

By Mr. SPECTER:

S. 740. A bill to amend the Internal Revenue Code of 1986 to expand the homebuyer tax credit, and for other purposes; to the Committee on Finance.

Mr. SPECTER. Mr. President, I have sought recognition to introduce legislation to further expand the home buyer tax credit.

A robust home buyer tax credit will spur consumer demand and help to stop the fall in home values, which continues to affect millions of Americans. This decline is destroying the savings and net worth of Americans, whose homes are their most valuable asset. Many now have mortgages that exceed the value of their homes.

The Housing and Economic Recovery Act of 2008 created a tax credit for first-time home buyers of \$7,500 through June of 2009. However, taxpayers were required to repay the tax credit in equal installments over 15 years, which greatly reduced its effectiveness. The 2009 Stimulus bill waived the repayment requirement for purchases made in 2009, increased the value of the credit to \$8,000, and extended eligibility for purchases made through November of 2009.

Further improvements are necessary, in my judgment, to bring about a recovery in the housing market that will ultimately contribute to the turnaround of the broader economy. First, this bill would amend the Stimulus bill and raise the value to \$15,000, or 10 percent of the value of the home, whichever is less.

Second, this bill would make the home buyer tax credit available to any individual who purchases a home, not just first-time home buyers. Doing so would stimulate demand for the entire range of homes on the market.

Finally, this bill would remove the income eligibility threshold. Again, doing so would stimulate demand for the entire range of homes on the market. Currently, the credit is reduced for individuals with modified adjusted gross income, AGI, of more than \$75,000, \$150,000 for joint filers, and is zero for those individuals with modified AGI in excess of \$95,000, \$170,000 for joint filers.

The need for a robust home buyer tax credit is clear. According to the National Association of Realtors, pending home sales hit a record low in January 2009. The Pending Home Sales Index, which measures the number of sales contracts signed each month, fell 7.7 percent to 80.4, the lowest mark since 2001 when tracking began.

At the same time, the housing affordability index rose 13.6 percentage points to a record high of 166.8. A value of 100 means that a family with the country's median income has exactly enough income to qualify for a mortgage on a median-priced existing single-family home. The higher the index, the better housing affordability is for buyers.

These two figures, taken together, demonstrate that a robust home buyer

tax credit is needed to spur demand from Americans that are hesitant to buy homes for fear that prices will not stabilize.

Recent reports indicate a 13-month supply of unsold new homes, compared with a 4-month supply under more normal circumstances. Add to that a continually increasing number of foreclosed homes. According to the RealtyTrac 2008 Year-End Foreclosure Market Report, a total of 3.2 million foreclosure filings—default notices, auction sale notices and bank repossessions—were reported on 2.3 million U.S. properties during 2008, an 81 percent increase in total properties from 2007 and a 225 percent increase in total properties from 2006.

Jobs across all industries have been lost as a result of the housing crisis. According to a March 2, 2009, op-ed in the Washington Post by Robert J. Samuelson, "Since late 2007, housing-related jobs—carpenters, real estate agents, appraisers—have dropped by 1 million, a quarter of all lost jobs."

I applaud the efforts of Senator JOHN-
NY ISAKSON, who has been the leader on this issue in the Senate. I cosponsored his legislation in the 110th Congress to create a home buyer tax credit. In the 111th Congress, I supported his amendment to the Stimulus bill to make improvements to the credit and I have decided to join him as a cosponsor of S. 253, which seeks to make further improvements.

The bill I am introducing is different from S. 253 in three main ways. First, my bill would improve the home buyer credit using the 2009 Stimulus bill as a starting point. Second, my bill would increase the value of the credit to \$15,000, or 10 percent of the home value, whichever is less, whereas S. 253 would increase the credit amount to 10 percent of the home price capped at 3.5 percent of Federal Housing Administration loan limits. These limits are geographically dependent and would yield a credit ranging between approximately \$10,000 and \$22,000. Finally, my bill would remove income limitations on the credit, whereas S. 253 limits the credit for individuals earning up to \$125,000, or \$250,000 in the case of a joint return.

I believe it is important for both bills to be pending so that additional ideas can be debated. To that end, I look forward to working with Senator ISAKSON to build consensus and support for further improvements. As long as forecasts predict that home prices are falling and that the economy will remain weak, a large fraction of potential homebuyers may choose to remain on the sidelines without a robust tax credit in place.

I urge my colleagues to support this legislation, or the legislation introduced by Senator ISAKSON, to make further improvements to the home buyer tax credit.

By Mr. SPECTER

S. 741. A bill to amend the Internal Revenue Code of 1986 to impose a flat

tax only on individual taxable earned income and business taxable income, and for other purposes; to the Committee on Finance.

Mr. SPECTER. Mr. President, American taxpayers face another Federal income tax deadline. The date of April 15 stabs fear, anxiety, and unease into the hearts of millions of Americans. Every year during "tax season," millions of Americans spend their evenings pouring over page after page of IRS instructions, going through their records looking for information and struggling to find and fill out all the appropriate forms on their Federal tax returns. Americans are intimidated by the sheer number of different tax forms and their instructions, many of which they may be unsure whether they need to file. Given the approximately 582 possible forms, not to mention the instructions that accompany them, simply trying to determine which form to file can in itself be a daunting and overwhelming task. According to the 2008 annual report to Congress, released on January 7, 2009 by the National Taxpayer Advocate for the IRS, U.S. taxpayers and businesses spend about 7.6 billion hours a year complying with the filing requirements of the Internal Revenue Code. This figure does not include the millions of additional hours that taxpayers must spend when they are required to respond to an IRS notice or audit. Much of this time is spent burrowing through IRS laws and regulations which fill over 17,000 pages and have grown from 744,000 words in 1955 to 7.1 million words in 2005. By contrast, the Pledge of Allegiance has only 31 words, the Gettysburg Address has 267 words, the Declaration of Independence has about 1,300 words, and the Bible has only about 1,773,000 words.

The majority of taxpayers still face filing tax forms that are far too complicated and take far too long to complete. According to the IRS's most available data, the average time burden for all taxpayers filing a 1040, 1040A, or 1040EZ in 2006 was 26.4 hours, with an average cost of \$207 per return. Taxpayers filing 1040 forms had an average burden of approximately 34 hours. Moreover, this complexity is getting worse each year. According to the estimated preparation time listed on the forms by the IRS, the 1999 Form 1040 was estimated to take 12 hours and 51 minutes to complete. Thus, the time it now takes to fill out these tax forms has more than doubled over an eight year period.

It is no wonder that more than 80 percent of individual taxpayers pay transaction fees to help file tax returns. Well over half of all taxpayers, 61 percent according to a recent survey, now hire an outside professional to prepare their tax returns for them. However, the fact that only about 35 percent of individuals itemize their deductions shows that a significant percentage of our taxpaying population believes that the tax system is too

complex for them to deal with. We all understand that paying taxes will never be something we enjoy, but neither should it be cruel and unusual punishment. Further, the pace of change to the Internal Revenue Code is brisk. Since the beginning of 2001, there have been more than 3,250 changes to the tax code, an average of more than one a day, including more than 500 changes in 2008 alone. And we are far from being finished. Year after year, we continue to ask the same question—isn't there a better way?

My flat tax legislation would make filing a tax return a manageable chore, not a seemingly endless nightmare, for most taxpayers. My flat tax legislation will fundamentally revise the present tax code, with its myriad rates, deductions, and instructions. This legislation would institute a simple, flat 20 percent tax rate for all individuals and businesses. This proposal is not cast in stone, but is intended to move the debate forward by focusing attention on three key principles which are critical to an effective and equitable taxation system: simplicity, fairness, and economic growth.

My flat tax plan would eliminate the kinds of frustrations I have outlined above for millions of taxpayers. This flat tax would enable us to scrap the great majority of the IRS rules, regulations and instructions and delete most of the 7.1 million words in the Internal Revenue Code. Instead of billions of hours of non-productive time spent in compliance with, or avoidance of, the tax code, taxpayers would spend only the small amount of time necessary to fill out a postcard-sized form. Both business and individual taxpayers would thus find valuable hours freed up to engage in productive business activity or for more time with their families, instead of pouring over tax tables, schedules, and regulations.

My flat tax proposal is dramatic, but so are its advantages: a taxation system that is simple, fair, and designed to maximize prosperity for all Americans. A summary of the key advantages are:

A 10-line postcard filing would replace the myriad forms and attachments currently required, thus saving Americans up to 7.6 billion hours they currently spend every year in tax compliance.

The flat tax would eliminate the lion's share of IRS rules, regulations and requirements, which have grown from 744,000 words in 1955 to 7.1 million words currently. It would also allow us to slash the mammoth IRS bureaucracy of approximately 87,000 employees, creating opportunities to put their expertise to use elsewhere in the government or in private industry.

Economists estimate a growth due to a flat tax of over \$2 trillion in national wealth over 7 years, representing an increase of approximately \$7,500 in personal wealth for every man, woman and child in America. This growth would also lead to the creation of 6 million new jobs.

Investment decisions would be made on the basis of productivity rather than simply for tax avoidance, thus leading to even greater economic expansion.

Economic forecasts indicate that interest rates would fall substantially, by as much as two points, as the flat tax removes many of the current disincentives to savings.

Americans would be able to save or invest the \$265 billion they currently spend every year in tax compliance.

As tax loopholes are eliminated and the tax code is simplified, there will be far less opportunity for tax avoidance and fraud. Currently, the IRS is estimating a tax gap of \$300 billion a year.

Simplification of the tax code will allow us to save significantly on the \$10 billion annual budget currently allocated to the Internal Revenue Service.

The most dramatic way to illustrate the flat tax is to consider that the income tax form for the flat tax is printed on a postcard—it will allow all taxpayers to file their April 15 tax returns on a simple 10-line postcard. This postcard will take 15 minutes to fill out.

This is a win-win situation for America because it lowers the tax burden on the taxpayers in the lower brackets. For example in the 2006 tax year, the standard deduction is \$5,150 for a single taxpayer, \$7,550 for a head of household and \$10,300 for a married couple filing jointly, while the personal exemption for individuals and dependents is \$3,300. Thus, under the current tax code, a family of four which does not itemize deductions would pay taxes on all income over \$23,500—that is personal exemptions of \$13,200 and a standard deduction of \$10,300. By contrast, under my flat tax bill, that same family would receive a personal exemption of \$30,000, and would pay tax on income over that amount.

The tax loopholes enable write-offs of some \$393 billion a year. What is eliminated under the flat tax are the loopholes, the deductions in this complicated code which can be deciphered, interpreted, and found really only by the \$500-an-hour lawyers. That money is lost to the taxpayers. \$120 billion would be saved by the elimination of fraud because of the simplicity of the Tax Code, the taxpayer being able to find out exactly what they owe.

This bill is modeled after a proposal organized and written by two very distinguished law professors from Stanford University, Professor Hall and Professor Rabushka. Their model was first introduced in the Congress in the fall of 1994 by Majority Leader Richard Armey. I introduced the flat tax bill—the first one in the Senate—on March 2, 1995, Senate bill 488. On October 27, 1995, I introduced a Sense of the Senate Resolution calling on my colleagues to expedite Congressional adoption of a flat tax. The Resolution, which was introduced as an amendment to pending legislation, was not adopted. I reintroduced my legislation in the 105th Con-

gress with slight modifications to reflect inflation-adjusted increases in the personal allowances and dependent allowances. I re-introduced the bill on April 15, 1999, Tax Day, in a bill designated as S. 822. I then introduced my flat tax legislation as an amendment to S. 1429, the Tax Reconciliation bill; the amendment was not adopted. During the 108th Congress, I introduced my flat tax legislation once again on April 11, 2003. On May 14, 2003, I offered an amendment to the Tax Reconciliation legislation urging the Senate to hold hearings and consider legislation providing for a flat tax; this amendment passed by a vote of 70 to 30 on May 15, 2003. I then testified on this issue at a subsequent hearing held by the Joint Economic Committee on November 5, 2003. On April 15, 2005 and again on April 10, 2007, I again reintroduced my flat tax legislation in a bill designated as S. 812 and S. 1081 respectively.

Over the years and prior to my legislative efforts on behalf of flat tax reform, I have devoted considerable time and attention to analyzing our nation's tax code and the policies which underlie it. I began the study of the complexities of the tax code over 40 years ago as a law student at Yale University. I included some tax law as part of my practice in my early years as an attorney in Philadelphia. In the spring of 1962, I published a law review article in the Villanova Law Review, "Pension and Profit Sharing Plans: Coverage and Operation for Closely Held Corporations and Professional Associations," 7 Villanova L. Rev. 335, which in part focused on the inequity in making tax-exempt retirement benefits available to some kinds of businesses but not others. It was apparent then, as it is now, that the very complexities of the Internal Revenue Code could be used to give unfair advantage to some. Einstein himself is quoted as saying "the hardest thing in the world to understand is the income tax."

The Hall-Rabushka model envisioned a flat tax with no deductions whatsoever. After considerable reflection, I decided to include in the legislation limited deductions for home mortgage interest for up to \$100,000 in borrowing and charitable contributions up to \$2,500. While these modifications undercut the pure principle of the flat tax by continuing the use of tax policy to promote home buying and charitable contributions, I believe that those two deductions are so deeply ingrained in the financial planning of American families that they should be retained as a matter of fairness and public policy—and also political practicality. With those two deductions maintained, passage of a modified flat tax will be difficult, but without them, probably impossible.

In my judgment, an indispensable prerequisite to enactment of a modified flat tax is revenue neutrality. Professor Hall advised that the revenue neutrality of the Hall-Rabushka proposal, which uses a 19 percent rate, is

based on a well-documented model founded on reliable governmental statistics. My legislation raises that rate from 19 percent to 20 percent to accommodate retaining limited home mortgage interest and charitable deductions.

This proposal taxes business revenues fully at their source, so that there is no personal taxation on interest, dividends, capital gains, gifts or estates. Restructured in this way, the tax code can become a powerful incentive for savings and investment—which translates into economic growth and expansion, more and better jobs, and raising the standard of living for all Americans.

The key advantages of this flat tax plan are threefold: First, it will dramatically simplify the payment of taxes. Second, it will remove much of the IRS regulatory morass now imposed on individual and corporate taxpayers, and allow those taxpayers to devote more of their energies to productive pursuits. Third, since it is a plan which rewards savings and investment, the flat tax will spur economic growth in all sectors of the economy as more money flows into investments and savings accounts.

Professors Hall and Rabushka have projected that within seven years of enactment, this type of a flat tax would produce a 6 percent increase in output from increased total work in the U.S. economy and increased capital formation. The economic growth would mean a \$7,500 increase in the personal income of all Americans. No one likes to pay taxes. But Americans will be much more willing to pay their taxes under a system that they believe is fair, a system that they can understand, and a system that they recognize promotes rather than prevents growth and prosperity. My flat tax legislation will afford Americans such a tax system.

Mr. President, I ask unanimous consent that a copy of my flat tax postcard, a variety of specific cases that illustrate the fairness and simplicity of this flat tax, and an example flat tax table be printed in the RECORD.

There being no objection, the material was ordered to be placed in the RECORD, as follows:

2008 INDIVIDUAL TAX RETURN

ARLEN SPECTER FLAT TAX

Form 1—Individual Wage Tax—2008

Your full name with initial (if joint return, also give spouse's name and initial)	Your social security number
Home address (number and street including apartment number or rural route)	Spouse's social security number
City, town, or post office, state, and ZIP code	
1. Wages, salary, pension and retirement benefits	1 _____
2. Personal allowance (enter only one) —\$25,000 for married filing jointly —\$12,500 for single —\$18,750 for single head of household	2 _____
3. Number of dependents, not including spouse, multiplied by \$6,250	3 _____
4. Mortgage interest on debt up to \$125,000 for owner-occupied home	4 _____
5. Cash or equivalent charitable contributions (up to \$3,125)	5 _____
6. Total allowances and deductions (lines 2, 3, 4 and 5)	6 _____
7. Taxable compensation (line 1 less line 6, if positive; otherwise zero)	7 _____
8. Tax (20% of line 7)	8 _____
9. Tax withheld by employer	9 _____
10. Tax or refund due (difference between lines 8 and 9)	10 _____

A variety of specific cases illustrate the fairness and simplicity of this flat tax:

CASE #1—Married couple with two children, rents home, yearly income \$35,000:

Under Current Law:	
Income	\$35,000
Four personal exemptions	\$14,000
Standard deduction	10,900
Taxable income	10,100
Child Tax Credit	1,000
Tax due under current rates	\$10
Marginal rate	10.0%
Effective tax rate03%
Under Flat Tax:	
Personal allowance	\$25,000
Two dependents	\$12,500

Taxable income	\$0
Tax due under flat tax	¹ \$0
Effective tax rate	0%
¹ Decrease of \$10	
Case #2—Single individual, rents home, yearly income \$50,000.	
Under Current Law:	
Income	\$50,000
One personal exemption	\$3,500
Standard deduction	5,450
Taxable income	\$41,050
Tax due under current rate	\$6,606.25
Marginal rate	25.0%
Effective rate	13.2%
Under Flat Tax:	
Personal allowance	\$12,500
Taxable income	\$37,500
Tax due under flat tax	¹ \$7,500
Effective rate	15.0%
¹ Increase of \$893.75	

CASE #3—Married couple with no children, \$150,000 mortgage at 9%, yearly income \$75,000:

Under Current Law:	
Income	\$75,000
Two personal exemptions	\$7,000
Home mortgage deduction	\$13,500
State & local taxes	\$3,000
Charitable deduction	\$1,500
Taxable income	\$50,000
Tax due under current rates	\$6,697.50
Marginal rate	15.00%
Effective tax rate	8.93%
Under Flat Tax:	
Personal allowance	\$25,000
Home mortgage deduction	\$11,250
Charitable deduction	\$1,500
Taxable income	\$37,250
Tax due under flat tax	\$7,450
Effective tax rate	9.93%
¹ Increase of \$752.50	

CASE #4—Married couple with three children, \$250,000 mortgage at 9%, yearly income \$125,000:

Under Current Law:	
Income	\$125,000
Five personal exemptions	\$17,500
Home mortgage deduction	\$22,500
State & local taxes	\$5,000
Retirement fund deductions	\$6,000
Charitable deductions	\$2,500
Taxable income	\$71,500
Child Tax Credit	\$2,250
Tax due under current rates	\$8,312.50
Marginal rate	25.00%
Effective tax rate	6.65%
Under Flat Tax:	
Personal allowance	\$25,000
Three dependents	\$18,750
Home mortgage deduction	\$11,250
Charitable deduction	\$2,500
Taxable income	\$67,500
Tax due under flat tax	\$13,500
Effective tax rate	10.8%
¹ Increase of \$5,187.50***	

ANNUAL TAXES UNDER 20% FLAT TAX FOR MARRIED COUPLE WITH TWO CHILDREN FILING JOINTLY

Income	Home mortgage	Deductible mtg interest	Charitable contribution	Personal allowance (w/ children)	Taxable income	Effective tax rate (percent)	Taxes owed
\$30,000					0	0	None
30,000	\$60,000	\$5,400	\$600	\$30,000	0	0	None
40,000	80,000	7,200	800	30,000	\$2,000	1	\$400
50,000	100,000	9,000	1,000	30,000	10,000	4	2,000
60,000	120,000	9,000	1,200	30,000	19,800	6.6	3,960
70,000	140,000	9,000	1,400	30,000	29,600	8.6	5,920
80,000	160,000	9,000	1,600	30,000	39,400	9.9	7,880
90,000	180,000	9,000	1,800	30,000	49,200	10.9	9,840
100,000	200,000	9,000	2,000	30,000	59,000	11.8	11,800
125,000	250,000	9,000	2,500	30,000	83,500	13.4	16,700
150,000	300,000	9,000	2,500	30,000	108,500	14.5	21,700
200,000	400,000	9,000	2,500	30,000	158,500	15.9	31,700
250,000	500,000	9,000	2,500	30,000	208,500	16.7	41,700
500,000	1,000,000	9,000	2,500	30,000	458,500	18.3	91,700

ANNUAL TAXES UNDER 20% FLAT TAX FOR MARRIED COUPLE WITH TWO CHILDREN FILING JOINTLY—Continued

Income	Home mortgage	Deductible mtg interest	Charitable contribution	Personal allowance (w/ children	Taxable income	Effective tax rate (percent)	Taxes owed
1,000,000	2,000,000	9,000	2,500	30,000	958,500	19.2	191,700

* Assumes home mortgage of twice annual income at a rate of 9% and charitable contributions up to 2% of annual income.

By Mr. UDALL, of New Mexico:

S. 743. A bill to require air carriers to provide training for flight attendants and gate attendants regarding serving alcohol, recognizing intoxicated passengers, and dealing with disruptive passengers, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. UDALL of New Mexico. Mr. President, I rise today to introduce the Airline Personnel Training Enhancement Act of 2009 and to ask for Senators' support for this important measure to improve safety in the air and on the ground.

The story of this legislation begins with a tragedy. On November 11, 2006, Paul and Renee Gonzales were driving back from a soccer tournament with four of their daughters. They were roughly 1 hour from their home in Las Vegas, NM, when they saw Dana Papst's vehicle. Papst had been driving on the wrong side of I-25 for about 5 miles before his car collided with the Gonzales's minivan at 60 to 75 miles per hour. Five of the six members of the Gonzales family were killed. Papst later died at the hospital.

I cannot say for certain whether this tragedy could have been prevented by a change in laws. But I do know this: A few hours before Dana Papst took six lives, including his own, he was flying back to Albuquerque after a business trip. On that flight, he was noticeably intoxicated. Yet he was served alcohol by airline personnel. When his truck collided with the Gonzales's minivan, his blood-alcohol level was four times the legal limit.

When I heard about Dana Papst and the Gonzales family, I began to look for legislation that could prevent tragedies like this in the future. I learned that under existing law, Papst should not have been served alcohol on his flight. In fact, somebody as drunk as Papst never should have been allowed on that flight. But airlines are not required to teach their personnel how to handle an intoxicated passenger.

To address this problem, I introduced the Airline Personnel Training Enhancement Act in the other body during the last Congress. I am introducing it again today.

This legislation requires air carriers to train their employees on recognizing and dealing with drunk or disruptive passengers. This training will help employees make informed decisions when allowing people to board flights, when deciding whether a passenger should be served alcohol, and when dealing with belligerent passengers. Many States require people who serve alcohol in restaurants and bars to be properly trained. This legislation simply closes

a large and potentially deadly loophole. I hope it will lead to fewer deaths on our roads.

New Mexico, like so many other States, has too many crosses on its highways, too many stories of loss and regret. Drunk driving claimed 155 New Mexico lives the year Paul and Renee Gonzales were killed. It claimed 188 the year before, and 211 the year before that. We have the power to help reduce these numbers. I hope we will use it.

But my legislation is not just about drunk driving. As I began to study the training of airline personnel, I discovered a large and frightening threat to the traveling public. Outbursts by belligerent passengers are more and more common. But airline personnel are rarely trained on how to handle these situations.

Incidents of "air rage" increased 400 percent since 2000. There are an estimated 10,000 cases each year in the United States alone. Airline security experts estimate that alcohol is the underlying cause of the majority of incidents. These incidents can pose a serious threat to passengers and personnel. In some cases, flights have been diverted from their destination in order to land where threatening passengers could be arrested.

Airline personnel are on the front line for ensuring flight safety. Gate attendants are in the best position to keep drunk or belligerent passengers off flights. Today, flight attendants are often the only personnel capable of maintaining order in a plane's cabin.

Before 9/11, a flight's captain or copilot would leave the cockpit to assist the flight crew when a passenger made threats or became abusive. Today, the cockpit door is locked for safety. Flight attendants have more responsibility for keeping passengers safe.

Unfortunately, airlines do not have to give their employees the skills to meet their responsibilities. One study found that "the lack of attention paid by the aviation community to the importance of the flight attendant's role in a commercial flight has led to recurring instances of abuse of cabin crew by passengers and the inability of the cabin crew to restrain violent passenger[s]. . . ."

The Airline Personnel Training Enhancement Act will help remedy this unsafe and unacceptable situation. This legislation is supported by the Association of Flight Attendants and Mothers Against Drunk Driving. It is also a commonsense response to a serious problem. It will make our skies and our roads safer. I hope Senators will support it.

SUBMITTED RESOLUTIONS DURING ADJOURNMENT OF THE SENATE

SENATE CONCURRENT RESOLUTION 13—SETTING FORTH THE CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2010, REVISING THE APPROPRIATE BUDGETARY LEVELS FOR FISCAL YEAR 2009, AND SETTING FORTH THE APPROPRIATE BUDGETARY LEVELS FOR FISCAL YEARS 2011 THROUGH 2014

Mr. CONRAD from the Committee on the Budget; submitted the following concurrent resolution, which was placed on the calendar:

S. CON. RES. 13

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

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010.

(a) DECLARATION.—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2010 and that this resolution sets forth the appropriate budgetary levels for fiscal years 2009 and 2011 through 2014.

(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 2010.

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—RESERVE FUNDS

Sec. 201. Deficit-neutral reserve fund to transform and modernize America's health care system.
Sec. 202. Deficit-neutral reserve fund to invest in clean energy and preserve the environment.
Sec. 203. Deficit-neutral reserve fund for higher education.
Sec. 204. Deficit-neutral reserve fund for child nutrition and WIC.
Sec. 205. Deficit-neutral reserve fund for investments in America's infrastructure.
Sec. 206. Deficit-neutral reserve fund to promote economic stabilization and growth.
Sec. 207. Deficit-neutral reserve fund for America's veterans and wounded servicemembers.
Sec. 208. Deficit-neutral reserve fund for judicial pay and judgeships and postal retiree assistance.
Sec. 209. Deficit-neutral reserve fund for defense acquisition and contracting reform.
Sec. 210. Deficit-neutral reserve fund for investments in our Nation's counties and schools.
Sec. 211. Deficit-neutral reserve fund for the Food and Drug Administration.
Sec. 212. Deficit neutral reserve fund for bipartisan congressional sunset commission.

- Sec. 213. Deficit-neutral reserve fund to improve domestic fuels security.
- Sec. 214. Deficit-neutral reserve fund for a comprehensive investigation into the current financial crisis.
- Sec. 215. Deficit-neutral reserve fund for increased transparency at the Federal Reserve.

TITLE III—BUDGET PROCESS

Subtitle A—Budget Enforcement

- Sec. 301. Discretionary spending limits, program integrity initiatives, and other adjustments.
- Sec. 302. Point of order against advance appropriations.
- Sec. 303. Emergency legislation.
- Sec. 304. Point of order against legislation increasing short-term deficit.
- Sec. 305. Point of order against provisions of appropriations legislation that constitute changes in mandatory programs affecting the Crime Victims Fund.

Subtitle B—Other Provisions

- Sec. 311. Oversight of government performance.
- Sec. 312. Budgetary treatment of certain discretionary administrative expenses.
- Sec. 313. Application and effect of changes in allocations and aggregates.
- Sec. 314. Adjustments to reflect changes in concepts and definitions.
- Sec. 315. Debt disclosure requirement.
- Sec. 316. Debt disclosures.
- Sec. 317. Exercise of rulemaking powers.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2009 through 2014:

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

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

Fiscal year 2009: \$1,506,196,000,000.
 Fiscal year 2010: \$1,620,072,000,000.
 Fiscal year 2011: \$1,918,926,000,000.
 Fiscal year 2012: \$2,123,586,000,000.
 Fiscal year 2013: \$2,286,601,000,000.
 Fiscal year 2014: \$2,489,829,000,000.

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

Fiscal year 2009: –\$26,374,000,000.
 Fiscal year 2010: –\$45,914,000,000.
 Fiscal year 2011: –\$169,705,000,000.
 Fiscal year 2012: –\$236,806,000,000.
 Fiscal year 2013: –\$228,736,000,000.
 Fiscal year 2014: –\$143,829,000,000.

(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 2009: \$3,668,049,000,000.
 Fiscal year 2010: \$2,853,966,000,000.
 Fiscal year 2011: \$2,799,858,000,000.
 Fiscal year 2012: \$2,812,313,000,000.
 Fiscal year 2013: \$2,990,082,000,000.
 Fiscal year 2014: \$3,164,644,000,000.

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

Fiscal year 2009: \$3,355,533,000,000.
 Fiscal year 2010: \$2,981,026,000,000.
 Fiscal year 2011: \$2,937,215,000,000.
 Fiscal year 2012: \$2,856,956,000,000.
 Fiscal year 2013: \$3,003,162,000,000.
 Fiscal year 2014: \$3,152,972,000,000.

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

Fiscal year 2009: \$1,849,337,000,000.
 Fiscal year 2010: \$1,360,954,000,000.
 Fiscal year 2011: \$1,018,289,000,000.
 Fiscal year 2012: \$733,370,000,000.
 Fiscal year 2013: \$716,560,000,000.
 Fiscal year 2014: \$663,142,000,000.

(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 2009: \$12,067,919,000,000.
 Fiscal year 2010: \$8,817,043,000,000.
 Fiscal year 2011: \$14,394,517,000,000.
 Fiscal year 2012: \$15,303,842,000,000.
 Fiscal year 2013: \$16,175,508,000,000.
 Fiscal year 2014: \$17,022,970,000,000.

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

Fiscal year 2009: \$7,754,355,000,000.
 Fiscal year 2010: \$8,817,043,000,000.
 Fiscal year 2011: \$9,702,393,000,000.
 Fiscal year 2012: \$10,345,439,000,000.
 Fiscal year 2013: \$10,919,379,000,000.
 Fiscal year 2014: \$11,471,742,000,000.

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 2009: \$653,117,000,000.
 Fiscal year 2010: \$668,208,000,000.
 Fiscal year 2011: \$694,864,000,000.
 Fiscal year 2012: \$726,045,000,000.
 Fiscal year 2013: \$766,065,000,000.
 Fiscal year 2014: \$802,166,000,000.

(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 2009: \$513,029,000,000.
 Fiscal year 2010: \$544,140,000,000.
 Fiscal year 2011: \$564,523,000,000.
 Fiscal year 2012: \$586,897,000,000.
 Fiscal year 2013: \$612,017,000,000.
 Fiscal year 2014: \$639,054,000,000.

(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 2009:
 (A) New budget authority, \$5,296,000,000.
 (B) Outlays, \$4,945,000,000.
 Fiscal year 2010:
 (A) New budget authority, \$6,072,000,000.
 (B) Outlays, \$5,934,000,000.
 Fiscal year 2011:
 (A) New budget authority, \$6,568,000,000.
 (B) Outlays, \$6,433,000,000.
 Fiscal year 2012:
 (A) New budget authority, \$6,895,000,000.
 (B) Outlays, \$6,809,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$7,223,000,000.
 (B) Outlays, \$7,148,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$7,599,000,000.
 (B) Outlays, \$7,517,000,000.

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 2009:
 (A) New budget authority, \$253,000,000.
 (B) Outlays, \$253,000,000.
 Fiscal year 2010:

(A) New budget authority, \$262,000,000.
 (B) Outlays, \$262,000,000.
 Fiscal year 2011:
 (A) New budget authority, \$267,000,000.
 (B) Outlays, \$267,000,000.
 Fiscal year 2012:

(A) New budget authority, \$272,000,000.
 (B) Outlays, \$272,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$277,000,000.
 (B) Outlays, \$277,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$283,000,000.
 (B) Outlays, \$283,000,000.

SEC. 104. MAJOR FUNCTIONAL CATEGORIES.

Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2009 through 2014 for each major functional category are:

(1) National Defense (050):

Fiscal year 2009:
 (A) New budget authority, \$693,557,000,000.
 (B) Outlays, \$671,725,000,000.
 Fiscal year 2010:
 (A) New budget authority, \$691,703,000,000.
 (B) Outlays, \$695,628,000,000.
 Fiscal year 2011:

(A) New budget authority, \$619,767,000,000.
 (B) Outlays, \$662,705,000,000.
 Fiscal year 2012:
 (A) New budget authority, \$628,785,000,000.
 (B) Outlays, \$642,223,000,000.
 Fiscal year 2013:

(A) New budget authority, \$639,535,000,000.
 (B) Outlays, \$641,425,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$653,458,000,000.
 (B) Outlays, \$646,834,000,000.

(2) International Affairs (150):

Fiscal year 2009:
 (A) New budget authority, \$55,333,000,000.
 (B) Outlays, \$38,011,000,000.
 Fiscal year 2010:
 (A) New budget authority, \$46,670,000,000.
 (B) Outlays, \$46,960,000,000.

Fiscal year 2011:
 (A) New budget authority, \$48,192,000,000.
 (B) Outlays, \$49,936,000,000.
 Fiscal year 2012:
 (A) New budget authority, \$50,429,000,000.
 (B) Outlays, \$51,181,000,000.

Fiscal year 2013:
 (A) New budget authority, \$53,332,000,000.
 (B) Outlays, \$52,292,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$55,996,000,000.
 (B) Outlays, \$53,111,000,000.

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

Fiscal year 2009:
 (A) New budget authority, \$35,389,000,000.
 (B) Outlays, \$30,973,000,000.
 Fiscal year 2010:
 (A) New budget authority, \$31,139,000,000.
 (B) Outlays, \$32,467,000,000.

Fiscal year 2011:
 (A) New budget authority, \$33,993,000,000.
 (B) Outlays, \$33,032,000,000.
 Fiscal year 2012:
 (A) New budget authority, \$35,008,000,000.
 (B) Outlays, \$33,749,000,000.

Fiscal year 2013:
 (A) New budget authority, \$35,557,000,000.
 (B) Outlays, \$34,971,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$36,211,000,000.
 (B) Outlays, \$36,066,000,000.

(4) Energy (270):

Fiscal year 2009:
 (A) New budget authority, \$43,919,000,000.
 (B) Outlays, \$2,952,000,000.
 Fiscal year 2010:
 (A) New budget authority, \$4,489,000,000.
 (B) Outlays, \$6,210,000,000.

Fiscal year 2011:
 (A) New budget authority, \$4,404,000,000.
 (B) Outlays, \$8,906,000,000.

Fiscal year 2012:
 (A) New budget authority, \$4,427,000,000.
 (B) Outlays, \$10,341,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$4,619,000,000.
 (B) Outlays, \$5,613,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$4,540,000,000.
 (B) Outlays, \$484,000,000.
 (5) Natural Resources and Environment (300):
 Fiscal year 2009:
 (A) New budget authority, \$56,009,000,000.
 (B) Outlays, \$36,834,000,000.
 Fiscal year 2010:
 (A) New budget authority, \$37,387,000,000.
 (B) Outlays, \$40,450,000,000.
 Fiscal year 2011:
 (A) New budget authority, \$37,914,000,000.
 (B) Outlays, \$39,868,000,000.
 Fiscal year 2012:
 (A) New budget authority, \$38,376,000,000.
 (B) Outlays, \$39,419,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$38,256,000,000.
 (B) Outlays, \$38,883,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$38,602,000,000.
 (B) Outlays, \$38,788,000,000.
 (6) Agriculture (350):
 Fiscal year 2009:
 (A) New budget authority, \$24,974,000,000.
 (B) Outlays, \$23,070,000,000.
 Fiscal year 2010:
 (A) New budget authority, \$23,620,000,000.
 (B) Outlays, \$23,881,000,000.
 Fiscal year 2011:
 (A) New budget authority, \$24,602,000,000.
 (B) Outlays, \$23,914,000,000.
 Fiscal year 2012:
 (A) New budget authority, \$21,500,000,000.
 (B) Outlays, \$17,410,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$22,295,000,000.
 (B) Outlays, \$21,877,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$22,920,000,000.
 (B) Outlays, \$21,906,000,000.
 (7) Commerce and Housing Credit (370):
 Fiscal year 2009:
 (A) New budget authority, \$694,439,000,000.
 (B) Outlays, \$665,437,000,000.
 Fiscal year 2010:
 (A) New budget authority, \$61,113,000,000.
 (B) Outlays, \$85,818,000,000.
 Fiscal year 2011:
 (A) New budget authority, \$25,931,000,000.
 (B) Outlays, \$37,798,000,000.
 Fiscal year 2012:
 (A) New budget authority, \$9,305,000,000.
 (B) Outlays, \$8,400,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$16,985,000,000.
 (B) Outlays, \$5,329,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$10,958,000,000.
 (B) Outlays, -\$2,762,000,000.
 (8) Transportation (400):
 Fiscal year 2009:
 (A) New budget authority, \$122,457,000,000.
 (B) Outlays, \$87,784,000,000.
 Fiscal year 2010:
 (A) New budget authority, \$75,246,000,000.
 (B) Outlays, \$95,695,000,000.
 Fiscal year 2011:
 (A) New budget authority, \$75,301,000,000.
 (B) Outlays, \$96,147,000,000.
 Fiscal year 2012:
 (A) New budget authority, \$75,885,000,000.
 (B) Outlays, \$95,184,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$75,758,000,000.
 (B) Outlays, \$95,017,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$75,642,000,000.
 (B) Outlays, \$94,972,000,000.
 (9) Community and Regional Development (450):

Fiscal year 2009:
 (A) New budget authority, \$23,811,000,000.
 (B) Outlays, \$29,983,000,000.
 Fiscal year 2010:
 (A) New budget authority, \$16,308,000,000.
 (B) Outlays, \$28,921,000,000.
 Fiscal year 2011:
 (A) New budget authority, \$16,152,000,000.
 (B) Outlays, \$25,563,000,000.
 Fiscal year 2012:
 (A) New budget authority, \$16,194,000,000.
 (B) Outlays, \$22,254,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$16,043,000,000.
 (B) Outlays, \$19,633,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$16,068,000,000.
 (B) Outlays, \$17,870,000,000.
 (10) Education, Training, Employment, and Social Services (500):
 Fiscal year 2009:
 (A) New budget authority, \$164,276,000,000.
 (B) Outlays, \$73,219,000,000.
 Fiscal year 2010:
 (A) New budget authority, \$94,430,000,000.
 (B) Outlays, \$140,624,000,000.
 Fiscal year 2011:
 (A) New budget authority, \$107,858,000,000.
 (B) Outlays, \$141,412,000,000.
 Fiscal year 2012:
 (A) New budget authority, \$117,121,000,000.
 (B) Outlays, \$118,480,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$115,931,000,000.
 (B) Outlays, \$118,911,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$125,788,000,000.
 (B) Outlays, \$120,959,000,000.
 (11) Health (550):
 Fiscal year 2009:
 (A) New budget authority, \$380,158,000,000.
 (B) Outlays, \$354,397,000,000.
 Fiscal year 2010:
 (A) New budget authority, \$383,911,000,000.
 (B) Outlays, \$388,746,000,000.
 Fiscal year 2011:
 (A) New budget authority, \$363,906,000,000.
 (B) Outlays, \$367,276,000,000.
 Fiscal year 2012:
 (A) New budget authority, \$368,156,000,000.
 (B) Outlays, \$367,505,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$387,170,000,000.
 (B) Outlays, \$382,555,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$396,523,000,000.
 (B) Outlays, \$397,351,000,000.
 (12) Medicare (570):
 Fiscal year 2009:
 (A) New budget authority, \$427,076,000,000.
 (B) Outlays, \$426,736,000,000.
 Fiscal year 2010:
 (A) New budget authority, \$442,823,000,000.
 (B) Outlays, \$442,954,000,000.
 Fiscal year 2011:
 (A) New budget authority, \$487,508,000,000.
 (B) Outlays, \$487,326,000,000.
 Fiscal year 2012:
 (A) New budget authority, \$491,844,000,000.
 (B) Outlays, \$491,616,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$539,711,000,000.
 (B) Outlays, \$539,862,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$592,893,000,000.
 (B) Outlays, \$592,733,000,000.
 (13) Income Security (600):
 Fiscal year 2009:
 (A) New budget authority, \$520,123,000,000.
 (B) Outlays, \$503,020,000,000.
 Fiscal year 2010:
 (A) New budget authority, \$534,689,000,000.
 (B) Outlays, \$538,604,000,000.
 Fiscal year 2011:
 (A) New budget authority, \$507,482,000,000.
 (B) Outlays, \$510,762,000,000.
 Fiscal year 2012:
 (A) New budget authority, \$450,081,000,000.

(B) Outlays, \$450,806,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$454,160,000,000.
 (B) Outlays, \$453,932,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$454,931,000,000.
 (B) Outlays, \$453,726,000,000.
 (14) Social Security (650):
 Fiscal year 2009:
 (A) New budget authority, \$31,820,000,000.
 (B) Outlays, \$31,264,000,000.
 Fiscal year 2010:
 (A) New budget authority, \$20,255,000,000.
 (B) Outlays, \$20,378,000,000.
 Fiscal year 2011:
 (A) New budget authority, \$23,380,000,000.
 (B) Outlays, \$23,513,000,000.
 Fiscal year 2012:
 (A) New budget authority, \$26,478,000,000.
 (B) Outlays, \$26,628,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$29,529,000,000.
 (B) Outlays, \$29,679,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$32,728,000,000.
 (B) Outlays, \$32,728,000,000.
 (15) Veterans Benefits and Services (700):
 Fiscal year 2009:
 (A) New budget authority, \$97,705,000,000.
 (B) Outlays, \$94,831,000,000.
 Fiscal year 2010:
 (A) New budget authority, \$106,357,000,000.
 (B) Outlays, \$105,460,000,000.
 Fiscal year 2011:
 (A) New budget authority, \$112,806,000,000.
 (B) Outlays, \$112,355,000,000.
 Fiscal year 2012:
 (A) New budget authority, \$108,643,000,000.
 (B) Outlays, \$108,048,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$113,722,000,000.
 (B) Outlays, \$113,071,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$115,929,000,000.
 (B) Outlays, \$115,388,000,000.
 (16) Administration of Justice (750):
 Fiscal year 2009:
 (A) New budget authority, \$55,783,000,000.
 (B) Outlays, \$49,853,000,000.
 Fiscal year 2010:
 (A) New budget authority, \$52,857,000,000.
 (B) Outlays, \$51,630,000,000.
 Fiscal year 2011:
 (A) New budget authority, \$52,061,000,000.
 (B) Outlays, \$54,110,000,000.
 Fiscal year 2012:
 (A) New budget authority, \$51,866,000,000.
 (B) Outlays, \$53,726,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$51,651,000,000.
 (B) Outlays, \$52,678,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$51,488,000,000.
 (B) Outlays, \$51,635,000,000.
 (17) General Government (800):
 Fiscal year 2009:
 (A) New budget authority, \$30,405,000,000.
 (B) Outlays, \$24,629,000,000.
 Fiscal year 2010:
 (A) New budget authority, \$22,321,000,000.
 (B) Outlays, \$23,021,000,000.
 Fiscal year 2011:
 (A) New budget authority, \$22,477,000,000.
 (B) Outlays, \$23,322,000,000.
 Fiscal year 2012:
 (A) New budget authority, \$22,707,000,000.
 (B) Outlays, \$23,806,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$22,437,000,000.
 (B) Outlays, \$23,252,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$22,808,000,000.
 (B) Outlays, \$23,109,000,000.
 (18) Net Interest (900):
 Fiscal year 2009:
 (A) New budget authority, \$289,021,000,000.
 (B) Outlays, \$289,021,000,000.
 Fiscal year 2010:

(A) New budget authority, \$284,558,000,000.
(B) Outlays, \$284,558,000,000.
Fiscal year 2011:
(A) New budget authority, \$323,794,000,000.
(B) Outlays, \$323,794,000,000.
Fiscal year 2012:
(A) New budget authority, \$387,620,000,000.
(B) Outlays, \$387,620,000,000.
Fiscal year 2013:
(A) New budget authority, \$470,073,000,000.
(B) Outlays, \$470,073,000,000.
Fiscal year 2014:
(A) New budget authority, \$557,326,000,000.
(B) Outlays, \$557,326,000,000.
(19) Allowances (920):
Fiscal year 2009:
(A) New budget authority, \$0.
(B) Outlays, \$0.
Fiscal year 2010:
(A) New budget authority, -\$7,466,000,000.
(B) Outlays, -\$2,536,000,000.
Fiscal year 2011:
(A) New budget authority, -\$16,016,000,000.
(B) Outlays, -\$12,873,000,000.
Fiscal year 2012:
(A) New budget authority, -\$17,492,000,000.
(B) Outlays, -\$16,820,000,000.
Fiscal year 2013:
(A) New budget authority, -\$19,097,000,000.
(B) Outlays, -\$18,307,000,000.
Fiscal year 2014:
(A) New budget authority, -\$20,674,000,000.
(B) Outlays, -\$19,758,000,000.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2009:
(A) New budget authority, -\$78,206,000,000.
(B) Outlays, -\$78,206,000,000.
Fiscal year 2010:
(A) New budget authority, -\$68,444,000,000.
(B) Outlays, -\$68,444,000,000.
Fiscal year 2011:
(A) New budget authority, -\$71,653,000,000.
(B) Outlays, -\$71,653,000,000.
Fiscal year 2012:
(A) New budget authority, -\$74,620,000,000.
(B) Outlays, -\$74,620,000,000.
Fiscal year 2013:
(A) New budget authority, -\$77,585,000,000.
(B) Outlays, -\$77,585,000,000.
Fiscal year 2014:
(A) New budget authority, -\$79,491,000,000.
(B) Outlays, -\$79,491,000,000.

TITLE II—RESERVE FUNDS

SEC. 201. DEFICIT-NEUTRAL RESERVE FUND TO TRANSFORM AND MODERNIZE AMERICA'S HEALTH CARE SYSTEM.

(a) TRANSFORM AND MODERNIZE AMERICA'S HEALTH CARE SYSTEM.—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, and make adjustments to the pay-as-you-go ledger that are deficit-neutral over 11 years, for one or more bills, joint resolutions, amendments, motions, or conference reports that are deficit-neutral, reduce excess cost growth in health care spending and are fiscally sustainable over the long term, and—

- (1) protect families' financial health including restraining the growth of health premiums and other health-related costs;
- (2) make health coverage affordable to businesses, households, and governments, including by reducing wasteful and inefficient spending in the health care system with periodic reports on savings achieved through these efforts, and by moving forward with improvements to the health care delivery system, including Medicare;
- (3) aim for universality of health coverage;
- (4) provide portability of coverage and assurance of coverage with appropriate consumer protections;
- (5) guarantee choice of health plans and health care providers to Americans;
- (6) invest in prevention and wellness and address issues of health disparities;

(7) improve patient safety and quality care, including the appropriate use of health information technology and health data, and promote transparency in cost and quality information to Americans; or

(8) maintain long-term fiscal sustainability and pays for itself by reducing health care cost growth, improving productivity, or dedicating additional sources of revenue; by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over the period of the total of fiscal years 2009 through 2019.

(b) OTHER REVISIONS.—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—

(1) increase the reimbursement rate for physician services under section 1848(d) of the Social Security Act and that include 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;

(2) include measures to encourage physicians to train in primary care residencies and ensure an adequate supply of residents and physicians; or

(3) improve the Medicare program for beneficiaries and protect access to outpatient therapy services (including physical therapy, occupational therapy, and speech-language pathology services) through measures such as repealing the current outpatient therapy caps while protecting beneficiaries from associated premium increases; 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 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 202. DEFICIT-NEUTRAL RESERVE FUND TO INVEST IN CLEAN ENERGY AND PRESERVE THE ENVIRONMENT.

(a) INVESTING IN CLEAN ENERGY AND PRESERVING THE ENVIRONMENT.—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 would reduce our Nation's dependence on imported energy, produce green jobs, promote renewable energy development, create a clean energy investment fund, improve electricity transmission, encourage conservation and efficiency, make improvements to the Low Income Home Energy Assistance Program, implement water settlements, or preserve or protect public lands, 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 2009 through 2014 or the period of the total of fiscal years 2009 through 2019. The legislation may include tax provisions.

(b) CLIMATE CHANGE LEGISLATION.—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 would invest in clean energy technology initiatives, decrease greenhouse gas emissions, or help families, workers, communities, and businesses make the transition to a clean energy economy, 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 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 203. DEFICIT-NEUTRAL RESERVE FUND FOR HIGHER EDUCATION.

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 make higher education more accessible and affordable, which may include legislation to expand and strengthen student aid, such as Pell Grants, or increase college enrollment and completion rates for low-income students, 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 2009 through 2014 or the period of the total of fiscal years 2009 through 2019. The legislation may include tax provisions.

SEC. 204. DEFICIT-NEUTRAL RESERVE FUND FOR CHILD NUTRITION AND WIC.

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 would reauthorize child nutrition programs or the Special Supplemental Nutrition Program for Women, Infants, and Children (the WIC program), 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 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 205. DEFICIT-NEUTRAL RESERVE FUND FOR INVESTMENTS IN AMERICA'S INFRASTRUCTURE.

(a) INFRASTRUCTURE.—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 a robust Federal investment in America's infrastructure, which may include projects for public housing, energy, water, 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 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(b) SURFACE TRANSPORTATION.—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 new budget authority for surface transportation programs to the extent such new budget authority is offset by an increase in receipts to the Highway Trust Fund (excluding transfers from the general fund of the Treasury into the Highway Trust Fund not offset by a similar increase in receipts), provided further that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(c) MULTIMODAL TRANSPORTATION PROJECTS.—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 would authorize multimodal transportation projects that—

(1) provide a set of performance measures; (2) require a cost-benefit analysis be conducted to ensure accountability and overall project goals are met; and

(3) provide flexibility for States, cities, and localities to create strategies that meet the needs of their communities, 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 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 206. DEFICIT-NEUTRAL RESERVE FUND TO PROMOTE ECONOMIC STABILIZATION AND GROWTH.

(a) **MANUFACTURING.**—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, including tax legislation, that would revitalize and strengthen 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 enhancing workers' technical skills in the use of the new advanced manufacturing technologies to produce competitive energy efficient products, by increasing support for the redevelopment of closed manufacturing plants, by increasing support for development of alternative fuels and leap-ahead automotive and energy technologies such as advanced batteries, 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 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(b) **TAX RELIEF.**—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 by the amounts provided by one or more bills, joint resolutions, amendments, motions, or conference reports that would provide tax relief, including but not limited to extensions of expiring and expired tax relief or refundable tax relief, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(c) **TAX REFORM.**—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 reform the Internal Revenue Code to ensure a sustainable revenue base that would lead to a fairer and more efficient tax system and to a more competitive business environment for United States enterprises, 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 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(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 appropriate 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 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(e) **TRADE.**—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 related to trade by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(f) **HOUSING ASSISTANCE.**—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 related to housing assistance, which may include low income rental assistance and assistance provided through the Housing Trust Fund created under section 1131 of the Housing and Economic Recovery Act of 2008, 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 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(g) **UNEMPLOYMENT MITIGATION.**—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 reduce the unemployment rate or provide assistance to the unemployed, particularly in the states and localities with the highest rates of unemployment, or improve the implementation of the unemployment compensation program, 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 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 207. DEFICIT-NEUTRAL RESERVE FUND FOR AMERICA'S 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 that would expand the number of disabled military retirees who receive both disability compensation and retired pay, accelerate the phase-in of concurrent receipt, eliminate the offset between Survivor Benefit Plan annuities and Veterans' Dependency and Indemnity Compensation, or expand veterans' benefits (including for veterans living in 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 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 208. DEFICIT-NEUTRAL RESERVE FUND FOR JUDICIAL PAY AND JUDGESHIPS AND POSTAL RETIREE ASSISTANCE.

(a) **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 appropriate levels and limits 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 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(b) **POSTAL RETIREES.**—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 relating to adjustments to funding for postal retiree health coverage, 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 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 209. DEFICIT-NEUTRAL RESERVE FUND FOR DEFENSE ACQUISITION AND CONTRACTING REFORM.

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—

(1) enhance the capability of the Federal acquisition or contracting workforce to achieve better value for taxpayers;

(2) reduce the use of no-bid and cost-plus contracts; or

(3) reform Department of Defense processes for acquiring weapons systems in order to reduce costs, improve cost and schedule estimation, enhance developmental testing of weapons, or increase the rigor of reviews of programs that experience critical cost growth;

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 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 210. DEFICIT-NEUTRAL RESERVE FUND FOR INVESTMENTS IN OUR NATION'S COUNTIES AND SCHOOLS.

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) or 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 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 211. DEFICIT-NEUTRAL RESERVE FUND FOR THE FOOD AND DRUG ADMINISTRATION.

(a) **REGULATION.**—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 authorize 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 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(b) **DRUG IMPORTATION.**—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 permit 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 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 212. DEFICIT-NEUTRAL RESERVE FUND FOR BIPARTISAN CONGRESSIONAL SUNSET COMMISSION.

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—

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

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

(3) provide for improved government accountability and greater openness in Government decisionmaking; and

(4) provide for a process that ensures that Congress will consider the commission's reports and recommendations; by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 213. DEFICIT-NEUTRAL RESERVE FUND TO IMPROVE DOMESTIC FUELS SECURITY.

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 to achieve domestic fuels security by authorizing the Department of Defense to procure alternative fuels from domestic sources under contracts for up to 20 years, provided that such procurement is consistent with section 526 of the Energy Independence and Security Act of 2007 (Public Law 110-140) and provided further that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 214. DEFICIT-NEUTRAL RESERVE FUND FOR A COMPREHENSIVE INVESTIGATION INTO THE CURRENT FINANCIAL CRISIS.

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 resources for a comprehensive investigation to determine the cause of the current financial crisis, hold

those responsible accountable, and provide recommendations to prevent another financial crisis of this magnitude from occurring again 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 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 215. DEFICIT-NEUTRAL RESERVE FUND FOR INCREASED TRANSPARENCY AT THE FEDERAL RESERVE.

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 increase transparency at the Federal Reserve System, including audits of the Board of Governors of the Federal Reserve System and the Federal reserve banks and increased public disclosure with respect to the recipients of all loans and other financial assistance it has provided since March 24, 2008, 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 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

TITLE III—BUDGET PROCESS

Subtitle A—Budget Enforcement

SEC. 301. 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 2009, \$1,391,471,000,000 in new budget authority and \$1,220,843,000,000 in outlays; and

(2) for fiscal year 2010, \$1,079,050,000,000 in new budget authority and \$1,268,104,000,000 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 2010 that appropriates \$273,000,000 for continuing disability reviews and Supplemental Security Income redeterminations for the Social Security Administration, and provides an additional appropriation of up to \$485,000,000 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 \$485,000,000 in budget authority and outlays flowing therefrom for fiscal year 2010.

(B) **INTERNAL REVENUE SERVICE TAX ENFORCEMENT.**—If a bill or joint resolution is reported making appropriations for fiscal year 2010 that appropriates \$7,100,000,000 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 \$890,000,000 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 \$890,000,000 in budget authority and outlays flowing therefrom for fiscal year 2010.

(C) **HEALTH CARE FRAUD AND ABUSE CONTROL.**—If a bill or joint resolution is reported making appropriations for fiscal year 2010 that appropriates up to \$311,000,000 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 \$311,000,000 in budget authority and outlays flowing therefrom for fiscal year 2010.

(D) **UNEMPLOYMENT INSURANCE IMPROPER PAYMENT REVIEWS.**—If a bill or joint resolution is reported making appropriations for fiscal year 2010 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 \$50,000,000 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 \$50,000,000 in budget authority and outlays flowing therefrom for fiscal year 2010.

(E) **REDUCING WASTE IN DEFENSE CONTRACTING.**—If a bill or joint resolution is reported making appropriations for fiscal year 2010 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 or to enhance the capability of the defense acquisition or contracting workforce to save taxpayer resources, 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 \$100,000,000 in budget authority and outlays flowing therefrom for fiscal year 2010.

(3) **ADJUSTMENTS TO SUPPORT ONGOING OVERSEAS CONTINGENCY OPERATIONS.**—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 2010 for overseas contingency operations by the amounts provided in such legislation for those purposes (and so designated pursuant to this paragraph), up to \$130,000,000,000 in budget authority for fiscal year 2010 and the new outlays flowing therefrom.

(4) **REVISED APPROPRIATIONS FOR FISCAL YEAR 2010.**—

(A) **IN GENERAL.**—If after adoption of this resolution by the Congress, the Congressional Budget Office (CBO) re-estimates the President's request for discretionary spending in fiscal year 2010 at an aggregate level different from the CBO preliminary estimate dated March 20, 2009, 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 budget authority and outlays flowing therefrom, to reflect the difference between such re-estimate and the CBO preliminary estimate dated March 20, 2009.

(B) **SUBALLOCATIONS.**—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 paragraph.

(d) **INAPPLICABILITY.**—In the Senate, subsections (a), (b), (c), and (d) of section 312 of S. Con. Res. 70 (110th Congress) shall no longer apply.

SEC. 302. 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 2010 that first becomes available for any fiscal year after 2010, or any new budget authority provided in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2011, that first becomes available for any fiscal year after 2011.

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

(1) for fiscal years 2011 and 2012 for programs, projects, activities, or accounts identified in the joint explanatory statement of managers accompanying this resolution under the heading “Accounts Identified for Advance Appropriations” in an aggregate

amount not to exceed \$28,852,000,000 in new budget authority in each year; and

(2) for the Corporation for Public Broadcasting.

(c) **SUPERMAJORITY WAIVER AND APPEAL.**—

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

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

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

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

(f) **INAPPLICABILITY.**—In the Senate, section 313 of S. Con. Res. 70 (110th Congress) shall no longer apply.

SEC. 303. EMERGENCY LEGISLATION.

(a) **AUTHORITY TO DESIGNATE.**—In the Senate, with respect to a provision of direct spending or receipts legislation or appropriations for discretionary accounts that Congress designates as an emergency requirement in such measure, the amounts of new budget authority, outlays, and receipts in all fiscal years resulting from that provision shall be treated as an emergency requirement for the purpose of this section.

(b) **EXEMPTION OF EMERGENCY PROVISIONS.**—Any new budget authority, outlays, and receipts resulting from any provision designated as an emergency requirement, pursuant to this section, in any bill, joint resolution, amendment, or conference report shall not count for purposes of sections 302 and 311 of the Congressional Budget Act of 1974, section 201 of S. Con. Res. 21 (110th Congress) (relating to pay-as-you-go), section 311 of S. Con. Res. 70 (110th Congress) (relating to long-term deficits), and sections 301 and 304 of this resolution (relating to discretionary spending and short-term deficits). Designated emergency provisions shall not count for the purpose of revising allocations, aggregates, or other levels pursuant to procedures established under section 301(b)(7) of the Congressional Budget Act of 1974 for deficit-neutral reserve funds and revising discretionary spending limits set pursuant to section 301 of this resolution.

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

(d) **DEFINITIONS.**—In this section, the terms “direct spending”, “receipts”, and “appropriations for discretionary accounts” mean

any provision of a bill, joint resolution, amendment, motion, or conference report that affects direct spending, receipts, or appropriations as those terms have been defined and interpreted for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

(e) **POINT OF ORDER.**—

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

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

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

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

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

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

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

(f) **CRITERIA.**—

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

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

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

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

(D) subject to subparagraph (B), unforeseen, unpredictable, and unanticipated; and

(E) not permanent, temporary in nature.

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

(g) **INAPPLICABILITY.**—In the Senate, section 204(a) of S. Con. Res. 21 (110th Congress), the concurrent resolution on the budget for fiscal year 2008, shall no longer apply.

SEC. 304. POINT OF ORDER AGAINST LEGISLATION INCREASING SHORT-TERM DEFICIT.

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

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

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

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

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

(d) SUNSET.—This section shall expire on September 30, 2018.

(e) INAPPLICABILITY.—In the Senate, section 315 of S. Con. Res. 70 (110th Congress), the concurrent resolution in the budget for fiscal year 2009, shall no longer apply.

SEC. 305. POINT OF ORDER AGAINST PROVISIONS OF APPROPRIATIONS LEGISLATION THAT CONSTITUTE CHANGES IN MANDATORY PROGRAMS AFFECTING THE CRIME VICTIMS FUND.

(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 or provisions affecting the Crime Victims Fund, as defined by section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601), which constitutes a change in a mandatory program 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 (d) and (e).

(b) 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.

(c) 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.

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

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

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

Subtitle B—Other Provisions

SEC. 311. OVERSIGHT OF GOVERNMENT PERFORMANCE.

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

SEC. 312. BUDGETARY TREATMENT OF CERTAIN DISCRETIONARY ADMINISTRATIVE EXPENSES.

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

SEC. 313. 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 ag-

gregates 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. 314. 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. 315. 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____ through 20____, on things other than Social Security.”

(b) SOCIAL SECURITY.—If any portion of the Social Security surplus is projected to be spent in any year or the gross Federal debt in the fifth year of the budget window is greater than the gross debt projected for the current year, as described in section 101(5) of this resolution, 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.—In this section, the term “gross Federal debt” means the nominal levels of (or changes in the levels of) gross Federal debt (debt subject to limit as set forth in section 101(5) of this resolution) 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. 316. DEBT DISCLOSURES.

(a) IN GENERAL.—The levels assumed in this budget resolution allow the gross Federal debt of the nation to rise by \$4,960,000,000,000 from the current year, fiscal year 2009, to the fifth year of the budget window, fiscal year 2014.

(b) **PER PERSON.**—The levels assumed in this budget resolution allow the gross Federal debt of the nation to rise by \$16,200 on every United States citizen from the current year, fiscal year 2009, to the fifth year of the budget window, fiscal year 2014.

(c) **SOCIAL SECURITY.**—The levels assumed in this budget resolution project that \$700,000,000,000 of the Social Security surplus will be spent over the 5-year budget window, fiscal years 2010 through 2014, on things other than Social Security.

SEC. 317. 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.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 89—EXPRESSING SUPPORT FOR DESIGNATION OF A “WELCOME HOME VIETNAM VETERANS DAY”

Mr. BURR (for himself, Mrs. BOXER, Ms. MURKOWSKI, Mr. HATCH, Mrs. SHAHEEN, Mr. INHOFE, Mr. WICKER, Mr. ROBERTS, and Mr. COCHRAN) submitted the following resolution; which was considered and agreed to:

S. RES. 89

Whereas the Vietnam War was fought in Vietnam from 1961 to 1975, and involved North Vietnam and the Viet Cong in conflict with United States Armed Forces and South Vietnam;

Whereas the United States became involved in Vietnam because policy-makers in the United States believed that if the Government of South Vietnam fell to a communist government then communism would spread throughout the rest of Southeast Asia;

Whereas members of the United States Armed Forces began serving in an advisory role to the Government of South Vietnam in 1961;

Whereas, as a result of the Gulf of Tonkin incidents on August 2 and 4, 1964, Congress overwhelmingly passed the Gulf of Tonkin Resolution (Public Law 88-408), on August 7, 1964, which effectively handed over war-making powers to President Johnson until such time as “peace and security” had returned to Vietnam;

Whereas, in 1965, United States Armed Forces ground combat units arrived in Vietnam;

Whereas, by the end of 1965, there were 80,000 United States troops in Vietnam, and by 1969 a peak of approximately 543,000 troops was reached;

Whereas, on January 27, 1973, the Treaty of Paris was signed, which required the release of all United States prisoners-of-war held in North Vietnam and the withdrawal of all United States Armed Forces from South Vietnam;

Whereas, on March 30, 1973, the United States Armed Forces completed the withdrawal of combat troops from Vietnam;

Whereas more than 58,000 members of the United States Armed Forces lost their lives in Vietnam and more than 300,000 members of the Armed Forces were wounded;

Whereas, in 1982, the Vietnam Veterans Memorial was dedicated in the District of Columbia to commemorate those members of the United States Armed Forces who died or were declared missing-in-action in Vietnam;

Whereas the Vietnam War was an extremely divisive issue among the people of the United States;

Whereas members of the United States Armed Forces who served bravely and faithfully for the United States during the Vietnam War were caught upon their return home in the crossfire of public debate about the involvement of the United States in the Vietnam War;

Whereas the establishment of a “Welcome Home Vietnam Veterans Day” would be an appropriate way to honor those members of the United States Armed Forces who served in Vietnam during the Vietnam War; and

Whereas March 30, 2009, would be an appropriate day to establish as “Welcome Home Vietnam Veterans Day”: Now, therefore, be it

Resolved, That the Senate—

(1) honors and recognizes the contributions of veterans who served in the United States Armed Forces in Vietnam; and

(2) encourages the people of the United States to observe “Welcome Home Vietnam Veterans Day” with appropriate ceremonies and activities that promote awareness of the contributions of veterans who served in the United States Armed Forces in Vietnam and the importance of helping such veterans readjust to civilian life.

SENATE RESOLUTION 90—EXPRESSING THE SENSE OF THE SENATE REGARDING THE FIFTH SUMMIT OF THE AMERICAS, HELD IN PORT OF SPAIN, TRINIDAD AND TOBAGO, APRIL 17, 18, AND 19, 2009

Mr. KERRY (for himself, Mr. LUGAR, Mr. DODD, Mr. MENENDEZ, and Mr. NELSON of Florida) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 90

Whereas the First Summit of the Americas, held in December 1994 in Miami, Florida, resulted in a comprehensive Plan of Action, issued by the region’s democracies, which included initiatives on strengthening democracy, promoting human rights, combating corruption, furthering sustainable economic development, encouraging environmental conservation, and committing to access to universal basic education and health care throughout the Americas;

Whereas 3 Summits of the Americas and 2 Special Summits of the Americas have been convened since 1994, resulting in additional initiatives on sustainable development, strengthening democratic practices and good governance, the environment, economic relations, combating HIV/AIDS and other diseases, and numerous other areas of mutual interest and shared responsibility throughout the Western Hemisphere;

Whereas on July 21, 2008, the Draft Declaration of Commitment by the Summit Implementation Review Group proposed an agenda for the Fifth Summit of the Americas to discuss promoting human prosperity, energy security, environmental sustainability, public security, democratic governance, and the Summit’s implementation and review process; and

Whereas on February 10, 2009, President Barack Obama stated that he would attend the Fifth Summit of the Americas to “create the kind of partnership based on respect that

the people of Latin America are looking for and that will be beneficial to the United States”: Now, therefore, be it

Resolved, That it is the sense of the Senate—

(1) to express support for the Fifth Summit of the Americas as an effective multilateral forum, convened in the spirit of cooperation and partnership for the 34 democratically elected heads of state of the region to address shared challenges and foster collaboration throughout the Western Hemisphere;

(2) that the Fifth Summit provides the United States with an early opportunity to reinvigorate and strengthen its engagement with the countries of the Western Hemisphere, especially in—

(A) finding common solutions to the global economic crisis;

(B) promoting energy security; and

(C) combating threats to public and personal security, including threats from terrorism, international narcotics cartels, and organized criminal groups;

(3) that the United States is prepared to work with the countries of the Western Hemisphere on advancing an agenda of human prosperity, including—

(A) encouraging multilateral development institutions to invest in micro- to medium-sized enterprises;

(B) continuing the fight against HIV/AIDS, vector-borne, and noncommunicable diseases;

(C) raising the standard of living of the people in the region who currently live in poverty;

(D) eradicating child labor;

(E) recommitting to the Millennium Development Goals; and

(F) supporting investment in public health and education throughout the Western Hemisphere;

(4) that the United States should use the Fifth Summit of the Americas to strengthen cooperation by working with other nations to formulate and implement a regional energy strategy to promote—

(A) increased technology and information sharing;

(B) regulatory harmonization;

(C) integration; and

(D) renewable and alternative energy sources;

(5) to welcome civil society and nongovernmental organizations at the Fifth Summit, and to encourage their observation and active participation in the Summit’s decision-making process to strengthen democratic governance, the rule of law, freedom of the press, and civil society in the Western Hemisphere; and

(6) to set achievable and measurable goals, based on areas of consensus, and to strengthen followup mechanisms to review the implementation, reporting, and progress of Summit initiatives.

SENATE RESOLUTION 91—CALLING ON THE CONSUMER PRODUCT SAFETY COMMISSION, THE SECRETARY OF THE TREASURY, AND THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT TO TAKE ACTION ON ISSUES RELATING TO DRYWALL IMPORTED FROM CHINA

Mr. NELSON of Florida (for himself and Ms. LANDRIEU) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation: