

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).

**SEC. 315. RESTRICTIONS ON UNFUNDED MANDATES ON STATES AND LOCAL GOVERNMENTS.**

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would increase the direct costs of one or more States or local governments by an amount that exceeds the threshold provided under section 424(a)(1) of the Congressional Budget Act of 1974 (2 U.S.C. 658c(a)(1)).

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

**SEC. 316. POINT OF ORDER ON LEGISLATION THAT ELIMINATES THE ABILITY OF AMERICANS TO KEEP THEIR HEALTH PLAN OR THEIR CHOICE OF DOCTOR.**

(a) IN GENERAL.—In the Senate, it shall not be in order, to consider any bill, joint resolution, amendment, motion, or conference report that eliminates the ability of Americans to keep their health plan or their choice of doctor (as determined by the Congressional Budget Office).

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

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

**Subtitle B—Other Provisions**

**SEC. 321. 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. 322. 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. 323. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.**

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

(1) apply while that measure is under consideration;

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

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

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

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

**SEC. 324. 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. 325. 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. 326. DEBT DISCLOSURES.**

(a) IN GENERAL.—The levels assumed in this budget resolution allow the gross Fed-

eral 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. 327. EXERCISE OF RULEMAKING POWERS.**

Congress adopts the provisions of this title—

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

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

**NATIONAL SHAKEN BABY SYNDROME AWARENESS WEEK**

Ms. STABENOW. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 104, which was submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 104) designating the third week of April 2009 as “National Shaken Baby Syndrome Awareness Week.”

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

Ms. STABENOW. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 104) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

**S. RES. 104**

Whereas the month of April has been designated “National Child Abuse Prevention Month” as an annual tradition initiated in 1979 by President Jimmy Carter;

Whereas the National Child Abuse and Neglect Data System reports that 794,000 children were victims of abuse and neglect in the United States in 2007, causing unspeakable pain and suffering for our most vulnerable citizens;

Whereas over 95,000 of those children were younger than 1 year old;

Whereas more than 4 children die each day in the United States as a result of abuse or neglect;

Whereas children younger than 1 year old accounted for over 40 percent of all child abuse and neglect fatalities in 2007, and children younger than 4 years old accounted for

nearly 76 percent of all child abuse and neglect fatalities in 2007;

Whereas abusive head trauma, including the trauma known as Shaken Baby Syndrome, is recognized as the leading cause of death among physically abused children;

Whereas Shaken Baby Syndrome can result in loss of vision, brain damage, paralysis, seizures, or death;

Whereas medical professionals believe that thousands of additional cases of Shaken Baby Syndrome and other forms of abusive head trauma are being misdiagnosed or left undetected;

Whereas Shaken Baby Syndrome often results in permanent and irreparable brain damage or death of the infant and may result in extraordinary costs for medical care during the first few years of the life of the child;

Whereas the most effective solution for preventing Shaken Baby Syndrome is to prevent the abuse, and it is clear that the minimal costs of education and prevention programs may avert enormous medical and disability costs and immeasurable amounts of grief for many families;

Whereas prevention programs have demonstrated that educating new parents about the danger of shaking young children and how to protect their children from injury can significantly reduce the number of cases of Shaken Baby Syndrome;

Whereas education programs raise awareness and provide critically important information about Shaken Baby Syndrome to parents, caregivers, childcare providers, child protection employees, law enforcement personnel, health care professionals, and legal representatives;

Whereas National Shaken Baby Syndrome Awareness Week and efforts to prevent child abuse, including Shaken Baby Syndrome, are supported by groups across the United States, including groups formed by parents and relatives of children who have been injured or killed by shaking, whose mission is to educate the general public and professionals about Shaken Baby Syndrome and to increase support for victims and their families within the health care and criminal justice systems;

Whereas 20 States have enacted legislation related to preventing and increasing awareness of Shaken Baby Syndrome;

Whereas the Senate has designated the third week of April as "National Shaken Baby Syndrome Awareness Week" since 2005; and

Whereas the Senate strongly supports efforts to protect children from abuse and neglect: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the third week of April 2009 as "National Shaken Baby Syndrome Awareness Week";

(2) commends hospitals, child care councils, schools, community groups, and other organizations that are—

(A) working to increase awareness of the danger of shaking young children;

(B) educating parents and caregivers on how they can help protect children from injuries caused by abusive shaking; and

(C) helping families cope effectively with the challenges of child-rearing and other stresses in their lives; and

(3) encourages the people of the United States—

(A) to remember the victims of Shaken Baby Syndrome; and

(B) to participate in educational programs to help prevent Shaken Baby Syndrome.

**GLOBAL YOUTH SERVICE DAYS**

Ms. STABENOW. Mr. President, I ask unanimous consent that the Senate

now proceed to the consideration of S. Res. 105, which was submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 105) designating April 24 through 26, 2009, as "Global Youth Service Days."

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

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

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

The resolution (S. Res. 105) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

**S. RES. 105**

Whereas Global Youth Service Days is an annual public awareness and education campaign that highlights the valuable contributions that young people make to their communities throughout the year;

Whereas the goals of Global Youth Service Days are to mobilize the youth of the United States to identify and address the needs of their communities through community service and service-learning opportunities, to support young people in embarking on a life-long path of volunteer service and civic engagement, and to educate the public, the media, and policymakers about contributions made by young people as community leaders throughout the year;

Whereas Global Youth Service Days, a program of Youth Service America, is the largest service event in the world and in 2009 is being observed for the 21st consecutive year in the United States and for the 10th year in more than 100 countries;

Whereas young people in the United States and in many other countries are providing more volunteer service to their communities than in any other generation in history, thereby demonstrating that children and youth not only represent the future of the world but are also leaders and assets today;

Whereas recent research shows that when high quality, semester-long service-learning is used as a teaching and learning strategy that integrates meaningful community service with the academic curriculum, it increases students' cognitive engagement, motivation to learn, school attendance, and academic achievement scores;

Whereas several private foundations and corporations in the United States support community service and service-learning as a means for young people to explore career aspirations and develop the leadership and career-preparedness skills that are necessary for the United States to be competitive in the 21st century, including time management, decision-making, teamwork, and problem solving;

Whereas a fundamental and conclusive correlation exists between youth service, character development, lifelong adult volunteering, philanthropy, and other forms of civic engagement;

Whereas community service and service-learning provide opportunities for youth to apply their knowledge, idealism, energy, creativity, and unique perspectives to improve their communities by addressing a myriad of critical issues, such as poverty, hunger, illiteracy, education, natural disasters, and climate change;

Whereas a growing number of Global Youth Service Days projects involve youth working collaboratively across borders to address global issues, to increase intercultural understanding, and to promote the sense that they are global citizens;

Whereas Global Youth Service Days engages millions of young people worldwide with the support of 50 International Coordinating Committee member organizations, more than 150 National Partners in the United States, 75 State and local Global Youth Service Days Lead Agencies, and thousands of local organizers; and

Whereas both young people and their communities will benefit greatly from expanded opportunities for youth to engage in volunteer community service and service-learning: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes and commends the significant contributions of the youth of the United States and encourages the cultivation of a civic bond between young people dedicated to serving their neighbors, their communities, and the Nation;

(2) designates April 24 through 26, 2009, as "Global Youth Service Days"; and

(3) calls on the people of the United States to observe Global Youth Service Days by—

(A) encouraging youth to participate in community service and service-learning projects and joining youth in such projects;

(B) recognizing the volunteer efforts of the young people of the United States throughout the year; and

(C) supporting the volunteer efforts of young people and engaging them in meaningful community service, service-learning, and decision-making opportunities, as an investment in the future of the United States.

**MEASURE READ THE FIRST TIME—H.R. 131**

Ms. STABENOW. Mr. President, I understand that H.R. 131 has been received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will read the title of the bill for the first time.

The legislative clerk read as follows:

A bill (H. R. 131) to establish the Ronald Reagan Centennial Commission.

Ms. STABENOW. Mr. President, I would ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

**APPOINTMENT**

The PRESIDING OFFICER. The Chair, on behalf of the President of the Senate, and after consultation with the majority leader, pursuant to Public Law 106-286, appoints the following Members to serve on the Congressional-Executive Commission on the People's Republic of China: The Senator from Montana, (Mr. BAUCUS); the Senator from Michigan, (Mr. LEVIN); the Senator from California, (Mrs. FEINSTEIN); the Senator from North Dakota, (Mr. DORGAN); Chairman; and the Senator from Ohio, (Mr. BROWN).