

# One Hundred Tenth Congress of the United States of America

## AT THE SECOND SESSION

*Begun and held at the City of Washington on Thursday,  
the third day of January, two thousand and eight*

## Concurrent Resolution

Setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013.

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

### SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2009.

(a) DECLARATION.—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2009 and that this resolution sets forth the appropriate budgetary levels for fiscal year 2008 and for fiscal years 2010 through 2013.

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## **TITLE I—RECOMMENDED LEVELS AND AMOUNTS**

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

The following budgetary levels are appropriate for each of fiscal years 2008 through 2013:

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

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

Fiscal year 2008: \$1,875,392,000,000.  
Fiscal year 2009: \$2,029,612,000,000.  
Fiscal year 2010: \$2,204,652,000,000.  
Fiscal year 2011: \$2,413,249,000,000.  
Fiscal year 2012: \$2,506,049,000,000.  
Fiscal year 2013: \$2,626,582,000,000.

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

Fiscal year 2008: -\$4,000,000,000.  
Fiscal year 2009: -\$67,755,000,000.  
Fiscal year 2010: \$21,270,000,000.  
Fiscal year 2011: -\$14,824,000,000.  
Fiscal year 2012: -\$151,572,000,000.  
Fiscal year 2013: -\$123,689,000,000.

(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 2008: \$2,563,262,000,000.  
Fiscal year 2009: \$2,530,703,000,000.  
Fiscal year 2010: \$2,562,856,000,000.  
Fiscal year 2011: \$2,693,843,000,000.  
Fiscal year 2012: \$2,736,865,000,000.  
Fiscal year 2013: \$2,868,813,000,000.

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

Fiscal year 2008: \$2,465,711,000,000.  
Fiscal year 2009: \$2,565,903,000,000.  
Fiscal year 2010: \$2,621,939,000,000.  
Fiscal year 2011: \$2,712,795,000,000.  
Fiscal year 2012: \$2,722,056,000,000.  
Fiscal year 2013: \$2,860,225,000,000.

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

Fiscal year 2008: \$590,319,000,000.  
Fiscal year 2009: \$536,291,000,000.  
Fiscal year 2010: \$417,287,000,000.  
Fiscal year 2011: \$299,546,000,000.  
Fiscal year 2012: \$216,007,000,000.  
Fiscal year 2013: \$233,643,000,000.

(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 2008: \$9,575,000,000,000.  
Fiscal year 2009: \$10,207,000,000,000.

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Fiscal year 2010: \$10,732,000,000,000.  
Fiscal year 2011: \$11,137,000,000,000.  
Fiscal year 2012: \$11,484,000,000,000.  
Fiscal year 2013: \$11,832,000,000,000.

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

Fiscal year 2008: \$5,404,000,000,000.  
Fiscal year 2009: \$5,761,000,000,000.  
Fiscal year 2010: \$5,989,000,000,000.  
Fiscal year 2011: \$6,080,000,000,000.  
Fiscal year 2012: \$6,075,000,000,000.  
Fiscal year 2013: \$6,081,000,000,000.

**SEC. 102. SOCIAL SECURITY.**

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

Fiscal year 2008: \$666,706,000,000.  
Fiscal year 2009: \$695,870,000,000.  
Fiscal year 2010: \$733,562,000,000.  
Fiscal year 2011: \$772,459,000,000.  
Fiscal year 2012: \$809,789,000,000.  
Fiscal year 2013: \$845,034,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2008: \$463,746,000,000.  
Fiscal year 2009: \$493,602,000,000.  
Fiscal year 2010: \$520,149,000,000.  
Fiscal year 2011: \$540,478,000,000.  
Fiscal year 2012: \$566,240,000,000.  
Fiscal year 2013: \$595,534,000,000.

(c) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

Fiscal year 2008:  
(A) New budget authority, \$5,010,000,000.  
(B) Outlays, \$4,944,000,000.  
Fiscal year 2009:  
(A) New budget authority, \$5,233,000,000.  
(B) Outlays, \$5,160,000,000.  
Fiscal year 2010:  
(A) New budget authority, \$5,359,000,000.  
(B) Outlays, \$5,332,000,000.  
Fiscal year 2011:  
(A) New budget authority, \$5,500,000,000.  
(B) Outlays, \$5,475,000,000.  
Fiscal year 2012:  
(A) New budget authority, \$5,653,000,000.  
(B) Outlays, \$5,626,000,000.  
Fiscal year 2013:

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- (A) New budget authority, \$5,817,000,000.
- (B) Outlays, \$5,789,000,000.

**SEC. 103. POSTAL SERVICE DISCRETIONARY ADMINISTRATIVE EXPENSES.**

In the Senate, the amounts of new budget authority and budget outlays of the Postal Service for discretionary administrative expenses are as follows:

- Fiscal year 2008:
  - (A) New budget authority, \$250,000,000.
  - (B) Outlays, \$237,000,000.
- Fiscal year 2009:
  - (A) New budget authority, \$258,000,000.
  - (B) Outlays, \$258,000,000.
- Fiscal year 2010:
  - (A) New budget authority, \$267,000,000.
  - (B) Outlays, \$267,000,000.
- Fiscal year 2011:
  - (A) New budget authority, \$275,000,000.
  - (B) Outlays, \$275,000,000.
- Fiscal year 2012:
  - (A) New budget authority, \$284,000,000.
  - (B) Outlays, \$284,000,000.
- Fiscal year 2013:
  - (A) New budget authority, \$293,000,000.
  - (B) Outlays, \$293,000,000.

**SEC. 104. MAJOR FUNCTIONAL CATEGORIES.**

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2008 through 2013 for each major functional category are:

- (1) National Defense (050):
  - Fiscal year 2008:
    - (A) New budget authority, \$590,686,000,000.
    - (B) Outlays, \$576,173,000,000.
  - Fiscal year 2009:
    - (A) New budget authority, \$542,497,000,000.
    - (B) Outlays, \$573,362,000,000.
  - Fiscal year 2010:
    - (A) New budget authority, \$550,414,000,000.
    - (B) Outlays, \$560,726,000,000.
  - Fiscal year 2011:
    - (A) New budget authority, \$557,026,000,000.
    - (B) Outlays, \$560,099,000,000.
  - Fiscal year 2012:
    - (A) New budget authority, \$565,800,000,000.
    - (B) Outlays, \$556,699,000,000.
  - Fiscal year 2013:
    - (A) New budget authority, \$576,233,000,000.
    - (B) Outlays, \$568,829,000,000.
- (2) International Affairs (150):
  - Fiscal year 2008:
    - (A) New budget authority, \$32,648,000,000.
    - (B) Outlays, \$32,843,000,000.
  - Fiscal year 2009:
    - (A) New budget authority, \$37,158,000,000.
    - (B) Outlays, \$35,749,000,000.
  - Fiscal year 2010:

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- (A) New budget authority, \$37,901,000,000.
- (B) Outlays, \$36,591,000,000.
- Fiscal year 2011:
  - (A) New budget authority, \$38,221,000,000.
  - (B) Outlays, \$36,864,000,000.
- Fiscal year 2012:
  - (A) New budget authority, \$38,491,000,000.
  - (B) Outlays, \$36,824,000,000.
- Fiscal year 2013:
  - (A) New budget authority, \$38,451,000,000.
  - (B) Outlays, \$36,537,000,000.
- (3) General Science, Space, and Technology (250):
  - Fiscal year 2008:
    - (A) New budget authority, \$27,407,000,000.
    - (B) Outlays, \$26,456,000,000.
  - Fiscal year 2009:
    - (A) New budget authority, \$30,639,000,000.
    - (B) Outlays, \$29,072,000,000.
  - Fiscal year 2010:
    - (A) New budget authority, \$31,701,000,000.
    - (B) Outlays, \$31,192,000,000.
  - Fiscal year 2011:
    - (A) New budget authority, \$32,863,000,000.
    - (B) Outlays, \$32,642,000,000.
  - Fiscal year 2012:
    - (A) New budget authority, \$34,115,000,000.
    - (B) Outlays, \$33,891,000,000.
  - Fiscal year 2013:
    - (A) New budget authority, \$35,450,000,000.
    - (B) Outlays, \$34,694,000,000.
- (4) Energy (270):
  - Fiscal year 2008:
    - (A) New budget authority, \$3,550,000,000.
    - (B) Outlays, \$1,681,000,000.
  - Fiscal year 2009:
    - (A) New budget authority, \$6,514,000,000.
    - (B) Outlays, \$2,795,000,000.
  - Fiscal year 2010:
    - (A) New budget authority, \$6,615,000,000.
    - (B) Outlays, \$4,092,000,000.
  - Fiscal year 2011:
    - (A) New budget authority, \$6,450,000,000.
    - (B) Outlays, \$4,969,000,000.
  - Fiscal year 2012:
    - (A) New budget authority, \$6,550,000,000.
    - (B) Outlays, \$5,417,000,000.
  - Fiscal year 2013:
    - (A) New budget authority, \$6,474,000,000.
    - (B) Outlays, \$5,659,000,000.
- (5) Natural Resources and Environment (300):
  - Fiscal year 2008:
    - (A) New budget authority, \$33,169,000,000.
    - (B) Outlays, \$34,723,000,000.
  - Fiscal year 2009:
    - (A) New budget authority, \$40,515,000,000.
    - (B) Outlays, \$36,868,000,000.
  - Fiscal year 2010:

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- (A) New budget authority, \$35,278,000,000.
- (B) Outlays, \$37,472,000,000.
- Fiscal year 2011:
  - (A) New budget authority, \$36,307,000,000.
  - (B) Outlays, \$37,865,000,000.
- Fiscal year 2012:
  - (A) New budget authority, \$37,396,000,000.
  - (B) Outlays, \$38,356,000,000.
- Fiscal year 2013:
  - (A) New budget authority, \$38,033,000,000.
  - (B) Outlays, \$38,923,000,000.
- (6) Agriculture (350):
  - Fiscal year 2008:
    - (A) New budget authority, \$24,296,000,000.
    - (B) Outlays, \$22,179,000,000.
  - Fiscal year 2009:
    - (A) New budget authority, \$22,572,000,000.
    - (B) Outlays, \$22,312,000,000.
  - Fiscal year 2010:
    - (A) New budget authority, \$22,145,000,000.
    - (B) Outlays, \$21,241,000,000.
  - Fiscal year 2011:
    - (A) New budget authority, \$22,026,000,000.
    - (B) Outlays, \$21,022,000,000.
  - Fiscal year 2012:
    - (A) New budget authority, \$20,889,000,000.
    - (B) Outlays, \$17,463,000,000.
  - Fiscal year 2013:
    - (A) New budget authority, \$22,304,000,000.
    - (B) Outlays, \$21,606,000,000.
- (7) Commerce and Housing Credit (370):
  - Fiscal year 2008:
    - (A) New budget authority, \$11,216,000,000.
    - (B) Outlays, \$5,381,000,000.
  - Fiscal year 2009:
    - (A) New budget authority, \$9,560,000,000.
    - (B) Outlays, \$3,722,000,000.
  - Fiscal year 2010:
    - (A) New budget authority, \$13,887,000,000.
    - (B) Outlays, \$5,835,000,000.
  - Fiscal year 2011:
    - (A) New budget authority, \$8,998,000,000.
    - (B) Outlays, \$2,193,000,000.
  - Fiscal year 2012:
    - (A) New budget authority, \$9,246,000,000.
    - (B) Outlays, \$1,735,000,000.
  - Fiscal year 2013:
    - (A) New budget authority, \$9,642,000,000.
    - (B) Outlays, \$1,648,000,000.
- (8) Transportation (400):
  - Fiscal year 2008:
    - (A) New budget authority, \$80,189,000,000.
    - (B) Outlays, \$77,795,000,000.
  - Fiscal year 2009:
    - (A) New budget authority, \$74,682,000,000.
    - (B) Outlays, \$80,781,000,000.
  - Fiscal year 2010:

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- (A) New budget authority, \$77,999,000,000.
- (B) Outlays, \$84,318,000,000.
- Fiscal year 2011:
  - (A) New budget authority, \$78,900,000,000.
  - (B) Outlays, \$86,468,000,000.
- Fiscal year 2012:
  - (A) New budget authority, \$79,741,000,000.
  - (B) Outlays, \$88,453,000,000.
- Fiscal year 2013:
  - (A) New budget authority, \$80,641,000,000.
  - (B) Outlays, \$90,675,000,000.
- (9) Community and Regional Development (450):
  - Fiscal year 2008:
    - (A) New budget authority, \$20,149,000,000.
    - (B) Outlays, \$27,820,000,000.
  - Fiscal year 2009:
    - (A) New budget authority, \$15,220,000,000.
    - (B) Outlays, \$24,401,000,000.
  - Fiscal year 2010:
    - (A) New budget authority, \$15,376,000,000.
    - (B) Outlays, \$22,109,000,000.
  - Fiscal year 2011:
    - (A) New budget authority, \$15,603,000,000.
    - (B) Outlays, \$18,330,000,000.
  - Fiscal year 2012:
    - (A) New budget authority, \$15,840,000,000.
    - (B) Outlays, \$16,301,000,000.
  - Fiscal year 2013:
    - (A) New budget authority, \$16,007,000,000.
    - (B) Outlays, \$15,986,000,000.
- (10) Education, Training, Employment, and Social Services (500):
  - Fiscal year 2008:
    - (A) New budget authority, \$90,077,000,000.
    - (B) Outlays, \$90,729,000,000.
  - Fiscal year 2009:
    - (A) New budget authority, \$94,277,000,000.
    - (B) Outlays, \$91,351,000,000.
  - Fiscal year 2010:
    - (A) New budget authority, \$103,716,000,000.
    - (B) Outlays, \$99,477,000,000.
  - Fiscal year 2011:
    - (A) New budget authority, \$105,910,000,000.
    - (B) Outlays, \$103,453,000,000.
  - Fiscal year 2012:
    - (A) New budget authority, \$107,399,000,000.
    - (B) Outlays, \$103,992,000,000.
  - Fiscal year 2013:
    - (A) New budget authority, \$100,625,000,000.
    - (B) Outlays, \$102,451,000,000.
- (11) Health (550):
  - Fiscal year 2008:
    - (A) New budget authority, \$285,601,000,000.
    - (B) Outlays, \$287,188,000,000.
  - Fiscal year 2009:
    - (A) New budget authority, \$310,260,000,000.
    - (B) Outlays, \$307,474,000,000.

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- Fiscal year 2010:  
(A) New budget authority, \$325,344,000,000.  
(B) Outlays, \$325,681,000,000.
- Fiscal year 2011:  
(A) New budget authority, \$345,817,000,000.  
(B) Outlays, \$345,055,000,000.
- Fiscal year 2012:  
(A) New budget authority, \$368,395,000,000.  
(B) Outlays, \$367,257,000,000.
- Fiscal year 2013:  
(A) New budget authority, \$393,337,000,000.  
(B) Outlays, \$391,872,000,000.
- (12) Medicare (570):
- Fiscal year 2008:  
(A) New budget authority, \$390,458,000,000.  
(B) Outlays, \$390,454,000,000.
- Fiscal year 2009:  
(A) New budget authority, \$420,191,000,000.  
(B) Outlays, \$419,974,000,000.
- Fiscal year 2010:  
(A) New budget authority, \$445,207,000,000.  
(B) Outlays, \$445,333,000,000.
- Fiscal year 2011:  
(A) New budget authority, \$494,337,000,000.  
(B) Outlays, \$494,162,000,000.
- Fiscal year 2012:  
(A) New budget authority, \$491,305,000,000.  
(B) Outlays, \$491,065,000,000.
- Fiscal year 2013:  
(A) New budget authority, \$552,329,000,000.  
(B) Outlays, \$552,445,000,000.
- (13) Income Security (600):
- Fiscal year 2008:  
(A) New budget authority, \$389,926,000,000.  
(B) Outlays, \$394,161,000,000.
- Fiscal year 2009:  
(A) New budget authority, \$415,547,000,000.  
(B) Outlays, \$416,039,000,000.
- Fiscal year 2010:  
(A) New budget authority, \$420,430,000,000.  
(B) Outlays, \$420,710,000,000.
- Fiscal year 2011:  
(A) New budget authority, \$429,946,000,000.  
(B) Outlays, \$429,463,000,000.
- Fiscal year 2012:  
(A) New budget authority, \$416,447,000,000.  
(B) Outlays, \$416,044,000,000.
- Fiscal year 2013:  
(A) New budget authority, \$432,148,000,000.  
(B) Outlays, \$431,699,000,000.
- (14) Social Security (650):
- Fiscal year 2008:  
(A) New budget authority, \$19,378,000,000.  
(B) Outlays, \$19,378,000,000.
- Fiscal year 2009:  
(A) New budget authority, \$21,313,000,000.  
(B) Outlays, \$21,313,000,000.

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- Fiscal year 2010:  
(A) New budget authority, \$23,803,000,000.  
(B) Outlays, \$23,803,000,000.
- Fiscal year 2011:  
(A) New budget authority, \$27,338,000,000.  
(B) Outlays, \$27,338,000,000.
- Fiscal year 2012:  
(A) New budget authority, \$30,349,000,000.  
(B) Outlays, \$30,349,000,000.
- Fiscal year 2013:  
(A) New budget authority, \$33,170,000,000.  
(B) Outlays, \$33,170,000,000.
- (15) Veterans Benefits and Services (700):
- Fiscal year 2008:  
(A) New budget authority, \$86,365,000,000.  
(B) Outlays, \$83,551,000,000.
- Fiscal year 2009:  
(A) New budget authority, \$93,320,000,000.  
(B) Outlays, \$92,486,000,000.
- Fiscal year 2010:  
(A) New budget authority, \$96,233,000,000.  
(B) Outlays, \$95,912,000,000.
- Fiscal year 2011:  
(A) New budget authority, \$102,038,000,000.  
(B) Outlays, \$101,706,000,000.
- Fiscal year 2012:  
(A) New budget authority, \$99,359,000,000.  
(B) Outlays, \$98,511,000,000.
- Fiscal year 2013:  
(A) New budget authority, \$105,344,000,000.  
(B) Outlays, \$104,513,000,000.
- (16) Administration of Justice (750):
- Fiscal year 2008:  
(A) New budget authority, \$46,237,000,000.  
(B) Outlays, \$44,282,000,000.
- Fiscal year 2009:  
(A) New budget authority, \$48,303,000,000.  
(B) Outlays, \$48,097,000,000.
- Fiscal year 2010:  
(A) New budget authority, \$48,673,000,000.  
(B) Outlays, \$49,291,000,000.
- Fiscal year 2011:  
(A) New budget authority, \$49,348,000,000.  
(B) Outlays, \$49,763,000,000.
- Fiscal year 2012:  
(A) New budget authority, \$50,139,000,000.  
(B) Outlays, \$50,172,000,000.
- Fiscal year 2013:  
(A) New budget authority, \$51,051,000,000.  
(B) Outlays, \$50,767,000,000.
- (17) General Government (800):
- Fiscal year 2008:  
(A) New budget authority, \$56,407,000,000.  
(B) Outlays, \$56,920,000,000.
- Fiscal year 2009:  
(A) New budget authority, \$23,987,000,000.  
(B) Outlays, \$24,411,000,000.

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- Fiscal year 2010:  
(A) New budget authority, \$19,929,000,000.  
(B) Outlays, \$19,974,000,000.
- Fiscal year 2011:  
(A) New budget authority, \$20,470,000,000.  
(B) Outlays, \$20,369,000,000.
- Fiscal year 2012:  
(A) New budget authority, \$21,004,000,000.  
(B) Outlays, \$21,026,000,000.
- Fiscal year 2013:  
(A) New budget authority, \$21,463,000,000.  
(B) Outlays, \$21,251,000,000.
- (18) Net Interest (900):
- Fiscal year 2008:  
(A) New budget authority, \$349,351,000,000.  
(B) Outlays, \$349,351,000,000.
- Fiscal year 2009:  
(A) New budget authority, \$334,409,000,000.  
(B) Outlays, \$334,409,000,000.
- Fiscal year 2010:  
(A) New budget authority, \$370,805,000,000.  
(B) Outlays, \$370,805,000,000.
- Fiscal year 2011:  
(A) New budget authority, \$407,916,000,000.  
(B) Outlays, \$407,916,000,000.
- Fiscal year 2012:  
(A) New budget authority, \$433,193,000,000.  
(B) Outlays, \$433,193,000,000.
- Fiscal year 2013:  
(A) New budget authority, \$448,812,000,000.  
(B) Outlays, \$448,812,000,000.
- (19) Allowances (920):
- Fiscal year 2008:  
(A) New budget authority, \$4,426,000,000.  
(B) Outlays, \$2,075,000,000.
- Fiscal year 2009:  
(A) New budget authority, -\$13,201,000,000.  
(B) Outlays, -\$6,462,000,000.
- Fiscal year 2010:  
(A) New budget authority, -\$11,955,000,000.  
(B) Outlays, -\$9,385,000,000.
- Fiscal year 2011:  
(A) New budget authority, -\$12,307,000,000.  
(B) Outlays, -\$11,769,000,000.
- Fiscal year 2012:  
(A) New budget authority, -\$12,689,000,000.  
(B) Outlays, -\$13,764,000,000.
- Fiscal year 2013:  
(A) New budget authority, -\$13,000,000,000.  
(B) Outlays, -\$13,396,000,000.
- (20) Undistributed Offsetting Receipts (950):
- Fiscal year 2008:  
(A) New budget authority, -\$86,330,000,000.  
(B) Outlays, -\$86,330,000,000.
- Fiscal year 2009:  
(A) New budget authority, -\$67,060,000,000.  
(B) Outlays, -\$67,060,000,000.

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- Fiscal year 2010:  
(A) New budget authority, −\$70,645,000,000.  
(B) Outlays, −\$70,645,000,000.
- Fiscal year 2011:  
(A) New budget authority, −\$73,364,000,000.  
(B) Outlays, −\$73,364,000,000.
- Fiscal year 2012:  
(A) New budget authority, −\$76,104,000,000.  
(B) Outlays, −\$76,104,000,000.
- Fiscal year 2013:  
(A) New budget authority, −\$79,691,000,000.  
(B) Outlays, −\$79,691,000,000.
- (21) Overseas Deployments and Other Activities (970):
- Fiscal year 2008:  
(A) New budget authority, \$108,056,000,000.  
(B) Outlays, \$28,901,000,000.
- Fiscal year 2009:  
(A) New budget authority, \$70,000,000,000.  
(B) Outlays, \$74,809,000,000.
- Fiscal year 2010:  
(A) New budget authority, \$0.  
(B) Outlays, \$47,407,000,000.
- Fiscal year 2011:  
(A) New budget authority, \$0.  
(B) Outlays, \$18,251,000,000.
- Fiscal year 2012:  
(A) New budget authority, \$0.  
(B) Outlays, \$5,176,000,000.
- Fiscal year 2013:  
(A) New budget authority, \$0.  
(B) Outlays, \$1,775,000,000.

## **TITLE II—RESERVE FUNDS**

### **Subtitle A—House Reserve Funds**

#### **SEC. 201. DEFICIT-NEUTRAL RESERVE FUND FOR SCHIP LEGISLATION.**

In the House, the Chairman of the Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report, which contains matter within the jurisdiction of the Committee on Energy and Commerce that expands coverage and improves children's health through the State Children's Health Insurance Program (SCHIP) under title XXI of the Social Security Act and the program under title XIX of such Act (commonly known as Medicaid) and that increases new budget authority that will result in no more than \$50,000,000,000 in outlays in fiscal years 2008 through 2013, and others which contain offsets so designated for the purpose of this section within the jurisdiction of another committee or committees, if the combined changes would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 202. DEFICIT-NEUTRAL RESERVE FUND FOR AMERICA'S VETERANS AND SERVICEMEMBERS.**

The Chairman of the House Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would—

(1) enhance medical care, disability evaluations, or disability benefits for wounded or disabled military personnel or veterans (including measures to expedite the claims process);

(2) maintain affordable health care for military retirees and veterans;

(3) expand the number of disabled military retirees who receive both disability compensation and retired pay, or would accelerate the date by which eligible retirees under section 1414 of title 10, United States Code, will fully receive both veterans' disability compensation and retired pay;

(4) eliminate the offset between Survivor Benefit Plan annuities and Veterans' Dependency and Indemnity Compensation;

(5) provide for the continuing payment to members of the Armed Forces who are retired or separated from the Armed Forces due to a combat-related injury after September 11, 2001, of bonuses that such members were entitled to before the retirement or separation and would continue to be entitled to if such members were not retired or separated;

(6) enhance programs and activities to increase the availability of health care and other veterans services for veterans living in rural areas; or

(7) provide or increase benefits for Filipino veterans of World War II or their survivors and dependents

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 203. DEFICIT-NEUTRAL RESERVE FUND FOR EDUCATION BENEFITS FOR SERVICEMEMBERS, VETERANS, AND THEIR FAMILIES.**

The Chairman of the House Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would—

(1) enhance educational benefits or assistance for servicemembers and veterans with service on active duty in the Armed Forces on or after September 11, 2001;

(2) allow for the transfer of education benefits from servicemembers to spouses, survivors, or dependents; or

(3) otherwise enhance education benefits or assistance for servicemembers (including Active Duty, National Guard, and Reserve), veterans, or their spouses, survivors, or dependents by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit or decrease the surplus over either the period of fiscal years 2008 through 2013 or the period of fiscal years 2008 through 2018.

**SEC. 204. DEFICIT-NEUTRAL RESERVE FUND FOR INFRASTRUCTURE INVESTMENT.**

In the House, the Chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides for a robust Federal investment in America's infrastructure, which may include projects for transit, rail (including high-speed passenger rail), airport, seaport, public housing, energy, water, highway, bridge, or other infrastructure projects by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 205. DEFICIT-NEUTRAL RESERVE FUND FOR RENEWABLE ENERGY AND ENERGY EFFICIENCY.**

In the House, the Chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides tax incentives for or otherwise encourages the production of renewable energy or increased energy efficiency; encourages investment in emerging energy or vehicle technologies or carbon capture and sequestration; provides for reductions in greenhouse gas emissions; or facilitates the training of workers for these industries ("green collar jobs") by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 206. DEFICIT-NEUTRAL RESERVE FUND FOR MIDDLE-INCOME TAX RELIEF AND ECONOMIC EQUITY.**

In the House, the Chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides for tax relief for middle-income families and taxpayers or enhanced economic equity, such as extension of the child tax credit, extension of marriage penalty relief, extension of the 10 percent individual income tax bracket, elimination of estate taxes on all but a minute fraction of estates by reforming and substantially increasing the unified credit, extension of the research and experimentation tax credit, extension of the deduction for small business expensing, extension of the deduction for State and local sales taxes, or a tax credit for school construction bonds, by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 207. DEFICIT-NEUTRAL RESERVE FUND FOR REFORM OF THE ALTERNATIVE MINIMUM TAX.**

In the House, the Chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides for reform of the Internal Revenue Code of 1986 by reducing the tax burden of the alternative minimum tax on middle-income families by the amounts provided in such measure if such measure would not increase the deficit or decrease

the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 208. DEFICIT-NEUTRAL RESERVE FUND FOR HIGHER EDUCATION.**

In the House, the Chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that makes college more affordable or accessible through reforms to the Higher Education Act of 1965 or other legislation by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 209. DEFICIT-NEUTRAL RESERVE FUND FOR AFFORDABLE HOUSING.**

In the House, the Chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides for an affordable housing fund, offset by reforming the regulation of certain government-sponsored enterprises, by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 210. DEFICIT-NEUTRAL RESERVE FUND FOR MEDICARE IMPROVEMENTS.**

In the House, the Chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that improves the Medicare program for beneficiaries and protects access to care, which may include measures such as—

(1) increasing the reimbursement rate for physicians while protecting beneficiaries from associated premium increases;

(2) providing for—

(A) an increase in the asset allowance under the Medicare Part D low-income subsidy program so that individuals with very limited incomes, but modest retirement savings, can obtain the assistance that the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 was intended to deliver with respect to the payment of premiums and cost-sharing under the Medicare Part D prescription drug benefit;

(B) an update in the income and asset allowances under the Medicare Savings Program and an annual inflationary adjustment for those allowances; or

(C) improved outreach and enrollment under the Medicare Savings Program and the Medicare Part D low-income subsidy program to ensure that low-income senior citizens and other low-income Medicare beneficiaries receive the low-income assistance for which they are eligible in accordance with the improvements provided for in such legislation;

(3) reductions in beneficiary cost-sharing for preventive benefits under Medicare Part B; or

(4) limiting inappropriate or abusive marketing tactics by private insurers and their agents offering Medicare Advantage or Medicare prescription drug plans by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 211. DEFICIT-NEUTRAL RESERVE FUND FOR HEALTH CARE QUALITY, EFFECTIVENESS, AND EFFICIENCY.**

In the House, the Chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that—

(1) provides incentives or other support for adoption of modern information technology, including electronic prescribing, to improve quality and protect privacy in health care;

(2) establishes a new Federal or public-private initiative for research on the comparative effectiveness of different medical interventions;

(3) provides parity between health insurance coverage of mental health benefits and benefits for medical and surgical services, including parity in public programs;

(4) improves health care, provides quality health insurance for the uninsured and underinsured, and protects individuals with current health coverage; or

(5) reauthorizes the special diabetes program for Indians and the special diabetes programs for Type 1 diabetes

by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 212. DEFICIT-NEUTRAL RESERVE FUND FOR MEDICAID AND OTHER PROGRAMS.**

(a) REGULATIONS AND ADMINISTRATIVE ACTIONS.—In the House, the Chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that prevents or delays the implementation or administration of regulations or other administrative actions that would affect the Medicaid, SCHIP, or other programs by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

(b) TRANSITIONAL MEDICAL ASSISTANCE AND QUALIFYING INDIVIDUALS.—In the House, the Chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that extends the transitional medical assistance program or the qualifying individuals program, which are included in title XIX of the Social Security Act, by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

(c) DEMONSTRATION PROJECT REGARDING MEDICAID COVERAGE OF LOW-INCOME HIV-INFECTED INDIVIDUALS.—In the House, the

Chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides for a demonstration project under which a State may apply under section 1115 of the Social Security Act (42 U.S.C. 1315) to provide medical assistance under a State Medicaid program to HIV-infected individuals who are not eligible for medical assistance under such program under section 1902(a)(10)(A)(i) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(i)) by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

(d) PEDIATRIC DENTAL CARE.—In the House, the Chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that would provide for improved access to pediatric dental care for children from low-income families by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 213. DEFICIT-NEUTRAL RESERVE FUND FOR A 9/11 HEALTH PROGRAM.**

In the House, the Chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that would establish a program, including medical monitoring and treatment, addressing the adverse health impacts linked to the September 11, 2001, attacks by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 214. DEFICIT-NEUTRAL RESERVE FUND FOR TRADE ADJUSTMENT ASSISTANCE AND UNEMPLOYMENT INSURANCE MODERNIZATION.**

In the House, the Chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that reauthorizes the trade adjustment assistance program to better meet the challenges of globalization or modernizes the unemployment insurance system to improve access to needed benefits by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 215. DEFICIT-NEUTRAL RESERVE FUND FOR COUNTY PAYMENTS LEGISLATION.**

In the House, the Chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides for the reauthorization of the Secure Rural Schools and Community Self Determination Act of 2000 (Public Law 106-393) or makes changes to the Payments in Lieu of Taxes Act of 1976 (Public Law 94-565) by the amounts provided

in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 216. DEFICIT-NEUTRAL RESERVE FUND FOR SAN JOAQUIN RIVER RESTORATION AND NAVAJO NATION WATER RIGHTS SETTLEMENTS.**

In the House, the Chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that would fulfill the purposes of the San Joaquin River Restoration Settlement Act or implement a Navajo Nation water rights settlement and other provisions authorized by the Northwestern New Mexico Rural Water Projects Act by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 217. DEFICIT-NEUTRAL RESERVE FUND FOR THE NATIONAL PARK CENTENNIAL FUND.**

In the House, the Chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides for the establishment of the National Park Centennial Fund by the amounts provided in such measure for that purpose if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 218. DEFICIT-NEUTRAL RESERVE FUND FOR CHILD SUPPORT ENFORCEMENT.**

In the House, the Chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that improves Federal child support collection efforts or results in more collected child support reaching families by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 219. DEFICIT-NEUTRAL RESERVE FUND FOR CHILDREN AND FAMILIES.**

In the House, the Chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that assists children and families by improving child welfare programs, extending and improving provisions in the Temporary Assistance for Needy Families program, or providing up to \$5,000,000,000 for the child care entitlement to States by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 220. RESERVE FUND ADJUSTMENT FOR REVENUE MEASURES IN THE HOUSE.**

(a) In the House, with respect to consideration of any bill, joint resolution, amendment, or conference report that would have the net effect of increasing the deficit or reducing the surplus for the period of fiscal years 2008 through 2013 or the period of fiscal years 2008 through 2018 and that would decrease total revenues for the period of fiscal years 2009 through 2013 below the Congressional Budget Office baseline for this concurrent resolution on the budget, the Chairman of the Committee on the Budget shall increase the revenue aggregates by \$340,570,000,000 for the period of fiscal years 2009 through 2013 if the Chairman determines that such legislation does not include language consistent with the applicable provision set forth in the joint explanatory statement of managers accompanying this concurrent resolution. The Chairman may readjust such levels upon disposition of any measure under this section.

(b) Section 321 of S. Con. Res. 21, the Concurrent Resolution on the Budget for Fiscal Year 2008, shall no longer apply.

**Subtitle B—Senate Reserve Funds**

**SEC. 221. DEFICIT-NEUTRAL RESERVE FUND TO STRENGTHEN AND STIMULATE THE AMERICAN ECONOMY AND PROVIDE ECONOMIC RELIEF TO AMERICAN FAMILIES.**

(a) **TAX RELIEF.**—The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would provide tax relief, including extensions of expiring and expired tax relief and refundable tax relief, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(b) **MANUFACTURING.**—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports, including tax legislation, that would revitalize the United States domestic manufacturing sector by increasing Federal research and development, by expanding the scope and effectiveness of manufacturing programs across the Federal government, by increasing efforts to train and retrain manufacturing workers, by increasing support for development of alternative fuels and leap-ahead automotive and energy technologies, or by establishing tax incentives to encourage the continued production in the United States of advanced technologies and the infrastructure to support such technologies, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(c) **HOUSING.**—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports

that would provide housing assistance, which may include low income rental assistance, or establish an affordable housing fund financed by the housing government sponsored enterprises or other sources, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(d) FLOOD INSURANCE REFORM.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would provide for flood insurance reform and modernization, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(e) TRADE.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to trade, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(f) ECONOMIC RELIEF FOR AMERICAN FAMILIES.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports which—

(1) reauthorizes the Temporary Assistance for Needy Families supplemental grants or makes improvements to the Temporary Assistance for Needy Families program, child welfare programs, or the child support enforcement program;

(2) provides up to \$5,000,000,000 for the child care entitlement to States;

(3) provides up to \$40,000,000 for the emergency food assistance program established under the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501 et seq.);

(4) improves the unemployment compensation program; or

(5) reauthorizes trade adjustment assistance programs

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(g) AMERICA'S FARMS AND ECONOMIC INVESTMENT IN RURAL AMERICA.—

(1) FARM BILL.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide for the reauthorization of the programs of the Food Security and Rural Investment Act of 2002 or prior Acts, authorize similar or related programs, provide for revenue changes, or any combination of the preceding purposes, by the amounts provided in such legislation for those purposes up to \$15,000,000,000 over the period of the total of fiscal

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years 2008 through 2013, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(2) COUNTY PAYMENTS.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide for the reauthorization of the Secure Rural Schools and Community Self-Determination Act of 2000 (Public Law 106–393), make changes to the Payments in Lieu of Taxes Act of 1976 (Public Law 94–565), or both, by the amounts provided by that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SEC. 222. DEFICIT-NEUTRAL RESERVE FUND FOR IMPROVING EDUCATION.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would improve education, which may include—

(1) making higher education more accessible or more affordable, which may include increasing funding for the Federal Pell Grant program or increasing Federal student loan limits;

(2) facilitating modernization of school facilities through renovation or construction bonds, reducing the cost of teachers' out-of-pocket expenses for school supplies, or providing tax incentives for highly-qualified teachers to serve in high-needs schools;

(3) improving student achievement during secondary education, including middle school completion, increasing high school graduation, and preparing students for higher education and the workforce; or

(4) promoting flexibility and accountability in Federal education programs

by the amounts provided in such legislation for such purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SEC. 223. DEFICIT-NEUTRAL RESERVE FUND FOR INVESTMENTS IN AMERICA'S INFRASTRUCTURE.**

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide for a robust Federal investment in America's infrastructure, which may include projects for transit, rail (including high-speed passenger rail), airport, seaport, public housing, energy, water, highway, bridge, or other infrastructure projects, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SEC. 224. DEFICIT-NEUTRAL RESERVE FUND TO INVEST IN CLEAN ENERGY, PRESERVE THE ENVIRONMENT, AND PROVIDE FOR CERTAIN SETTLEMENTS.**

(a) **ENERGY AND THE ENVIRONMENT.**—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would decrease greenhouse gas emissions, reduce our Nation's dependence on imported energy, produce green jobs, encourage consumers to install smart electricity meters in homes and businesses, encourage the capture and storage of carbon dioxide emissions from coal projects, or preserve or protect national parks, oceans, or coastal areas, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018. The legislation may include tax legislation such as a proposal to extend for 5 years energy tax incentives like the production tax credit for electricity produced from renewable resources, the biodiesel production tax credit, or the Clean Renewable Energy Bond program, to provide a tax credit for clean burning wood stoves, a tax credit for production of cellulosic ethanol, a tax credit for plug-in hybrid vehicles, or provisions to encourage energy efficient buildings, products, and power plants. Tax legislation under this section may be paid for by adjustments to section 167(h)(1) of the Internal Revenue Code of 1986 as it relates to integrated oil companies.

(b) **SETTLEMENTS.**—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would fulfill the purposes of the San Joaquin River Restoration Settlement Act or implement a Navajo Nation water rights settlement and other provisions authorized by the Northwestern New Mexico Rural Water Projects Act, by the amounts provided by that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SEC. 225. DEFICIT-NEUTRAL RESERVE FUND FOR AMERICA'S VETERANS AND SERVICEMEMBERS.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would—

(1) enhance medical care, disability evaluations, or disability benefits for wounded or disabled military personnel or veterans (including measures to expedite the claims process);

(2) maintain affordable health care for military retirees and veterans;

(3) expand the number of disabled military retirees who receive both disability compensation and retired pay, or would accelerate the date by which eligible retirees under section 1414 of title 10, United States Code, will fully receive both veterans' disability compensation and retired pay;

(4) eliminate the offset between Survivor Benefit Plan annuities and Veterans' Dependency and Indemnity Compensation;

(5) provide for the continuing payment to members of the Armed Forces who are retired or separated from the Armed Forces due to a combat-related injury after September 11, 2001, of bonuses that such members were entitled to before the retirement or separation and would continue to be entitled to if such members were not retired or separated;

(6) enhance programs and activities to increase the availability of health care and other veterans services for veterans living in rural areas; or

(7) provide or increase benefits for Filipino veterans of World War II or their survivors and dependents

by the amounts provided in such legislation for those purposes, provided that such legislation does not include increased fees charged to veterans for pharmacy co-payments, annual enrollment, or third-party insurance payment offsets, and further provided that such legislation would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

**SEC. 226. DEFICIT-NEUTRAL RESERVE FUND FOR EDUCATION BENEFITS FOR SERVICEMEMBERS, VETERANS, AND THEIR FAMILIES.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would—

(1) enhance educational benefits or assistance for servicemembers and veterans with service on active duty in the Armed Forces on or after September 11, 2001;

(2) allow for the transfer of education benefits from servicemembers to spouses, survivors, or dependents; or

(3) otherwise enhance education benefits or assistance for servicemembers (including Active Duty, National Guard, and Reserve), veterans, or their spouses, survivors, or dependents by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SEC. 227. DEFICIT-NEUTRAL RESERVE FUND TO IMPROVE AMERICA'S HEALTH.**

(a) SCHIP.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that provides up to \$50,000,000,000 in outlays over the period of the total of fiscal years 2008 through 2013 for reauthorization of SCHIP, if such legislation maintains coverage for those currently enrolled in SCHIP, continues efforts to enroll uninsured children who are already eligible for SCHIP or Medicaid but are not enrolled, or supports States in their efforts to move forward in covering more children, by the amounts provided in that legislation for those purposes, provided that the outlay adjustment shall not exceed \$50,000,000,000 in outlays over the period of the total of fiscal

years 2008 through 2013, and provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(b) MEDICARE IMPROVEMENTS.—

(1) PHYSICIAN PAYMENTS.—The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that increases the reimbursement rate for physician services under section 1848(d) of the Social Security Act and that includes financial incentives for physicians to improve the quality and efficiency of items and services furnished to Medicare beneficiaries through the use of consensus-based quality measures, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(2) OTHER IMPROVEMENTS TO MEDICARE.—The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that makes improvements to the Medicare program, which may include—

(A) reductions in beneficiary cost-sharing for preventive benefits under Medicare Part B;

(B) the preservation or promotion of payment provisions that support America's rural health care delivery system;

(C) limits to inappropriate or abusive marketing tactics by private insurers and their agents offering Medicare Advantage or Medicare prescription drug plans by enacting any or all of the recommendations agreed to by leaders of the health insurance industry on March 3, 2008, including prohibitions on cold calling and telephone solicitations for in-home sales appointments with Medicare beneficiaries;

(D) a three-year extension of the pilot program for national and State background checks on direct patient access employees of long-term care facilities or providers under section 307 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (42 U.S.C. 1395aa note) and removing the limit on the number of participating States under such pilot program; or

(E) measures to encourage physicians to train in primary care residencies and attract more physicians and other health care providers to States that face a shortage of health care providers

by the amounts provided in such legislation for those purposes up to \$10,000,000,000, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(3) MEDICARE LOW-INCOME PROGRAMS.—The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for

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a bill, joint resolution, amendment, motion, or conference report that makes improvements to the Medicare Savings Program and the Medicare Part D low-income subsidy program, which may include the provisions that—

(A) provide for an increase in the asset allowance under the Medicare Part D low-income subsidy program so that individuals with very limited incomes, but modest retirement savings, can obtain the assistance that the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 was intended to deliver with respect to the payment of premiums and cost-sharing under the Medicare Part D prescription drug benefit;

(B) provide for an update in the income and asset allowances under the Medicare Savings Program and provide for an annual inflationary adjustment for those allowances; and

(C) improve outreach and enrollment under the Medicare Savings Program and the Medicare Part D low-income subsidy program to ensure that low-income senior citizens and other low-income Medicare beneficiaries receive the low-income assistance for which they are eligible in accordance with the improvements provided for in such legislation by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(c) HEALTH CARE QUALITY, EFFECTIVENESS, EFFICIENCY, AND TRANSPARENCY.—

(1) COMPARATIVE EFFECTIVENESS RESEARCH.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that establish a new Federal or public-private initiative for comparative effectiveness research, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(2) IMPROVING THE HEALTH CARE SYSTEM.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution for a bill, joint resolution, motion, amendment, or conference report that—

(A) creates a framework and parameters for the use of Medicare data for the purpose of conducting research, public reporting, and other activities to evaluate health care safety, effectiveness, efficiency, quality, and resource utilization in Federal programs and the private health care system; and

(B) includes provisions to protect beneficiary privacy and to prevent disclosure of proprietary or trade secret information with respect to the transfer and use of such data

by the amounts provided for those purposes, provided that such legislation would not increase the deficit over either the

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period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(3) HEALTH INFORMATION TECHNOLOGY AND ADHERENCE TO BEST PRACTICES.—

(A) HEALTH INFORMATION TECHNOLOGY.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide incentives or other support for adoption of modern information technology, including incentives or other supports for the adoption of electronic prescribing technology, to improve quality and protect privacy in health care, such as activities by the Department of Defense and the Department of Veterans Affairs to integrate their electronic health record data, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(B) ADHERENCE TO BEST PRACTICES.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide incentives for Medicare providers or suppliers to comply with, where available and medically appropriate, clinical protocols identified as best practices, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(d) FOOD AND DRUG ADMINISTRATION.—

(1) REGULATION.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for a bill, joint resolution, motion, amendment, or conference report that authorizes the Food and Drug Administration to regulate products and assess user fees on manufacturers and importers of those products to cover the cost of the Food and Drug Administration's regulatory activities, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(2) DRUG IMPORTATION.—The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other levels in this resolution for a bill, joint resolution, motion, amendment, or conference report that permits the safe importation of prescription drugs approved by the Food and Drug Administration from a specified list of countries, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through

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2013 or the period of the total of fiscal years 2008 through 2018.

(e) MEDICAID.—

(1) RULES OR ADMINISTRATIVE ACTIONS.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that includes provisions regarding the implementation or administration of regulations or other administrative actions pertaining to Medicaid or SCHIP or includes provisions regarding administrative guidance issued in August 2007 affecting SCHIP or any other administrative action that would affect SCHIP in a similar manner by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the total of the period of fiscal years 2008 through 2013 or the total of the period of fiscal years 2008 through 2018.

(2) TRANSITIONAL MEDICAL ASSISTANCE.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions or conference reports that extend the Transitional Medical Assistance program, included in title XIX of the Social Security Act, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the total of the period of fiscal years 2008 through 2013 or the total of the period of fiscal years 2008 through 2018.

(f) OTHER IMPROVEMENTS IN HEALTH.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports which—

(1) make health insurance coverage more affordable or available to small businesses and their employees, through pooling arrangements that provide appropriate consumer protections, or through reducing barriers to cafeteria plans;

(2) improve health care, provide quality health insurance for the uninsured and underinsured, and protect individuals with current health coverage;

(3) reauthorize the special diabetes program for Indians and the special diabetes programs for Type 1 diabetes;

(4) improve long-term care, enhance the safety and dignity of patients, encourage appropriate use of institutional and community-based care, promote quality care, or provide for the cost-effective use of public resources; or

(5) provide parity between health insurance coverage of mental health benefits and benefits for medical and surgical services, including parity in public programs

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(g) PEDIATRIC DENTAL CARE.—The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that would

provide for improved access to pediatric dental care for children from low-income families, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SEC. 228. DEFICIT-NEUTRAL RESERVE FUND FOR REFORM OF THE ALTERNATIVE MINIMUM TAX.**

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that provides for reform of the Internal Revenue Code of 1986 by reducing the tax burden of the alternative minimum tax on middle-income families, by the amounts provided in such measure for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SEC. 229. DEFICIT-NEUTRAL RESERVE FUND FOR JUDICIAL PAY AND JUDGESHIPS.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would authorize salary adjustments for justices and judges of the United States or increase the number of Federal judgeships, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SEC. 230. DEFICIT-NEUTRAL RESERVE FUND FOR IMMIGRATION ENFORCEMENT AND REFORM.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions or conference reports that would provide for greater border security, enforcement of immigration laws, backlog reduction and improvement of immigration services, reimbursement to states for the costs of incarcerating criminal aliens, or immigration reform, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SEC. 231. DEFICIT-NEUTRAL RESERVE FUND FOR SCIENCE PARKS.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would provide grants and loan guarantees for the development and construction of science parks to promote the clustering of innovation through high technology activities, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the

total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SEC. 232. DEFICIT-NEUTRAL RESERVE FUND TO TERMINATE DEDUCTIONS FROM MINERAL REVENUE PAYMENTS TO STATES.**

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels and limits in this resolution by the amounts provided for those purposes for a bill, joint resolution, amendment, motion, or conference report that would terminate the authority to deduct certain amounts from mineral revenues payable to States under the second undesignated paragraph of the matter under the heading “ADMINISTRATIVE PROVISIONS” under the heading “MINERALS MANAGEMENT SERVICE” of title I of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2008 (Public Law 110–161; 121 Stat. 2109), provided that such legislation would not increase the deficit over the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SEC. 233. DEFICIT-REDUCTION RESERVE FUND FOR INCREASED USE OF RECOVERY AUDITS.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieves savings by requiring that agencies increase their use of recovery audits authorized under subchapter VI of chapter 35 of title 31, United States Code, (commonly referred to as the Erroneous Payments Recovery Act of 2001) and uses such savings to reduce the deficit, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SEC. 234. DEFICIT-NEUTRAL RESERVE FUND FOR FOOD SAFETY.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would expand the level of Food and Drug Administration and Department of Agriculture food safety inspection services, develop effective approaches to the inspection of domestic and imported food products, provide for infrastructure and information technology systems to enhance the safety of the food supply, expand scientific capacity and training programs, invest in improved surveillance and testing technologies, provide for foodborne illness awareness and education programs, or enhance the Food and Drug Administration’s recall authority, by the amounts provided in such legislation for such purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SEC. 235. DEFICIT-NEUTRAL RESERVE FUND FOR DEMONSTRATION PROJECT REGARDING MEDICAID COVERAGE OF LOW-INCOME HIV-INFECTED INDIVIDUALS.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates,

and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions or conference reports that provide for a demonstration project under which a State may apply under section 1115 of the Social Security Act (42 U.S.C. 1315) to provide medical assistance under a State Medicaid program to HIV-infected individuals who are not eligible for medical assistance under such program under section 1902(a)(10)(A)(i) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(i)), by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the total of the period of fiscal years 2008 through 2013 or the total of the period of fiscal years 2008 through 2018.

**SEC. 236. DEFICIT-NEUTRAL RESERVE FUND FOR REDUCING THE INCOME THRESHOLD FOR THE REFUNDABLE CHILD TAX CREDIT, AND OTHER SELECTED TAX RELIEF POLICIES.**

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would reduce the income threshold for the refundable child tax credit under section 24 of the Internal Revenue Code of 1986 to \$10,000 for taxable years 2009 and 2010 with no inflation adjustment; extend enhanced charitable giving from individual retirement accounts, including life-income gifts; or incentivize utilization of accumulated alternative minimum tax and research and development credits, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SEC. 237. DEFICIT-NEUTRAL RESERVE FUND FOR A 9/11 HEALTH PROGRAM.**

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels and limits in this resolution for a bill, joint resolution, motion, amendment, or conference report that would establish a program, including medical monitoring and treatment, addressing the adverse health impacts linked to the September 11, 2001 attacks, by the amounts provided in such legislation for those purposes, if such legislation would not increase the deficit over either the period of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

## **TITLE III—BUDGET ENFORCEMENT**

### **Subtitle A—House Enforcement Provisions**

**SEC. 301. PROGRAM INTEGRITY INITIATIVES AND OTHER ADJUSTMENTS.**

(a) ADJUSTMENTS TO DISCRETIONARY SPENDING LIMITS.—

(1) CONTINUING DISABILITY REVIEWS AND SUPPLEMENTAL SECURITY INCOME REDETERMINATIONS.—In the House, prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2009 that appropriates \$264,000,000 for continuing disability reviews and

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Supplemental Security Income redeterminations for the Social Security Administration, and provides an additional appropriation of up to \$240,000,000, and the amount is designated for continuing disability reviews and Supplemental Security Income redeterminations for the Social Security Administration, the allocation to the Committee on Appropriations shall be increased by the amount of the additional budget authority and outlays resulting from that budget authority for fiscal year 2009.

(2) INTERNAL REVENUE SERVICE TAX COMPLIANCE.—In the House, prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2009 that appropriates \$6,997,000,000 to the Internal Revenue Service and the amount is designated to improve compliance with the provisions of the Internal Revenue Code of 1986 and provides an additional appropriation of up to \$490,000,000, and the amount is designated to improve compliance with the provisions of the Internal Revenue Code of 1986, the allocation to the Committee on Appropriations shall be increased by the amount of the additional budget authority and outlays resulting from that budget authority for fiscal year 2009.

(3) HEALTH CARE FRAUD AND ABUSE CONTROL PROGRAM.—In the House, prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2009 that appropriates up to \$198,000,000 and the amount is designated to the health care fraud and abuse control program at the Department of Health and Human Services, the allocation to the Committee on Appropriations shall be increased by the amount of additional budget authority and outlays resulting from that budget authority for fiscal year 2009.

(4) UNEMPLOYMENT INSURANCE PROGRAM INTEGRITY ACTIVITIES.—In the House, prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2009 that appropriates \$10,000,000 for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews for the Department of Labor and provides an additional appropriation of up to \$40,000,000, and the amount is designated for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews for the Department of Labor, the allocation to the Committee on Appropriations shall be increased by the amount of additional budget authority and outlays resulting from that budget authority for fiscal year 2009.

(b) COSTS OF OVERSEAS DEPLOYMENTS AND EMERGENCY NEEDS.—

(1) OVERSEAS DEPLOYMENTS AND RELATED ACTIVITIES.—

(A) In the House, if any bill, joint resolution, amendment, or conference report makes appropriations for fiscal year 2008 or fiscal year 2009 for overseas deployments and related activities and such amounts are so designated pursuant to this subparagraph, then the allocation to the Committee on Appropriations may be adjusted by the amounts provided in such legislation for that purpose up to the amounts of budget authority specified in section

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104(21) for fiscal year 2008 or fiscal year 2009 and the new outlays resulting therefrom.

(B) In the House, if any bill, joint resolution, amendment, or conference report makes appropriations for fiscal year 2008 or fiscal year 2009 for overseas deployments and related activities above the amounts of budget authority and new outlays specified in subparagraph (A) and such amounts are so designated pursuant to this subparagraph, then new budget authority, outlays, or receipts resulting therefrom shall not count for the purposes of titles III and IV of the Congressional Budget Act of 1974.

(2) EMERGENCY NEEDS.—In the House, if any bill, joint resolution, amendment, or conference report makes appropriations for discretionary amounts and such amounts are designated as necessary to meet emergency needs, then the new budget authority and outlays resulting therefrom shall not count for the purposes of titles III and IV of the Congressional Budget Act of 1974.

(c) PROCEDURE FOR ADJUSTMENTS.—

(1) IN GENERAL.—In the House, prior to consideration of any bill, joint resolution, amendment, or conference report, the Chairman of the Committee on the Budget shall make the adjustments set forth in subsection (a) for the incremental new budget authority in that measure and the outlays resulting from that budget authority if that measure meets the requirements set forth in subsection (a), except that no adjustment shall be made for provisions exempted for the purposes of titles III and IV of the Congressional Budget Act of 1974 under subsection (b) of this section.

(2) MATTERS TO BE ADJUSTED.—The adjustments referred to in paragraph (1) are to be made to the allocations made under this concurrent resolution on the budget pursuant to section 302(a) of the Congressional Budget Act of 1974.

(d) SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2008.—In the House, if any measure making supplemental appropriations for fiscal year 2008 is enacted, the Chairman of the Committee on the Budget shall make the appropriate adjustments in allocations and aggregates to reflect the difference between such measure and the corresponding levels assumed in this resolution.

**SEC. 302. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.**

(a) IN GENERAL.—In the House, except as provided in subsection (b), any bill, joint resolution, amendment, or conference report making a general appropriation or continuing appropriation may not provide for advance appropriations.

(b) EXCEPTIONS.—In the House, an advance appropriation may be provided for fiscal year 2010 for programs, projects, activities, or accounts identified in the joint explanatory statement of managers to accompany this resolution under the heading “Accounts Identified for Advance Appropriations” in an aggregate amount not to exceed \$28,852,000,000 in new budget authority, and for 2011, accounts separately identified under the same heading.

(c) DEFINITION.—In this section, the term “advance appropriation” means any new discretionary budget authority provided in a bill or joint resolution making general appropriations or any

new discretionary budget authority provided in a bill or joint resolution continuing appropriations for fiscal year 2009 that first becomes available for any fiscal year after 2009.

### **Subtitle B—Senate Enforcement Provisions**

#### **SEC. 311. SENATE POINT OF ORDER AGAINST LEGISLATION INCREASING LONG-TERM DEFICITS.**

(a) CONGRESSIONAL BUDGET OFFICE ANALYSIS OF PROPOSALS.—The Director of the Congressional Budget Office shall, to the extent practicable, prepare for each bill and joint resolution reported from committee (except measures within the jurisdiction of the Committee on Appropriations), and amendments thereto and conference reports thereon, an estimate of whether the measure would cause, relative to current law, a net increase in deficits in excess of \$5,000,000,000 in any of the 4 consecutive 10-year periods beginning with the first fiscal year that is 10 years after the budget year provided for in the most recently adopted concurrent resolution on the budget.

(b) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report that would cause a net increase in deficits in excess of \$5,000,000,000 in any of the 4 consecutive 10-year periods described in subsection (a).

(c) SUPERMAJORITY WAIVER AND APPEAL IN THE SENATE.—

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

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

(d) DETERMINATIONS OF BUDGET LEVELS.—For purposes of this section, the levels of net deficit increases shall be determined on the basis of estimates provided by the Senate Committee on the Budget.

(e) SUNSET.—This section shall expire on September 30, 2017.

(f) REPEAL.—In the Senate, subsections (a) through (d) and subsection (f) of section 203 of S. Con. Res. 21 (110th Congress) shall no longer apply.

#### **SEC. 312. DISCRETIONARY SPENDING LIMITS, PROGRAM INTEGRITY INITIATIVES, AND OTHER ADJUSTMENTS.**

(a) SENATE POINT OF ORDER.—

(1) IN GENERAL.—Except as otherwise provided in this section, it shall not be in order in the Senate to consider any bill or joint resolution (or amendment, motion, or conference report on that bill or joint resolution) that would cause the discretionary spending limits in this section to be exceeded.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

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

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection

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shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(b) SENATE DISCRETIONARY SPENDING LIMITS.—In the Senate and as used in this section, the term “discretionary spending limit” means—

(1) for fiscal year 2008, \$1,050,478,000,000 in new budget authority and \$1,094,944,000,000 in outlays; and

(2) for fiscal year 2009, \$1,011,718,000,000 in new budget authority and \$1,106,112,000,000 in outlays;

as adjusted in conformance with the adjustment procedures in subsection (c).

(c) ADJUSTMENTS IN THE SENATE.—

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

(A) the Chairman of the Senate Committee on the Budget may adjust the discretionary spending limits, budgetary aggregates, and allocations pursuant to section 302(a) of the Congressional Budget Act of 1974, by the amount of new budget authority in that measure for that purpose and the outlays flowing therefrom; and

(B) following any adjustment under subparagraph (A), the Senate Committee on Appropriations may report appropriately revised suballocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this subsection.

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

(A) CONTINUING DISABILITY REVIEWS AND SSI REDETERMINATIONS.—If a bill or joint resolution is reported making appropriations for fiscal year 2009 that appropriates \$264,000,000 for continuing disability reviews and Supplemental Security Income redeterminations for the Social Security Administration, and provides an additional appropriation of up to \$240,000,000 for continuing disability reviews and Supplemental Security Income redeterminations for the Social Security Administration, then the discretionary spending limits, allocation to the Senate Committee on Appropriations, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed \$240,000,000 in budget authority and outlays flowing therefrom for fiscal year 2009.

(B) INTERNAL REVENUE SERVICE TAX ENFORCEMENT.—If a bill or joint resolution is reported making appropriations for fiscal year 2009 that appropriates \$6,997,000,000 for the Internal Revenue Service for enhanced tax enforcement to address the Federal tax gap (taxes owed but not paid) and provides an additional appropriation of up to \$490,000,000 for the Internal Revenue Service for enhanced tax enforcement to address the Federal tax gap, then the discretionary spending limits, allocation to the Senate Committee on Appropriations, and aggregates may be adjusted

by the amounts provided in such legislation for that purpose, but not to exceed \$490,000,000 in budget authority and outlays flowing therefrom for fiscal year 2009.

(C) HEALTH CARE FRAUD AND ABUSE CONTROL.—If a bill or joint resolution is reported making appropriations for fiscal year 2009 that appropriates up to \$198,000,000 to the Health Care Fraud and Abuse Control program at the Department of Health and Human Services, then the discretionary spending limits, allocation to the Senate Committee on Appropriations, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed \$198,000,000 in budget authority and outlays flowing therefrom for fiscal year 2009.

(D) UNEMPLOYMENT INSURANCE IMPROPER PAYMENT REVIEWS.—If a bill or joint resolution is reported making appropriations for fiscal year 2009 that appropriates \$10,000,000 for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews, and provides an additional appropriation of up to \$40,000,000 for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews, then the discretionary spending limits, allocation to the Senate Committee on Appropriations, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed \$40,000,000 in budget authority and outlays flowing therefrom for fiscal year 2009.

(3) ADJUSTMENTS FOR OVERSEAS DEPLOYMENTS AND OTHER ACTIVITIES.—The Chairman of the Senate Committee on the Budget may adjust the discretionary spending limits, allocations to the Senate Committee on Appropriations, and aggregates for one or more—

(A) bills reported by the Senate Committee on Appropriations or passed by the House of Representatives;

(B) joint resolutions or amendments reported by the Senate Committee on Appropriations;

(C) amendments between the Houses received from the House of Representatives or Senate amendments offered by the authority of the Senate Committee on Appropriations; or

(D) conference reports;

making appropriations for fiscal year 2008 or 2009 for overseas deployments and other activities, by the amounts provided in such legislation for those purposes (and so designated pursuant to this paragraph), up to the amounts of budget authority specified in section 104(21) for fiscal years 2008 and 2009 and the new outlays flowing therefrom.

(d) SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2008.—If legislation making supplemental appropriations for fiscal year 2008 is enacted, the Chairman of the Senate Committee on the Budget may make the appropriate adjustments in allocations, aggregates, discretionary spending limits, and other levels of new budget authority and outlays for 2008 and 2009 to reflect the difference between such measure and the corresponding levels assumed in this resolution.

(e) INAPPLICABILITY.—In the Senate, subsections (a), (b), (c), (e), and (f) of section 207 of S. Con. Res. 21 (110th Congress) shall no longer apply.

**SEC. 313. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.**

(a) IN GENERAL.—

(1) POINT OF ORDER.—Except as provided in subsection (b), it shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would provide an advance appropriation.

(2) DEFINITION.—In this section, the term “advance appropriation” means any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2009 that first becomes available for any fiscal year after 2009, or any new budget authority provided in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2010, that first becomes available for any fiscal year after 2010.

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

(1) for fiscal years 2010 and 2011 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 \$28,852,000,000 in new budget authority in each year; and

(2) for the Corporation for Public Broadcasting.

(c) SUPERMAJORITY WAIVER AND APPEAL.—

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

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

(d) FORM OF POINT OF ORDER.—A point of order under subsection (a) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(e) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(f) INAPPLICABILITY.—In the Senate, section 206(a) of S. Con. Res. 21 (110th Congress) shall no longer apply.

**SEC. 314. SENATE POINT OF ORDER AGAINST PROVISIONS OF APPROPRIATIONS LEGISLATION THAT CONSTITUTE CHANGES IN MANDATORY PROGRAMS WITH NET COSTS.**

(a) **IN GENERAL.**—In the Senate, it shall not be in order to consider any appropriations legislation, including any amendment thereto, motion in relation thereto, or conference report thereon, that includes any provision which constitutes a change in a mandatory program producing net costs, as defined in subsection (b), that would have been estimated as affecting direct spending or receipts under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002) were they included in legislation other than appropriations legislation. A point of order pursuant to this section shall be raised against such provision or provisions as described in subsections (e) and (f).

(b) **CHANGES IN MANDATORY PROGRAMS PRODUCING NET COSTS.**—A provision or provisions shall be subject to a point of order pursuant to this section if—

(1) the provision would increase budget authority in at least 1 of the 9 fiscal years that follow the budget year and over the period of the total of the budget year and the 9 fiscal years following the budget year;

(2) the provision would increase net outlays over the period of the total of the 9 fiscal years following the budget year; and

(3) the sum total of all changes in mandatory programs in the legislation would increase net outlays as measured over the period of the total of the 9 fiscal years following the budget year.

(c) **DETERMINATION.**—The determination of whether a provision is subject to a point of order pursuant to this section shall be made by the Committee on the Budget of the Senate.

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

(e) **GENERAL POINT OF ORDER.**—It shall be in order for a Senator to raise a single point of order that several provisions of a bill, resolution, amendment, motion, or conference report violate this section. The Presiding Officer may sustain the point of order as to some or all of the provisions against which the Senator raised the point of order. If the Presiding Officer so sustains the point of order as to some of the provisions (including provisions of an amendment, motion, or conference report) against which the Senator raised the point of order, then only those provisions (including provision of an amendment, motion, or conference report) against which the Presiding Officer sustains the point of order shall be deemed stricken pursuant to this section. Before the Presiding Officer rules on such a point of order, any Senator may move to waive such a point of order as it applies to some or all of the provisions against which the point of order was raised. Such a motion to waive is amendable in accordance with rules and precedents of the Senate. After the Presiding Officer rules on such a point of order, any Senator may appeal the ruling of the Presiding

Officer on such a point of order as it applies to some or all of the provisions on which the Presiding Officer ruled.

(f) **FORM OF THE POINT OF ORDER.**—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report or amendment shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(g) **EFFECTIVENESS.**—This section shall not apply to any provision constituting a change in a mandatory program in appropriations legislation if such provision has been enacted in each of the 3 fiscal years prior to the budget year.

(h) **INAPPLICABILITY.**—In the Senate, section 209 of S. Con. Res. 21 (110th Congress) shall no longer apply.

**SEC. 315. SENATE POINT OF ORDER AGAINST LEGISLATION INCREASING SHORT-TERM DEFICIT.**

(a) **POINT OF ORDER.**—It shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report (except measures within the jurisdiction of the Committee on Appropriations) that would cause a net increase in the deficit in excess of \$10,000,000,000 in any fiscal year provided for in the most recently adopted concurrent resolution on the budget unless it is fully offset over the period of all fiscal years provided for in the most recently adopted concurrent resolution on the budget.

(b) **SUPERMAJORITY WAIVER AND APPEAL IN THE SENATE.**—

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

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

(c) **DETERMINATIONS OF BUDGET LEVELS.**—For purposes of this section, the levels shall be determined on the basis of estimates provided by the Senate Committee on the Budget.

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

## **Subtitle C—Other Provisions**

**SEC. 321. OVERSIGHT OF GOVERNMENT PERFORMANCE.**

All committees are directed to review programs within their jurisdiction to root out waste, fraud, and abuse in program spending, giving particular scrutiny to issues raised by Government Accountability Office reports. Based on these oversight efforts and committee performance reviews of programs within their jurisdiction,

committees are directed to include recommendations for improved governmental performance in their annual views and estimates reports required under section 301(d) of the Congressional Budget Act of 1974 to the appropriate Committee on the Budget.

**SEC. 322. BUDGETARY TREATMENT OF CERTAIN DISCRETIONARY ADMINISTRATIVE EXPENSES.**

(a) **IN GENERAL.**—In the House and Senate, notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974, section 13301 of the Budget Enforcement Act of 1990, and section 2009a of title 39, United States Code, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocations under section 302(a) of the Congressional Budget Act of 1974 to the Committees on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration and of the Postal Service.

(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 off-budget discretionary amounts.

**SEC. 323. 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, 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.

(d) **ADJUSTMENTS.**—The Chairmen of the Budget Committees in the House and the Senate may adjust the aggregates, allocations, and other levels in this resolution for legislation which has received final Congressional approval in the same form by the House of Representatives and the Senate, and is either waiting to be presented to the President or awaiting Presidential signature at the time of final consideration of this resolution.

**SEC. 324. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.**

Upon the enactment of any bill or joint resolution providing for a change in concepts or definitions, the Chairman of the appropriate Committee on the Budget may make adjustments to the levels and allocations in this resolution in accordance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002).

**SEC. 325. EXERCISE OF RULEMAKING POWERS.**

Congress adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the House of Representatives and the Senate and as such they shall be considered as part of the rules of each House or of that House to which they specifically apply, and these rules shall supersede other rules only to the extent that they are inconsistent with other such rules; and

(2) with full recognition of the constitutional right of either the House of Representatives or the Senate to change those rules at any time, in the same manner, and to the same extent as in the case of any other rule of the House of Representatives or the Senate.

**TITLE IV—POLICY**

**SEC. 401. POLICY OF THE HOUSE ON MIDDLE-INCOME TAX RELIEF.**

It is the policy of the House to—

(1) minimize fiscal burdens on middle-income families and their children and grandchildren;

(2) provide immediate relief for the tens of millions of middle-income households who would otherwise be subject to the alternative minimum tax (AMT) under current law, in the context of permanent, revenue-neutral AMT reform; and

(3) support extension of middle-income tax relief and enhanced economic equity through policies such as—

(A) extension of the child tax credit;

(B) extension of marriage penalty relief;

(C) extension of the 10 percent individual income tax bracket;

(D) elimination of estate taxes on all but a minute fraction of estates by reforming and substantially increasing the unified tax credit;

(E) extension of the research and experimentation tax credit;

(F) extension of the deduction for State and local sales taxes;

(G) extension of the deduction for small business expensing; and

(H) enactment of a tax credit for school construction bonds.

The House assumes that the cost of enacting such policies is offset by reforms within the Internal Revenue Code of 1986 that promote a fairer distribution of taxes across families and generations, economic efficiency, higher rates of tax compliance to close the tax gap, and reduced taxpayer burdens through tax simplification.

**SEC. 402. POLICY ON DEFENSE PRIORITIES.**

It is the policy of this resolution that—

(1) the Administration's budget requests should comply with section 1008, Public Law 109-364, the John Warner National Defense Authorization Act for Fiscal Year 2007, and the Administration should no longer attempt to fund overseas military operations through emergency supplemental appropriations requests;

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(2) the Department of Defense should exclude nonwar requirements from its funding requests for Iraq and Afghanistan;

(3) implementing the recommendation of the National Commission on Terrorist Attacks Upon the United States (commonly referred to as the 9/11 Commission) to adequately fund cooperative threat reduction and nuclear nonproliferation programs (securing “loose nukes”) is a high priority and should receive far greater emphasis than the President’s budget provides;

(4) readiness of our troops, particularly the National Guard and Reserve, is a high priority, and that greater emphasis needs to be placed on mitigating equipment and training shortfalls;

(5) TRICARE fees for military retirees under the age of 65 should not be increased as the President’s budget proposes;

(6) military pay and benefits should be enhanced to improve the quality of life of military personnel;

(7) improving military health care services continues to be a high priority and adequate funding to ensure quality health care for returning combat veterans should be provided;

(8) sufficient funds should be provided to the military services to expedite review of cases involving servicemembers who could have been erroneously discharged from service for a personality disorder, which resulted in a loss of benefits or care, as a result of a combat-related psychological injury (such as Post Traumatic Stress Disorder) or a closed head injury (such as Traumatic Brain Injury);

(9) higher priority defense needs could be addressed by funding missile defense at an adequate but lower level, not providing funding for development of space-based missile defense interceptors, and by restraining excessive cost and schedule growth in defense research, development and procurement programs;

(10) the Department of Defense should reassess current defense plans to ensure that weapons developed to counter Cold War-era threats are not redundant and are applicable to 21st century threats;

(11) sufficient resources should be provided for the Department of Defense to do an aggressive job of addressing as many as possible of the 1,260 pending recommendations made by the Government Accountability Office (GAO) over the last 7 years to improve practices at the Department of Defense, including investigation of the billions of dollars of obligations, disbursements and overcharges for which the Department of Defense cannot account;

(12) savings from the actions recommended in paragraphs (9) and (11) of this section should be used to fund the priorities identified in paragraphs (3) through (8);

(13) the Department of Defense report to Congress on its assessment of cold war weapons and progress on implementing GAO recommendations as outlined in paragraphs (10) and (11) by a time determined by the appropriate authorizing committees; and

(14) the GAO report to the appropriate congressional committees by the end of the 110th Congress regarding the

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Department of Defense's progress in implementing its audit recommendations.

## **TITLE V—SENSE OF THE SENATE AND CONGRESS**

### **Subtitle A—Sense of the Senate**

#### **SEC. 501. SENSE OF THE SENATE REGARDING MEDICAID ADMINISTRATIVE REGULATIONS.**

(a) FINDINGS.—The Senate makes the following findings:

(1) The Medicaid program provides essential health care and long-term care services to approximately 60,000,000 low-income children, pregnant women, parents, individuals with disabilities, and senior citizens. It is a Federal guarantee that ensures the most vulnerable will have access to needed medical services.

(2) Medicaid provides critical access to long-term care and other services for the elderly and individuals living with disabilities, and is the single largest provider of long-term care services. Medicaid also pays for personal care and other supportive services that are typically not provided by private health insurance or Medicare, but are necessary to enable individuals with spinal cord injuries, developmental disabilities, neurological degenerative diseases, serious and persistent mental illnesses, HIV/AIDS, and other chronic conditions to remain in the community, to work, and to maintain independence.

(3) Medicaid supplements the Medicare program for about 7,500,000 low-income elderly or disabled Medicare beneficiaries, assisting them with their Medicare premiums and co-insurance, wrap-around benefits, and the costs of nursing home care that Medicare does not cover. The Medicaid program spends over \$100,000,000,000 on uncovered Medicare services.

(4) Medicaid provides health insurance for more than one-quarter of America's children and is the largest purchaser of maternity care, paying for more than one-third of all the births in the United States each year. Medicaid also provides critical access to care for children with disabilities, covering more than 70 percent of poor children with disabilities.

(5) More than 21,000,000 women depend on Medicaid for their health care. Women comprise the majority of seniors (64 percent) on Medicaid. Half of nonelderly women with permanent mental or physical disabilities have health coverage through Medicaid. Medicaid provides treatment for low-income women diagnosed with breast or cervical cancer in every State.

(6) Medicaid is the Nation's largest source of payment for mental health services, HIV/AIDS care, and care for children with special needs. Much of this care is either not covered by private insurance or limited in scope or duration. Medicaid is also a critical source of funding for health care for children in foster care and for health services in schools.

(7) Medicaid funds help ensure access to care for all Americans. Medicaid is the single largest source of revenue for the Nation's safety net hospitals, health centers, and nursing

homes, and is critical to the ability of these providers to adequately serve all Americans.

(8) Medicaid serves a major role in ensuring that the number of Americans without health insurance, approximately 47,000,000 in 2006, is not substantially higher. The system of Federal matching for State Medicaid expenditures ensures that Federal funds will grow as State spending increases in response to unmet needs, enabling Medicaid to help buffer the drop in private coverage during recessions.

(9) The Bush Administration has issued several regulations that shift Medicaid cost burdens onto States and put at risk the continued availability of much-needed services. The regulations relate to Federal payments to public providers, and for graduate medical education, rehabilitation services, school-based administration, school-based transportation, optional case management services.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that administrative regulations should not—

(1) undermine the role the Medicaid program plays as a critical component of the health care system of the United States;

(2) cap Federal Medicaid spending, or otherwise shift Medicaid cost burdens to State or local governments and their taxpayers and health providers, forcing a reduction in access to essential health services for low-income elderly individuals, individuals with disabilities, and children and families; or

(3) undermine the Federal guarantee of health insurance coverage Medicaid provides, which would threaten not only the health care safety net of the United States, but the entire health care system.

## **Subtitle B—Sense of the Congress**

### **SEC. 511. SENSE OF THE CONGRESS ON SERVICEMEMBERS' AND VETERANS' HEALTH CARE AND OTHER PRIORITIES.**

It is the sense of the Congress that—

(1) the Congress supports excellent health care for current and former members of the United States Armed Services—they have served well and honorably and have made significant sacrifices for this Nation;

(2) this resolution provides \$48,202,000,000 in discretionary budget authority for 2009 for Function 700 (Veterans Benefits and Services), including veterans' health care, which is \$4,940,000,000 more than the 2008 level, \$3,654,000,000 more than the Congressional Budget Office's baseline level for 2009, and \$3,284,000,000 more than the President's budget for 2009; and also provides more discretionary budget authority than the President's budget in every year after 2009;

(3) this resolution provides funding to continue addressing problems such as those identified at Walter Reed Army Medical Center to improve military and veterans' health care facilities and services;

(4) this resolution assumes the rejection of the health care enrollment fees and pharmaceutical co-payment increases in the President's budget;

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(5) this resolution provides additional funding above the President's inadequate budget levels for the Department of Veterans Affairs to research and treat veterans' mental health, post-traumatic stress disorder, and traumatic brain injury; and

(6) this resolution provides additional funding above the President's inadequate budget levels for the Department of Veterans Affairs to improve the speed and accuracy of its processing of disability compensation claims, including funding to hire additional personnel above the President's requested level.

**SEC. 512. SENSE OF THE CONGRESS ON HOMELAND SECURITY.**

It is the sense of the Congress that—

(1) this resolution assumes additional homeland security funding above the President's requested level for 2009 and every subsequent year;

(2) this resolution assumes funding above the President's requested level for 2009, and additional amounts in subsequent years, in the four budget functions—Function 400 (Transportation), Function 450 (Community and Regional Development), Function 550 (Health), and Function 750 (Administration of Justice)—that fund most nondefense homeland security activities; and

(3) the homeland security funding provided in this resolution will help to strengthen the security of our Nation's transportation system, particularly our ports where significant security shortfalls still exist and foreign ports, by expanding efforts to identify and scan all high-risk United States-bound cargo, equip, train and support first responders (including enhancing interoperable communications and emergency management), strengthen border patrol, and increase the preparedness of the public health system.

**SEC. 513. SENSE OF THE CONGRESS REGARDING LONG-TERM FISCAL REFORM.**

It is the sense of the Congress that—

(1) both the Government Accountability Office and the Congressional Budget Office have warned that the Federal budget is on an unsustainable path of rising deficits and debt;

(2) using recent trend data and reasonable policy assumptions, CBO has projected that the gap between spending and revenues over the next 75 years will reach 6.9 percent of GDP;

(3) publicly held debt will rise from 36 percent today to 400 percent of GDP by the decade beginning in 2050 under CBO's alternative policy scenario;

(4) the most significant factor affecting the long-term Federal fiscal landscape is the expectation that total public and private health spending will continue to grow faster than the economy;

(5) the Congress calls upon governmental and nongovernmental experts to develop specific options to reform the health care system and control costs, that further research and analysis on topics including comparative effectiveness, health information technology, preventative care, and provider incentives is needed, and that of critical importance is the development of a consensus on the appropriate methods for estimating

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the budgetary impact and health outcome effects of these proposals; and

(6) immediate policy action is needed to address the long-term fiscal challenges facing the United States, including the rising costs of entitlements, in a manner that is fiscally responsible, equitable, and lasting, and that also honors commitments made to beneficiaries, and that such action should be bipartisan, bicameral, involve both legislative and executive branch participants, as well as public participation, and be conducted in a manner that ensures full, fair, and timely Congressional consideration.

**SEC. 514. SENSE OF THE CONGRESS REGARDING WASTE, FRAUD, AND ABUSE.**

It is the sense of the Congress that—

(1) all committees should examine programs within their jurisdiction to identify wasteful and fraudulent spending;

(2) title III of this resolution includes cap adjustments to provide appropriations for agencies that control programs that accounted for a significant share of improper payments reported by Federal agencies: Social Security Administration Continuing Disability Reviews, the Medicare/Medicaid Health Care Fraud and Abuse Control Program, and Unemployment Insurance Program Integrity;

(3) title III also includes a cap adjustment for the Internal Revenue Services for tax compliance efforts to close the \$345,000,000,000 tax gap;

(4) the resolution's deficit-neutral reserve funds require authorizing committees to cut lower priority and wasteful spending to accommodate any new high-priority entitlement benefits; and

(5) title III of the resolution directs all committees to review the performance of programs within their jurisdiction and report recommendations annually to the appropriate Committee on the Budget as part of the views and estimates process required by section 301(d) of the Congressional Budget Act.

**SEC. 515. SENSE OF THE CONGRESS REGARDING EXTENSION OF THE STATUTORY PAY-AS-YOU-GO RULE.**

It is the sense of the Congress that to reduce the deficit, Congress should extend PAYGO consistent with provisions of the Budget Enforcement Act of 1990.

**SEC. 516. SENSE OF THE CONGRESS ON LONG-TERM BUDGETING.**

It is the sense of the Congress that the determination of the congressional budget for the United States Government and the President's budget request should include consideration of the Financial Report of the United States Government, especially its information regarding the Government's net operating cost, financial position, and long-term liabilities.

**SEC. 517. SENSE OF THE CONGRESS REGARDING AFFORDABLE HEALTH COVERAGE.**

It is the sense of the Congress that—

(1) nearly 47 million Americans, including nine million children, lack health insurance;

(2) people without health insurance are more likely to experience problems getting medical care and to be hospitalized for avoidable health problems;

(3) most Americans receive health coverage through their employers, and a major issue facing all employers is the rising cost of health insurance;

(4) small businesses, which have generated most of the new jobs annually over the last decade, have an especially difficult time affording health coverage, because of higher administrative costs and fewer people over whom to spread the risk of catastrophic costs;

(5) because it is especially costly for small businesses to provide health coverage, their employees make up a large proportion of the Nation's uninsured individuals; and

(6) legislation consistent with the pay-as-you-go principle should be adopted that makes health insurance more affordable and accessible, with attention to the special circumstances affecting employees of small businesses, and that lowers costs and improves the quality of health care by encouraging integration of health information technology tools into the practice of medicine, by expanding comparative effectiveness research, and by promoting improvements in disease management and disease prevention.

**SEC. 518. SENSE OF THE CONGRESS REGARDING PAY PARITY.**

It is the sense of the Congress that rates of compensation for civilian employees of the United States should be adjusted at the same time, and in the same proportion, as are rates of compensation for members of the uniformed services.

**SEC. 519. SENSE OF THE CONGRESS REGARDING SUBPRIME LENDING AND FORECLOSURES.**

It is the sense of the Congress that—

(1) over the last six months, the Nation has experienced a significant increase in the number of homeowners facing the risk of foreclosure with estimates of as many as 2.8 million subprime and other distressed borrowers facing the loss of their homes over the next five years;

(2) the rise in foreclosures not only has an immediate, devastating impact on homeowners and their families, but it also has ripple effects—

(A) local communities experiencing high levels of foreclosures experience deterioration as a result of the large number of vacant foreclosed and abandoned homes;

(B) rising foreclosure rates can accelerate drops in home prices, affecting all homeowners; and

(C) home mortgage default and foreclosure rates increase risk for lenders, further restricting the availability of credit, which can in turn slow economic growth; and

(3) the rise in foreclosures is not only a crisis for subprime borrowers, but a larger problem for communities as a whole, and considering the multi-layered effects of increasing foreclosures, the Congress should consider steps to address this complex problem.

**SEC. 520. SENSE OF THE CONGRESS REGARDING THE NEED TO MAINTAIN AND BUILD UPON EFFORTS TO FIGHT HUNGER.**

It is the sense of the Congress that—

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(1) 35.5 million Americans (12.6 million of them children) are food insecure—uncertain of having, or unable to acquire, enough food, and that 11.1 million Americans are hungry because of lack of food;

(2) despite the critical contributions of the Department of Agriculture nutrition programs (particularly the food stamp program), which significantly reduced payment error rates while providing help to partially mitigate the effects of rising poverty and unemployment, significant need remains, even among families that receive food stamps;

(3) nearly 25 million people, including more than nine million children and nearly three million seniors, sought emergency food assistance from food pantries, soup kitchens, shelters, and local charities last year;

(4) additional resources are needed to ensure that nutrition assistance keeps up with inflation and rising food prices; and

(5) Department of Agriculture programs that help us fight hunger should be maintained and the Congress should continue to seize opportunities to reach Americans in need and to fight hunger.

**SEC. 521. SENSE OF THE CONGRESS REGARDING THE IMPORTANCE OF CHILD SUPPORT ENFORCEMENT.**

It is the sense of the Congress that—

(1) additional legislative action is needed to ensure that States have the necessary resources to collect all child support that is owed to families and to allow them to pass 100 percent of support on to families without financial penalty; and

(2) when 100 percent of child support payments are passed to the child, rather than administrative expenses, program integrity is improved and child support participation increases.

**SEC. 522. SENSE OF THE CONGRESS ON THE INNOVATION AGENDA AND AMERICA COMPETES ACT.**

It is the sense of the Congress that—

(1) the Congress should provide sufficient funding so that our Nation may continue to be the world leader in education, innovation and economic growth;

(2) last year, Congress passed and the President signed the America COMPETES Act, bipartisan legislation designed to ensure that American students, teachers, businesses, and workers are prepared to continue leading the world in innovation, research, and technology well into the future;

(3) this resolution supports the efforts authorized in the America COMPETES Act, providing substantially increased funding above the President's requested level for 2009, and increased amounts after 2009 in Function 250 (General Science, Space and Technology) and other functions;

(4) additional increases for scientific research and education are included in Function 270 (Energy), Function 300 (Environment and Natural Resources), Function 500 (Education, Employment, Training and Social Services), and Function 550 (Health), all of which receive more funding than the President's budget provides;

(5) because America's greatest resource for innovation resides within classrooms across the country, the increased funding provided in this resolution will support initiatives

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within the America COMPETES Act to educate tens of thousands of new scientists, engineers, and mathematicians, and place highly qualified teachers in math and science K–12 classrooms; and

(6) because independent scientific research provides the foundation for innovation and future technologies, this resolution will keep us on the path toward doubling funding for the National Science Foundation, basic research in the physical sciences, and collaborative research partnerships, and toward achieving energy independence through the development of clean and sustainable alternative energy technologies.

Attest:

*Secretary of the Senate.*

Attest:

*Clerk of the House of Representatives.*