

SA 4335. Mr. ENSIGN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra.

SA 4336. Mr. ENSIGN (for himself and Mr. DEMINT) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4337. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4338. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4339. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra.

SA 4340. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra.

SA 4341. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4342. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4343. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4344. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4345. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra.

SA 4346. Ms. SNOWE (for herself, Ms. COLLINS, and Mr. HATCH) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4347. Mr. DEMINT (for himself, Mr. MCCAIN, Mrs. MCCASKILL, Mr. COBURN, Mr. KYL, Mr. CORKER, Mr. BURR, Mr. GRAHAM, Mr. OBAMA, Mrs. CLINTON, Mr. CORNYN, Mr. BAYH, Mr. MARTINEZ, Mr. ENZI, Mr. BARRASSO, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra.

SA 4348. Mr. KYL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra.

SA 4349. Mrs. DOLE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, supra.

SA 4350. Mr. KENNEDY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra.

SA 4351. Mr. OBAMA submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4352. Mr. CASEY (for himself, Mr. DURBIN, Mr. BROWN, Mr. GRASSLEY, Mr. SCHUMER, Mr. LAUTENBERG, Mrs. CLINTON, and Mr. SANDERS) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra.

SA 4353. Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4354. Mr. GREGG submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4355. Mr. GREGG submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4356. Mr. GREGG submitted an amendment intended to be proposed by him to the

concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4357. Mr. GREGG submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra.

SA 4358. Mr. GREGG submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4359. Mr. GREGG submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4360. Mr. BAUCUS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4361. Mrs. CLINTON (for herself, Mr. CASEY, and Mr. BROWN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, supra.

SA 4362. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4363. Mr. SESSIONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4364. Mr. SMITH (for himself and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra.

SA 4365. Mr. GRAHAM (for himself and Mrs. DOLE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4366. Mr. ROBERTS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4367. Mr. GRAHAM submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4368. Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, supra.

SA 4369. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4370. Mr. BINGAMAN (for himself, Ms. SNOWE, Mr. CARDIN, Mr. OBAMA, Mr. PRYOR, Ms. COLLINS, Mr. DODD, Mr. LEVIN, Mr. KERRY, Mr. CASEY, Mr. KENNEDY, Mr. SANDERS, Mrs. LINCOLN, Mr. HARKIN, Mr. NELSON, of Nebraska, Ms. STABENOW, and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra.

SA 4371. Mr. GRAHAM (for himself and Mr. DEMINT) proposed an amendment to the concurrent resolution S. Con. Res. 70, supra.

SA 4372. Mr. KYL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra.

SA 4373. Mr. REID proposed an amendment to the concurrent resolution S. Con. Res. 70, supra.

SA 4374. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4375. Mr. SPECTER (for himself and Mr. CASEY) proposed an amendment to the concurrent resolution S. Con. Res. 70, supra.

SA 4376. Ms. SNOWE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, supra.

SA 4377. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4378. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, supra.

SA 4379. Mrs. BOXER proposed an amendment to the concurrent resolution S. Con. Res. 70, supra.

SA 4380. Mr. DEMINT proposed an amendment to the concurrent resolution S. Con. Res. 70, supra.

#### TEXT OF AMENDMENTS

**SA 4285.** Mr. NELSON of Florida (for himself and Ms. SNOWE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 58, line 24, insert after "family members" the following: "or veterans (including the elimination of the offset between Survivor Benefit Plan annuities and veterans' dependency and indemnity compensation)".

**SA 4286.** Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 58, line 23, strike "family members;" and insert "family members; or

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

**SA 4287.** Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 308. DEFICIT-NEUTRAL RESERVE FUND FOR IMPLEMENTATION OF YELLOW RIBBON REINTEGRATION PROGRAM FOR MEMBERS OF THE NATIONAL GUARD AND RESERVE.**

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for one more bills, joint resolutions, amendments, motions, or conference reports that would provide for the implementation of the Yellow Ribbon Reintegration Program for members of the National Guard and Reserve under section 582 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181), 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 2008 through 2013.

**SA 4288.** Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010

through 2013; which was ordered to lie on the table; as follows:

At the end of Sec. 302, insert the following:  
 (b) The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would increase funding for the 21st Century Community Learning Centers program by up to \$1 billion, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SA 4289.** Mr. SESSIONS (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:  
**SEC. \_\_\_\_ . EXCLUSION OF EXTENSION OF THE \$1,000 CHILD TAX CREDIT FROM POINTS OF ORDER.**

Section 201 of this resolution (relating to long-term deficits), sections 201 and 202 of the Concurrent Resolution on the Budget for Fiscal Year 2008, S. Con. Res. 21 (relating to pay-as-you-go in the Senate and reconciliation) and sections 302, 311(a)(2)(B), and 313 of the Congressional Budget Act of 1974 shall not apply to any bill, joint resolution, amendment, motion, or conference report that would provide for the extension of the \$1,000 child tax credit amount under section 24 of the Internal Revenue Code of 1986.

**SA 4290.** Mr. SESSIONS (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:  
**SEC. \_\_\_\_ . EXCLUSION OF EXTENSION OF INDIVIDUAL FEDERAL INCOME TAX RATE REDUCTIONS FROM POINTS OF ORDER.**

Section 201 of this resolution (relating to long-term deficits), sections 201 and 202 of the Concurrent Resolution on the Budget for Fiscal Year 2008, S. Con. Res. 21 (relating to pay-as-you-go in the Senate and reconciliation) and sections 302, 311(a)(2)(B), and 313 of the Congressional Budget Act of 1974 shall not apply to any bill, joint resolution, amendment, motion, or conference report that would provide for the extension of the reduction of individual Federal income tax rates under section 1(i) of the Internal Revenue Code of 1986.

**SA 4291.** Mr. SESSIONS (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:  
**SEC. \_\_\_\_ . EXCLUSION OF MARRIAGE PENALTY RELIEF FROM POINTS OF ORDER.**

Section 201 of this resolution (relating to long-term deficits), sections 201 and 202 of the Concurrent Resolution on the Budget for Fiscal Year 2008, S. Con. Res. 21 (relating to pay-as-you-go in the Senate and reconciliation) and sections 302, 311(a)(2)(B), and 313 of the Congressional Budget Act of 1974 shall not apply to any bill, joint resolution, amendment, motion, or conference report that would provide for the extension of any temporary marriage penalty relief under the Internal Revenue Code of 1986.

**SA 4292.** Mr. SESSIONS (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:  
**SEC. \_\_\_\_ . EXCLUSION OF EXTENSION OF THE ADOPTION TAX CREDIT FROM POINTS OF ORDER.**

Section 201 of this resolution (relating to long-term deficits), sections 201 and 202 of the Concurrent Resolution on the Budget for Fiscal Year 2008, S. Con. Res. 21 (relating to pay-as-you-go in the Senate and reconciliation) and sections 302, 311(a)(2)(B), and 313 of the Congressional Budget Act of 1974 shall not apply to any bill, joint resolution, amendment, motion, or conference report that would provide for the extension of the increased limitation on the adoption tax credit under section 23 of the Internal Revenue Code of 1986.

**SA 4293.** Mr. SESSIONS (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:  
**SEC. \_\_\_\_ . EXCLUSION OF ESTATE TAX RELIEF FROM POINTS OF ORDER.**

Section 201 of this resolution (relating to long-term deficits), sections 201 and 202 of the Concurrent Resolution on the Budget for Fiscal Year 2008, S. Con. Res. 21 (relating to pay-as-you-go in the Senate and reconciliation) and sections 302, 311(a)(2)(B), and 313 of the Congressional Budget Act of 1974 shall not apply to any bill, joint resolution, amendment, motion, or conference report that would provide for the extension of estate tax relief under the Internal Revenue Code of 1986.

**SA 4294.** Mr. SESSIONS (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:  
**SEC. \_\_\_\_ . EXCLUSION OF EXTENSION OF 10 PERCENT FEDERAL INCOME TAX BRACKET FROM POINTS OF ORDER.**

Section 201 of this resolution (relating to long-term deficits), sections 201 and 202 of

the Concurrent Resolution on the Budget for Fiscal Year 2008, S. Con. Res. 21 (relating to pay-as-you-go in the Senate and reconciliation) and sections 302, 311(a)(2)(B), and 313 of the Congressional Budget Act of 1974 shall not apply to any bill, joint resolution, amendment, motion, or conference report that would provide for the extension of the 10 percent Federal income tax bracket under section 1(i) of the Internal Revenue Code of 1986.

**SA 4295.** Mr. SESSIONS (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:  
**SEC. \_\_\_\_ . EXCLUSION OF EXTENSION OF CAPITAL GAINS AND DIVIDEND TAX RATE REDUCTIONS FROM POINTS OF ORDER.**

Section 201 of this resolution (relating to long-term deficits), sections 201 and 202 of the Concurrent Resolution on the Budget for Fiscal Year 2008, S. Con. Res. 21 (relating to pay-as-you-go in the Senate and reconciliation) and sections 302, 311(a)(2)(B), and 313 of the Congressional Budget Act of 1974 shall not apply to any bill, joint resolution, amendment, motion, or conference report that would provide for the extension of reductions in the capital gains and dividend tax rates under the Internal Revenue Code of 1986.

**SA 4296.** Mr. SESSIONS (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:  
**SEC. \_\_\_\_ . EXCLUSION OF TAX RELIEF FROM POINTS OF ORDER.**

Section 201 of this resolution (relating to long-term deficits), sections 201 and 202 of the Concurrent Resolution on the Budget for Fiscal Year 2008, S. Con. Res. 21 (relating to pay-as-you-go in the Senate and reconciliation) and sections 302, 311(a)(2)(B), and 313 of the Congressional Budget Act of 1974 shall not apply to any bill, joint resolution, amendment, motion, or conference report that would provide for the extension of the tax relief provided in the Economic Growth and Tax Relief Reconciliation Act of 2001, the Jobs and Growth Tax Relief Reconciliation Act of 2003, sections 101 and 102 of the Tax Increase Prevention and Reconciliation Act of 2005, and the Tax Increase Prevention Act of 2007.

**SA 4297.** Mr. HATCH (for himself, Mr. KENNEDY, and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR TRAUMATIC BRAIN INJURY.**

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide at least \$9,000,000 for fiscal year 2009 to funds traumatic brain injury programs under sections 393A, 393B, 1252, and 1253 of the Public Health Service Act, if such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SA 4298.** Mr. THUNE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 50, between lines 9 and 10, insert the following:

**SEC. \_\_\_\_ . SENSE OF THE SENATE AGAINST LEGISLATION THAT RAISES INCOME TAX RATES FOR SMALL BUSINESSES, FAMILY FARMS, OR FAMILY RANCHES.**

(a) SENSE OF THE SENATE.—It is the sense of the Senate that it should 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).

(b) FEDERAL INCOME TAX RATE INCREASE.—For purposes of subsection (a), 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.

**SA 4299.** Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . SENSE OF THE SENATE REGARDING THE NEED FOR COMPREHENSIVE LEGISLATION TO LEGALIZE THE IMPORTATION OF PRESCRIPTION DRUGS FROM HIGHLY INDUSTRIALIZED COUNTRIES WITH SAFE PHARMACEUTICAL INFRASTRUCTURES.**

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

(1) The United States is the world’s largest market for pharmaceuticals, yet consumers still pay the world’s highest prices.

(2) In 2000, Congress took action to legalize the importation of prescription drugs from other countries by United States wholesalers and pharmacists, and before such a program can go into effect, the Secretary of Health and Human Services (HHS) must certify that

the program would have no adverse impact on safety and that it would reduce costs for American consumers.

(3) Since 2000, no Secretary of HHS has made the certification required to permit the implementation of a program for importation of prescription drugs.

(4) In July 2006, the Senate approved by a vote of 68–32 an amendment to the Department of Homeland Security Appropriations Act, 2007, that prohibits Customs and Border Protection from preventing individuals not in the business of importing prescription drugs from carrying them across the border with Canada.

(5) In July 2007, the Senate adopted language similar to the 2007 amendment in the Department of Homeland Security Appropriations Act, 2008.

(6) In October 2007, the Senate adopted language in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2008, that prohibits anti-reimportation activities within HHS.

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

(1) the leadership of the Senate should bring to the floor for full debate in 2008 comprehensive legislation that legalizes the importation of prescription drugs from highly industrialized countries with safe pharmaceutical infrastructures and creates a regulatory pathway to ensure that such drugs are safe;

(2) such legislation should be given an up or down vote on the floor of the Senate; and

(3) previous Senate approval of 3 amendments in support of prescription drug importation shows the Senate’s strong support for passage of comprehensive importation legislation.

**SA 4300.** Mrs. CLINTON (for herself, Mr. SCHUMER, and Mr. KENNEDY) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

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

If the Chairman of the Senate Committee on Health, Education, Labor, and Pensions reports out legislation to establish a program, including medical monitoring and treatment, addressing the adverse health impacts linked to the September 11, 2001 attacks, and if the Committee on Health, Education, Labor, and Pensions makes a finding that previously spent World Trade Center Health Program funds were used to provide screening, monitoring and treatment services, and directly related program support, the Chairman of the Senate Budget Committee may revise the aggregates, allocations, and other appropriate levels in this resolution, if such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SA 4301.** Mr. SCHUMER (for himself and Mr. BROWN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Govern-

ment for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR RECAPTURING EXCESS PROFITS AND INVESTING IN ROADS (REPAIR).**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would create a special temporary levy on the excess profits of United States oil companies (and foreign companies that do substantial business in the United States), in order to supplement the Highway Trust Fund and raise additional funds for infrastructure investment, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SA 4302.** Mr. GREGG (for himself, Mr. MCCONNELL, Mr. KYL, Mr. CORNYN, Mr. BURR, Mr. DEMINT, Mr. ALEXANDER, Mr. COBURN, Mr. CHAMBLISS, Mr. THUNE, Mr. ALLARD, Mr. MARTINEZ, Mr. ENZI, Mr. BARRASSO, Mr. CORKER, Mr. VITTER, Mrs. HUTCHISON, Mr. ISAACSON, Mr. ROBERTS, Mr. ENSIGN, Mr. CRAIG, Mr. GRASSLEY, Mr. BENNETT, Mr. VOINOVICH, Mr. WICKER, Mr. CRAPO, Mr. COLEMAN, Mr. INHOFE, Mr. GRAHAM, Mr. BUNNING, Mr. MCCAIN, Mr. SUNUNU, Mr. HATCH, Mr. LIEBERMAN, Mr. BAUCUS, Mr. KOHL, and Mr. SALAZAR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR ACCESS TO QUALITY AND AFFORDABLE HEALTH INSURANCE.**

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

(1) promotes choice and competition to drive down costs and improve access to health care for all Americans without increasing taxes;

(2) strengthens health care quality by promoting wellness and empowering consumers with accurate and comprehensive information on quality and cost;

(3) protects Americans’ economic security from catastrophic events by expanding insurance options and improving health insurance portability; and

(4) promotes the advanced research and development of new treatments and cures to enhance health care quality;

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

**SA 4303.** Mr. GREGG submitted an amendment intended to be proposed by

him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR COMPREHENSIVE MEDICAL LIABILITY REFORM.**

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

- (1) addresses the national crisis facing patients who are losing access to quality health care due to skyrocketing insurance premiums driven by frivolous lawsuits;
  - (2) encourages the national adoption of proven standards to make the medical liability system more fair, predictable, and timely;
  - (3) protects the ability of injured patients to get quick, unlimited compensation for their economic losses while setting reasonable limits for pain, suffering, and non-compensatory damages;
  - (4) promotes the reduction of frivolous lawsuits and allows doctors to practice medicine in a manner that is patient-focused and not lawsuit-driven; and
  - (5) maintains State flexibility;
- if such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SA 4304.** Mr. GREGG submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR HEALTHY MOTHERS AND HEALTHY BABIES.**

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

- (1) addresses the national crisis facing women and children who are losing access to quality pre-natal and maternal care due to skyrocketing insurance premiums driven by frivolous lawsuits;
  - (2) encourages the national adoption of proven standards to make the medical liability system more fair, predictable, and timely;
  - (3) protects the ability of injured families to get quick, unlimited compensation for their economic losses while setting reasonable limits for pain, suffering, and non-compensatory damages;
  - (4) allows doctors to practice medicine in a manner that is family-focused and not lawsuit-driven; and
  - (5) maintains State flexibility;
- if such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SA 4305.** Mr. GREGG submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

- On page 3, line 11, increase the amount by \$268,000,000.
- On page 3, line 12, decrease the amount by \$1,538,000,000.
- On page 3, line 13, decrease the amount by \$17,673,000,000.
- On page 3, line 14, decrease the amount by \$20,049,000,000.
- On page 3, line 15, decrease the amount by \$40,873,000,000.
- On page 3, line 20., increase the amount by \$268,000,000.
- On page 3, line 21, decrease the amount by \$1,538,000,000.
- On page 3, line 22, decrease the amount by \$17,673,000,000.
- On page 3, line 23, decrease the amount by \$20,049,000,000.
- On page 3, line 24, decrease the amount by \$40,873,000,000.
- On page 4, line 5, decrease the amount by \$3,404,000.
- On page 4, line 6, increase the amount by \$23,386,000.
- On page 4, line 7, increase the amount by \$489,542,000.
- On page 4, line 8, increase the amount by \$1,435,229,000.
- On page 4, line 9, increase the amount by \$2,997,020,000.
- On page 4, line 14, decrease the amount by \$3,404,000.
- On page 4, line 15, increase the amount by \$23,386,000.
- On page 4, line 16, increase the amount by \$489,542,000.
- On page 4, line 17, increase the amount by \$1,435,229,000.
- On page 4, line 18, increase the amount by \$2,997,020,000.
- On page 4, line 23, decrease the amount by \$271,404,000.
- On page 4, line 24, increase the amount by \$1,561,386,000.
- On page 4, line 25, increase the amount by \$18,162,542,000.
- On page 5, line 1, increase the amount by \$21,484,229,000.
- On page 5, line 2, increase the amount by \$43,870,020,000.
- On page 5, line 8, decrease the amount by \$271,404,000.
- On page 5, line 9, increase the amount by \$1,289,983,000.
- On page 5, line 10, increase the amount by \$19,452,525,000.
- On page 5, line 11, increase the amount by \$40,936,754,000.
- On page 5, line 12, increase the amount by \$84,806,774,000.
- On page 5, line 16, decrease the amount by \$271,404,000.
- On page 5, line 17, increase the amount by \$1,289,983,000.
- On page 5, line 18, increase the amount by \$19,452,525,000.
- On page 5, line 19, increase the amount by \$40,936,754,000.
- On page 5, line 20, increase the amount by \$84,806,774,000.
- On page 26, line 16, decrease the amount by \$3,404,000.
- On page 26, line 17, decrease the amount by \$3,404,000.
- On page 26, line 20, increase the amount by \$23,386,000.

- On page 26, line 21, increase the amount by \$23,386,000.
- On page 26, line 24, increase the amount by \$489,542,000.
- On page 26, line 25, increase the amount by \$489,542,000.
- On page 27, line 3, increase the amount by \$1,435,229,000.
- On page 27, line 4, increase the amount by \$1,435,229,000.
- On page 27, line 7, increase the amount by \$2,997,020,000.
- On page 27, line 8, increase the amount by \$2,997,020,000.

**SA 4306.** Mr. GREGG (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, insert the following:

**SEC. 308. DEFICIT-NEUTRAL RESERVE FUND FOR BORDER SECURITY AND VISAS FOR HIGHLY SKILLED WORKERS AND NURSES.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that—

- (1) provide up to \$750,000,000 for improvements to border security, including the construction of fencing along the international border between the United States and Mexico;
  - (2) provide for the recapture and use of visas that could have been issued to non-immigrants described in section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(i)(b)) in prior fiscal years;
  - (3) provide for the recapture and use of immigrant visas that could have been issued to employment-based immigrants described in section 203(b) of such Act (8 U.S.C. 1153(b)) in prior fiscal years;
  - (4) provide for the retention of an alien who—
    - (A) is employed in the United States; and
    - (B) is seeking an employment-based immigrant visa pursuant to such section 203(b);
  - (5) establish new fees for the issuance of such recaptured nonimmigrant visas pursuant to such section 101(a)(15)(H)(i)(b) and of such recaptured immigrant visas pursuant to such section 203(b) that would result in the collection of an additional \$750,000,000 of such fees; and
  - (6) establish reasonable, additional enforcement measures relating to the use of visas for nonimmigrants described in such section 101(a)(15)(H)(i)(B);
- provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SA 4307.** Mr. BUNNING (for himself, Mr. NELSON of Nebraska, and Mr. DEMINT) submitted an amendment intended to be proposed by him to the concurrent resolution S. Res. Con. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which

was ordered to lie on the table; as follows:

On page 3, line 13, decrease the amount by \$113,000,000.

On page 3, line 14, decrease the amount by \$386,000,000.

On page 3, line 15, decrease the amount by \$414,000,000.

On page 3, line 22, decrease the amount by \$113,000,000.

On page 3, line 23, decrease the amount by \$386,000,000.

On page 3, line 24, decrease the amount by \$414,000,000.

On page 4, line 7, decrease the amount by \$113,000,000.

On page 4, line 8, decrease the amount by \$386,000,000.

On page 4, line 9, decrease the amount by \$414,000,000.

On page 4, line 16, decrease the amount by \$113,000,000.

On page 4, line 17, decrease the amount by \$386,000,000.

On page 4, line 18, decrease the amount by \$414,000,000.

On page 27, line 24, decrease the amount by \$113,000,000.

On page 27, line 25, decrease the amount by \$113,000,000.

On page 28, line 3, decrease the amount by \$386,000,000.

On page 28, line 4, decrease the amount by \$386,000,000.

On page 28, line 7, decrease the amount by \$414,000,000.

On page 28, line 8, decrease the amount by \$414,000,000.

**SA 4308.** Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 10, line 12, reduce the amount by \$4,900,000.

On page 10, line 13, reduce the amount by \$4,900,000.

On page 24, line 16, increase the amount by \$4,900,000.

On page 24, line 17, increase the amount by \$4,900,000.

**SA 4309.** Mr. VITTER (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 69, after line 25, add the following:  
**SEC. 308. DEFICIT-NEUTRAL RESERVE FUND TO PREVENT FUNDING FOR SANCTUARY CITIES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that would ensure that funds appropriated for the Community Oriented Policing Services Program are not used in violation of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373(a)), pro-

vided that such legislation would not increase the deficit over—

(1) the 6-year period comprised of fiscal years 2008 through 2013; or

(2) the 11-year period comprised of fiscal years 2008 through 2018.

**SA 4310.** Mr. OBAMA (for himself, Mr. DURBIN, and Mr. BROWN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of Title III, insert the following:  
**SEC. . . . DEFICIT-NEUTRAL RESERVE FUND FOR PATRIOT EMPLOYERS TAX CUT.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would enable a reduction in the corporate tax rate for entities designated as Patriot Employers because they invest in American jobs for American workers, pay each employee wages sufficient to support a family, remain neutral in employee organizing drives, prepare workers for retirement with defined benefit or adequate defined contribution plans, provide health insurance, and pay the difference between regular salary and military salary for all National Guard and Reserve employees who are called for active duty, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SA 4311.** Mr. ALEXANDER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 18, line 16, increase the amount by \$300,000,000.

On page 18, line 17, increase the amount by \$15,000,000.

On page 18, line 21, increase the amount by \$135,000,000.

On page 18, line 25, increase the amount by \$105,000,000.

On page 19, line 4, increase the amount by \$45,000,000.

On page 27, line 16, decrease the amount by \$300,000,000.

On page 27, line 17, decrease the amount by \$15,000,000.

On page 27, line 21 decrease the amount by \$135,000,000.

On page 27, line 25, decrease the amount by \$105,000,000.

On page 28, line 4, decrease the amount by \$45,000,000.

**SA 4312.** Mr. CORNYN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary lev-

els for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title II, insert the following:  
**SEC. . . . REQUIREMENT THAT LEGISLATION BE AVAILABLE AND SCORED 7 DAYS BEFORE CONSIDERATION.**

(a) IN GENERAL.—It shall not be in order to consider a bill or resolution unless the text and Congressional Budget Office budget score of the legislation are available on a subsidy accessible congressional website 7 days before such consideration.

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

**SA 4313.** Mr. CORNYN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title II, insert the following:  
**SEC. . . . INCREASING THE NUMBER OF SENATORS NECESSARY TO WAIVE PAYGO POINT OF ORDER FROM 60 TO 100.**

Section 201(b) of S. Con. Res. 21 (110th Congress) is amended by striking “three-fifths” both places it appears and inserting “all”.

**SA 4314.** Mr. CORNYN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title II, insert the following:  
**SEC. . . . SENATE POINT OF ORDER AGAINST RECONCILIATION LEGISLATION THAT FAILS TO CONTROL GOVERNMENT SPENDING.**

(a) POINT OF ORDER.—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 gross outlays for any account if taking into consideration the effect of the bill, the Congressional Budget Office estimates that the total amount of mandatory outlays in each year over the period of the reconciliation bill will exceed the 30-year average, as a percentage of the United States Gross Domestic Product in any year over the period of the reconciliation bill.

(b) WAIVER.—Subsection (a) 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 subsection (a).

(c) DETERMINATION.—For purposes of this section, the level of mandatory outlays and United States Gross Domestic Product shall

be determined on the basis of estimates provided by the Senate Committee on the Budget.

**SA 4315.** Mr. CORNYN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . STOP GROWING THE DEBT.**

(a) **STOP GROWING THE DEBT.**—The concurrent resolution on the budget for the budget year shall include spending and revenue levels that result in the gross debt for the budget year and any subsequent fiscal year covered by those projections that is less than its historical thirty-year average, as a percentage of the United States Gross Domestic Product and shall include such provisions as are necessary to protect Social Security and facilitate debt reduction.

(b) **POINT OF ORDER.**—It shall not be in order in the Senate to consider a concurrent resolution on the budget or any conference report thereon that fails to project the gross debt to be less than its historical 30-year average, as a percentage of the United States Gross Domestic Product.

(c) **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.

(d) **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.

(e) **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.

**SA 4316.** Mr. CORNYN (for himself, Mr. VOINOVICH, Mr. CHAMBLISS, and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, insert the following:

**SEC. \_\_\_\_ . RESERVE FUND FOR SUNSET COMMISSION LEGISLATION.**

The Chairman of the Senate Committee on the Budget may revise the allocations, ag-

gregates, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion or conference report that—

(1) provides for a bipartisan sunset commission that will review Federal programs, focusing on unauthorized and low-performing programs;

(2) provides for a process that will help abolish obsolete and duplicative Federal programs; and

(3) provides for improved Government accountability and greater openness in Government decisionmaking; provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SA 4317.** Mr. CORNYN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR LAW ENFORCEMENT RESOURCES RELATED TO UNDOCUMENTED CRIMINAL ALIENS.**

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—

(1) provides for increased Federal, State, and local detention and prosecution of undocumented criminal aliens who are apprehended in the United States;

(2) provides for technology upgrades and new systems needed for effective 2-way secure communication between State and local law enforcement agencies and Federal law enforcement agencies that handle immigration matters;

(3) creates real-time information sharing between Federal, State, and local governments and law enforcement agencies who detect, apprehend, and remove undocumented criminal aliens, alien absconders, and visa overstays from the United States;

(4) strengthens cooperation between Federal, State, and local law enforcement entities through enforcement initiatives that train, equip, and support border law enforcement officers and that fund costs associated with such activities at every level; and

(5) increases border-region personnel, including Federal prosecutors and judges, who handle criminal alien immigration cases and assist in the prosecution and removal of such aliens from the United States; by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SA 4318.** Mr. KERRY (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 15, line 13, increase the amount by \$21,000,000.

On page 15, line 14, increase the amount by \$16,000,000.

On page 15, line 18, increase the amount by \$3,000,000.

On page 15, line 22, increase the amount by \$1,000,000.

On page 27, line 16, decrease the amount by \$21,000,000.

On page 27, line 17, decrease the amount by \$16,000,000.

On page 27, line 21, decrease the amount by \$3,000,000.

On page 27, line 25, decrease the amount by \$1,000,000.

**SA 4319.** Mr. WICKER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 3, line 11, decrease the amount by \$3,000,000.

On page 3, line 12, decrease the amount by \$2,000,000.

On page 3, line 13, decrease the amount by \$2,000,000.

On page 3, line 20, decrease the amount by \$3,000,000.

On page 3, line 21, decrease the amount by \$2,000,000.

On page 3, line 22, decrease the amount by \$2,000,000.

On page 4, line 5, increase the amount by \$17,000,000.

On page 4, line 6, increase the amount by \$16,000,000.

On page 4, line 7, increase the amount by \$9,000,000.

On page 4, line 8, increase the amount by \$3,000,000.

On page 4, line 9, increase the amount by \$3,000,000.

On page 4, line 14, increase the amount by \$17,000,000.

On page 4, line 15, increase the amount by \$16,000,000.

On page 4, line 16, increase the amount by \$9,000,000.

On page 4, line 17, increase the amount by \$3,000,000.

On page 4, line 18, increase the amount by \$3,000,000.

On page 4, line 23, increase the amount by \$20,000,000.

On page 4, line 24, increase the amount by \$18,000,000.

On page 4, line 25, increase the amount by \$11,000,000.

On page 5, line 1, increase the amount by \$3,000,000.

On page 5, line 2, increase the amount by \$3,000,000.

On page 5, line 8, increase the amount by \$20,000,000.

On page 5, line 9, increase the amount by \$38,000,000.

On page 5, line 10, increase the amount by \$49,000,000.

On page 5, line 11, increase the amount by \$52,000,000.

On page 5, line 12, increase the amount by \$55,000,000.

On page 5, line 16, increase the amount by \$20,000,000.

On page 5, line 17, increase the amount by \$38,000,000.

On page 5, line 18, increase the amount by \$49,000,000.

On page 5, line 19, increase the amount by \$52,000,000.



On page 5, line 20, increase the amount by \$55,000,000.

On page 21, line 16, increase the amount by \$17,000,000.

On page 21, line 17, increase the amount by \$17,000,000.

On page 21, line 20, increase the amount by \$16,000,000.

On page 21, line 21, increase the amount by \$16,000,000.

On page 21, line 24, increase the amount by \$9,000,000.

On page 21, line 25, increase the amount by \$9,000,000.

On page 22, line 3, increase the amount by \$3,000,000.

On page 22, line 4, increase the amount by \$3,000,000.

On page 22, line 7, increase the amount by \$3,000,000.

On page 22, line 8, increase the amount by \$3,000,000.

**SA 4320.** Mr. WICKER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. \_\_\_\_ . DEFENDERS OF FREEDOM TAX RELIEF FUND.**

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 extend for 5 years the election to treat combat pay excluded from gross income as earned income under the earned income tax credit under section 32 of the Internal Revenue Code of 1986, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SA 4321.** Mr. ENSIGN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 32, between lines 3 and 4, insert the following:

(3) **INAPPLICABILITY DURING DECLARATION OF WAR BY CONGRESS.**—This subsection shall not apply if a declaration of war by Congress is in effect.

On page 32, strike lines 10 through 12 and insert the following:

(2) for fiscal year 2009, for the defense category, \$537,669,000,000 in new budget authority, for the non-defense category, \$470,813,000,000 in new budget authority, and \$1,108,449,000,000 in outlays for the defense and non-defense categories combined;

**SA 4322.** Mr. ENSIGN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010

through 2013; which was ordered to lie on the table; as follows:

On page 30, after line 23, insert the following:

**SEC. 202. DYNAMIC SCOREKEEPING.**

(a) **ESTIMATES OF THE CONGRESSIONAL BUDGET OFFICE.**—In addition to any other estimates it may prepare of any proposed change in Federal revenue law, a fiscal estimate shall be prepared by the Congressional Budget Office of each such proposed change on the basis of assumptions that estimate the probable behavioral responses of personal and business taxpayers and other relevant entities to that proposed change and the dynamic macroeconomic feedback effects of that proposed change. The preceding sentence shall apply only to a proposed change that the Congressional Budget Office determines, pursuant to a static fiscal estimate, has a fiscal impact in excess of \$250,000,000 in any fiscal year.

(b) **DISCLOSURE OF ASSUMPTIONS.**—Any report to Congress or the public made by the Congressional Budget Office that contains an estimate made under this Act of the effect that any legislation will have on revenues shall be accompanied by—

(1) a written statement fully disclosing the economic, technical, and behavioral assumptions that were made in producing that estimate, and

(2) the static fiscal estimate made with respect to the same legislation and a written statement of the economic, technical, and behavioral assumptions that were made in producing that estimate.

(c) **CONTRACTING AUTHORITY.**—In performing the tasks specified in this section, the Congressional Budget Office may, subject to the availability of appropriations, enter into contracts with universities or other private or public organizations to perform such estimations or to develop protocols and models for making such estimates.

**SA 4323.** Mr. ENSIGN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 25, line 16, increase the amount by \$229,000,000.

On page 25, line 17, increase the amount by \$229,000,000.

On page 27, line 16, decrease the amount by \$229,000,000.

On page 27, line 17, decrease the amount by \$229,000,000.

**SA 4324.** Mr. BARRASSO submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 69, after line 25, insert the following:

**SEC. 308. DEFICIT-NEUTRAL RESERVE FUND TO ENCOURAGE STATES TO VERIFY THE LEGAL STATUS OF ALL DRIVER'S LICENSE APPLICANTS.**

(a) **IN GENERAL.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or

committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports by the amounts provided in such legislation for the purposes described in paragraphs (1) through (3) if the legislation—

(1) encourages States to verify the legal status of all driver's license applicants;

(2) instructs the Secretary of Transportation to withhold 10 percent of the amount apportioned for highway construction and maintenance under section 104(b) of title 23, United States Code, from States that do not verify the legal status of all driver's license applicants; and

(3) redistributes funds withheld from States under paragraph (2) to States that verify the legal status of all driver's license applicants, in the same ratio as the original apportionments under section 104(b) of title 23, United States Code.

(b) **LIMITATION.**—Revisions under subsection (a) may not be made unless the legislation described in subsection (a) would not increase the deficit over—

(1) the 6-year period comprised of fiscal years 2008 through 2013; or

(2) the 11-year period comprised of fiscal years 2008 through 2018.

**SA 4325.** Mr. ENSIGN (for himself and Mr. DEMINT) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 69, after line 25, add the following:  
**SEC. 308. DEFICIT-NEUTRAL RESERVE FUND TO ENSURE THE RIGHT OF SECRET BALLOTS.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports, that ensure that every election conducted by the National Labor Relations Board is a secret-ballot election designed to protect the democratic rights of every employee, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SA 4326.** Mr. SESSIONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . POINT OF ORDER AGAINST DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS BILL THAT DOES NOT FULLY FUND COMPLETION OF THE SOUTHERN BORDER FENCE.**

(a) **IN GENERAL.**—It shall not be in order in the Senate to consider any bill, resolution, amendment, amendment between the Houses, motion, or conference report that provides appropriations for the Department of Homeland Security that does not fully fund the completion of the 700 miles of pedestrian fencing required under section 102(b)(1)

of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note).

(b) SUPERMAJORITY WAIVER AND APPEAL.—

(1) WAIVER.—This section may be waived or suspended in the Senate only by an affirmative vote of  $\frac{3}{5}$  of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of  $\frac{3}{5}$  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.

**SA 4327.** Mr. GREGG (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, insert the following:

**SEC. 308. DEFICIT-NEUTRAL RESERVE FUND FOR BORDER SECURITY AND VISAS FOR HIGHLY SKILLED WORKERS AND NURSES.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that—

(1) provide \$750,000,000 for improvements to border security, including the construction of fencing along the international border between the United States and Mexico;

(2) provide for the recapture and use of visas that could have been issued to non-immigrants described in section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(i)(b)) in prior fiscal years;

(3) provide for the recapture and use of immigrant visas that could have been issued to employment-based immigrants described in section 203(b) of such Act (8 U.S.C. 1153(b)) in prior fiscal years;

(4) provide for the retention of an alien who—

(A) is employed in the United States; and

(B) is seeking an employment-based immigrant visa pursuant to such section 203(b);

(5) establish new fees for the issuance of such recaptured nonimmigrant visas pursuant to such section 101(a)(15)(H)(i)(b) and of such recaptured immigrant visas pursuant to such section 203(b) that would result in the collection of an additional \$750,000,000 of such fees; and

(6) establish reasonable, additional enforcement measures relating to the use of visas for nonimmigrants described in such section 101(a)(5)(H)(i)(B);

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

**SA 4328.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. \_\_\_\_ . RESERVE FUND FOR SOCIAL SECURITY REFORM.**

If the Senate Committee on Finance reports a bill or joint resolution, or an amendment is offered thereto, or a conference report is submitted thereon, that provides changes to the Federal Old Age, Survivors, and Disability Insurance Benefits Program established under title II of the Social Security Act (42 U.S.C. 401 et seq.) by—

(1) requiring that the Federal Old Age and Survivors Trust Fund and the Federal Disability Insurance Trust Fund are to be used only to finance expenditures to provide retirement income of future beneficiaries of such program;

(2) ensuring that there is no change to current law scheduled benefits for individuals born before January 1, 1952;

(3) providing participants with the benefits of savings and investment while permitting the pre-funding of at least some portion of future benefits; and

(4) ensuring that the funds made available to finance such legislation do not exceed the amounts of the Chief Actuary of the Social Security Administration's intermediate actuarial estimates of the Federal Old Age and Survivors Trust Fund and the Federal Disability Insurance Trust Fund, as published in the most recent report of the Board of Trustees of such Trust Funds;

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

**SA 4329.** Mr. NELSON of Florida (for himself, Mr. LAUTENBERG, Mr. SALAZAR, and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO IMPROVE ENERGY EFFICIENCY AND PRODUCTION.**

(a) IN GENERAL.—Subject to subsection (b), 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 encourage—

(1) consumers to replace old conventional wood stoves with new clean wood, pellet, or corn stoves certified by the Environmental Protection Agency;

(2) consumers to install smart electricity meters in homes and businesses;

(3) the capture and storage of carbon dioxide emissions from coal projects; and

(4) the development of oil and natural gas resources beneath the outer Continental Shelf in areas not covered by a Presidential or Congressional moratorium.

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in subsection (a) would not increase the deficit over the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SA 4330.** Mr. OBAMA (for himself, Mr. BOND, Mr. BROWN, and Mrs. CLIN-

TON) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 9, line 13, increase the amount by \$5,000,000.

On page 9, line 14, increase the amount by \$4,000,000.

On page 9, line 18, increase the amount by \$1,000,000.

On page 27, line 16, decrease the amount by \$5,000,000.

On page 27, line 17, decrease the amount by \$4,000,000.

On page 27, line 21, decrease the amount by \$1,000,000.

**SA 4331.** Mr. BAUCUS (for himself and Ms. SNOWE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of the Title III, insert the following:

**SEC. \_\_\_\_ DEFICIT-NEUTRAL RESERVE FUND TO BAN MEDICARE ADVANTAGE AND PRESCRIPTION DRUG PLAN SALES AND MARKETING ABUSES.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would limit inappropriate or abusive marketing tactics by private insurers and their agents offering Medicare Advantage or Medicare prescription drug plans by enacting any or all of the recommendations agreed to by leaders of the health insurance industry on March 3, 2008, including prohibitions on cold calling and telephone solicitations for in-home sales appointments with Medicare beneficiaries, free meals and inducements at sales events, cross-selling of non-health products, and up-selling of Medicare insurance products without prior consent of beneficiaries, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SA 4332.** Mr. KERRY (for himself, Ms. STABENOW, Mr. WHITEHOUSE, Ms. SNOWE, and Mr. BROWN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; as follows:

On page 64, line 1, insert “, including incentives or other supports for the adoption of electronic prescribing technology,” after “technology”.

**SA 4333.** Mr. BAUCUS submitted an amendment intended to be proposed by



him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . SENSE OF THE SENATE REGARDING MEDICAID ADMINISTRATIVE REGULATIONS.**

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

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

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

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

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

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

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

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

(8) Medicaid serves a major role in ensuring that the number of Americans without health insurance, approximately 47,000,000 in 2006, is not substantially higher. The system of Federal matching for State Medicaid expenditures ensures that Federal funds will

grow as State spending increases in response to unmet needs, enabling Medicaid to help buffer the drop in private coverage during recessions.

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

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

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

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

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

**SA 4334.** Mr. SMITH (for himself and Mrs. LINCOLN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 18, line 16, increase the amount by \$184,000,000.

On page 18, line 17, increase the amount by \$91,000,000.

On page 18, line 21, increase the amount by \$86,000,000.

On page 18, line 25, increase the amount by \$5,400,000.

On page 19, line 4, increase the amount by \$1,000,000.

On page 27, line 16, decrease the amount by \$184,000,000.

On page 27, line 17, decrease the amount by \$91,000,000.

On page 27, line 21, decrease the amount by \$86,000,000.

On page 27, line 25, decrease the amount by \$5,400,000.

On page 28, line 4, decrease the amount by \$1,000,000.

**SA 4335.** Mr. ENSIGN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 24, line 16, increase the amount by \$50,000,000.

On page 24, line 17, increase the amount by \$50,000,000.

On page 27, line 16, decrease the amount by \$50,000,000.

On page 27, line 17, decrease the amount by \$50,000,000.

**SA 4336.** Mr. ENSIGN (for himself and Mr. DEMINT) submitted an amend-

ment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 69, after line 25, add the following:

**SEC. 308. DEFICIT-NEUTRAL RESERVE FUND TO ENSURE THE RIGHT OF SECRET BALLOTS.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that ensure the right of employees to a secret-ballot election conducted by the National Labor Relations Board, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SA 4337.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR ELIMINATING THE PERMANENT TARIFF AND TEMPORARY DUTY ON ETHANOL.**

(a) IN GENERAL.—Subject to subsection (b), 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 provides for the elimination of the permanent tariff on ethanol and the temporary duty on ethanol without increasing taxes.

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in subsection (a) would not increase the deficit over the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SA 4338.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR SARBANES-OXLEY REFORM.**

(a) IN GENERAL.—Subject to subsection (b), 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 make voluntary section 404(a) of the Sarbanes-Oxley Act of 2002 and the rules issued thereunder for smaller public companies.

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in

subsection (a) would not increase the deficit over the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SA 4339.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR PROVIDING AN ABOVE THE LINE FEDERAL INCOME TAX DEDUCTION FOR INDIVIDUALS PURCHASING HEALTH INSURANCE OUTSIDE THE WORKPLACE.**

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 provide an above the line Federal income tax deduction under section 62 of the Internal Revenue Code of 1986 for individuals who do not receive health insurance through an employer and who purchase such insurance on the private market, provided that such legislation would not increase taxes and would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SA 4340.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of the resolution, insert the following:

**SEC. \_\_\_\_ . LIMITATIONS ON LEGISLATION THAT WOULD INCREASE NATIONAL AVERAGE FUEL PRICES FOR AUTOMOBILES.**

(a) POINT OF ORDER.—

(1) IN GENERAL.—If the Senate is considering legislation, upon a point of order being made by any Senator against legislation, or any part of the legislation, that it has been determined in accordance with paragraph (2) that the legislation, if enacted, would result in an increase in the national average fuel price for automobiles, and the point of order is sustained by the Presiding Officer, the Senate shall cease consideration of the legislation.

(2) DETERMINATION.—The determination described in this paragraph means a determination by the Director of the Congressional Budget Office, in consultation with the Energy Information Administration and other appropriate Government agencies, that is made upon the request of a Senator for review of legislation, that the legislation, or part of the legislation, would, if enacted, result in an increase in the national average fuel price for automobiles.

(3) LEGISLATION.—In this section the term “legislation” means a bill, joint resolution, amendment, motion, or conference report.

(b) WAIVERS AND APPEALS.—

(1) WAIVERS.—Before the Presiding Officer rules on a point of order described in subsection (a)(1), any Senator may move to

waive the point of order and the motion to waive shall not be subject to amendment. A point of order described in subsection (a)(1) is waived only by the affirmative vote of 60 Members of the Senate, duly chosen and sworn.

(2) APPEALS.—After the Presiding Officer rules on a point of order described in subsection (a)(1), any Senator may appeal the ruling of the Presiding Officer on the point of order as it applies to some or all of the provisions on which the Presiding Officer ruled. A ruling of the Presiding Officer on a point of order described in subsection (a)(1) is sustained unless 60 Members of the Senate, duly chosen and sworn, vote not to sustain the ruling.

(3) DEBATE.—Debate on the motion to waive under paragraph (1) or on an appeal of the ruling of the Presiding Officer under paragraph (2) shall be limited to 1 hour. The time shall be equally divided between, and controlled by, the Majority leader and the Minority Leader of the Senate, or their designees.

**SA 4341.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR YUCCA MOUNTAIN NUCLEAR REPOSITORY.**

(a) IN GENERAL.—Subject to subsection (b), 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 open the Yucca Mountain Nuclear Repository and provide for the expanded use of clean, non-carbon emitting nuclear energy in the United States.

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in subsection (a) would not increase the deficit over the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SA 4342.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR THE PREVENTION OF GOVERNMENT SHUTDOWNS.**

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 establish a process for continuing appropriations to prevent Government shutdowns in any fiscal year in which an appropriations Act is not timely enacted, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SA 4343.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, insert the following:  
**SEC. \_\_\_\_ . DEFICIT REDUCTION PROTECTION POINT OF ORDER.**

(a) IN GENERAL.—It shall not be in order in the Senate to consider any appropriations bill that does not include the following provision:

“SEC. \_\_\_\_ . For deposit of an additional amount into the account established under section 3113(d) of title 31, United States Code, to reduce the public debt \$ \_\_\_\_.”

(b) ENFORCEMENT.—For purposes of enforcing allocations pursuant to section 302(b) of the Congressional Budget Act of 1974, any amendment that transfers budget authority (and the outlays flowing therefrom) into the debt reduction account provided by subsection (a) shall be scored so that the budget authority continues to count towards the section 302(b) allocation (with the outlays scored at the same level as scored in the original account).

(c) WAIVER AND APPEAL.—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. 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).

**SA 4344.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR REFORM WITHIN THE UNITED NATIONS.**

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 provides for reform within the United Nations, including increased accountability in United Nations accounting, to include an external audit of United Nations finances and the requirement of an annual financial report, streamlining of the United Nations bureaucracy, term limits for Secretaries General of the United Nations, and increased contributions to the budget of the United Nations by other leading member states by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SA 4345.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States

Government for fiscal year 2009 and including appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:  
**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR EDUCATION REFORM.**

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 promote flexibility in existing Federal education programs, restore State and local authority in education, ensure that public schools are held accountable for results to parents and the public, and prevent discrimination against homeschoolers, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SA 4346.** Ms. SNOWE (for herself, Ms. COLLINS, and Mr. HATCH) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:  
**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR AN ABOVE-THE-LINE FEDERAL INCOME TAX DEDUCTION FOR THE PURCHASE OF HEALTH INSURANCE.**

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that provides for an above-the-line Federal income tax deduction for the purchase of health insurance by individuals ineligible for employer-provided coverage, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SA 4347.** Mr. DEMINT (for himself, Mr. MCCAIN, Mrs. MCCASKILL, Mr. COBURN, Mr. KYL, Mr. CORKER, Mr. BURR, Mr. GRAHAM, Mr. OBAMA, Mrs. CLINTON, Mr. CORNYN, Mr. BAYH, Mr. MARTINEZ, Mr. ENZI, Mr. BARRASSO, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:  
**SEC. \_\_\_\_ . FISCAL YEAR 2009 EARMARK MORATORIUM.**

(a) **BILLS AND JOINT RESOLUTIONS.**—

(1) **POINT OF ORDER.**—It shall not be in order to—

(A) consider a bill or joint resolution reported by any committee that includes an earmark, limited tax benefit, or limited tariff benefit; or

(B) a Senate bill or joint resolution not reported by committee that includes an earmark, limited tax benefit, or limited tariff benefit.

(2) **RETURN TO THE CALENDAR.**—If a point of order is sustained under this subsection, the bill or joint resolution shall be returned to the calendar until compliance with this subsection has been achieved.

(b) **CONFERENCE REPORT.**—

(1) **POINT OF ORDER.**—It shall not be in order to vote on the adoption of a report of a committee of conference if the report includes an earmark, limited tax benefit, or limited tariff benefit.

(2) **RETURN TO THE CALENDAR.**—If a point of order is sustained under this subsection, the conference report shall be returned to the calendar.

(c) **FLOOR AMENDMENT.**—It shall not be in order to consider an amendment to a bill or joint resolution if the amendment contains an earmark, limited tax benefit, or limited tariff benefit.

(d) **AMENDMENT BETWEEN THE HOUSES.**—

(1) **IN GENERAL.**—It shall not be in order to consider an amendment between the Houses if that amendment includes an earmark, limited tax benefit, or limited tariff benefit.

(2) **RETURN TO THE CALENDAR.**—If a point of order is sustained under this subsection, the amendment between the Houses shall be returned to the calendar until compliance with this subsection has been achieved.

(e) **WAIVER.**—Any Senator may move to waive any or all points of order under this section by an affirmative vote of two-thirds of the Members, duly chosen and sworn.

(f) **DEFINITIONS.**—For the purpose of this section—

(1) the term “earmark” means a provision or report language included primarily at the request of a Senator or Member of the House of Representatives providing, authorizing, or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process;

(2) the term “limited tax benefit” means any revenue provision that—

(A) provides a Federal tax deduction, credit, exclusion, or preference to a particular beneficiary or limited group of beneficiaries under the Internal Revenue Code of 1986; and

(B) contains eligibility criteria that are not uniform in application with respect to potential beneficiaries of such provision; and

(3) the term “limited tariff benefit” means a provision modifying the Harmonized Tariff Schedule of the United States in a manner that benefits 10 or fewer entities.

(g) **FISCAL YEAR 2009.**—The point of order under this section shall only apply to legislation providing or authorizing discretionary budget authority, credit authority or other spending authority, providing a federal tax deduction, credit, or exclusion, or modifying the Harmonized Tariff Schedule in fiscal year 2009.

(h) **APPLICATION.**—This rule shall not apply to any authorization of appropriations to a Federal entity if such authorization is not specifically targeted to a State, locality or congressional district.

**SA 4348.** Mr. KYL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary lev-

els for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 3, line 10, decrease the amount by \$3,692,000,000.

On page 3, line 11, decrease the amount by \$10,346,000,000.

On page 3, line 12, decrease the amount by \$8,659,000,000.

On page 3, line 13, decrease the amount by \$2,396,000,000.

On page 3, line 14, decrease the amount by \$1,855,000,000.

On page 3, line 15, decrease the amount by \$1,696,000,000.

On page 3, line 19, decrease the amount by \$3,692,000,000.

On page 3, line 20, decrease the amount by \$10,346,000,000.

On page 3, line 21, decrease the amount by \$8,659,000,000.

On page 3, line 22, decrease the amount by \$2,396,000,000.

On page 3, line 23, decrease the amount by \$1,855,000,000.

On page 3, line 24, decrease the amount by \$1,696,000,000.

On page 4, line 4, increase the amount by \$28,000,000.

On page 4, line 5, increase the amount by \$223,000,000.

On page 4, line 6, increase the amount by \$675,000,000.

On page 4, line 7, increase the amount by \$1,068,000,000.

On page 4, line 8, increase the amount by \$1,277,000,000.

On page 4, line 9, increase the amount by \$1,446,000,000.

On page 4, line 13, increase the amount by \$28,000,000.

On page 4, line 14, increase the amount by \$223,000,000.

On page 4, line 15, increase the amount by \$675,000,000.

On page 4, line 16, increase the amount by \$1,068,000,000.

On page 4, line 17, increase the amount by \$1,277,000,000.

On page 4, line 18, increase the amount by \$1,446,000,000.

On page 4, line 22, increase the amount by \$3,720,000,000.

On page 4, line 23, increase the amount by \$10,569,000,000.

On page 4, line 24, increase the amount by \$9,334,000,000.

On page 4, line 25, increase the amount by \$3,464,000,000.

On page 5, line 1, increase the amount by \$3,132,000,000.

On page 5, line 2, increase the amount by \$3,142,000,000.

On page 5, line 7, increase the amount by \$3,720,000,000.

On page 5, line 8, increase the amount by \$14,289,000,000.

On page 5, line 9, increase the amount by \$23,623,000,000.

On page 5, line 10, increase the amount by \$27,087,000,000.

On page 5, line 11, increase the amount by \$30,218,000,000.

On page 5, line 12, increase the amount by \$33,360,000,000.

On page 5, line 15, increase the amount by \$3,720,000,000.

On page 5, line 16, increase the amount by \$14,289,000,000.

On page 5, line 17, increase the amount by \$23,623,000,000.

On page 5, line 18, increase the amount by \$27,087,000,000.

On page 5, line 19, increase the amount by \$30,218,000,000.

On page 5, line 20, increase the amount by \$33,360,000,000.

On page 26, line 12, increase the amount by \$28,000,000.

On page 26, line 13, increase the amount by \$28,000,000.

On page 26, line 16, increase the amount by \$223,000,000.

On page 26, line 17, increase the amount by \$223,000,000.

On page 26, line 20, increase the amount by \$675,000,000.

On page 26, line 21, increase the amount by \$675,000,000.

On page 26, line 24, increase the amount by \$1,068,000,000.

On page 26, line 25, increase the amount by \$1,068,000,000.

On page 27, line 3, increase the amount by \$1,277,000,000.

On page 27, line 4, increase the amount by \$1,277,000,000.

On page 27, line 7, increase the amount by \$1,446,000,000.

On page 27, line 8, increase the amount by \$1,446,000,000.

**SA 4349.** Mrs. DOLE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 17, line 14, increase the amount by \$30,000,000.

On page 17, line 15, increase the amount by \$2,700,000.

On page 17, line 18, increase the amount by \$30,000,000.

On page 17, line 19, increase the amount by \$11,400,000.

On page 17, line 22, increase the amount by \$30,000,000.

On page 17, line 23, increase the amount by \$18,900,000.

On page 18, line 2, increase the amount by \$30,000,000.

On page 18, line 3, increase the amount by \$22,800,000.

On page 18, line 6, increase the amount by \$30,000,000.

On page 18, line 7, increase the amount by \$25,800,000.

On page 27, line 16, decrease the amount by \$30,000,000.

On page 27, line 17, decrease the amount by \$2,700,000.

On page 27, line 20, decrease the amount by \$30,000,000.

On page 27, line 21, decrease the amount by \$11,400,000.

On page 27, line 24, decrease the amount by \$30,000,000.

On page 27, line 25, decrease the amount by \$18,900,000.

On page 28, line 3, decrease the amount by \$30,000,000.

On page 28, line 4, decrease the amount by \$22,800,000.

On page 28, line 7, decrease the amount by \$30,000,000.

On page 28, line 8, decrease the amount by \$25,800,000.

**SA 4350.** Mr. KENNEDY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; as follows:

On page 18 line 16, increase the amount by \$1,000,000.

On page 18, line 17, increase the amount by \$1,000,000.

On page 27, line 16, decrease the amount by \$1,000,000.

On page 27, line 17, decrease the amount by \$1,000,000.

**SA 4351.** Mr. OBAMA submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 10, line 12, increase the amount by \$10,000,000.

On page 10, line 13, increase the amount by \$10,000,000.

On page 27, line 16, decrease the amount by \$10,000,000.

On page 27, line 17, decrease the amount by \$10,000,000.

**SA 4352.** Mr. CASEY (for himself, Mr. DURBIN, Mr. BROWN, and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, insert the following:  
**SEC. \_\_\_\_ DEFICIT-NEUTRAL RESERVE FUND FOR FOOD SAFETY.**

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

**SA 4353.** Mrs. BOXER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ SENSE OF SENATE ON FUNDING OF FAMILY ADVOCACY PROGRAMS OF THE DEPARTMENT OF DEFENSE.**

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

(1) According to the 2007 American Psychological Association Presidential Task Force on Military Deployment Services for Youth, Families and Service Members—

(A) Members of the United States Armed Forces and their families face challenges and stressful conditions that are unprecedented in recent history, including unrelenting operational demands and recurring deployments in combat zones;

(B) having a primary caretaker deployed to a war zone for an indeterminate period is among the more stressful events a child can experience; and

(C) hardships for military families may include marital problems, financial difficulties, destabilization of family relationships, potential infidelity, mental health issues, academic problems for their children, and substandard communications conditions during deployment.

(2) A study sponsored by the Army and published in the August 2007 Journal of the American Medical Association reports—

(A) that “[a]mong families of enlisted soldiers in the US Army with substantiated reports of child maltreatment, rates of maltreatment are greater when the soldiers are on combat-related deployments. Enhanced support services may be needed for military families during periods of increased stress”; and

(B) that “among Army families of enlisted soldiers with at least 1 substantiated report of child maltreatment who experienced deployments, the rate of child maltreatment was 42% greater during deployments compared with times when soldiers were not deployed”.

(3) Increased numbers of members of the Armed Forces and their families are making use of nonmedical counseling services provided by the Family Advocacy Program of the Department of Defense.

(4) Programs such as the Family Advocacy Program directly affect military retention and are essential to the health and welfare of the members of the Armed Forces, their families, and the communities in which they live.

(b) SENSE OF SENATE.—It is the sense of the Senate that the funding levels in this resolution for fiscal year 2009 for national defense (050) assume that not less than \$401,000,000 should be made available for the Family Advocacy Program of the Department of Defense.

**SA 4354.** Mr. GREGG submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 50 after line 9 insert the following:  
**SEC. \_\_\_\_ BUDGET SCOPE OF CONFERENCE POINT OF ORDER.**

(a) POINT OF ORDER.—It is not in order for the Senate to consider a bill reported pursuant to reconciliation directives in the most recently agreed to budget resolution (or a conference report on that measure) if the Senate did not originally commit reconciliation directives to the conferees on the budget resolution.

(b) WAIVER.—Any Senator may move to waive the point of order by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(c) APPEALS.—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 the point of order raised under this section.

**SA 4355.** Mr. GREGG submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title II, insert the following:  
**SEC. \_\_\_\_ . EXPEDITED CONSIDERATION OF CERTAIN PROPOSED RESCISSIONS.**

(a) INTRODUCTION.—

(1) **BILL.**—The Committee on Appropriations may report a bill implementing the rescissions proposed in a special message transmitted by the President under part B of title X of the Impoundment Control Act of 1974 to be considered under the procedures provided in this section.

(2) **MEMBER INTRODUCED.**—If the President transmits a special message under part B of title X of the Impoundment Control Act of 1974 and the Committee on Appropriations fails to report a bill under paragraph (1) not later than 5 session days after the message is transmitted, any Member may introduce a bill implementing the rescissions proposed in that special message which shall be considered under the procedures provided in this section.

(3) **LIMITATION.**—Not more than 4 bills may be considered under this section in any calendar year.

(4) **RESUBMITTAL REJECTED.**—If Congress rejects a bill introduced under this section or if an item is stricken under subsection (d)(2), that item or any of the dollar amounts of discretionary budget authority may not be reconsidered under this section.

(5) **ANALYSIS BY CONGRESSIONAL BUDGET OFFICE.**—

(A) **IN GENERAL.**—Upon the reporting or introduction of any bill under this subsection, the Director of the Congressional Budget Office shall prepare an estimate of the savings in budget authority or outlays resulting from the proposed rescissions in such bill.

(B) **METHODOLOGY.**—The estimates required by subparagraph (A) shall be made relative to the most recent levels calculated consistent with the methodology used to calculate a baseline under section 257 of the Balanced Budget and Emergency Control Act of 1985 and included with a budget submission under section 1105(a) of title 31, United States Code, and transmitted to the chairmen of the Committees on the Budget of the House of Representatives and Senate.

(6) **ENACTMENT OF RESCISSION BILL.**—

(A) **DEFICIT REDUCTION.**—Amounts of budget authority that are rescinded pursuant to enactment of a bill as provided under this section shall be dedicated only to deficit reduction and shall not be used as an offset for other spending increases.

(B) **ADJUSTMENT OF BUDGET TARGETS.**—Not later than 5 days after the date of enactment of a rescission bill as provided under this section, the chairs of the Committees on the Budget of the Senate and the House of Representatives shall revise spending and revenue levels under section 311(a) of the Congressional Budget Act of 1974 and adjust the committee allocations under section 302(a) of the Congressional Budget Act of 1974 or any other adjustments as may be appropriate to reflect the rescission. The appropriate committees shall report revised allocations pursuant to section 302(b) of the Congressional Budget Act of 1974. Notwithstanding any

other provision of law, the revised allocations and aggregates shall be considered to have been made under a concurrent resolution on the budget agreed to under the Congressional Budget Act of 1974 and shall be enforced under the procedures of that Act.

(b) **PROCEDURES FOR EXPEDITED CONSIDERATION.**—

(1) **IN GENERAL.**—A vote on final passage of the bill introduced or reported under subsection (a) shall be taken in the Senate and the House of Representatives on or before the close of the 10th day of session of that House after the date of the introduction of the bill in that House. If the bill is passed, the Clerk of the House of Representatives shall cause the bill to be transmitted to the Senate before the close of the next day of session of the House.

(2) **CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.**—

(A) **MOTION TO PROCEED TO CONSIDERATION.**—A motion in the House of Representatives to proceed to the consideration of a bill under this subsection shall be highly privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(B) **LIMITS ON DEBATE.**—Debate in the House of Representatives on a bill under this subsection shall not exceed 4 hours, which shall be divided equally between those favoring and those opposing the bill. A motion further to limit debate shall not be debatable. It shall not be in order to move to recommit a bill under this subsection or to move to reconsider the vote by which the bill is agreed to or disagreed to.

(C) **APPEALS.**—Appeals from decisions of the chair relating to the application of the Rules of the House of Representatives to the procedure relating to a bill under this section shall be decided without debate.

(D) **APPLICATION OF HOUSE RULES.**—Except to the extent specifically provided in this section, consideration of a bill under this section shall be governed by the Rules of the House of Representatives. It shall not be in order in the House of Representatives to consider any bill introduced pursuant to the provisions of this section under a suspension of the rules or under a special rule.

(3) **CONSIDERATION IN THE SENATE.**—

(A) **MOTION TO PROCEED TO CONSIDERATION.**—A motion to proceed to the consideration of a bill under this subsection in the Senate shall not be debatable. A motion to proceed to consideration of the bill may be made even though a previous motion to the same effect has been disagreed to. It shall not be in order to move to reconsider the vote by which the motion to proceed is agreed to or disagreed to.

(B) **LIMITS ON DEBATE.**—Debate in the Senate on a bill under this subsection, and all debatable motions and appeals in connection therewith, shall not exceed a total of 10 hours, equally divided and controlled in the usual form.

(C) **DEBATABLE MOTIONS AND APPEALS.**—Debate in the Senate on any debatable motion or appeal in connection with a bill under this subsection shall be limited to not more than 1 hour from the time allotted for debate, to be equally divided and controlled in the usual form.

(D) **MOTION TO LIMIT DEBATE.**—A motion in the Senate to further limit debate on a bill under this subsection is not debatable.

(E) **MOTION TO RECOMMIT.**—A motion to recommit a bill under this subsection is not in order.

(F) **CONSIDERATION OF THE HOUSE BILL.**—

(i) **IN GENERAL.**—If the Senate has received the House companion bill to the bill introduced in the Senate prior to the vote re-

quired under paragraph (1)(C), then the Senate shall consider, and the vote under paragraph (1)(C) shall occur on, the House companion bill.

(ii) **PROCEDURE AFTER VOTE ON SENATE BILL.**—If the Senate votes, pursuant to paragraph (1)(C), on the bill introduced in the Senate, the Senate bill shall be held pending receipt of the House message on the bill. Upon receipt of the House companion bill, the House bill shall be deemed to be considered, read for the third time, and the vote on passage of the Senate bill shall be considered to be the vote on the bill received from the House.

(4) **CONFERENCE.**—

(A) **PROCEEDING TO CONFERENCE.**—If, after a bill is agreed to in the Senate or House of Representatives, the bill has been amended, the bill shall be deemed to be at a stage of disagreement and motions to proceed to conference are deemed to be agreed to. There shall be no motions to instruct. The Senate and the House of Representatives shall appoint conferees not later than 1 day of session after the vote of the second House under paragraph (1)(C). Debate on any debatable motion in relation to the conference report shall be limited to 1 hour to be equally divided between and controlled by the mover and manager of a bill, or their designees.

(B) **PERIOD OF CONSIDERATION.**—A conference report on a bill considered under this section shall be reported out not later than 3 days of session after the vote of the second House under paragraph (1)(C). If the 2 Houses are unable to agree in conference, the committee on conference shall report out the text of the President's original bill.

(C) **SCOPE OF CONFERENCE.**—The matter committed to conference for purposes of scope of conference shall be limited to the matter stricken from the text of the bills passed by the Senate and the House of Representatives.

(D) **PROCEDURE.**—Debate on a conference report on any bill considered under this section shall be limited to 2 hours equally divided between the manager of the conference report and the minority leader, or his designee.

(E) **FINAL PASSAGE.**—A vote on final passage of the conference report shall be taken in the Senate and the House of Representatives on or before the close of the 2nd day of session of that House after the date the conference report is submitted in that House. If the conference report is passed, the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, shall cause the conference report to be transmitted to the other House before the close of the next day of session of that House.

(F) **ACTION OF SECOND HOUSE.**—

(i) **IN GENERAL.**—If the Senate has received from the House, the conference report in relation to the special message from the President, prior to the vote required under subparagraph (E), then the Senate shall consider, and the vote under subparagraph (E) shall occur on the House conference report.

(ii) **PROCEDURE AFTER VOTE ON SENATE CONFERENCE REPORT.**—If the Senate votes, pursuant to subparagraph (E), on the conference report in relation to the special message from the President, then immediately following that vote, or upon receipt of the House conference report, the House conference report shall be deemed to be considered, read the third time, and the vote on passage of the Senate conference report shall be considered to be the vote on the conference report received from the House.

(c) **AMENDMENTS AND DIVISIONS PROHIBITED.**—

(1) IN GENERAL.—Except as provided in paragraph (2), no amendment to a bill considered under this section shall be in order in either the Senate or the House of Representatives.

(2) MOTION TO STRIKE.—

(A) SENATE.—During consideration of a bill in the Senate, any Member of the Senate may move to strike any proposed rescission of a dollar amount of discretionary budget authority if supported by 11 other Members.

(B) HOUSE.—During consideration of a bill in the House of Representatives, any Member of the House of Representatives may move to strike any proposed rescission of a dollar amount of discretionary budget authority if supported by 49 other Members.

(3) NO DIVISION.—It shall not be in order to demand a division of any motions to strike in the Senate, or the division of the question in the House of Representatives (or in a Committee of the Whole).

(4) NO SUSPENSION.—No motion to suspend the application of this subsection shall be in order in the Senate or in the House of Representatives, nor shall it be in order in the House of Representatives to suspend the application of this subsection by unanimous consent.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATION LAW.—The term “appropriation law” means any general or special appropriation Act, and any Act or joint resolution making supplemental, deficiency, or continuing appropriations.

(2) CALENDAR DAY.—The term “calendar day” means a standard 24-hour period beginning at midnight.

(3) DAYS OF SESSION.—The term “days of session” means only those days on which both Houses of Congress are in session.

(4) DOLLAR AMOUNT OF DISCRETIONARY BUDGET AUTHORITY.—The term “dollar amount of discretionary budget authority” means the dollar amount of budget authority and obligation limitations—

(A) specified in an appropriation law, or the dollar amount of budget authority required to be allocated by a specific proviso in an appropriation law for which a specific dollar figure was not included;

(B) represented separately in any table, chart, or explanatory text included in the statement of managers or the governing committee report accompanying such law;

(C) required to be allocated for a specific program, project, or activity in a law (other than an appropriation law) that mandates obligations from or within accounts, programs, projects, or activities for which budget authority or an obligation limitation is provided in an appropriation law;

(D) represented by the product of the estimated procurement cost and the total quantity of items specified in an appropriation law or included in the statement of managers or the governing committee report accompanying such law; or

(E) represented by the product of the estimated procurement cost and the total quantity of items required to be provided in a law (other than an appropriation law) that mandates obligations from accounts, programs, projects, or activities for which dollar amount of discretionary budget authority or an obligation limitation is provided in an appropriation law.

(5) RESCIND OR RESCISSION.—The term “rescind” or “rescission” means to reduce or repeal a provision of law to prevent that budget authority or obligation limitation from having legal force or effect.

(e) EFFECTIVE DATE AND EXPIRATION.—

(1) EFFECTIVE DATE.—This section shall—

(A) take effect on the date of adoption of this resolution; and

(B) apply to any dollar amount of discretionary budget authority provided in an Act

enacted on or after the date of adoption of this resolution.

(2) EXPIRATION.—This section shall expire on December 31, 2011.

**SA 4356.** Mr. GREGG submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 30, after line 23 insert the following:

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

(a) POINT OF ORDER.—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 one of the three 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 3 following periods:

(A) The first year covered by the most recently adopted concurrent resolution on the budget.

(B) The period of the first 5 fiscal years covered by the most recently adopted concurrent resolution on the budget.

(C) The period of the 5 fiscal years following the first 5 fiscal years covered in the most recently adopted concurrent resolution on the budget.

(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 section shall—

(A) use the baseline surplus or deficit used for the most recently adopted concurrent resolution on the budget as adjusted for any changes in revenues or direct spending assumed by such resolution; and

(B) be calculated consistent with 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 pursuant to reconciliation instructions since the beginning of that same calendar year shall not be available.

(b) 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.

(c) 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.

(d) 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 Committee on the Budget of the Senate.

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

(f) REPEAL.—In the Senate, subsection (a) through (d) of section 201 of S. Con. Res. 21 (110th Congress) shall no longer apply.

**SA 4357.** Mr. GREGG submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 30 after line 23 insert the following:

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

(a) (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.

**SA 4358.** Mr. GREGG submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010



through 2013; which was ordered to lie on the table; as follows:

On page 30 after line 23 insert the following:

**SEC. . SENATE POINT OF ORDER AGAINST SPENDING RECONCILIATION DIRECTIVES THAT DO NOT PROVIDE FOR DE MINIMIS AMOUNT IN SAVINGS.**

(a) IN GENERAL.—It shall not be in order in the Senate to consider a concurrent resolution on the budget for the budget year or any amendment, amendment between Houses, motion, or conference report thereon that provides reconciliation directives, pursuant to section 310 of the Congressional Budget Act of 1974, that do not instruct committees to achieve savings in their jurisdictions that total at least 0.5% of on-budget mandatory outlays, excluding net interest, over the budget resolution budget window.

(b) SUPERMAJORITY WAIVER AND APPEAL IN THE SENATE—

(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.

(c) DETERMINATION OF BUDGET LEVELS.—For purposes of this section, the levels of mandatory spending and reductions therefrom shall be determined by the Chairman of the Senate Committee on the Budget on the basis of estimates provided by the Congressional Budget Office.

**SA 4359.** Mr. GREGG submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 30 after line 23, insert the following:

**SEC. . POINT OF ORDER AGAINST TAX INCREASE MEASURES.**

(a) In the Senate, it shall not be in order to consider any bill, joint resolution, amendment, motion, or conference report that includes a Federal income tax rate increase. In this paragraph 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) EFFECTIVENESS.—This section shall not apply to any bill, joint resolution, amendment, motion, or conference report if the Congressional Budget Office and the Joint Committee on Taxation submit a report to the Chairman of the Budget Committee certifying that all of the \$290 billion annual tax gap has been recovered by the United States Treasury.

(c) WAIVER.—If no report referred to in section (b) is received, this section may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(d) 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, joint resolution, amendment, mo-

tion, or conference report, 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.

**SA 4360.** Mr. BAUCUS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of Title III, insert the following:

**SEC. . DEFICIT-NEUTRAL RESERVE FUND TO IMPROVE MEDICARE ADVANTAGE.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would limit inappropriate and abusive marketing tactics by private health insurers and their agents offering Medicare Advantage plans, require Private Fee-For-Service plans that offer individual policies under the Medicare Advantage program to contract with a sufficient number of health care providers in areas where at least two Medicare Advantage plan has a provider network in place, address issues related to Private Fee-For-Service plans sponsored by employers, require Private Fee-for-Service and Special Needs Plans to report appropriate quality measures, or make other such reforms that improve the quality and integrity of the Medicare Advantage program, while promoting accurate information for Medicare beneficiaries about Medicare Advantage, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SA 4361.** Mrs. CLINTON (for herself, Mr. CASEY, and Mr. BROWN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 21, line 16, increase the amount by \$1,000,000.

On page 21, line 17, increase the amount by \$1,000,000.

On page 27, line 16, decrease the amount by \$1,000,000.

On page 27, line 17, decrease the amount by \$1,000,000.

**SA 4362.** Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. . DEFICIT-NEUTRAL RESERVE FUND FOR ESTABLISHING A COMMISSION TO CALCULATE THE PORTION OF THE NATIONAL DEBT THAT HAS RESULTED FROM PRESIDENT BUSH'S FISCAL AND ECONOMIC POLICIES AND TO RECOMMEND EQUITABLE METHODS FOR PAYING DOWN THAT PORTION OF THE NATIONAL DEBT.**

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 establish a commission to calculate and study the portion of the national debt that resulted from President George W. Bush's fiscal and economic policies, including the tax cuts of 2001 and 2003 and the funding and operation of the war in Iraq, and to recommend equitable methods for paying down that portion of the national debt, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SA 4363.** Mr. SESSIONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 18, line 16, increase the amount by \$13,000,000.

On page 18, line 17, increase the amount by \$11,830,000.

On page 18, line 20, increase the amount by \$13,000,000.

On page 18, line 21, increase the amount by \$12,870,000.

On page 18, line 24, increase the amount by \$13,000,000.

On page 18, line 25, increase the amount by \$12,870,000.

On page 19, line 3, increase the amount by \$13,000,000.

On page 19, line 4, increase the amount by \$12,870,000.

On page 19, line 7, increase the amount by \$13,000,000.

On page 19, line 8, increase the amount by \$12,870,000.

On page 27, line 16, decrease the amount by \$13,000,000.

On page 27, line 17, decrease the amount by \$11,830,000.

On page 27, line 20, decrease the amount by \$13,000,000.

On page 27, line 21, decrease the amount by \$12,870,000.

On page 27, line 24, decrease the amount by \$13,000,000.

On page 27, line 25, decrease the amount by \$12,870,000.

On page 28, line 3, decrease the amount by \$13,000,000.

On page 28, line 4, decrease the amount by \$12,870,000.

On page 28, line 7, decrease the amount by \$13,000,000.

On page 28, line 8, decrease the amount by \$12,870,000.

**SA 4364.** Mr. SMITH (for himself and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for

fiscal years 2008 and 2010 through 2013; as follows:

At the appropriate place, insert the following:

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

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

**SA 4365.** Mr. GRAHAM (for himself and Mrs. DOLE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 49, strike line 24 and insert the following:

**SEC. 225. ENERGY TAX EXTENDERS.**

Section 201(a)(4) of S. Con. Res. 21 (110th Congress) is amended—

(1) in subparagraph (A), by striking “or” at the end;

(2) in subparagraph (B), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(C) any provision of legislation that extends or modifies a tax provision that was amended in or enacted by subtitles A through E of title XIII of the Energy Policy Act of 2005 (Public Law 109-58; 119 Stat. 594) for any taxable year beginning after December 31, 2008.”

**SEC. 226. EXERCISE OF RULEMAKING POWERS.**

**SA 4366.** Mr. ROBERTS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 45, after line 25, insert the following:

**SEC. 215. POINT OF ORDER LIMITING NEW EDUCATION LEGISLATION.**

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider a bill, resolution, amendment, motion, or conference report that establishes or contains an authorization for a Federal elementary or secondary education program that was not in existence on the day preceding the date of adoption of this resolution, until the amount appropriated to carry out part B of the Indi-

viduals with Disabilities Education Act (20 U.S.C. 1411 et seq.) for a fiscal year is sufficient to provide to all States the maximum amount of grants the States are eligible to receive under section 611(a)(2) of such Act (20 U.S.C. 1411(a)(2)) for such fiscal year.

(b) LIMITATION.—The point of order described in subsection (a) shall not apply with respect to legislation containing an authorization for a Federal elementary or secondary education program that was in existence on the date of adoption of this resolution.

(c) SUPERMAJORITY WAIVER AND APPEAL.—

(1) WAIVER.—Subsection (a) 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 subsection (a).

**SA 4367.** Mr. GRAHAM submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title II, insert the following:

**SEC. \_\_\_\_ . POINT OF ORDER AGAINST ANY LEGISLATION UNTIL OUR TROOPS ARE SUPPORTED.**

(a) IN GENERAL.—

(1) POINT OF ORDER.—For fiscal years 2008 and 2009, it shall not be in order in the Senate to consider any bill, resolution, amendment, amendment between Houses, motion, or conference report after the last day of May of the current fiscal year, unless a supplemental appropriations bill that fully funds the Armed Forces of the United States deployed for Operation Iraqi Freedom or operation Enduring Freedom is passed by the Senate.

(2) DEFINITION.—In this subsection, the term “supplemental appropriations” shall mean any bill, amendment, amendment between house, or provision that provides emergency supplemental funding for the Departments of Defense, State, and Homeland Security.

(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.

**SA 4368.** Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; as follows:

On page 24, line 16, increase amount by \$50,000,000.

On page 24, line 17, increase the amount by \$50,000,000.

On page 27, line 16, decrease the amount by \$50,000,000.

On page 27, line 17, decrease the amount by \$50,000,000.

**SA 4369.** Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . POINT OF ORDER AGAINST LEGISLATION CONTAINING NON-TRANSPARENT EARMARKS.**

(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, conference report, or message between Houses if such legislation or its accompanying report language or joint explanatory statement provides or recommends funding for a congressionally directed spending item, limited tax benefit, or a limited tariff benefit.

(2) DEFINITION.—In this section, the terms “congressionally directed spending item”, “limited tax benefit”, and “limited tariff benefit” shall have the same meanings as in rule XLIV of the Standing Rules of the Senate.

(b) EXCEPTIONS.—Congressionally directed spending items, limited tax benefits, or limited tariff benefits, may be provided or recommended if the following items are disclosed on the Internet in a searchable format next to each congressionally directed spending item, limited tax benefit, or limited tariff benefit at least 48 hours prior to the consideration of legislation containing such congressionally directed spending items, limited tax benefits, or limited tariff benefits—

(1) the names and addresses of the intended recipients of requested congressionally directed spending items, limited tax benefits, or limited tariff benefits;

(2) all Federal campaign contributions in each of the previous 2 years received by the official campaign or political action committees of the Senator who requested the congressionally directed spending item, limited tax benefit, or limited tariff benefit from the employees, executives, board members, and trustees of the following—

(A) the intended recipient of each requested congressionally directed spending item, limited tax benefit, or limited tariff benefit; and

(B) any organization hired to lobby for Federal funding for the intended recipient of each requested congressionally directed spending item, limited tax benefit, or limited tariff benefit;

(3) whether the Senator or the immediate family (son, daughter, stepson, stepdaughter, son-in-law, daughter-in-law, mother, father, stepmother, stepfather, mother-in-law, father-in-law, brother, sister, stepbrother, or stepsister), staff, or immediate family (son, daughter, stepson, stepdaughter, son-in-law, daughter-in-law, mother, father, stepmother, stepfather, mother-in-law, father-in-law, brother, sister, stepbrother, or stepsister) of the staff of the Senator who requested the congressionally directed spending items, limited tax benefits, or limited tariff benefits can be reasonably expected to benefit financially from the enactment of each requested congressionally directed spending item, limited tax benefit, or limited tariff benefit.

(c) SUPERMAJORITY WAIVER AND APPEAL.—

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

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

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

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

**SA 4370.** Mr. BINGAMAN (for himself, Ms. SNOWE, Mr. CARDIN, Mr. OBAMA, Mr. PRYOR, Ms. COLLINS, Mr. DODD, Mr. LEVIN, Mr. KERRY, Mr. CASEY, Mr. KENNEDY, Mr. SANDERS, Mrs. LINCOLN, Mr. HARKIN, Mr. NELSON of Nebraska, Ms. STABENOW, and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 62, between lines 3 and 4, insert the following:

(3) MEDICARE LOW-INCOME PROGRAMS.—The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that makes improvements to the Medicare Savings Program and the Medicare part D low-income subsidy program, which may include the provisions that—

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

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

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

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

**SA 4371.** Mr. GRAHAM (for himself and Mr. DEMINT) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the appropriate place, insert:

**SEC. \_\_\_\_ SENSE OF THE SENATE REGARDING A BALANCED BUDGET AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES.**

(a) FINDINGS.—The Senate finds that—

(1) On January 26, 1996, the House of Representatives passed H.J. Res. 1, the Balanced Budget Amendment to the Constitution of the United States, by the necessary two-third majority (300-32);

(2) On June 6, 1996, the Senate fell three votes short of the two-thirds majority vote needed to pass the Balanced Budget Amendment; and

(3) Since the House of Representatives and Senate last voted on the Balanced Budget Amendment, the debt held by the public has grown from \$3,700,000,000,000 to more than \$5,000,000,000,000.

(b) SENSE OF SENATE.—It is the sense of the Senate that a Balanced Budget Amendment to the Constitution of the United States should be voted on at the earliest opportunity.

**SA 4372.** Mr. KYL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 3, line 12, decrease the amount by \$500,000,000.

On page 3, line 13, decrease the amount by \$19,500,000,000.

On page 3, line 14, decrease the amount by \$18,600,000,000.

On page 3, line 15, decrease the amount by \$19,900,000,000.

On page 3, line 21, decrease the amount by \$500,000,000.

On page 3, line 22, decrease the amount by \$19,500,000,000.

On page 3, line 23, decrease the amount by \$18,600,000,000.

On page 3, line 24, decrease the amount by \$19,900,000,000.

On page 4, line 6, increase the amount by \$11,000,000.

On page 4, line 7, increase the amount by \$499,000,000.

On page 4, line 8, increase the amount by \$1,453,000,000.

On page 4, line 9, increase the amount by \$2,468,000,000.

On page 4, line 15, increase the amount by \$11,000,000.

On page 4, line 16, increase the amount by \$499,000,000.

On page 4, line 17, increase the amount by \$1,453,000,000.

On page 4, line 18, increase the amount by \$2,468,000,000.

On page 4, line 24, increase the amount by \$511,000,000.

On page 4, line 25, increase the amount by \$19,999,000,000.

On page 5, line 1, increase the amount by \$20,053,000,000.

On page 5, line 2, increase the amount by \$22,368,000,000.

On page 5, line 9, increase the amount by \$511,000,000.

On page 5, line 10, increase the amount by \$20,509,000,000.

On page 5, line 11, increase the amount by \$40,563,000,000.

On page 5, line 12, increase the amount by \$62,930,000,000.

On page 5, line 17, increase the amount by \$511,000,000.

On page 5, line 18, increase the amount by \$20,509,000,000.

On page 5, line 19, increase the amount by \$40,563,000,000.

On page 5, line 20, increase the amount by \$62,930,000,000.

On page 26, line 20, increase the amount by \$11,000,000.

On page 26, line 21, increase the amount by \$11,000,000.

On page 26, line 24, increase the amount by \$499,000,000.

On page 26, line 25, increase the amount by \$499,000,000.

On page 27, line 3, increase the amount by \$1,453,000,000.

On page 27, line 4, increase the amount by \$1,453,000,000.

On page 27, line 7, increase the amount by \$2,468,000,000.

On page 27, line 8, increase the amount by \$2,468,000,000.

**SA 4373.** Mr. REID proposed an amendment to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; as follows:

On page 69, after line 25, add the following:

**SEC. 308. DEFICIT-NEUTRAL RESERVE FUND FOR STUDYING THE EFFECT OF COOPERATION WITH LOCAL LAW ENFORCEMENT.**

(a) IN GENERAL.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports, by the amounts provided in such legislation for the purposes described in this subsection, that would require an assessment of the impact of local ordinances that prohibit cooperation with the Department of Homeland Security, with respect to—

(1) the effectiveness of law enforcement, success rates of criminal prosecutions, reporting of criminal activity by immigrant victims of crime, and level of public safety;

(2) changes in the number of reported incidents or complaints of racial profiling; or

(3) wrongful detention of United States Citizens and Lawful Permanent Residents.

(b) LIMITATION.—The authority under subsection (a) may not be used unless the legislation described in subsection (a) would not increase the deficit over—

(1) the total period comprised of fiscal years 2008 through 2013; or

(2) the total period comprised of fiscal years 2008 through 2018.

**SA 4374.** Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S.

Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, insert:

**SEC. \_\_\_\_ DEFICIT NEUTRAL RESERVE FUND FOR TOUGHER INSPECTION OF IMPORTED SEAFOOD AND TO ENFORCE OUR TRADE LAWS SHRIMP, CRAWFISH, AND OTHER SEAFOOD.**

(a) IN GENERAL.—Subject to subsection (b), the Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that—

(1) Would enforce tougher inspection requirements for imported seafood products to ensure that imported seafood products do not contain chemicals, antibiotics, or any treatments that are banned in the United States; or

(2) Would increase the enforcement of our trade laws, especially focusing on the problem of antidumping duties that are owed but are not collected, especially on crawfish from China and other seafood products.

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in subsection (a) would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SA 4375.** Mr. SPECTER (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following

Expressing the Sense of the Senate regarding extending the “Moving to Work Agreement” between the Philadelphia Housing Authority and the U.S. Department of Housing and Urban Development under the same terms and conditions for a period of one-year.

Whereas, the current “Moving to Work Agreement” between the Philadelphia Housing Authority and the U.S. Department of Housing and Urban Development is set to expire on March 31, 2008;

Whereas, Philadelphia Housing Authority has used this agreement to leverage private and public resources to develop mixed-income communities that address the needs of the very poor while reshaping entire communities, and estimates that it will lose \$50 million dollars as a result of the agreement expiring;

Whereas, the U.S. Department of Housing and Urban Development has refused to grant Philadelphia Housing Authority a 1-year extension of its current agreement under the same terms and conditions;

Whereas, the U.S. Department of Housing and Urban Development alleges that Philadelphia Housing Authority is in violation of fair housing requirements;

Whereas, Philadelphia Housing Authority denies this assertion and is challenging the matter in Federal District Court;

Whereas, there is a suspicion of retaliation with regard to the U.S. Department of Housing

and Urban Development’s refusal to grant a one-year extension of Philadelphia Housing Authorities current agreement under the same terms and conditions;

Whereas, it was discovered that two senior level officials at the U.S. Department of Housing and Urban Development had the following email exchange, referring to Philadelphia Housing Authority Executive Director Carl R. Greene:

Then-Assistant Secretary for Public and Indian Housing Orlando J. Cabrera wrote, “Would you like me to make his life less happy? If so, how?”

Assistant Secretary for Fair Housing and Equal Opportunity Kim Kendrick wrote, “Take away all of his Federal dollars?”

Then-Assistant Secretary for Public and Indian Housing Orlando J. Cabrera wrote, “Let me look into that possibility.”

Whereas, these emails were the subject of questioning by Senator Casey to U.S. Department of Housing and Urban Development Secretary Alphonso Jackson at a March 12, 2008 hearing before the Senate Committee on Banking, Housing and Urban Affairs; and by Senator Specter to Secretary Jackson at a March 13, 2008 hearing before the Senate Appropriations Subcommittee on Transportation, Housing and Urban Development and Related Agencies;

Whereas, Philadelphia Housing Authority’s allegation of retaliation appears to be substantiated by these newly discovered emails;

Whereas, the expiration of the current agreement is imminent and will negatively impact 84,000 low-income residents of Philadelphia; Now, therefore, be it:

*Resolved*, That it is the Sense of the Senate that Philadelphia Housing Authority should be granted a one-year extension of its “Moving to Work Agreement” with the U.S. Department of Housing and Urban Development under the same terms and conditions as the current agreement.

**SA 4376.** Ms. SNOWE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; as follows:

On page 68, line 4, insert “, and through reducing barriers to cafeteria plans” after “consumer protections”.

**SA 4377.** Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

**SEC. \_\_\_\_ DEFICIT NEUTRAL RESERVE FUND FOR—**

(a) IN GENERAL.—Subject to subsection (b), the Chairman of the Senate Committee on the Budget may revise allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would apply the provisions of the Freedom of Access to Clinic Entrances (FACE) Act to military recruitment centers.

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in subsection (a) would not increase the deficit over the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

**SA 4378.** Ms. LANDRIEU submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010; as follows:

On page 3, line 12, increase the amount by \$4,297,000,000.

On page 3, line 13, decrease the amount by \$655,000,000.

On page 3, line 14, decrease the amount by \$2,645,000,000.

On page 3, line 15, decrease the amount by \$1,030,000,000.

On page 3, line 21, increase the amount by \$4,297,000,000.

On page 3, line 22, decrease the amount by \$655,000,000.

On page 3, line 23, decrease the amount by \$2,645,000,000.

On page 3, line 24, decrease the amount by \$1,030,000,000.

On page 4, line 6, decrease the amount by \$91,000,000.

On page 4, line 7, decrease the amount by \$180,000,000.

On page 4, line 8, decrease the amount by \$114,000,000.

On page 4, line 9, decrease the amount by \$35,000,000.

On page 4, line 15, decrease the amount by \$91,000,000.

On page 4, line 16, decrease the amount by \$180,000,000.

On page 4, line 17, decrease the amount by \$114,000,000.

On page 4, line 18, decrease the amount by \$35,000,000.

On page 4, line 24, decrease the amount by \$4,388,000,000.

On page 4, line 25, increase the amount by \$475,000,000.

On page 5, line 1, increase the amount by \$2,531,000,000.

On page 5, line 2, increase the amount by \$995,000,000.

On page 5, line 9, decrease the amount by \$4,388,000,000.

On page 5, line 10, decrease the amount by \$3,913,000,000.

On page 5, line 11, decrease the amount by \$1,382,000,000.

On page 5, line 12, decrease the amount by \$387,000,000.

On page 5, line 17, decrease the amount by \$4,388,000,000.

On page 5, line 18, decrease the amount by \$3,913,000,000.

On page 5, line 19, decrease the amount by \$1,382,000,000.

On page 5, line 20, decrease the amount by \$387,000,000.

On page 26, line 20, decrease the amount by \$91,000,000.

On page 26, line 21, decrease the amount by \$91,000,000.

On page 26, line 24, decrease the amount by \$180,000,000.

On page 26, line 25, decrease the amount by \$180,000,000.

On page 27, line 3, decrease the amount by \$114,000,000.

On page 27, line 4, decrease the amount by \$114,000,000.

On page 27, line 7, decrease the amount by \$35,000,000.

On page 27, line 8, decrease the amount by \$35,000,000.

**SA 4379.** Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States

Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; as follows:

On page 60, line 8, insert “or pregnant women” after “children”.

**SA 4380.** Mr. DEMINT proposed an amendment to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; as follows:

At the end of title III, insert the following:  
**SEC. \_\_\_\_ RESERVE FUND FOR BERKELEY RE-COSSIONS AND FUNDING THE MARINE CORPS.**

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 rescind any congressionally directed spending item for the City of Berkeley, California, and any entities located in such city, and transfer such funds to the Marine Corps, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

## NOTICES OF HEARINGS

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Thursday, April 3, 2008, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to examine the influence of non-commercial, institutional investors on the price of oil.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to Rosemarie\_Calabro@energy.senate.gov.

For further information, please contact Tara Billingsley at (202) 224-4756 or Rosemarie Calabro at (202) 224-5039.

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before Committee on Energy and Natural Resources Subcommittee on National Parks.

The hearing will be held on Wednesday, April 9, 2008, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the following bills: S. 1633, to authorize the Secretary of

the Interior to conduct a special resource study to determine the suitability and feasibility of inducing the battlefield and related sites of the Battle of Shepherdstown in Shepherdstown, West Virginia, as part of Harpers Ferry National Historical Park or Antietam National Battlefield, and for other purposes; S. 1993 and H.R. 2197, to modify the boundary of the Hopewell Culture National Historical Park in the State of Ohio, and for other purposes; S. 2207, to direct the Secretary of the Interior to study the suitability and feasibility of designating Green McAdoo School in Clinton, Tennessee, as a unit of the National Park System, and for other purposes; S. 2254, to establish the Mississippi Hills National Heritage Area in the State of Mississippi, and for other purposes; S. 2262, to authorize the Preserve America Program and Save America's Treasures Program, and for other purposes; S. 2329 and H.R. 2627, to establish the Thomas Edison National Historical Park in the State of New Jersey as the successor to the Edison National Historic Site; S. 2502 and H.R. 3332, to provide for the establishment of a memorial within Kalaupapa National Historical Park located on the island of Molokai, in the State of Hawaii, to honor and perpetuate the memory of those individuals who were forcibly relocated to the Kalaupapa Peninsula from 1866 to 1969, and for other purposes; S. 2512, to establish the Mississippi Delta National Heritage Area in the State of Mississippi, and for other purposes; H.R. 3998, to authorize the Secretary of the Interior to conduct special resources studies of certain lands and structures to determine the appropriate means for preservation, use, and management of the resources associated with such lands and structures.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by e-mail to rachel\_pasternack@energy.senate.gov.

For further information, please contact David Brooks at (202) 224-9863 or Rachel Pasternack at (202) 224-0883.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Thursday, March 13, 2008, at 10 a.m., in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Thursday, March 13, 2008, at 2 p.m., in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Thursday, March 13, 2008, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON FINANCE

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Thursday, March 13, 2008, at 10 a.m. in 215 Dirksen Senate Office Building, to hear testimony on “Customs Reauthorization: Strengthening U.S. Economic Interests and Security”.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON FOREIGN RELATIONS

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, March 13, 2008, at 10:15 a.m. to hold a business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on Thursday, March 13, 2008, in executive session to consider the following:

#### Bills:

S. 1810, Prenatally and Postnatally Diagnosed Conditions Awareness Act; S. 999, Stroke Treatment and Ongoing Prevention Act of 2007; S. 1760, Healthy Start Reauthorization Act of 2007; H.R. 20, Melanie Blocker-Stokes Postpartum Depression Research and Care Act; and S. 1042, Consistency, Accuracy, Responsibility, and Excellence in Medical Imaging and Radiation Therapy Act of 2007:

#### Nominations:

National Board for Education Sciences: Jonathan Baron; Frank Handy; Sally Shaywitz.

National Foundation on the Arts and Humanities: Jamsheed Choksy; Gary Glenn; David Hertz; Marvin Scott; Carol Swain.

National Museum and Library Science Board: Julia Bland; Jan