

The purpose of this hearing is to consider S. 2438, a bill to repeal certain provisions of the Federal Lands Recreation Enhancement Act.

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 Rachel Pasternack at (202) 224-0883 or David Brooks at 202-224-9863.

SUBCOMMITTEE ON WATER AND POWER

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 Subcommittee on Water and Power of the Committee on Energy and Natural Resources. The hearing will be held on April 8, 2008, at 2:30 p.m. in room 366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on the following bills: S. 2259/H.R. 813, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Prado Basin Natural Treatment System Project, to authorize the Secretary to participate in the Lower Chino Dairy Area desalination demonstration and reclamation project, and for other purposes; H.R. 31, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Elsinore Valley Municipal Water District Wildomar Service Area Recycled Water Distribution Facilities and Alberhill Wastewater Treatment and Reclamation Facility Projects; H.R. 716, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Santa Rosa Urban Water Reuse Plan; H.R. 786, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Los Angeles County Water Supply Augmentation Demonstration Project, and for other purposes; H.R. 1140, to authorize the Secretary, in cooperation with the City of San Juan Capistrano, California, to participate in the design, planning, and construction of an advanced water treatment plant facility and recycled water system, and for other purposes; H.R. 1503, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Avra/Black Wash Reclamation and Riparian Restoration Project; H.R. 1725, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Rancho California Water

District Southern Riverside County Recycled/Non-Potable Distribution Facilities and Demineralization/Desalination Recycled Water Treatment and Reclamation Facility Project; H.R. 1737, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of permanent facilities for the GREAT project to reclaim, reuse, and treat impaired waters in the area of Oxnard, California; and H.R. 2614, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in certain water projects in California.

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 email to Gina.Weinstock@energy.senate.gov.

For further information, please contact Michael Connor at (202) 224-5479 or Gina Weinstock at (202) 224-5684.

CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2009

On Thursday, March 13, 2008, the Senate agreed to S. Con. Res. 70, as amended, as follows:

S. CON. RES. 70

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

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

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

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

Sec. 1. Concurrent resolution on the budget for fiscal year 2009.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.
Sec. 102. Social Security.
Sec. 103. Postal Service discretionary administrative expenses.
Sec. 104. Major functional categories.

TITLE II—BUDGET PROCESS

Subtitle A—Direct Spending and Receipts

Sec. 201. Senate point of order against legislation increasing long-term deficits.
Sec. 202. Point of order—20 percent limit on new direct spending in reconciliation legislation.

Subtitle B—Discretionary Spending

Sec. 211. Discretionary spending limits, program integrity initiatives, and other adjustments.
Sec. 212. Point of order against advance appropriations.
Sec. 213. Senate point of order against provisions of appropriations legislation that constitute changes in mandatory programs with net costs.

Sec. 214. Discretionary administrative expenses of the Postal Service.

Subtitle C—Other Provisions

Sec. 221. Application and effect of changes in allocations and aggregates.
Sec. 222. Adjustments to reflect changes in concepts and definitions.
Sec. 223. Debt disclosure requirement.
Sec. 224. Debt disclosures.
Sec. 225. Exercise of rulemaking powers.
Sec. 226. Circuit breaker to protect social security.

TITLE III—RESERVE FUNDS

Sec. 301. Deficit-neutral reserve fund to strengthen and stimulate the American economy and provide economic relief to American families.
Sec. 302. Deficit-neutral reserve fund for improving education.
Sec. 303. Deficit-neutral reserve fund for investments in America's infrastructure.
Sec. 304. Deficit-neutral reserve fund to invest in clean energy, preserve the environment, and provide for certain settlements.
Sec. 305. Deficit-neutral reserve fund for America's veterans and wounded servicemembers and for a post 9/11 GI bill.
Sec. 306. Deficit-neutral reserve fund to improve America's health.
Sec. 307. Sense of the Senate regarding Medicaid administrative regulations.
Sec. 308. Deficit-neutral reserve fund for judicial pay and judgeships.
Sec. 309. Deficit-neutral reserve fund for reforming the alternative minimum tax for individuals.
Sec. 310. Deficit-neutral reserve fund for repealing the 1993 increase in the income tax on social security benefits.
Sec. 311. Deficit-neutral reserve fund to improve energy efficiency and production.
Sec. 312. Deficit-neutral reserve fund for immigration reform and enforcement.
Sec. 313. Deficit-neutral reserve fund for border security, immigration enforcement, and criminal alien removal programs.
Sec. 314. Deficit-neutral reserve fund for science parks.
Sec. 315. Deficit-neutral reserve fund for 3-year extension of pilot program for national and state background checks on direct patient access employees of long-term care facilities or providers.
Sec. 316. Deficit-neutral reserve fund for studying the effect of cooperation with local law enforcement.
Sec. 317. Deficit-neutral reserve fund to terminate deductions from mineral revenue payments to States.
Sec. 318. Deficit-neutral reserve fund for the establishment of State Internet sites for the disclosure of information relating to payments made under the State Medicaid program.
Sec. 319. Deficit-neutral reserve fund for traumatic brain injury.
Sec. 320. Deficit-neutral reserve fund to improve animal health and disease program.
Sec. 321. Deficit-neutral reserve fund for implementation of Yellow Ribbon Reintegration Program for members of the National Guard and Reserve.

- Sec. 322. Deficit-neutral reserve fund for reimbursing States for the costs of housing undocumented criminal aliens.
- Sec. 323. Deficit-neutral reserve fund for acceleration of phased-in eligibility for concurrent receipt of benefits.
- Sec. 324. Deficit-neutral reserve fund for increased use of recovery audits.
- Sec. 325. Deficit-neutral reserve fund for food safety.
- Sec. 326. Deficit-neutral reserve fund for demonstration project regarding Medicaid coverage of low-income HIV-infected individuals.
- Sec. 327. Deficit-neutral reserve fund for reducing income threshold for refundable child tax credit to \$10,000 with no inflation adjustment.
- Sec. 328. Sense of the Senate regarding the diversion of funds set aside for USPTO.
- Sec. 329. Deficit-neutral reserve fund for education reform.
- Sec. 330. Deficit-neutral reserve fund for processing naturalization applications.
- Sec. 331. Deficit-neutral reserve fund for access to quality and affordable health insurance.
- Sec. 332. Deficit-neutral reserve fund for a 9/11 health program.
- Sec. 333. Deficit-neutral reserve fund to ban medicare advantage and prescription drug plan sales and marketing abuses.
- Sec. 334. 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.
- Sec. 335. Sense of the Senate regarding a balanced budget amendment to the constitution of the United States.
- Sec. 336. 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.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

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

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

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

Fiscal year 2008: \$1,871,888,000,000.
 Fiscal year 2009: \$2,012,123,000,000.
 Fiscal year 2010: \$2,198,259,000,000.
 Fiscal year 2011: \$2,404,151,000,000.
 Fiscal year 2012: \$2,488,673,000,000.
 Fiscal year 2013: \$2,613,013,000,000.

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

Fiscal year 2008: -\$7,652,000,000.
 Fiscal year 2009: -\$85,001,000,000.
 Fiscal year 2010: \$15,395,000,000.
 Fiscal year 2011: -\$23,874,000,000.
 Fiscal year 2012: -\$164,642,000,000.
 Fiscal year 2013: -\$141,727,000,000.

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

Fiscal year 2008: \$2,579,255,000,000.
 Fiscal year 2009: \$2,533,754,000,000.
 Fiscal year 2010: \$2,555,400,000,000.
 Fiscal year 2011: \$2,687,858,000,000.
 Fiscal year 2012: \$2,731,412,000,000.
 Fiscal year 2013: \$2,860,070,000,000.

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

Fiscal year 2008: \$2,476,755,000,000.
 Fiscal year 2009: \$2,575,733,417,000.
 Fiscal year 2010: \$2,616,367,415,000.
 Fiscal year 2011: \$2,709,059,134,000.
 Fiscal year 2012: \$2,722,339,034,000.
 Fiscal year 2013: \$2,852,077,000,000.

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

Fiscal year 2008: \$604,867,000,000.
 Fiscal year 2009: \$563,610,417,000.
 Fiscal year 2010: \$418,108,415,000.
 Fiscal year 2011: \$304,908,134,000.
 Fiscal year 2012: \$233,666,034,000.
 Fiscal year 2013: \$239,064,000,000.

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

Fiscal year 2008: \$9,618,792,000,000.
 Fiscal year 2009: \$10,278,552,417,000.
 Fiscal year 2010: \$10,805,195,832,000.
 Fiscal year 2011: \$11,215,113,966,000.
 Fiscal year 2012: \$11,580,563,000,000.
 Fiscal year 2013: \$11,934,375,000,000.

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

Fiscal year 2008: \$5,418,643,000,000.
 Fiscal year 2009: \$5,803,409,417,000.
 Fiscal year 2010: \$6,032,754,832,000.
 Fiscal year 2011: \$6,129,282,966,000.
 Fiscal year 2012: \$6,141,593,000,000.
 Fiscal year 2013: \$6,153,706,000,000.

SEC. 102. SOCIAL SECURITY.

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

Fiscal year 2008: \$666,705,000,000.
 Fiscal year 2009: \$695,876,000,000.
 Fiscal year 2010: \$733,571,000,000.
 Fiscal year 2011: \$772,468,000,000.
 Fiscal year 2012: \$809,798,000,000.
 Fiscal year 2013: \$845,044,000,000.

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

Fiscal year 2008: \$463,746,000,000.
 Fiscal year 2009: \$493,607,000,000.
 Fiscal year 2010: \$520,158,000,000.
 Fiscal year 2011: \$540,487,000,000.
 Fiscal year 2012: \$566,249,000,000.
 Fiscal year 2013: \$595,544,000,000.

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

Fiscal year 2008:
 (A) New budget authority, \$5,160,000,000.
 (B) Outlays, \$4,989,000,000.
 Fiscal year 2009:
 (A) New budget authority, \$5,473,000,000.
 (B) Outlays, \$5,476,000,000.
 Fiscal year 2010:
 (A) New budget authority, \$5,623,000,000.
 (B) Outlays, \$5,581,000,000.

Fiscal year 2011:

(A) New budget authority, \$5,788,000,000.
 (B) Outlays, \$5,759,000,000.

Fiscal year 2012:

(A) New budget authority, \$5,962,000,000.
 (B) Outlays, \$5,932,000,000.

Fiscal year 2013:

(A) New budget authority, \$6,147,000,000.
 (B) Outlays, \$6,115,000,000.

SEC. 103. POSTAL SERVICE DISCRETIONARY ADMINISTRATIVE EXPENSES.

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

Fiscal year 2008:

(A) New budget authority, \$250,000,000.
 (B) Outlays, \$237,000,000.

Fiscal year 2009:

(A) New budget authority, \$258,000,000.
 (B) Outlays, \$258,000,000.

Fiscal year 2010:

(A) New budget authority, \$267,000,000.
 (B) Outlays, \$267,000,000.

Fiscal year 2011:

(A) New budget authority, \$275,000,000.
 (B) Outlays, \$275,000,000.

Fiscal year 2012:

(A) New budget authority, \$284,000,000.
 (B) Outlays, \$284,000,000.

Fiscal year 2013:

(A) New budget authority, \$293,000,000.
 (B) Outlays, \$293,000,000.

SEC. 104. MAJOR FUNCTIONAL CATEGORIES.

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

(1) **National Defense (050):**

Fiscal year 2008:

(A) New budget authority, \$693,273,000,000.
 (B) Outlays, \$604,289,000,000.

Fiscal year 2009:

(A) New budget authority, \$612,502,000,000.
 (B) Outlays, \$645,437,000,000.

Fiscal year 2010:

(A) New budget authority, \$550,414,000,000.
 (B) Outlays, \$607,033,000,000.

Fiscal year 2011:

(A) New budget authority, \$557,026,000,000.
 (B) Outlays, \$577,925,000,000.

Fiscal year 2012:

(A) New budget authority, \$565,800,000,000.
 (B) Outlays, \$561,666,000,000.

Fiscal year 2013:

(A) New budget authority, \$576,223,000,000.
 (B) Outlays, \$570,503,000,000.

(2) **International Affairs (150):**

Fiscal year 2008:

(A) New budget authority, \$38,608,000,000.
 (B) Outlays, \$33,771,000,000.

Fiscal year 2009:

(A) New budget authority, \$38,609,416,000.
 (B) Outlays, \$39,449,416,000.

Fiscal year 2010:

(A) New budget authority, \$35,663,000,000.
 (B) Outlays, \$37,040,000,000.

Fiscal year 2011:

(A) New budget authority, \$36,322,000,000.
 (B) Outlays, \$35,932,000,000.

Fiscal year 2012:

(A) New budget authority, \$36,866,000,000.
 (B) Outlays, \$35,705,000,000.

Fiscal year 2013:

(A) New budget authority, \$37,024,000,000.
 (B) Outlays, \$35,243,000,000.

(3) **General Science, Space, and Technology (250):**

Fiscal year 2008:

(A) New budget authority, \$27,407,000,000.
 (B) Outlays, \$26,456,000,000.

Fiscal year 2009:

(A) New budget authority, \$30,536,000,000.
 (B) Outlays, \$28,987,000,000.

Fiscal year 2010:

(A) New budget authority, \$30,369,000,000.
 (B) Outlays, \$30,490,000,000.

<p>Fiscal year 2011: (A) New budget authority, \$30,848,000,000. (B) Outlays, \$31,167,000,000.</p> <p>Fiscal year 2012: (A) New budget authority, \$31,332,000,000. (B) Outlays, \$31,650,000,000.</p> <p>Fiscal year 2013: (A) New budget authority, \$31,816,000,000. (B) Outlays, \$31,635,000,000.</p> <p>(4) Energy (270): Fiscal year 2008: (A) New budget authority, \$3,548,000,000. (B) Outlays, \$1,681,000,000.</p> <p>Fiscal year 2009: (A) New budget authority, \$7,026,000,000. (B) Outlays, \$2,843,000,000.</p> <p>Fiscal year 2010: (A) New budget authority, \$6,935,000,000. (B) Outlays, \$4,533,000,000.</p> <p>Fiscal year 2011: (A) New budget authority, \$6,916,000,000. (B) Outlays, \$5,481,000,000.</p> <p>Fiscal year 2012: (A) New budget authority, \$6,895,000,000. (B) Outlays, \$5,981,000,000.</p> <p>Fiscal year 2013: (A) New budget authority, \$6,858,000,000. (B) Outlays, \$6,159,000,000.</p> <p>(5) Natural Resources and Environment (300): Fiscal year 2008: (A) New budget authority, \$32,560,000,000. (B) Outlays, \$34,440,000,000.</p> <p>Fiscal year 2009: (A) New budget authority, \$39,835,000,000. (B) Outlays, \$36,309,500,000.</p> <p>Fiscal year 2010: (A) New budget authority, \$34,730,000,000. (B) Outlays, \$37,039,000,000.</p> <p>Fiscal year 2011: (A) New budget authority, \$35,424,000,000. (B) Outlays, \$37,217,875,000.</p> <p>Fiscal year 2012: (A) New budget authority, \$36,111,000,000. (B) Outlays, \$37,394,875,000.</p> <p>Fiscal year 2013: (A) New budget authority, \$36,812,000,000. (B) Outlays, \$37,756,875,000.</p> <p>(6) Agriculture (350): Fiscal year 2008: (A) New budget authority, \$22,423,000,000. (B) Outlays, \$21,495,000,000.</p> <p>Fiscal year 2009: (A) New budget authority, \$21,377,000,000. (B) Outlays, \$21,127,000,000.</p> <p>Fiscal year 2010: (A) New budget authority, \$21,532,000,000. (B) Outlays, \$20,501,000,000.</p> <p>Fiscal year 2011: (A) New budget authority, \$21,665,000,000. (B) Outlays, \$20,659,000,000.</p> <p>Fiscal year 2012: (A) New budget authority, \$21,994,000,000. (B) Outlays, \$21,176,000,000.</p> <p>Fiscal year 2013: (A) New budget authority, \$22,307,000,000. (B) Outlays, \$21,513,000,000.</p> <p>(7) Commerce and Housing Credit (370): Fiscal year 2008: (A) New budget authority, \$11,516,000,000. (B) Outlays, \$5,441,000,000.</p> <p>Fiscal year 2009: (A) New budget authority, \$9,350,000,000. (B) Outlays, \$3,764,000,000.</p> <p>Fiscal year 2010: (A) New budget authority, \$11,133,000,000. (B) Outlays, \$3,562,000,000.</p> <p>Fiscal year 2011: (A) New budget authority, \$7,713,000,000. (B) Outlays, \$824,000,000.</p> <p>Fiscal year 2012: (A) New budget authority, \$8,028,000,000. (B) Outlays, \$492,000,000.</p> <p>Fiscal year 2013: (A) New budget authority, \$8,254,000,000. (B) Outlays, \$195,000,000.</p> <p>(8) Transportation (400): Fiscal year 2008:</p>	<p>(A) New budget authority, \$87,289,000,000. (B) Outlays, \$81,370,000,000.</p> <p>Fiscal year 2009: (A) New budget authority, \$75,131,000,000. (B) Outlays, \$83,311,000,000.</p> <p>Fiscal year 2010: (A) New budget authority, \$78,075,000,000. (B) Outlays, \$85,504,000,000.</p> <p>Fiscal year 2011: (A) New budget authority, \$78,913,000,000. (B) Outlays, \$86,779,000,000.</p> <p>Fiscal year 2012: (A) New budget authority, \$79,763,000,000. (B) Outlays, \$88,515,000,000.</p> <p>Fiscal year 2013: (A) New budget authority, \$80,640,000,000. (B) Outlays, \$90,534,000,000.</p> <p>(9) Community and Regional Development (450): Fiscal year 2008: (A) New budget authority, \$20,029,000,000. (B) Outlays, \$27,819,000,000.</p> <p>Fiscal year 2009: (A) New budget authority, \$15,195,000,000. (B) Outlays, \$24,486,700,000.</p> <p>Fiscal year 2010: (A) New budget authority, \$15,265,000,000. (B) Outlays, \$22,115,400,000.</p> <p>Fiscal year 2011: (A) New budget authority, \$15,503,000,000. (B) Outlays, \$18,240,900,000.</p> <p>Fiscal year 2012: (A) New budget authority, \$15,746,000,000. (B) Outlays, \$16,186,800,000.</p> <p>Fiscal year 2013: (A) New budget authority, \$15,979,000,000. (B) Outlays, \$15,872,800,000.</p> <p>(10) Education, Training, Employment, and Social Services (500): Fiscal year 2008: (A) New budget authority, \$91,381,000,000. (B) Outlays, \$90,912,000,000.</p> <p>Fiscal year 2009: (A) New budget authority, \$94,679,670,000. (B) Outlays, \$91,253,020,000.</p> <p>Fiscal year 2010: (A) New budget authority, \$103,891,000,000. (B) Outlays, \$98,615,482,000.</p> <p>Fiscal year 2011: (A) New budget authority, \$106,486,000,000. (B) Outlays, \$103,806,534,000.</p> <p>Fiscal year 2012: (A) New budget authority, \$108,255,000,000. (B) Outlays, \$104,904,034,000.</p> <p>Fiscal year 2013: (A) New budget authority, \$101,660,000,000. (B) Outlays, \$103,626,000,000.</p> <p>(11) Health (550): Fiscal year 2008: (A) New budget authority, \$286,108,000,000. (B) Outlays, \$287,211,000,000.</p> <p>Fiscal year 2009: (A) New budget authority, \$313,109,000,000. (B) Outlays, \$310,603,000,000.</p> <p>Fiscal year 2010: (A) New budget authority, \$324,863,000,000. (B) Outlays, \$325,576,000,000.</p> <p>Fiscal year 2011: (A) New budget authority, \$345,558,000,000. (B) Outlays, \$344,795,000,000.</p> <p>Fiscal year 2012: (A) New budget authority, \$368,273,000,000. (B) Outlays, \$367,110,000,000.</p> <p>Fiscal year 2013: (A) New budget authority, \$393,283,000,000. (B) Outlays, \$391,805,000,000.</p> <p>(12) Medicare (570): Fiscal year 2008: (A) New budget authority, \$390,458,000,000. (B) Outlays, \$390,454,000,000.</p> <p>Fiscal year 2009: (A) New budget authority, \$420,389,000,000. (B) Outlays, \$420,150,000,000.</p> <p>Fiscal year 2010: (A) New budget authority, \$445,380,000,000. (B) Outlays, \$445,513,000,000.</p> <p>Fiscal year 2011: (A) New budget authority, \$494,477,000,000.</p>	<p>(B) Outlays, \$494,305,000,000.</p> <p>Fiscal year 2012: (A) New budget authority, \$491,399,000,000. (B) Outlays, \$491,163,000,000.</p> <p>Fiscal year 2013: (A) New budget authority, \$551,039,000,000. (B) Outlays, \$551,161,000,000.</p> <p>(13) Income Security (600): Fiscal year 2008: (A) New budget authority, \$393,591,000,000. (B) Outlays, \$394,613,000,000.</p> <p>Fiscal year 2009: (A) New budget authority, \$414,369,000,000. (B) Outlays, \$419,023,200,000.</p> <p>Fiscal year 2010: (A) New budget authority, \$416,322,000,000. (B) Outlays, \$418,871,200,000.</p> <p>Fiscal year 2011: (A) New budget authority, \$425,435,000,000. (B) Outlays, \$426,242,100,000.</p> <p>Fiscal year 2012: (A) New budget authority, \$411,468,000,000. (B) Outlays, \$411,597,000,000.</p> <p>Fiscal year 2013: (A) New budget authority, \$426,718,000,000. (B) Outlays, \$426,611,400,000.</p> <p>(14) Social Security (650): Fiscal year 2008: (A) New budget authority, \$19,378,000,000. (B) Outlays, \$19,378,000,000.</p> <p>Fiscal year 2009: (A) New budget authority, \$21,308,000,000. (B) Outlays, \$21,308,000,000.</p> <p>Fiscal year 2010: (A) New budget authority, \$23,794,000,000. (B) Outlays, \$23,794,000,000.</p> <p>Fiscal year 2011: (A) New budget authority, \$27,330,000,000. (B) Outlays, \$27,330,000,000.</p> <p>Fiscal year 2012: (A) New budget authority, \$30,342,000,000. (B) Outlays, \$30,342,000,000.</p> <p>Fiscal year 2013: (A) New budget authority, \$33,162,000,000. (B) Outlays, \$33,162,000,000.</p> <p>(15) Veterans Benefits and Services (700): Fiscal year 2008: (A) New budget authority, \$86,365,000,000. (B) Outlays, \$83,551,000,000.</p> <p>Fiscal year 2009: (A) New budget authority, \$93,319,584,000. (B) Outlays, \$92,397,584,000.</p> <p>Fiscal year 2010: (A) New budget authority, \$95,615,000,000. (B) Outlays, \$95,399,000,000.</p> <p>Fiscal year 2011: (A) New budget authority, \$100,959,000,000. (B) Outlays, \$100,749,000,000.</p> <p>Fiscal year 2012: (A) New budget authority, \$97,782,000,000. (B) Outlays, \$97,064,000,000.</p> <p>Fiscal year 2013: (A) New budget authority, \$103,241,000,000. (B) Outlays, \$102,521,000,000.</p> <p>(16) Administration of Justice (750): Fiscal year 2008: (A) New budget authority, \$46,282,000,000. (B) Outlays, \$44,322,000,000.</p> <p>Fiscal year 2009: (A) New budget authority, \$49,432,330,000. (B) Outlays, \$46,896,297,000.</p> <p>Fiscal year 2010: (A) New budget authority, \$48,018,000,000. (B) Outlays, \$49,714,333,000.</p> <p>Fiscal year 2011: (A) New budget authority, \$48,907,000,000. (B) Outlays, \$50,113,500,000.</p> <p>Fiscal year 2012: (A) New budget authority, \$49,819,000,000. (B) Outlays, \$50,089,000,000.</p> <p>Fiscal year 2013: (A) New budget authority, \$50,768,000,000. (B) Outlays, \$50,706,000,000.</p> <p>(17) General Government (800): Fiscal year 2008: (A) New budget authority, \$56,407,000,000. (B) Outlays, \$56,920,000,000.</p> <p>Fiscal year 2009:</p>
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(A) New budget authority, \$24,477,000,000.

(B) Outlays, \$24,435,000,000.

Fiscal year 2010:

(A) New budget authority, \$19,972,000,000.

(B) Outlays, \$20,172,000,000.

Fiscal year 2011:

(A) New budget authority, \$20,395,000,000.

(B) Outlays, \$20,407,000,000.

Fiscal year 2012:

(A) New budget authority, \$20,796,000,000.

(B) Outlays, \$20,940,000,000.

Fiscal year 2013:

(A) New budget authority, \$21,107,000,000.

(B) Outlays, \$20,991,000,000.

(18) Net Interest (900):

Fiscal year 2008:

(A) New budget authority, \$349,462,000,000.

(B) Outlays, \$349,462,000,000.

Fiscal year 2009:

(A) New budget authority, \$335,110,000,000.

(B) Outlays, \$335,110,000,000.

Fiscal year 2010:

(A) New budget authority, \$372,253,000,000.

(B) Outlays, \$372,253,000,000.

Fiscal year 2011:

(A) New budget authority, \$409,810,000,000.

(B) Outlays, \$409,810,000,000.

Fiscal year 2012:

(A) New budget authority, \$435,762,000,000.

(B) Outlays, \$435,762,000,000.

Fiscal year 2013:

(A) New budget authority, \$451,980,000,000.

(B) Outlays, \$451,980,000,000.

(19) Allowances (920):

Fiscal year 2008:

(A) New budget authority, \$9,500,000,000.

(B) Outlays, \$9,500,000,000.

Fiscal year 2009:

(A) New budget authority, -\$14,941,000,000.

(B) Outlays, -\$4,099,300,000.

Fiscal year 2010:

(A) New budget authority, -\$8,179,000,000.

(B) Outlays, -\$10,713,000,000.

Fiscal year 2011:

(A) New budget authority, -\$8,466,000,000.

(B) Outlays, -\$9,360,775,000.

Fiscal year 2012:

(A) New budget authority, -\$8,916,000,000.

(B) Outlays, -\$9,295,675,000.

Fiscal year 2013:

(A) New budget authority, -\$9,110,000,000.

(B) Outlays, -\$10,206,075,000.

(20) Undistributed Offsetting Receipts (950):

Fiscal year 2008:

(A) New budget authority, -\$86,330,000,000.

(B) Outlays, -\$86,330,000,000.

Fiscal year 2009:

(A) New budget authority, -\$67,060,000,000.

(B) Outlays, -\$67,060,000,000.

Fiscal year 2010:

(A) New budget authority, -\$70,645,000,000.

(B) Outlays, -\$70,645,000,000.

Fiscal year 2011:

(A) New budget authority, -\$73,364,000,000.

(B) Outlays, -\$73,364,000,000.

Fiscal year 2012:

(A) New budget authority, -\$76,104,000,000.

(B) Outlays, -\$76,104,000,000.

Fiscal year 2013:

(A) New budget authority, -\$79,691,000,000.

(B) Outlays, -\$79,691,000,000.

TITLE II—BUDGET PROCESS

Subtitle A—Direct Spending and Receipts

SEC. 201. SENATE POINT OF ORDER AGAINST LEGISLATION INCREASING LONG-TERM DEFICITS.

(a) CONGRESSIONAL BUDGET OFFICE ANALYSIS OF PROPOSALS.—The Director of the Congressional Budget Office shall, to the extent practicable, prepare for each bill and joint resolution reported from committee (except measures within the jurisdiction of the Committee on Appropriations), and amendments thereto and conference reports thereon, an estimate of whether the measure would cause, relative to current law, a net increase in deficits in excess of \$0 in any of

the 4 consecutive 10-year periods beginning with the first fiscal year that is 10 years after the budget year provided for in the most recently adopted concurrent resolution on the budget.

(b) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report that would cause a net increase in deficits in excess of \$0 in any of the 4 consecutive 10-year periods described in subsection (a).

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

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

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

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

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

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

SEC. 202. POINT OF ORDER—20 PERCENT 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—

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

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

(b) 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.

(1) 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).

(2) 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.

Subtitle B—Discretionary Spending

SEC. 211. DISCRETIONARY SPENDING LIMITS, PROGRAM INTEGRITY INITIATIVES, AND OTHER ADJUSTMENTS.

(a) SENATE POINT OF ORDER.—

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

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) WAIVER.—This subsection may be waived or suspended in the Senate only by

the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

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

(1) for fiscal year 2008, \$1,055,478,000,000 in new budget authority and \$1,093,343,000,000 in outlays; and

(2) for fiscal year 2009, \$1,008,482,000,000 in new budget authority and \$1,108,449,000,000 in outlays;

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

(c) ADJUSTMENTS IN THE SENATE.—

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

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

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

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

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

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

(C) HEALTH CARE FRAUD AND ABUSE CONTROL.—If a bill or joint resolution is reported making appropriations for fiscal year 2009 that appropriates up to \$198,000,000 to the

Health Care Fraud and Abuse Control program at the Department of Health and Human Services, then the discretionary spending limits, allocation to the Senate Committee on Appropriations, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed \$198,000,000 in budget authority and outlays flowing therefrom for fiscal year 2009.

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

(E) COMPARATIVE EFFECTIVENESS RESEARCH AT THE AGENCY FOR HEALTHCARE RESEARCH AND QUALITY.—If a bill or joint resolution is reported making appropriations for fiscal year 2009 that appropriates \$30,000,000 for comparative effectiveness research as authorized under section 1013 of the Medicare Prescription Drug, Improvement and Modernization Act of 2003, and provides an additional appropriation of up to \$70,000,000 for that purpose, then the discretionary spending limits, allocation to the Senate Committee on Appropriations, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed \$70,000,000 in budget authority for fiscal year 2009 and the outlays flowing therefrom.

(F) REDUCING WASTE IN DEFENSE CONTRACTING.—If a bill or joint resolution is reported making appropriations for fiscal year 2009 that appropriates up to \$100,000,000 to the Department of Defense for additional activities to reduce waste, fraud, abuse, and overpayments in defense contracting; achieve the legal requirement to submit auditable financial statements; or reduce waste by improving accounting for and ordering of spare parts; subject contracts performed outside the United States to the same ethics, control, and reporting requirements as those performed domestically, then the discretionary spending limits, allocation to the Committee on Appropriations of the Senate, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed \$100,000,000 in budget authority and outlays flowing therefrom for fiscal year 2009.

(3) ADJUSTMENTS FOR COSTS OF THE WARS IN IRAQ AND AFGHANISTAN.—The Chairman of the Senate Committee on the Budget may adjust the discretionary spending limits, allocations to the Senate Committee on Appropriations, and aggregates for one or more—

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

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

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

(D) conference reports;

making appropriations for fiscal year 2008 or 2009 for the wars in Iraq and Afghanistan, by

the amounts provided in such legislation for those purposes (and so designated pursuant to this paragraph), up to \$108,056,000,000 in budget authority for fiscal year 2008 and the new outlays flowing therefrom, and up to \$70,000,000,000 in budget authority for fiscal year 2009 and the new outlays flowing therefrom.

(d) OVERSIGHT OF GOVERNMENT PERFORMANCE.—In the Senate, all committees are directed to review programs within their jurisdictions to root out waste, fraud, and abuse in program spending, giving particular scrutiny to issues raised by Government Accountability Office reports. Based on these oversight efforts and committee performance reviews of programs within their jurisdictions, committees are directed to include recommendations for improved governmental performance in their annual views and estimates reports required under section 301(d) of the Congressional Budget Act of 1974 to the Committees on the Budget.

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

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

SEC. 212. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—

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

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

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

(1) for fiscal years 2010 and 2011 for programs, projects, activities, or accounts identified in the joint explanatory statement of managers accompanying this resolution under the heading “Accounts Identified for Advance Appropriations” in an aggregate amount not to exceed \$29,352,000,000 in new budget authority in each year; and

(2) for the Corporation for Public Broadcasting.

(c) SUPERMAJORITY WAIVER AND APPEAL.—

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

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

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

(e) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being

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

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

SEC. 213. SENATE POINT OF ORDER AGAINST PROVISIONS OF APPROPRIATIONS LEGISLATION THAT CONSTITUTE CHANGES IN MANDATORY PROGRAMS WITH NET COSTS.

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

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

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

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

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

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

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

(e) GENERAL POINT OF ORDER.—It shall be in order for a Senator to raise a single point of order that several provisions of a bill, resolution, amendment, motion, or conference report violate this section. The Presiding Officer may sustain the point of order as to some or all of the provisions against which the Senator raised the point of order. If the Presiding Officer so sustains the point of order as to some of the provisions (including provisions of an amendment, motion, or conference report) against which the Senator raised the point of order, then only those

provisions (including provision of an amendment, motion, or conference report) against which the Presiding Officer sustains the point of order shall be deemed stricken pursuant to this section. Before the Presiding Officer rules on such a point of order, any Senator may move to waive such a point of order as it applies to some or all of the provisions against which the point of order was raised. Such a motion to waive is amendable in accordance with rules and precedents of the Senate. After the Presiding Officer rules on such a point of order, any Senator may appeal the ruling of the Presiding Officer on such a point of order as it applies to some or all of the provisions on which the Presiding Officer ruled.

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

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

SEC. 214. DISCRETIONARY ADMINISTRATIVE EXPENSES OF THE POSTAL SERVICE.

In the Senate, notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974 and section 2009a of title 39, United States Code, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocations under section 302(a) of the Congressional Budget Act of 1974 to the Committee on Appropriations amounts for the discretionary administrative expenses of the Postal Service.

Subtitle C—Other Provisions

SEC. 221. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

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

(1) apply while that measure is under consideration;

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

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

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

(c) **BUDGET COMMITTEE DETERMINATIONS.**—For purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Senate Committee on the Budget.

SEC. 222. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

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

SEC. 223. DEBT DISCLOSURE REQUIREMENT.

(a) **IN GENERAL.**—It shall not be in order to consider a budget resolution in the Senate unless it contains a debt disclosure section including all, and only, the following disclosures regarding debt:

“SEC. . . DEBT DISCLOSURES.

“(a) **IN GENERAL.**—The levels assumed in this budget resolution allow the gross Federal debt of the nation to rise/fall by \$_____ from the current year, fiscal year 20____, to the fifth year of the budget window, fiscal year 20____.

“(b) **PER PERSON.**—The levels assumed in this budget resolution allow the gross Federal debt of the nation to rise/fall by \$_____ on every United States citizen from the current year, fiscal year 20____ to the fifth year of the budget window, fiscal year 20____.

“(c) **SOCIAL SECURITY.**—The levels assumed in this budget resolution project that \$_____ of the Social Security surplus will be spent over the 5-year budget window, fiscal years 20____–20____, on things other than Social Security which represents _____ percent of the projected Social Security surplus over this period.”

(b) **SOCIAL SECURITY.**—If any portion of the Social Security surplus is projected to be spent and/or the gross Federal debt in the fifth year of the budget window is greater than the debt projected in the current year, as described in the debt disclosure section described in subsection (a) of this section, the report, print, or statement of managers accompanying the budget resolution shall contain a section that—

(1) details the circumstances making it in the national interest to allow Federal debt to increase rather than taking steps to reduce the debt; and

(2) provides a justification for allowing the surpluses in the Social Security Trust Fund to be spent on other functions of Government even as the baby boom generation retires, program costs are projected to rise dramatically, the debt owed to Social Security is about to come due, and the Trust Fund is projected to go insolvent.

(c) **DEFINITIONS.**—The term “gross Federal debt” described above represents nominal increases in gross Federal debt measured at the end of each fiscal year during the period of the budget, not debt as a percentage of gross domestic product, and not levels relative to baseline projections.

SEC. 224. DEBT DISCLOSURES.

(a) **IN GENERAL.**—The levels assumed in this budget resolution allow the gross Federal debt of the nation to rise by \$2,000,000,000,000 from the current year, fiscal year 2008, to the fifth year of the budget window, fiscal year 2013.

(b) **PER PERSON.**—The levels assumed in this budget resolution allow the gross Federal debt of the nation to rise by \$6,440 on every United States citizen from the current year, fiscal year 2008, to the fifth year of the budget window, fiscal year 2013.

(c) **SOCIAL SECURITY.**—The levels assumed in this budget resolution project \$800,000,000,000 of the Social Security surplus will be spent over the 5-year budget window, fiscal years 2009–2013, on things other than Social Security, which represents 70 percent

of the projected Social Security surplus over this period.

SEC. 225. EXERCISE OF RULEMAKING POWERS.

Congress adopts the provisions of this title—

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

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

SEC. 226. CIRCUIT BREAKER TO PROTECT SOCIAL SECURITY.

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

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

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

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

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

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

(e) **SUPERMAJORITY WAIVER AND APPEALS.**—

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

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

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

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

TITLE III—RESERVE FUNDS

SEC. 301. DEFICIT-NEUTRAL RESERVE FUND TO STRENGTHEN AND STIMULATE THE AMERICAN ECONOMY AND PROVIDE ECONOMIC RELIEF TO AMERICAN FAMILIES.

(a) TAX RELIEF.—The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would provide tax relief, including extensions of expiring tax relief, reinstatement of expired tax relief, such as enhanced charitable giving from individual retirement accounts, including life-income gifts, and refundable tax relief and incentivizing utilization of accumulated alternative minimum tax and research and development credits, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

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

(c) HOUSING.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would provide housing assistance, which may include low income rental assistance, or establish an affordable housing fund financed by the housing government sponsored enterprises or other sources, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(d) FLOOD INSURANCE REFORM.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would provide for flood insurance reform and modernization, by the

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

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

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

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

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

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

(4) improves the unemployment compensation program; or

(5) reauthorizes the trade adjustment assistance programs;

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

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

(1) FARM BILL.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide for the reauthorization of the programs of the Food Security and Rural Investment Act of 2002 or prior Acts, authorize similar or related programs, provide for revenue changes, or any combination of the preceding purposes, by the amounts provided in such legislation for those purposes up to \$15,000,000,000 over the period of the total of fiscal years 2008 through 2013, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

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

SEC. 302. DEFICIT-NEUTRAL RESERVE FUND FOR IMPROVING EDUCATION.

(a) FEDERAL PELL GRANT.—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 make higher education more accessible or more affordable, which may include increasing funding for the Federal Pell Grant program or increasing Federal student loan limits, facilitate modernization of school facilities through renovation or construction bonds, reduce the cost of teachers' out-of-pocket expenses for school supplies, or provide tax incentives for highly-qualified teachers to serve in high-needs schools, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018. The legislation may include tax benefits and other revenue provisions.

(b) IMPROVING EDUCATION.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would improve student achievement during secondary education, including middle school completion, high school graduation and preparing students for higher education and the workforce, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 303. DEFICIT-NEUTRAL RESERVE FUND FOR INVESTMENTS IN AMERICA'S INFRASTRUCTURE.

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

SEC. 304. DEFICIT-NEUTRAL RESERVE FUND TO INVEST IN CLEAN ENERGY, PRESERVE THE ENVIRONMENT, AND PROVIDE FOR CERTAIN SETTLEMENTS.

(a) ENERGY AND THE ENVIRONMENT.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would decrease greenhouse gas emissions, reduce our Nation's dependence on imported energy, produce green jobs, or preserve or protect national parks, oceans, or coastal areas, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018. The legislation may include tax legislation such as a proposal to extend for 5 years energy tax incentives like the production tax credit for electricity produced from renewable resources,

the biodiesel production tax credit, or the Clean Renewable Energy Bond program, to provide a tax credit for clean burning wood stoves, a tax credit for production of cellulosic ethanol, a tax credit for plug-in hybrid vehicles, or provisions to encourage energy efficient buildings, products, and power plants. Tax legislation under this section may be paid for by adjustments to sections 167(h)(1) of the Internal Revenue Code of 1986 as it relates to integrated oil companies.

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

SEC. 305. DEFICIT-NEUTRAL RESERVE FUND FOR AMERICA'S VETERANS AND WOUNDED SERVICEMEMBERS AND FOR A POST 9/11 GI BILL.

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

(1) enhance medical care, disability evaluations, or disability benefits for wounded or disabled military personnel or veterans;

(2) provide for or increase benefits to Filipino veterans of World War II, their survivors and dependents;

(3) allow for the transfer of education benefits from servicemembers to family members or veterans (including the elimination of the offset between Survivor Benefit Plan annuities and veterans' dependency and indemnity compensation);

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

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

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

(b) **POST 9/11 GI BILL.**—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports which would enhance educational benefits of service members and veterans with service on active duty in the Armed Forces on or after September 11, 2001, by the amounts provided in

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

SEC. 306. DEFICIT-NEUTRAL RESERVE FUND TO IMPROVE AMERICA'S HEALTH.

(a) **SCHIP.**—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that provides up to \$50,000,000,000 in outlays over the period of the total of fiscal years 2008 through 2013 for reauthorization of SCHIP, if such legislation maintains coverage for those currently enrolled in SCHIP, continues efforts to enroll uninsured children who are already eligible for SCHIP or Medicaid but are not enrolled, or supports States in their efforts to move forward in covering more children or pregnant women, by the amounts provided in that legislation for those purposes, provided that the outlay adjustment shall not exceed \$50,000,000,000 in outlays over the period of the total of fiscal years 2008 through 2013, and provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(b) **MEDICARE IMPROVEMENTS.**—

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

(2) **OTHER IMPROVEMENTS TO MEDICARE.**—The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that makes improvements to the Medicare program, which may include improvements to the prescription drug benefit under Medicare Part D, adjustments to the Medicare Savings Program, and reductions in beneficiary cost-sharing for preventive benefits under Medicare Part B, or measures to encourage physicians to train in primary care residencies and attract more physicians and other health care providers to States that face a shortage of health care providers, by the amounts provided in such legislation for those purposes up to \$10,000,000,000, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(3) **ELECTRONIC PRESCRIBING.**—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 promote the deployment and use of electronic prescribing technologies through financial incentives, including grants and bonus payments, and potential adjustments in the Medicare reimbursement mechanisms for physicians, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the def-

icit 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.

(4) **RURAL EQUITY PAYMENT POLICIES.**—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—

(A) preserves existing Medicare payment provisions supporting America's rural health care delivery system; and

(B) promotes Medicare payment policies that increase access to quality health care in isolated and underserved rural areas,

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

(5) **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.

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

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

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

(A) creates a framework and parameters for the use of Medicare data for the purpose of conducting research, public reporting, and

other activities to evaluate health care safety, effectiveness, efficiency, quality, and resource utilization in Federal programs and the private health care system; and

(B) includes provisions to protect beneficiary privacy and to prevent disclosure of proprietary or trade secret information with respect to the transfer and use of such data; 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 2008 through 2018.

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

(A) HEALTH INFORMATION TECHNOLOGY.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that provide incentives or other support for adoption of modern information technology, including incentives or other supports for the adoption of electronic prescribing technology, to improve quality and protect privacy in health care, such as activities by the Department of Defense and the Department of Veterans Affairs to integrate their electronic health record data, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(B) ADHERENCE TO BEST PRACTICES.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that provide incentives for Medicare providers or suppliers to comply with, where available and medically appropriate, clinical protocols identified as best practices, by the amounts provided in such legislation for that purpose, provided in the Senate that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(d) FOOD AND DRUG ADMINISTRATION.—

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

(2) DRUG IMPORTATION.—The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other levels in this resolution for a bill, joint resolution, motion, amendment, or conference report that permits the safe importation of prescription drugs approved by the Food and Drug Administration from a specified list of countries, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(e) MEDICAID.—

(1) RULES OR ADMINISTRATIVE ACTIONS.—The Chairman of the Senate Committee on

the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that includes provisions regarding the final rule published on May 29, 2007, on pages 29748 through 29836 of volume 72, Federal Register (relating to parts 433, 447, and 457 of title 42, Code of Federal Regulations) or any other rule or other administrative action that would affect the Medicaid program or SCHIP in a similar manner, or place restrictions on coverage of or payment for graduate medical education, rehabilitation services, or school-based administration, school-based transportation, or optional case management services under title XIX of the Social Security Act, or includes provisions regarding administrative guidance issued in August 2007 affecting SCHIP or any other administrative action that would affect SCHIP in a similar manner, so long as no provision in such bill, joint resolution, amendment, motion or conference report shall be construed as prohibiting the Secretary of Health and Human Services from promulgating or implementing any rule, action, or guidance designed to prevent fraud and protect the integrity of the Medicaid program or SCHIP or reduce inappropriate spending under such programs, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

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

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

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

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

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

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

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

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

(g) PEDIATRIC DENTAL CARE.—The Chairman of the Committee on the Budget of the Senate may revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that would provide for improved access to pediatric dental care for children from low-income families, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 307. 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.

SEC. 308. DEFICIT-NEUTRAL RESERVE FUND FOR JUDICIAL PAY AND JUDGESHIPS.

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

SEC. 309. DEFICIT-NEUTRAL RESERVE FUND FOR REFORMING THE ALTERNATIVE MINIMUM TAX FOR INDIVIDUALS.

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 reinstate the pre-1993 rates for the alternative minimum tax for individuals, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 310. DEFICIT-NEUTRAL RESERVE FUND FOR REPEALING THE 1993 INCREASE IN THE INCOME TAX ON SOCIAL SECURITY BENEFITS.

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 repeal the 1993 increase in the income tax on Social Security benefits, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 311. 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.

SEC. 312. DEFICIT-NEUTRAL RESERVE FUND FOR IMMIGRATION REFORM AND 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 paragraphs (1) through (7), that—

(1) provide for increased border security, enforcement of immigration laws, greater staffing, and immigration reform measures;

(2) increase criminal and civil penalties against employers who hire undocumented immigrants;

(3) prohibit employers who hire undocumented immigrants from receiving Federal contracts;

(4) provide funding for the enforcement of the employer sanctions described in paragraphs (2) and (3) and other employer sanctions for hiring undocumented immigrants;

(5) deploy an appropriate number of National Guard troops to the southern or northern border of the United States provided that—

(A) the Secretary of Defense certifies that the deployment would not negatively impact the safety of American forces in Iraq and Afghanistan; and

(B) the Governor of the National Guard's home State certifies that the deployment would not have a negative impact on the safety and security of that State;

(6) evaluate the Federal, State, and local prison populations that are noncitizens in order to identify removable criminal aliens; or

(7) implement the exit data portion of the US-VISIT entry and exit data system at airports, seaports, and land ports of entry.

(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.

SEC. 313. DEFICIT-NEUTRAL RESERVE FUND FOR BORDER SECURITY, IMMIGRATION ENFORCEMENT, AND CRIMINAL ALIEN REMOVAL PROGRAMS.

(a) IN GENERAL.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of 1 or more committees, aggregates, and other appropriate lev-

els in this resolution by the amounts authorized to be appropriated for the programs described in paragraphs (1) through (6) in 1 or more bills, joint resolutions, amendments, motions, or conference reports that funds border security, immigration enforcement, and criminal alien removal programs, including programs that—

(1) expand the zero tolerance prosecution policy for illegal entry (commonly known as "Operation Streamline") to all 20 border sectors;

(2) complete 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);

(3) deploy up to 6,000 National Guard members to the southern border of the United States;

(4) evaluate the 27 percent of the Federal, State, and local prison populations who are noncitizens in order to identify removable criminal aliens;

(5) train and reimburse State and local law enforcement officers under Memorandums of Understanding entered into under section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)); or

(6) implement the exit data portion of the US-VISIT entry and exit data system at airports, seaports, and land ports of entry.

(b) LIMITATION.—The authority under subsection (a) may not be used unless the appropriations in 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.

SEC. 314. DEFICIT-NEUTRAL RESERVE FUND FOR SCIENCE PARKS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would provide grants and loan guarantees for the development and construction of science parks to promote the clustering of innovation through high technology activities, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 315. DEFICIT-NEUTRAL RESERVE FUND FOR 3-YEAR EXTENSION OF PILOT PROGRAM FOR NATIONAL AND STATE BACKGROUND CHECKS ON DIRECT PATIENT ACCESS EMPLOYEES OF LONG-TERM CARE FACILITIES OR PROVIDERS.

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 for a 3-year extension of the pilot program for national and State background checks on direct patient access employees of long-term care facilities or providers under section 307 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (42 U.S.C. 1395aa note) and removes the limit on the number of participating States under such pilot program, the Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution by the amounts provided in such legislation for those purposes up to \$160,000,000, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 316. DEFICIT-NEUTRAL RESERVE FUND FOR STUDYING THE EFFECT OF CO-OPERATION 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.

SEC. 317. DEFICIT-NEUTRAL RESERVE FUND TO TERMINATE DEDUCTIONS FROM MINERAL REVENUE PAYMENTS TO STATES.

(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 terminate the authority to deduct certain amounts from mineral revenues payable to States under the second undesignated paragraph of the matter under the heading “ADMINISTRATIVE PROVISIONS” under the heading “MINERALS MANAGEMENT SERVICE” of title I of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2008 (Public Law 110-161; 121 Stat. 2109).

(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.

SEC. 318. DEFICIT-NEUTRAL RESERVE FUND FOR THE ESTABLISHMENT OF STATE INTERNET SITES FOR THE DISCLOSURE OF INFORMATION RELATING TO PAYMENTS MADE UNDER THE STATE MEDICAID PROGRAM.

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 for States to disclose, through a publicly accessible Internet site, each hospital, nursing facility, outpatient surgery center, intermediate care facility for the mentally retarded, institution for mental diseases, or other institutional provider that receives payment under the State Medicaid program, the total amount paid to each such provider each fiscal year, the number of patients treated by each such provider, and the amount of dollars paid per patient to each such provider, and provided that the Committee is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974, the Chairman of the Senate Committee on the Budget may make the appropriate adjustments in the allocations and aggregates to reflect such legislation if any such measure would not increase the deficit over either the total of the period of fiscal years 2008 through 2013 or the total of the period of fiscal years 2008 through 2018.

SEC. 319. 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.

SEC. 320. DEFICIT-NEUTRAL RESERVE FUND TO IMPROVE ANIMAL HEALTH AND DISEASE PROGRAM.

(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 ensure that the animal health and disease program established under section 1433 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3195) is fully funded.

(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.

SEC. 321. 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 or 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.

SEC. 322. DEFICIT-NEUTRAL RESERVE FUND FOR REIMBURSING STATES FOR THE COSTS OF HOUSING UNDOCUMENTED CRIMINAL ALIENS.

The Chairman of the Committee on the Budget of the Senate may revise the aggregates, allocations, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that would reimburse States and units of local government for costs incurred to house undocumented criminal aliens, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 323. DEFICIT-NEUTRAL RESERVE FUND FOR ACCELERATION OF PHASED-IN ELIGIBILITY FOR CONCURRENT RECEIPT OF BENEFITS.

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 changing the date by which eligibility of members of the Armed Forces for concurrent receipt of retired pay and veterans' disability compensation under section 1414 of title 10, United States Code, is

fully phased in from December 31, 2013, to September 30, 2008, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 324. DEFICIT-NEUTRAL RESERVE FUND FOR INCREASED USE OF RECOVERY AUDITS.

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

SEC. 325. 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.

SEC. 326. DEFICIT-NEUTRAL RESERVE FUND FOR DEMONSTRATION PROJECT REGARDING MEDICAID COVERAGE OF LOW-INCOME HIV-INFECTED INDIVIDUALS.

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

SEC. 327. DEFICIT-NEUTRAL RESERVE FUND FOR REDUCING INCOME THRESHOLD FOR REFUNDABLE CHILD TAX CREDIT TO \$10,000 WITH NO INFLATION ADJUSTMENT.

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 reduce the income threshold for the refundable child tax credit under section 24 of the Internal Revenue Code of 1986 to \$10,000 for taxable years 2009 and 2010 with no inflation adjustment, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 328. SENSE OF THE SENATE REGARDING THE DIVERSION OF FUNDS SET ASIDE FOR USPTO.

It is the sense of the Senate that none of the funds recommended by this resolution, or appropriated or otherwise made available under any other Act, to the United States Patent and Trademark Office shall be diverted, redirected, transferred, or used for any other purpose than for which such funds were intended.

SEC. 329. 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.

SEC. 330. DEFICIT-NEUTRAL RESERVE FUND FOR PROCESSING NATURALIZATION APPLICATIONS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would provide for the adjudication of name check and security clearances by October 1, 2008 by the Federal Bureau of Investigations for individuals who have submitted or submit applications for naturalization before March 1, 2008 or provide for the adjudication of applications, including the interviewing and swearing-in of applicants, by October 1, 2008 by the Department of Homeland Security/U.S. Citizenship and Immigration Services for individuals who apply or have applied for naturalization before March 1, 2008, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 331. 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.

SEC. 332. 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.

SEC. 333. 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.

SEC. 334. 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.

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

- (1) 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.

(2) The 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 \$50,000,000 as a result of the agreement expiring.

- (3) 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.

(4) The U.S. Department of Housing and Urban Development alleges that Philadel-

phia Housing Authority is in violation of fair housing requirements.

- (5) The Philadelphia Housing Authority denies this assertion and is challenging the matter in Federal District Court.

(6) That 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.

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

- (1) 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?"

(2) Assistant Secretary for Fair Housing and Equal Opportunity Kim Kendrick wrote, "Take away all of his Federal dollars?"

- (3) Then-Assistant Secretary for Public and Indian Housing Orlando J. Cabrera wrote, "Let me look into that possibility."

(A) That 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.

(B) That the Philadelphia Housing Authority's allegation of retaliation appears to be substantiated by these newly discovered emails.

(C) That the expiration of the current agreement is imminent and will negatively impact 84,000 low-income residents of Philadelphia.

- (4) 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.

SEC. 335. 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-thirds majority (300-132);

(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 THE 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 earliest opportunity.

SEC. 336. 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.

UNANIMOUS-CONSENT AGREEMENT—H.R. 3221

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that at 2:15 p.m., Tuesday, April 1, the Senate proceed to the motion to reconsider the vote by which cloture was not invoked on the motion to proceed to H.R. 3221; that the motion to reconsider be agreed to; further, that the time until 2:30 p.m. be equally divided and controlled between the two leaders with the majority leader controlling the final 7½ minutes; that at 2:30 p.m., without further intervening action or debate, the Senate proceed to vote on the motion to invoke cloture on the motion to proceed to H.R. 3221.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT—S. 1974

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order of December 19, 2007, with respect to S. 1974, be vitiated and that S. 1974 remain at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

MAKING MAJORITY PARTY APPOINTMENTS FOR THE 110TH CONGRESS

Mr. WHITEHOUSE. I send a resolution to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 492) amending majority party membership on the Select Committee on Ethics for the remainder of the 110th Congress.

There being no objection, the Senate proceeded to consider the resolution.

Mr. WHITEHOUSE. I ask unanimous consent that the resolution be agreed to, and that the motion to reconsider be laid upon the table without intervening action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 492) was agreed to, as follows:

S. RES. 492

Resolved, That Senate Resolution 27 (110th Congress) is amended, effective January 1, 2008, by striking all from "ETHICS:" through "72a-1f" and inserting "ETHICS: Mrs. Boxer (Chairman), Mr. Pryor, and Mr. Salazar".

WORLD WATER DAY

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of S. Res. 478, and the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 478) supporting the goals and ideals of "World Water Day."

There being no objection, the Senate proceeded to consider the resolution.

Mr. WHITEHOUSE. I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motions to reconsider be laid upon the table en bloc, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 478) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 478

Whereas the United Nations General Assembly, via resolution, has designated March 22 of each year as World Water Day;

Whereas a person needs 4 to 5 liters of water per day to survive;

Whereas a person can live weeks without food, but only days without water;

Whereas every 15 seconds a child dies from a water-borne disease;

Whereas, for children under age 5, water-borne diseases are the leading cause of death;

Whereas millions of women and children spend several hours a day collecting water from distant, often polluted sources;

Whereas every dollar spent on water and sanitation saves on average \$9 in costs averted and productivity gained;

Whereas, at any given time, ½ of the world's hospital beds are occupied by patients suffering from a water-borne disease;

Whereas 88 percent of all diseases are caused by unsafe drinking water, inadequate sanitation, and poor hygiene;

Whereas 1,100,000,000 (1 in 6) people lack access to an improved water supply;

Whereas 2,600,000,000 people in the world lack access to improved sanitation;

Whereas the global celebration of World Water Day is an initiative that grew out of the 1992 United Nations Conference on Environment and Development in Rio de Janeiro;

Whereas the participants in the 2002 World Summit on Sustainable Development in Johannesburg, including the United States, agreed to the Plan of Implementation which included an agreement to work to reduce by ½ from the baseline year 1990 "the proportion of people who are unable to reach or to afford safe drinking water", "and the proportion of people without access to basic sanitation" by 2015; and

Whereas Congress passed and the President signed into law the Senator Paul Simon Water for the Poor Act of 2005 (Public Law 109-121), which was intended to "elevate the role of water and sanitation policy in the development of U.S. foreign policy and improve the effectiveness of U.S. official programs": Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of "World Water Day";

(2) urges an increased effort and the investment of greater resources by the Department of State, the United States Agency for International Development, and all relevant Federal departments and agencies toward providing sustainable and equitable access to safe drinking water and sanitation for the poor and the very poor; and

(3) encourages the people of the United States to observe the week with appropriate activities that promote awareness of the importance of access to clean water.

NATIONAL CEREBRAL PALSY AWARENESS DAY

Mr. WHITEHOUSE. I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 484 and that the Senate now proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 484) designating March 25, 2008, as "National Cerebral Palsy Day."

There being no objection, the Senate proceeded to consider the resolution.

Mr. WHITEHOUSE. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 484) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 484

Whereas cerebral palsy is any number of neurological disorders that appear in infancy or early childhood and permanently affect