Congress cleared on March 21, 2010, fulfills the conditions of the deficit-neutral reserve fund to transform and modernize America's health care system. Therefore, pursuant to section 301(a), I am adjusting the aggregates in the 2010 budget resolution, as well as the allocation to the Senate Finance Committee.

I ask unanimous consent to have the following revisions to S. Con. Res. 13 printed in the RECORD.

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

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010—S. CON. RES. 13; FURTHER REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 301(a) DEFICIT-NEUTRAL RESERVE FUND TO TRANSFORM AND MODERNIZE AMERICA'S HEALTH CARE SYSTEM

[In billions of dollars]

Section 101	
(1)(A) Federal Revenues:	
FY 2009	1,532,579
FY 2010	1,614,208
FY 2011	1,936,581
FY 2012	2,140,285
FY 2013	2,320,247
FY 2014	2,562,348
(1)(B) Change in Federal Revenues:	
FY 2009	0,008
FY 2010	−51,778
FY 2011	−152,050
FY 2012	−220,108
FY 2013	−195,090
FY 2014	−71,310
(2) New Budget Authority:	
FY 2009	3,675,736
FY 2010	2,906,707
FY 2011	2,845,376
FY 2012	2,837,658
FY 2013	2,988,148
FY 2014	3,207,977
(3) Budget Outlays:	
FY 2009	3,358,952
FY 2010	3,015,321
FY 2011	2,969,841
FY 2012	2,871,685
FY 2013	2,992,262
FY 2014	3,181,127

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010—S. CON. RES. 13; FURTHER REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 301(a) DEFICIT-NEUTRAL RESERVE FUND TO TRANSFORM AND MODERNIZE AMERICA'S HEALTH CARE SYSTEM

[In millions of dollars]

Current Allocation to Senate Finance Committee:	
FY 2009 Budget Authority	1,178,757
FY 2009 Outlays	1,166,970
FY 2010 Budget Authority	1,237,336
FY 2010 Outlays	1,237,842
FY 2010–2014 Budget Authority	6,857,897
FY 2010–2014 Outlays	6,857,305
Adjustments:	
FY 2009 Budget Authority	0
FY 2009 Outlays	0
FY 2010 Budget Authority	8,500
FY 2010 Outlays	3,130
FY 2010–2014 Budget Authority	−7,510
FY 2010–2014 Outlays	−31,710
Revised Allocation to Senate Finance Committee:	
FY 2009 Budget Authority	1,178,757
FY 2009 Outlays	1,166,970
FY 2010 Budget Authority	1,245,836
FY 2010 Outlays	1,240,972
FY 2010–2014 Budget Authority	6,850,387
FY 2010–2014 Outlays	6,825,595

Mr. CONRAD. Mr. President, section 301(a) of S. Con. Res. 13, the 2010 budget resolution, permits the chairman of the Senate Budget Committee to adjust the allocations of a committee or committees, aggregates, and other appropriate levels and limits in the resolution, and make adjustments to the pay-as-you-go scorecard, for legislation that is deficit-neutral over 11 years, reduces excess cost growth in health care spending, is fiscally responsible over the long term, and fulfills at least one of eight other conditions listed in the reserve fund. In addition, section 303 of S. Con. Res. 13 permits the chairman of the Senate Budget Committee to adjust the allocations of a committee or committees, aggregates, and other appropriate levels and limits in the resolution, for legislation that makes higher education more accessible and affordable, including expanding and strengthening student aid, such as Pell grants, and that does 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.

I find that H.R. 4872, the Health Care and Education Reconciliation Act of 2010, fulfills the conditions of the deficit-neutral reserve funds for health care and higher education. Therefore, pursuant to sections 301(a) and 303, I am adjusting the aggregates in the 2010 budget resolution, as well as the allocations to the Senate Finance Committee and the Senate Health, Education, Labor, and Pensions Committee.

I ask unanimous consent to have the following revisions to S. Con. Res. 13 printed in the RECORD.

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

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010–S. CON. RES. 13; FURTHER REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 301(a) DEFICIT-NEUTRAL RESERVE FUND TO TRANSFORM AND MODERNIZE AMERICA'S HEALTH CARE SYSTEM AND SECTION 303 DEFICIT NEUTRAL RESERVE FUND FOR HIGHER EDUCATION

[In billions of dollars]

Section 101	
(1)(A) Federal Revenues:	
FY 2009	1,532.579
FY 2010	1,612.278
FY 2011	1,939.131
FY 2012	2,142.415
FY 2013	2,325.527
FY 2014	2,575.718
(1)(B) Change in Federal Revenues:	
FY 2009	0.008
FY 2010	−53.708
FY 2011	−149.500
FY 2012	−217.978
FY 2013	−189.810
FY 2014	−57.940
(2) New Budget Authority:	
FY 2009	3,675.736
FY 2010	2,907.837
FY 2011	2,858.866
FY 2012	2,831.668
FY 2013	2,991.128
FY 2014	3,204.977
(3) Budget Outlays:	
FY 2009	3,358.952
FY 2010	3,015.541
FY 2011	2,976.251
FY 2012	2,878.305
FY 2013	2,992.352
FY 2014	3,181.417

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010–S. CON. RES. 13; FURTHER REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 301(a) DEFICIT-NEUTRAL RESERVE FUND TO TRANSFORM AND MODERNIZE AMERICA'S HEALTH CARE SYSTEM AND SECTION 303 DEFICIT NEUTRAL RESERVE FUND FOR HIGHER EDUCATION

[In millions of dollars]

Current Allocation to Senate Finance Committee:	
FY 2009 Budget Authority	1,178,757
FY 2009 Outlays	1,166,970
FY 2010 Budget Authority	1,245,836
FY 2010 Outlays	1,240,972
FY 2010–2014 Budget Authority	6,850,387
FY 2010–2014 Outlays	6,825,595
Adjustments:	
FY 2009 Budget Authority	0
FY 2009 Outlays	0
FY 2010 Budget Authority	1,500
FY 2010 Outlays	500
FY 2010–2014 Budget Authority	15,400
FY 2010–2014 Outlays	15,310
Revised Allocation to Senate Finance Committee:	
FY 2009 Budget Authority	1,178,757
FY 2009 Outlays	1,166,970
FY 2010 Budget Authority	1,247,336
FY 2010 Outlays.	1,241,472
FY 2010–2014 Budget Authority	6,865,787
FY 2010–2014 Outlays	6,840,905

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010–S. CON. RES. 13; FURTHER REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 301(a) DEFICIT-NEUTRAL RESERVE FUND TO TRANSFORM AND MODERNIZE AMERICA'S HEALTH CARE SYSTEM AND SECTION 303 DEFICIT NEUTRAL RESERVE FUND FOR HIGHER EDUCATION

[In millions of dollars]

Current Allocation to Senate Health, Education, Labor, and Pensions Committee:	
FY 2009 Budget Authority	−22,612
FY 2009 Outlays	−19,258
FY 2010 Budget Authority	4,529
FY 2010 Outlays	1,575
FY 2010–2014 Budget Authority	50,562
FY 2010–2014 Outlays	44,706
Adjustments:	
FY 2009 Budget Authority	0
FY 2009 Outlays	0
FY 2009 Budget Authority	−370
FY 2010 Outlays	−280
FY 2010–2014 Budget Authority	−6,780
FY 2010–2014 Outlays	−1,680
Revised Allocation to Senate Health, Education, Labor, and Pensions Committee:	
FY 2009 Budget Authority	−22,612
FY 2009 Outlays	−19,258
FY 2010 Budget Authority	4,159
FY 2010 Outlays	1,295
FY 2010–2014 Budget Authority	43,782
FY 2010–2014 Outlays	43,026

Mr. CONRAD. Mr. President, as chairman of the Committee on the Budget, pursuant to section 313(c) of the Congressional Budget Act of 1974, I ask that the following list of reconciliation provisions considered to be extraneous and subject to the Byrd rule be printed in the RECORD. The inclusion or exclusion of a provision on the following list does not constitute a determination of extraneousness by the Presiding Officer of the Senate.

The list follows:

EXTRANEOUS PROVISIONS OF H.R. 4872

None.

MORNING BUSINESS

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

FAA REAUTHORIZATION

Mrs. HUTCHISON. Mr. President, I would like to thank my colleagues for their work on the Reagan National perimeter rule issue.

Last week, I sat down with several interested colleagues in an effort to try and find a path forward on this issue. As a result, we have the modified Ensign amendment before us.

I would like to say a few words about the intent of that amendment. I am one who is sympathetic to the concerns of from my friend from Virginia, Senator WARNER, who also serves as a member of the Senate Commerce Committee. While in a somewhat different position, in the past, I have had similar issues raised concerning my home State of Texas, and I recognize well that the impacts of dealing with a decision to change the status quo are enormously difficult.

With that in mind, I believe we have come up with a compromise proposal that meets the concerns of my Western State colleagues and others and tries to address, to the extent possible, my friend from Virginia's concerns.

The modified Ensign amendment is a simple solution to a complex problem. The amendment would allow any air carrier with existing ''inside'' the perimeter large hub airport slots into Reagan National the ability to ''convert'' those slots to any community ''outside'' the perimeter, with each air carrier being capped at 15 round trip operations eligible for conversion.

By utilizing the idea of ''conversions,'' we don't add any new flights to the airport, but we do give the air carriers the opportunity to better utilize their networks. I am hopeful we can take that concept and message to the House in the next round of the legislative process on this bill.

I thank Senators ENSIGN and KYL, as well as Senators DEMINT, BOXER, MCCAIN, ROCKEFELLER, DORGAN, and WARNER for their work on this very important issue. I remain hopeful that the final version of this FAA reauthorization bill will include a consensus agreement on this issue, and allow the opportunity for direct service to our Nation's Capitol for a number of communities that are eager for such service.

AIG SEVERANCE PAYMENTS

Mr. GRASSLEY. Mr. President, I recently asked Secretary Geithner why the Treasury Department is allowing AIG to pay millions of dollars of severance pay to executives given the billions of dollars of taxpayer assistance AIG has received.

At one point I even said that AIG has the American taxpayer over a barrel and that AIG has outmaneuvered the administration.

Mr. Kenneth Feinberg, the Treasury Special Master for executive compensation, insisted he was not outmaneuvered by AIG. As it turns out, he was not outmaneuvered by AIG. Instead, he was outmaneuvered by Secretary Geithner. Let me explain what I mean.

In February, 2009, we enacted the Recovery Act. The law required Secretary Geithner to take control of the runaway executive compensation at companies that the American taxpayer bailed out.

Congress provided Mr. Geithner with several tools to accomplish this critical job.

By far the most important and most flexible tool Congress gave Mr. Geithner was a general mandate to require bailed-out companies like AIG to meet ''appropriate standards'' for executive compensation.

This rule was applicable to compensation already in place, compensation in the future, and compensation for all executives, not just a handful of the most senior executives.

What happened to this tool?

Well, even before the law was passed the bonuses, retention awards, and incentive compensation were ''grandfathered.''

That means that while one part of the statute banned them for a handful of senior executives, another part said they had to be paid if the payments were based on a contract that existed in February 2009.

We all remember the outrage when people learned that this provision was quietly added by the Senate drafters on the other side of the aisle because it required AIG to pay massive bonuses in March 2009 and again earlier this year.

Secretary Geithner was quoted in the press at the time saying that ''Treasury staff'' worked with the Senate drafters on the grandfather carve-out. Well, the damage was done.

The grandfather loophole was law. You might say the American taxpayer was outmaneuvered by Treasury staff too.

The President instructed Secretary Geithner to ''pursue every single legal avenue to block these bonuses and make the American taxpayers whole.''

The next step required Treasury to implement the law and use the tools Congress gave Mr. Geithner to put the brakes on runaway executive compensation at firms where taxpayers are footing the bill.

What did Treasury do?

One thing Treasury apparently did was hire a Wall Street executive compensation lawyer from a firm that specializes in helping highly paid executives maximize their pay, but more about that later.

Despite the public outcry over the loophole, which permitted AIG employees and others to walk away with millions, Treasury wrote a regulation that actually expands the loophole even further.

That's right, in the face of overwhelming public outrage, Treasury quietly worked to expand the loophole! Let me explain how they did that.

The grandfather provision in the law that Congress enacted protected three things: bonuses, retention awards, and incentive compensation. It did not protect severance. Let me repeat: it did not protect severance.

But in what appears to be an effort to protect severance agreements despite the statutory language, the regulations Treasury drafted expanded the term ''bonus'' beyond its normal meaning.

Unlike bonuses, severance payments are intended to ease someone out the door, not reward them for doing a great job. Severance is basically the opposite of a retention bonus.

But, after Treasury drafted the regulation, suddenly, severance payments were also protected by the grandfather loophole, just like bonuses. Treasury must have known exactly what it was doing.

AIG had an executive severance plan that dated back to March 2008. It was just the sort of contract the grandfather provision would protect if Treasury expanded the loophole.

And what was the impact of the Treasury regulation on the bottom line? What did American taxpayers have to pay?

Because of this regulation, AIG recently paid two of its executives $1 million and $3.9 million in severance pay. We don't yet know how many others have received severance or may receive it in the future.

As the law was passed, these payments would not have been protected by the grandfather provision because they were not a bonus, retention, or incentive payment.

But Treasury officials took care of that. Rather than setting appropriate standards for executive severance payments generally, as the law passed by Congress required, the regulation leaves AIG free to pay excessive severance payments to many of its executives. Then, the American taxpayer gets the bill.

The Recovery Act told Mr. Geithner that he ''shall'' require each bailed-out company to meet appropriate standards for executive compensation. This command covers all types of executive compensation for all executives, not just bonuses for the most senior executives.

It is a command, not a suggestion. And the grandfather provision that protects certain bonuses does not apply to this more general provision.

But the Treasury regulation almost completely ignores this mandate. It does address one form of executive compensation. The regulation bars tax gross-up payments for senior executives.

That is the practice of allowing the company to pay the executive's income taxes for him. Now don't get me wrong—tax gross-up payments should be banned for companies that were bailed out, and I am glad to see that this was done.

But Congress gave Mr. Geithner a powerful tool that should have been