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H. CON. RES. 393

[Report No. 108–441]

Establishing the congressional budget for the United States Government for fiscal year 2005 and setting forth appropriate budgetary levels for fiscal years 2004 and 2006 through 2009.

IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 2004

Mr. NUSSLE, from the Committee on the Budget, reported the following concurrent resolution; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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CONCURRENT RESOLUTION

Establishing the congressional budget for the United States Government for fiscal year 2005 and setting forth appropriate budgetary levels for fiscal years 2004 and 2006 through 2009.

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

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2005.

(a) DECLARATION.—The Congress declares that the concurrent resolution on the budget for fiscal year 2005 is hereby established and that the appropriate budgetary levels for fiscal years 2004 and 2006 through 2009 are set forth.

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

Sec. 1. Concurrent resolution on the budget for fiscal year 2005.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

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

TITLE II—RECONCILIATION AND REPORT SUBMISSIONS

Sec. 201. Reconciliation in the House of Representatives.
Sec. 202. Submission of report on savings to be used for members of the Armed Forces in Iraq and Afghanistan.

TITLE III—RESERVE FUNDS AND CONTINGENCY PROCEDURE

Subtitle A—Reserve Funds for Legislation Assumed in Budget Aggregates

Sec. 301. Deficit-neutral reserve fund for health insurance for the uninsured.
Sec. 302. Deficit-neutral reserve fund for the Family Opportunity Act.
Sec. 303. Deficit-neutral reserve fund for Military Survivors' Benefit Plan.
Sec. 304. Reserve fund for pending legislation.

Subtitle B—Contingency Procedure

Sec. 311. Contingency procedure for surface transportation.

TITLE IV—BUDGET ENFORCEMENT

Sec. 401. Restrictions on advance appropriations.
Sec. 402. Emergency legislation.
Sec. 403. Compliance with section 13301 of the Budget Enforcement Act of 1990.
Sec. 404. Application and effect of changes in allocations and aggregates.

TITLE V—SENSE OF THE HOUSE

Sec. 501. Sense of the House on spending accountability.
Sec. 502. Sense of the House on entitlement reform.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2004 through 2009:

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

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

Fiscal year 2004: $1,272,966,000,000.

Fiscal year 2005: $1,457,215,000,000.

Fiscal year 2006: $1,619,835,000,000.

Fiscal year 2007: $1,721,568,000,000.

Fiscal year 2008: $1,818,559,000,000.

Fiscal year 2009: $1,922,133,000,000.

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

Fiscal year 2004: −$179,000,000.

Fiscal year 2005: $19,919,000,000.

Fiscal year 2006: $34,346,000,000.

Fiscal year 2007: $33,376,000,000.

Fiscal year 2008: $27,231,000,000.

Fiscal year 2009: $30,927,000,000.

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

Fiscal year 2004: $1,952,700,000,000.

Fiscal year 2005: $2,010,338,000,000.

Fiscal year 2006: $2,071,186,000,000.

Fiscal year 2007: $2,193,395,000,000.

Fiscal year 2008: $2,311,770,000,000.

Fiscal year 2009: $2,431,782,000,000.

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

Fiscal year 2004: $1,911,235,000,000.

Fiscal year 2005: $2,007,926,000,000.

Fiscal year 2006: $2,083,910,000,000.

Fiscal year 2007: $2,169,446,000,000.

Fiscal year 2008: $2,277,071,000,000.

Fiscal year 2009: $2,393,946,000,000.

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

Fiscal year 2004: $638,269,000,000.

Fiscal year 2005: $550,711,000,000.

Fiscal year 2006: $464,075,000,000.

Fiscal year 2007: $447,878,000,000.

Fiscal year 2008: $458,512,000,000.

Fiscal year 2009: $471,813,000,000.

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

Fiscal year 2004: $7,436,000,000,000.

Fiscal year 2005: $8,087,000,000,000.

Fiscal year 2006: $8,675,000,000,000.

Fiscal year 2007: $9,244,000,000,000.

Fiscal year 2008: $9,823,000,000,000.

Fiscal year 2009: $10,419,000,000,000.

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

Fiscal year 2004: $4,385,000,000,000.

Fiscal year 2005: $4,775,000,000,000.

Fiscal year 2006: $5,060,000,000,000.

Fiscal year 2007: $5,312,000,000,000.

Fiscal year 2008: $5,560,000,000,000.

Fiscal year 2009: $5,807,000,000,000.

SEC. 102. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2004 through 2009 for each major functional category are:

(1) National Defense (050):

Fiscal year 2004:

(A) New budget authority, $461,544,000,000.

(B) Outlays, $451,125,000,000.

Fiscal year 2005:

(A) New budget authority, $419,634,000,000.

(B) Outlays, $447,114,000,000.

Fiscal year 2006:

(A) New budget authority, $442,400,000,000.

(B) Outlays, $439,098,000,000.

Fiscal year 2007:

(A) New budget authority, $464,000,000,000.

(B) Outlays, $445,927,000,000.

Fiscal year 2008:

(A) New budget authority, $486,149,000,000.

(B) Outlays, $465,542,000,000.

Fiscal year 2009:

(A) New budget authority, $508,369,000,000.

(B) Outlays, $487,186,000,000.

(2) Homeland Security (100):

Fiscal year 2004:

(A) New budget authority, $29,559,000,000.

(B) Outlays, $24,834,000,000.

Fiscal year 2005:

(A) New budget authority, $34,102,000,000.

(B) Outlays, $29,997,000,000.

Fiscal year 2006:

(A) New budget authority, $33,548,000,000.

(B) Outlays, $33,298,000,000.

Fiscal year 2007:

(A) New budget authority, $35,160,000,000.

(B) Outlays, $35,635,000,000.

Fiscal year 2008:

(A) New budget authority, $36,520,000,000.

(B) Outlays, $36,979,000,000.

Fiscal year 2009:

(A) New budget authority, $40,420,000,000.

(B) Outlays, $38,401,000,000.

(3) International Affairs (150):

Fiscal year 2004:

(A) New budget authority, $43,604,000,000.

(B) Outlays, $29,281,000,000.

Fiscal year 2005:

(A) New budget authority, $26,529,000,000.

(B) Outlays, $32,848,000,000.

Fiscal year 2006:

(A) New budget authority, $27,776,000,000.

(B) Outlays, $30,017,000,000.

Fiscal year 2007:

(A) New budget authority, $27,927,000,000.

(B) Outlays, $26,714,000,000.

Fiscal year 2008:

(A) New budget authority, $28,077,000,000.

(B) Outlays, $25,323,000,000.

Fiscal year 2009:

(A) New budget authority, $28,228,000,000.

(B) Outlays, $25,099,000,000.

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

Fiscal year 2004:

(A) New budget authority, $22,822,000,000.

(B) Outlays, $21,897,000,000.

Fiscal year 2005:

(A) New budget authority, $22,813,000,000.

(B) Outlays, $22,453,000,000.

Fiscal year 2006:

(A) New budget authority, $22,927,000,000.

(B) Outlays, $22,683,000,000.

Fiscal year 2007:

(A) New budget authority, $23,042,000,000.

(B) Outlays, $22,743,000,000.

Fiscal year 2008:

(A) New budget authority, $23,157,000,000.

(B) Outlays, $22,763,000,000.

Fiscal year 2009:

(A) New budget authority, $23,274,000,000.

(B) Outlays, $22,863,000,000.

(5) Energy (270):

Fiscal year 2004:

(A) New budget authority, $2,323,000,000.

(B) Outlays, $59,000,000.

Fiscal year 2005:

(A) New budget authority, $2,863,000,000.

(B) Outlays, $1,201,000,000.

Fiscal year 2006:

(A) New budget authority, $2,604,000,000.

(B) Outlays, $1,397,000,000.

Fiscal year 2007:

(A) New budget authority, $2,583,000,000.

(B) Outlays, $1,040,000,000.

Fiscal year 2008:

(A) New budget authority, $2,629,000,000.

(B) Outlays, $662,000,000.

Fiscal year 2009:

(A) New budget authority, $2,285,000,000.

(B) Outlays, $891,000,000.

(6) Natural Resources and Environment (300):

Fiscal year 2004:

(A) New budget authority, $32,021,000,000.

(B) Outlays, $30,210,000,000.

Fiscal year 2005:

(A) New budget authority, $31,212,000,000.

(B) Outlays, $30,868,000,000.

Fiscal year 2006:

(A) New budget authority, $31,568,000,000.

(B) Outlays, $31,911,000,000.

Fiscal year 2007:

(A) New budget authority, $31,897,000,000.

(B) Outlays, $32,153,000,000.

Fiscal year 2008:

(A) New budget authority, $32,101,000,000.

(B) Outlays, $32,128,000,000.

Fiscal year 2009:

(A) New budget authority, $32,777,000,000.

(B) Outlays, $32,804,000,000.

(7) Agriculture (350):

Fiscal year 2004:

(A) New budget authority, $19,908,000,000.

(B) Outlays, $18,434,000,000.

Fiscal year 2005:

(A) New budget authority, $21,087,000,000.

(B) Outlays, $20,501,000,000.

Fiscal year 2006:

(A) New budget authority, $23,374,000,000.

(B) Outlays, $22,310,000,000.

Fiscal year 2007:

(A) New budget authority, $24,278,000,000.

(B) Outlays, $23,199,000,000.

Fiscal year 2008:

(A) New budget authority, $24,042,000,000.

(B) Outlays, $22,957,000,000.

Fiscal year 2009:

(A) New budget authority, $24,903,000,000.

(B) Outlays, $23,956,000,000.

(8) Commerce and Housing Credit (370):

Fiscal year 2004:

(A) New budget authority, $17,077,000,000.

(B) Outlays, $12,748,000,000.

Fiscal year 2005:

(A) New budget authority, $10,792,000,000.

(B) Outlays, $5,782,000,000.

Fiscal year 2006:

(A) New budget authority, $10,242,000,000.

(B) Outlays, $6,842,000,000.

Fiscal year 2007:

(A) New budget authority, $9,727,000,000.

(B) Outlays, $4,769,000,000.

Fiscal year 2008:

(A) New budget authority, $9,705,000,000.

(B) Outlays, $3,190,000,000.

Fiscal year 2009:

(A) New budget authority, $9,580,000,000.

(B) Outlays, $2,740,000,000.

(9) Transportation (400):

Fiscal year 2004:

(A) New budget authority, $62,937,000,000.

(B) Outlays, $59,280,000,000.

Fiscal year 2005:

(A) New budget authority, $65,021,000,000.

(B) Outlays, $61,988,000,000.

Fiscal year 2006:

(A) New budget authority, $66,075,000,000.

(B) Outlays, $64,204,000,000.

Fiscal year 2007:

(A) New budget authority, $68,263,000,000.

(B) Outlays, $66,131,000,000.

Fiscal year 2008:

(A) New budget authority, $69,578,000,000.

(B) Outlays, $67,545,000,000.

Fiscal year 2009:

(A) New budget authority, $70,445,000,000.

(B) Outlays, $68,452,000,000.

(10) Community and Regional Development (450):

Fiscal year 2004:

(A) New budget authority, $13,758,000,000.

(B) Outlays, $15,443,000,000.

Fiscal year 2005:

(A) New budget authority, $11,867,000,000.

(B) Outlays, $14,233,000,000.

Fiscal year 2006:

(A) New budget authority, $11,655,000,000.

(B) Outlays, $12,484,000,000.

Fiscal year 2007:

(A) New budget authority, $11,715,000,000.

(B) Outlays, $11,616,000,000.

Fiscal year 2008:

(A) New budget authority, $11,692,000,000.

(B) Outlays, $11,392,000,000.

Fiscal year 2009:

(A) New budget authority, $11,752,000,000.

(B) Outlays, $11,510,000,000.

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

Fiscal year 2004:

(A) New budget authority, $89,463,000,000.

(B) Outlays, $86,405,000,000.

Fiscal year 2005:

(A) New budget authority, $92,523,000,000.

(B) Outlays, $90,492,000,000.

Fiscal year 2006:

(A) New budget authority, $93,596,000,000.

(B) Outlays, $92,878,000,000.

Fiscal year 2007:

(A) New budget authority, $94,243,000,000.

(B) Outlays, $93,365,000,000.

Fiscal year 2008:

(A) New budget authority, $94,738,000,000.

(B) Outlays, $93,975,000,000.

Fiscal year 2009:

(A) New budget authority, $95,366,000,000.

(B) Outlays, $94,685,000,000.

(12) Health (550):

Fiscal year 2004:

(A) New budget authority, $236,822,000,000.

(B) Outlays, $235,551,000,000.

Fiscal year 2005:

(A) New budget authority, $245,095,000,000.

(B) Outlays, $244,936,000,000.

Fiscal year 2006:

(A) New budget authority, $252,639,000,000.

(B) Outlays, $252,495,000,000.

Fiscal year 2007:

(A) New budget authority, $266,117,000,000.

(B) Outlays, $265,196,000,000.

Fiscal year 2008:

(A) New budget authority, $284,970,000,000.

(B) Outlays, $284,222,000,000.

Fiscal year 2009:

(A) New budget authority, $304,034,000,000.

(B) Outlays, $303,460,000,000.

(13) Medicare (570):

Fiscal year 2004:

(A) New budget authority, $269,567,000,000.

(B) Outlays, $268,759,000,000.

Fiscal year 2005:

(A) New budget authority, $288,166,000,000.

(B) Outlays, $289,126,000,000.

Fiscal year 2006:

(A) New budget authority, $322,974,000,000.

(B) Outlays, $322,549,000,000.

Fiscal year 2007:

(A) New budget authority, $362,759,000,000.

(B) Outlays, $363,016,000,000.

Fiscal year 2008:

(A) New budget authority, $387,838,000,000.

(B) Outlays, $387,858,000,000.

Fiscal year 2009:

(A) New budget authority, $414,278,000,000.

(B) Outlays, $413,853,000,000.

(14) Income Security (600):

Fiscal year 2004:

(A) New budget authority, $329,744,000,000.

(B) Outlays, $336,074,000,000.

Fiscal year 2005:

(A) New budget authority, $337,318,000,000.

(B) Outlays, $341,716,000,000.

Fiscal year 2006:

(A) New budget authority, $335,387,000,000.

(B) Outlays, $339,098,000,000.

Fiscal year 2007:

(A) New budget authority, $340,140,000,000.

(B) Outlays, $342,945,000,000.

Fiscal year 2008:

(A) New budget authority, $352,809,000,000.

(B) Outlays, $355,046,000,000.

Fiscal year 2009:

(A) New budget authority, $361,830,000,000.

(B) Outlays, $363,465,000,000.

(15) Social Security (650):

Fiscal year 2004:

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

(B) Outlays, $13,396,000,000.

Fiscal year 2005:

(A) New budget authority, $15,094,000,000.

(B) Outlays, $15,094,000,000.

Fiscal year 2006:

(A) New budget authority, $16,589,000,000.

(B) Outlays, $16,589,000,000.

Fiscal year 2007:

(A) New budget authority, $18,049,000,000.

(B) Outlays, $18,049,000,000.

Fiscal year 2008:

(A) New budget authority, $19,988,000,000.

(B) Outlays, $19,988,000,000.

Fiscal year 2009:

(A) New budget authority, $21,989,000,000.

(B) Outlays, $21,989,000,000.

(16) Veterans Benefits and Services (700):

Fiscal year 2004:

(A) New budget authority, $61,179,000,000.

(B) Outlays, $59,858,000,000.

Fiscal year 2005:

(A) New budget authority, $70,536,000,000.

(B) Outlays, $68,563,000,000.

Fiscal year 2006:

(A) New budget authority, $68,501,000,000.

(B) Outlays, $67,597,000,000.

Fiscal year 2007:

(A) New budget authority, $66,621,000,000.

(B) Outlays, $66,007,000,000.

Fiscal year 2008:

(A) New budget authority, $69,842,000,000.

(B) Outlays, $69,459,000,000.

Fiscal year 2009:

(A) New budget authority, $70,506,000,000.

(B) Outlays, $70,106,000,000.

(17) Administration of Justice (750):

Fiscal year 2004:

(A) New budget authority, $29,932,000,000.

(B) Outlays, $30,103,000,000.

Fiscal year 2005:

(A) New budget authority, $30,139,000,000.

(B) Outlays, $30,025,000,000.

Fiscal year 2006:

(A) New budget authority, $27,430,000,000.

(B) Outlays, $28,036,000,000.

Fiscal year 2007:

(A) New budget authority, $27,480,000,000.

(B) Outlays, $27,744,000,000.

Fiscal year 2008:

(A) New budget authority, $27,616,000,000.

(B) Outlays, $27,540,000,000.

Fiscal year 2009:

(A) New budget authority, $27,755,000,000.

(B) Outlays, $27,621,000,000.

(18) General Government (800):

Fiscal year 2004:

(A) New budget authority, $23,806,000,000.

(B) Outlays, $24,540,000,000.

Fiscal year 2005:

(A) New budget authority, $17,198,000,000.

(B) Outlays, $17,916,000,000.

Fiscal year 2006:

(A) New budget authority, $17,419,000,000.

(B) Outlays, $17,392,000,000.

Fiscal year 2007:

(A) New budget authority, $17,573,000,000.

(B) Outlays, $17,401,000,000.

Fiscal year 2008:

(A) New budget authority, $17,230,000,000.

(B) Outlays, $17,075,000,000.

Fiscal year 2009:

(A) New budget authority, $17,383,000,000.

(B) Outlays, $17,044,000,000.

(19) Net Interest (900):

Fiscal year 2004:

(A) New budget authority, $240,471,000,000.

(B) Outlays, $240,471,000,000.

Fiscal year 2005:

(A) New budget authority, $270,698,000,000.

(B) Outlays, $270,698,000,000.

Fiscal year 2006:

(A) New budget authority, $318,909,000,000.

(B) Outlays, $318,909,000,000.

Fiscal year 2007:

(A) New budget authority, $364,463,000,000.

(B) Outlays, $364,463,000,000.

Fiscal year 2008:

(A) New budget authority, $398,574,000,000.

(B) Outlays, $398,574,000,000.

Fiscal year 2009:

(A) New budget authority, $427,464,000,000.

(B) Outlays, $427,464,000,000.

(20) Allowances (920):

Fiscal year 2004:

(A) New budget authority, $0.

(B) Outlays, $0.

Fiscal year 2005:

(A) New budget authority, $50,000,000,000.

(B) Outlays, $24,850,000,000.

Fiscal year 2006:

(A) New budget authority, $0.

(B) Outlays, $18,600,000,000.

Fiscal year 2007:

(A) New budget authority, $0.

(B) Outlays, $5,100,000,000.

Fiscal year 2008:

(A) New budget authority, $0.

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

Fiscal year 2009:

(A) New budget authority, $0.

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

(21) Undistributed Offsetting Receipts (950):

Fiscal year 2004:

(A) New budget authority, −$47,233,000,000.

(B) Outlays, −$47,233,000,000.

Fiscal year 2005:

(A) New budget authority, −$52,349,000,000.

(B) Outlays, −$52,475,000,000.

Fiscal year 2006:

(A) New budget authority, −$54,427,000,000.

(B) Outlays, −$54,477,000,000.

Fiscal year 2007:

(A) New budget authority, −$62,642,000,000.

(B) Outlays, −$63,767,000,000.

Fiscal year 2008:

(A) New budget authority, −$65,485,000,000.

(B) Outlays, −$66,147,000,000.

Fiscal year 2009:

(A) New budget authority, −$60,856,000,000.

(B) Outlays, −$59,893,000,000.

TITLE II—RECONCILIATION AND REPORT SUBMISSIONS

SEC. 201. RECONCILIATION IN THE HOUSE OF REPRESENTATIVES.

(a) SUBMISSIONS PROVIDING FOR THE ELIMINATION OF WASTE, FRAUD, AND ABUSE.—(1) Not later than July 15, 2004, the House committees named in paragraph (2) shall submit their recommendations to the House Committee on the Budget. After receiving those recommendations, the House Committee on the Budget shall report to the House a reconciliation bill carrying out all such recommendations without any substantive revision.

(2) INSTRUCTIONS.—

(A) COMMITTEE ON AGRICULTURE.—The House Committee on Agriculture shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $110,000,000 in outlays for fiscal year

2005 and $371,000,000 in outlays for the period of fiscal years 2005 through 2009.

(B) COMMITTEE ON EDUCATION AND THE WORKFORCE: INSTRUCTION TO PROVIDE FAIRNESS IN FEDERAL WORKERS COMPENSATION.—The House Committee on Education and the Workforce shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $5,000,000 in outlays for fiscal year 2005 and $43,000,000 in outlays for the period of fiscal years 2005 through 2009.

(C) COMMITTEE ON ENERGY AND COMMERCE.—The House Committee on Energy and Commerce shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $410,000,000 in outlays for fiscal year 2005 and $2,185,000,000 in outlays for the period of fiscal years 2005 through 2009.

(D) COMMITTEE ON GOVERNMENT REFORM: INSTRUCTION TO INCREASE RESOURCES TO AUTHORIZE INFORMATION SHARING TO ALLOW FEDERAL BENEFIT PROGRAMS LIMITED ACCESS TO FEDERAL AND STATE ADMINISTRATIVE DATA TO VERIFY ELIGIBILITY.—The House Committee on Government

Reform shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $170,000,000 in outlays for fiscal year 2005 and $2,365,000,000 in outlays for the period of fiscal years 2005 through 2009.

(E) COMMITTEE ON WAYS AND MEANS.—The House Committee on Ways and Means shall report changes in laws within its jurisdiction sufficient to reduce the deficit by $1,126,000,000 for fiscal year 2005 and $8,269,000,000 for the period of fiscal years 2005 through 2009.

(b) SUBMISSION PROVIDING FOR THE EXTENSION OF EXPIRING TAX RELIEF.—(1) The House Committee on Ways and Means shall report a reconciliation bill not later than October 1, 2004, that consists of changes in laws within its jurisdiction sufficient to reduce revenues by not more than $13,182,000,000 for fiscal year 2005 and by not more than $137,580,000,000 for the period of fiscal years 2005 through 2009.

(2) If a reconciliation bill, as reported pursuant to paragraph (1), does not increase the deficit for fiscal year 2005 or for the period of fiscal years 2005 though 2009 above the levels permitted in such paragraph, the chairman of the House Committee on the Budget may revise the reconciliation instructions under this section to permit

the Committee on Ways and Means to increase the level of direct spending outlays, make conforming adjustments to the revenue instruction to decrease the reduction in revenues, and make conforming changes in allocations to the Committee on Ways and Means and in budget aggregates.

SEC. 202. SUBMISSION OF REPORT ON DEFENSE SAVINGS.

In the House, not later than May 15, 2004, the Committee on Armed Services shall submit to the Committee on the Budget its findings that identify $2,000,000,000 in savings from (1) activities that are determined to be of a low priority to the successful execution of current military operations; or (2) activities that are determined to be wasteful or unnecessary to national defense. Funds identified should be reallocated to programs and activities that directly contribute to enhancing the combat capabilities of the U.S. military forces with an emphasis on force protection, munitions and surveillance capabilities. For purposes of this subsection, the report by the Committee on Armed Services shall be inserted in the Congressional Record by the chairman of the Committee on the Budget not later than May 21, 2004.

TITLE III—RESERVE FUNDS AND CONTINGENCY PROCEDURE

Subtitle A—Reserve Funds for Legislation Assumed in Budget Aggregates

SEC. 301. DEFICIT-NEUTRAL RESERVE FUND FOR HEALTH INSURANCE FOR THE UNINSURED.

In the House, if legislation is reported, or if an amendment thereto is offered or a conference report thereon is submitted, that provides health insurance for the uninsured, the chairman of the Committee on the Budget may make the appropriate adjustments in allocations and aggregates to the extent such measure is deficit neutral in fiscal year 2005 and for the period of fiscal years 2005 through 2009.

SEC. 302. DEFICIT-NEUTRAL RESERVE FUND FOR THE FAMILY OPPORTUNITY ACT.

In the House, if the Committee on Energy and Commerce reports legislation, or if an amendment thereto is offered or a conference report thereon is submitted, that provides medicaid coverage for children with special needs (the Family Opportunity Act), the chairman of the Committee on the Budget may make the appropriate adjustments in allocations and aggregates to the extent such

measure is deficit neutral in fiscal year 2005 and for the period of fiscal years 2005 through 2009.

SEC. 303. DEFICIT-NEUTRAL RESERVE FUND FOR MILITARY SURVIVORS' BENEFIT PLAN.

In the House, if the Committee on Armed Services reports legislation, or if an amendment thereto is offered or a conference report thereon is submitted, that increases survivors' benefits under the Military Survivors' Benefit Plan, the chairman of the Committee on the Budget may make the appropriate adjustments in allocations and aggregates to the extent such measure is deficit neutral resulting from a change other than to discretionary appropriations in fiscal year 2005 and for the period of fiscal years 2005 through 2009.

SEC. 304. RESERVE FUND FOR PENDING LEGISLATION.

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

Subtitle B—Contingency Procedure

SEC. 311. CONTINGENCY PROCEDURE FOR SURFACE TRANSPORTATION.

(a) IN GENERAL.—If the Committee on Transportation and Infrastructure of the House reports legislation, or if an amendment thereto is offered or a conference report thereon is submitted, that provides new budget authority for the budget accounts or portions thereof in the highway and transit categories as defined in sections 250(c)(4)(B) and (C) of the Balanced Budget and Emergency Deficit Control Act of 1985 in excess of the following amounts:

(1) for fiscal year 2004: $41,569,000,000,

(2) for fiscal year 2005: $42,657,000,000,

(3) for fiscal year 2006: $43,635,000,000,

(4) for fiscal year 2007: $45,709,000,000,

(5) for fiscal year 2008: $46,945,000,000, or

(6) for fiscal year 2009: $47,732,000,000,

the chairman of the Committee on the Budget may adjust the appropriate budget aggregates and increase the allocation of new budget authority to such committee for fiscal year 2004, for fiscal year 2005, and for the period of fiscal years 2005 through 2009 to the extent such excess is offset by a reduction in mandatory outlays from the Highway Trust Fund or an increase in receipts appropriated to

such fund for the applicable fiscal year caused by such legislation or any previously enacted legislation.

(b) ADJUSTMENT FOR OUTLAYS.—For fiscal year 2004 or 2005, in the House, if a bill or joint resolution is reported, or if an amendment thereto is offered or a conference report thereon is submitted, that changes obligation limitations such that the total limitations are in excess of $40,116,000,000 for fiscal year 2004 or $41,204,000,000 for fiscal year 2005 for programs, projects, and activities within the highway and transit categories as defined in sections 250(c)(4)(B) and (C) of the Balanced Budget and Emergency Deficit Control Act of 1985, and if legislation has been enacted that satisfies the conditions set forth in subsection (a) for such fiscal year, the chairman of the Committee on the Budget may increase the allocation of outlays and appropriate aggregates for such fiscal year for the committee reporting such measure by the amount of outlays that corresponds to such excess obligation limitations, but not to exceed the amount of such excess that was offset pursuant to subsection (a).

TITLE IV—BUDGET ENFORCEMENT

SEC. 401. RESTRICTIONS ON ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—(1) In the House, except as provided in subsection (b), an advance appropriation may not be reported in a bill or joint resolution making a general appropriation or continuing appropriation, and may not be in order as an amendment thereto.

(2) Managers on the part of the House may not agree to a Senate amendment that would violate paragraph (1) unless specific authority to agree to the amendment first is given by the House by a separate vote with respect thereto.

(b) LIMITATION.—In the House, an advance appropriation may be provided for fiscal year 2006 or 2007 for programs, projects, activities or accounts identified in the joint explanatory statement of managers accompanying this resolution under the heading ''Accounts Identified for Advance Appropriations'' in an aggregate amount not to exceed $23,568,000,000 in new budget authority.

(c) DEFINITION.—In this subsection, the term ''advance appropriation'' means any discretionary new budget authority in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year

2005 that first becomes available for any fiscal year after 2005.

SEC. 402. EMERGENCY LEGISLATION.

(a) EXEMPTION OF OVERSEAS CONTINGENCY OPERATIONS.—In the House, if a bill or joint resolution is reported, or an amendment is offered thereto or a conference report is filed thereon, that makes supplemental appropriations for fiscal year 2005 for contingency operations related to the global war on terrorism, then the new budget authority, new entitlement authority, outlays, and receipts resulting therefrom shall not count for purposes of sections 302, 303, and 401 of the Congressional Budget Act of 1974 for the provisions of such measure that are designated pursuant to this subsection as making appropriations for such contingency operations.

(b) EXEMPTION OF EMERGENCY PROVISIONS.—In the House, if a bill or joint resolution is reported, or an amendment is offered thereto or a conference report is filed thereon, that designates a provision as an emergency requirement pursuant to this section, then the new budget authority, new entitlement authority, outlays, and receipts resulting therefrom shall not count for purposes of sections 302, 303, 311, and 401 of the Congressional Budget Act of 1974.

(c) DESIGNATIONS.—

(1) GUIDANCE.—In the House, if a provision of legislation is designated as an emergency requirement under subsection (b), the committee report and any statement of managers accompanying that legislation shall include an explanation of the manner in which the provision meets the criteria in paragraph (2). If such legislation is to be considered by the House without being reported, then the committee shall cause the explanation to be published in the Congressional Record in advance of floor consideration.

(2) CRITERIA.—

(A) IN GENERAL.—Any such provision is an emergency requirement if the underlying situation poses a threat to life, property, or national security and is—

(i) sudden, quickly coming into being, and not building up over time;

(ii) an urgent, pressing, and compelling need requiring immediate action;

(iii) subject to subparagraph (B), unforeseen, unpredictable, and unanticipated; and

(iv) not permanent, temporary in nature.

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

SEC. 403. COMPLIANCE WITH SECTION 13301 OF THE BUDGET ENFORCEMENT ACT OF 1990.

(a) IN GENERAL.—In the House, notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974 and section 13301 of the Budget Enforcement Act of 1990, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocation under section 302(a) of the Congressional Budget Act of 1974 to the Committee on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration.

(b) SPECIAL RULE.—In the House, for purposes of applying section 302(f) of the Congressional Budget Act of 1974, estimates of the level of total new budget authority and total outlays provided by a measure shall include any discretionary amounts provided for the Social Security Administration.

SEC. 404. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

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

(1) apply while that measure is under consideration;

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

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

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

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

(1) the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the appropriate Committee on the Budget; and

(2) such chairman may make any other necessary adjustments to such levels to carry out this resolution.

TITLE V—SENSE OF THE HOUSE

SEC. 501. SENSE OF THE HOUSE ON SPENDING ACCOUNTABILITY.

It is the sense of the House that—

(1) authorizing committees should actively engage in oversight utilizing—

(A) the plans and goals submitted by executive agencies pursuant to the Government Performance and Results Act of 1993; and

(B) the performance evaluations submitted by such agencies (that are based upon the Program Assessment Rating Tool which is designed to improve agency performance);

in order to enact legislation to eliminate waste, fraud, and abuse to ensure the efficient use of taxpayer dollars;

(2) all Federal programs should be periodically reauthorized and funding for unauthorized programs should be level-funded in fiscal year 2005 unless there is a compelling justification;

(3) committees should submit written justifications for earmarks and should consider not funding those most egregiously inconsistent with national policy;

(4) the fiscal year 2005 budget resolution should be vigorously enforced and legislation should be enacted establishing statutory limits on appropriations and a PAY-AS-YOU-GO rule for new and expanded entitlement programs; and

(5) Congress should make every effort to offset nonwar-related supplemental appropriations.

SEC. 502. SENSE OF THE HOUSE ON ENTITLEMENT REFORM.

(a) FINDINGS.—The House finds that welfare was successfully reformed through the application of work requirements, education and training opportunity, and time limits on eligibility.

(b) SENSE OF THE HOUSE.—It is the sense of the House that authorizing committees should—

(1) systematically review all means-tested entitlement programs and track beneficiary participation across programs and time;

(2) enact legislation to develop common eligibility requirements for means-tested entitlement programs;

(3) enact legislation to accurately rename means-tested entitlement programs;

(4) enact legislation to coordinate program benefits in order to limit to a reasonable period of time

the Government dependency of means-tested entitlement program participants;

(5) evaluate the costs of, and justifications for, nonmeans-tested, nonretirement-related entitlement programs; and

(6) identify and utilize resources that have conducted cost-benefit analyses of participants in multiple means- and nonmeans-tested entitlement programs to understand their cumulative costs and collective benefits.

Union Calendar No. 254

108TH CONGRESS
2D SESSION

H. CON. RES. 393

[Report No. 108–441]

CONCURRENT RESOLUTION

Establishing the congressional budget for the United States Government for fiscal year 2005 and setting forth appropriate budgetary levels for fiscal years 2004 and 2006 through 2009.

MARCH 19, 2004

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed