

Calendar No. 82

110TH CONGRESS
1ST SESSION

S. CON. RES. 21

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

IN THE SENATE OF THE UNITED STATES

MARCH 16, 2007

Mr. CONRAD, from the Committee on the Budget, reported under authority of the order of the Senate of March 15, 2007, the following original concurrent resolution; which was placed on the calendar

CONCURRENT RESOLUTION

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

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

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

5 (a) DECLARATION.—The Congress declares that this
6 resolution is the concurrent resolution on the budget for

1 fiscal year 2008 and that the appropriate budgetary levels
 2 for fiscal years 2007 and 2009 through 2012 are set forth.

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

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

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.

Sec. 102. Social Security.

Sec. 103. Major functional categories.

TITLE II—BUDGET PROCESS

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

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

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

Sec. 204. Emergency legislation.

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

Sec. 206. Point of order against advance appropriations.

Sec. 207. Discretionary spending limits.

Sec. 208. Application of previous allocations in Senate.

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

TITLE III—RESERVE FUNDS AND ADJUSTMENTS

Sec. 301. Deficit-neutral reserve fund for SCHIP legislation.

Sec. 302. Deficit-neutral reserve fund for care of wounded service members.

Sec. 303. Deficit-neutral reserve fund for tax relief.

Sec. 304. Deficit-neutral reserve fund for comparative effectiveness research.

Sec. 305. Deficit-neutral reserve fund for higher education.

Sec. 306. Deficit-neutral reserve fund for the Farm Bill.

Sec. 307. Deficit-neutral reserve fund for energy legislation.

Sec. 308. Deficit-neutral reserve fund for Medicare.

Sec. 309. Deficit-neutral reserve fund for small business health insurance.

Sec. 310. Deficit-neutral reserve fund for county payments for Secure Rural
 Schools and Community Self-Determination Act of 2000 reau-
 thorization.

Sec. 311. Deficit-neutral reserve fund for terrorism risk insurance reauthoriza-
 tion.

Sec. 312. Deficit-neutral reserve fund for affordable housing.

Sec. 313. Deficit-neutral reserve fund for receipts from Bonneville Power Ad-
 ministration.

Sec. 314. Deficit-neutral reserve fund for Indian claims settlement.

Sec. 315. Deficit-neutral reserve fund for Food and Drug Administration.

Sec. 316. Deficit-neutral reserve fund for health care reform.

Sec. 317. Deficit-neutral reserve fund for enhancement of veterans' benefits.

Sec. 318. Deficit-neutral reserve fund for long-term care.

Sec. 319. Deficit-neutral reserve fund for health information technology.

Sec. 320. Deficit-neutral reserve fund for child care.

Sec. 321. Deficit-neutral reserve fund for comprehensive immigration reform.

- Sec. 322. Deficit-neutral reserve fund for mental health parity.
 Sec. 323. Application and effect of changes in allocations and aggregates.
 Sec. 324. Adjustments to reflect changes in concepts and definitions.
 Sec. 325. Exercise of rulemaking powers.

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

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

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

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

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

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

11 Fiscal year 2008: \$2,009,096,000,000.

12 Fiscal year 2009: \$2,123,326,000,000.

13 Fiscal year 2010: \$2,221,621,000,000.

14 Fiscal year 2011: \$2,410,150,000,000.

15 Fiscal year 2012: \$2,552,896,000,000.

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

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

20 Fiscal year 2008: $-\$41,700,000,000$.

21 Fiscal year 2009: \$16,400,000,000.

22 Fiscal year 2010: \$57,900,000,000.

23 Fiscal year 2011: \$15,600,000,000.

1 Fiscal year 2012: -\$44,200,000,000.

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

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

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

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

8 Fiscal year 2010: \$2,550,622,000,000.

9 Fiscal year 2011: \$2,664,262,000,000.

10 Fiscal year 2012: \$2,691,285,000,000.

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

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

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

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

17 Fiscal year 2010: \$2,582,172,000,000.

18 Fiscal year 2011: \$2,670,131,000,000.

19 Fiscal year 2012: \$2,677,372,000,000.

20 (4) DEFICITS.—For purposes of the enforce-
21 ment of this resolution, the amounts of the deficits
22 are as follows:

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

24 Fiscal year 2008: \$451,155,000,000.

25 Fiscal year 2009: \$432,249,000,000.

1 Fiscal year 2010: \$360,551,000,000.

2 Fiscal year 2011: \$259,981,000,000.

3 Fiscal year 2012: \$124,476,000,000.

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

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

7 Fiscal year 2008: \$9,529,690,000,000.

8 Fiscal year 2009: \$10,078,585,000,000.

9 Fiscal year 2010: \$10,556,677,000,000.

10 Fiscal year 2011: \$10,929,998,000,000.

11 Fiscal year 2012: \$11,180,704,000,000.

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

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

15 Fiscal year 2008: \$5,308,092,000,000.

16 Fiscal year 2009: \$5,536,784,000,000.

17 Fiscal year 2010: \$5,680,183,000,000.

18 Fiscal year 2011: \$5,705,908,000,000.

19 Fiscal year 2012: \$5,584,520,000,000.

20 **SEC. 102. SOCIAL SECURITY.**

21 (a) SOCIAL SECURITY REVENUES.—The amounts of
22 revenues of the Federal Old-Age and Survivors Insurance
23 Trust Fund and the Federal Disability Insurance Trust
24 Fund are as follows:

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

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

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

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

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

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

6 (b) SOCIAL SECURITY OUTLAYS.—The amounts of
7 outlays of the Federal Old-Age and Survivors Insurance
8 Trust Fund and the Federal Disability Insurance Trust
9 Fund are as follows:

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

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

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

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

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

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

16 (c) SOCIAL SECURITY ADMINISTRATIVE EX-
17 PENSES.—In the Senate, the amounts of new budget au-
18 thority and budget outlays of the Federal Old-Age and
19 Survivors Insurance Trust Fund and the Federal Dis-
20 ability Insurance Trust Fund for administrative expenses
21 are as follows:

22 Fiscal year 2007:

23 (A) New budget authority,
24 \$4,692,000,000.

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

1 Fiscal year 2008:

2 (A) New budget authority,

3 \$5,130,000,000.

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

5 Fiscal year 2009:

6 (A) New budget authority,

7 \$5,284,000,000.

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

9 Fiscal year 2010:

10 (A) New budget authority,

11 \$5,444,000,000.

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

13 Fiscal year 2011:

14 (A) New budget authority,

15 \$5,612,000,000.

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

17 Fiscal year 2012:

18 (A) New budget authority,

19 \$5,783,000,000.

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

21 **SEC. 103. MAJOR FUNCTIONAL CATEGORIES.**

22 The Congress determines and declares that the ap-
23 propriate levels of new budget authority and outlays for
24 fiscal years 2007 through 2012 for each major functional
25 category are:

1 (1) National Defense (050):
2 Fiscal year 2007:
3 (A) New budget authority,
4 \$619,363,000,000.
5 (B) Outlays, \$560,462,000,000.
6 Fiscal year 2008:
7 (A) New budget authority,
8 \$648,820,000,000.
9 (B) Outlays, \$617,842,000,000.
10 Fiscal year 2009:
11 (A) New budget authority,
12 \$584,775,000,000.
13 (B) Outlays, \$626,962,000,000.
14 Fiscal year 2010:
15 (A) New budget authority,
16 \$545,251,000,000.
17 (B) Outlays, \$572,856,000,000.
18 Fiscal year 2011:
19 (A) New budget authority,
20 \$551,054,000,000.
21 (B) Outlays, \$558,381,000,000.
22 Fiscal year 2012:
23 (A) New budget authority,
24 \$559,899,000,000.
25 (B) Outlays, \$551,763,000,000.

1 (2) International Affairs (150):
2 Fiscal year 2007:
3 (A) New budget authority,
4 \$34,790,000,000.
5 (B) Outlays, \$32,015,000,000.
6 Fiscal year 2008:
7 (A) New budget authority,
8 \$37,004,000,000.
9 (B) Outlays, \$35,887,000,000.
10 Fiscal year 2009:
11 (A) New budget authority,
12 \$34,555,000,000.
13 (B) Outlays, \$34,533,000,000.
14 Fiscal year 2010:
15 (A) New budget authority,
16 \$34,859,000,000.
17 (B) Outlays, \$33,272,000,000.
18 Fiscal year 2011:
19 (A) New budget authority,
20 \$35,432,000,000.
21 (B) Outlays, \$33,227,000,000.
22 Fiscal year 2012:
23 (A) New budget authority,
24 \$35,984,000,000.
25 (B) Outlays, \$33,214,000,000.

1 (3) General Science, Space, and Technology

2 (250):

3 Fiscal year 2007:

4 (A) New budget authority,
5 \$25,079,000,000.

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

7 Fiscal year 2008:

8 (A) New budget authority,
9 \$26,535,000,000.

10 (B) Outlays, \$25,885,000,000.

11 Fiscal year 2009:

12 (A) New budget authority,
13 \$26,885,000,000.

14 (B) Outlays, \$27,144,000,000.

15 Fiscal year 2010:

16 (A) New budget authority,
17 \$27,249,000,000.

18 (B) Outlays, \$27,432,000,000.

19 Fiscal year 2011:

20 (A) New budget authority,
21 \$27,614,000,000.

22 (B) Outlays, \$27,192,000,000.

23 Fiscal year 2012:

24 (A) New budget authority,
25 \$27,980,000,000.

1 (B) Outlays, \$27,535,000,000.

2 (4) Energy (270):

3 Fiscal year 2007:

4 (A) New budget authority,
5 \$2,958,000,000.

6 (B) Outlays, \$1,384,000,000.

7 Fiscal year 2008:

8 (A) New budget authority,
9 \$3,337,000,000.

10 (B) Outlays, \$1,150,000,000.

11 Fiscal year 2009:

12 (A) New budget authority,
13 \$3,142,000,000.

14 (B) Outlays, \$1,539,000,000.

15 Fiscal year 2010:

16 (A) New budget authority,
17 \$3,198,000,000.

18 (B) Outlays, \$1,715,000,000.

19 Fiscal year 2011:

20 (A) New budget authority,
21 \$3,258,000,000.

22 (B) Outlays, \$1,750,000,000.

23 Fiscal year 2012:

24 (A) New budget authority,
25 \$3,306,000,000.

1 (B) Outlays, \$2,022,000,000.

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

3 Fiscal year 2007:

4 (A) New budget authority,

5 \$31,332,000,000.

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

7 Fiscal year 2008:

8 (A) New budget authority,

9 \$32,883,000,000.

10 (B) Outlays, \$34,887,000,000.

11 Fiscal year 2009:

12 (A) New budget authority,

13 \$33,331,000,000.

14 (B) Outlays, \$35,240,000,000.

15 Fiscal year 2010:

16 (A) New budget authority,

17 \$33,999,000,000.

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

19 Fiscal year 2011:

20 (A) New budget authority,

21 \$34,365,000,000.

22 (B) Outlays, \$35,337,000,000.

23 Fiscal year 2012:

24 (A) New budget authority,

25 \$35,098,000,000.

1 (B) Outlays, \$35,624,000,000.

2 (6) Agriculture (350):

3 Fiscal year 2007:

4 (A) New budget authority,
5 \$26,207,000,000.

6 (B) Outlays, \$22,580,000,000.

7 Fiscal year 2008:

8 (A) New budget authority,
9 \$20,481,000,000.

10 (B) Outlays, \$21,497,000,000.

11 Fiscal year 2009:

12 (A) New budget authority,
13 \$20,984,000,000.

14 (B) Outlays, \$20,108,000,000.

15 Fiscal year 2010:

16 (A) New budget authority,
17 \$21,137,000,000.

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

19 Fiscal year 2011:

20 (A) New budget authority,
21 \$21,099,000,000.

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

23 Fiscal year 2012:

24 (A) New budget authority,
25 \$21,288,000,000.

1 (B) Outlays, \$20,763,000,000.

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

3 Fiscal year 2007:

4 (A) New budget authority,
5 \$5,515,000,000.

6 (B) Outlays, -\$3,522,000,000.

7 Fiscal year 2008:

8 (A) New budget authority,
9 \$8,797,000,000.

10 (B) Outlays, \$1,790,000,000.

11 Fiscal year 2009:

12 (A) New budget authority,
13 \$8,602,000,000.

14 (B) Outlays, \$139,000,000.

15 Fiscal year 2010:

16 (A) New budget authority,
17 \$8,566,000,000.

18 (B) Outlays, \$173,000,000.

19 Fiscal year 2011:

20 (A) New budget authority,
21 \$8,591,000,000.

22 (B) Outlays, -\$28,000,000.

23 Fiscal year 2012:

24 (A) New budget authority,
25 \$8,772,000,000.

1 (B) Outlays, \$507,000,000.

2 (8) Transportation (400):

3 Fiscal year 2007:

4 (A) New budget authority,
5 \$81,282,000,000.

6 (B) Outlays, \$74,739,000,000.

7 Fiscal year 2008:

8 (A) New budget authority,
9 \$83,709,000,000.

10 (B) Outlays, \$81,220,000,000.

11 Fiscal year 2009:

12 (A) New budget authority,
13 \$75,700,000,000.

14 (B) Outlays, \$84,032,000,000.

15 Fiscal year 2010:

16 (A) New budget authority,
17 \$76,253,000,000.

18 (B) Outlays, \$85,893,000,000.

19 Fiscal year 2011:

20 (A) New budget authority,
21 \$76,887,000,000.

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

23 Fiscal year 2012:

24 (A) New budget authority,
25 \$77,476,000,000.

1 (B) Outlays, \$87,721,000,000.
2 (9) Community and Regional Development
3 (450):
4 Fiscal year 2007:
5 (A) New budget authority,
6 \$19,117,000,000.
7 (B) Outlays, \$28,281,000,000.
8 Fiscal year 2008:
9 (A) New budget authority,
10 \$14,634,000,000.
11 (B) Outlays, \$22,298,000,000.
12 Fiscal year 2009:
13 (A) New budget authority,
14 \$13,511,000,000.
15 (B) Outlays, \$21,017,000,000.
16 Fiscal year 2010:
17 (A) New budget authority,
18 \$13,692,000,000.
19 (B) Outlays, \$19,848,000,000.
20 Fiscal year 2011:
21 (A) New budget authority,
22 \$13,871,000,000.
23 (B) Outlays, \$17,903,000,000.
24 Fiscal year 2012:

1 (A) New budget authority,
2 \$14,048,000,000.

3 (B) Outlays, \$15,006,000,000.

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

6 Fiscal year 2007:

7 (A) New budget authority,
8 \$92,780,000,000.

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

10 Fiscal year 2008:

11 (A) New budget authority,
12 \$93,789,000,000.

13 (B) Outlays, \$90,397,000,000.

14 Fiscal year 2009:

15 (A) New budget authority,
16 \$97,592,000,000.

17 (B) Outlays, \$93,890,000,000.

18 Fiscal year 2010:

19 (A) New budget authority,
20 \$99,366,000,000.

21 (B) Outlays, \$96,866,000,000.

22 Fiscal year 2011:

23 (A) New budget authority,
24 \$99,650,000,000.

25 (B) Outlays, \$98,463,000,000.

1 Fiscal year 2012:
2 (A) New budget authority,
3 \$100,104,000,000.
4 (B) Outlays, \$98,307,000,000.

5 (11) Health (550):
6 Fiscal year 2007:
7 (A) New budget authority,
8 \$268,340,000,000.
9 (B) Outlays, \$268,645,000,000.

10 Fiscal year 2008:
11 (A) New budget authority,
12 \$288,836,000,000.
13 (B) Outlays, \$287,893,000,000.

14 Fiscal year 2009:
15 (A) New budget authority,
16 \$310,058,000,000.
17 (B) Outlays, \$308,255,000,000.

18 Fiscal year 2010:
19 (A) New budget authority,
20 \$328,209,000,000.
21 (B) Outlays, \$328,322,000,000.

22 Fiscal year 2011:
23 (A) New budget authority,
24 \$351,047,000,000.
25 (B) Outlays, \$350,346,000,000.

1 Fiscal year 2012:
2 (A) New budget authority,
3 \$374,804,000,000.
4 (B) Outlays, \$374,141,000,000.
5 (12) Medicare (570):
6 Fiscal year 2007:
7 (A) New budget authority,
8 \$365,152,000,000.
9 (B) Outlays, \$370,180,000,000.
10 Fiscal year 2008:
11 (A) New budget authority,
12 \$389,969,000,000.
13 (B) Outlays, \$390,035,000,000.
14 Fiscal year 2009:
15 (A) New budget authority,
16 \$414,779,000,000.
17 (B) Outlays, \$414,440,000,000.
18 Fiscal year 2010:
19 (A) New budget authority,
20 \$439,862,000,000.
21 (B) Outlays, \$440,092,000,000.
22 Fiscal year 2011:
23 (A) New budget authority,
24 \$484,792,000,000.
25 (B) Outlays, \$484,811,000,000.

1 Fiscal year 2012:
2 (A) New budget authority,
3 \$481,008,000,000.
4 (B) Outlays, \$480,632,000,000.
5 (13) Income Security (600):
6 Fiscal year 2007:
7 (A) New budget authority,
8 \$360,365,000,000.
9 (B) Outlays, \$364,204,000,000.
10 Fiscal year 2008:
11 (A) New budget authority,
12 \$379,046,000,000.
13 (B) Outlays, \$383,072,000,000.
14 Fiscal year 2009:
15 (A) New budget authority,
16 \$390,791,000,000.
17 (B) Outlays, \$392,946,000,000.
18 Fiscal year 2010:
19 (A) New budget authority,
20 \$400,703,000,000.
21 (B) Outlays, \$401,757,000,000.
22 Fiscal year 2011:
23 (A) New budget authority,
24 \$415,851,000,000.
25 (B) Outlays, \$415,874,000,000.

1 Fiscal year 2012:
2 (A) New budget authority,
3 \$401,275,000,000.
4 (B) Outlays, \$400,684,000,000.
5 (14) Social Security (650):
6 Fiscal year 2007:
7 (A) New budget authority,
8 \$19,089,000,000.
9 (B) Outlays, \$19,089,000,000.
10 Fiscal year 2008:
11 (A) New budget authority,
12 \$19,644,000,000.
13 (B) Outlays, \$19,644,000,000.
14 Fiscal year 2009:
15 (A) New budget authority,
16 \$21,518,000,000.
17 (B) Outlays, \$21,518,000,000.
18 Fiscal year 2010:
19 (A) New budget authority,
20 \$23,701,000,000.
21 (B) Outlays, \$23,701,000,000.
22 Fiscal year 2011:
23 (A) New budget authority,
24 \$27,009,000,000.
25 (B) Outlays, \$27,009,000,000.

1 Fiscal year 2012:

2 (A) New budget authority,

3 \$29,898,000,000.

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

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

6 Fiscal year 2007:

7 (A) New budget authority,

8 \$73,896,000,000.

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

10 Fiscal year 2008:

11 (A) New budget authority,

12 \$85,192,000,000.

13 (B) Outlays, \$84,362,000,000.

14 Fiscal year 2009:

15 (A) New budget authority,

16 \$87,372,000,000.

17 (B) Outlays, \$87,935,000,000.

18 Fiscal year 2010:

19 (A) New budget authority,

20 \$89,559,000,000.

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

22 Fiscal year 2011:

23 (A) New budget authority,

24 \$94,707,000,000.

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

1 Fiscal year 2012:

2 (A) New budget authority,

3 \$91,513,000,000.

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

5 (16) Administration of Justice (750):

6 Fiscal year 2007:

7 (A) New budget authority,

8 \$45,559,000,000.

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

10 Fiscal year 2008:

11 (A) New budget authority,

12 \$47,180,000,000.

13 (B) Outlays, \$46,514,000,000.

14 Fiscal year 2009:

15 (A) New budget authority,

16 \$47,333,000,000.

17 (B) Outlays, \$48,234,000,000.

18 Fiscal year 2010:

19 (A) New budget authority,

20 \$48,106,000,000.

21 (B) Outlays, \$48,397,000,000.

22 Fiscal year 2011:

23 (A) New budget authority,

24 \$48,895,000,000.

25 (B) Outlays, \$48,766,000,000.

1 Fiscal year 2012:

2 (A) New budget authority,

3 \$49,686,000,000.

4 (B) Outlays, \$49,414,000,000.

5 (17) General Government (800):

6 Fiscal year 2007:

7 (A) New budget authority,

8 \$18,196,000,000.

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

10 Fiscal year 2008:

11 (A) New budget authority,

12 \$18,745,000,000.

13 (B) Outlays, \$19,107,000,000.

14 Fiscal year 2009:

15 (A) New budget authority,

16 \$19,208,000,000.

17 (B) Outlays, \$19,306,000,000.

18 Fiscal year 2010:

19 (A) New budget authority,

20 \$19,649,000,000.

21 (B) Outlays, \$19,564,000,000.

22 Fiscal year 2011:

23 (A) New budget authority,

24 \$20,214,000,000.

25 (B) Outlays, \$19,979,000,000.

1 Fiscal year 2012:
2 (A) New budget authority,
3 \$20,721,000,000.
4 (B) Outlays, \$20,602,000,000.

5 (18) Net Interest (900):
6 Fiscal year 2007:
7 (A) New budget authority,
8 \$344,475,000,000.
9 (B) Outlays, \$344,475,000,000.

10 Fiscal year 2008:
11 (A) New budget authority,
12 \$370,425,000,000.
13 (B) Outlays, \$370,425,000,000.

14 Fiscal year 2009:
15 (A) New budget authority,
16 \$390,393,000,000.
17 (B) Outlays, \$390,393,000,000.

18 Fiscal year 2010:
19 (A) New budget authority,
20 \$412,001,000,000.
21 (B) Outlays, \$412,001,000,000.

22 Fiscal year 2011:
23 (A) New budget authority,
24 \$427,474,000,000.
25 (B) Outlays, \$427,474,000,000.

1 Fiscal year 2012:
2 (A) New budget authority,
3 \$438,452,000,000.
4 (B) Outlays, \$438,452,000,000.

5 (19) Allowances (920):
6 Fiscal year 2007:
7 (A) New budget authority,
8 \$785,000,000.
9 (B) Outlays, \$755,000,000.

10 Fiscal year 2008:
11 (A) New budget authority,
12 -\$7,087,000,000.
13 (B) Outlays, -\$1,901,000,000.

14 Fiscal year 2009:
15 (A) New budget authority,
16 -\$7,180,000,000.
17 (B) Outlays, -\$5,010,000,000.

18 Fiscal year 2010:
19 (A) New budget authority,
20 -\$7,279,000,000.
21 (B) Outlays, -\$6,851,000,000.

22 Fiscal year 2011:
23 (A) New budget authority,
24 -\$7,373,000,000.
25 (B) Outlays, -\$7,171,000,000.

1 Fiscal year 2012:

2 (A) New budget authority,

3 -\$7,470,000,000.

4 (B) Outlays, -\$7,311,000,000.

5 (20) Undistributed Offsetting Receipts (950):

6 Fiscal year 2007:

7 (A) New budget authority,

8 -\$69,714,000,000.

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

10 Fiscal year 2008:

11 (A) New budget authority,

12 -\$71,754,000,000.

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

14 Fiscal year 2009:

15 (A) New budget authority,

16 -\$67,035,000,000.

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

18 Fiscal year 2010:

19 (A) New budget authority,

20 -\$67,458,000,000.

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

22 Fiscal year 2011:

23 (A) New budget authority,

24 -\$70,175,000,000.

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

1 Fiscal year 2012:

2 (A) New budget authority,
3 -\$72,557,000,000.

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

5 **TITLE II—BUDGET PROCESS**

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

7 (a) POINT OF ORDER.—

8 (1) IN GENERAL.—It shall not be in order in
9 the Senate to consider any direct spending or rev-
10 enue legislation that would increase the on-budget
11 deficit or cause an on-budget deficit for any 1 of 4
12 applicable time periods as measured in paragraphs
13 (5) and (6).

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

17 (A) The current fiscal year.

18 (B) The budget year.

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

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

24 (3) DIRECT SPENDING LEGISLATION.—For pur-
25 poses of this subsection and except as provided in

1 paragraph (4), the term “direct spending legisla-
2 tion” means any bill, joint resolution, amendment,
3 motion, or conference report that affects direct
4 spending as that term is defined by, and interpreted
5 for purposes of, the Balanced Budget and Emer-
6 gency Deficit Control Act of 1985.

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

10 (A) any concurrent resolution on the budg-

11 et; or

12 (B) any provision of legislation that affects
13 the full funding of, and continuation of, the de-
14 posit insurance guarantee commitment in effect
15 on the date of enactment of the Budget En-
16 forcement Act of 1990.

17 (5) BASELINE.—Estimates prepared pursuant
18 to this subsection shall—

19 (A) use the baseline surplus or deficit used
20 for the most recently adopted concurrent resolu-
21 tion on the budget; and

22 (B) be calculated under the requirements
23 of subsections (b) through (d) of section 257 of
24 the Balanced Budget and Emergency Deficit
25 Control Act of 1985 for fiscal years beyond

1 those covered by that concurrent resolution on
2 the budget.

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

17 (b) SUPERMAJORITY WAIVER AND APPEALS.—

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

22 (2) APPEALS.—Appeals in the Senate from the
23 decisions of the Chair relating to any provision of
24 this section shall be limited to 1 hour, to be equally
25 divided between, and controlled by, the appellant

1 and the manager of the bill or joint resolution, as
 2 the case may be. An affirmative vote of three-fifths
 3 of the Members of the Senate, duly chosen and
 4 sworn, shall be required to sustain an appeal of the
 5 ruling of the Chair on a point of order raised under
 6 this section.

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

12 (d) SUNSET.—This section shall expire on September
 13 30, 2017.

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

17 **SEC. 202. POINT OF ORDER AGAINST RECONCILIATION**
 18 **LEGISLATION THAT WOULD INCREASE THE**
 19 **DEFICIT OR REDUCE A SURPLUS.**

20 (a) IN GENERAL.—It shall not be in order in the Sen-
 21 ate to consider any reconciliation bill, resolution, amend-
 22 ment, amendment between Houses, motion, or conference
 23 report pursuant to section 310 of the Congressional Budg-
 24 et Act of 1974 that would cause or increase a deficit or
 25 reduce a surplus in the current fiscal year, the budget

1 year, the period of the first 5 fiscal years following the
 2 current fiscal year, or the period of the second 5 fiscal
 3 years following the current fiscal year.

4 (b) SUPERMAJORITY WAIVER AND APPEAL.—

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

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

14 **SEC. 203. POINT OF ORDER AGAINST LEGISLATION IN-**
 15 **CREASING LONG-TERM DEFICITS.**

16 (a) CONGRESSIONAL BUDGET OFFICE ANALYSIS OF
 17 PROPOSALS.—The Director of the Congressional Budget
 18 Office shall, to the extent practicable, prepare for each bill
 19 and joint resolution reported from committee (except
 20 measures within the jurisdiction of the Committee on Ap-
 21 propriations), and amendments thereto and conference re-
 22 ports thereon, an estimate of whether the measure would
 23 cause, relative to current law, a net increase in deficits
 24 in excess of \$5,000,000,000 in any of the four 10-year

1 periods beginning in fiscal year 2018 through fiscal year
2 2057.

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

8 (c) SUPERMAJORITY WAIVER AND APPEAL.—

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

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

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

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

23 (f) SUNSET.—This section shall expire on September
24 30, 2017.

1 **SEC. 204. EMERGENCY LEGISLATION.**

2 (a) **AUTHORITY TO DESIGNATE.**—With respect to a
3 provision of direct spending or receipts legislation or ap-
4 propriations for discretionary accounts that the Congress
5 designates as an emergency requirement in such measure,
6 the amounts of new budget authority, outlays, and receipts
7 in all fiscal years resulting from that provision shall be
8 treated as an emergency requirement for the purpose of
9 this section.

10 (b) **EXEMPTION OF EMERGENCY PROVISIONS.**—Any
11 new budget authority, outlays, and receipts resulting from
12 any provision designated as an emergency requirement,
13 pursuant to this section, in any bill, joint resolution,
14 amendment, or conference report shall not count for pur-
15 poses of sections 302 and 311 of the Congressional Budg-
16 et Act of 1974 and sections 201 and 207 of this resolution
17 (relating to pay-as-you-go in the Senate and discretionary
18 spending limits).

19 (c) **DESIGNATIONS.**—If a provision of legislation is
20 designated as an emergency requirement under this sec-
21 tion, the committee report and any statement of managers
22 accompanying that legislation shall include an explanation
23 of the manner in which the provision meets the criteria
24 in subsection (f).

25 (d) **DEFINITIONS.**—In this section, the terms “direct
26 spending”, “receipts”, and “appropriations for discre-

1 tionary accounts” means any provision of a bill, joint reso-
2 lution, amendment, motion, or conference report that af-
3 fects direct spending, receipts, or appropriations as those
4 terms have been defined and interpreted for purposes of
5 the Balanced Budget and Emergency Deficit Control Act
6 of 1985.

7 (e) POINT OF ORDER.—

8 (1) IN GENERAL.—When the Senate is consid-
9 ering a bill, resolution, amendment, motion, or con-
10 ference report, if a point of order is made by a Sen-
11 ator against an emergency designation in that meas-
12 ure, that provision making such a designation shall
13 be stricken from the measure and may not be of-
14 fered as an amendment from the floor.

15 (2) SUPERMAJORITY WAIVER AND APPEALS.—

16 (A) WAIVER.—Paragraph (1) may be
17 waived or suspended in the Senate only by an
18 affirmative vote of three-fifths of the Members,
19 duly chosen and sworn.

20 (B) APPEALS.—Appeals in the Senate
21 from the decisions of the Chair relating to any
22 provision of this subsection shall be limited to
23 1 hour, to be equally divided between, and con-
24 trolled by, the appellant and the manager of the
25 bill or joint resolution, as the case may be. An

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

6 (3) DEFINITION OF AN EMERGENCY DESIGNA-
7 TION.—For purposes of paragraph (1), a provision
8 shall be considered an emergency designation if it
9 designates any item as an emergency requirement
10 pursuant to this subsection.

11 (4) FORM OF THE POINT OF ORDER.—A point
12 of order under paragraph (1) may be raised by a
13 Senator as provided in section 313(e) of the Con-
14 gressional Budget Act of 1974.

15 (5) CONFERENCE REPORTS.—If a point of
16 order is sustained under paragraph (1) against a
17 conference report, the report shall be disposed of as
18 provided in section 313(d) of the Congressional
19 Budget Act of 1974.

20 (f) CRITERIA.—

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

24 (A) necessary, essential, or vital (not mere-
25 ly useful or beneficial);

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

3 (C) an urgent, pressing, and compelling
4 need requiring immediate action;

5 (D) subject to paragraph (2), unforeseen,
6 unpredictable, and unanticipated; and

7 (E) not permanent, temporary in nature.

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

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

15 **SEC. 205. EXTENSION OF ENFORCEMENT OF BUDGETARY**

16 **POINTS OF ORDER.**

17 Notwithstanding any provision of the Congressional
18 Budget Act of 1974 and section 403 of H. Con. Res. 95
19 (109th Congress), the concurrent resolution on the budget
20 for fiscal year 2006, subsections (c)(2) and (d)(3) of sec-
21 tion 904 of the Congressional Budget Act of 1974 and
22 section 403 of H. Con. Res. 95 (109th Congress) shall
23 remain in effect for purposes of Senate enforcement
24 through September 30, 2017.

1 **SEC. 206. POINT OF ORDER AGAINST ADVANCE APPROPRIA-**
2 **TIONS.**

3 (a) IN GENERAL.—

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

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

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

21 (1) for fiscal years 2009 and 2010 for pro-
22 grams, projects, activities, or accounts identified in
23 the joint explanatory statement of managers accom-
24 panying this resolution under the heading “Accounts
25 Identified for Advance Appropriations” in an aggre-

1 gate amount not to exceed \$25,158,000,000 in new
2 budget authority in each year; and

3 (2) for the Corporation for Public Broad-
4 casting.

5 (c) SUPERMAJORITY WAIVER AND APPEAL.—

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

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

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

19 (e) CONFERENCE REPORTS.—If a point of order is
20 sustained under subsection (a) against a conference report
21 in the Senate, the report shall be disposed of as provided
22 in section 313(d) of the Congressional Budget Act of
23 1974.

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

4 **SEC. 207. DISCRETIONARY SPENDING LIMITS.**

5 (a) POINT OF ORDER.—

6 (1) IN GENERAL.—Except as otherwise pro-
7 vided in this section, it shall not be in order in the
8 Senate to consider any bill or joint resolution (or
9 amendment, motion, or conference report on that bill
10 or joint resolution) that would cause the discre-
11 tionary spending limits in this section to be exceed-
12 ed.

13 (2) SUPERMAJORITY WAIVER AND APPEALS.—

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

18 (B) APPEALS.—Appeals in the Senate
19 from the decisions of the Chair relating to any
20 provision of this subsection shall be limited to
21 1 hour, to be equally divided between, and con-
22 trolled by, the appellant and the manager of the
23 bill or joint resolution. An affirmative vote of
24 three-fifths of the Members of the Senate, duly
25 chosen and sworn, shall be required to sustain

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

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

6 (1) for fiscal year 2007, \$951,140,000,000 in
7 new budget authority and \$1,029,456,000,000 in
8 outlays; and

9 (2) for fiscal year 2008, \$942,312,000,000 in
10 new budget authority and \$1,021,407,000,000 in
11 outlays;

12 as adjusted in conformance with the adjustment proce-
13 dures in subsection (c).

14 (c) ADJUSTMENTS.—

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

20 (A) the chairman of the Senate Committee
21 on the Budget may adjust the discretionary
22 spending limits, budgetary aggregates, and allo-
23 cations pursuant to section 302(a) of the Con-
24 gressional Budget Act of 1974, by the amount
25 of new budget authority in that measure for

1 that purpose and the outlays flowing therefrom;
2 and

3 (B) following any adjustment under sub-
4 paragraph (A), the Senate Committee on Ap-
5 propriations may report appropriately revised
6 suballocations pursuant to section 302(b) of the
7 Congressional Budget Act of 1974 to carry out
8 this subsection.

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

11 (A) CONTINUING DISABILITY REVIEWS
12 AND SSI REDETERMINATIONS.—If a bill or joint
13 resolution is reported making appropriations for
14 fiscal year 2008 that appropriates
15 \$264,000,000 for continuing disability reviews
16 and Supplemental Security Income redeter-
17 minations for the Social Security Administra-
18 tion, and provides an additional appropriation
19 of up to \$213,000,000 for continuing disability
20 reviews and Supplemental Security Income re-
21 determinations for the Social Security Adminis-
22 tration, then the discretionary spending limits,
23 allocation to the Senate Committee on Appro-
24 priations, and aggregates may be adjusted by
25 the amounts provided in such legislation for

1 that purpose, but not to exceed \$213,000,000
2 in budget authority and outlays flowing there-
3 from for fiscal year 2008.

4 (B) INTERNAL REVENUE SERVICE TAX EN-
5 FORCEMENT.—If a bill or joint resolution is re-
6 ported making appropriations for fiscal year
7 2008 that appropriates \$6,822,000,000 for the
8 Internal Revenue Service for enhanced tax en-
9 forcement to address the Federal tax gap (taxes
10 owed but not paid) and provides an additional
11 appropriation of up to \$406,000,000 for the In-
12 ternal Revenue Service for enhanced tax en-
13 forcement to address the Federal tax gap, then
14 the discretionary spending limits, allocation to
15 the Senate Committee on Appropriations, and
16 aggregates may be adjusted by the amounts
17 provided in such legislation for that purpose,
18 but not to exceed \$406,000,000 in budget au-
19 thority and outlays flowing therefrom for fiscal
20 year 2008.

21 (C) HEALTH CARE FRAUD AND ABUSE
22 CONTROL.—If a bill or joint resolution is re-
23 ported making appropriations for fiscal year
24 2008 that appropriates up to \$383,000,000 to
25 the health care fraud and abuse control pro-

1 gram at the Department of Health and Human
2 Services, then the discretionary spending limits,
3 allocation to the Senate Committee on Appro-
4 priations, and aggregates may be adjusted by
5 the amounts provided in such legislation for
6 that purpose, but not to exceed \$383,000,000
7 in budget authority and outlays flowing there-
8 from for fiscal year 2008.

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

25 (E) WILDLAND FIRE SUPPRESSION.—

1 (i) DEFINITION.—For this subpara-
2 graph, the term “base amount” refers to
3 the average of the obligations of the pre-
4 ceding 10 years for wildfire suppression in
5 the Forest Service and the Department of
6 the Interior, calculated as of the date of
7 the applicable year’s budget request is sub-
8 mitted by the President to Congress.

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

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

3 (II) for the Department of the
4 Interior, for fiscal year 2008,
5 \$100,000,000.

6 (F) COSTS OF GLOBAL WAR ON TERROR.—
7 The Chairman of the Senate Committee on the
8 Budget may revise the allocations, aggregates,
9 and discretionary spending limits for one or
10 more bills, joint resolutions, motions, amend-
11 ments, or conference reports that make discre-
12 tionary appropriations for fiscal year 2008 or
13 2009 in excess of the levels assumed in this res-
14 olution for expenses related to the global war on
15 terror, but not to exceed the following amounts:

16 (i) For fiscal year 2008,
17 \$145,162,000,000 in budget authority and
18 the outlays flowing therefrom.

19 (ii) For fiscal year 2009,
20 \$50,000,000,000 in budget authority and
21 the outlays flowing therefrom.

22 (G) ADJUSTMENT FOR UNITED STATES
23 FORCES IN THE GLOBAL WAR ON TERRORISM.—
24 The Chairman of the Senate Committee on the
25 Budget may revise the allocations, aggregates,

1 and discretionary spending limits for one or
2 more bills, joint resolutions, motions, amend-
3 ments, or conference reports that make discre-
4 tionary appropriations for fiscal year 2008 for
5 an amount appropriated, but not to exceed
6 \$5,000,000,000 in budgetary authority and out-
7 lays flowing therefrom, to—

8 (i) address training, equipment, force
9 protection, logistics, or other matters nec-
10 essary for the protection of United States
11 forces; or

12 (ii) address deficiencies at Walter
13 Reed Army Medical Center and other fa-
14 cilities within the military medical system
15 providing treatment to service members in-
16 jured while performing their duties in the
17 Global War on Terrorism.

18 **SEC. 208. APPLICATION OF PREVIOUS ALLOCATIONS IN**
19 **SENATE.**

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

22 **SEC. 209. POINT OF ORDER TO SAVE SOCIAL SECURITY**
23 **FIRST.**

24 (a) POINT OF ORDER IN THE SENATE.—It shall not
25 be in order in the Senate to consider any direct spending

1 or revenue legislation that would increase the on-budget
 2 deficit in any fiscal year until the President submits legis-
 3 lation to Congress and Congress enacts legislation which
 4 would restore 75-year solvency to the Old-Age, Survivors,
 5 and Disability Insurance Trust Funds as certified by the
 6 Social Security Administration actuaries.

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

15 **TITLE III—RESERVE FUNDS AND** 16 **ADJUSTMENTS**

17 **SEC. 301. DEFICIT-NEUTRAL RESERVE FUND FOR SCHIP** 18 **LEGISLATION.**

19 The Chairman of the Senate Committee on the Budg-
 20 et may revise the allocations, aggregates, and other appro-
 21 priate levels in this resolution for a bill, joint resolution,
 22 amendment, motion, or conference report that provides up
 23 to \$50,000,000,000 for reauthorization of the State Chil-
 24 dren’s Health Insurance Program (SCHIP), if such legis-
 25 lation maintains coverage for those currently enrolled in

1 SCHIP, continues efforts to reach uninsured children who
2 are already eligible for SCHIP or Medicaid but are not
3 enrolled, and supports States in their efforts to move for-
4 ward in covering more children, by the amounts provided
5 in that legislation for those purposes up to
6 \$35,000,000,000 over the total of fiscal years 2007
7 through 2012, provided that such legislation would not in-
8 crease the deficit over the total of the period of fiscal years
9 2007 through 2012.

10 **SEC. 302. DEFICIT-NEUTRAL RESERVE FUND FOR CARE OF**
11 **WOUNDED SERVICE MEMBERS.**

12 The Chairman of the Senate Committee on the Budget
13 may revise the allocations, aggregates, and other appropriate
14 levels in this resolution for a bill, joint resolution,
15 amendment, motion, or conference report which improves
16 the medical care of or disability benefits for wounded or
17 disabled military personnel or improves the disability eval-
18 uations of military personnel or veterans to expedite the
19 claims process, by the amounts provided in that legislation
20 for that purpose, provided that such legislation would not
21 increase the deficit over the total of the period of fiscal
22 years 2007 through 2012.

1 **SEC. 303. DEFICIT-NEUTRAL RESERVE FUND FOR TAX RE-**
2 **LIEF.**

3 The Chairman of the Senate Committee on the Budg-
4 et may revise the aggregates, allocations, and other appro-
5 priate levels in this resolution for one or more bills, joint
6 resolutions, amendments, motions, or conference reports
7 that would provide tax relief, including extensions of expir-
8 ing tax relief and refundable tax relief, by the amounts
9 provided in that legislation for those purposes, provided
10 that such legislation would not increase the deficit over
11 the total of the period of fiscal years 2007 through 2012.

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

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

23 **SEC. 305. DEFICIT-NEUTRAL RESERVE FUND FOR HIGHER**
24 **EDUCATION.**

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

1 p r i a t e l e v e l s i n t h i s r e s o l u t i o n f o r a b i l l , j o i n t r e s o l u t i o n ,
2 a m e n d m e n t , m o t i o n , o r c o n f e r e n c e r e p o r t , i n c l u d i n g t a x
3 l e g i s l a t i o n , t h a t w o u l d m a k e h i g h e r e d u c a t i o n m o r e a c c e s -
4 s i b l e a n d m o r e a f f o r d a b l e , b y t h e a m o u n t s p r o v i d e d i n
5 s u c h l e g i s l a t i o n f o r t h a t p u r p o s e , p r o v i d e d t h a t s u c h l e g i s -
6 l a t i o n w o u l d n o t i n c r e a s e t h e d e f i c i t o v e r t h e t o t a l o f t h e
7 p e r i o d o f f i s c a l y e a r s 2 0 0 7 t h r o u g h 2 0 1 2 .

8 **SEC. 306. DEFICIT-NEUTRAL RESERVE FUND FOR THE**
9 **FARM BILL.**

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

15 (1) reauthorizes the Food Security and Rural
16 Investment Act of 2002;

17 (2) strengthens our agriculture and rural economies
18 and critical nutrition programs;

19 (3) provides agriculture-related tax relief;

20 (4) improves our environment by reducing our
21 Nation's dependence on foreign sources of energy
22 through expanded production and use of alternative
23 fuels; or

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

1 by the amounts provided in that legislation for those pur-
2 poses up to \$15,000,000,000 over the total of fiscal years
3 2007 through 2012, provided that such legislation would
4 not increase the deficit over the total of the period of fiscal
5 years 2007 through 2012.

6 **SEC. 307. DEFICIT-NEUTRAL RESERVE FUND FOR ENERGY**
7 **LEGISLATION.**

8 The Chairman of the Senate Committee on the Budg-
9 et may revise the allocations, aggregates, and other appro-
10 priate levels and limits in this resolution for one or more
11 bills, joint resolutions, amendments, motions, or con-
12 ference reports, including tax legislation, that would re-
13 duce our Nation's dependence on foreign sources of en-
14 ergy, expand production and use of alternative fuels and
15 alternative fuel vehicles, promote renewable energy devel-
16 opment, improve electricity transmission, encourage re-
17 sponsible development of domestic oil and natural gas re-
18 sources, or reward conservation and efficiency, by the
19 amounts provided in that legislation for those purposes,
20 provided that such legislation would not increase the def-
21 icit over the total of the period of fiscal years 2007
22 through 2012.

1 **SEC. 308. DEFICIT-NEUTRAL RESERVE FUND FOR MEDI-**
2 **CARE.**

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

17 (b) **PHYSICIAN PAYMENTS.**—The Chairman of the
18 Senate Budget Committee may revise the aggregates, allo-
19 cations, and other appropriate levels in this resolution for
20 a bill, joint resolution, amendment, motion, or conference
21 report that increases the reimbursement rate for physician
22 services under section 1848(d) of the Social Security Act,
23 by the amounts provided in such legislation for that pur-
24 pose, provided that the legislation would not increase the
25 deficit over the total of fiscal years 2007 through 2012.

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

11 **SEC. 309. DEFICIT-NEUTRAL RESERVE FUND FOR SMALL**
12 **BUSINESS HEALTH INSURANCE.**

13 The Chairman of the Senate Committee on the Budg-
14 et may revise the allocations, aggregates, and other appro-
15 priate levels in this resolution for a bill, joint resolution,
16 motion, amendment, or conference report that makes
17 health insurance coverage more affordable or available to
18 small businesses and their employees without weakening
19 rating rules or reducing covered benefits, by the amounts
20 provided in such legislation for that purpose, provided that
21 the legislation would not increase the deficit over the total
22 of fiscal years 2007 through 2012.

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

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

20 **SEC. 311. DEFICIT-NEUTRAL RESERVE FUND FOR TERRORISM RISK INSURANCE REAUTHORIZATION.**
 21
 22

23 The Chairman of the Senate Budget Committee may
 24 revise the aggregates, allocations, and other levels in this
 25 resolution for a bill, joint resolution, motion, amendment,
 26 or conference report that provides for a continued Federal

1 role in ensuring the availability of terrorism insurance
2 after the expiration of the Terrorism Risk Insurance Ex-
3 tension Act, by the amounts provided in such legislation
4 for that purpose, provided that such legislation is deficit-
5 neutral over the total of fiscal years 2007 through 2012.

6 **SEC. 312. DEFICIT-NEUTRAL RESERVE FUND FOR AFFORD-
7 ABLE HOUSING.**

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

17 **SEC. 313. DEFICIT-NEUTRAL RESERVE FUND FOR RECEIPTS
18 FROM BONNEVILLE POWER ADMINISTRA-
19 TION.**

20 The Chairman of the Senate Committee on the Budg-
21 et may adjust the allocations, aggregates, and other ap-
22 propriate levels in this resolution for a bill, joint resolu-
23 tion, motion, amendment, or conference report that pro-
24 hibits the Bonneville Power Administration from making
25 early payments on its Federal Bond Debt to the United

1 States Treasury, by the amounts provided by that legisla-
2 tion for that purpose, provided that such legislation would
3 not increase the deficit over the total of the period of fiscal
4 years 2007 through 2012.

5 **SEC. 314. DEFICIT-NEUTRAL RESERVE FUND FOR INDIAN**
6 **CLAIMS SETTLEMENT.**

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

11 (1) creates an Indian claims settlement fund for
12 trust accounting and management deficiencies re-
13 lated to Individual Indian Moneys and assets; and

14 (2) extinguishes all claims arising before the
15 date of enactment for losses resulting from account-
16 ing errors, mismanagement of assets, or interest
17 owed in connection with Individual Indian Moneys
18 accounts;

19 by the amounts provided in such legislation for those pur-
20 poses up to \$8,000,000,000, provided that such legislation
21 does not increase the deficit over the total of the period
22 of fiscal years 2007 through 2012.

1 **SEC. 315. DEFICIT-NEUTRAL RESERVE FUND FOR FOOD**
2 **AND DRUG ADMINISTRATION.**

3 The Chairman of the Senate Committee on the Budget
4 may revise the allocations, aggregates, and other appropriate
5 levels and limits in this resolution for a bill, joint
6 resolution, motion, amendment, or conference report that
7 authorizes the Food and Drug Administration to regulate
8 tobacco products and assess user fees on tobacco manufacturers
9 and importers to cover the cost of the Food and
10 Drug Administration's regulatory activities, by the
11 amounts provided in that legislation for that purpose, provided
12 that such legislation is deficit-neutral over the total
13 of fiscal years 2007 through 2012.

14 **SEC. 316. DEFICIT-NEUTRAL RESERVE FUND FOR HEALTH**
15 **CARE REFORM.**

16 If an SCHIP reauthorization bill is enacted, then the
17 Chairman of the Senate Committee on the Budget may
18 revise the allocations, aggregates, and other appropriate
19 levels in this resolution for a bill, joint resolution, motion,
20 amendment, or conference report to improve health care,
21 and provide quality health insurance for the uninsured and
22 underinsured, and protect individuals with current health
23 coverage, by the amounts provided in that legislation for
24 that purpose, provided that such legislation would not increase
25 the deficit over the total of the period of fiscal years
26 2007 through 2012.

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

3 The Chairman of the Senate Budget Committee may
4 revise the aggregates, allocations, and other levels in this
5 resolution for a bill, joint resolution, motion, amendment,
6 or conference report that would enhance benefits for vet-
7 erans, by the amounts provided in such legislation for that
8 purpose, provided that such legislation is deficit-neutral
9 over the total of fiscal years 2007 through 2012.

10 **SEC. 318. DEFICIT-NEUTRAL RESERVE FUND FOR LONG-**
11 **TERM CARE.**

12 The Chairman of the Senate Budget Committee may
13 revise the allocations, aggregates, and other levels in this
14 resolution for a bill, joint resolution, motion, amendment,
15 or conference report that would improve long-term care,
16 enhance the safety and dignity of patients, encourage ap-
17 propriate use of institutional and non-institutional care,
18 promote quality care, and provide for the cost-effective use
19 of public resources, by the amounts provided in such legis-
20 lation for that purpose, provided that the legislation would
21 not increase the deficit over the total of fiscal years 2007
22 through 2012.

23 **SEC. 319. DEFICIT-NEUTRAL RESERVE FUND FOR HEALTH**
24 **INFORMATION TECHNOLOGY.**

25 (a) The Chairman of the Senate Budget Committee
26 may revise the aggregates, allocations, and other appro-

1 p r i a t e l e v e l s i n t h i s r e s o l u t i o n f o r a b i l l , j o i n t r e s o l u t i o n ,
2 a m e n d m e n t , m o t i o n , o r c o n f e r e n c e r e p o r t t h a t p r o v i d e s i n -
3 c e n t i v e s o r o t h e r s u p p o r t f o r a d o p t i o n o f m o d e r n i n f o r m a -
4 t i o n t e c h n o l o g y t o i m p r o v e q u a l i t y a n d p r o t e c t p r i v a c y i n
5 h e a l t h c a r e , b y t h e a m o u n t s p r o v i d e d i n s u c h l e g i s l a t i o n
6 f o r t h a t p u r p o s e , p r o v i d e d t h a t t h e l e g i s l a t i o n w o u l d n o t
7 i n c r e a s e t h e d e f i c i t o v e r t h e t o t a l o f f i s c a l y e a r s 2 0 0 7
8 t h r o u g h 2 0 1 2 .

9 (b) T h e C h a i r m a n o f t h e S e n a t e B u d g e t C o m m i t t e e
10 m a y r e v i s e t h e a g g r e g a t e s , a l l o c a t i o n s , a n d o t h e r a p p r o -
11 p r i a t e l e v e l s i n t h i s r e s o l u t i o n f o r a b i l l , j o i n t r e s o l u t i o n ,
12 a m e n d m e n t , m o t i o n , o r c o n f e r e n c e r e p o r t t h a t p r o v i d e s f o r
13 p a y m e n t s t h a t a r e b a s e d o n a d h e r e n c e t o a c c e p t e d c l i n i c a l
14 p r o t o c o l s i d e n t i f i e d a s b e s t p r a c t i c e s , b y t h e a m o u n t s p r o -
15 v i d e d i n s u c h l e g i s l a t i o n f o r t h a t p u r p o s e , p r o v i d e d t h a t
16 t h e l e g i s l a t i o n w o u l d n o t i n c r e a s e t h e d e f i c i t o v e r t h e t o t a l
17 o f f i s c a l y e a r s 2 0 0 7 t h r o u g h 2 0 1 2 .

18 **SEC. 320. DEFICIT-NEUTRAL RESERVE FUND FOR CHILD**
19 **CARE.**

20 T h e C h a i r m a n o f t h e S e n a t e C o m m i t t e e o n t h e B u d g -
21 e t m a y r e v i s e t h e a l l o c a t i o n s , a g g r e g a t e s , a n d o t h e r l e v e l s
22 i n t h i s r e s o l u t i o n f o r a b i l l , j o i n t r e s o l u t i o n , a m e n d m e n t ,
23 m o t i o n , o r c o n f e r e n c e r e p o r t t h a t p r o v i d e s u p t o
24 \$ 5 , 0 0 0 , 0 0 0 , 0 0 0 f o r t h e c h i l d c a r e e n t i t l e m e n t t o S t a t e s ,
25 b y t h e a m o u n t s p r o v i d e d b y s u c h l e g i s l a t i o n f o r t h a t p u r -

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

3 **SEC. 321. DEFICIT-NEUTRAL RESERVE FUND FOR COM-**
4 **PREHENSIVE IMMIGRATION REFORM.**

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

9 (1) provides for comprehensive immigration reform;
10

11 (2) provides for increased interior enforcement,
12 through an effective electronic employment
13 verification system which accurately establishes the
14 employment authorization of individuals; and

15 (3) provides for increased border security and
16 enhanced information technology systems;

17 provided that such legislation would not increase the deficit
18 for the fiscal year 2008 and for the period of fiscal
19 years 2008 through 2012.

20 **SEC. 322. DEFICIT-NEUTRAL RESERVE FUND FOR MENTAL**
21 **HEALTH PARITY.**

22 If the Senate Committee on Health, Education,
23 Labor, and Pensions reports a bill or joint resolution, or
24 an amendment is offered thereto, or a conference report
25 is submitted thereon, that provides parity between health

1 insurance coverage of mental health benefits and benefits
2 for medical and surgical services, the chairman of the
3 Committee on the Budget of the Senate may make the
4 appropriate adjustments in allocations and aggregates to
5 the extent that such legislation would not increase the def-
6 icit for fiscal year 2008 and for the period of fiscal years
7 2008 through 2012.

8 **SEC. 323. APPLICATION AND EFFECT OF CHANGES IN ALLO-**
9 **CATIONS AND AGGREGATES.**

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

12 (1) apply while that measure is under consider-
13 ation;

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

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

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

23 (c) BUDGET COMMITTEE DETERMINATIONS.—For
24 purposes of this resolution the levels of new budget au-
25 thority, outlays, direct spending, new entitlement author-

1 ity, revenues, deficits, and surpluses for a fiscal year or
2 period of fiscal years shall be determined on the basis of
3 estimates made by the Senate Committee on the Budget.

4 **SEC. 324. ADJUSTMENTS TO REFLECT CHANGES IN CON-**
5 **CEPTS AND DEFINITIONS.**

6 Upon the enactment of a bill or joint resolution pro-
7 viding for a change in concepts or definitions, the chair-
8 man of the Senate Committee on the Budget may make
9 adjustments to the levels and allocations in this resolution
10 in accordance with section 251(b) of the Balanced Budget
11 and Emergency Deficit Control Act of 1985 (as in effect
12 prior to September 30, 2002).

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

14 Congress adopts the provisions of this title—

15 (1) as an exercise of the rulemaking power of
16 the Senate, and as such they shall be considered as
17 part of the rules of the Senate and such rules shall
18 supersede other rules only to the extent that they
19 are inconsistent with such other rules; and

20 (2) with full recognition of the constitutional
21 right of the Senate to change those rules (so far as
22 they relate to that house) at any time, in the same
23 manner, and to the same extent as is the case of any
24 other rule of the Senate.

Calendar No. 82

110TH CONGRESS
1ST Session

S. CON. RES. 21

CONCURRENT RESOLUTION

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

MARCH 16, 2007

Placed on the calendar