

Calendar No. 34108TH CONGRESS
1ST SESSION**S. CON. RES. 23**

Setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

IN THE SENATE OF THE UNITED STATES

MARCH 14, 2003

Mr. NICKLES, from the Committee on the Budget, reported under the authority of the order of the Senate of March 13, 2003, the following original concurrent resolution; which was placed on the calendar

CONCURRENT RESOLUTION

Setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

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

3 **SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET**
4 **FOR FISCAL YEAR 2004.**

5 (a) DECLARATION.—Congress declares that this reso-
6 lution is the concurrent resolution on the budget for fiscal

1 years 2003 and 2004 including the appropriate budgetary
 2 levels for fiscal year 2003 and for fiscal years 2005
 3 through 2013 as authorized by section 301 of the Congres-
 4 sional Budget Act of 1974 (2 U.S.C. 632).

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

Sec. 1. Concurrent resolution on the budget for fiscal year 2004.

TITLE I—LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.

Sec. 102. Social Security.

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TITLE II—BUDGET ENFORCEMENT AND RULEMAKING

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Sec. 201. Extension of supermajority enforcement.

Sec. 202. Discretionary spending limits in the Senate.

Sec. 203. Restrictions on advance appropriations in the Senate.

Sec. 204. Emergency legislation.

Sec. 205. Pay-as-you-go point of order in the Senate.

Subtitle B—Reserve Funds and Other Adjustments

Sec. 211. Adjustment for special education.

Sec. 212. Adjustment for highways and highway safety and transit.

Sec. 213. Reserve fund for medicare.

Sec. 214. Reserve fund for health insurance for the uninsured.

Sec. 215. Reserve fund for children with special needs.

Sec. 216. Reserve fund for medicaid reform.

Sec. 217. Reserve fund for project bioshield.

Sec. 218. Reserve fund for stateside grant program.

Sec. 219. Reserve fund for State children's health insurance program.

Subtitle C—Miscellaneous Provisions

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Sec. 222. Application and effect of changes in allocations and aggregates.

Sec. 223. Exercise of rulemaking powers.

TITLE III—SENSE OF THE SENATE

Sec. 301. Sense of the Senate on Federal employee pay.

Sec. 302. Sense of the Senate on tribal colleges and universities.

Sec. 303. Sense of the Senate regarding the 504 small business credit program.

Sec. 304. Sense of the Senate regarding Pell Grants.

Sec. 305. Sense of the Senate regarding the National Guard.

Sec. 306. Sense of the Senate regarding weapons of mass destruction civil support teams.

Sec. 307. Sense of the Senate on emergency and disaster assistance for livestock and agriculture producers.

1 **TITLE I—LEVELS AND AMOUNTS**

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

3 The following budgetary levels are appropriate for the
4 fiscal years 2003 through 2013:

5 (1) FEDERAL REVENUES.—For purposes of the en-
6 forcement of this resolution—

7 (A) The recommended levels of Federal reve-
8 nues are as follows:

9 Fiscal year 2003: \$1,323,275,000,000.

10 Fiscal year 2004: \$1,350,745,000,000.

11 Fiscal year 2005: \$1,519,158,000,000.

12 Fiscal year 2006: \$1,663,097,000,000.

13 Fiscal year 2007: \$1,794,074,000,000.

14 Fiscal year 2008: \$1,906,371,000,000.

15 Fiscal year 2009: \$2,022,790,000,000.

16 Fiscal year 2010: \$2,137,116,000,000.

17 Fiscal year 2011: \$2,242,335,000,000.

18 Fiscal year 2012: \$2,371,278,000,000.

19 Fiscal year 2013: \$2,509,676,000,000.

20 (B) The amounts by which the aggregate levels
21 of Federal revenues should be changed are as fol-
22 lows:

23 Fiscal year 2003: –\$36,559,000,000.

1 Fiscal year 2004: – \$115,625,000,000.
2 Fiscal year 2005: – \$97,868,000,000.
3 Fiscal year 2006: – \$77,575,000,000.
4 Fiscal year 2007: – \$59,092,000,000.
5 Fiscal year 2008: – \$56,606,000,000.
6 Fiscal year 2009: – \$55,540,000,000.
7 Fiscal year 2010: – \$55,926,000,000.
8 Fiscal year 2011: – \$185,161,000,000.
9 Fiscal year 2012: – \$278,501,000,000.
10 Fiscal year 2013: – \$294,534,000,000.

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

14 Fiscal year 2003: \$1,787,689,000,000.
15 Fiscal year 2004: \$1,853,463,000,000.
16 Fiscal year 2005: \$1,984,522,000,000.
17 Fiscal year 2006: \$2,114,301,000,000.
18 Fiscal year 2007: \$2,225,924,000,000.
19 Fiscal year 2008: \$2,342,017,000,000.
20 Fiscal year 2009: \$2,439,378,000,000.
21 Fiscal year 2010: \$2,534,067,000,000.
22 Fiscal year 2011: \$2,645,923,000,000.
23 Fiscal year 2012: \$2,731,588,000,000.
24 Fiscal year 2013: \$2,850,510,000,000.

1 (3) BUDGET OUTLAYS.—For purposes of the enforce-
2 ment of this resolution, the appropriate levels of total
3 budget outlays are as follows:

4 Fiscal year 2003: \$1,776,743,000,000.

5 Fiscal year 2004: \$1,853,515,000,000.

6 Fiscal year 2005: \$1,968,419,000,000.

7 Fiscal year 2006: \$2,079,289,000,000.

8 Fiscal year 2007: \$2,183,674,000,000.

9 Fiscal year 2008: \$2,300,447,000,000.

10 Fiscal year 2009: \$2,407,291,000,000.

11 Fiscal year 2010: \$2,507,757,000,000.

12 Fiscal year 2011: \$2,627,018,000,000.

13 Fiscal year 2012: \$2,698,653,000,000.

14 Fiscal year 2013: \$2,826,791,000,000.

15 (4) DEFICITS.—For purposes of the enforcement of
16 this resolution, the amounts of the deficits are as follows:

17 Fiscal year 2003: – \$453,468,000,000.

18 Fiscal year 2004: – \$502,770,000,000.

19 Fiscal year 2005: – \$449,261,000,000.

20 Fiscal year 2006: – \$416,192,000,000.

21 Fiscal year 2007: – \$389,600,000,000.

22 Fiscal year 2008: – \$394,076,000,000.

23 Fiscal year 2009: – \$384,501,000,000.

24 Fiscal year 2010: – \$370,641,000,000.

25 Fiscal year 2011: – \$384,683,000,000.

1 Fiscal year 2012: – \$327,375,000,000.

2 Fiscal year 2013: – \$317,115,000,000.

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

5 Fiscal year 2003: \$6,687,816,000,000.

6 Fiscal year 2004: \$7,269,629,000,000.

7 Fiscal year 2005: \$7,825,005,000,000.

8 Fiscal year 2006: \$8,366,224,000,000.

9 Fiscal year 2007: \$8,885,256,000,000.

10 Fiscal year 2008: \$9,412,708,000,000.

11 Fiscal year 2009: \$9,932,454,000,000.

12 Fiscal year 2010: \$10,443,080,000,000.

13 Fiscal year 2011: \$10,971,657,000,000.

14 Fiscal year 2012: \$11,449,831,000,000.

15 Fiscal year 2013: \$11,919,328,000,000.

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

18 Fiscal year 2003: \$3,858,449,000,000.

19 Fiscal year 2004: \$4,184,748,000,000.

20 Fiscal year 2005: \$4,446,730,000,000.

21 Fiscal year 2006: \$4,661,214,000,000.

22 Fiscal year 2007: \$4,828,626,000,000.

23 Fiscal year 2008: \$4,980,020,000,000.

24 Fiscal year 2009: \$5,101,852,000,000.

25 Fiscal year 2010: \$5,190,541,000,000.

1 Fiscal year 2011: \$5,274,734,000,000.

2 Fiscal year 2012: \$5,286,550,000,000.

3 Fiscal year 2013: \$5,273,296,000,000.

4 **SEC. 102. SOCIAL SECURITY.**

5 (a) SOCIAL SECURITY REVENUES.—For purposes of
6 Senate enforcement under sections 302 and 311 of the
7 Congressional Budget Act of 1974, the amounts of reve-
8 nues of the Federal Old-Age and Survivors Insurance
9 Trust Fund and the Federal Disability Insurance Trust
10 Fund are as follows:

11 Fiscal year 2003: \$531,607,000,000.

12 Fiscal year 2004: \$557,826,000,000.

13 Fiscal year 2005: \$587,785,000,000.

14 Fiscal year 2006: \$619,062,000,000.

15 Fiscal year 2007: \$651,128,000,000.

16 Fiscal year 2008: \$684,409,000,000.

17 Fiscal year 2009: \$719,112,000,000.

18 Fiscal year 2010: \$755,724,000,000.

19 Fiscal year 2011: \$792,122,000,000.

20 Fiscal year 2012: \$829,538,000,000.

21 Fiscal year 2013: \$869,650,000,000.

22 (b) SOCIAL SECURITY OUTLAYS.—For purposes of
23 Senate enforcement under sections 302 and 311 of the
24 Congressional Budget Act of 1974, the amounts of outlays
25 of the Federal Old-Age and Survivors Insurance Trust

1 Fund and the Federal Disability Insurance Trust Fund
2 are as follows:

3 Fiscal year 2003: \$366,296,000,000.

4 Fiscal year 2004: \$380,467,000,000.

5 Fiscal year 2005: \$390,247,000,000.

6 Fiscal year 2006: \$402,579,000,000.

7 Fiscal year 2007: \$415,605,000,000.

8 Fiscal year 2008: \$429,595,000,000.

9 Fiscal year 2009: \$446,203,000,000.

10 Fiscal year 2010: \$464,626,000,000.

11 Fiscal year 2011: \$483,334,000,000.

12 Fiscal year 2012: \$506,507,000,000.

13 Fiscal year 2013: \$533,097,000,000.

14 **SEC. 103. MAJOR FUNCTIONAL CATEGORIES.**

15 Congress determines and declares that the appro-
16 priate levels of new budget authority, budget outlays, new
17 direct loan obligations, and new primary loan guarantee
18 commitments for fiscal years 2003 through 2013 for each
19 major functional category are:

20 (1) National Defense (050):

21 Fiscal year 2003:

22 (A) New budget authority,

23 \$392,494,000,000.

24 (B) Outlays, \$386,229,000,000.

25 Fiscal year 2004:

1 (A) New budget authority,
2 \$400,476,000,000.

3 (B) Outlays, \$400,882,000,000.

4 Fiscal year 2005:

5 (A) New budget authority,
6 \$420,071,000,000.

7 (B) Outlays, \$414,205,000,000.

8 Fiscal year 2006:

9 (A) New budget authority,
10 \$440,185,000,000.

11 (B) Outlays, \$426,007,000,000.

12 Fiscal year 2007:

13 (A) New budget authority,
14 \$460,435,000,000.

15 (B) Outlays, \$438,656,000,000.

16 Fiscal year 2008:

17 (A) New budget authority,
18 \$480,886,000,000.

19 (B) Outlays, \$462,861,000,000.

20 Fiscal year 2009:

21 (A) New budget authority,
22 \$487,567,000,000.

23 (B) Outlays, \$476,347,000,000.

24 Fiscal year 2010:

1 (A) New budget authority,
2 \$493,340,000,000.

3 (B) Outlays, \$486,254,000,000.

4 Fiscal year 2011:

5 (A) New budget authority,
6 \$501,103,000,000.

7 (B) Outlays, \$498,634,000,000.

8 Fiscal year 2012:

9 (A) New budget authority,
10 \$509,031,000,000.

11 (B) Outlays, \$499,675,000,000.

12 Fiscal year 2013:

13 (A) New budget authority,
14 \$517,323,000,000.

15 (B) Outlays, \$512,815,000,000.

16 (2) International Affairs (150):

17 Fiscal year 2003:

18 (A) New budget authority,
19 \$22,506,000,000.

20 (B) Outlays, \$19,283,000,000.

21 Fiscal year 2004:

22 (A) New budget authority,
23 \$24,566,000,000.

24 (B) Outlays, \$23,532,000,000.

25 Fiscal year 2005:

1 (A) New budget authority,
2 \$28,900,000,000.
3 (B) Outlays, \$24,087,000,000.
4 Fiscal year 2006:
5 (A) New budget authority,
6 \$31,748,000,000.
7 (B) Outlays, \$25,898,000,000.
8 Fiscal year 2007:
9 (A) New budget authority,
10 \$33,309,000,000.
11 (B) Outlays, \$28,072,000,000.
12 Fiscal year 2008:
13 (A) New budget authority,
14 \$34,583,000,000.
15 (B) Outlays, \$29,474,000,000.
16 Fiscal year 2009:
17 (A) New budget authority,
18 \$35,655,000,000.
19 (B) Outlays, \$30,863,000,000.
20 Fiscal year 2010:
21 (A) New budget authority,
22 \$36,763,000,000.
23 (B) Outlays, \$32,086,000,000.
24 Fiscal year 2011:

1 (A) New budget authority,
2 \$37,903,000,000.
3 (B) Outlays, \$33,221,000,000.
4 Fiscal year 2012:
5 (A) New budget authority,
6 \$39,039,000,000.
7 (B) Outlays, \$34,332,000,000.
8 Fiscal year 2013:
9 (A) New budget authority,
10 \$40,183,000,000.
11 (B) Outlays, \$35,486,000,000.
12 (3) General Science, Space, and Technology (250):
13 Fiscal year 2003:
14 (A) New budget authority,
15 \$23,153,000,000.
16 (B) Outlays, \$21,556,000,000.
17 Fiscal year 2004:
18 (A) New budget authority,
19 \$23,603,000,000.
20 (B) Outlays, \$22,728,000,000.
21 Fiscal year 2005:
22 (A) New budget authority,
23 \$24,433,000,000.
24 (B) Outlays, \$23,715,000,000.
25 Fiscal year 2006:

1 (A) New budget authority,
2 \$25,217,000,000.

3 (B) Outlays, \$24,420,000,000.

4 Fiscal year 2007:

5 (A) New budget authority,
6 \$26,055,000,000.

7 (B) Outlays, \$25,202,000,000.

8 Fiscal year 2008:

9 (A) New budget authority,
10 \$26,832,000,000.

11 (B) Outlays, \$25,942,000,000.

12 Fiscal year 2009:

13 (A) New budget authority,
14 \$27,462,000,000.

15 (B) Outlays, \$26,639,000,000.

16 Fiscal year 2010:

17 (A) New budget authority,
18 \$28,121,000,000.

19 (B) Outlays, \$27,296,000,000.

20 Fiscal year 2011:

21 (A) New budget authority,
22 \$28,805,000,000.

23 (B) Outlays, \$27,963,000,000.

24 Fiscal year 2012:

1 (A) New budget authority,
2 \$29,492,000,000.

3 (B) Outlays, \$28,639,000,000.

4 Fiscal year 2013:

5 (A) New budget authority,
6 \$30,185,000,000.

7 (B) Outlays, \$29,319,000,000.

8 (4) Energy (270):

9 Fiscal year 2003:

10 (A) New budget authority,
11 \$2,074,000,000.

12 (B) Outlays, \$439,000,000.

13 Fiscal year 2004:

14 (A) New budget authority,
15 \$2,634,000,000.

16 (B) Outlays, \$873,000,000.

17 Fiscal year 2005:

18 (A) New budget authority,
19 \$2,797,000,000.

20 (B) Outlays, \$947,000,000.

21 Fiscal year 2006:

22 (A) New budget authority,
23 \$2,714,000,000.

24 (B) Outlays, \$1,272,000,000.

25 Fiscal year 2007:

1 (A) New budget authority,
2 \$2,540,000,000.
3 (B) Outlays, \$1,069,000,000.
4 Fiscal year 2008:
5 (A) New budget authority,
6 \$3,080,000,000.
7 (B) Outlays, \$1,419,000,000.
8 Fiscal year 2009:
9 (A) New budget authority,
10 \$3,090,000,000.
11 (B) Outlays, \$1,686,000,000.
12 Fiscal year 2010:
13 (A) New budget authority,
14 \$3,194,000,000.
15 (B) Outlays, \$1,794,000,000.
16 Fiscal year 2011:
17 (A) New budget authority,
18 \$3,296,000,000.
19 (B) Outlays, \$1,976,000,000.
20 Fiscal year 2012:
21 (A) New budget authority,
22 \$3,408,000,000.
23 (B) Outlays, \$2,357,000,000.
24 Fiscal year 2013:

1 (A) New budget authority,
2 \$3,520,000,000.

3 (B) Outlays, \$2,326,000,000.

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

5 Fiscal year 2003:

6 (A) New budget authority,
7 \$30,816,000,000.

8 (B) Outlays, \$28,940,000,000.

9 Fiscal year 2004:

10 (A) New budget authority,
11 \$31,744,000,000.

12 (B) Outlays, \$30,903,000,000.

13 Fiscal year 2005:

14 (A) New budget authority,
15 \$32,639,000,000.

16 (B) Outlays, \$31,789,000,000.

17 Fiscal year 2006:

18 (A) New budget authority,
19 \$33,261,000,000.

20 (B) Outlays, \$32,936,000,000.

21 Fiscal year 2007:

22 (A) New budget authority,
23 \$33,576,000,000.

24 (B) Outlays, \$33,200,000,000.

25 Fiscal year 2008:

1 (A) New budget authority,
2 \$34,245,000,000.

3 (B) Outlays, \$33,653,000,000.

4 Fiscal year 2009:

5 (A) New budget authority,
6 \$35,370,000,000.

7 (B) Outlays, \$34,701,000,000.

8 Fiscal year 2010:

9 (A) New budget authority,
10 \$36,198,000,000.

11 (B) Outlays, \$35,512,000,000.

12 Fiscal year 2011:

13 (A) New budget authority,
14 \$36,958,000,000.

15 (B) Outlays, \$36,267,000,000.

16 Fiscal year 2012:

17 (A) New budget authority,
18 \$37,592,000,000.

19 (B) Outlays, \$36,874,000,000.

20 Fiscal year 2013:

21 (A) New budget authority,
22 \$38,316,000,000.

23 (B) Outlays, \$37,677,000,000.

24 (6) Agriculture (350):

25 Fiscal year 2003:

1 (A) New budget authority,
2 \$24,418,000,000.
3 (B) Outlays, \$23,365,000,000.
4 Fiscal year 2004:
5 (A) New budget authority,
6 \$24,457,000,000.
7 (B) Outlays, \$23,530,000,000.
8 Fiscal year 2005:
9 (A) New budget authority,
10 \$26,844,000,000.
11 (B) Outlays, \$25,604,000,000.
12 Fiscal year 2006:
13 (A) New budget authority,
14 \$26,661,000,000.
15 (B) Outlays, \$25,426,000,000.
16 Fiscal year 2007:
17 (A) New budget authority,
18 \$26,141,000,000.
19 (B) Outlays, \$24,949,000,000.
20 Fiscal year 2008:
21 (A) New budget authority,
22 \$25,363,000,000.
23 (B) Outlays, \$24,237,000,000.
24 Fiscal year 2009:

1 (A) New budget authority,
2 \$25,943,000,000.

3 (B) Outlays, \$24,979,000,000.

4 Fiscal year 2010:

5 (A) New budget authority,
6 \$25,407,000,000.

7 (B) Outlays, \$24,578,000,000.

8 Fiscal year 2011:

9 (A) New budget authority,
10 \$24,864,000,000.

11 (B) Outlays, \$24,053,000,000.

12 Fiscal year 2012:

13 (A) New budget authority,
14 \$24,455,000,000.

15 (B) Outlays, \$23,660,000,000.

16 Fiscal year 2013:

17 (A) New budget authority,
18 \$24,185,000,000.

19 (B) Outlays, \$23,386,000,000.

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

21 Fiscal year 2003:

22 (A) New budget authority,
23 \$8,812,000,000.

24 (B) Outlays, \$5,881,000,000.

25 Fiscal year 2004:

1 (A) New budget authority,
2 \$7,428,000,000.
3 (B) Outlays, \$3,486,000,000.
4 Fiscal year 2005:
5 (A) New budget authority,
6 \$8,655,000,000.
7 (B) Outlays, \$3,962,000,000.
8 Fiscal year 2006:
9 (A) New budget authority,
10 \$8,192,000,000.
11 (B) Outlays, \$3,028,000,000.
12 Fiscal year 2007:
13 (A) New budget authority,
14 \$8,538,000,000.
15 (B) Outlays, \$2,563,000,000.
16 Fiscal year 2008:
17 (A) New budget authority,
18 \$8,655,000,000.
19 (B) Outlays, \$2,155,000,000.
20 Fiscal year 2009:
21 (A) New budget authority,
22 \$8,438,000,000.
23 (B) Outlays, \$1,931,000,000.
24 Fiscal year 2010:

1 (A) New budget authority,
2 \$8,319,000,000.
3 (B) Outlays, \$1,450,000,000.
4 Fiscal year 2011:
5 (A) New budget authority,
6 \$8,298,000,000.
7 (B) Outlays, \$846,000,000.
8 Fiscal year 2012:
9 (A) New budget authority,
10 \$8,401,000,000.
11 (B) Outlays, \$554,000,000.
12 Fiscal year 2013:
13 (A) New budget authority,
14 \$8,475,000,000.
15 (B) Outlays, \$668,000,000.
16 (8) Transportation (400):
17 Fiscal year 2003:
18 (A) New budget authority,
19 \$64,091,000,000.
20 (B) Outlays, \$67,847,000,000.
21 Fiscal year 2004:
22 (A) New budget authority,
23 \$64,493,000,000.
24 (B) Outlays, \$69,409,000,000.
25 Fiscal year 2005:

1 (A) New budget authority,
2 \$69,158,000,000.
3 (B) Outlays, \$68,083,000,000.
4 Fiscal year 2006:
5 (A) New budget authority,
6 \$69,606,000,000.
7 (B) Outlays, \$67,912,000,000.
8 Fiscal year 2007:
9 (A) New budget authority,
10 \$70,116,000,000.
11 (B) Outlays, \$68,395,000,000.
12 Fiscal year 2008:
13 (A) New budget authority,
14 \$70,702,000,000.
15 (B) Outlays, \$69,073,000,000.
16 Fiscal year 2009:
17 (A) New budget authority,
18 \$71,512,000,000.
19 (B) Outlays, \$69,899,000,000.
20 Fiscal year 2010:
21 (A) New budget authority,
22 \$72,323,000,000.
23 (B) Outlays, \$70,793,000,000.
24 Fiscal year 2011:

1 (A) New budget authority,
2 \$73,183,000,000.
3 (B) Outlays, \$71,744,000,000.
4 Fiscal year 2012:
5 (A) New budget authority,
6 \$74,067,000,000.
7 (B) Outlays, \$72,779,000,000.
8 Fiscal year 2013:
9 (A) New budget authority,
10 \$74,987,000,000.
11 (B) Outlays, \$73,846,000,000.
12 (9) Community and Regional Development (450):
13 Fiscal year 2003:
14 (A) New budget authority,
15 \$12,251,000,000.
16 (B) Outlays, \$15,994,000,000.
17 Fiscal year 2004:
18 (A) New budget authority,
19 \$14,063,000,000.
20 (B) Outlays, \$15,823,000,000.
21 Fiscal year 2005:
22 (A) New budget authority,
23 \$14,138,000,000.
24 (B) Outlays, \$15,872,000,000.
25 Fiscal year 2006:

1 (A) New budget authority,
2 \$14,321,000,000.
3 (B) Outlays, \$14,961,000,000.
4 Fiscal year 2007:
5 (A) New budget authority,
6 \$14,536,000,000.
7 (B) Outlays, \$14,664,000,000.
8 Fiscal year 2008:
9 (A) New budget authority,
10 \$14,745,000,000.
11 (B) Outlays, \$14,123,000,000.
12 Fiscal year 2009:
13 (A) New budget authority,
14 \$14,980,000,000.
15 (B) Outlays, \$14,298,000,000.
16 Fiscal year 2010:
17 (A) New budget authority,
18 \$15,233,000,000.
19 (B) Outlays, \$14,501,000,000.
20 Fiscal year 2011:
21 (A) New budget authority,
22 \$15,492,000,000.
23 (B) Outlays, \$14,750,000,000.
24 Fiscal year 2012:

1 (A) New budget authority,
2 \$15,755,000,000.
3 (B) Outlays, \$14,992,000,000.
4 Fiscal year 2013:
5 (A) New budget authority,
6 \$16,023,000,000.
7 (B) Outlays, \$15,259,000,000.
8 (10) Education, Training, Employment, and Social
9 Services (500):
10 Fiscal year 2003:
11 (A) New budget authority,
12 \$82,974,000,000.
13 (B) Outlays, \$81,531,000,000.
14 Fiscal year 2004:
15 (A) New budget authority,
16 \$89,115,000,000.
17 (B) Outlays, \$84,997,000,000.
18 Fiscal year 2005:
19 (A) New budget authority,
20 \$89,123,000,000.
21 (B) Outlays, \$85,787,000,000.
22 Fiscal year 2006:
23 (A) New budget authority,
24 \$92,483,000,000.
25 (B) Outlays, \$88,723,000,000.

1 Fiscal year 2007:
2 (A) New budget authority,
3 \$95,624,000,000.
4 (B) Outlays, \$91,673,000,000.
5 Fiscal year 2008:
6 (A) New budget authority,
7 \$98,980,000,000.
8 (B) Outlays, \$94,810,000,000.
9 Fiscal year 2009:
10 (A) New budget authority,
11 \$101,868,000,000.
12 (B) Outlays, \$98,115,000,000.
13 Fiscal year 2010:
14 (A) New budget authority,
15 \$103,724,000,000.
16 (B) Outlays, \$100,946,000,000.
17 Fiscal year 2011:
18 (A) New budget authority,
19 \$105,825,000,000.
20 (B) Outlays, \$103,201,000,000.
21 Fiscal year 2012:
22 (A) New budget authority,
23 \$108,209,000,000.
24 (B) Outlays, \$105,235,000,000.
25 Fiscal year 2013:

1 (A) New budget authority,
2 \$109,808,000,000.
3 (B) Outlays, \$107,307,000,000.
4 (11) Health (550):
5 Fiscal year 2003:
6 (A) New budget authority,
7 \$222,913,000,000.
8 (B) Outlays, \$217,881,000,000.
9 Fiscal year 2004:
10 (A) New budget authority,
11 \$240,622,000,000.
12 (B) Outlays, \$238,864,000,000.
13 Fiscal year 2005:
14 (A) New budget authority,
15 \$260,198,000,000.
16 (B) Outlays, \$259,912,000,000.
17 Fiscal year 2006:
18 (A) New budget authority,
19 \$279,466,000,000.
20 (B) Outlays, \$279,265,000,000.
21 Fiscal year 2007:
22 (A) New budget authority,
23 \$299,688,000,000.
24 (B) Outlays, \$298,766,000,000.
25 Fiscal year 2008:

1 (A) New budget authority,
2 \$322,192,000,000.

3 (B) Outlays, \$320,868,000,000.

4 Fiscal year 2009:

5 (A) New budget authority,
6 \$345,623,000,000.

7 (B) Outlays, \$344,139,000,000.

8 Fiscal year 2010:

9 (A) New budget authority,
10 \$370,669,000,000.

11 (B) Outlays, \$369,140,000,000.

12 Fiscal year 2011:

13 (A) New budget authority,
14 \$396,802,000,000.

15 (B) Outlays, \$395,264,000,000.

16 Fiscal year 2012:

17 (A) New budget authority,
18 \$415,777,000,000.

19 (B) Outlays, \$414,359,000,000.

20 Fiscal year 2013:

21 (A) New budget authority,
22 \$445,554,000,000.

23 (B) Outlays, \$444,147,000,000.

24 (12) Medicare (570):

25 Fiscal year 2003:

1 (A) New budget authority,
2 \$248,586,000,000.
3 (B) Outlays, \$248,434,000,000.
4 Fiscal year 2004:
5 (A) New budget authority,
6 \$265,178,000,000.
7 (B) Outlays, \$265,443,000,000.
8 Fiscal year 2005:
9 (A) New budget authority,
10 \$282,869,000,000.
11 (B) Outlays, \$285,817,000,000.
12 Fiscal year 2006:
13 (A) New budget authority,
14 \$322,045,000,000.
15 (B) Outlays, \$318,806,000,000.
16 Fiscal year 2007:
17 (A) New budget authority,
18 \$344,178,000,000.
19 (B) Outlays, \$344,448,000,000.
20 Fiscal year 2008:
21 (A) New budget authority,
22 \$369,577,000,000.
23 (B) Outlays, \$369,452,000,000.
24 Fiscal year 2009:

1 (A) New budget authority,
2 \$395,685,000,000.

3 (B) Outlays, \$395,424,000,000.

4 Fiscal year 2010:

5 (A) New budget authority,
6 \$422,684,000,000.

7 (B) Outlays, \$422,942,000,000.

8 Fiscal year 2011:

9 (A) New budget authority,
10 \$453,721,000,000.

11 (B) Outlays, \$457,078,000,000.

12 Fiscal year 2012:

13 (A) New budget authority,
14 \$488,367,000,000.

15 (B) Outlays, \$484,541,000,000.

16 Fiscal year 2013:

17 (A) New budget authority,
18 \$526,981,000,000.

19 (B) Outlays, \$527,237,000,000.

20 (13) Income Security (600):

21 Fiscal year 2003:

22 (A) New budget authority,
23 \$326,390,000,000.

24 (B) Outlays, \$334,169,000,000.

25 Fiscal year 2004:

1 (A) New budget authority,
2 \$319,513,000,000.

3 (B) Outlays, \$324,701,000,000.

4 Fiscal year 2005:

5 (A) New budget authority,
6 \$333,810,000,000.

7 (B) Outlays, \$337,157,000,000.

8 Fiscal year 2006:

9 (A) New budget authority,
10 \$341,805,000,000.

11 (B) Outlays, \$344,322,000,000.

12 Fiscal year 2007:

13 (A) New budget authority,
14 \$349,191,000,000.

15 (B) Outlays, \$350,983,000,000.

16 Fiscal year 2008:

17 (A) New budget authority,
18 \$362,006,000,000.

19 (B) Outlays, \$363,115,000,000.

20 Fiscal year 2009:

21 (A) New budget authority,
22 \$373,681,000,000.

23 (B) Outlays, \$374,384,000,000.

24 Fiscal year 2010:

1 (A) New budget authority,
2 \$385,152,000,000.
3 (B) Outlays, \$385,671,000,000.
4 Fiscal year 2011:
5 (A) New budget authority,
6 \$400,573,000,000.
7 (B) Outlays, \$401,003,000,000.
8 Fiscal year 2012:
9 (A) New budget authority,
10 \$404,045,000,000.
11 (B) Outlays, \$404,453,000,000.
12 Fiscal year 2013:
13 (A) New budget authority,
14 \$418,978,000,000.
15 (B) Outlays, \$419,551,000,000.
16 (14) Social Security (650):
17 Fiscal year 2003:
18 (A) New budget authority,
19 \$13,255,000,000.
20 (B) Outlays, \$13,255,000,000.
21 Fiscal year 2004:
22 (A) New budget authority,
23 \$14,294,000,000.
24 (B) Outlays, \$14,293,000,000.
25 Fiscal year 2005:

1 (A) New budget authority,
2 \$15,471,000,000.
3 (B) Outlays, \$15,471,000,000.
4 Fiscal year 2006:
5 (A) New budget authority,
6 \$16,421,000,000.
7 (B) Outlays, \$16,421,000,000.
8 Fiscal year 2007:
9 (A) New budget authority,
10 \$17,919,000,000.
11 (B) Outlays, \$17,919,000,000.
12 Fiscal year 2008:
13 (A) New budget authority,
14 \$19,704,000,000.
15 (B) Outlays, \$19,704,000,000.
16 Fiscal year 2009:
17 (A) New budget authority,
18 \$21,810,000,000.
19 (B) Outlays, \$21,810,000,000.
20 Fiscal year 2010:
21 (A) New budget authority,
22 \$24,283,000,000.
23 (B) Outlays, \$24,283,000,000.
24 Fiscal year 2011:

1 (A) New budget authority,
2 \$28,170,000,000.

3 (B) Outlays, \$28,170,000,000.

4 Fiscal year 2012:

5 (A) New budget authority,
6 \$31,357,000,000.

7 (B) Outlays, \$31,357,000,000.

8 Fiscal year 2013:

9 (A) New budget authority,
10 \$34,347,000,000.

11 (B) Outlays, \$34,347,000,000.

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

13 Fiscal year 2003:

14 (A) New budget authority,
15 \$57,597,000,000.

16 (B) Outlays, \$57,486,000,000.

17 Fiscal year 2004:

18 (A) New budget authority,
19 \$63,773,000,000.

20 (B) Outlays, \$63,200,000,000.

21 Fiscal year 2005:

22 (A) New budget authority,
23 \$67,125,000,000.

24 (B) Outlays, \$66,530,000,000.

25 Fiscal year 2006:

1 (A) New budget authority,
2 \$65,388,000,000.
3 (B) Outlays, \$64,970,000,000.
4 Fiscal year 2007:
5 (A) New budget authority,
6 \$63,859,000,000.
7 (B) Outlays, \$63,416,000,000.
8 Fiscal year 2008:
9 (A) New budget authority,
10 \$67,645,000,000.
11 (B) Outlays, \$67,374,000,000.
12 Fiscal year 2009:
13 (A) New budget authority,
14 \$69,254,000,000.
15 (B) Outlays, \$68,899,000,000.
16 Fiscal year 2010:
17 (A) New budget authority,
18 \$70,967,000,000.
19 (B) Outlays, \$70,563,000,000.
20 Fiscal year 2011:
21 (A) New budget authority,
22 \$75,643,000,000.
23 (B) Outlays, \$75,223,000,000.
24 Fiscal year 2012:

1 (A) New budget authority,
2 \$72,592,000,000.
3 (B) Outlays, \$72,071,000,000.
4 Fiscal year 2013:
5 (A) New budget authority,
6 \$77,429,000,000.
7 (B) Outlays, \$76,963,000,000.
8 (16) Administration of Justice (750):
9 Fiscal year 2003:
10 (A) New budget authority,
11 \$38,543,000,000.
12 (B) Outlays, \$37,712,000,000.
13 Fiscal year 2004:
14 (A) New budget authority,
15 \$37,607,000,000.
16 (B) Outlays, \$40,769,000,000.
17 Fiscal year 2005:
18 (A) New budget authority,
19 \$37,927,000,000.
20 (B) Outlays, \$39,174,000,000.
21 Fiscal year 2006:
22 (A) New budget authority,
23 \$37,965,000,000.
24 (B) Outlays, \$38,310,000,000.
25 Fiscal year 2007:

1 (A) New budget authority,
2 \$38,442,000,000.
3 (B) Outlays, \$38,233,000,000.
4 Fiscal year 2008:
5 (A) New budget authority,
6 \$39,458,000,000.
7 (B) Outlays, \$39,109,000,000.
8 Fiscal year 2009:
9 (A) New budget authority,
10 \$40,478,000,000.
11 (B) Outlays, \$40,193,000,000.
12 Fiscal year 2010:
13 (A) New budget authority,
14 \$41,580,000,000.
15 (B) Outlays, \$41,280,000,000.
16 Fiscal year 2011:
17 (A) New budget authority,
18 \$42,870,000,000.
19 (B) Outlays, \$42,453,000,000.
20 Fiscal year 2012:
21 (A) New budget authority,
22 \$44,188,000,000.
23 (B) Outlays, \$43,741,000,000.
24 Fiscal year 2013:

1 (A) New budget authority,
2 \$45,557,000,000.
3 (B) Outlays, \$45,101,000,000.
4 (17) General Government (800):
5 Fiscal year 2003:
6 (A) New budget authority,
7 \$18,195,000,000.
8 (B) Outlays, \$18,120,000,000.
9 Fiscal year 2004:
10 (A) New budget authority,
11 \$20,012,000,000.
12 (B) Outlays, \$19,876,000,000.
13 Fiscal year 2005:
14 (A) New budget authority,
15 \$20,341,000,000.
16 (B) Outlays, \$20,420,000,000.
17 Fiscal year 2006:
18 (A) New budget authority,
19 \$22,396,000,000.
20 (B) Outlays, \$22,225,000,000.
21 Fiscal year 2007:
22 (A) New budget authority,
23 \$21,147,000,000.
24 (B) Outlays, \$20,897,000,000.
25 Fiscal year 2008:

1 (A) New budget authority,
2 \$21,646,000,000.
3 (B) Outlays, \$21,423,000,000.
4 Fiscal year 2009:
5 (A) New budget authority,
6 \$21,957,000,000.
7 (B) Outlays, \$21,515,000,000.
8 Fiscal year 2010:
9 (A) New budget authority,
10 \$22,706,000,000.
11 (B) Outlays, \$22,223,000,000.
12 Fiscal year 2011:
13 (A) New budget authority,
14 \$23,469,000,000.
15 (B) Outlays, \$22,957,000,000.
16 Fiscal year 2012:
17 (A) New budget authority,
18 \$24,267,000,000.
19 (B) Outlays, \$23,892,000,000.
20 Fiscal year 2013:
21 (A) New budget authority,
22 \$25,138,000,000.
23 (B) Outlays, \$24,582,000,000.
24 (18) Net Interest (900):
25 Fiscal year 2003:

1 (A) New budget authority,
2 \$239,725,000,000.

3 (B) Outlays, \$239,725,000,000.

4 Fiscal year 2004:

5 (A) New budget authority,
6 \$256,691,000,000.

7 (B) Outlays, \$256,691,000,000.

8 Fiscal year 2005:

9 (A) New budget authority,
10 \$304,696,000,000.

11 (B) Outlays, \$304,696,000,000.

12 Fiscal year 2006:

13 (A) New budget authority,
14 \$344,317,000,000.

15 (B) Outlays, \$344,317,000,000.

16 Fiscal year 2007:

17 (A) New budget authority,
18 \$371,645,000,000.

19 (B) Outlays, \$371,645,000,000.

20 Fiscal year 2008:

21 (A) New budget authority,
22 \$395,845,000,000.

23 (B) Outlays, \$395,845,000,000.

24 Fiscal year 2009:

1 (A) New budget authority,
2 \$419,610,000,000.

3 (B) Outlays, \$419,610,000,000.

4 Fiscal year 2010:

5 (A) New budget authority,
6 \$441,237,000,000.

7 (B) Outlays, \$441,237,000,000.

8 Fiscal year 2011:

9 (A) New budget authority,
10 \$464,123,000,000.

11 (B) Outlays, \$464,123,000,000.

12 Fiscal year 2012:

13 (A) New budget authority,
14 \$486,967,000,000.

15 (B) Outlays, \$486,967,000,000.

16 Fiscal year 2013:

17 (A) New budget authority,
18 \$505,881,000,000.

19 (B) Outlays, \$505,881,000,000.

20 (19) Allowances (920):

21 Fiscal year 2003:

22 (A) New budget authority, \$0.

23 (B) Outlays, \$0.

24 Fiscal year 2004:

1 (A) New budget authority,
2 – \$3,912,000,000.

3 (B) Outlays, – \$3,591,000,000.

4 Fiscal year 2005:

5 (A) New budget authority,
6 – \$2,065,000,000.

7 (B) Outlays, – \$2,201,000,000.

8 Fiscal year 2006:

9 (A) New budget authority,
10 – \$2,007,000,000.

11 (B) Outlays, – \$2,047,000,000.

12 Fiscal year 2007:

13 (A) New budget authority,
14 – \$1,929,000,000.

15 (B) Outlays, – \$1,989,000,000.

16 Fiscal year 2008:

17 (A) New budget authority,
18 – \$2,006,000,000.

19 (B) Outlays, – \$2,068,000,000.

20 Fiscal year 2009:

21 (A) New budget authority,
22 – \$7,643,000,000.

23 (B) Outlays, – \$5,178,000,000.

24 Fiscal year 2010:

1 (A) New budget authority,
2 – \$12,725,000,000.

3 (B) Outlays, – \$9,683,000,000.

4 Fiscal year 2011:

5 (A) New budget authority,
6 – \$17,815,000,000.

7 (B) Outlays, – \$14,550,000,000.

8 Fiscal year 2012:

9 (A) New budget authority,
10 – \$23,409,000,000.

11 (B) Outlays, – \$19,814,000,000.

12 Fiscal year 2013:

13 (A) New budget authority,
14 – \$28,002,000,000.

15 (B) Outlays, – \$24,749,000,000.

16 (20) Undistributed Offsetting Receipts (950):

17 Fiscal year 2003:

18 (A) New budget authority,
19 – \$41,104,000,000.

20 (B) Outlays, – \$41,104,000,000.

21 Fiscal year 2004:

22 (A) New budget authority,
23 – \$42,894,000,000.

24 (B) Outlays, – \$42,894,000,000.

25 Fiscal year 2005:

1 (A) New budget authority,
2 – \$52,608,000,000.

3 (B) Outlays, – \$52,608,000,000.

4 Fiscal year 2006:

5 (A) New budget authority,
6 – \$57,884,000,000.

7 (B) Outlays, – \$57,884,000,000.

8 Fiscal year 2007:

9 (A) New budget authority,
10 – \$49,087,000,000.

11 (B) Outlays, – \$49,087,000,000.

12 Fiscal year 2008:

13 (A) New budget authority,
14 – \$52,121,000,000.

15 (B) Outlays, – \$52,121,000,000.

16 Fiscal year 2009:

17 (A) New budget authority,
18 – \$52,962,000,000.

19 (B) Outlays, – \$52,962,000,000.

20 Fiscal year 2010:

21 (A) New budget authority,
22 – \$55,108,000,000.

23 (B) Outlays, – \$55,108,000,000.

24 Fiscal year 2011:

1 (A) New budget authority,
2 —\$57,359,000,000.

3 (B) Outlays, —\$57,359,000,000.

4 Fiscal year 2012:

5 (A) New budget authority,
6 —\$62,012,000,000.

7 (B) Outlays, —\$62,012,000,000.

8 Fiscal year 2013:

9 (A) New budget authority,
10 —\$64,358,000,000.

11 (B) Outlays, —\$64,358,000,000.

12 **SEC. 104. RECONCILIATION IN THE SENATE.**

13 (a) COMMITTEE ON ENERGY AND NATURAL RE-
14 SOURCES.—The Senate Committee on Energy and Nat-
15 ural Resources shall report a reconciliation bill not later
16 than May 1, 2003, that consists of changes in laws within
17 its jurisdiction sufficient to decrease the total level of out-
18 lays by \$2,150,000,000 for the period of fiscal years 2004
19 through 2013.

20 (b) COMMITTEE ON FINANCE.—The Senate Com-
21 mittee on Finance shall report a reconciliation bill not
22 later than April 8, 2003, that consists of changes in laws
23 within its jurisdiction sufficient to reduce revenues by not
24 more than \$698,294,000,000 and increase the total level

1 of outlays by not more than \$27,476,000,000 for the pe-
 2 riod of fiscal years 2003 through 2013.

3 **TITLE II—BUDGET ENFORCE-**
 4 **MENT AND RULEMAKING**
 5 **Subtitle A—Budget Enforcement**

6 **SEC. 201. EXTENSION OF SUPERMAJORITY ENFORCEMENT.**

7 (a) IN GENERAL.—Notwithstanding any provision of
 8 the Congressional Budget Act of 1974, subsections (c)(2)
 9 and (d)(3) of section 904 of the Congressional Budget Act
 10 of 1974 shall remain in effect for purposes of Senate en-
 11 forcement through September 30, 2008.

12 (b) REPEAL.—Senate Resolution 304, agreed to Oc-
 13 tober 16, 2002 (107th Congress), is repealed.

14 **SEC. 202. DISCRETIONARY SPENDING LIMITS IN THE SEN-**
 15 **ATE.**

16 (a) DISCRETIONARY SPENDING LIMITS.—In the Sen-
 17 ate and as used in this section, the term “discretionary
 18 spending limit” means—

19 (1) for fiscal year 2003—

20 (A) \$764,360,000,000 in new budget au-
 21 thority and \$766,867,000,000 in outlays for the
 22 discretionary category;

23 (B) for the highway category,
 24 \$31,264,000,000 in outlays; and

1 (C) for the mass transit category,
2 \$1,436,000,000 in new budget authority, and
3 \$6,551,000,000 in outlays;

4 (2) for fiscal year 2004—

5 (A) \$782,794,000,000 in new budget au-
6 thority and \$795,542,000,000 in outlays for the
7 discretionary category;

8 (B) for the highway category,
9 \$31,095,000,000 in outlays; and

10 (C) for the mass transit category,
11 \$1,461,000,000 in new budget authority, and
12 \$6,634,000,000 in outlays; and

13 (3) for fiscal year 2005—

14 (A) \$813,322,000,000 in new budget au-
15 thority, and \$811,174,000,000 in outlays for
16 the discretionary category;

17 (B) for the highway category,
18 \$32,034,000,000 in outlays; and

19 (C) for the mass transit category
20 \$1,488,000,000 in new budget authority, and
21 \$6,726,000,000 in outlays;

22 as adjusted in conformance with subsection (b).

23 (b) ADJUSTMENTS.—

24 (1) IN GENERAL.—

1 (A) CHAIRMAN.—After the reporting of a
2 bill or joint resolution, the offering of an
3 amendment thereto, or the submission of a con-
4 ference report thereon, the chairman of the
5 Committee on the Budget may make the ad-
6 justments set forth in subparagraph (B) for the
7 amount of new budget authority in that meas-
8 ure (if that measure meets the requirements set
9 forth in paragraph (2)) and the outlays flowing
10 from that budget authority.

11 (B) MATTERS TO BE ADJUSTED.—The ad-
12 justments referred to in subparagraph (A) are
13 to be made to—

14 (i) the discretionary spending limits, if
15 any, set forth in the appropriate concur-
16 rent resolution on the budget;

17 (ii) the allocations made pursuant to
18 the appropriate concurrent resolution on
19 the budget pursuant to section 302(a); and

20 (iii) the budgetary aggregates as set
21 forth in the appropriate concurrent resolu-
22 tion on the budget.

23 (2) AMOUNTS OF ADJUSTMENTS.—The adjust-
24 ment referred to in paragraph (1) shall be—

1 (A) an amount provided and designated as
2 an emergency requirement pursuant to section
3 204;

4 (B) an amount authorized for grants to
5 States under part B of the Individuals with
6 Disabilities Education Act as provided for in
7 section 211; and

8 (C) an amount provided for transportation
9 under section 212.

10 (3) APPLICATION OF ADJUSTMENTS.—The ad-
11 justments made for legislation pursuant to para-
12 graph (1) shall—

13 (A) apply while that legislation is under
14 consideration;

15 (B) take effect upon the enactment of that
16 legislation; and

17 (C) be published in the Congressional
18 Record as soon as practicable.

19 (4) REPORTING REVISED SUBALLOCATIONS.—
20 Following any adjustment made under paragraph
21 (1), the Committees on Appropriations of the Senate
22 shall report appropriately revised suballocations
23 under section 302(b) to carry out this subsection.

1 **SEC. 203. RESTRICTIONS ON ADVANCE APPROPRIATIONS IN**
2 **THE SENATE.**

3 (a) IN GENERAL.—Except as provided in subsection
4 (b), it shall not be in order in the Senate to consider any
5 reported bill or joint resolution, or amendment thereto or
6 conference report thereon, that would provide an advance
7 appropriation.

8 (b) EXCEPTION.—An advance appropriation may be
9 provided—

10 (1) for fiscal years 2005 and 2006 for pro-
11 grams, projects, activities, or accounts identified in
12 the joint explanatory statement of managers accom-
13 panying this resolution under the heading “Accounts
14 Identified for Advance Appropriations” in an aggre-
15 gate amount not to exceed \$23,158,000,000 in new
16 budget authority in each year; and

17 (2) for the Corporation for Public Broad-
18 casting.

19 (c) APPLICATION OF POINT OF ORDER IN THE SEN-
20 ATE.—

21 (1) WAIVER AND APPEAL.—In the Senate, sub-
22 section (a) may be waived or suspended only by an
23 affirmative vote of three-fifths of the Members, duly
24 chosen and sworn. An affirmative vote of three-fifths
25 of the Members of the Senate, duly chosen and
26 sworn, shall be required to sustain an appeal of the

1 ruling of the Chair on a point of order raised under
2 subsection (a).

3 (2) FORM OF THE POINT OF ORDER.—A point
4 of order under subsection (a) may be raised by a
5 Senator as provided in section 313(e) of the Con-
6 gressional Budget Act of 1974.

7 (3) CONFERENCE REPORTS.—If a point of
8 order is sustained under subsection (a) against a
9 conference report in the Senate, the report shall be
10 disposed of as provided in section 313(d) of the Con-
11 gressional Budget Act of 1974.

12 (d) DEFINITION.—In this section, the term “advance
13 appropriation” means any discretionary new budget au-
14 thority in a bill or joint resolution making general appro-
15 priations or continuing appropriations for fiscal year 2004
16 that first becomes available for any fiscal year after 2004
17 or making general appropriations or continuing appropria-
18 tions for fiscal year 2005 that first becomes available for
19 any fiscal year after 2005.

20 **SEC. 204. EMERGENCY LEGISLATION.**

21 (a) AUTHORITY TO DESIGNATE.—If a provision of
22 direct spending or receipts legislation is enacted or if ap-
23 propriations for discretionary accounts are enacted that
24 the President designates as an emergency requirement
25 and that the Congress so designates in statute, the

1 amounts of new budget authority, outlays, and receipts in
2 all fiscal years resulting from that provision shall be des-
3 ignated as an emergency requirement for the purpose of
4 this resolution.

5 (b) DESIGNATIONS.—

6 (1) GUIDANCE.—If a provision of legislation is
7 designated as an emergency requirement under sub-
8 section (a), the committee report and any statement
9 of managers accompanying that legislation shall ana-
10 lyze whether a proposed emergency requirement
11 meets all the criteria in paragraph (2).

12 (2) CRITERIA.—

13 (A) IN GENERAL.—The criteria to be con-
14 sidered in determining whether a proposed ex-
15 penditure or tax change is an emergency re-
16 quirement are that the expenditure or tax
17 change is—

18 (i) necessary, essential, or vital (not
19 merely useful or beneficial);

20 (ii) sudden, quickly coming into being,
21 and not building up over time;

22 (iii) an urgent, pressing, and compell-
23 ing need requiring immediate action;

1 (iv) subject to subparagraph (B), un-
2 foreseen, unpredictable, and unanticipated;
3 and

4 (v) not permanent, temporary in na-
5 ture.

6 (B) UNFORESEEN.—An emergency that is
7 part of an aggregate level of anticipated emer-
8 gencies, particularly when normally estimated in
9 advance, is not unforeseen.

10 (3) JUSTIFICATION FOR USE OF DESIGNA-
11 TION.—When an emergency designation is proposed
12 in any bill, joint resolution, or conference report
13 thereon, the committee report and the statement of
14 managers accompanying a conference report, as the
15 case may be, shall provide a written justification of
16 why the provision meets the criteria set forth in
17 paragraph (2).

18 (c) DEFINITIONS.—In this section, the terms “direct
19 spending”, “receipts”, and “appropriations for discre-
20 tionary accounts” means any provision of a bill, joint reso-
21 lution, amendment, motion or conference report that af-
22 fects direct spending, receipts, or appropriations as those
23 terms have been defined and interpreted for purposes of
24 the Balanced Budget and Emergency Deficit Control Act
25 of 1985.

1 (d) POINT OF ORDER.—When the Senate is consid-
2 ering a bill, resolution, amendment, motion, or conference
3 report, a point of order may be made by a Senator against
4 an emergency designation in that measure and if the Pre-
5 siding Officer sustains that point of order, that provision
6 making such a designation shall be stricken from the
7 measure and may not be offered as an amendment from
8 the floor.

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

16 (f) DEFINITION OF AN EMERGENCY REQUIRE-
17 MENT.—A provision shall be considered an emergency des-
18 ignation if it designates any item as an emergency require-
19 ment pursuant to subsection (a).

20 (g) FORM OF THE POINT OF ORDER.—A point of
21 order under this section may be raised by a Senator as
22 provided in section 313(e) of the Congressional Budget
23 Act of 1974.

24 (h) CONFERENCE REPORTS.—If a point of order is
25 sustained under this section against a conference report,

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

3 (i) EXCEPTION FOR DEFENSE AND HOMELAND SE-
4 CURITY SPENDING.—Subsection (d) shall not apply
5 against an emergency designation for a provision making
6 discretionary appropriations in the defense category and
7 for homeland security programs.

8 **SEC. 205. PAY-AS-YOU-GO POINT OF ORDER IN THE SENATE.**

9 (a) POINT OF ORDER.—

10 (1) IN GENERAL.—It shall not be in order in
11 the Senate to consider any direct spending or rev-
12 enue legislation that would increase the on-budget
13 deficit or cause an on-budget deficit for any one of
14 the three applicable time periods as measured in
15 paragraphs (5) and (6).

16 (2) APPLICABLE TIME PERIODS.—For purposes
17 of this subsection, the term “applicable time period”
18 means any 1 of the 3 following periods:

19 (A) The first year covered by the most re-
20 cently adopted concurrent resolution on the
21 budget.

22 (B) The period of the first 5 fiscal years
23 covered by the most recently adopted concur-
24 rent resolution on the budget.

1 (C) The period of the 5 fiscal years fol-
2 lowing the first 5 fiscal years covered in the
3 most recently adopted concurrent resolution on
4 the budget.

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

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

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

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

23 (5) BASELINE.—Estimates prepared pursuant
24 to this section shall—

1 (A) use the baseline surplus or deficit used
2 for the most recently adopted concurrent resolu-
3 tion on the budget as adjusted for any changes
4 in revenues or direct spending assumed by such
5 resolution; and

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

12 (6) PRIOR SURPLUS.—If direct spending or rev-
13 enue legislation increases the on-budget deficit or
14 causes an on-budget deficit when taken individually,
15 it must also increase the on-budget deficit or cause
16 an on-budget deficit when taken together with all di-
17 rect spending and revenue legislation enacted since
18 the beginning of the calendar year not accounted for
19 in the baseline under paragraph (5)(A), except that
20 direct spending or revenue effects resulting in net
21 deficit reduction enacted pursuant to reconciliation
22 instructions since the beginning of that same cal-
23 endar year shall not be available.

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

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

13 (d) DETERMINATION OF BUDGET LEVELS.—For
 14 purposes of this section, the levels of new budget author-
 15 ity, outlays, and revenues for a fiscal year shall be deter-
 16 mined on the basis of estimates made by the Committee
 17 on the Budget of the Senate.

18 (e) SUNSET.—This section shall expire on September
 19 30, 2008.

20 **Subtitle B—Reserve Funds and** 21 **Other Adjustments**

22 **SEC. 211. ADJUSTMENT FOR SPECIAL EDUCATION.**

23 (a) IN GENERAL.—In the Senate, if the Committee
 24 on Health, Education, Labor, and Pensions reports a bill
 25 or joint resolution, and such measure is enacted in 2003

1 that reauthorizes grants to States under part B of the
2 Individuals with Disabilities Education Act (IDEA) and
3 reforms IDEA so as to provide an allowance of uniform
4 discipline policies for all students; provide local fiscal re-
5 lief; and minimize the over-identification of students with
6 disabilities, the chairman of the Committee on the Budget
7 may make the revisions set out in subsection (b).

8 (b) REVISIONS.—

9 (1) FISCAL YEAR 2004.—If the Committee on
10 Appropriations reports a bill or joint resolution, or
11 if an amendment thereto is offered or a conference
12 report thereon is submitted, that provides in excess
13 of \$4,803,000,000 in new budget authority for fiscal
14 year 2004 for grants to States authorized under
15 part B of IDEA as described in subsection (a), the
16 chairman of the Committee on the Budget may re-
17 vise the appropriate allocations for such committee
18 and other appropriate levels in this resolution by
19 that excess amount provided by that measure for
20 that purpose, but not to exceed \$205,000,000 in new
21 budget authority for fiscal year 2004 and outlays
22 flowing therefrom.

23 (2) FISCAL YEAR 2005.—If the Committee on
24 Appropriations reports a bill or joint resolution, or
25 if an amendment thereto is offered or a conference

1 report thereon is submitted, that when combined
2 with any advance appropriation provided for 2005
3 for part B of IDEA in a bill or joint resolution mak-
4 ing appropriations for fiscal year 2004, provides in
5 excess of \$11,038,000,000 in new budget authority
6 for fiscal year 2005 for grants to States authorized
7 under part B of IDEA as described in subsection
8 (a), the chairman of the Committee on the Budget
9 may revise the appropriate allocations for such com-
10 mittee and other appropriate levels in this resolution
11 by that excess amount provided by that measure for
12 that purpose, but not to exceed \$209,000,000 in new
13 budget authority for fiscal year 2005 and outlays
14 flowing therefrom.

15 **SEC. 212. ADJUSTMENT FOR HIGHWAYS AND HIGHWAY**
16 **SAFETY AND TRANSIT.**

17 In the Senate, if the Committee on Environment and
18 Public Works, or the Committee on Banking, Housing,
19 and Urban Affairs, or the Committee on Commerce,
20 Science, and Transportation reports a bill or joint resolu-
21 tion, or if an amendment thereto is offered or a conference
22 report thereon is submitted, that reauthorizes the pro-
23 grams set out in the Transportation Equity Act for the
24 21st Century and that legislation provides new govern-
25 mental receipts reported from the Committee on Finance,

1 the chairman of the Committee on the Budget, may revise
2 committee allocations for the appropriate committees and
3 the transportation limits in section 202 by an amount con-
4 sistent with the level of new receipts.

5 **SEC. 213. RESERVE FUND FOR MEDICARE.**

6 If the Committee on Finance of the Senate reports
7 a bill or joint resolution, or an amendment is offered
8 thereto, or a conference report thereon is submitted, which
9 strengthens and enhances the Medicare Program under
10 title XVIII of the Social Security Act (42 U.S.C. 1395
11 et seq.) and improves the access of beneficiaries under
12 that program to prescription drugs or promotes geo-
13 graphic equity payments, the chairman of the Committee
14 on the Budget, may revise committee allocations for that
15 committee and other appropriate budgetary aggregates
16 and allocations of new budget authority (and the outlays
17 resulting therefrom) in this resolution by the amount pro-
18 vided by that measure for that purpose, but not to exceed
19 \$400,000,000,000 for the period of fiscal years 2004
20 through 2013.

21 **SEC. 214. RESERVE FUND FOR HEALTH INSURANCE FOR**
22 **THE UNINSURED.**

23 If the Committee on Finance of the Senate reports
24 a bill or joint resolution, or an amendment thereto is of-
25 fered, or a conference report thereon is submitted, that

1 provides health insurance for the uninsured (including a
2 measure providing for tax deductions for the purchase of
3 health insurance for, among others, moderate income indi-
4 viduals not receiving health insurance from their employ-
5 ers), the chairman of the Committee on the Budget may
6 revise committee allocations for that committee and other
7 appropriate budgetary aggregates and allocations of new
8 budget authority (and the outlays resulting therefrom)
9 and may revise the revenue aggregates and other appro-
10 priate budgetary aggregates and allocations in this resolu-
11 tion by the amount provided by that measure for that pur-
12 pose, but not to exceed \$50,000,000,000 for the period
13 of fiscal years 2004 through 2013.

14 **SEC. 215. RESERVE FUND FOR CHILDREN WITH SPECIAL**
15 **NEEDS.**

16 If the Committee on Finance of the Senate reports
17 a bill or joint resolution, or if an amendment thereto is
18 offered or a conference report thereon is submitted, that
19 provides States with the option to expand Medicaid cov-
20 erage for children with special needs, allowing families of
21 disabled children to purchase coverage under the Medicaid
22 Program for such children, the chairman of the Committee
23 on the Budget may revise committee allocations for that
24 committee and other appropriate budgetary aggregates
25 and allocations of new budget authority (and the outlays

1 resulting therefrom) in this resolution by the amount pro-
2 vided by that measure for that purpose, but not to exceed
3 \$43,000,000 in new budget authority and \$42,000,000 in
4 outlays for fiscal year 2004, and \$7,462,000,000 in new
5 budget authority and \$7,262,000,000 in outlays for the
6 period of fiscal years 2004 through 2013.

7 **SEC. 216. RESERVE FUND FOR MEDICAID REFORM.**

8 If the Committee on Finance of the Senate reports
9 a bill or joint resolution, or if an amendment thereto is
10 offered or a conference report thereon is submitted, that
11 provides significant reform of the Medicaid Program
12 through an option for the States to receive their Medicaid
13 and SCHIP money in an allotment that would be indexed
14 at predetermined rates, the chairman of the Committee
15 on the Budget may revise committee allocations for that
16 committee and other appropriate budgetary aggregates
17 and allocations of new budget authority (and the outlays
18 resulting therefrom) in this resolution by the amount pro-
19 vided by that measure for that purpose, but not to exceed
20 \$3,258,000,000 in new budget authority and outlays for
21 fiscal year 2004, and \$8,944,000,000 in new budget au-
22 thority and outlays for the period of fiscal years 2004
23 through 2008, and not more than \$12,782,000,000 in
24 budget authority and outlays for the period of fiscal years
25 2004 through 2010 provided further that the legislation

1 would not increase the deficit over the period of fiscal
2 years 2004 through 2013.

3 **SEC. 217. RESERVE FUND FOR PROJECT BIOSHIELD.**

4 If the Committee on Health, Education, Labor, and
5 Pensions of the Senate reports a bill or joint resolution,
6 or if an amendment thereto is offered or a conference re-
7 port thereon is submitted, that will facilitate procurement
8 for inclusion by the Secretary of Health and Human Serv-
9 ices in the Strategic National Stockpile of counter-
10 measures necessary to protect the public health from cur-
11 rent and emerging threats of chemical, biological, radio-
12 logical, or nuclear agents, the chairman of the Committee
13 on the Budget may revise committee allocations for that
14 committee and other appropriate budgetary aggregates
15 and allocations of new budget authority (and the outlays
16 resulting therefrom) in this resolution by the amount pro-
17 vided by that measure for that purpose, but not to exceed
18 \$890,000,000 in new budget authority and \$575,000,000
19 in outlays for fiscal year 2004, and \$5,593,000,000 in new
20 budget authority and \$5,593,000,000 in outlays for the
21 period of fiscal years 2004 through 2013.

22 **SEC. 218. RESERVE FUND FOR STATESIDE GRANT PRO-**
23 **GRAM.**

24 (a) **CONDITION.**—If the Committee on Energy and
25 Natural Resources of the Senate reports a bill or joint res-

1 olution that permits exploration and production of oil in
2 the 1002 Area of the Arctic National Wildlife Refuge and
3 such measure is enacted, the chairman of the Committee
4 on the Budget of the Senate may make the adjustments
5 described in subsection (b).

6 (b) ADJUSTMENT FOR THE LAND AND WATER CON-
7 SERVATION FUND STATE GRANT PROGRAM.—If the Com-
8 mittee on Energy and Natural Resources of the Senate
9 reports a bill or joint resolution, or if an amendment
10 thereto is offered or a conference report thereon is sub-
11 mitted that makes available a portion of the receipts re-
12 sulting from enactment of the legislation described in sub-
13 section (a) for the National Park Service Stateside Grant
14 Program which is currently funded as a part of the Land
15 and Water Conservation Fund, the chairman of the Com-
16 mittee on the Budget may revise committee allocations for
17 that committee and other appropriate budgetary aggre-
18 gates and allocations of new budget authority (and the
19 outlays resulting therefrom) in this resolution by the
20 amount provided by that measure for that purpose, but
21 not to exceed \$750,000,000 in new budget authority (and
22 the outlays flowing therefrom) for the period of fiscal
23 years 2004 through 2008 and \$2,000,000,000 in new
24 budget authority (and the outlays flowing therefrom) for
25 the period of fiscal years 2004 through 2013, provided

1 further that no funds become available prior to fiscal year
2 2006 and the amount of funds made available in any sin-
3 gle fiscal year does not exceed \$250,000,000 per year.

4 **SEC. 219. RESERVE FUND FOR STATE CHILDREN'S HEALTH**
5 **INSURANCE PROGRAM.**

6 If the Committee on Finance of the Senate reports
7 a bill or joint resolution, or if an amendment thereto is
8 offered or a conference report thereon is submitted, that
9 extends the availability of fiscal year 1998 and 1999 ex-
10 pired State Children's Health Insurance Program allot-
11 ments and the expiring fiscal year 2000 allotments, the
12 chairman of the Committee on the Budget may revise
13 committee allocations for that committee and other appro-
14 priate budgetary aggregates and allocations of new budget
15 authority (and the outlays resulting therefrom) in this res-
16 olution by the amount provided by that measure for that
17 purpose, but not to exceed \$1,260,000,000 in new budget
18 authority and \$85,000,000 in outlays for fiscal year 2003,
19 \$1,330,000,000 in new budget authority and
20 \$85,000,000,000 in outlays for fiscal year 2004,
21 \$1,950,000,000 in new budget authority and
22 \$845,000,000 in outlays for the period of fiscal years 2003
23 through 2008, and \$1,825,000,000 in new budget author-
24 ity and \$975,000,000 in outlays for the period of fiscal
25 years 2003 through 2013.

1 **Subtitle C—Miscellaneous**
2 **Provisions**

3 **SEC. 221. ADJUSTMENTS TO REFLECT CHANGES IN CON-**
4 **CEPTS AND DEFINITIONS.**

5 In the Senate, upon the enactment of a bill or joint
6 resolution providing for a change in concepts or defini-
7 tions, the Chairman of the Committee on the Budget shall
8 make adjustments to the levels and allocations in this res-
9 olution in accordance with section 251(b) of the Balanced
10 Budget and Emergency Deficit Control Act of 1985 (as
11 in effect prior to September 30, 2002).

12 **SEC. 222. APPLICATION AND EFFECT OF CHANGES IN ALLO-**
13 **CATIONS AND AGGREGATES.**

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

16 (1) apply while that measure is under consider-
17 ation;

18 (2) take effect upon the enactment of that
19 measure; and

20 (3) be published in the Congressional Record as
21 soon as practicable.

22 (b) EFFECT OF CHANGED ALLOCATIONS AND AG-
23 GREGATES.—Revised allocations and aggregates resulting
24 from these adjustments shall be considered for the pur-

1 poses of the Congressional Budget Act of 1974 as alloca-
2 tions and aggregates contained in this resolution.

3 (c) BUDGET COMMITTEE DETERMINATIONS.—For
4 purposes of this resolution—

5 (1) the levels of new budget authority, outlays,
6 direct spending, new entitlement authority, revenues,
7 deficits, and surpluses for a fiscal year or period of
8 fiscal years shall be determined on the basis of esti-
9 mates made by the Committees on the Budget of the
10 House of Representatives and the Senate; and

11 (2) such chairman, as applicable, may make
12 any other necessary adjustments to such levels to
13 carry out this resolution.

14 **SEC. 223. EXERCISE OF RULEMAKING POWERS.**

15 Congress adopts the provisions of this title—

16 (1) as an exercise of the rulemaking power of
17 the Senate and the House of Representatives, re-
18 spectively, and as such they shall be considered as
19 part of the rules of each House, or of that House
20 to which they specifically apply, and such rules shall
21 supersede other rules only to the extent that they
22 are inconsistent therewith; and

23 (2) with full recognition of the constitutional
24 right of either House to change those rules (so far
25 as they relate to that House) at any time, in the

1 same manner, and to the same extent as in the case
 2 of any other rule of that House.

3 **TITLE III—SENSE OF THE**
 4 **SENATE**

5 **SEC. 301. SENSE OF THE SENATE ON FEDERAL EMPLOYEE**
 6 **PAY.**

7 (a) FINDINGS.—The Senate finds the following:

8 (1) Members of the uniformed services and ci-
 9 vilian employees of the United States make signifi-
 10 cant contributions to the general welfare of the Na-
 11 tion.

12 (2) Increases in the pay of members of the uni-
 13 formed services and of civilian employees of the
 14 United States have not kept pace with increases in
 15 the overall pay levels of workers in the private sec-
 16 tor, so that there now exists—

17 (A) a 32 percent gap between compensa-
 18 tion levels of Federal civilian employees and
 19 compensation levels of private sector workers;
 20 and

21 (B) an estimated 10 percent gap between
 22 compensation levels of members of the uni-
 23 formed services and compensation levels of pri-
 24 vate sector workers.

1 (3) The President's budget proposal for fiscal
2 year 2004 includes an average 4.1 percent pay raise
3 for military personnel.

4 (4) The Office of Management and Budget has
5 requested that Federal agencies plan their fiscal
6 year 2004 budgets with a 2 percent pay raise for ci-
7 vilian Federal employees.

8 (5) In almost every year during the past two
9 decades, there have been equal adjustments in the
10 compensation of members of the uniformed services
11 and the compensation of civilian employees of the
12 United States.

13 (b) SENSE OF THE SENATE.—It is the sense of the
14 Senate that rates of compensation for civilian employees
15 of the United States should be adjusted at the same time,
16 and in the same proportion, as are rates of compensation
17 for members of the uniformed services.

18 **SEC. 302. SENSE OF THE SENATE ON TRIBAL COLLEGES**

19 **AND UNIVERSITIES.**

20 (a) FINDINGS.—The Senate finds the following:

21 (1) More than 30,000 full- and part-time Na-
22 tive American students from 250 federally recog-
23 nized tribes nationwide attend tribal colleges and
24 Universities, a majority of whom are first-generation
25 college students.

1 (2) The colleges and universities are located in
2 rural and isolated areas and are often the only ac-
3 credited institutions of higher education in their
4 service area. While the Tribal College Act provides
5 funding solely for Indian students, the colleges serve
6 students of all ages, about 20 percent of whom are
7 non-Indian. With rare exception, tribal colleges and
8 universities do not receive operating funds from the
9 States for these non-Indian State resident students.
10 Yet, if these same students attended any other pub-
11 lic institution in their States, the State would pro-
12 vide basic operating funds to that institution.

13 (3) While Congress has been increasing the an-
14 nual appropriations for tribal colleges in recent
15 years, the President's fiscal year 2004 budget rec-
16 ommends a \$4,000,000 decrease in institutional op-
17 erating funds. The combination of annual increases
18 in enrollments, reduced Federal funding, and the ad-
19 dition of two new tribal colleges would result in a
20 devastating decrease in funding of \$540 per student
21 below the fiscal year 2003 estimate.

22 (4) Despite a \$2,000,000 increase in fiscal year
23 2003 for basic institutional operating budgets of the
24 reservation-based tribal colleges, the per Indian stu-
25 dent count (ISC) is only \$30 more than in fiscal

1 year 2002, or \$3,946, still less than $\frac{2}{3}$ of the
2 \$6,000 authorized.

3 (b) SENSE OF THE SENATE.—It is the sense of the
4 Senate that—

5 (1) this resolution recognizes the funding chal-
6 lenges faced by tribal colleges and assumes that pri-
7 ority consideration will be provided to them through
8 funding through the Tribally Controlled College or
9 University Assistance Act, the Equity in Educational
10 Land Grant Status Act, title III of the Higher Edu-
11 cation Act, and the National Science Foundation
12 Tribal College Program; and

13 (2) such priority consideration reflects Con-
14 gress' intent to continue to work toward statutory
15 Federal funding goals for the tribal colleges and uni-
16 versities.

17 **SEC. 303. SENSE OF THE SENATE REGARDING THE 504**
18 **SMALL BUSINESS CREDIT PROGRAM.**

19 (a) FINDINGS.—The Senate finds the following:

20 (1) Small businesses play a critical role in our
21 Nation and our economy and the Federal Govern-
22 ment assists that role by providing small businesses
23 with loans and loan guarantees.

24 (2) Since the enactment of the Federal Credit
25 Reform Act of 1990, the Small Business Adminis-

1 tration and the Office of Management and Budget
2 have repeatedly overestimated the subsidy cost of the
3 Small Business Administration's 7(a) and 504 credit
4 programs. Those overestimates have resulted in bor-
5 rowers and lenders having to pay higher than nec-
6 essary fees to participate in those programs.

7 (3) Last year, in response to bipartisan pres-
8 sure from the Senate Budget and Small Business
9 Committees, the administration developed a new
10 econometric model to improve the accuracy of its es-
11 timates of the cost of the 7(a) program. Consistent
12 with claims by the Senate Budget and Small Busi-
13 ness Committees, that effort resulted in the adminis-
14 tration lowering the estimated subsidy cost of the
15 7(a) program by an astounding 40 percent in 2003,
16 allowing the Federal Government to guarantee an
17 additional \$3,300,000,000 in small business loans
18 this year alone.

19 (4) Notwithstanding past assurances, the ad-
20 ministration, however, has failed to begin work on
21 an econometric model for the 504 small business
22 credit program, despite similar, chronic problems
23 with estimates of that program's costs.

24 (b) SENSE OF THE SENATE.—It is the sense of the
25 Senate that—

1 (1) the performance of the SBA and OMB in
2 administering the Federal Credit Reform Act for the
3 504 small business credit program remains unsatis-
4 factory;

5 (2) the administration should develop an econo-
6 metric model for the 504 program for use in the fis-
7 cal year 2004 appropriations cycle; and

8 (3) the Office of Management and Budget
9 should report to the Budget and Small Business
10 Committees on the progress of this work by no later
11 than June 2003.

12 **SEC. 304. SENSE OF THE SENATE REGARDING PELL**
13 **GRANTS.**

14 (a) FINDINGS.—The Senate finds the following:

15 (1) Public investment in higher education yields
16 a return of several dollars for each dollar invested.

17 (2) Higher education promotes economic oppor-
18 tunity.

19 (3) For a generation, the Federal Pell Grant
20 has served as an effective means of providing access
21 to higher education.

22 (4) Over the past decade, the Pell Grant has
23 failed to keep pace with inflation, and over the past
24 25 years, the value of the average Pell Grant has de-
25 creased substantially.

1 (5) Grant aid as a portion of student aid has
2 fallen significantly over the past 5 years.

3 (6) The percentage of freshmen attending pub-
4 lic and private 4-year institutions from families
5 whose income is below the national median has fall-
6 en since 1981.

7 (b) SENSE OF THE SENATE.—It is the sense of the
8 Senate that the levels in this resolution assume that—

9 (1) within the discretionary allocation provided
10 to the Committee on Appropriations, the maximum
11 Pell Grant award should be raised to the maximum
12 extent practicable, and funding for the Pell Grant
13 program should be higher than the level requested
14 by the President; and

15 (2) to the maximum extent practicable, Con-
16 gress should seek to increase the maximum indi-
17 vidual Federal Pell Grant award to \$9,000 by fiscal
18 year 2010.

19 **SEC. 305. SENSE OF THE SENATE REGARDING THE NA-**
20 **TIONAL GUARD.**

21 (a) FINDINGS.—The Senate finds the following:

22 (1) The Army National Guard relies heavily
23 upon thousands of full-time employees, Active
24 Guard/Reserves and Military Technicians, to ensure
25 unit readiness throughout the Army National Guard.

1 (2) These employees perform vital day-to-day
2 functions, ranging from equipment maintenance to
3 leadership and staff roles, that allow the National
4 Guard to dedicate drill weekends and annual active
5 duty training of part-time personnel to preparation
6 for the National Guard's war fighting and peacetime
7 missions.

8 (3) The role of full-time National Guard per-
9 sonnel is especially important as tens of thousands
10 of our National Guard and Reserve forces are being
11 mobilized for the ongoing fight against terrorism
12 and in preparation for a possible war with Iraq.

13 (4) When the ability to provide sufficient Active
14 Guard/Reserves and Military Technicians end
15 strength is reduced, unit readiness, as well as qual-
16 ity of life for soldiers and families, is degraded.

17 (5) The Army National Guard, with agreement
18 from the Department of Defense, requires a min-
19 imum essential requirement of 25,286 Active Guard/
20 Reserves and 26,189 Military Technicians.

21 (6) The fiscal year 2004 budget request for the
22 Army National Guard includes the minimum re-
23 quired end strengths, but provides resources suffi-
24 cient for only approximately 24,562 Active Guard/
25 Reserves and 25,702 Military Technicians, funding

1 shortfalls of \$51,200,000 and \$29,300,000, respec-
2 tively.

3 (b) SENSE OF THE SENATE.—It is the Sense of the
4 Senate that the functional totals in this resolution assume
5 that the Department of Defense will give priority to fully
6 funding the Active Guard/Reserves and Military Techni-
7 cians at least at the minimum required levels.

8 **SEC. 306. SENSE OF THE SENATE REGARDING WEAPONS OF**
9 **MASS DESTRUCTION CIVIL SUPPORT TEAMS.**

10 (a) FINDINGS.—The Senate finds the following:

11 (1) The emerging chemical, biological, and
12 other threats of the 21st century present new chal-
13 lenges to our military and to local first responders.

14 (2) Local first responders are on the front lines
15 of combating terrorism and responding to other
16 large-scale incidents.

17 (3) The National Guard's Weapons of Mass De-
18 struction Civil Support Teams (WMD-CSTs) play a
19 vital role in assisting local first responders in inves-
20 tigating and combating these new threats.

21 (4) The September 11, 2001, terrorist attacks
22 emphasize the need to have full-time WMD-CSTs in
23 each State.

24 (5) There are currently 32 full-time and 23
25 part-time WMD-CSTs.

1 (6) Section 1403 of Public Law 107–314, the
2 Bob Stump National Defense Authorization Act for
3 Fiscal Year 2003, requires the Secretary of Defense
4 to establish an additional 23 WMD–CSTs and that
5 at least one team be located in each State and terri-
6 tory of the United States.

7 (7) The President’s fiscal year 2004 budget re-
8 quest includes no funding for these additional
9 WMD–CSTs.

10 (b) SENSE OF THE SENATE.—It is the sense of the
11 Senate that—

12 (1) the functional totals in this resolution as-
13 sume that the Department of Defense should give
14 priority to fully implementing section 1403 of Public
15 Law 107–314, the Bob Stump National Defense Au-
16 thorization Act for Fiscal Year 2003; and

17 (2) the Department should increase its full-time
18 manning requirements to include the 506 additional
19 full-time National Guard personnel that will be need-
20 ed to man the 23 additional WMD–CSTs.

21 **SEC. 307. SENSE OF THE SENATE ON EMERGENCY AND DIS-**
22 **ASTER ASSISTANCE FOR LIVESTOCK AND AG-**
23 **RICULTURE PRODUCERS.**

24 (a) FINDINGS.—The Senate finds the following:

1 (1) Significant portions of the United States
2 suffered through severe drought conditions in 2000
3 and 2001.

4 (2) The economic effects of drought are long-
5 term and widespread.

6 (3) Current drought indices predict that the
7 drought will continue through 2003.

8 (4) Congress has a history of providing finan-
9 cial assistance to agricultural and livestock pro-
10 ducers for losses incurred due to drought.

11 (5) Emphasis must be placed on planning ef-
12 forts that will mitigate the negative effects of
13 drought.

14 (b) SENSE OF THE SENATE.—It is the sense of the
15 Senate that the Senate—

16 (1) develop a long-term drought plan that effec-
17 tively recognizes the reoccurring nature of drought
18 cycles and adequately support emergency and dis-
19 aster assistance to livestock and agricultural pro-
20 ducers hurt by drought; and

21 (2) establish an agricultural reserve to fund the
22 activities in paragraph (1).

Calendar No. 34

108TH CONGRESS
1ST SESSION

S. CON. RES. 23

CONCURRENT RESOLUTION

Setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

MARCH 14, 2003

Reported under the authority of the order of the Senate of March 13, 2003, and placed on the calendar