year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012, I would have voted "nay."

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2008

Mr. SPRATT. Mr. Speaker, pursuant to House Resolution 370, I call up the Senate Concurrent Resolution (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, and ask for its immediate consideration.

The Clerk read the title of the Senate concurrent resolution.

The text of the Senate concurrent resolution is as follows:

S. CON. RES. 21

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

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

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

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

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

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

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

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

Fiscal year 2007: $1,900,706,000,000.
Fiscal year 2008: $2,008,975,000,000.
Fiscal year 2009: $2,122,544,000,000.
Fiscal year 2010: $2,221,229,000,000.
Fiscal year 2011: $2,357,776,000,000.
Fiscal year 2012: $2,426,691,000,000.

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

Fiscal year 2007: –$4,000,000,000.
Fiscal year 2008: –$41,821,000,000.
Fiscal year 2009: $15,618,000,000.
Fiscal year 2010: $57,508,000,000.
Fiscal year 2011: –$36,774,000,000.
Fiscal year 2012: –$170,405,000,000.

(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 2007: $2,364,566,000,000.
Fiscal year 2008: $2,490,185,000,000.
Fiscal year 2009: $2,506,314,000,000.
Fiscal year 2010: $2,555,623,000,000.
Fiscal year 2011: $2,669,264,000,000.
Fiscal year 2012: $2,696,288,000,000.

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

Fiscal year 2007: $2,298,846,000,000.
Fiscal year 2008: $2,460,251,000,000.
Fiscal year 2009: $2,555,575,000,000.
Fiscal year 2010: $2,587,173,000,000.
Fiscal year 2011: $2,675,133,000,000.
Fiscal year 2012: $2,682,375,000,000.

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

Fiscal year 2007: $398,140,000,000.
Fiscal year 2008: $451,276,000,000.
Fiscal year 2009: $433,031,000,000.
Fiscal year 2010: $365,944,000,000.
Fiscal year 2011: $317,357,000,000.
Fiscal year 2012: $255,684,000,000.

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

Fiscal year 2007: $8,960,830,000,000.
Fiscal year 2008: $9,529,811,000,000.
Fiscal year 2009: $10,079,488,000,000.
Fiscal year 2010: $10,562,973,000,000.
Fiscal year 2011: $10,993,669,000,000.
Fiscal year 2012: $11,375,583,000,000.

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

Fiscal year 2007: $5,045,226,000,000.
Fiscal year 2008: $5,308,213,000,000.
Fiscal year 2009: $5,537,687,000,000.
Fiscal year 2010: $5,686,479,000,000.
Fiscal year 2011: $5,769,579,000,000.
Fiscal year 2012: $5,779,399,000,000.

SEC. 102. SOCIAL SECURITY.

(a) SOCIAL SECURITY REVENUES.—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 2007: $637,586,000,000.
Fiscal year 2008: $668,998,000,000.
Fiscal year 2009: $702,851,000,000.
Fiscal year 2010: $737,589,000,000.
Fiscal year 2011: $772,605,000,000.
Fiscal year 2012: $807,928,000,000.

(b) SOCIAL SECURITY OUTLAYS.—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 2007: $441,676,000,000.
Fiscal year 2008: $460,224,000,000.
Fiscal year 2009: $478,578,000,000.
Fiscal year 2010: $499,655,000,000.
Fiscal year 2011: $520,743,000,000.
Fiscal year 2012: $546,082,000,000.

(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 2007:
(A) New budget authority, $4,692,000,000.
(B) Outlays, $4,727,000,000.
Fiscal year 2008:
(A) New budget authority, $5,130,000,000.
(B) Outlays, $5,105,000,000.
Fiscal year 2009:
(A) New budget authority, $5,284,000,000.
(B) Outlays, $5,244,000,000.
Fiscal year 2010:
(A) New budget authority, $5,444,000,000.
(B) Outlays, $5,417,000,000.
Fiscal year 2011:
(A) New budget authority, $5,612,000,000.
(B) Outlays, $5,583,000,000.
Fiscal year 2012:
(A) New budget authority, $5,783,000,000.
(B) Outlays, $5,753,000,000.

SEC. 103. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2007 through 2012 for each major functional category are:

(1) National Defense (050):
Fiscal year 2007:
(A) New budget authority, $619,363,000,000.
(B) Outlays, $560,462,000,000.
Fiscal year 2008:
(A) New budget authority, $648,820,000,000.
(B) Outlays, $617,842,000,000.
Fiscal year 2009:
(A) New budget authority, $584,775,000,000.
(B) Outlays, $626,962,000,000.
Fiscal year 2010:
(A) New budget authority, $545,251,000,000.
(B) Outlays, $572,856,000,000.
Fiscal year 2011:
(A) New budget authority, $551,054,000,000.
(B) Outlays, $558,381,000,000.
Fiscal year 2012:
(A) New budget authority, $559,899,000,000.
(B) Outlays, $551,763,000,000.

(2) International Affairs (150):
Fiscal year 2007:
(A) New budget authority, $34,790,000,000.
(B) Outlays, $32,015,000,000.
Fiscal year 2008:
(A) New budget authority, $39,214,000,000.
(B) Outlays, $36,944,400,000.
Fiscal year 2009:
(A) New budget authority, $34,555,000,000.
(B) Outlays, $35,101,600,000.
Fiscal year 2010:
(A) New budget authority, $34,859,000,000.
(B) Outlays, $33,497,400,000.
Fiscal year 2011:
(A) New budget authority, $35,432,000,000.
(B) Outlays, $33,376,600,000.
Fiscal year 2012:
(A) New budget authority, $35,984,000,000.
(B) Outlays, $33,335,000,000.

(3) General Science, Space, and Technology (250):
Fiscal year 2007:
(A) New budget authority, $25,079,000,000.
(B) Outlays, $24,516,000,000.
Fiscal year 2008:
(A) New budget authority, $27,583,000,000.
(B) Outlays, $26,353,000,000.
Fiscal year 2009:
(A) New budget authority, $26,925,000,000.
(B) Outlays, $27,529,000,000.
Fiscal year 2010:
(A) New budget authority, $27,289,000,000.
(B) Outlays, $27,651,000,000.
Fiscal year 2011:
(A) New budget authority, $27,654,000,000.
(B) Outlays, $27,267,000,000.
Fiscal year 2012:
(A) New budget authority, $28,020,000,000.
(B) Outlays, $27,593,000,000.

(4) Energy (270):
Fiscal year 2007:
(A) New budget authority, $2,958,000,000.
(B) Outlays, $1,384,000,000.
Fiscal year 2008:
(A) New budget authority, $3,662,000,000.
(B) Outlays, $1,256,000,000.
Fiscal year 2009:
(A) New budget authority, $3,142,000,000.
(B) Outlays, $1,659,000,000.
Fiscal year 2010:
(A) New budget authority, $3,198,000,000.
(B) Outlays, $1,778,000,000.
Fiscal year 2011:
(A) New budget authority, $3,258,000,000.
(B) Outlays, $1,766,000,000.
Fiscal year 2012:
(A) New budget authority, $3,306,000,000.
(B) Outlays, $2,032,000,000.

(5) Natural Resources and Environment (300):
Fiscal year 2007:
(A) New budget authority, $31,332,000,000.
(B) Outlays, $32,905,000,000.
Fiscal year 2008:
(A) New budget authority, $32,933,000,000.
(B) Outlays, $34,927,000,000.
Fiscal year 2009:
(A) New budget authority, $33,331,000,000.
(B) Outlays, $35,250,000,000.
Fiscal year 2010:
(A) New budget authority, $33,999,000,000.
(B) Outlays, $35,264,000,000.
Fiscal year 2011:
(A) New budget authority, $34,365,000,000.
(B) Outlays, $35,337,000,000.
Fiscal year 2012:
(A) New budget authority, $35,098,000,000.
(B) Outlays, $35,624,000,000.

(6) Agriculture (350):
Fiscal year 2007:
(A) New budget authority, $26,207,000,000.
(B) Outlays, $22,580,000,000.
Fiscal year 2008:
(A) New budget authority, $20,481,000,000.
(B) Outlays, $21,497,000,000.
Fiscal year 2009:
(A) New budget authority, $20,984,000,000.
(B) Outlays, $20,108,000,000.
Fiscal year 2010:
(A) New budget authority, $21,137,000,000.
(B) Outlays, $20,118,000,000.
Fiscal year 2011:
(A) New budget authority, $21,099,000,000.
(B) Outlays, $20,390,000,000.
Fiscal year 2012:
(A) New budget authority, $21,288,000,000.
(B) Outlays, $20,763,000,000.

(7) Commerce and Housing Credit (370):
Fiscal year 2007:
(A) New budget authority, $5,515,000,000.
(B) Outlays, –$3,522,000,000.
Fiscal year 2008:
(A) New budget authority, $8,915,000,000.
(B) Outlays, $1,882,000,000.
Fiscal year 2009:
(A) New budget authority, $8,602,000,000.
(B) Outlays, $159,000,000.
Fiscal year 2010:
(A) New budget authority, $8,566,000,000.
(B) Outlays, $178,000,000.
Fiscal year 2011:
(A) New budget authority, $8,591,000,000.
(B) Outlays, –$27,000,000.
Fiscal year 2012:
(A) New budget authority, $8,772,000,000.
(B) Outlays, $507,000,000.

(8) Transportation (400):
Fiscal year 2007:
(A) New budget authority, $81,282,000,000.
(B) Outlays, $74,739,000,000.
Fiscal year 2008:
(A) New budget authority, $83,872,000,000.
(B) Outlays, $81,383,000,000.
Fiscal year 2009:
(A) New budget authority, $75,700,000,000.
(B) Outlays, $84,032,000,000.
Fiscal year 2010:
(A) New budget authority, $76,253,000,000.
(B) Outlays, $85,893,000,000.
Fiscal year 2011:
(A) New budget authority, $76,887,000,000.
(B) Outlays, $86,307,000,000.
Fiscal year 2012:
(A) New budget authority, $77,476,000,000.
(B) Outlays, $87,721,000,000.

(9) Community and Regional Development (450):
Fiscal year 2007:
(A) New budget authority, $19,117,000,000.
(B) Outlays, $28,281,000,000.
Fiscal year 2008:
(A) New budget authority, $15,415,000,000.
(B) Outlays, $22,461,500,000.
Fiscal year 2009:
(A) New budget authority, $13,561,000,000.
(B) Outlays, $21,264,000,000.
Fiscal year 2010:
(A) New budget authority, $13,742,000,000.
(B) Outlays, $20,059,000,000.
Fiscal year 2011:
(A) New budget authority, $13,921,000,000.
(B) Outlays, $18,076,000,000.
Fiscal year 2012:
(A) New budget authority, $14,098,000,000.
(B) Outlays, $15,084,000,000.

(10) Education, Training, Employment, and Social Services (500):
Fiscal year 2007:
(A) New budget authority, $92,780,000,000.
(B) Outlays, $92,224,000,000.
Fiscal year 2008:
(A) New budget authority, $93,889,000,000.
(B) Outlays, $90,399,000,000.
Fiscal year 2009:
(A) New budget authority, $97,592,000,000.
(B) Outlays, $93,948,000,000.
Fiscal year 2010:
(A) New budget authority, $99,366,000,000.
(B) Outlays, $96,896,000,000.
Fiscal year 2011:
(A) New budget authority, $99,650,000,000.
(B) Outlays, $98,473,000,000.
Fiscal year 2012:
(A) New budget authority, $100,104,000,000.
(B) Outlays, $98,307,000,000.

(11) Health (550):
Fiscal year 2007:
(A) New budget authority, $268,340,000,000.
(B) Outlays, $268,645,000,000.
Fiscal year 2008:
(A) New budget authority, $291,266,000,000.
(B) Outlays, $290,234,000,000.
Fiscal year 2009:
(A) New budget authority, $310,068,000,000.
(B) Outlays, $308,329,000,000.

Fiscal year 2010:
(A) New budget authority, $333,219,000,000.
(B) Outlays, $333,355,000,000.
Fiscal year 2011:
(A) New budget authority, $356,057,000,000.
(B) Outlays, $355,356,000,000.
Fiscal year 2012:
(A) New budget authority, $379,814,000,000.
(B) Outlays, $379,151,000,000.
(12) Medicare (570):
Fiscal year 2007:
(A) New budget authority, $365,152,000,000.
(B) Outlays, $370,180,000,000.
Fiscal year 2008:
(A) New budget authority, $389,969,000,000.
(B) Outlays, $390,035,000,000.
Fiscal year 2009:
(A) New budget authority, $414,779,000,000.
(B) Outlays, $414,440,000,000.
Fiscal year 2010:
(A) New budget authority, $439,862,000,000.
(B) Outlays, $440,092,000,000.
Fiscal year 2011:
(A) New budget authority, $484,792,000,000.
(B) Outlays, $484,811,000,000.
Fiscal year 2012:
(A) New budget authority, $481,008,000,000.
(B) Outlays, $480,632,000,000.
(13) Income Security (600):
Fiscal year 2007:
(A) New budget authority, $360,365,000,000.
(B) Outlays, $364,204,000,000.
Fiscal year 2008:
(A) New budget authority, $379,759,000,000.
(B) Outlays, $383,609,000,000.
Fiscal year 2009:
(A) New budget authority, $390,801,000,000.
(B) Outlays, $393,118,000,000.
Fiscal year 2010:
(A) New budget authority, $400,706,000,000.
(B) Outlays, $401,774,000,000.
Fiscal year 2011:
(A) New budget authority, $415,851,000,000.
(B) Outlays, $415,874,000,000.
Fiscal year 2012:
(A) New budget authority, $401,275,000,000.
(B) Outlays, $400,684,000,000.
(14) Social Security (650):
Fiscal year 2007:
(A) New budget authority, $19,089,000,000.
(B) Outlays, $19,089,000,000.
Fiscal year 2008:
(A) New budget authority, $19,644,000,000.
(B) Outlays, $19,644,000,000.
Fiscal year 2009:
(A) New budget authority, $21,518,000,000.
(B) Outlays, $21,518,000,000.
Fiscal year 2010:
(A) New budget authority, $23,701,000,000.
(B) Outlays, $23,701,000,000.
Fiscal year 2011:
(A) New budget authority, $27,009,000,000.
(B) Outlays, $27,009,000,000.
Fiscal year 2012:
(A) New budget authority, $29,898,000,000.
(B) Outlays, $29,898,000,000.
(15) Veterans Benefits and Services (700):
Fiscal year 2007:
(A) New budget authority, $73,896,000,000.
(B) Outlays, $72,342,000,000.
Fiscal year 2008:
(A) New budget authority, $85,262,000,000.
(B) Outlays, $84,424,000,000.
Fiscal year 2009:
(A) New budget authority, $87,372,000,000.
(B) Outlays, $87,943,000,000.
Fiscal year 2010:
(A) New budget authority, $89,559,000,000.
(B) Outlays, $89,210,000,000.
Fiscal year 2011:
(A) New budget authority, $94,707,000,000.
(B) Outlays, $94,314,000,000.
Fiscal year 2012:
(A) New budget authority, $91,513,000,000.
(B) Outlays, $90,957,000,000.
(16) Administration of Justice (750):
Fiscal year 2007:
(A) New budget authority, $45,559,000,000.
(B) Outlays, $44,709,000,000.
Fiscal year 2008:
(A) New budget authority, $48,796,000,000.
(B) Outlays, $47,090,500,000.
Fiscal year 2009:
(A) New budget authority, $47,333,000,000.
(B) Outlays, $48,622,900,000.
Fiscal year 2010:
(A) New budget authority, $48,106,000,000.
(B) Outlays, $48,669,000,000.
Fiscal year 2011:
(A) New budget authority, $48,895,000,000.
(B) Outlays, $48,976,000,000.
Fiscal year 2012:
(A) New budget authority, $49,686,000,000.
(B) Outlays, $49,583,000,000.
(17) General Government (800):
Fiscal year 2007:
(A) New budget authority, $18,196,000,000.
(B) Outlays, $18,577,000,000.
Fiscal year 2008:
(A) New budget authority, $18,758,000,000.
(B) Outlays, $19,118,000,000.
Fiscal year 2009:
(A) New budget authority, $19,214,000,000.
(B) Outlays, $19,313,000,000.
Fiscal year 2010:
(A) New budget authority, $19,657,000,000.
(B) Outlays, $19,573,000,000.
Fiscal year 2011:
(A) New budget authority, $20,222,000,000.
(B) Outlays, $19,987,000,000.
Fiscal year 2012:
(A) New budget authority, $20,725,000,000.
(B) Outlays, $20,606,000,000.
(18) Net Interest (900):
Fiscal year 2007:
(A) New budget authority, $344,475,000,000.
(B) Outlays, $344,475,000,000.
Fiscal year 2008:
(A) New budget authority, $370,425,000,000.
(B) Outlays, $370,425,000,000.
Fiscal year 2009:
(A) New budget authority, $390,393,000,000.
(B) Outlays, $390,393,000,000.
Fiscal year 2010:
(A) New budget authority, $412,002,000,000.
(B) Outlays, $412,002,000,000.
Fiscal year 2011:
(A) New budget authority, $427,476,000,000.
(B) Outlays, $427,476,000,000.
Fiscal year 2012:
(A) New budget authority, $438,455,000,000.
(B) Outlays, $438,455,000,000.
(19) Allowances (920):
Fiscal year 2007:
(A) New budget authority, $785,000,000.
(B) Outlays, $755,000,000.
Fiscal year 2008:
(A) New budget authority, –$16,724,000,000.
(B) Outlays, –$7,519,400,000.
Fiscal year 2009:
(A) New budget authority, –$7,296,000,000.
(B) Outlays, –$7,068,500,000.
Fiscal year 2010:
(A) New budget authority, –$7,390,000,000.
(B) Outlays, –$7,935,400,000.
Fiscal year 2011:
(A) New budget authority, –$7,481,000,000.
(B) Outlays, –$7,823,600,000.
Fiscal year 2012:
(A) New budget authority, –$7,574,000,000.
(B) Outlays, –$7,761,000,000.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2007:
(A) New budget authority, –$69,714,000,000.
(B) Outlays, –$69,714,000,000.
Fiscal year 2008:
(A) New budget authority, –$71,754,000,000.
(B) Outlays, –$71,754,000,000.
Fiscal year 2009:
(A) New budget authority, –$67,035,000,000.
(B) Outlays, –$67,044,000,000.
Fiscal year 2010:
(A) New budget authority, –$67,458,000,000.
(B) Outlays, –$67,458,000,000.
Fiscal year 2011:
(A) New budget authority, –$70,175,000,000.
(B) Outlays, –$70,195,000,000.
Fiscal year 2012:
(A) New budget authority, –$72,557,000,000.
(B) Outlays, –$72,560,000,000.

TITLE II—BUDGET PROCESS

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

(a) POINT OF ORDER.—

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

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

(A) The current fiscal year.

(B) The budget year.

(C) The period of the 5 fiscal years following the current fiscal year.

(D) The period of the 5 fiscal years following the 5 fiscal years referred to in subparagraph (C).

(3) DIRECT SPENDING LEGISLATION.—For purposes of this subsection and except as provided in paragraph (4), the term ''direct spending legislation'' means any bill, joint resolution, amendment, motion, or conference report that affects direct spending as that term is defined by, and interpreted for purposes of, the Balanced Budget and Emergency Deficit Control Act of 1985.

(4) EXCLUSION.—For purposes of this subsection, the terms ''direct spending legislation'' and ''revenue legislation'' do not include—

(A) any concurrent resolution on the budget; or

(B) any provision of legislation that affects the full funding of, and continuation of, the deposit insurance guarantee commitment in effect on the date of enactment of the Budget Enforcement Act of 1990.

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

(A) use the baseline surplus or deficit used for the most recently adopted concurrent resolution on the budget; and

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

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

(b) SUPERMAJORITY WAIVER AND APPEALS.—

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

(2) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this section 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, as the case may be. 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.

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

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

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

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

(a) IN GENERAL.—It shall not be in order in the Senate to consider any reconciliation bill, resolution, amendment, amendment between Houses, motion, or conference report pursuant to section 310 of the Congressional Budget Act of 1974 that would cause or increase a deficit or reduce a surplus in the current fiscal year, the budget year, the period of the first 5 fiscal years following the current fiscal year, or the period of the second 5 fiscal years following the current fiscal year.

(b) SUPERMAJORITY WAIVER AND APPEAL.—

(1) WAIVER.—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.

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

SEC. 203. 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 four 10-year periods beginning in fiscal year 2018 through fiscal year 2057.

(b) POINT OF ORDER.—In the Senate, it shall not be in order 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 four 10-year periods beginning in 2018 through 2057.

(c) SUPERMAJORITY WAIVER AND APPEAL.—

(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 Committee on the Budget of the Senate.

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

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

SEC. 204. EMERGENCY LEGISLATION.

(a) AUTHORITY TO DESIGNATE.—With respect to a provision of direct spending or receipts legislation or appropriations for discretionary accounts that the Congress designates as an emergency requirement in such measure, the amounts of new budget authority, outlays, and receipts in all fiscal years resulting from that provision shall be treated as an emergency requirement for the purpose of this section, except that the authority to designate shall not apply to funding for spinach producers on a supplemental appropriations bill pursuant to subsection (f)(1) that is designated to supplement funding for ongoing combat operations.

(b) EXEMPTION OF EMERGENCY PROVISIONS.—Any new budget authority, outlays, and receipts resulting from any provision designated as an emergency requirement, pursuant to this section, in any bill, joint resolution, amendment, or conference report shall not count for purposes of sections 302 and 311 of the Congressional Budget Act of 1974 and sections 201 and 207 of this resolution (relating to pay-as-you-go in the Senate and discretionary spending limits).

(c) DESIGNATIONS.—If a provision of legislation is designated as an emergency requirement under this section, the committee report and any statement of managers accompanying that legislation shall include an explanation of the manner in which the provision meets the criteria in subsection (f).

(d) DEFINITIONS.—In this section, the terms ''direct spending'', ''receipts'', and ''appropriations for discretionary accounts'' means any provision of a bill, joint resolution, amendment, motion, or conference report that affects direct spending, receipts, or appropriations as those terms have been defined and interpreted for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

(e) POINT OF ORDER.—

(1) IN GENERAL.—When the Senate is considering a bill, resolution, amendment, motion, or conference report, if a point of order is made by a Senator against an emergency designation in that measure, that provision making such a designation shall be stricken from the measure and may not be offered as an amendment from the floor.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) WAIVER.—Paragraph (1) may be waived or suspended in the Senate only by an 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 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, as the case may be. 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.

(3) DEFINITION OF AN EMERGENCY DESIGNATION.—For purposes of paragraph (1), a provision shall be considered an emergency designation if it designates any item as an emergency requirement pursuant to this subsection.

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

(5) 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) CRITERIA.—

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

(A) necessary, essential, or vital (not merely useful or beneficial);

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

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

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

(E) not permanent, temporary in nature.

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

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

SEC. 205. EXTENSION OF ENFORCEMENT OF BUDGETARY POINTS OF ORDER.

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

SEC. 206. 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 general appropriations or continuing appropriations for fiscal year 2008 that first becomes available for any fiscal year after 2008, or any new budget authority provided in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2009, that first becomes available for any fiscal year after 2009.

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

(1) for fiscal years 2009 and 2010 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 $25,158,000,000 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 paragraph (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) REPEAL.—In the Senate, section 401 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006, shall no longer apply.

SEC. 207. DISCRETIONARY SPENDING LIMITS.

(a) 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 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) DISCRETIONARY SPENDING LIMITS.—In the Senate and as used in this section, the term ''discretionary spending limit'' means—

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

(2) for fiscal year 2008, $942,295,000,000 in new budget authority and $1,021,392,000,000 in outlays;

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

(c) ADJUSTMENTS.—

(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 2008 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 $213,000,000 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 $213,000,000 in budget authority and outlays flowing therefrom for fiscal year 2008.

(B) INTERNAL REVENUE SERVICE TAX ENFORCEMENT.—If a bill or joint resolution is reported making appropriations for fiscal year 2008 that appropriates $6,822,000,000 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 $406,000,000 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 $406,000,000 in budget authority and outlays flowing therefrom for fiscal year 2008.

(C) HEALTH CARE FRAUD AND ABUSE CONTROL.—If a bill or joint resolution is reported making appropriations for fiscal year 2008 that appropriates up to $383,000,000 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 $383,000,000 in budget authority and outlays flowing therefrom for fiscal year 2008.

(D) UNEMPLOYMENT INSURANCE IMPROPER PAYMENTS REVIEWS.—If a bill or joint resolution is reported making appropriations for fiscal year 2008 that appropriates $10,000,000 for unemployment insurance improper payments reviews for the Department of Labor, and provides an additional appropriation of up to $40,000,000 for unemployment insurance improper payments reviews for the Department of Labor, 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 2008.

(E) WILDLAND FIRE SUPPRESSION.—

(i) DEFINITION.—For this subparagraph, the term ''base amount'' refers to the average of the obligations of the preceding 10 years for wildfire suppression in the Forest Service and the Department of the Interior, calculated as of the date of the applicable year's budget request is submitted by the President to Congress.

(ii) ADJUSTMENTS FOR FISCAL YEAR 2008.—If the amount appropriated for Wildland Fire Suppression in fiscal year 2008 is not less than the base amount, then the chairman of the Senate Committee on the Budget may adjust the appropriate allocations, aggregates, discretionary spending limits, and other budgetary levels in this resolution for any bill, joint resolution, amendment, motion, or conference report that provides additional funding for wildland fire suppression, by the amounts provided in such legislation for such purpose, but not to exceed the following amounts in budget authority and the outlays flowing therefrom:

(I) for the Forest Service, for fiscal year 2008, $400,000,000; and

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

(F) COSTS OF GLOBAL WAR ON TERROR.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and discretionary spending limits for one or more bills, joint resolutions, motions, amendments, or conference reports that make discretionary appropriations for fiscal year 2008 or 2009 in excess of the levels assumed in this resolution for expenses related to the global war on terror, but not to exceed the following amounts:

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

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

(G) ADJUSTMENT FOR UNITED STATES FORCES IN THE GLOBAL WAR ON TERRORISM.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and discretionary spending limits for one or more bills, joint resolutions, motions, amendments, or conference reports that make discretionary appropriations for fiscal year 2008 for an amount appropriated, but not to exceed $5,000,000,000 in budgetary authority and outlays flowing therefrom, to—

(i) address training, equipment, force protection, logistics, or other matters necessary for the protection of United States forces; or

(ii) address deficiencies at Walter Reed Army Medical Center and other facilities within the military medical system providing treatment to service members injured while performing their duties in the Global War on Terrorism.

SEC. 208. APPLICATION OF PREVIOUS ALLOCATIONS IN THE SENATE.

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

SEC. 209. POINT OF ORDER TO SAVE SOCIAL SECURITY FIRST.

(a) POINT OF ORDER IN THE SENATE.—It shall not be in order in the Senate to consider any legislation that would increase the on-budget deficit in any fiscal year until the President submits legislation to Congress and Congress enacts legislation which would restore 75-year solvency to the Old-Age, Survivors, and Disability Insurance Trust Funds as certified by the Social Security Administration actuaries.

(b) 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 in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

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

(a) IN GENERAL.—It shall not be in order in the Senate to consider any bill, resolution, amendment, amendment between Houses, motion, or conference report that includes a Federal income tax rate increase. In this subsection, the term ''Federal income tax rate increase'' means any amendment to subsection (a), (b), (c), (d), or (e) of section 1, or to section 11(b) or 55(b), of the Internal Revenue Code of 1986, that imposes a new percentage as a rate of tax and thereby increases the amount of tax imposed by any such section.

(b) SUPERMAJORITY WAIVER AND APPEAL.—

(1) WAIVER.—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.

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

SEC. 211. CIRCUIT BREAKER TO PROTECT SOCIAL SECURITY.

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

(b) POINT OF ORDER.—If in any year the Congressional Budget Office, in its report pursuant to section 202(e)(1) of the Congressional Budget Act of 1974 projects an on-budget deficit for the budget year or any subsequent fiscal year covered by those projections, it shall not be in order in the Senate to consider a concurrent resolution on the budget for the budget year or any conference report thereon that fails to reduce on-budget deficits relative to the projections of Congressional Budget Office and put the budget on a path to achieve on-budget balance within 5 years.

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

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

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

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

(e) SUPERMAJORITY WAIVER AND APPEALS.—

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

(2) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection 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, as the case may be. 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.

(f) BUDGET YEAR.—In this section, the term ''budget year'' shall have the same meaning as in section 250(c)(12) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 212. POINT OF ORDER—20% LIMIT ON NEW DIRECT SPENDING IN RECONCILIATION LEGISLATION.

(1) IN THE SENATE.—It shall not be in order to consider any reconciliation bill, joint resolution, motion, amendment, or any conference report on, or an amendment between the Houses in relation to a reconciliation bill pursuant to section 310 of the Congressional Budget Act of 1974 that produces an increase in outlays, if—

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

(B) the effect of the adoption of an amendment would result in gross new direct spending that exceeds 20% of the total savings instruction to the committee.

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

(B) Paragraph (1) may be waived or suspended 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 paragraph (1).

(C) If a point of order is sustained under paragraph (1) against a conference report in the Senate, the report shall be disposed of as provided in section 313(d) of the Congressional Budget Act of 1974.

SEC. 213. POINT OF ORDER AGAINST LEGISLATION THAT RAISES INCOME TAX RATES FOR SMALL BUSINESSES, FAMILY FARMS, OR FAMILY RANCHES.

(a) IN GENERAL.—It shall not be in order in the Senate to consider any bill, resolution, amendment, amendment between Houses, motion, or conference report that includes a Federal income tax rate increase on incomes generated by small businesses (within the meaning of section 474(c) of the Internal Revenue Code of 1986) or family farms or family ranches (within the meaning of section 2032A of such Code) (regardless of the manner by which such businesses, farms and ranches are organized). In this subsection, the term ''Federal income tax rate increase'' means any amendment to subsection (a), (b), (c), (d), or (e) of section 1, or to section 11(b) or 55(b), of the Internal Revenue Code of 1986, that imposes a new percentage as a rate of tax and thereby increases the amount of tax imposed by any such section.

(b) SUPERMAJORITY WAIVER AND APPEAL.—

(1) WAIVER.—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.

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

SEC. 214. POINT OF ORDER AGAINST PROVISIONS OF APPROPRIATIONS LEGISLATION THAT CONSTITUTES CHANGES IN MANDATORY PROGRAMS WITH NET COSTS.

(a) IN GENERAL.—It shall not be in order in the Senate to consider any appropriations legislation, including any amendment thereto, motion in relation thereto, or conference report thereon, which includes one or more provisions 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, if such provision has a net cost over the total of the period of the current year, the budget year, and all fiscal years covered under the most recently adopted concurrent resolution on the budget.

(b) DETERMINATION.—For purposes of this section, the determination of whether a provision violates paragraph (a) shall be made by the Committee on the Budget of the Senate.

(c) SUPERMAJORITY WAIVER AND APPEAL.—This section may be waived or suspended 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.

(d) 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.

(e) 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.

SEC. 215. DISCLOSURE OF INTEREST COSTS.

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

(b) 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).

TITLE III—RESERVE FUNDS AND ADJUSTMENTS

SEC. 301. DEFICIT-NEUTRAL RESERVE FUND FOR SCHIP LEGISLATION.

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

(1) The Senate shall make the enactment of legislation to reauthorize the State Children's Health Insurance Program (SCHIP) a top priority for the remainder of fiscal year 2007, during the first session of the 110th Congress.

(2) Extending health care coverage to the Nation's vulnerable uninsured children is an urgent priority for the Senate.

(3) SCHIP has proven itself a successful program for covering previously uninsured children.

(4) More than 6 million children are enrolled in this landmark program, which has enjoyed broad bipartisan support in Congress, among our Nation's governors, and within state and local governments.

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

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

(7) Uninsured children who gain coverage through SCHIP receive more preventive care and their parents report better access to providers and improved communications with their children's doctors.

(8) Congress has a responsibility to reauthorize SCHIP before the expiration of its current authorization.

(b) RESERVE FUND.—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 for reauthorization of the State Children's Health Insurance Program (SCHIP), if such legislation maintains coverage for those currently enrolled in SCHIP, continues efforts to reach uninsured children who are already eligible for SCHIP or Medicaid but are not enrolled, and supports States in their efforts to move forward in covering more children, by the amounts provided in that legislation for those purposes up to $20,000,000,000 over the total of fiscal years 2007 through 2012, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2012. Among the policy changes that could be considered to achieve offsets to the cost of reauthorizing the State Children's Health Insurance Program and expanding coverage for children is an increase in the tobacco products user fee rate with all revenue generated by such increase dedicated to such reauthorization and expansion.

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

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 which improves the medical care of or disability benefits for wounded or disabled military personnel or veterans (including the elimination of the offset between Survivor Benefit Plan annuities and veterans' dependency and indemnity compensation) or improves the disability evaluations of military personnel or veterans to expedite the claims process, by the amounts provided in that legislation for that purpose, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2012.

SEC. 303. DEFICIT-NEUTRAL RESERVE FUND FOR 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 tax relief, such as enhanced charitable giving from individual retirement accounts, and refundable tax relief and including the reauthorization of the new markets tax credit under section 45D of the Internal Revenue Code of 1986 for an additional 5 years, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2012.

SEC. 304. DEFICIT-NEUTRAL RESERVE FUND FOR COMPARATIVE EFFECTIVENESS RESEARCH.

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 establishes a new federal or public-private initiative for comparative effectiveness research, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over the total of fiscal years 2007 through 2012.

SEC. 305. DEFICIT-NEUTRAL RESERVE FUND FOR HIGHER EDUCATION.

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, including tax legislation, that would make higher education more accessible and more affordable, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2012.

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

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

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

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

(3) provides agriculture-related tax relief;

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

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

by the amounts provided in that legislation for those purposes up to $15,000,000,000 over the total of fiscal years 2007 through 2012, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2012.

SEC. 307. DEFICIT-NEUTRAL RESERVE FUND FOR ENERGY LEGISLATION.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports, including tax legislation, that would reduce our Nation's dependence on foreign sources of energy, expand production and use of alternative fuels and alternative fuel vehicles, promote renewable energy development, improve electricity transmission, encourage responsible development of domestic oil and natural gas resources, or reward conservation and efficiency, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2012.

SEC. 308. DEFICIT-NEUTRAL RESERVE FUND FOR MEDICARE.

(a) PRESCRIPTION DRUGS.—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 repeals the prohibition in section 1860D–11(i)(1) of the Social Security Act (42 U.S.C. 1395w–111(i)(1)) while preserving access to prescription drugs and price competition without requiring a particular formulary or instituting a price structure for reimbursement of covered Part D drugs, provided that such legislation would not increase the deficit over the total of fiscal years 2007 through 2012 and provided further that any savings from the measure are to be used either to improve the Medicare Part D benefit or for deficit reduction.

(b) PHYSICIAN PAYMENTS.—The Chairman of the Senate Budget Committee 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 that purpose, provided that the legislation would not increase the deficit over the total of fiscal years 2007 through 2012.

(c) IMPROVEMENTS TO MEDICARE PART D.—The Chairman of the Senate Budget Committee 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 prescription drug benefit under Medicare Part D, by the amounts provided in such legislation for that purpose up to $5,000,000,000, provided that the legislation would not increase the deficit over the total of fiscal years 2007 through 2012.

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

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 makes health insurance coverage more affordable or available to small businesses and their employees without weakening rating rules or reducing covered benefits, by the amounts provided in such legislation for that purpose, provided that the legislation would not increase the deficit over the total of fiscal years 2007 through 2012.

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

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 for the reauthorization of the Secure Rural Schools and Community Self-Determination Act of 2000 (Public Law 106–393), by the amounts provided by that legislation for that purpose, but not to exceed $440,000,000 in new budget authority for fiscal year 2008 and the outlays flowing from that budget authority and $2,240,000,000 in new budget authority for the period of fiscal years 2008 through 2012 and the outlays flowing from that budget authority, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2012.

SEC. 311. DEFICIT-NEUTRAL RESERVE FUND FOR TERRORISM RISK INSURANCE REAUTHORIZATION.

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

SEC. 312. DEFICIT-NEUTRAL RESERVE FUND FOR AFFORDABLE HOUSING.

The Chairman of the Senate Budget Committee may revise the aggregates, allocations, and other levels in this resolution for a bill, joint resolution, motion, amendment, or conference report that would establish an affordable housing fund financed by the housing government-sponsored enterprises, by the amounts provided in such legislation for that purpose, provided that the legislation is deficit-neutral over the total of fiscal years 2007 through 2012.

SEC. 313. DEFICIT-NEUTRAL RESERVE FUND FOR RECEIPTS FROM BONNEVILLE POWER ADMINISTRATION.

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

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

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—

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

(2) extinguishes all claims arising before the date of enactment for losses resulting from accounting errors, mismanagement of assets, or interest owed in connection with Individual Indian Moneys accounts;

by the amounts provided in such legislation for those purposes up to $8,000,000,000, provided that such legislation does not increase the deficit over the total of the period of fiscal years 2007 through 2012.

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

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

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

If an SCHIP reauthorization bill is enacted, then 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 to improve health care, and provide quality health insurance for the uninsured and underinsured, and protect individuals with current health coverage, by the amounts provided in that legislation for that purpose, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2012.

SEC. 317. DEFICIT-NEUTRAL RESERVE FUND FOR ENHANCEMENT OF VETERANS' BENEFITS.

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

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

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

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

(a) The Chairman of the Senate Budget Committee may revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that provides incentives or other support for adoption of modern information technology to improve quality and protect privacy in health care, by the amounts provided in such legislation for that purpose, provided that the legislation would not increase the deficit over the total of fiscal years 2007 through 2012.

(b) The Chairman of the Senate Budget Committee may revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that provides for payments that are based on adherence to accepted clinical protocols identified as best practices, by the amounts provided in such legislation for that purpose, provided that the legislation would not increase the deficit over the total of fiscal years 2007 through 2012.

SEC. 320. DEFICIT-NEUTRAL RESERVE FUND FOR CHILD CARE.

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 up to $5,000,000,000 for the child care entitlement to States, by the amounts provided by such legislation for that purpose, provided that the legislation would not increase the deficit over the total of fiscal years 2007 through 2012.

SEC. 321. DEFICIT-NEUTRAL RESERVE FUND FOR COMPREHENSIVE IMMIGRATION REFORM.

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—

(1) provides for comprehensive immigration reform;

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

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

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

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

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

SEC. 323. DEFICIT-NEUTRAL RESERVE FUND FOR PRESCHOOL OPPORTUNITIES.

If the Committee on Health, Education, Labor, and Pensions of the Senate, reports a bill or a joint resolution, or an amendment is offered in the Senate to such a bill or joint resolution, or a conference report is submitted to the Senate on a such a bill or joint resolution, that augments or establishes a Federal program that provides assistance to States that offer or expand preschool to children of low-income families, the Chairman of the Committee on the Budget of the Senate may revisit the aggregates, allocations, and other appropriate levels in this resolution by amounts provided in such measure for that purpose, provided that such legislation would not increase the deficit for the total of the period of fiscal years 2007 through 2012.

SEC. 324. DEFICIT-NEUTRAL RESERVE FUND FOR THE SAFE IMPORTATION OF FDA-APPROVED PRESCRIPTION DRUGS.

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 that purpose, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2012.

SEC. 325. 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 Senate Committee on the Budget.

SEC. 326. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

Upon the enactment of a bill or joint resolution providing for a change in concepts or definitions, the chairman of the Senate 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. 327. EXERCISE OF RULEMAKING POWERS.

Congress adopts the provisions of this title—

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

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

SEC. 328. DEFICIT-NEUTRAL RESERVE FUND FOR EXPANSION OF ABOVE-THE-LINE DEDUCTION FOR TEACHER CLASSROOM SUPPLIES.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would permanently extend and increase to $400 the above-the-line deduction for teacher classroom supplies and expand such deduction to include qualified professional development expenses, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2012.

SEC. 329. ADJUSTMENT FOR SMITHSONIAN INSTITUTION SALARIES AND EXPENSES.

(a) IN GENERAL.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and discretionary spending limits for one or more bills, joint resolutions, motions, amendments, or conference reports that make discretionary appropriations for fiscal year 2008 for an amount appropriated, but not to exceed $17,000,000 in budgetary authority and outlays flowing therefrom, once the Comptroller General of the United States has submitted a certification to Congress that since April 1, 2007—

(1) the Smithsonian Institution does not provide total annual compensation for any officer or employee of the Smithsonian Institution greater than the total annual compensation of the President of the United States;

(2) the Smithsonian Institution does not provide deferred compensation for any such officer or employee greater than the deferred compensation of the President of the United States;

(3) all Smithsonian Institution travel expenditures conform with Federal Government guidelines and limitations applicable to the Smithsonian Institution; and,

(4) all Smithsonian Institution officers and employees are subject to ethics rules similar to the ethics rules widely applicable to Federal Government employees.

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

(1) The Smithsonian Institution is a premier educational, historical, artistic, research, and cultural organization for the American people.

(2) The Inspector General for the Smithsonian Institution recently issued a report regarding an investigation of unauthorized and excessive authorized compensation, benefits, and expenditures by the Secretary of the Smithsonian Institution.

(3) The Inspector General's findings indicate that the actions of the Secretary of the Smithsonian Institution are not in keeping with the public trust of the office of the Secretary of the Smithsonian Institution.

(4) Priority should be given to funding for necessary repairs to maintain and repair Smithsonian Institution buildings and infrastructure and protect America's treasures.

(5) Priority should be given to full funding for the Office of the Inspector General for the Smithsonian Institution so that the American people and Congress have renewed confidence that tax-preferred donations and Federal funds are being spent appropriately and in keeping with the best practices of the charitable sector.

SEC. 330. DEFICIT-REDUCTION RESERVE FUND FOR REDUCTION OF IMPROPER PAYMENTS.

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, functional totals, and other appropriate levels and limits in this resolution upon enactment of legislation that achieves savings by eliminating or reducing improper payments made by agencies reporting improper payments estimates under the Improper Payments Information Act of 2002 and uses such savings to reduce the deficit, provided that the legislation would not increase the deficit over the total of fiscal years 2007 through 2012.

SEC. 331. DEFICIT-NEUTRAL RESERVE FUND FOR EXTENSION OF THE DEDUCTION FOR STATE AND LOCAL SALES TAXES.

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

SEC. 332. DEFICIT-NEUTRAL RESERVE FUND FOR EXTENSION OF CERTAIN ENERGY TAX INCENTIVES.

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 would extend through 2015 energy tax incentives, including the production tax credit for electricity produced from renewable resources, the Clean Renewable Energy Bond program, and the provisions to encourage energy efficient buildings, products and power plants, provided that such legislation would not increase the deficit over the total of fiscal years 2007 through 2012.

SEC. 333. RESERVE FUND TO PROVIDE ADDITIONAL TRAINING FOR PHYSICIANS AND ATTRACT MORE PHYSICIANS IN STATES THAT FACE A SHORTAGE OF PHYSICIANS IN TRAINING.

The Chairman of the Senate Budget Committee may revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that provides additional training for physicians and attracts more physicians in States that face a shortage of physicians in training, provided that the legislation would not increase the deficit over the total of fiscal years 2007 through 2012.

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

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

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

(a) FINDINGS.—Congress makes the following findings:

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

(2) The State Criminal Alien Assistance Program (referred to in this section as "SCAAP") carried out pursuant to section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)) provides critical funding to States and localities for reimbursement of costs incurred as a result of housing undocumented criminal aliens.

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

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

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

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

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

(b) SENSE OF CONGRESS.—It is the sense of Congress that the budgetary totals in this resolution assume that $950,000,000 should be made available for SCAAP for fiscal year 2008.

SEC. 336. DEFICIT-NEUTRAL RESERVE FUND FOR ELIMINATING MILITARY RETIREMENT AND DISABILITY OFFSET.

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 would expand eligibility for Combat-Related Special Compensation to permit additional disabled retirees to receive both disability compensation and retired pay, by the amounts provided by such legislation for that purpose, provided that the legislation would not increase the deficit over the total of fiscal years 2007 through 2012.

SEC. 337. DEFICIT-NEUTRAL RESERVE FOR ASBESTOS REFORM LEGISLATION.

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 regarding asbestos reform, that—

(i) either provides monetary compensation to impaired victims of mesothelioma or provides monetary compensation to impaired victims of asbestos-related disease who can establish that asbestos exposure is a substantial contributing factor in causing their condition,

(ii) does not provide monetary compensation to unimpaired claimants or those suffering from a disease who cannot establish that asbestos exposure was a substantial contributing factor in causing their condition, and

(iii) is estimated to remain funded from nontaxpayer sources for the life of the fund, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2057.

SEC. 338. DEFICIT-NEUTRAL RESERVE FUND FOR MANUFACTURING INITIATIVES.

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 support for development of alternative fuels and leap-ahead automotive and energy technologies, and 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 the total of the period of fiscal years 2007 through 2012.

SEC. 339. DEFICIT-REDUCTION RESERVE FUND FOR INCREASED USE OF RECOVERY AUDITS.

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, functional totals, and other appropriate levels and limits in this resolution upon enactment of legislation that achieves savings by requiring that agencies increase their use of the recovery audits authorized by the Erroneous Payments Recovery Act of 2001 (section 831 of the National Defense Authorization Act for fiscal year 2002) and uses such savings to reduce the deficit, provided that the legislation would not increase the deficit over the total of fiscal years 2007 through 2012.

SEC. 340. DEFICIT-NEUTRAL RESERVE FUND FOR A DELAY IN THE IMPLEMENTATION OF A PROPOSED RULE RELATING TO THE FEDERAL-STATE FINANCIAL PARTNERSHIPS UNDER MEDICAID AND SCHIP.

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 for a delay in the implementation of the proposed rule published on January 18, 2007, on pages 2236 through 2248 of volume 72, Federal Register (relating to parts 433, 447, and 457 of title 42, Code of Federal Regulations) or any other rule that would affect the Medicaid program and SCHIP in a similar manner, by the amounts provided in that legislation for that purpose, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2012.

SEC. 341. RESERVE FUND TO IMPROVE THE HEALTH CARE SYSTEM.

If the Senate Committee on Finance—

(1) reports a bill, or if an amendment is offered thereto, or if a conference report is submitted thereon, 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; and

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

the Chairman of the Senate Committee on the Budget may revise allocations of new budget authority and outlays, the revenue aggregates, and other appropriate measures to reflect such legislation provided that such legislation would not increase the deficit for fiscal year 2008, and for the period of fiscal years 2008 through 2012.

SEC. 342. RESERVE FUND TO IMPROVE MEDICARE HOSPITAL PAYMENT ACCURACY.

If the Senate Committee on Finance—

(1) reports a bill, or if an amendment is offered thereto, or if a conference report is submitted thereon, that—

(A) addresses the wide and inequitable disparity in the reimbursement of hospitals under the Medicare program;

(B) includes provisions to reform the area wage index used to adjust payments to hospitals under the Medicare hospital inpatient prospective payment system under section 1886(d) of the Social Security Act (42 U.S.C. 1395ww(d)); and

(C) includes a transition to the reform described in subparagraph (B); and

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

the Chairman of the Senate Committee on the Budget may revise allocations of new budget authority and outlays, the revenue aggregates, and other appropriate measures to reflect such legislation provided that such legislation would not increase the deficit for the period of fiscal years 2008 through 2012.

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

If a Senate committee reports a bill or joint resolution, or if an amendment is offered thereto, or if a conference report is submitted thereon, that, with appropriate protections for consumers, reduces growth in the number of uninsured Americans, improves access to affordable and meaningful health insurance coverage, improves health care quality, or reduces growth in the cost of private health insurance by facilitating market-based pooling, including across State lines, and a bill or joint resolution, or if an amendment is offered thereto, or if a conference report is submitted thereon, that, with appropriate protections for consumers, provides funding for State high risk pools or financial assistance, whether directly, or through grants to States to enhance the effectiveness of such pooling or to provide other assistance to small businesses or individuals, including financial assistance, for the purchase of private insurance coverage, the Chairman of the Committee on the Budget may make appropriate adjustments in allocations and aggregates for fiscal year 2007 and for the period of fiscal years 2008 through 2012, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2012.

The SPEAKER pro tempore. Pursuant to House Resolution 370, the amendment in the nature of a substitute consisting of the text of House Concurrent Resolution 99, as adopted by the House, is adopted and the Senate concurrent resolution, as amended, is considered read.

The text of the Senate concurrent resolution, as amended, is as follows:

S. CON. RES. 21

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

(a) DECLARATION.—The Congress determines and declares that the concurrent resolution on the budget for fiscal year 2007 is revised and replaced and that this is the concurrent resolution on the budget for fiscal year 2008, including appropriate budgetary levels for fiscal years 2009 through 2012.

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

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

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

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

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

Fiscal year 2007: $1,904,706,000,000.
Fiscal year 2008: $2,050,797,000,000.
Fiscal year 2009: $2,106,926,000,000.
Fiscal year 2010: $2,163,721,000,000.
Fiscal year 2011: $2,394,551,000,000.
Fiscal year 2012: $2,597,096,000,000.

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

Fiscal year 2007: $0.
Fiscal year 2008: $0.
Fiscal year 2009: $0.
Fiscal year 2010: $0.
Fiscal year 2011: $0.
Fiscal year 2012: $0.

(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 2007: $2,380,614,000,000.
Fiscal year 2008: $2,495,291,000,000.
Fiscal year 2009: $2,516,301,000,000.
Fiscal year 2010: $2,569,952,000,000.
Fiscal year 2011: $2,684,936,000,000.
Fiscal year 2012: $2,716,188,000,000.

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

Fiscal year 2007: $2,300,065,000,000.
Fiscal year 2008: $2,465,888,000,000.
Fiscal year 2009: $2,565,305,000,000.
Fiscal year 2010: $2,600,718,000,000.
Fiscal year 2011: $2,691,358,000,000.
Fiscal year 2012: $2,700,809,000,000.

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

Fiscal year 2007: $395,359,000,000.
Fiscal year 2008: $415,091,000,000.
Fiscal year 2009: $458,379,000,000.
Fiscal year 2010: $436,997,000,000.
Fiscal year 2011: $296,807,000,000.
Fiscal year 2012: $103,713,000,000.

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

Fiscal year 2007: $8,927,000,000,000.
Fiscal year 2008: $9,461,000,000,000.
Fiscal year 2009: $10,036,000,000,000.
Fiscal year 2010: $10,591,000,000,000.
Fiscal year 2011: $11,001,000,000,000.
Fiscal year 2012: $11,231,000,000,000.

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

Fiscal year 2007: $5,042,000,000,000.
Fiscal year 2008: $5,269,000,000,000.
Fiscal year 2009: $5,524,000,000,000.
Fiscal year 2010: $5,743,000,000,000.
Fiscal year 2011: $5,805,000,000,000.
Fiscal year 2012: $5,663,000,000,000.

SEC. 102. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2007 through 2012 for each major functional category are:

(1) National Defense (050):
Fiscal year 2007:
(A) New budget authority, $525,797,000,000.
(B) Outlays, $534,270,000,000.
Fiscal year 2008:
(A) New budget authority, $506,995,000,000.
(B) Outlays, $514,401,000,000.
Fiscal year 2009:
(A) New budget authority, $534,705,000,000.
(B) Outlays, $524,384,000,000.
Fiscal year 2010:
(A) New budget authority, $545,171,000,000.
(B) Outlays, $536,433,000,000.
Fiscal year 2011:
(A) New budget authority, $550,944,000,000.
(B) Outlays, $547,624,000,000.
Fiscal year 2012:
(A) New budget authority, $559,799,000,000.
(B) Outlays, $548,169,000,000.

(2) International Affairs (150):
Fiscal year 2007:
(A) New budget authority, $28,795,000,000.
(B) Outlays, $31,308,000,000.
Fiscal year 2008:
(A) New budget authority, $34,675,000,000.
(B) Outlays, $33,096,000,000.
Fiscal year 2009:
(A) New budget authority, $35,428,000,000.
(B) Outlays, $32,557,000,000.
Fiscal year 2010:
(A) New budget authority, $35,623,000,000.
(B) Outlays, $32,687,000,000.
Fiscal year 2011:
(A) New budget authority, $36,083,000,000.
(B) Outlays, $33,006,000,000.
Fiscal year 2012:
(A) New budget authority, $36,530,000,000.
(B) Outlays, $33,613,000,000.

(3) General Science, Space, and Technology (250):
Fiscal year 2007:
(A) New budget authority, $25,079,000,000.
(B) Outlays, $24,516,000,000.
Fiscal year 2008:
(A) New budget authority, $27,611,000,000.
(B) Outlays, $26,472,000,000.
Fiscal year 2009:
(A) New budget authority, $28,641,000,000.
(B) Outlays, $28,411,000,000.
Fiscal year 2010:
(A) New budget authority, $29,844,000,000.
(B) Outlays, $29,485,000,000.
Fiscal year 2011:
(A) New budget authority, $31,103,00,000.
(B) Outlays, $30,089,000,000.
Fiscal year 2012:
(A) New budget authority, $32,438,000,000.
(B) Outlays, $31,367,000,000.

(4) Energy (270):
Fiscal year 2007:
(A) New budget authority, $2,943,000,000.
(B) Outlays, $1,369,000,000.
Fiscal year 2008:
(A) New budget authority, $3,240,000,000.
(B) Outlays, $1,092,000,000.
Fiscal year 2009:
(A) New budget authority, $3,051,000,000.
(B) Outlays, $1,454,000,000.
Fiscal year 2010:
(A) New budget authority, $3,136,000,000.
(B) Outlays, $1,641,000,000.
Fiscal year 2011:
(A) New budget authority, $3,228,000,000.
(B) Outlays, $1,697,000,000.
Fiscal year 2012:
(A) New budget authority, $3,307,000,000.
(B) Outlays, $1,997,000,000.

(5) Natural Resources and Environment (300):
Fiscal year 2007:
(A) New budget authority, $31,332,000,000.
(B) Outlays, $32,919,000,000.
Fiscal year 2008:
(A) New budget authority, $32,813,000,000.
(B) Outlays, $34,864,000,000.
Fiscal year 2009:
(A) New budget authority, $33,529,000,000.
(B) Outlays, $35,332,000,000.
Fiscal year 2010:
(A) New budget authority, $34,483,000,000.
(B) Outlays, $35,574,000,000.
Fiscal year 2011:
(A) New budget authority, $35,152,000,000.
(B) Outlays, $35,952,000,000.
Fiscal year 2012:
(A) New budget authority, $36,194,000,000.
(B) Outlays, $36,543,000,000.

(6) Agriculture (350):
Fiscal year 2007:
(A) New budget authority, $21,471,000,000.
(B) Outlays, $19,738,000,000.
Fiscal year 2008:
(A) New budget authority, $20,381,000,000.
(B) Outlays, $19,549,000,000.
Fiscal year 2009:
(A) New budget authority, $20,933,000,000.
(B) Outlays, $20,059,000,000.
Fiscal year 2010:
(A) New budget authority, $21,138,000,000.
(B) Outlays, $20,112,000,000.
Fiscal year 2011:
(A) New budget authority, $21,156,000,000.
(B) Outlays, $20,436,000,000.
Fiscal year 2012:
(A) New budget authority, $21,402,000,000.
(B) Outlays, $20,863,000,000.

(7) Commerce and Housing Credit (370):
Fiscal year 2007:
(A) New budget authority, $5,515,000,000.
(B) Outlays, $3,522,000,000.
Fiscal year 2008:
(A) New budget authority, $9,158,000,000.
(B) Outlays, $1,985,000,000.
Fiscal year 2009:
(A) New budget authority, $9,973,000,000.
(B) Outlays, $996,000,000.
Fiscal year 2010:
(A) New budget authority, $13,775,000,000.
(B) Outlays, $3,460,000,000.
Fiscal year 2011:
(A) New budget authority, $8,822,000,000.

(B) Outlays, $1,931,000,000.
Fiscal year 2012:
(A) New budget authority, $8,822,000,000.
(B) Outlays, $1,097,000,000.
(8) Transportation (400):
Fiscal year 2007:
(A) New budget authority, $81,282,000,000.
(B) Outlays, $74,739,000,000.
Fiscal year 2008:
(A) New budget authority, $82,657,000,000.
(B) Outlays, $80,802,000,000.
Fiscal year 2009:
(A) New budget authority, $76,343,000,000.
(B) Outlays, $83,948,000,000.
Fiscal year 2010:
(A) New budget authority, $77,261,000,000.
(B) Outlays, $86,127,000,000.
Fiscal year 2011:
(A) New budget authority, $78,289,000,000.
(B) Outlays, $87,018,000,000.
Fiscal year 2012:
(A) New budget authority, $79,169,000,000.
(B) Outlays, $88,761,000,000.
(9) Community and Regional Development (450):
Fiscal year 2007:
(A) New budget authority, $15,717,000,000.
(B) Outlays, $28,281,000,000.
Fiscal year 2008:
(A) New budget authority, $15,032,000,000.
(B) Outlays, $22,017,000,000.
Fiscal year 2009:
(A) New budget authority, $13,928,000,000.
(B) Outlays, $20,474,000,000.
Fiscal year 2010:
(A) New budget authority, $14,129,000,000.
(B) Outlays, $19,220,000,000.
Fiscal year 2011:
(A) New budget authority, $14,328,000,000.
(B) Outlays, $17,649,000,000.
Fiscal year 2012:
(A) New budget authority, $14,528,000,000.
(B) Outlays, $15,131,000,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 2007:
(A) New budget authority, $92,780,000,000.
(B) Outlays, $92,224,000,000.
Fiscal year 2008:
(A) New budget authority, $92,461,000,000.
(B) Outlays, $91,119,000,000.
Fiscal year 2009:
(A) New budget authority, $96,810,000,000.
(B) Outlays, $93,978,000,000.
Fiscal year 2010:
(A) New budget authority, $98,333,000,000.
(B) Outlays, $96,041,000,000.
Fiscal year 2011:
(A) New budget authority, $98,409,000,000.
(B) Outlays, $97,276,000,000.
Fiscal year 2012:
(A) New budget authority, $98,654,000,000.
(B) Outlays, $96,909,000,000.
(11) Health (550):
Fiscal year 2007:
(A) New budget authority, $267,892,000,000.
(B) Outlays, $268,197,000,000.
Fiscal year 2008:
(A) New budget authority, $286,767,000,000.
(B) Outlays, $286,261,000,000.
Fiscal year 2009:
(A) New budget authority, $307,842,000,000.
(B) Outlays, $305,984,000,000.
Fiscal year 2010:
(A) New budget authority, $325,885,000,000.
(B) Outlays, $325,716,000,000.
Fiscal year 2011:
(A) New budget authority, $347,621,000,000.
(B) Outlays, $346,553,000,000.
Fiscal year 2012:
(A) New budget authority, $370,780,000,000.
(B) Outlays, $369,739,000,000.
(12) Medicare (570):
Fiscal year 2007:
(A) New budget authority, $365,152,000,000.
(B) Outlays, $370,180,000,000.
Fiscal year 2008:
(A) New budget authority, $389,586,000,000.
(B) Outlays, $389,696,000,000.
Fiscal year 2009:
(A) New budget authority, $416,731,000,000.
(B) Outlays, $416,382,000,000.
Fiscal year 2010:
(A) New budget authority, $442,369,000,000.
(B) Outlays, $442,589,000,000.
Fiscal year 2011:
(A) New budget authority, $489,100,000,000.
(B) Outlays, $489,109,000,000.
Fiscal year 2012:
(A) New budget authority, $468,828,000,000.
(B) Outlays, $486,440,000,000.
(13) Income Security (600):
Fiscal year 2007:
(A) New budget authority, $360,365,000,000.
(B) Outlays, $364,204,000,000.
Fiscal year 2008:
(A) New budget authority, $379,927,000,000.
(B) Outlays, $383,546,000,000.
Fiscal year 2009:
(A) New budget authority, $391,073,000,000.
(B) Outlays, $393,458,000,000.
Fiscal year 2010:
(A) New budget authority, $401,429,000,000.
(B) Outlays, $402,422,000,000.
Fiscal year 2011:
(A) New budget authority, $417,016,000,000.
(B) Outlays, $416,907,000,000.
Fiscal year 2012:
(A) New budget authority, $402,874,000,000.
(B) Outlays, $402,130,000,000.
(14) Social Security (650):
Fiscal year 2007:
(A) New budget authority, $19,089,000,000.
(B) Outlays, $19,089,000,000.
Fiscal year 2008:
(A) New budget authority, $19,644,000,000.
(B) Outlays, $19,644,000,000.
Fiscal year 2009:
(A) New budget authority, $21,518,000,000.
(B) Outlays, $21,518,000,000.
Fiscal year 2010:
(A) New budget authority, $23,701,000,000.
(B) Outlays, $23,701,000,000.
Fiscal year 2011:
(A) New budget authority, $27,009,000,000.
(B) Outlays, $27,009,000,000.
Fiscal year 2012:
(A) New budget authority, $29,898,000,000.
(B) Outlays, $29,898,000,000.
(15) Veterans Benefits and Services (700):
Fiscal year 2007:
(A) New budget authority, $73,896,000,000.
(B) Outlays, $72,342,000,000.
Fiscal year 2008:
(A) New budget authority, $85,192,000,000.
(B) Outlays, $82,772,000,000.
Fiscal year 2009:
(A) New budget authority, $87,787,000,000.
(B) Outlays, $87,681,000,000.
Fiscal year 2010:
(A) New budget authority, $90,414,000,000.
(B) Outlays, $89,710,000,000.
Fiscal year 2011:
(A) New budget authority, $96,033,000,000.
(B) Outlays, $95,410,000,000.
Fiscal year 2012:
(A) New budget authority, $93,325,000,000.
(B) Outlays, $92,599,000,000.
(16) Administration of Justice (750):
Fiscal year 2007:
(A) New budget authority, $45,504,000,000.
(B) Outlays, $44,659,000,000.
Fiscal year 2008:
(A) New budget authority, $46,940,000,000.
(B) Outlays, $46,155,000,000.
Fiscal year 2009:
(A) New budget authority, $46,111,000,000.
(B) Outlays, $47,311,000,000.
Fiscal year 2010:
(A) New budget authority, $47,168,000,000.
(B) Outlays, $47,504,000,000.
Fiscal year 2011:
(A) New budget authority, $48,379,000,000.
(B) Outlays, $48,164,000,000.
Fiscal year 2012:
(A) New budget authority, $49,610,000,000.
(B) Outlays, $49,207,000,000.
(17) General Government (800):
Fiscal year 2007:
(A) New budget authority, $18,193,000,000.
(B) Outlays, $18,574,000,000.
Fiscal year 2008:
(A) New budget authority, $18,614,000,000.
(B) Outlays, $18,998,000,000.
Fiscal year 2009:
(A) New budget authority, $19,264,000,000.
(B) Outlays, $19,328,000,000.
Fiscal year 2010:
(A) New budget authority, $19,886,000,000.
(B) Outlays, $19,765,000,000.
Fiscal year 2011:
(A) New budget authority, $20,647,000,000.
(B) Outlays, $20,370,000,000.
Fiscal year 2012:
(A) New budget authority, $21,359,000,000.
(B) Outlays, $21,193,000,000.
(18) Net Interest (900):
Fiscal year 2007:
(A) New budget authority, $344,431,000,000.
(B) Outlays, $344,431,000,000.
Fiscal year 2008:
(A) New budget authority, $369,454,000,000.
(B) Outlays, $369,454,000,000.
Fiscal year 2009:
(A) New budget authority, $389,194,000,000.
(B) Outlays, $389,194,000,000.
Fiscal year 2010:
(A) New budget authority, $413,140,000,000.
(B) Outlays, $413,140,000,000.
Fiscal year 2011:
(A) New budget authority, $431,192,000,000.
(B) Outlays, $431,192,000,000.
Fiscal year 2012:
(A) New budget authority, $442,528,000,000.
(B) Outlays, $442,528,000,000.
(19) Allowances (920):
Fiscal year 2007:
(A) New budget authority, $785,000,000.
(B) Outlays, $755,000,000.
Fiscal year 2008:
(A) New budget authority, $0.
(B) Outlays, $30,000,000.
Fiscal year 2009:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2010:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2011:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2012:
(A) New budget authority, $0.
(B) Outlays, $0.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2007:
(A) New budget authority, $69,714,000,000.
(B) Outlays, $69,714,000,000.
Fiscal year 2008:
(A) New budget authority, $70,979,000,000.
(B) Outlays, $70,979,000,000.
Fiscal year 2009:
(A) New budget authority, $66,560,000,000.
(B) Outlays, $66,569,000,000.
Fiscal year 2010:
(A) New budget authority, $66,933,000,000.
(B) Outlays, $66,933,000,000.
Fiscal year 2011:
(A) New budget authority, $69,575,000,000.
(B) Outlays, $69,595,000,000.
Fiscal year 2012:
(A) New budget authority, $71,857,000,000.
(B) Outlays, $71,860,000,000.
(21) Overseas Deployments and Other Activities (970):
Fiscal year 2007:
(A) New budget authority, $124,310,000,000.
(B) Outlays, $31,506,000,000.
Fiscal year 2008:
(A) New budget authority, $145,163,000,000.
(B) Outlays, $114,914,000,000.
Fiscal year 2009:
(A) New budget authority, $50,000,000,000.
(B) Outlays, $109,425,000,000.

Fiscal year 2010:
(A) New budget authority, $0.
(B) Outlays, $42,324,000,000.
Fiscal year 2011:
(A) New budget authority, $0.
(B) Outlays, $13,561,000,000.
Fiscal year 2012:
(A) New budget authority, $0.
(B) Outlays, $4,485,000,000.

TITLE II—RESERVE FUNDS

SEC. 201. RESERVE FUND FOR THE STATE CHILDREN'S HEALTH INSURANCE PROGRAM.

In the House, with respect to a bill or a joint resolution (or an amendment to or a conference report submitted on such a bill or joint resolution) reported from the Committee on Energy and Commerce that increases new budget authority that would result in no more than $50,000,000,000 in outlays for fiscal years 2008 through 2012 for expanding coverage and improving 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), the chairman of the Committee on Budget may make the appropriate adjustments in allocations of the Committee on Energy and Commerce, and in budget authority and outlays of other committees as may be necessary pursuant to such adjustment for the Committee on Energy and Commerce, and budgetary aggregates, but only to the extent that such bill or joint resolution (as amended, in the case of an amendment) in the form placed before the House by the Committee on Rules would not increase the deficit or decrease the surplus for the period of fiscal years 2007 through 2012 and the period of fiscal years 2007 through 2017. The adjustments may be made whenever a rule providing for consideration of such a bill or joint resolution is filed, such a bill or joint resolution is placed on any calendar, or an amendment is offered or considered as adopted or a conference report is submitted on such a bill or joint resolution.

SEC. 202. RESERVE FUND FOR REFORM OF THE ALTERNATIVE MINIMUM TAX.

In the House, with respect to any bill or joint resolution (or an amendment thereto or conference report thereon) 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, the chairman of the Committee on the Budget may make the appropriate adjustments in allocations of a committee or committees and budgetary aggregates, but only to the extent that such bills or joint resolutions (as amended, in the case of an amendment) in the form placed before the House by the Committee on Rules would not increase the deficit or decrease the surplus for the period of fiscal years 2007 through 2012 and the period of fiscal years 2007 through 2017. The adjustments may be made whenever a rule providing for consideration of such bills or joint resolutions is filed, such bills or joint resolutions are placed on any calendar, or an amendment is offered or considered as adopted or a conference report is submitted on such bills or joint resolutions.

SEC. 203. RESERVE FUND TO PROVIDE FOR MIDDLE-INCOME TAX RELIEF AND ECONOMIC EQUITY.

In the House, with respect to any bill or joint resolution (or an amendment thereto or conference report thereon) that provides for tax relief for middle-income families and taxpayers and 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, modification of the Alternative Minimum Tax, 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 State and local sales taxes, and a tax credit for school construction bonds, the chairman of the Committee on the Budget may make the appropriate adjustments in allocations of a committee or committees and budgetary aggregates, but only to the extent that such bills or joint resolutions (as amended, in the case of an amendment) in the form placed before the House by the Committee on Rules would not increase the deficit or decrease the surplus for the period of fiscal years 2007 through 2012 and the period of fiscal years 2007 through 2017. The adjustments may be made whenever a rule providing for consideration of such bills or joint resolutions are filed, such bills or joint resolutions are placed on any calendar, or an amendment is offered or considered as adopted or a conference report is submitted on such bills or joint resolutions.

SEC. 204. RESERVE FUND FOR AGRICULTURE.

In the House, with respect to a bill or a joint resolution (or an amendment thereto or conference report thereon) that provides for the reauthorization of the programs of the Food Security and Rural Investment Act of 2002 or prior Acts, authorizes similar programs, or both, that increases new budget authority by no more than $20,000,000,000 for the period of fiscal years 2007 through 2012, the chairman of the Committee on the Budget may make the appropriate adjustments in allocations of a committee or committees and budgetary aggregates, but only to the extent that such bill or joint resolution (as amended, in the case of an amendment) in the form placed before the House by the Committee on Rules would not increase the deficit or decrease the surplus for the period of fiscal years 2007 through 2012 and the period of fiscal years 2007 through 2017. The adjustments may be made whenever a rule providing for consideration of such a bill or joint resolution is filed, such a bill or joint resolution is placed on any calendar, or an amendment is offered or considered as adopted or a conference report is submitted on such a bill or joint resolution.

SEC. 205. RESERVE FUND FOR HIGHER EDUCATION.

In the House, with respect to a bill or a joint resolution (or an amendment thereto or conference report thereon) that makes college more affordable through reforms to the Higher Education Act of 1965, the chairman of the Committee on the Budget may make the appropriate adjustments in allocations of a committee or committees and budgetary aggregates, but only to the extent that such bill or joint resolution (as amended, in the case of an amendment) in the form placed before the House by the Committee on Rules would not increase the deficit or decrease the surplus for the period of fiscal years 2007 through 2012 and the period of fiscal years 2007 through 2017. The adjustments may be made whenever a rule providing for consideration of such a bill or joint resolution is filed, such a bill or joint resolution is placed on any calendar, or an amendment is offered or considered as adopted or a conference report is submitted on such a bill or joint resolution.

SEC. 206. RESERVE FUND FOR IMPROVEMENTS IN MEDICARE.

In the House, with respect to a bill or a joint resolution (or an amendment thereto or conference report thereon) that improves the medicare program for beneficiaries and protects access to care, through measures such as increasing the reimbursement rate for physicians while protecting beneficiaries from associated premium increases and making improvements to the prescription drug program under part D, the chairman of the Committee on the Budget may make the appropriate adjustments in allocations of a committee or committees and budgetary aggregates, but only to the extent that such bill or joint resolution (as amended, in the case of an amendment) in the form placed before the House by the Committee on Rules would not increase the deficit or decrease the surplus for the period of fiscal years 2007 through 2012 and the period of fiscal years 2007 through 2017. The adjustments may be made whenever a rule providing for consideration of such a bill or joint resolution is filed, such a bill or joint resolution is placed on any calendar, or an amendment is offered or considered as adopted or a conference report is submitted on such a bill or joint resolution.

SEC. 207. RESERVE FUND FOR CREATING LONG-TERM ENERGY ALTERNATIVES.

In the House, with respect to a bill or a joint resolution (or an amendment thereto or conference report thereon) that fulfills the purposes of section 301(a) of H.R. 6, the Clean Energy Act of 2007:

(1) The chairman of the Committee on Budget may make the appropriate adjustments in allocations of a committee or committees and budgetary aggregates, but only to the extent that such bill or joint resolution (as amended, in the case of an amendment) would not increase the deficit or decrease the surplus for the period of fiscal years 2007 through 2012 and the period of fiscal years 2007 through 2017. The adjustments made under this paragraph may be made whenever a rule is filed for a bill or joint resolution that attributes the offsets included in H.R. 6 to the bill or joint resolution.

(2) The chairman of the Committee on the Budget may make appropriate adjustments to the allocations provided for under section 302(a) of the Congressional Budget Act of 1974 to the Committee on Appropriations to the extent a bill or joint resolution in the form placed before the House by the Committee on Rules provides budget authority for purposes set forth in section 301(a) of H.R. 6 in excess of the amounts provided for those purposes in fiscal year 2007. Any adjustments made under this paragraph shall not include revenues attributable to changes in the Internal Revenue Code of 1986 and shall not exceed the receipts estimated by the Congressional Budget Office that are attributable to H.R. 6 for the year in which the adjustments are made.

SEC. 208. RESERVE FUND FOR AFFORDABLE HOUSING.

In the House, with respect to a bill or a joint resolution (or an amendment thereto or conference report thereon) that provides for an affordable housing fund, offset by reforming the regulation of certain government-sponsored enterprises, the chairman of the Committee on the Budget may make the appropriate adjustments in allocations of a committee or committees and budgetary aggregates, but only to the extent that such bill or joint resolution (as amended, in the case of an amendment) in the form placed before the House by the Committee on Rules would not increase the deficit or decrease the surplus for the period of fiscal years 2007 through 2012 and the period of fiscal years 2007 through 2017. The adjustments may be made whenever a rule providing for consideration of such a bill or joint resolution is filed, such a bill or joint resolution is placed on any calendar, or an amendment is offered or considered as adopted or a conference report is submitted on such a bill or joint resolution.

SEC. 209. RESERVE FUND FOR EQUITABLE BENEFITS FOR FILIPINO VETERANS OF WORLD WAR II.

In the House, with respect to a bill or a joint resolution (or an amendment thereto or conference report thereon) that would provide for or increase benefits to Filipino veterans of World War II, their survivors and dependents, the chairman of the Committee on the Budget may make the appropriate adjustments in allocations of a committee or committees and budgetary aggregates, but only to the extent that such bill or joint resolution (as amended, in the case of an amendment) in the form placed before the House by the Committee on Rules would not increase the deficit or decrease the surplus for the period of fiscal years 2007 through 2012 and the period of fiscal years 2007 through 2017. The adjustments may be made whenever a rule providing for consideration of such a bill or joint resolution is filed, such a bill or joint resolution is placed on any calendar, or an amendment is offered or considered as adopted or a conference report is submitted on such a bill or joint resolution.

SEC. 210. RESERVE FUND FOR SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT REAUTHORIZATION.

In the House, with respect to a bill or a joint resolution (or an amendment thereto or conference report thereon) that provides for the reauthorization of the Secure Rural Schools and Community Self-Determination Act (Public Law 106–393), the chairman of the Committee on the Budget may make the appropriate adjustments in allocations of a committee or committees and budgetary aggregates, but only to the extent that such bill or joint resolution (as amended, in the case of an amendment) in the form placed before the House by the Committee on Rules would not increase the deficit or decrease the surplus for the period of fiscal years 2007 through 2012 and the period of fiscal years 2007 through 2017. The adjustments may be made whenever a rule providing for consideration of such a bill or joint resolution is filed, such a bill or joint resolution is placed on any calendar, or an amendment is offered or considered as adopted or a conference report is submitted on such a bill or joint resolution.

SEC. 211. RESERVE FUND FOR RECEIPTS FROM THE BONNEVILLE POWER ADMINISTRATION.

In the House, with respect to a bill or a joint resolution (or an amendment thereto or conference report thereon) that prohibits the Bonneville Power Administration from making early payments on its Federal Bond Debt to the Department of the Treasury, the chairman of the Committee on Budget may make the appropriate adjustments in allocations of a committee or committees and budgetary aggregates, but only to the extent that such bill or joint resolution (as amended, in the case of an amendment) in the form placed before the House by the Committee on Rules would not increase the deficit or decrease the surplus for the period of fiscal years 2007 through 2012 and the period of fiscal years 2007 through 2017. The adjustments may be made whenever a rule providing for consideration of such a bill or joint resolution is filed, such a bill or joint resolution is placed on any calendar, or an amendment is offered or considered as adopted or a conference report is submitted on such a bill or joint resolution.

SEC. 212. RESERVE FUND FOR TRANSITIONAL MEDICAL ASSISTANCE.

In the House, with respect to a bill or a joint resolution (or an amendment thereto or conference report thereon) that extends the Transitional Medical Assistance program, included in title 19 of the Social Security Act, through fiscal year 2008, the chairman of the Committee on Budget may make the appropriate adjustments in allocations of a committee or committees and budgetary aggregates, but only to the extent that such bill or joint resolution (as amended, in the case of an amendment) in the form placed before the House by the Committee on Rules would not increase the deficit or decrease the surplus for the period of fiscal years 2007 through 2012 and the period of fiscal years 2007 through 2017. The adjustments may be made whenever a rule providing for consideration of such a bill or joint resolution is filed, such a bill or joint resolution is placed on any calendar, or an amendment is offered or considered as adopted or a conference report is submitted on such a bill or joint resolution.

TITLE III—BUDGET ENFORCEMENT

SEC. 301. PROGRAM INTEGRITY INITIATIVES.

(a) ADJUSTMENTS TO DISCRETIONARY SPENDING LIMITS.—

(1) CONTINUING DISABILITY REVIEWS AND SUPPLEMENTAL SECURITY INCOME REDETERMINATIONS.—If a bill or joint resolution is reported making appropriations for fiscal year 2008 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 $213,000,000 and the amount is designated for continuing disability reviews and Supplemental Security Income redeterminations for the Social Security Administration, then the allocation to the House Committee on Appropriations shall be increased by the amount of the additional budget authority and outlays flowing from that budget authority for fiscal year 2008.

(2) INTERNAL REVENUE SERVICE TAX COMPLIANCE.—If a bill or joint resolution is reported making appropriations for fiscal year 2008 that appropriates up to $6,822,000,000 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 $406,000,000, and the amount is designated to improve compliance with the provisions of the Internal Revenue Code of 1986, then the allocation to the House Committee on Appropriations shall be increased by the amount of the additional budget authority and outlays flowing from that budget authority for fiscal year 2008.

(3) HEALTHCARE FRAUD AND ABUSE CONTROL PROGRAM.—If a bill or joint resolution is reported making appropriations for fiscal year 2008 that appropriates up to $183,000,000 and the amount is designated to the healthcare fraud and abuse control program at the Department of Health and Human Services, then the allocation to the House Committee on Appropriations shall be increased by the amount of additional budget authority and outlays flowing from that budget authority for fiscal year 2008.

(4) UNEMPLOYMENT INSURANCE IMPROPER PAYMENTS.—If a bill or joint resolution is reported making appropriations for fiscal year 2008 that appropriates $10,000,000 for 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 unemployment insurance improper payment reviews for the Department of Labor, then the allocation to the House Committee on Appropriations shall be increased by the amount of the additional budget authority and outlays flowing from that budget authority for fiscal year 2008.

(b) PROCEDURE FOR ADJUSTMENTS.—

(1) IN GENERAL.—

(A) CHAIRMAN.—After the reporting of a bill or joint resolution, or the offering of an amendment thereto or the submission of a conference report thereon, the chairman of the Committee on the Budget shall make the adjustments set forth in subparagraph (B) for the incremental new budget authority in that measure (if that measure meets the requirements set forth in paragraph (2)) and the outlays flowing from that budget authority.

(B) MATTERS TO BE ADJUSTED.—The adjustments referred to in subparagraph (A) are to be made to—

(i) the allocations made pursuant to the appropriate concurrent resolution on the budget pursuant to section 302(a) of the Congressional Budget Act of 1974; and

(ii) the budgetary aggregates as set forth in this resolution.

(c) OVERSIGHT OF GOVERNMENT PERFORMANCE.—In the House, 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 Committee on the Budget.

SEC. 302. ADVANCE APPROPRIATIONS.

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

(b) ADVANCE APPROPRIATION.—In the House, an advance appropriation may be provided for fiscal year 2009 or 2010 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 $25,558,000,000 in new budget authority.

(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 2008 that first becomes available for any fiscal year after 2008.

SEC. 303. OVERSEAS DEPLOYMENTS AND EMERGENCY NEEDS.

(a) OVERSEAS DEPLOYMENTS AND RELATED ACTIVITIES.—In the House, any bill or joint resolution or amendment offered or considered as adopted or a conference report thereon, that 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 subsection, 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.

(b) EMERGENCY NEEDS.—In the House, any bill or joint resolution, or amendment offered or considered as adopted or conference report thereon, that makes appropriations for nondefense discretionary amounts, and such amounts are designated as necessary to meet emergency needs, then the new budget authority, outlays, or receipts resulting therefrom shall not be counted for the purposes of titles III and IV of the Congressional Budget Act of 1974.

SEC. 304. 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) COMMITTEE ON THE BUDGET 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 Committee on the Budget.

SEC. 305. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

Upon the enactment of a bill or joint resolution providing for a change in concepts or definitions, the chairman of the Committee on the Budget shall 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 on September 30, 2002).

SEC. 306. COMPLIANCE WITH SECTION 13301 OF THE BUDGET ENFORCEMENT ACT OF 1990.

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

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

SEC. 307. EXERCISE OF RULEMAKING POWERS.

Congress adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the House and as such they shall be considered as part of the rules of the House, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of the House 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.

TITLE IV—POLICY

SEC. 401. POLICY ON MIDDLE-INCOME TAX RELIEF.

It is the policy of this resolution to minimize fiscal burdens on middle-income families and their children and grandchildren. It is the policy of this resolution to 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. Furthermore, it is the policy of this resolution to support extension of middle-income tax relief and enhanced economic equity through policies such as—

(1) extension of the child tax credit;

(2) extension of marriage penalty relief;

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

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

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

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

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

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

This resolution assumes 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) recommendations of the National Commission on Terrorist Attacks Upon the United States (commonly referred to as the 9/11 Commission) to fund cooperative threat reduction and nuclear nonproliferation programs at a level commensurate with the risk is a high priority, and the President's budget should have requested sufficient funding for these programs;

(2) ensuring that the TRICARE fees for military retirees under the age of 65 remain at current levels;

(3) funds be provided for increasing pay to ensure retention of experienced personnel and for improving military benefits in general;

(4) the Missile Defense Agency should be funded at an adequate but lower level and the elimination of space-based interceptor development will ensure a more prudent acquisition strategy, yet still support a robust ballistic missile defense program;

(5) satellite research, development, and procurement be funded at a level below the amount requested for fiscal year 2008, which amounts to a 26 percent increase above the current level, but at a level sufficient to develop new satellite technologies while ensuring a more prudent acquisition strategy;

(6) sufficient resources be provided to implement Government Accountability Office (GAO) recommendations, such as improving financial management and contracting practices at the Department of Defense (DOD), and that substantial savings should result from the identification of billions of dollars of obligations and disbursements and Government overcharges for which the Department of Defense cannot account;

(7) that the Department of Defense should do a more careful job of addressing the 1,378 Government Accountability Office recommendations made to the Department of Defense and its components over the last six years that have yet to be implemented, which could produce billions of dollars in savings; and

(8) accruing all savings from the actions recommended in paragraphs (4) through (7) should be used to fund higher priorities within Function 050 (Defense), and especially those high priorities identified in paragraphs (1) through (3) and to help fund recommendations of the bipartisan ''Walter Reed Commission'' (the President's Commission on Care for America's Returning Wounded Warriors) and other United States Government investigations into military healthcare facilities and services.

SEC. 403. POLICY ON COLLEGE AFFORDABILITY.

It is the policy of this resolution that the reconciliation directive to the Committee on Education and Labor shall not be construed to reduce any assistance that makes college more affordable for students, including but not limited to assistance to student aid programs run by nonprofit state agencies.

TITLE V—SENSE OF THE HOUSE

SEC. 501. SENSE OF THE HOUSE ON SERVICEMEMBERS' AND VETERANS' HEALTH CARE AND OTHER PRIORITIES.

It is the sense of the House that—

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

(2) this resolution provides $43,055,000,000 in discretionary budget authority for 2008 for Function 700 (Veterans Benefits and Services), including veterans' health care, which is $6,598,000,000 more than the 2007 level, $5,404,000,000 more than the Congressional Budget Office's baseline level for 2008, and $3,506,000,000 more than the President's budget for 2008;

(3) this resolution provides funding to implement, in part, recommendations of the bipartisan ''Walter Reed Commission'' (the President's Commission on Care for America's Returning Wounded Warriors) and other United States Government investigations into military and veterans health care facilities and services;

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

(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 and spinal cord injuries; 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. 502. SENSE OF THE HOUSE ON THE INNOVATION AGENDA: A COMMITMENT TO COMPETITIVENESS TO KEEP AMERICA #1.

(a) It is the sense of the House to provide sufficient funding that our Nation may continue to be the world leader in education, innovation and economic growth. This resolution provides $450,000,000 above the President's requested level for 2008, and additional amounts in subsequent years in Function 250 (General Science, Space and Technology) and Function 270 (Energy). Additional increases for scientific research and education are included in Function 500 (Education, Employment, Training, and Social Services), Function 550 (Health), Function 300 (Environment and Natural Resources), Function 350 (Agriculture), Function 400 (Transportation), and Function 370 (Commerce and Housing Credit), all of which receive more funding than the President requested.

(b) America's greatest resource for innovation resides within classrooms across the country. The increased funding provided in this resolution will support important initiatives to educate 100,000 new scientists, engineers, and mathematicians, and place highly qualified teachers in math and science K–12 classrooms.

(c) Independent scientific research provides the foundation for innovation and future technologies. This resolution will put us on the path toward doubling funding for the National Science Foundation, basic research in the physical sciences across all agencies, and collaborative research partnerships; and toward achieving energy independence through the development of clean and sustainable alternative energy technologies.

SEC. 503. SENSE OF THE HOUSE ON HOMELAND SECURITY.

It is the sense of the House that—

(1) this resolution assumes additional homeland security funding above the President's requested level for 2008 and every subsequent year;

(2) this resolution assumes funding above the President's requested level for 2008, 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 first responders, strengthen border patrol, and increase the preparedness of the public health system.

SEC. 504. SENSE OF THE HOUSE REGARDING THE ONGOING NEED TO RESPOND TO HURRICANES KATRINA AND RITA.

It is the sense of the House that:

(1) Critical needs in the Gulf Coast region should be addressed without further delay. The budget resolution creates a reserve fund that would allow for affordable housing that may be used to focus on areas devastated by Hurricanes Katrina and Rita, as well as new funding for additional recovery priorities.

(2) Additional oversight and investigation is needed to ensure that recovery efforts are on track, develop legislation to reform the contracting process, and better prepare for future disasters. Those efforts should be made in close consultation with residents of affected areas. The budget resolution provides additional 2007 funding for the Federal Emergency Management Agency, some of which may be used for this purpose.

SEC. 505. SENSE OF THE HOUSE REGARDING LONG-TERM SUSTAINABILITY OF ENTITLEMENTS.

(a) FINDINGS.—The House finds the following:

(1) The aging of the United States population is going to put unprecedented pressure on the Nation's retirement and health care systems.

(2) The long-term strength of social security would be improved through a fiscally responsible policy of reducing the deficit and paying down the debt that has accumulated since 2001, thus reducing debt service payments and freeing up billions of dollars that can be dedicated to meeting social security's obligations.

(3) A policy of reducing and eventually eliminating the deficit and paying down the debt is a key factor in improving the long-term strength of the economy as a whole, because a lower debt burden frees up resources for productive investments that will result in higher economic growth, provide a higher standard of living for future generations, and enhance the Nation's ability to meet its commitments to its senior citizens.

(4) The most significant factor affecting the Nation's entitlement programs is the rapid increase in health care costs. The projected increasing costs of medicare and medicaid are not unique to these programs but rather are part of a pattern of rising costs for the health sector as a whole.

(b) SENSE OF THE HOUSE.—It is the sense of the House that the growing cost of entitlements should be addressed in a way that is fiscally responsible and promotes economic growth, that addresses the causes of cost growth in the broader health care system, and that protects beneficiaries without leaving a legacy of debt to future generations.

SEC. 506. SENSE OF THE HOUSE REGARDING THE NEED TO MAINTAIN AND BUILD UPON EFFORTS TO FIGHT HUNGER.

(a) FINDINGS.—The House finds the following:

(1) More than 35 million individuals (12.4 million of them children) are food insecure, uncertain of having, or unable to acquire enough food. 10.8 million Americans are hungry because of lack of food.

(2) Despite the critical contributions of the Department of Agriculture nutrition programs and particularly the food stamp program that significantly reduced payment error rates while increasing enrollment to partially mitigate the impact of recent increases in the poverty rate, significant need remains.

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

(b) SENSE OF THE HOUSE.—It is the sense of the House that the Department of Agriculture programs that help fight hunger should be maintained and that the House should seize opportunities to enhance those programs to reach people in need and to fight hunger.

SEC. 507. SENSE OF THE HOUSE REGARDING AFFORDABLE HEALTH COVERAGE.

(a) FINDINGS.—The House finds the following:

(1) More than 46 million Americans, including nine million children, lack health insurance. People without health insurance are more likely to experience problems getting medical care and to be hospitalized for avoidable health problems.

(2) Most Americans receive health coverage through their employers. A major issue facing all employers is the rising cost of health insurance. Small businesses, which have generated most of the new jobs annually over the last decade, have an especially difficult time affording health coverage, due to higher administrative costs and fewer people over whom to spread the risk of catastrophic costs. 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.

(b) SENSE OF THE HOUSE.—It is the sense of the House that 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 needs 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, and promoting improvements in disease management and disease prevention.

SEC. 508. SENSE OF THE HOUSE REGARDING EXTENSION OF THE STATUTORY PAY-AS-YOU-GO RULE.

It is the sense of the House that in order to reduce the deficit Congress should extend PAYGO in its original form in the Budget Enforcement Act of 1990.

SEC. 509. SENSE OF THE HOUSE ON LONG-TERM BUDGETING.

It is the sense of 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. 510. SENSE OF THE HOUSE REGARDING PAY PARITY.

It is the sense of the House 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. 511. SENSE OF THE HOUSE REGARDING WASTE, FRAUD, AND ABUSE.

It is the sense of the House that all committees should examine programs within their jurisdiction to identify wasteful and fraudulent spending. To this end, section 301 of this resolution includes cap adjustments to provide appropriations for three programs that accounted for a significant share of improper payments reported by Federal agencies in 2006: Social Security Administration Continuing Disability Reviews, the Medicare/Medicaid Health Care Fraud and Abuse Control Program, and Unemployment Insurance. Section 301 also includes a cap adjustment for the Internal Revenue Services for tax compliance efforts to close the $300,000,000,000 tax gap. In addition, the resolution's deficit-neutral reserve funds require authorizing committees to cut lower priority and wasteful spending to accommodate new high-priority entitlement benefits. Finally, section 301 of the resolution directs all committees to review the performance of programs within their jurisdiction and report recommendations annually to the Committee on the Budget as part of the views and estimates process required by section 301(d) of the Congressional Budget Act.

SEC. 512. SENSE OF THE HOUSE REGARDING THE IMPORTANCE OF CHILD SUPPORT ENFORCEMENT.

It is the sense of the House 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. 513. SENSE OF THE HOUSE ON STATE VETERANS CEMETERIES.

It is the sense of the House that the Federal Government should pay the plot allowance for the interment in a State veterans cemetery of any spouse or eligible child of a veteran, consistent with the pay-as-you-go principle.

TITLE VI—RECONCILIATION

SEC. 601. RECONCILIATION.

(a) INSTRUCTIONS.—The House Committee on Education and Labor shall report changes in laws to reduce the deficit by $75,000,000 for the period of fiscal years 2007 through 2012.

(b) MANDATORY SAVINGS.—Not later than September 10, 2007, the House Committee on Education and Labor shall submit its recommendations to the House of Representatives.

(c) SUBMISSION OF REVISED ALLOCATIONS.—Upon the submission to the House of a reconciliation bill or conference report thereon, that complies with this reconciliation instruction, the chairman of the Committee on the Budget may file with the House appropriately revised allocations and budgetary aggregates. Such revisions shall be considered to be the allocations and aggregates established by the concurrent resolution on the budget pursuant to section 301 of the Congressional Budget Act of 1974.

The SPEAKER pro tempore. Pursuant to House Resolution 370, the previous question is ordered.

The question is on concurring in the Senate concurrent resolution, as amended.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 212, nays 207, not voting 13, as follows:

[Roll No. 307]

YEAS—212

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Edwards
Ellison
Emanuel
Eshoo
Etheridge
Farr
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—207

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Jo Ann
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Dreier
Duncan
Ehlers
Ellsworth
Emerson
English (PA)
Everett
Fallin
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—13

Brown, Corrine
Butterfield
Doyle
Engel
Fattah
Feeney
Gilchrest
Hulshof
Johnson, E. B.
McMorris Rodgers
Ruppersberger
Souder
Tiahrt

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1407

Mr. BERMAN changed his vote from ''nay'' to ''yea.''

So the Senate concurrent resolution, as amended, was concurred in. 200-205

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO GO TO CONFERENCE

Mr. SPRATT. Mr. Speaker, pursuant to House Resolution 370, I offer a motion.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Spratt moves that the House insist on its amendment and request a conference with the Senate thereon.

The SPEAKER pro tempore. Pursuant to House Resolution 370, the previous question is ordered.

The motion was agreed to.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES

Mr. RYAN of Wisconsin. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. Ryan of Wisconsin moves that the managers of the part of the House at the conference on the disagreeing votes of the two Houses on the House amendment to the concurrent resolution on the budget, S. Con. Res. 21, be instructed to:

(A) Recede from the revenue levels set forth in the House amendment; insist on the policy statement in section 401 of the House amendment to support the extension of such tax provisions as the child tax credit, extension of marriage penalty relief, extension of the 10 percent individual income tax bracket, extension of the research and experimentation tax credit, extension of the deduction for State and local sales taxes; and recede to section 210 of the Senate resolution which prohibits consideration of an increase in Federal income tax rates;

(B) Insist on the lowest possible levels of revenue within the scope of the conference in fiscal years 2011 and 2012; and make any commensurate adjustments in outlay levels; and

(C) Set forth a unified surplus of at least $96 billion in fiscal year 2012 in resolving the differences between section 101(4) of the House amendment and section 101(4) of the Senate resolution.

Mr. RYAN of Wisconsin (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Wisconsin (Mr. RYAN) and the gentleman from South Carolina (Mr. SPRATT) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the motion we are offering today reflects a very simple up or down choice: One, rejecting the largest tax increase in our Nation's history, which is contained in the House budget; two, insisting on the lowest possible level of taxes available in the budget conference; and three, stopping the raid on Social Security's cash surpluses.

Both the House and the Senate Democrat budgets call for historic tax increases, and we in the minority can't do anything to prevent that. But we hope that, with this vote, we can at least minimize the damage that these tax hikes will bring.

Let me take a moment to describe the options that we have to work with as a minority. The House-passed budget would impose a tax hike of $392 billion from such things as reimposing the tax penalty on married couples, cutting in half the child tax credit, and raising marginal income tax rates on low- and middle-income working families.

This would increase the average family's tax bill by roughly $2,900 a year and likely reverse the economic progress we have achieved over the past few years. So, right along with their higher tax bill, Americans would see fewer jobs and slower wage growth.

This massive tax increase was the only way the House Democrats could accomplish their massive increase in spending. Their budget makes no effort, none, to moderate the growth of spending. It simply requires taxpayers to send more of their money to make the Democrats' budget numbers add up.

In our debate a few weeks ago, the Democrats tried gamely to assert that their budget doesn't increase taxes after all. And as proof, they pointed to the novel policy language that claims that they will extend some of the tax relief provisions enacted in 2001 and 2003. They have these reserve funds that say they don't really want to raise taxes. But if you read the fine print, this would only happen later and only if they hike some other taxes by the same amount. So even with the flowery reserve fund language, the goal, the preference of not raising taxes can only be met if they raise taxes.

But the numbers in this budget tell a very different story. By the numbers, which is what a budget is all about, the House budget raises taxes nearly $400 billion, and numbers do not lie.

The other option is the Senate budget, which raises taxes by about $216 billion, the second largest tax increase in American history. This will include higher taxes on middle-income earners because the Senate budget still raises marginal income tax rates across the board. But at least it attempts to protect the marriage penalty relief, child tax credit and estate tax relief.

Unfortunately, the other Chamber, like their Democrat counterparts in the House, also call for large spending increases. And as a consequence, their budget will continue to raid the Social Security trust funds in fiscal year 2012, something the House-passed budget and the Republican substitute did not do.

So while the Democrat budget in the Senate didn't raise as many taxes, it did raid the Social Security trust fund, and the House Republican and the House Democrat budget resolution did not.

So, what we are simply trying to do is get the best of both products such that it can be had. Accordingly, our motion would simply direct the conferees to do two things: First, reject the House's $392 billion tax increase, again, the largest tax increase in American history, and keep their tax hike to the lowest possible level permitted under the rules. Second, insist on the lowest possible level of taxes between the House-passed and Senate-passed Democrat budgets. This language is included because the motion is required to stay within the scope of the two budgets. We wish we could do more, but this is the scope we have been dealt. Third, it would direct the conferees to stop raiding Social Security for the government's operating budget. They should do this by running a unified surplus, including Social Security, of $96 billion in fiscal year 2012, which is equal to the Social Security cash surplus for that year.

We know that this is possible because we proved it could be done in our own budget. Our Republican budget not only balanced the budget without raising anyone's taxes, we ran a surplus that ensured the Social Security trust funds would not be raided.

So, again, today we are simply asking our Democratic colleagues to do the following: one, reject the largest tax increase in American history; and two, stop the raid of the Social Security cash surplus.

This is a simple choice. A ''yes'' vote supports these objectives. A ''no'' vote rejects them.

And with that, Mr. Speaker, I reserve the balance of my time.

Mr. SPRATT. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, let me say from the outset what we said yesterday in the debate of this bill. But let me refer to third parties, independent, disinterested third parties like the Concord Coalition. They took a look at our budget, and they said unequivocally, and I'm quoting, ''Thus, to be clear, the budget resolution does not call for or require a tax increase.''

The Center on Budget and Policy Priorities, excellent analytical work, they took a look at our budget and they said, ''The House budget does not include a tax increase.''

And then, finally, the Hamilton Project of the Brookings Institution, independent, disinterested said, plainly, simply, ''This budget would not raise taxes.''

We have included in the budget resolution not one place, but twice, in different parts of the resolution, our wholehearted endorsement, our commitment, our pledge, our determination to see that these middle-income tax cuts are preserved and enacted and carried forward when they expire per their terms.

The budget resolution does not cause them to expire. They were designed to expire, written to expire when they were offered and passed. At that particular time, that was part of the provision.

□ 1415

In addition, I am making clear again that our budget resolution allows all of the deductions, credits, exemptions and exclusions that are provided in the 2001 and 2003 tax cuts. All of them are provided and allowed to stay in place this year, next year, and for the next 4 years. So there is very little disagreement about us except I am wondering about the arithmetic.

Budget resolution motions to instruct are nonbinding. They are a valid part of the process. But they do present a problem. They single out specific elements of a budget resolution without looking at how one goal, such as tax reduction, interacts with another goal, such as deficit reduction. In that respect, what my colleagues on the other side of the aisle have offered is a resolution that calls for support of all of the tax cuts they laid out plus a surplus of $96 billion.

Could I ask the gentleman from Wisconsin, what does this assume about the bottom line before the tax cuts? How big a surplus would you have to have in 2012 in order for there to be, after taking these tax cuts, a $96 billion remaining surplus?

Mr. RYAN of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. SPRATT. I yield to the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. This assumes a $96 billion unified budget surplus after those tax cuts are extended.

Mr. SPRATT. How much?

Mr. RYAN of Wisconsin. A $96 billion cash surplus unified budget after the extension of those taxes.

Mr. SPRATT. So what is the surplus before these tax cuts are taken?

Mr. RYAN of Wisconsin. I don't know off the top of my head.

Mr. SPRATT. It would have to be pretty substantial. Isn't the cost of these tax cuts in the first year $180 billion or more?

Mr. RYAN of Wisconsin. The gentleman's budget resolution that passed the House had, I think, about a $150 billion cash surplus and raised all those taxes; so he had a sizable surplus.

Mr. SPRATT. It's my understanding, roughly speaking, that the cost of these tax cuts, the revenue impact of these tax cuts, in the first year was about $180 billion. If you take that kind of charge against the surplus and still have a surplus left of $96 billion, then you've got about a $276 billion surplus in that year.

Mr. RYAN of Wisconsin. If the gentleman will yield, not only did the Republican budget substitute accommodate for that, it accommodated for an extension of all of the tax cuts that expire in 2010 in addition to having a surplus equal to or greater than the unified Social Security cash surplus. So the Republican budget substitute accommodated all of these tax cuts and stopped the raid on Social Security.

Mr. SPRATT. Is this the CBO number?

Mr. RYAN of Wisconsin. Yes.

Mr. SPRATT. CBO's projection.

Mr. RYAN of Wisconsin. Yes.

Mr. SPRATT. And what you would then expect is a $276 billion surplus before the tax cuts?

Mr. RYAN of Wisconsin. I can't speak to that number. I don't know that number off the top of my head.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SPRATT. Mr. Speaker, I reserve the balance of my time.

Mr. RYAN of Wisconsin. At this time, Mr. Speaker, I would like to yield 2 minutes to the vice ranking member of the Budget Committee, Mr. BARRETT from South Carolina.

Mr. BARRETT of South Carolina. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of the Republican motion to instruct conferees on the fiscal year 2008 budget. This budget motion rests on one simple premise: to reject the largest tax increase in American history contained in the Democrats' House-passed budget.

By not addressing the Bush tax cuts, the Democratic budget resolution calls for a $393 billion tax hike, Mr. Speaker. In my home State of South Carolina, approximately 1.5 million people will see an average $2,400 increase in their tax bills. In my district alone, about 2,448 people will be forced to pay higher taxes, and estimates indicate a $182 million loss to the local economy, which translates in about 2,200 jobs being lost.

Mr. Speaker, the government spends too much money as it is. I can't imagine what it would be like with an additional $400 billion of spending. We have serious challenges facing this Nation and more money is not the solution. Instead of increasing the burden on American citizens, we have an obligation to find real workable solutions.

The Republican motion to instruct calls for a simple up-or-down vote on whether Congress should increase taxes on working Americans by $393 billion, as the House Democrat budget does. It directs conferees to commit to two things: Number one, reject the massive tax increase in the House budget that increases marginal tax rates, reimposes the marriage penalty, reimposes the death tax, cuts the child credit in half, and raises a range of other taxes as well.

And, number two, stop the raid on Social Security cash surpluses. Conferees should produce a budget with a surplus sufficient to halt the raid on cash surpluses in the Social Security trust funds by fiscal year 2012.

Mr. Speaker, these challenges aren't going to go away, and delaying addressing them just makes them worse and burdens future generations. The Republican alternative offers solutions, and for this reason I urge my colleagues to support the Republican motion to instruct.

Mr. SPRATT. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. I thank the chairman for yielding.

Mr. Speaker, it's not surprising to me why there is such disorientation from the erstwhile majority about the budget resolution that will be going to conference. It's because it contains a principle that they don't understand, which is called deficit reduction.

The erstwhile majority made a living out of borrowing money, spending more, taxing less, borrowing more; spending more, taxing less, borrowing more. They turned a huge projected budget surplus into an immense budget deficit and debt, which will be paid for by the children and grandchildren of the Members of this institution.

Mr. Speaker, here are the facts about the budget resolution the House passed: The fact is not one dollar of taxes is raised on anyone in the fiscal year covered by the first year of this resolution or the second year. Now, we get to a point at the end of 2009 where the tax cuts which the erstwhile majority enacted a few years ago expire. They passed a law that said that those tax cuts expire. We say let's pause at that point and decide what is in the best interest of the country. And there are options. Perhaps the surplus will have grown to the point where we can finance all of those tax cuts and not increase the deficit. Perhaps there will be greater revenues that have been projected under our conservative revenue estimates and we will be able to afford to extend all the tax cuts. Perhaps we will look at the state of the economy at that time and decide that the best thing to do is to extend all the tax cuts to try to engender some economic growth. Or perhaps we will decide that a rigid discipline that emphasizes deficit reduction, as is in this resolution, is the right thing to do.

The erstwhile majority practiced the principle of leap first and look later. This resolution says look before you leap. It says when we reach the point where the tax cuts expire, we will make a judgment about whether spending cuts, tax cut renewal, or some other strategy is in the best interest of the country.

Not one dollar of taxes is raised in the first fiscal year covered by this budget, and nothing in this resolution necessitates the raising of any taxes on anyone. It simply says, Mr. Speaker, that Congress should do something the erstwhile majority never did: Look before you leap. Make decisions based on good economic evidence, not blind faith.

Mr. RYAN of Wisconsin. Mr. Speaker, at this time I yield myself 30 seconds.

I say to my articulate friend from New Jersey, I think what he mentioned was a real good highlight on the philosophical differences between our two parties. The question is, who is first in line, the taxpayer or the government? We believe that the taxpayer ought to be first in line by keeping more of their hard-earned money, not the government. The State of New Jersey, which is a high tax-paying State, on average under these tax increases will pay an average of $3,780 more under Democrat-passed budget per taxpayer in the State of New Jersey.

Mr. Speaker, I would like to yield 2 minutes to the gentleman from Florida (Mr. DIAZ-BALART).

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I listened to the terms of the gentleman from New Jersey speaking about not leaping first. It's kind of a very aesthetic way to say to it. No, what he's taking about is leaping on the American taxpayer. That's what the Democratic budget does. It does leap on the American taxpayer because it does increase $392 billion on the American taxpayer. This budget does. And all Americans are going to be paying for this. Middle-income families, low-income earners, families with children, and small businesses.

And we have heard again that they don't want to raise taxes in this budget. But if that's true, Mr. Speaker, then let's instruct the conferees to extend these popular tax provisions, these tax relief provisions.

Unfortunately, at the committee markup, Mr. Speaker, the Republicans offered several amendments to do just that, aimed at helping the hardworking American taxpayers. Not one single Democrat voted in favor of these commonsense tax cut provisions. And what were they, Mr. Speaker? Because they always like to say, oh, it's tax cuts for the rich. No. Let's talk about what they are, what they voted against in committee, without one dissenting vote.

They voted against extending the $1,000 per child tax credit. Not only the wealthy have kids in this country, Mr. Speaker. They voted against extending the marriage penalty tax relief. Not only the wealthy get married, at least not in the State of Florida that I represent. They voted against elimination of the death tax. That's right. They want dead people to pay more taxes. And they voted against extending the State and local tax deduction.

How does this affect regular middle-class Americans? Mr. Speaker, a middle-income family of four earning $60,000 will look at over a 60 percent tax increase by the year 2011. One hundred and fifteen million taxpayers will see their taxes increase an average of $1,700 by 2011. In Florida that I am privileged to represent, over 6.7 million taxpayers will see their taxes increase increased by over $3,000.

Mr. SPRATT. Mr. Speaker, I yield 4 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy.

It is an interesting debate that is going on here today because in terms of the motion to instruct, there really isn't that great a difference of opinion. We are, in fact, going to be able to meet the objectives. We are working hard in our budget to make sure that we deal meaningfully with tax relief for those who need it.

The difference between the Republicans and the Democrats is that they are not willing to make any distinction. For them it is Paris Hilton who is first in line. We have made it clear that we are going to work to make sure that real priorities for American families are adopted. We have proven that in terms of what we have stood for in the past as well as what we are working for in the future.

Democrats have repeatedly voted for a lowered tax bracket on lower-income people, the expansion of the earned income tax credit, marriage penalty relief, increase in the child tax credit, acceleration of the expansion of the 10-percent bracket, increased expensing for small businesses. These were things that people here on the floor who are on our side of the aisle offered up as a responsible alternative when our friends on the other side were engaged in a rather extensive and unfocused effort to try to provide tax benefits for those who need them the least while ignoring the needs of those who need it the most.

They have given some modest bones to a few in America. Those that merit our support will, in fact, be continued. And, more important, we are going to deal with what is the largest tax increase in American history, which the Bush administration and my Republican friends on the other side of the aisle have set the stage for, and that is the tsunami of the alternative minimum tax. That is going to cost $1 trillion over the next 10 years, and we have made it clear that that is our number one priority to solve, as in the House Committee on Ways and Means we working on this.

We don't have to accede to every single detail for Paris Hilton in order to make sure that we deal with the needs of working Americans and the tax tsunami of the alternative minimum tax, which has been ignored session after session after session by the Republicans when they were in charge.

I find no small amount of irony to hear my good friend from Wisconsin talking about how he has proven it is possible to have a unified budget surplus when for 12 consecutive years of ironclad Republican control they wrote all the fiscal rules, wrote the budgets, wrote the tax policy.

□ 1430

I invite anybody to look at what the now minority proved that they could do. It's a pretty sorry record of fiscal irresponsibility.

Mr. Speaker, my point is simply that the budget resolution that we brought forward is a reasonable, meaningful approach to deal with these fiscal problems.

Independent observers agree that there is no tax increase this year or the next. And we are on a path allowed for in our budget resolution and the work we are doing in the Ways and Means Committee right now to make sure that we solve the tax tsunami of the alternative minimum tax.

I look forward to our getting past this type of discussion here, as my friends on the other side of the aisle seek to substitute rhetoric for their sorry record of non-accomplishment, and look forward to moving forward.

Mr. RYAN of Wisconsin. Mr. Speaker, at this time I would like to yield 3 minutes to a distinguished member of the Budget Committee, Mr. HENSARLING from Texas.

Mr. HENSARLING. I thank the gentleman for yielding.

I have listened very carefully to the previous speaker talk about rhetoric. And indeed, the rhetoric I hear from the other side of the aisle is pure Orwellian; up is down, black is white, victory is defeat and the largest tax increase in American history is somehow actually tax relief.

You cannot state good intentions and then instead act with cruel actions. The numbers of this budget lead to the largest single tax increase in American history. And Mr. Speaker, let me quote from the Washington Post again, not exactly a bastion of conservative thought, I will quote from their March 29th edition, ''And while House Democrats say they want to preserve key parts of Bush's signature tax cuts, they project a surplus in 2012 only by assuming that all these cuts expire on schedule in 2010.'' And then they somehow say that we contrive temporary tax relief. Well, as the chairman knows, he has had plenty of opportunities to make this tax relief permanent, but he and everyone else on that side of the aisle have declined that opportunity.

And again, it's a matter of priorities. Democrat friends decide to prioritize the Federal budget over the family budget. But let's look at how their single largest tax increase in American history is going to impact family budgets. Let's hear from Joan from Mesquite, who wrote, ''An additional $2,200 raise in taxes for my husband and me would mean that we would not be able to meet our budget obligations. I drive an 11-year-old car. And sometimes it breaks. And it costs me more to fix than what it's worth. I was hoping to buy a newer car, but if taxes go up, I won't be able to do that.''

Let's hear from Robert of Garland. ''I'm unemployed on Social Security and my wife works. At this point, between taxes and utilities, we're at the breaking point of being able to keep our home. If we have an increase of over $2,000 per year, it may well mean the straw that broke the camel's back; we would lose our home.'' That's how the single largest tax increase in American history is affecting that family.

Let's see how it affects Linda in Rowlett. ''It would mean the difference of whether my daughter or husband would be able to purchase a car or not. For my husband and I, it helps us continue with his radiation treatments for his prostate cancer and allows us to continue providing in-home assistance for my elderly parents. Please allow us to retain this money for our needs. Please don't let government take additional tax dollars from us.''

That's the cruel actions. It's not the Orwellian rhetoric that we want to somehow preserve the tax relief. They are imposing the single largest tax increase in American history, a cruel hoax on American families as they try to meet their education budgets and their transportation budgets.

Mr. RYAN of Wisconsin. Mr. Speaker, may I inquire how much time is remaining on either side.

The SPEAKER pro tempore. The gentleman from Wisconsin has 17½ minutes, and the gentleman from South Carolina has 19 minutes remaining.

Mr. SPRATT. I yield 3 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, I thank the gentleman for yielding.

I think it's important to put up a chart so we will know who's saying what about fiscal responsibility, because this chart shows what happened in the nineties when, with President Clinton's veto vetoing Republican bills after the Democrats set the budget off in the right direction, we were able to create a surplus that when this administration came in in 2001, we had a projected $5.5 trillion surplus. As a result of Republican initiatives, that surplus looks like it's going to come in, a 10-year surplus, at about a $3 trillion deficit, a swing of $8.5 trillion. And to put that in perspective, we've spent about $500 billion in Iraq; $8.5 trillion deterioration of the budget, $500 billion in Iraq, that is $0.5 trillion; $8.5 trillion deterioration, $0.5 trillion attributable to the war. And the Democratic budget, again, responsibly digs us out of this mess.

The important thing to note is, we talk about 9/11. We were broke. We spent the surplus, other than Social Security and Medicare, before 9/11. So you can't blame 9/11 for the fiscal decline that has happened here.

This budget is responsible. It shows how we can dig ourselves out. Unfortunately, we have, first of all, no leadership from the White House. Even the Republican budget pretty much ignores the President's budget. The President's budget had us in a ditch, never coming into surplus. At least the Republican budget has us coming out of the deficit and into surplus in 2012, but it does it in such a way that is not responsible and not predictable.

The Republicans' budget assumes that we're going to whack about $250 billion out of Medicare and Medicaid, about $250 billion cut out of health care. This is at a time when doctors are telling us now that they can't absorb the cuts. We are having situations now when States are not paying dentists enough for dentists to even take Medicaid. $250 billion cut. It's not going to happen. We're not going to go into surplus under the Republican budget.

The main factor that we have to look at is, who's talking? The Democrats dug us out of the ditch; Republicans put us back in the ditch; and the Democrats are digging us out again with a responsible budget. The Republicans have a budget that is so draconian on health care that 40 Republicans even voted against the Republican budget.

And so we have a responsible plan. Let's stick with the responsible plan, dig us out of the mess again, and have fiscal responsibility.

Mr. RYAN of Wisconsin. At this time, Mr. Speaker, I would like to yield 2 minutes to the distinguished gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT of New Jersey. Mr. Speaker, despite the hopes of the other side of the aisle, the constituents in my district are pretty smart people. When they were paying a little over $2 a gallon for gasoline a year or so ago and now they're paying upwards of $3 per gallon, they know that's an increase out of their pocket. Likewise, when it comes to taxes, when they see that they are paying so much for their taxes now on the Federal level now, and after this package goes through on the other side of the aisle, they will be paying upwards to $3,000 or more. They know, they're smart enough to realize that's a tax increase as well.

My colleagues on the other side of the aisle have to look to outside nonpartisan groups they call them, really nonpartisan liberal think tanks I think is the best term, for those think tanks to say that these are not tax increases when they really are. When your taxes go up from this year to the next year to the next year, that is a tax increase.

They talk about the budget planning process and say, don't worry, it only comes at the end of the budget. Well, you know, regular families plan during the entire budget. If you have a weekly budget for your food allotment, you want to make sure you have food at the end of the week. If you're doing a monthly budget, you plan the entire month. If you have a yearly budget or a 5-year budget as this is, you do it in the entire 5 years. And under the Democrats' budget, your taxes during the course of that time will go up. In New Jersey, you're looking at a $3,000 or more tax increase.

When it comes to Social Security, my constituents are also very smart and loud when they say, ''Keep your hands off of my Social Security.'' The Republican plan does that. The Republican plan stops the raid on Social Security, and it does so without a tax increase.

Now, there is some rumor I am hearing by some Democrats on the other side of the aisle that they may support our motion to recommit. But mind you, mark my words, if they support this motion to recommit, it will be as disingenuous as their support and their comments and other things they have done in the past this year. When they said that they were going to curtail spending, what did they actually do? They increased spending by over 11 percent in this budget. When they said they weren't going to raise your taxes, what did they do? They increased your taxes by $392 billion. And when they said that they were going to solve the AMT problem, what did they do? They did not solve it at all.

Support this motion to recommit.

Mr. SPRATT. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, in response to the last speaker, if we support this resolution, it's because we originally provided in our budget resolution, in two different aspects of our budget resolution, our full, wholehearted support for these middle-income tax cuts. We still have, I will have to confess, concern about your arithmetic here, but we supported it in the budget resolution we filed, which passed the House. We endorsed and pledged that we would seek to the extension of the 10 percent individual tax bracket, the child tax credit, research and experimentation tax credit, all of these things. Read the resolution. They're there. We were there before you were, saying that, over the next 3 or 4 years, we need to see that when December 31, 2010, comes along, these tax cuts will survive and be preserved. We are committed to that, black and white print, budget resolution.

Mr. GARRETT of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. SPRATT. I will yield for one question.

Mr. GARRETT of New Jersey. Because you referred to my comments.

When you said that you planned this in the budget, are your comments referring to reserve accounts?

Mr. SPRATT. No. I'm talking about statements in our budget resolution which state emphatically and clearly, ''It is the policy of this budget resolution to preserve, defend and protect the middle-income tax cuts adopted in 2001 and 2003, which will expire in 2010.''

Now, we do believe, and this also is in our budget resolution, we believe in the PAYGO principle. We believe that the Tax Code is full of deductions and credits and exemptions and exclusions, and you can go through a closet cleaning in the Code and come up with enough offsets to provide for the extension of many of these tax cuts, maybe not all but many, without any adverse impact on the bottom line budget deficit.

Mr. GARRETT of New Jersey. If the gentleman will yield.

Mr. SPRATT. I will yield.

Mr. GARRETT of New Jersey. I understand what you're saying, the first part, that those are the heart-felt policy statements of your budget. But are you referring then to the other side of the equation, to the reserve accounts that are spoken of in the budget as far as, I will use the term, for paying for those?

Mr. SPRATT. There was a provision that allowed for reserve accounts so that we could provide for these tax cuts. But basically we took the position that this decision does not have to be made now, and indeed it can be better made closer in time to December 31, when we see what is the bottom line then. How much debt have we accumulated? What is the total deficit? What is the forecast for the future? At that point in time, we can consider the tax cuts, extension of them.

By my understanding, if you extend all of the 2001 and 2003 tax cuts that expire on December 31, the cost over 10 years is about $2 trillion. That's a big decision. We think you should make it deliberately and closer in point of time to when these tax cuts actually expire.

Let me say also that not only did we put these tax cuts and state our support for them in the budget resolution, but in addition, when the tax cuts were passed in 2001, we either had substitutes or occasionally voted for independent free-standing provisions like the marriage penalty relief. Democrats were there when that passed the House. I voted for it the first time it came up and voted for it again repeatedly. In our substitutes, we had a 12 percent bracket and then a 10 percent bracket. We had a child tax credit, which we continually increase, and we had the R&E tax credit extension. We had expensing for small businesses. Many, if not all, of the things you are talking about here we voted for, maybe not on your bills but on our bills because these are tax policies favoring middle-income Americans for whom we think tax relief is well in order.

Secondly, we have a problem still with the arithmetic that you've got here.

□ 1445

According to my information, looking at CBO's most recent report, the Social Security surplus for 2012 is $255 billion. If you want to stay out of Social Security, you have got to have a surplus of at least $255 billion, a unified surplus of at least $255 billion, am I correct?

Mr. RYAN of Wisconsin. Mr. Speaker, if the gentleman will yield, the $96 billion unified surplus reflects the cash surplus, meaning the amount of overpayments on FICA taxes, payroll taxes for Social Security, that gets spent on other government programs that ought to go to Social Security. The interest on top of that is the number that the gentleman from South Carolina is talking about. That reflects past borrowing, past raiding of the Social Security surplus. We would like to fix that, too.

We think that is a good start. Let's say from now on if you pay FICA taxes to Social Security, let's not spend it on all these other government programs. So the cash surplus that occurs in 2012, that is what we are talking about with that $96 billion, not the interest on top that reflects all of the past borrowing and raiding of the Social Security trust fund.

Mr. SPRATT. Mr. Speaker, reclaiming my time, I understand that. But the Social Security surplus is $255 billion.

Mr. RYAN of Wisconsin. That is the cash surplus, plus interest. We are talking about the cash surplus.

Mr. SPRATT. Mr. Speaker, on the other hand, if you look at the surplus you are claiming, $96 billion, and also provide for these tax cuts, my information is that these tax cuts have a revenue impact of at least $180 billion.

That would mean in the year 2012 there has to be a bottom line surplus of $276 billion before the tax cuts are taken.

Mr. RYAN of Wisconsin. Mr. Speaker, that is not all in the year 2012, I believe. There is a problem with the numbers here.

Mr. SPRATT. $180 billion I believe is 1 year.

Mr. RYAN of Wisconsin. We seem to have a difference of opinion. But let me make one point: We showed you how to do it.

Mr. SPRATT. But you haven't shown us the arithmetic. We are not sure your arithmetic is correct.

Mr. RYAN of Wisconsin. We showed you with our budget substitute, we do not raise taxes on the American economy and family, and we can also stop raiding the cash surplus of Social Security. And the reason I can tell you we showed you is that is exactly what the Republican budget resolution substitute did, as scored by CBO.

Mr. SPRATT. Mr. Speaker, I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself 1½ minutes to make a couple of comments before I yield to the gentleman from Texas.

Mr. Speaker, I think I made the point on the Social Security cash surplus. We are talking about how much overpayments people pay in their payroll taxes in any given year. We don't want to keep spending that on other government programs. That is point number one.

Point number two: The very fact that the gentleman from South Carolina is suggesting that they are going to accept this motion to instruct, that they are going to accept this, means they agree there are tax increases in this budget.

They are saying right now, I just heard him say it, we don't want to raise taxes on the middle-class. We don't want to get rid of the child tax credit. We don't want to bring back the marriage penalty. We don't want to do away with the 10 percent bracket. So we will accept this motion to instruct. I.e., the other tax increases in this budget are just that, tax increases. Death tax, the marginal income tax rates across-the-board, capital gains, dividends.

Let me just make the point more clearly, by not quoting a think tank that may be left of center, right of center, whatever of center. Let me quote the Washington Post, clearly no paragon of right-wing thinking.

The Washington Post, right after the Democrat budget came out: ''And while House Democrats say they want to preserve key parts of Bush's signature tax cuts, they project a surplus in 2012 only by assuming that all of these tax cuts expire on schedule in 2010.''

They further go on to say about the Democratic budget plan, ''The budget plan expresses support for certain cuts, including the extended child tax credit, elimination of the marriage penalty, and the 10 percent bracket, that would require another reserve fund to be filled with hundreds of billions of dollars in tax increases to cover the cost.''

Mr. Speaker, I yield 2 minutes to the distinguished member of the House Budget Committee, the gentleman from Texas (Mr. CONAWAY).

Mr. CONAWAY. I thank the ranking member.

Mr. Speaker, I think to the other Members in the House listening to this debate this sounds like a school yard kind of struggle: Yes, you are; no, you're not; yes, you are; no, you're not. We are back and forth. We are both using the same set of facts.

But the truth of the matter is, in 2011 and 2012, however it happens, under the current code the revenues of the government will go up $400 billion. The rhetoric on the other side of the aisle that this does not represent a tax increase would have a lot greater credibility with me and those on our side of the aisle if in fact our colleagues on the Budget Committee hadn't spent that $400 billion.

The chairman mentioned earlier about waiting until December 31, 2011, to fix these things. The problem with that is that at the end of 2010, maybe that is the date he was referencing, the estate tax goes from a zero tax rate to a 55 percent tax rate.

I spent a career helping folks comply with a very complex code, and estate planning requires generally a lot longer period of time to react and put plans in place than from one year to the next. So, to keep estates out there hung up with the idea that the tax is going to come back fully at 55 percent, I think is unfair.

The other thing that has to be said is that all of the tax increases go in fully. So the 33 percent bracket goes to a 39.6 percent bracket. If in fact the Democrats do want to protect the 10 percent bracket from going to 15 percent, as they have said, they are going to have to raise taxes on the top brackets. They are going to have to raise taxes in other places in order to stay within this bill's definition of PAYGO.

So I am going to speak in favor of the motion to instruct, but just for full and fair disclosure, I voted twice, since we did vote on this bill twice, against the Democrats' budget.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself 2 minutes.

One additional point I wanted to make, Mr. Speaker, is the point about PAYGO that the gentleman from South Carolina mentioned. As it is well known, we have a problem with their version of PAYGO. When PAYGO is designed to raise taxes, we don't like it. When PAYGO is designed to control spending, we like it. That is why we are for PAYGO on spending, not on raising taxes.

But if this amendment is accepted, if this motion to instruct is accepted, let's just be very clear, it does violate their PAYGO. Because the Baucus amendment, which is what we are referring to, which is the amendment that passed in the Senate, uses their surpluses, quote-unquote, to pay for these tax cuts. PAYGO says if you are going to reduce taxes, you have to offset them with either a tax increase or a spending cut, not with surpluses.

So this amendment, we believe if you are going to have a surplus, it should either go back to the Social Security trust fund and pay down debt, or reduce taxes. That is what we are proposing.

But just so we are very clear with ourselves here, this Baucus amendment, this acceptance of this policy of not raising all of these taxes, just some of them, which is the best choice we have between the two options as the minority, does violate their own PAYGO rule by dedicating their surpluses towards this tax relief, rather than having offsets, either coming from spending cuts or tax increases.

Mr. SPRATT. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, PAYGO is a very simple concept. If you are going to increase spending, you pay for it. If you are going to cut taxes, you pay for it. You don't go into the ditch. If you have a tax cut, you have to pay for it either with increases of other taxes or spending cuts to pay for it. If you have spending increases, you have to pay for it with cutting spending somewhere else or increasing taxes to pay for it. It is a very simple concept.

Mr. RYAN of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. SCOTT of Virginia. I yield to the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. If you are going to reduce taxes, you have to pay for it by either raising taxes or cutting spending. That is what your PAYGO is, correct?

Mr. SCOTT of Virginia. That is correct.

Mr. RYAN of Wisconsin. Well, you are violating it if you accept this amendment then.

Mr. SCOTT of Virginia. That is the concept, and that is how we got out of the ditch that we got into. If you build up a surplus, then you have something to spend. That is consistent with PAYGO.

But the point is that we got out of the ditch with fiscal responsibility, and as soon as 2001 came along, you let PAYGO expire, passed tax cuts that we couldn't afford and put us right back into the ditch. The fact is that the only way the Republican budget makes any sense is if you have $250 billion in cuts, mostly in Medicare and Medicaid, at a time when we can't even afford the cuts that are already in effect.

To put that $250 billion in context, there are plans out there, including the All Healthy Children Act, which can cover all children with healthcare for $15 billion a year. You are talking about cutting healthcare $250 billion. Obviously, you are not going to do it and so obviously the budget is not realistic.

But what are your priorities? Tax cuts that we can't afford at a time when we need to cover children? We can't even afford the Medicaid program we have got now. In most States, you can't find a dentist because the reimbursement rates aren't high enough, and here we are cutting Medicare and Medicaid $250 billion.

Mr. Speaker, I would hope that we would adopt the Democratic budget and reject the motion to recommit, because it requires us to assume $250 billion in cuts that we are not going to make. We have a responsible budget. It digs us out of the ditch that the Republicans put us in starting in 2001.

I would hope again we would reject the motion and adopt the Democratic budget as we passed it in the House.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. I thank the gentleman for yielding.

Mr. Speaker, I listened very carefully to my friend from Virginia. The only thing that is being cut here is the family budget, and it is being cut by the Democrats. If you look at the numbers of the Republican budget, government grows each and every year. Now, it doesn't grow as fast as the Democrat budget. And the way the Democrat budget grows is by imposing the single largest tax increase in American history on hard-working Americans.

An average in my district, the Fifth Congressional District of Texas, an average of $2,700 a year, Mr. Speaker, is going to be imposed on those hard-working people as they try to send their children to college, as they struggle to try to meet the healthcare payments for elderly parents, as they try to make payments on their healthcare premiums, as they try to put together that capital to launch their American dream and to buy their first home.

The cutting that is going on here is the cutting out of the heart of the family budget by the Democrat budget, imposing the single largest tax increase in American history. And as bad as that tax increase is, $392 billion over 5 years, it is a pittance compared to the taxes that they are going to impose on the next generation, because, Mr. Speaker, their budget is silent, absolutely silent, on the number one fiscal challenge facing America, out-of-control entitlement spending.

The Republicans are being responsible in trying to ensure that the next generation doesn't see a doubling of their taxes, which we all know will happen.

So this is the kick-the-can-down-the-road budget of the Democrats, when they know that our children and grandchildren will see their taxes doubled from roughly 20 percent of the economy to 40 percent. Now, how many of our children and grandchildren will ever be able to own a home, start a business or send their children to college?

This is the idea of the Democrats' fiscal responsibility, doubling taxes on the American people? I want no part of it.

Mr. SPRATT. Mr. Speaker, Mr. Speaker, I yield 30 seconds to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, I think it is important to note that when you talk about average tax cuts, this is an average $250 a family tax cut, average $250 for a family of four. But you notice who gets it? This is involving personal exemptions and standard deductions.

If you make a $1 million, $17,000; $650 if you make $200,000 to $1 million; $11 if you make $100,000 to $200,000; if you make less than $100,000, you get on average of zero.

This is what you call an average $250 a family tax cut.

□ 1500

Mr. SPRATT. Mr. Speaker, I yield myself 2 minutes.

I have here a copy of the President's budgetary proposals for fiscal year 2008 published by the Congressional Budget Office. If you turn to page 6, you will see that the cost of the tax cuts, extending the tax cuts, which the motion proposes, the cost or the revenue impact of that in the year 2012 is $231 billion. That is what CBO says.

If you now add $96 billion to that, the surplus that year must be $327 billion. The surplus, $327 billion. Last year the deficit was $248 billion. If we move to a surplus of $327 billion in the year 2012, that requires a movement in the right direction of $575 billion which is hard to believe.

Mr. RYAN of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. SPRATT. I yield to the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. I wish we were talking about all of the tax cuts. Unfortunately, what we have in the Baucus amendment, that is only $132 billion in 2012 because the Baucus amendment only extends some of the tax cuts.

The point we are making is, if we want to stop raising taxes and raiding Social Security, we are going to have to control spending. That is what we propose to do; and sadly, that is not what the majority budget does.

Mr. SPRATT. The point, I am sure, is you are supportive of all of the 2001 and 2003 tax cuts. You are limited by procedural rules to only dealing with that which is in the scope of the two resolutions. But, in fact, I am sure you are supportive of that. If that is true, you have to acknowledge that the number is $231 billion. That is the revenue impact of extending all of the tax cuts. If you add 96, which is the surplus you project, you get a big, big number.

Mr. Speaker, I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. CAMPBELL), a member of the House Budget Committee.

Mr. CAMPBELL of California. Mr. Speaker, I have been listening to all of this debate, and I guess what I don't really understand is, why? I mean, why the Democrats here on the other side of the aisle want to oppose this motion to instruct.

I mean, do you want to raid the Social Security surplus? Do you like telling people that they are paying money for their own Social Security and retirement and then taking it and using it for other things? Do you like that? Do you want to do that? I mean, do you want to enact the biggest tax increase in American history? Do you want really to tax people more on capital gains and dividends when over 50 percent of Americans now own some sort of stock? Do you want to go back to penalizing married couples and having them pay more taxes after they get married than two people would when they were single? Do you really want to reduce the child care tax credit? Do you want to stifle economic growth?

I know some of you say you don't think that these tax cuts caused this economic growth. Let's assume they didn't cause it all. It can't be a coincidence that since the tax reductions went into place, we have had enormous economic growth, enormous job growth and enormous revenue growth to the Federal Government.

Do you really want to do all that? Do you really want to pass the largest tax increase in American history; and for what? So you can raise spending a lot over the next 5 years because if you just didn't increase spending, you could do all of this. You could allow Americans to keep their own money.

But no, you want to take their money from them and spend it on your priorities. Now I guess that is what you want to do. I still don't understand it. I don't understand why the government having money is so much more a priority, but I guess it is because you look at all money as the government's, and you allow people to keep some. We look at money as belonging to the people who earned it, and we allow the government to take that which is necessary.

But understand that if all you did was keep spending level or increase it a little bit over the next 5 years, then you wouldn't have to raise taxes and then you wouldn't have to raid the Social Security surplus. But apparently that is what you want to do.

Mr. SPRATT. Mr. Speaker, I yield myself 3 minutes. Mr. Speaker, this goes back to something that our President called fuzzy math. And if I seem hung up on the topic of math, it is because arithmetic is important when you are putting together a budget.

What they are telling us is they can run a $96 billion surplus in the year 2012 even though they are taking tax cuts that will take $231 billion in revenues out of the Federal Treasury. It is a stretch, to say the least. That involves assuming that we will have a surplus in the year 2012 of $327 billion.

How far from that are we today? Last year we had a deficit of $248 billion. If we are to move to a surplus of $327 billion by the year 2012, there has to be a movement in the right direction, a positive movement of $575 billion. Let's hope it happens, but I wouldn't bet the farm on it.

They then say and just said we are raiding Social Security. How absurd can you get? Here it is right here. The Social Security surplus is $255 billion. They do not even claim more than $96 billion on the surplus. If they left the tax cut out, they would indeed have enough bottom line, 96 plus 231, to cover the surplus, but they haven't done that.

Here on the bottom line, the back of an envelope, is a simple chart that I bring down to the well with me every time I talk because we need to be reminded. When President Bush came to office, the national debt was $5.7 trillion. Six years later, the national debt is $8.8 trillion, an increase of $3.1 trillion over the last 6 years. That is a 60 percent increase in the debt of the United States. We have not seen anything like it since the Second World War.

Are we worried about fuzzy math? You better believe we are because this is the consequence of it. What the Republican budget resolution would have done had it been adopted is it would have extended again and again the policy of borrow and spend, leaving the tab to our children.

Here is what the tab looked like, in addition to the $8.8 trillion: You can cut taxes today, but what you leave in the wake of what you have done is a debt tax, the one tax that has to be paid because it is the amount of money we have to levy and raise every year to pay interest on our national debt, which is obligatory. It cannot be avoided. It has to be paid.

Here is the difference between interest on the national debt, which is well over $200 billion, headed to $300 billion within the foreseeable future, and look what it does to other priorities, things that are pressing and important like veterans health care, homeland security, and education. All of those things are dwarfed by the increase in interest payments on the debt.

This is a debt tax we have to pay today. All Americans have to pay it. Our children will have to pay it because of our irresponsible fiscal policy. This is why we need to clear up this fuzzy math and put the country back on a firm path to fiscal responsibility.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. SMITH).

Mr. SMITH of Nebraska. Mr. Speaker, I rise today with great concern for our economy. I rise because we hear about the debt and certainly my concern is that if we are not careful, we will make the debt even worse than it is now because an economy can turn south with overtaxation. Right now we are headed to tax increases that concern me a great deal.

In Nebraska, the average tax increase per taxpayer is almost $2,400 a year as proposed. More than that though, I am concerned about small businesses, farmers and ranchers who face tax increases whether it is the estate tax or other taxes.

When I have a small business person come up to me and say, we need to do something about the estate tax, the death tax because it will devastate their business, that gets my attention.

My concerns are that we have available capital in our economy because, with available capital, we see good things happening, whether it is investing in the stock market or whether it is expanding a small business or whether it is putting money away for a child or grandchild heading to college. The fact is, available capital does great things, and that is why I rise with extreme concern about our budget because the budget calls for a tax increase, and that is what concerns me so much because tax increases are bad for economic growth. Tax increases lead to a downturn in the economy.

I not only believe we can do better than this proposed budget, but we must do better.

Mr. SPRATT. For the clarification of Members, let me give you my take on what is before us right now. This motion to instruct conferees calls for us to recede, back off the revenue levels in the House amendment and insist on, listen to this, policy statement in section 401 of the House amendment. That is our budget resolution, the Democratic budget resolution.

It is the place in our resolution where one time we have insisted, pledged our support for the extension of these middle-income tax cuts passed in 2001 and 2003. That is paragraph A. It is hard for us to disagree with the enforcement of the language that we put in the budget resolution in the first place.

Secondly, paragraph B, insist on the lowest possible levels of revenue within the scope of the conference.

It is hard to tell what that level might be, whether or not it is consistent with the one above, but we certainly will give some consideration to that.

And finally, set forth a unified surplus of at least $96 billion in fiscal year 2012. I hope we can do it, but you have heard me go through the arithmetic out here, and I think it is a reach to even imply that these three variables can be integrated and solved in this one multi varied equation.

If you can do it, fine. If you can come out of all this still having these tax cuts and still having a $96 billion surplus, great. But I have to tell you, I think it is fuzzy math.

But we are wholeheartedly in support of the middle-income tax cuts that are enumerated here. Indeed, they have been lifted straight out of the Democratic budget resolution, and that is why we are supportive of them.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, let me concur that the resolution does say what the chairman says it does. The reason it points to the words in the House budget resolution, which say that the policy of the House is to keep these tax cuts, but we refer to the deeds of the Senate is because the House didn't pay for those tax cuts, didn't extend those tax cuts. The Senate extended those tax cuts.

The House used the words that said, we hope, we wish, we would like to extend these tax cuts, but they didn't do that. They raised the taxes. It is the Senate.

The mere fact that the Senate passed the Baucus amendment in the first place is a repudiation of the claim by the House that they are actually not raising taxes.

The Senate looked at the House budget resolution and said, you know what, this thing is the largest tax increase in American history. We don't want to raise taxes on middle-income earners, child tax credit, marriage penalty, 10 percent bracket; and therefore, they passed the Baucus amendment.

What we are saying is we wish we could extend all of the tax cuts. Since the scope is limited, we are saying, let's stick with the Senate and actually put numbers where the words are in the House by actually lowering the revenue number.

Now, the chairman is right. He is saying it is a reach to reach these surpluses. It is too tough to do it to reach these surpluses if you accept his premise. And the premise of the chairman's budget is do nothing to control spending.

Mr. Speaker, we don't have a revenue problem in Washington. Just the last 7 months alone we had 11 percent revenue growth. That is 3 straight years of double-digit revenue growth at these lower tax rates. We have plenty of money coming in from taxpayers. The problem is we are spending it too fast. That is the problem in Washington, not a revenue problem, a spending problem.

If you accept the premise of the chairman, the esteemed gentleman from South Carolina (Mr. SPRATT), that there is no spending problem in Washington, which I don't accept, then he is correct, you can't balance the budget. You can't stopped the raid on Social Security and you can't extend tax relief.

□ 1515

We disagree. How tough is it to do it? Let me tell you what our budget accomplished, the Republican substitute. We simply said in order to stop the raid of the Social Security surplus and make all these tax cuts permanent, spend $14.977 trillion over the next 7 years instead of the current projection, $15.286 trillion. That is what we are saying. We are saying instead of spending over the next 5 years $15.286 trillion, spend $14.977 trillion. Instead of growing mandatory spending by 5.2 percent, grow it at 4.3 percent.

Is this Draconian, is this crazy, is this hard core? No. It's what families do around a kitchen table every day.

We are simply saying put taxpayers first. Don't make people wait for 3 years to see if they're going to have their per-child tax credit, if they're going to have the marriage penalty, if the estate taxes are going to be higher, lower or somewhere in between. Tell them now. Let's tell taxpayers, first you get to keep your money; then we're going to tighten our belt here in Washington by controlling spending.

Mr. Speaker, the taxpayers deserve this respect. They don't deserve to be jerked around. We should control spending, and by golly, we need to prepare for the retirement of these baby boomers. We need to reform these entitlement programs so we can extend their solvency, extend their reliability, and that is the biggest shame of all.

Not only does this budget have the largest tax increase in American history; it proposes that we do nothing for the next 5 years to control and reform entitlements to do anything to control spending. That's a shame. That's why we should pass this motion to instruct.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. POMEROY). All time has expired.

Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Wisconsin (Mr. RYAN).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. RYAN of Wisconsin. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

COMMUNICATION FROM THE HONORABLE ROBERT E. ANDREWS, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable ROBERT E. ANDREWS, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 3, 2007.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have received a subpoena for documents issued by the Superior Court of New Jersey, Gloucester County.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

ROBERT E. ANDREWS,
Member of Congress.

COMMUNICATION FROM THE DISTRICT DIRECTOR OF THE HONORABLE DAVID PRICE, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Rose Auman, District Director, Office of the Honorable DAVID PRICE, Member of Congress:

MAY 4, 2007.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a judicial subpoena for trial testimony issued by the Orange County, North Carolina District Court.

After consulting with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

ROSE AUMAN,
District Director.

THOMASINA E. JORDAN INDIAN TRIBES OF VIRGINIA FEDERAL RECOGNITION ACT OF 2007

Mr. RAHALL. Mr. Speaker, pursuant to House Resolution 377, I call up the bill (H.R. 1294) to extend Federal recognition to the Chickahominy Indian Tribe, the Chickahominy Indian Tribe-Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Indian Nation, and the Nansemond Indian Tribe, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1294

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2006".

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

TITLE I—CHICKAHOMINY INDIAN TRIBE

SEC. 101. FINDINGS.

Congress finds that—

(1) in 1607, when the English settlers set shore along the Virginia coastline, the Chickahominy Indian Tribe was 1 of about 30 tribes that received them;

(2) in 1614, the Chickahominy Indian Tribe entered into a treaty with Sir Thomas Dale, Governor of the Jamestown Colony, under which—

(A) the Chickahominy Indian Tribe agreed to provide 2 bushels of corn per man and send warriors to protect the English; and

(B) Sir Thomas Dale agreed in return to allow the Tribe to continue to practice its own tribal governance;

(3) in 1646, a treaty was signed which forced the Chickahominy from their homeland to the area around the York Mattaponi River in present-day King William County, leading to the formation of a reservation;

(4) in 1677, following Bacon's Rebellion, the Queen of Pamunkey signed the Treaty of Middle Plantation on behalf of the Chickahominy;

(5) in 1702, the Chickahominy were forced from their reservation, which caused the loss of a land base;

(6) in 1711, the College of William and Mary in Williamsburg established a grammar school for Indians called Brafferton College;

(7) a Chickahominy child was 1 of the first Indians to attend Brafferton College;

(8) in 1750, the Chickahominy Indian Tribe began to migrate from King William County back to the area around the Chickahominy River in New Kent and Charles City Counties;

(9) in 1793, a Baptist missionary named Bradby took refuge with the Chickahominy and took a Chickahominy woman as his wife;

(10) in 1831, the names of the ancestors of the modern-day Chickahominy Indian Tribe began to appear in the Charles City County census records;

(11) in 1901, the Chickahominy Indian Tribe formed Samaria Baptist Church;

(12) from 1901 to 1935, Chickahominy men were assessed a tribal tax so that their children could receive an education;

(13) the Tribe used the proceeds from the tax to build the first Samaria Indian School, buy supplies, and pay a teacher's salary;

(14) in 1919, C. Lee Moore, Auditor of Public Accounts for Virginia, told Chickahominy Chief O.W. Adkins that he had instructed the Commissioner of Revenue for Charles City County to record Chickahominy tribal members on the county tax rolls as Indian, and not as white or colored;