PRESCRIPTION DRUGS.**—The Chairman of the  
6 Senate Committee on the Budget may revise the aggre-  
7 gates, allocations, and other appropriate levels in this reso-  
8 lution for a bill, joint resolution, amendment, motion, or  
9 conference report that repeals the prohibition in section  
10 1860D–11(i)(1) of the Social Security Act (42 U.S.C.  
11 1395w–111(i)(1)) while preserving access to prescription  
12 drugs and price competition without requiring a particular  
13 formulary or instituting a price structure for reimburse-  
14 ment of covered Part D drugs, provided that such legisla-  
15 tion would not increase the deficit over the total of fiscal  
16 years 2007 through 2012 and provided further that any  
17 savings from the measure are to be used either to improve  
18 the Medicare Part D benefit or for deficit reduction.

19 (b) **PHYSICIAN PAYMENTS.**—The Chairman of the  
20 Senate Budget Committee may revise the aggregates, allo-  
21 cations, and other appropriate levels in this resolution for  
22 a bill, joint resolution, amendment, motion, or conference  
23 report that increases the reimbursement rate for physician  
24 services under section 1848(d) of the Social Security Act  
25 and that includes financial incentives for physicians to im-

1 prove the quality and efficiency of items and services fur-  
2 nished to Medicare beneficiaries through the use of con-  
3 sensus-based quality measures, by the amounts provided  
4 in such legislation for that purpose, provided that the leg-  
5 islation would not increase the deficit over the total of fis-  
6 cal years 2007 through 2012.

7 (c) IMPROVEMENTS TO MEDICARE PART D.—The  
8 Chairman of the Senate Budget Committee may revise the  
9 aggregates, allocations, and other appropriate levels in  
10 this resolution for a bill, joint resolution, amendment, mo-  
11 tion, or conference report that makes improvements to the  
12 prescription drug benefit under Medicare Part D, by the  
13 amounts provided in such legislation for that purpose up  
14 to \$5,000,000,000, provided that the legislation would not  
15 increase the deficit over the total of fiscal years 2007  
16 through 2012.

17 **SEC. 309. DEFICIT-NEUTRAL RESERVE FUND FOR SMALL**  
18 **BUSINESS HEALTH INSURANCE.**

19 The Chairman of the Senate Committee on the Budg-  
20 et may revise the allocations, aggregates, and other appro-  
21 priate levels in this resolution for a bill, joint resolution,  
22 motion, amendment, or conference report that makes  
23 health insurance coverage more affordable or available to  
24 small businesses and their employees without weakening  
25 rating rules or reducing covered benefits, by the amounts

1 provided in such legislation for that purpose, provided that  
2 the legislation would not increase the deficit over the total  
3 of fiscal years 2007 through 2012.

4 **SEC. 310. DEFICIT-NEUTRAL RESERVE FUND FOR COUNTY**  
5 **PAYMENTS FOR SECURE RURAL SCHOOLS**  
6 **AND COMMUNITY SELF-DETERMINATION ACT**  
7 **OF 2000 REAUTHORIZATION.**

8 The Chairman of the Senate Committee on the Budg-  
9 et may revise the allocations, aggregates, and other appro-  
10 priate levels in this resolution for a bill, joint resolution,  
11 amendment, motion, or conference report that provides for  
12 the reauthorization of the Secure Rural Schools and Com-  
13 munity Self-Determination Act of 2000 (Public Law 106–  
14 393), by the amounts provided by that legislation for that  
15 purpose, but not to exceed \$440,000,000 in new budget  
16 authority for fiscal year 2008 and the outlays flowing from  
17 that budget authority and \$2,240,000,000 in new budget  
18 authority for the period of fiscal years 2008 through 2012  
19 and the outlays flowing from that budget authority, pro-  
20 vided that such legislation would not increase the deficit  
21 over the total of the period of fiscal years 2007 through  
22 2012.

1 **SEC. 311. DEFICIT-NEUTRAL RESERVE FUND FOR TER-**  
2 **RORISM RISK INSURANCE REAUTHORIZA-**  
3 **TION.**

4 The Chairman of the Senate Budget Committee may  
5 revise the aggregates, allocations, and other levels in this  
6 resolution for a bill, joint resolution, motion, amendment,  
7 or conference report that provides for a continued Federal  
8 role in ensuring the availability of terrorism insurance  
9 after the expiration of the Terrorism Risk Insurance Ex-  
10 tension Act, by the amounts provided in such legislation  
11 for that purpose, provided that such legislation is deficit-  
12 neutral over the total of fiscal years 2007 through 2012.

13 **SEC. 312. DEFICIT-NEUTRAL RESERVE FUND FOR AFFORD-**  
14 **ABLE HOUSING.**

15 The Chairman of the Senate Budget Committee may  
16 revise the aggregates, allocations, and other levels in this  
17 resolution for a bill, joint resolution, motion, amendment,  
18 or conference report that would establish an affordable  
19 housing fund financed by the housing government-spon-  
20 sored enterprises, by the amounts provided in such legisla-  
21 tion for that purpose, provided that the legislation is def-  
22 icit-neutral over the total of fiscal years 2007 through  
23 2012.

1 **SEC. 313. DEFICIT-NEUTRAL RESERVE FUND FOR RECEIPTS**  
2 **FROM BONNEVILLE POWER ADMINISTRA-**  
3 **TION.**

4 The Chairman of the Senate Committee on the Budget  
5 et may adjust the allocations, aggregates, and other appropriate  
6 levels in this resolution for a bill, joint resolution,  
7 tion, motion, amendment, or conference report that prohibits  
8 the Bonneville Power Administration from making  
9 early payments on its Federal Bond Debt to the United  
10 States Treasury, by the amounts provided by that legislation  
11 for that purpose, provided that such legislation would  
12 not increase the deficit over the total of the period of fiscal  
13 years 2007 through 2012.

14 **SEC. 314. DEFICIT-NEUTRAL RESERVE FUND FOR INDIAN**  
15 **CLAIMS SETTLEMENT.**

16 The Chairman of the Senate Committee on the Budget  
17 et may revise the aggregates, allocations, and other appropriate  
18 levels in this resolution for a bill, joint resolution,  
19 amendment, motion, or conference report that—

20 (1) creates an Indian claims settlement fund for  
21 trust accounting and management deficiencies related to  
22 Individual Indian Moneys and assets; and

23 (2) extinguishes all claims arising before the  
24 date of enactment for losses resulting from accounting  
25 errors, mismanagement of assets, or interest

1        owed in connection with Individual Indian Moneys  
2        accounts;  
3 by the amounts provided in such legislation for those pur-  
4 poses up to \$8,000,000,000, provided that such legislation  
5 does not increase the deficit over the total of the period  
6 of fiscal years 2007 through 2012.

7 **SEC. 315. DEFICIT-NEUTRAL RESERVE FUND FOR FOOD**  
8 **AND DRUG ADMINISTRATION.**

9        The Chairman of the Senate Committee on the Budg-  
10 et may revise the allocations, aggregates, and other appro-  
11 priate levels and limits in this resolution for a bill, joint  
12 resolution, motion, amendment, or conference report that  
13 authorizes the Food and Drug Administration to regulate  
14 tobacco products and assess user fees on tobacco manufac-  
15 turers and importers to cover the cost of the Food and  
16 Drug Administration's regulatory activities, by the  
17 amounts provided in that legislation for that purpose, pro-  
18 vided that such legislation is deficit-neutral over the total  
19 of fiscal years 2007 through 2012.

20 **SEC. 316. DEFICIT-NEUTRAL RESERVE FUND FOR HEALTH**  
21 **CARE REFORM.**

22        If an SCHIP reauthorization bill is enacted, then the  
23 Chairman of the Senate Committee on the Budget may  
24 revise the allocations, aggregates, and other appropriate  
25 levels in this resolution for a bill, joint resolution, motion,

1 amendment, or conference report to improve health care,  
2 and provide quality health insurance for the uninsured and  
3 underinsured, and protect individuals with current health  
4 coverage, by the amounts provided in that legislation for  
5 that purpose, provided that such legislation would not in-  
6 crease the deficit over the total of the period of fiscal years  
7 2007 through 2012.

8 **SEC. 317. DEFICIT-NEUTRAL RESERVE FUND FOR EN-**  
9 **HANCEMENT OF VETERANS' BENEFITS.**

10 The Chairman of the Senate Budget Committee may  
11 revise the aggregates, allocations, and other levels in this  
12 resolution for a bill, joint resolution, motion, amendment,  
13 or conference report that would enhance benefits for vet-  
14 erans, including services for low-vision and blinded vet-  
15 erans, including GI educational benefits, by the amounts  
16 provided in such legislation for that purpose, provided that  
17 such legislation is deficit-neutral over the total of fiscal  
18 years 2007 through 2012.

19 **SEC. 318. DEFICIT-NEUTRAL RESERVE FUND FOR LONG-**  
20 **TERM CARE.**

21 The Chairman of the Senate Budget Committee may  
22 revise the allocations, aggregates, and other levels in this  
23 resolution for a bill, joint resolution, motion, amendment,  
24 or conference report that would improve long-term care,  
25 enhance the safety and dignity of patients, encourage ap-



1 appropriate use of institutional and non-institutional care,  
2 promote quality care, and provide for the cost-effective use  
3 of public resources, by the amounts provided in such legis-  
4 lation for that purpose, provided that the legislation would  
5 not increase the deficit over the total of fiscal years 2007  
6 through 2012.

7 **SEC. 319. DEFICIT-NEUTRAL RESERVE FUND FOR HEALTH**  
8 **INFORMATION TECHNOLOGY.**

9 (a) The Chairman of the Senate Budget Committee  
10 may revise the aggregates, allocations, and other appro-  
11 priate levels in this resolution for a bill, joint resolution,  
12 amendment, motion, or conference report that provides in-  
13 centives or other support for adoption of modern informa-  
14 tion technology to improve quality and protect privacy in  
15 health care, by the amounts provided in such legislation  
16 for that purpose, provided that the legislation would not  
17 increase the deficit over the total of fiscal years 2007  
18 through 2012.

19 (b) The Chairman of the Senate Budget Committee  
20 may revise the aggregates, allocations, and other appro-  
21 priate levels in this resolution for a bill, joint resolution,  
22 amendment, motion, or conference report that provides for  
23 payments that are based on adherence to accepted clinical  
24 protocols identified as best practices, by the amounts pro-  
25 vided in such legislation for that purpose, provided that

1 the legislation would not increase the deficit over the total  
2 of fiscal years 2007 through 2012.

3 **SEC. 320. DEFICIT-NEUTRAL RESERVE FUND FOR CHILD**  
4 **CARE.**

5 The Chairman of the Senate Committee on the Budget  
6 et may revise the allocations, aggregates, and other levels  
7 in this resolution for a bill, joint resolution, amendment,  
8 motion, or conference report that provides up to  
9 \$5,000,000,000 for the child care entitlement to States,  
10 by the amounts provided by such legislation for that pur-  
11 pose, provided that the legislation would not increase the  
12 deficit over the total of fiscal years 2007 through 2012.

13 **SEC. 321. DEFICIT-NEUTRAL RESERVE FUND FOR COM-**  
14 **PREHENSIVE IMMIGRATION REFORM.**

15 The Chairman of the Senate Committee on the Budget  
16 et may revise the allocations, aggregates, and other appro-  
17 priate levels in this resolution for a bill, joint resolution,  
18 amendment, motion or conference report that—

19 (1) provides for comprehensive immigration re-  
20 form;

21 (2) provides for increased interior enforcement,  
22 through an effective electronic employment  
23 verification system which accurately establishes the  
24 employment authorization of individuals; and

1           (3) provides for increased border security and  
2           enhanced information technology systems;  
3 provided that such legislation would not increase the def-  
4 icit for the fiscal year 2008 and for the period of fiscal  
5 years 2008 through 2012.

6 **SEC. 322. DEFICIT-NEUTRAL RESERVE FUND FOR MENTAL**  
7 **HEALTH PARITY.**

8           If the Senate Committee on Health, Education,  
9 Labor, and Pensions reports a bill or joint resolution, or  
10 an amendment is offered thereto, or a conference report  
11 is submitted thereon, that provides parity between health  
12 insurance coverage of mental health benefits and benefits  
13 for medical and surgical services, the chairman of the  
14 Committee on the Budget of the Senate may make the  
15 appropriate adjustments in allocations and aggregates to  
16 the extent that such legislation would not increase the def-  
17 icit for fiscal year 2008 and for the period of fiscal years  
18 2008 through 2012.

19 **SEC. 323. DEFICIT-NEUTRAL RESERVE FUND FOR PRE-**  
20 **SCHOOL OPPORTUNITIES.**

21           If the Committee on Health, Education, Labor, and  
22 Pensions of the Senate, reports a bill or a joint resolution,  
23 or an amendment is offered in the Senate to such a bill  
24 or joint resolution, or a conference report is submitted to  
25 the Senate on a such a bill or joint resolution, that aug-

1 ments or establishes a Federal program that provides as-  
2 sistance to States that offer or expand preschool to chil-  
3 dren of low-income families, the Chairman of the Com-  
4 mittee on the Budget of the Senate may revisit the aggre-  
5 gates, allocations, and other appropriate levels in this reso-  
6 lution by amounts provided in such measure for that pur-  
7 pose, provided that such legislation would not increase the  
8 deficit for the total of the period of fiscal years 2007  
9 through 2012.

10 **SEC. 324. DEFICIT-NEUTRAL RESERVE FUND FOR THE SAFE**

11 **IMPORTATION OF FDA-APPROVED PRESCRIP-**  
12 **TION DRUGS.**

13 The Chairman of the Senate Committee on the Budg-  
14 et may revise the aggregates, allocations, and other levels  
15 in this resolution for a bill, joint resolution, motion,  
16 amendment, or conference report that permits the safe im-  
17 portation of prescription drugs approved by the Food and  
18 Drug Administration from a specified list of countries, by  
19 the amounts provided in such legislation for that purpose,  
20 provided that such legislation would not increase the def-  
21 icit over the total of the period of fiscal years 2007  
22 through 2012.

1 **SEC. 325. APPLICATION AND EFFECT OF CHANGES IN ALLO-**  
2 **CATIONS AND AGGREGATES.**

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

5 (1) apply while that measure is under consider-  
6 ation;

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

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

11 (b) EFFECT OF CHANGED ALLOCATIONS AND AG-  
12 GREGATES.—Revised allocations and aggregates resulting  
13 from these adjustments shall be considered for the pur-  
14 poses of the Congressional Budget Act of 1974 as alloca-  
15 tions and aggregates contained in this resolution.

16 (c) BUDGET COMMITTEE DETERMINATIONS.—For  
17 purposes of this resolution the levels of new budget au-  
18 thority, outlays, direct spending, new entitlement author-  
19 ity, revenues, deficits, and surpluses for a fiscal year or  
20 period of fiscal years shall be determined on the basis of  
21 estimates made by the Senate Committee on the Budget.

22 **SEC. 326. ADJUSTMENTS TO REFLECT CHANGES IN CON-**  
23 **CEPTS AND DEFINITIONS.**

24 Upon the enactment of a bill or joint resolution pro-  
25 viding for a change in concepts or definitions, the chair-  
26 man of the Senate Committee on the Budget may make

1 adjustments to the levels and allocations in this resolution  
2 in accordance with section 251(b) of the Balanced Budget  
3 and Emergency Deficit Control Act of 1985 (as in effect  
4 prior to September 30, 2002).

5 **SEC. 327. EXERCISE OF RULEMAKING POWERS.**

6 Congress adopts the provisions of this title—

7 (1) as an exercise of the rulemaking power of  
8 the Senate, and as such they shall be considered as  
9 part of the rules of the Senate and such rules shall  
10 supersede other rules only to the extent that they  
11 are inconsistent with such other rules; and

12 (2) with full recognition of the constitutional  
13 right of the Senate to change those rules (so far as  
14 they relate to that house) at any time, in the same  
15 manner, and to the same extent as is the case of any  
16 other rule of the Senate.

17 **SEC. 328. DEFICIT-NEUTRAL RESERVE FUND FOR EXPAN-**  
18 **SION OF ABOVE-THE-LINE DEDUCTION FOR**  
19 **TEACHER CLASSROOM SUPPLIES.**

20 The Chairman of the Senate Committee on the Budg-  
21 et may revise the allocations, aggregates, and other levels  
22 in this resolution by the amounts provided by a bill, joint  
23 resolution, amendment, motion, or conference report that  
24 would permanently extend and increase to \$400 the above-  
25 the-line deduction for teacher classroom supplies and ex-

1 pand such deduction to include qualified professional de-  
2 velopment expenses, provided that such legislation would  
3 not increase the deficit over the total of the period of fiscal  
4 years 2007 through 2012.

5 **SEC. 329. ADJUSTMENT FOR SMITHSONIAN INSTITUTION**  
6 **SALARIES AND EXPENSES.**

7 (a) IN GENERAL.—The Chairman of the Senate  
8 Committee on the Budget may revise the allocations, ag-  
9 gregates, and discretionary spending limits for one or  
10 more bills, joint resolutions, motions, amendments, or con-  
11 ference reports that make discretionary appropriations for  
12 fiscal year 2008 for an amount appropriated, but not to  
13 exceed \$17,000,000 in budgetary authority and outlays  
14 flowing therefrom, once the Comptroller General of the  
15 United States has submitted a certification to Congress  
16 that since April 1, 2007—

17 (1) the Smithsonian Institution does not pro-  
18 vide total annual compensation for any officer or  
19 employee of the Smithsonian Institution greater  
20 than the total annual compensation of the President  
21 of the United States;

22 (2) the Smithsonian Institution does not pro-  
23 vide deferred compensation for any such officer or  
24 employee greater than the deferred compensation of  
25 the President of the United States;

1           (3) all Smithsonian Institution travel expendi-  
2           tures conform with Federal Government guidelines  
3           and limitations applicable to the Smithsonian Insti-  
4           tution; and,

5           (4) all Smithsonian Institution officers and em-  
6           ployees are subject to ethics rules similar to the eth-  
7           ics rules widely applicable to Federal Government  
8           employees.

9           (b) CRITERIA FOR CERTIFICATION.—In making the  
10          certification described in subsection (a), the Comptroller  
11          General of the United States should take into account the  
12          following:

13           (1) The Smithsonian Institution is a premier  
14           educational, historical, artistic, research, and cul-  
15           tural organization for the American people.

16           (2) The Inspector General for the Smithsonian  
17           Institution recently issued a report regarding an in-  
18           vestigation of unauthorized and excessive authorized  
19           compensation, benefits, and expenditures by the Sec-  
20           retary of the Smithsonian Institution.

21           (3) The Inspector General's findings indicate  
22           that the actions of the Secretary of the Smithsonian  
23           Institution are not in keeping with the public trust  
24           of the office of the Secretary of the Smithsonian In-  
25           stitution.



1           (4) Priority should be given to funding for nec-  
2           essary repairs to maintain and repair Smithsonian  
3           Institution buildings and infrastructure and protect  
4           America's treasures.

5           (5) Priority should be given to full funding for  
6           the Office of the Inspector General for the Smithso-  
7           nian Institution so that the American people and  
8           Congress have renewed confidence that tax-preferred  
9           donations and Federal funds are being spent appro-  
10          priately and in keeping with the best practices of the  
11          charitable sector.

12 **SEC. 330. DEFICIT-REDUCTION RESERVE FUND FOR RE-**  
13 **DUCTION OF IMPROPER PAYMENTS.**

14          The Chairman of the Senate Committee on the Budg-  
15          et may revise the aggregates, allocations, functional totals,  
16          and other appropriate levels and limits in this resolution  
17          upon enactment of legislation that achieves savings by  
18          eliminating or reducing improper payments made by agen-  
19          cies reporting improper payments estimates under the Im-  
20          proper Payments Information Act of 2002 and uses such  
21          savings to reduce the deficit, provided that the legislation  
22          would not increase the deficit over the total of fiscal years  
23          2007 through 2012.

1 **SEC. 331. DEFICIT-NEUTRAL RESERVE FUND FOR EXTEN-**  
2 **SION OF THE DEDUCTION FOR STATE AND**  
3 **LOCAL SALES TAXES.**

4 The Chairman of the Senate Budget Committee may  
5 revise the aggregates, allocations, and other levels in this  
6 resolution for a bill, joint resolution, motion, amendment,  
7 or conference report that would provide for extension of  
8 the deduction for State and local sales taxes, provided that  
9 such legislation would not increase the deficit over the  
10 total of fiscal years 2007 through 2012.

11 **SEC. 332. DEFICIT-NEUTRAL RESERVE FUND FOR EXTEN-**  
12 **SION OF CERTAIN ENERGY TAX INCENTIVES.**

13 The Chairman of the Senate Committee on the Budg-  
14 et may revise the aggregates, allocations, and other levels  
15 in this resolution for a bill, joint resolution, motion,  
16 amendment, or conference report that would extend  
17 through 2015 energy tax incentives, including the produc-  
18 tion tax credit for electricity produced from renewable re-  
19 sources, the Clean Renewable Energy Bond program, and  
20 the provisions to encourage energy efficient buildings,  
21 products and power plants, provided that such legislation  
22 would not increase the deficit over the total of fiscal years  
23 2007 through 2012.

1 **SEC. 333. RESERVE FUND TO PROVIDE ADDITIONAL TRAIN-**  
2 **ING FOR PHYSICIANS AND ATTRACT MORE**  
3 **PHYSICIANS IN STATES THAT FACE A SHORT-**  
4 **AGE OF PHYSICIANS IN TRAINING.**

5 The Chairman of the Senate Budget Committee may  
6 revise the aggregates, allocations, and other appropriate  
7 levels in this resolution for a bill, joint resolution, amend-  
8 ment, motion, or conference report that provides addi-  
9 tional training for physicians and attracts more physicians  
10 in States that face a shortage of physicians in training,  
11 provided that the legislation would not increase the deficit  
12 over the total of fiscal years 2007 through 2012.

13 **SEC. 334. DEFICIT-NEUTRAL RESERVE FUND FOR REPEAL**  
14 **OF THE 1993 INCREASE IN THE INCOME TAX**  
15 **ON SOCIAL SECURITY BENEFITS.**

16 The Chairman of the Senate Committee on the Budg-  
17 et may revise the allocations, aggregates, and other levels  
18 in this resolution by the amounts provided by a bill, joint  
19 resolution, amendment, motion, or conference report that  
20 would repeal the 1993 increase in the income tax on Social  
21 Security benefits, provided that such legislation would not  
22 increase the deficit over the total of the period of fiscal  
23 years 2007 through 2012.

1 **SEC. 335. SENSE OF CONGRESS ON THE STATE CRIMINAL**  
2 **ALIEN ASSISTANCE PROGRAM.**

3 (a) FINDINGS.—Congress makes the following find-  
4 ings:

5 (1) Control of illegal immigration is a Federal  
6 responsibility.

7 (2) The State Criminal Alien Assistance Pro-  
8 gram (referred to in this section as “SCAAP”) car-  
9 ried out pursuant to section 241(i) of the Immigra-  
10 tion and Nationality Act (8 U.S.C. 1231(i)) provides  
11 critical funding to States and localities for reim-  
12 bursement of costs incurred as a result of housing  
13 undocumented criminal aliens.

14 (3) Congress appropriated \$300,000,000 for  
15 SCAAP to reimburse State and local governments  
16 for those costs in fiscal year 2004.

17 (4) Congress appropriated \$305,000,000 for  
18 SCAAP to reimburse State and local governments  
19 for those costs in fiscal year 2005.

20 (5) Congress appropriated \$405,000,000 for  
21 SCAAP to reimburse State and local governments  
22 for those costs in fiscal year 2006.

23 (6) Congress appropriated \$399,000,000 for  
24 SCAAP to reimburse State and local governments  
25 for those costs in fiscal year 2007.

1           (7) Congress has authorized to be appropriated  
2       \$950,000,000 to carry out SCAAP for each of the  
3       fiscal years 2008 through 2011.

4       (b) SENSE OF CONGRESS.—It is the sense of Con-  
5       gress that the budgetary totals in this resolution assume  
6       that \$950,000,000 should be made available for SCAAP  
7       for fiscal year 2008.

8       **SEC. 336. DEFICIT-NEUTRAL RESERVE FUND FOR ELIMI-**  
9                               **NATING MILITARY RETIREMENT AND DIS-**  
10                              **ABILITY OFFSET.**

11       The Chairman of the Senate Committee on the Budg-  
12       et may revise the allocations, aggregates, and other levels  
13       in this resolution for a bill, joint resolution, amendment,  
14       motion, or conference report that would expand eligibility  
15       for Combat-Related Special Compensation to permit addi-  
16       tional disabled retirees to receive both disability compensa-  
17       tion and retired pay, by the amounts provided by such leg-  
18       islation for that purpose, provided that the legislation  
19       would not increase the deficit over the total of fiscal years  
20       2007 through 2012.

21       **SEC. 337. DEFICIT-NEUTRAL RESERVE FOR ASBESTOS RE-**  
22                               **FORM LEGISLATION.**

23       The Chairman of the Senate Committee on the Budg-  
24       et may revise the aggregates, allocations, and other appro-  
25       priate levels in this resolution for a bill, joint resolution,

1 amendment, motion, or conference report regarding asbes-  
2 tos reform, that—

3 (i) either provides monetary compensation to  
4 impaired victims of mesothelioma or provides mone-  
5 tary compensation to impaired victims of asbestos-  
6 related disease who can establish that asbestos expo-  
7 sure is a substantial contributing factor in causing  
8 their condition,

9 (ii) does not provide monetary compensation to  
10 unimpaired claimants or those suffering from a dis-  
11 ease who cannot establish that asbestos exposure  
12 was a substantial contributing factor in causing  
13 their condition, and

14 (iii) is estimated to remain funded from nontax-  
15 payer sources for the life of the fund, by the  
16 amounts provided in such legislation for that pur-  
17 pose, provided that such legislation would not in-  
18 crease the deficit over the total of the period of fiscal  
19 years 2007 through 2057.

20 **SEC. 338. DEFICIT-NEUTRAL RESERVE FUND FOR MANU-**  
21 **FACTURING INITIATIVES.**

22 The Chairman of the Senate Committee on the Budg-  
23 et may revise the allocations, aggregates, and other appro-  
24 priate levels in this resolution for one or more bills, joint  
25 resolutions, amendments, motions, or conference reports,

1 including tax legislation, that would revitalize the United  
2 States domestic manufacturing sector by increasing Fed-  
3 eral research and development, by expanding the scope  
4 and effectiveness of manufacturing programs across the  
5 Federal government, by increasing support for develop-  
6 ment of alternative fuels and leap-ahead automotive and  
7 energy technologies, and by establishing tax incentives to  
8 encourage the continued production in the United States  
9 of advanced technologies and the infrastructure to support  
10 such technologies, by the amounts provided in that legisla-  
11 tion for those purposes, provided that such legislation  
12 would not increase the deficit over the total of the period  
13 of fiscal years 2007 through 2012.

14 **SEC. 339. DEFICIT-REDUCTION RESERVE FUND FOR IN-**  
15 **CREASED USE OF RECOVERY AUDITS.**

16 The Chairman of the Senate Committee on the Budget  
17 et may revise the aggregates, allocations, functional totals,  
18 and other appropriate levels and limits in this resolution  
19 upon enactment of legislation that achieves savings by re-  
20 quiring that agencies increase their use of the recovery  
21 audits authorized by the Erroneous Payments Recovery  
22 Act of 2001 (section 831 of the National Defense Author-  
23 ization Act for fiscal year 2002) and uses such savings  
24 to reduce the deficit, provided that the legislation would

1 not increase the deficit over the total of fiscal years 2007  
2 through 2012.

3 **SEC. 340. DEFICIT-NEUTRAL RESERVE FUND FOR A DELAY**  
4 **IN THE IMPLEMENTATION OF A PROPOSED**  
5 **RULE RELATING TO THE FEDERAL-STATE FI-**  
6 **NANCIAL PARTNERSHIPS UNDER MEDICAID**  
7 **AND SCHIP.**

8 The Chairman of the Senate Committee on the Budget  
9 et may revise the allocations, aggregates, and other appropriate  
10 levels in this resolution for a bill, joint resolution,  
11 amendment, motion, or conference report that provides for  
12 a delay in the implementation of the proposed rule published  
13 on January 18, 2007, on pages 2236 through 2248  
14 of volume 72, Federal Register (relating to parts 433,  
15 447, and 457 of title 42, Code of Federal Regulations)  
16 or any other rule that would affect the Medicaid program  
17 and SCHIP in a similar manner, by the amounts provided  
18 in that legislation for that purpose, provided that such legis-  
19 lation would not increase the deficit over the total of the  
20 period of fiscal years 2007 through 2012.

21 **SEC. 341. RESERVE FUND TO IMPROVE THE HEALTH CARE**  
22 **SYSTEM.**

23 If the Senate Committee on Finance—



1           (1) reports a bill, or if an amendment is offered  
2           thereto, or if a conference report is submitted there-  
3           on, that—

4                   (A) creates a framework and parameters  
5                   for the use of Medicare data for the purpose of  
6                   conducting research, public reporting, and other  
7                   activities to evaluate health care safety, effec-  
8                   tiveness, efficiency, quality, and resource utili-  
9                   zation in Federal programs and the private  
10                  health care system; and

11                   (B) includes provisions to protect bene-  
12                   ficiary privacy and to prevent disclosure of pro-  
13                   prietary or trade secret information with re-  
14                   spect to the transfer and use of such data; and

15           (2) is within its allocation as provided under  
16           section 302(a) of the Congressional Budget Act of  
17           1974,

18 the Chairman of the Senate Committee on the Budget  
19 may revise allocations of new budget authority and out-  
20 lays, the revenue aggregates, and other appropriate meas-  
21 ures to reflect such legislation provided that such legisla-  
22 tion would not increase the deficit for fiscal year 2008,  
23 and for the period of fiscal years 2008 through 2012.

1 **SEC. 342. RESERVE FUND TO IMPROVE MEDICARE HOS-**  
2 **PITAL PAYMENT ACCURACY.**

3 If the Senate Committee on Finance—

4 (1) reports a bill, or if an amendment is offered  
5 thereto, or if a conference report is submitted there-  
6 on, that—

7 (A) addresses the wide and inequitable dis-  
8 parity in the reimbursement of hospitals under  
9 the Medicare program;

10 (B) includes provisions to reform the area  
11 wage index used to adjust payments to hos-  
12 pitals under the Medicare hospital inpatient  
13 prospective payment system under section  
14 1886(d) of the Social Security Act (42 U.S.C.  
15 1395ww(d)); and

16 (C) includes a transition to the reform de-  
17 scribed in subparagraph (B); and

18 (2) is within its allocation as provided under  
19 section 302(a) of the Congressional Budget Act of  
20 1974,

21 the Chairman of the Senate Committee on the Budget  
22 may revise allocations of new budget authority and out-  
23 lays, the revenue aggregates, and other appropriate meas-  
24 ures to reflect such legislation provided that such legisla-  
25 tion would not increase the deficit for the period of fiscal  
26 years 2008 through 2012.

1 **SEC. 343. DEFICIT-NEUTRAL RESERVE FUND TO IMPROVE**  
2 **HEALTH INSURANCE.**

3 If a Senate committee reports a bill or joint resolu-  
4 tion, or if an amendment is offered thereto, or if a con-  
5 ference report is submitted thereon, that, with appropriate  
6 protections for consumers, reduces growth in the number  
7 of uninsured Americans, improves access to affordable and  
8 meaningful health insurance coverage, improves health  
9 care quality, or reduces growth in the cost of private  
10 health insurance by facilitating market-based pooling, in-  
11 cluding across State lines, and a bill or joint resolution,  
12 or if an amendment is offered thereto, or if a conference  
13 report is submitted thereon, that, with appropriate protec-  
14 tions for consumers, provides funding for State high risk  
15 pools or financial assistance, whether directly, or through  
16 grants to States to enhance the effectiveness of such pool-  
17 ing or to provide other assistance to small businesses or  
18 individuals, including financial assistance, for the pur-  
19 chase of private insurance coverage, the Chairman of the  
20 Committee on the Budget may make appropriate adjust-  
21 ments in allocations and aggregates for fiscal year 2007  
22 and for the period of fiscal years 2008 through 2012, pro-  
23 vided that such legislation would not increase the deficit

1 over the total of the period of fiscal years 2007 through  
2 2012.

Passed the Senate March 23, 2007.

Attest:

*Secretary.*

110<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

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**S. CON. RES. 21**

**CONCURRENT RESOLUTION**

Setting forth the congressional budget for the  
United States Government for fiscal year 2008  
and including the appropriate budgetary levels  
for fiscal years 2007 and 2009 through 2012.