

# S. CON. RES. 83

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## CONCURRENT RESOLUTION

1        *Resolved by the Senate (the House of Representatives*  
2 *concurring),*

3    **SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET**  
4                                    **FOR FISCAL YEAR 2007.**

5        (a) DECLARATION.—The Congress declares that the  
6 concurrent resolution on the budget for fiscal year 2007  
7 is hereby established and that the appropriate budgetary  
8 levels for fiscal years 2006 and 2008 through 2011 are  
9 set forth.

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

Sec. 1. Concurrent resolution on the budget for fiscal year 2007.

### TITLE I—RECOMMENDED LEVELS AND AMOUNTS

- Sec. 101. Recommended levels and amounts.
- Sec. 102. Social Security.
- Sec. 103. Major functional categories.

### TITLE II—RECONCILIATION

- Sec. 201. Reconciliation in the Senate.

### TITLE III—RESERVE FUNDS

- Sec. 301. Reserve fund for the uninsured.
- Sec. 302. Reserve fund for health information technology.
- Sec. 303. Reserve fund for the Asbestos Injury Trust Fund.
- Sec. 304. Reserve fund for the safe importation of prescription drugs.

- Sec. 305. Reserve fund for Secure Rural Schools and Community Self-Determination Act Reauthorization.
- Sec. 306. Reserve fund for comprehensive immigration reform.
- Sec. 307. Reserve fund for Indian Claim Settlement.
- Sec. 308. Reserve fund for the National Flood Insurance Program.
- Sec. 309. Reserve fund to protect America's competitive edge.
- Sec. 310. Reserve fund for Land and Water Conservation Fund.
- Sec. 311. Deficit-neutral reserve fund for chronic care case management.
- Sec. 312. Reserve fund for receipts from Bonneville Power Administration.
- Sec. 313. Reserve fund for extension of the Medicare part D enrollment period.
- Sec. 314. Reserve fund for the negotiation of the best possible price for prescription drugs through Medicare part D.
- Sec. 315. Reserve fund for pandemic influenza preparedness planning.
- Sec. 316. Reserve fund to prevent catastrophic loss.
- Sec. 317. Deficit-neutral reserve fund for energy legislation.
- Sec. 318. United States response to global HIV/AIDS, tuberculosis, and malaria.
- Sec. 319. Reserve fund for the fire and safer programs.
- Sec. 320. Reserve fund for physician payment increase under Medicare.
- Sec. 321. Reserve fund a Commission for accountability and review of Federal agencies.
- Sec. 322. Deficit-neutral reserve fund for Gulf Coast Protection, Reconstruction and Recovery Fund.

#### TITLE IV—ENFORCEMENT

- Sec. 401. Restrictions on advance appropriations.
- Sec. 402. Emergency legislation.
- Sec. 403. Discretionary spending limits.
- Sec. 404. Application and effect of changes in allocations and aggregates.
- Sec. 405. Adjustments to reflect changes in concepts and definitions.
- Sec. 406. Direct spending limitation.
- Sec. 407. Exercise of rulemaking powers.

## 1           **TITLE I—RECOMMENDED** 2           **LEVELS AND AMOUNTS**

### 3   **SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.**

4           The following budgetary levels are appropriate for  
5 each of fiscal years 2006 through 2011:

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

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

1                   Fiscal                   year                   2006:  
2                   \$1,694,455,000,000.  
3                   Fiscal                   year                   2007:  
4                   \$1,791,029,000,000.  
5                   Fiscal                   year                   2008:  
6                   \$1,916,175,000,000.  
7                   Fiscal                   year                   2009:  
8                   \$2,013,680,000,000.  
9                   Fiscal                   year                   2010:  
10                  \$2,123,149,000,000.  
11                  Fiscal                   year                   2011:  
12                  \$2,204,105,000,000.

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

16                               Fiscal year 2006: — \$9,746,000,000.  
17                               Fiscal year 2007: — \$28,570,000,000.  
18                               Fiscal year 2008: — \$5,601,000,000.  
19                               Fiscal year 2009: — \$17,891,000,000.  
20                               Fiscal year 2010: — \$12,828,000,000.  
21                               Fiscal                   year                   2011:  
22                               — \$152,966,000,000.

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

1	Fiscal	year	2006:
2	\$2,279,715,000,000.		
3	Fiscal	year	2007:
4	\$2,324,427,000,000.		
5	Fiscal	year	2008:
6	\$2,340,654,000,000.		
7	Fiscal	year	2009:
8	\$2,430,872,000,000.		
9	Fiscal	year	2010:
10	\$2,533,991,000,000.		
11	Fiscal	year	2011:
12	\$2,656,422,000,000.		
13	(3) BUDGET OUTLAYS.—For purposes of the		
14	enforcement of this resolution, the appropriate levels		
15	of total budget outlays are as follows:		
16	Fiscal	year	2006:
17	\$2,246,519,000,000.		
18	Fiscal	year	2007:
19	\$2,348,772,000,000.		
20	Fiscal	year	2008:
21	\$2,381,975,000,000.		
22	Fiscal	year	2009:
23	\$2,442,802,000,000.		
24	Fiscal	year	2010:
25	\$2,532,095,000,000.		

1                   Fiscal                   year                   2011:  
2                   \$2,646,631,000,000.

3                   (4) DEFICITS.—For purposes of the enforce-  
4                   ment of this resolution, the amounts of the deficits  
5                   are as follows:

6                   Fiscal                   year                   2006:  
7                   – \$552,064,000,000.

8                   Fiscal                   year                   2007:  
9                   – \$557,743,000,000.

10                  Fiscal                  year                  2008:  
11                  – \$465,800,000,000.

12                  Fiscal                  year                  2009:  
13                  – \$429,121,000,000.

14                  Fiscal                  year                  2010:  
15                  – \$408,945,000,000.

16                  Fiscal                  year                  2011:  
17                  – \$442,526,000,000.

18                  (5) DEBT SUBJECT TO LIMIT.—The appropriate  
19                  levels of the public debt are as follows:

20                  Fiscal                  year                  2006:  
21                  \$8,526,578,000,000.

22                  Fiscal                  year                  2007:  
23                  \$9,193,764,000,000.

24                  Fiscal                  year                  2008:  
25                  \$9,770,551,000,000.

1                   Fiscal                   year                   2009:

2                   \$10,306,914,000,000.

3                   Fiscal                   year                   2010:

4                   \$10,820,123,000,000.

5                   Fiscal                   year                   2011:

6                   \$11,359,981,000,000.

7                   (6) DEBT HELD BY THE PUBLIC.—The appro-

8                   priate levels of debt held by the public are as follows:

9                   Fiscal                   year                   2006:

10                  \$4,966,840,000,000.

11                  Fiscal                   year                   2007:

12                  \$5,339,951,000,000.

13                  Fiscal                   year                   2008:

14                  \$5,603,302,000,000.

15                  Fiscal                   year                   2009:

16                  \$5,813,158,000,000.

17                  Fiscal                   year                   2010:

18                  \$5,984,796,000,000.

19                  Fiscal                   year                   2011:

20                  \$6,173,711,000,000.

21 **SEC. 102. SOCIAL SECURITY.**

22                  (a) SOCIAL SECURITY REVENUES.—The amounts of

23 revenues of the Federal Old-Age and Survivors Insurance

24 Trust Fund and the Federal Disability Insurance Trust

25 Fund are as follows:

1 Fiscal year 2006: \$608,408,000,000.

2 Fiscal year 2007: \$641,747,000,000.

3 Fiscal year 2008: \$676,433,000,000.

4 Fiscal year 2009: \$711,760,000,000.

5 Fiscal year 2010: \$747,339,000,000.

6 Fiscal year 2011: \$782,032,000,000.

7 (b) SOCIAL SECURITY OUTLAYS.—The amounts of  
8 outlays of the Federal Old-Age and Survivors Insurance  
9 Trust Fund and the Federal Disability Insurance Trust  
10 Fund are as follows:

11 Fiscal year 2006: \$425,033,000,000.

12 Fiscal year 2007: \$442,275,000,000.

13 Fiscal year 2008: \$458,076,000,000.

14 Fiscal year 2009: \$476,224,000,000.

15 Fiscal year 2010: \$496,886,000,000.

16 Fiscal year 2011: \$516,292,000,000.

17 (c) SOCIAL SECURITY ADMINISTRATIVE EX-  
18 PENSES.—In the Senate, the amounts of new budget au-  
19 thority and budget outlays of the Federal Old-Age and  
20 Survivors Insurance Trust Fund and the Federal Dis-  
21 ability Insurance Trust Fund for administrative expenses  
22 are as follows:

23 Fiscal year 2006:

24 (A) New budget authority,

25 \$4,568,000,000.

1 (B) Outlays, \$4,576,000,000.

2 Fiscal year 2007:

3 (A) New budget authority,

4 \$4,721,000,000.

5 (B) Outlays, \$4,750,000,000

6 Fiscal year 2008:

7 (A) New budget authority,

8 \$4,862,000,000.

9 (B) Outlays, \$4,836,000,000.

10 Fiscal year 2009:

11 (A) New budget authority,

12 \$5,009,000,000.

13 (B) Outlays, \$4,983,000,000.

14 Fiscal year 2010:

15 (A) New budget authority,

16 \$5,159,000,000.

17 (B) Outlays, \$5,133,000,000.

18 Fiscal year 2011:

19 (A) New budget authority,

20 \$5,314,000,000.

21 (B) Outlays, \$5,287,000,000.

22 **SEC. 103. MAJOR FUNCTIONAL CATEGORIES.**

23 The Congress determines and declares that the ap-  
24 propriate levels of new budget authority and outlays for

1 fiscal years 2006 through 2011 for each major functional  
2 category are:

3 (1) National Defense (050):

4 Fiscal year 2006:

5 (A) New budget authority,  
6 \$561,144,000,000.

7 (B) Outlays, \$525,955,000,000.

8 Fiscal year 2007:

9 (A) New budget authority,  
10 \$549,428,000,000.

11 (B) Outlays, \$554,525,000,000.

12 Fiscal year 2008:

13 (A) New budget authority,  
14 \$482,972,000,000.

15 (B) Outlays, \$516,021,000,000.

16 Fiscal year 2009:

17 (A) New budget authority,  
18 \$502,842,000,000.

19 (B) Outlays, \$509,108,000,000.

20 Fiscal year 2010:

21 (A) New budget authority,  
22 \$512,906,000,000.

23 (B) Outlays, \$512,220,000,000.

24 Fiscal year 2011:

1 (A) New budget authority,  
2 \$523,915,000,000.

3 (B) Outlays, \$522,977,000,000.

4 (2) International Affairs (150):

5 Fiscal year 2006:

6 (A) New budget authority,  
7 \$31,936,000,000.

8 (B) Outlays, \$34,193,000,000.

9 Fiscal year 2007:

10 (A) New budget authority,  
11 \$31,843,000,000.

12 (B) Outlays, \$34,743,600,000.

13 Fiscal year 2008:

14 (A) New budget authority,  
15 \$34,181,000,000.

16 (B) Outlays, \$33,022,700,000.

17 Fiscal year 2009:

18 (A) New budget authority,  
19 \$34,147,000,000.

20 (B) Outlays, \$32,948,700,000.

21 Fiscal year 2010:

22 (A) New budget authority,  
23 \$33,921,000,000.

24 (B) Outlays, \$32,397,000,000.

25 Fiscal year 2011:

1 (A) New budget authority,  
2 \$34,314,000,000.

3 (B) Outlays, \$32,115,000,000.

4 (3) General Science, Space, and Technology  
5 (250):

6 Fiscal year 2006:

7 (A) New budget authority,  
8 \$24,936,000,000.

9 (B) Outlays, \$24,059,000,000.

10 Fiscal year 2007:

11 (A) New budget authority,  
12 \$26,417,000,000.

13 (B) Outlays, \$25,338,000,000.

14 Fiscal year 2008:

15 (A) New budget authority,  
16 \$27,446,000,000.

17 (B) Outlays, \$26,279,000,000.

18 Fiscal year 2009:

19 (A) New budget authority,  
20 \$28,493,000,000.

21 (B) Outlays, \$27,395,000,000.

22 Fiscal year 2010:

23 (A) New budget authority,  
24 \$29,710,000,000.

25 (B) Outlays, \$28,525,000,000.

1 Fiscal year 2011:  
2 (A) New budget authority,  
3 \$30,989,000,000.  
4 (B) Outlays, \$29,745,000,000.  
5 (4) Energy (270):  
6 Fiscal year 2006:  
7 (A) New budget authority,  
8 \$1,829,000,000.  
9 (B) Outlays, \$2,030,000,000.  
10 Fiscal year 2007:  
11 (A) New budget authority,  
12 \$2,412,000,000.  
13 (B) Outlays, \$1,105,000,000.  
14 Fiscal year 2008:  
15 (A) New budget authority,  
16 \$2,638,000,000.  
17 (B) Outlays, \$673,000,000.  
18 Fiscal year 2009:  
19 (A) New budget authority,  
20 \$2,417,000,000.  
21 (B) Outlays, \$930,500,000.  
22 Fiscal year 2010:  
23 (A) New budget authority,  
24 \$2,290,000,000.  
25 (B) Outlays, \$944,500,000.

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Fiscal year 2011:

(A) New budget authority,  
\$2,194,000,000.

(B) Outlays, \$803,500,000.

(5) Natural Resources and Environment (300):

Fiscal year 2006:

(A) New budget authority,  
\$35,188,000,000.

(B) Outlays, \$32,533,000,000.

Fiscal year 2007:

(A) New budget authority,  
\$29,745,000,000.

(B) Outlays, \$33,053,000,000.

Fiscal year 2008:

(A) New budget authority,  
\$28,830,000,000.

(B) Outlays, \$30,802,000,000.

Fiscal year 2009:

(A) New budget authority,  
\$29,585,000,000.

(B) Outlays, \$30,440,000,000.

Fiscal year 2010:

(A) New budget authority,  
\$29,036,000,000.

(B) Outlays, \$29,969,000,000.

1 Fiscal year 2011:  
2 (A) New budget authority,  
3 \$28,937,000,000.  
4 (B) Outlays, \$29,661,000,000.  
5 (6) Agriculture (350):  
6 Fiscal year 2006:  
7 (A) New budget authority,  
8 \$28,258,000,000.  
9 (B) Outlays, \$26,489,000,000.  
10 Fiscal year 2007:  
11 (A) New budget authority,  
12 \$27,362,000,000.  
13 (B) Outlays, \$26,788,000,000.  
14 Fiscal year 2008:  
15 (A) New budget authority,  
16 \$25,214,000,000.  
17 (B) Outlays, \$24,573,000,000.  
18 Fiscal year 2009:  
19 (A) New budget authority,  
20 \$24,524,000,000.  
21 (B) Outlays, \$23,841,000,000.  
22 Fiscal year 2010:  
23 (A) New budget authority,  
24 \$23,382,000,000.  
25 (B) Outlays, \$22,572,000,000.

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Fiscal year 2011:

(A) New budget authority,  
\$23,023,000,000.

(B) Outlays, \$22,293,000,000.

(7) Commerce and Housing Credit (370):

Fiscal year 2006:

(A) New budget authority,  
\$14,536,000,000.

(B) Outlays, \$7,938,000,000.

Fiscal year 2007:

(A) New budget authority,  
\$16,846,000,000.

(B) Outlays, \$8,148,000,000.

Fiscal year 2008:

(A) New budget authority,  
\$13,175,000,000.

(B) Outlays, \$8,147,000,000.

Fiscal year 2009:

(A) New budget authority,  
\$13,275,000,000.

(B) Outlays, \$8,025,000,000.

Fiscal year 2010:

(A) New budget authority,  
\$17,057,000,000.

(B) Outlays, \$8,859,000,000.

1 Fiscal year 2011:  
2 (A) New budget authority,  
3 \$11,861,000,000.  
4 (B) Outlays, \$5,386,000,000.  
5 (8) Transportation (400):  
6 Fiscal year 2006:  
7 (A) New budget authority,  
8 \$74,858,000,000.  
9 (B) Outlays, \$70,889,000,000.  
10 Fiscal year 2007:  
11 (A) New budget authority,  
12 \$80,480,000,000.  
13 (B) Outlays, \$77,789,400,000.  
14 Fiscal year 2008:  
15 (A) New budget authority,  
16 \$81,293,000,000.  
17 (B) Outlays, \$78,758,600,000.  
18 Fiscal year 2009:  
19 (A) New budget authority,  
20 \$72,888,000,000.  
21 (B) Outlays, \$78,336,000,000.  
22 Fiscal year 2010:  
23 (A) New budget authority,  
24 \$72,936,000,000.  
25 (B) Outlays, \$77,837,000,000.

1 Fiscal year 2011:  
2 (A) New budget authority,  
3 \$73,487,000,000.  
4 (B) Outlays, \$77,842,000,000.  
5 (9) Community and Regional Development  
6 (450):  
7 Fiscal year 2006:  
8 (A) New budget authority,  
9 \$38,306,000,000.  
10 (B) Outlays, \$59,547,000,000.  
11 Fiscal year 2007:  
12 (A) New budget authority,  
13 \$16,445,000,000.  
14 (B) Outlays, \$32,646,000,000.  
15 Fiscal year 2008:  
16 (A) New budget authority,  
17 \$12,972,000,000.  
18 (B) Outlays, \$26,638,000,000.  
19 Fiscal year 2009:  
20 (A) New budget authority,  
21 \$13,066,000,000.  
22 (B) Outlays, \$22,218,000,000.  
23 Fiscal year 2010:  
24 (A) New budget authority,  
25 \$13,098,000,000.

1 (B) Outlays, \$18,267,000,000.

2 Fiscal year 2011:

3 (A) New budget authority,  
4 \$13,353,000,000.

5 (B) Outlays, \$13,993,000,000.

6 (10) Education, Training, Employment, and  
7 Social Services (500):

8 Fiscal year 2006:

9 (A) New budget authority,  
10 \$112,611,000,000.

11 (B) Outlays, \$106,461,000,000.

12 Fiscal year 2007:

13 (A) New budget authority,  
14 \$88,940,000,000.

15 (B) Outlays, \$89,357,000,000.

16 Fiscal year 2008:

17 (A) New budget authority,  
18 \$87,710,000,000.

19 (B) Outlays, \$87,301,000,000.

20 Fiscal year 2009:

21 (A) New budget authority,  
22 \$87,579,000,000.

23 (B) Outlays, \$86,560,000,000.

24 Fiscal year 2010:

1 (A) New budget authority,  
2 \$86,993,000,000.

3 (B) Outlays, \$86,122,000,000.

4 Fiscal year 2011:

5 (A) New budget authority,  
6 \$86,958,000,000.

7 (B) Outlays, \$86,167,000,000.

8 (11) Health (550):

9 Fiscal year 2006:

10 (A) New budget authority,  
11 \$267,375,000,000.

12 (B) Outlays, \$264,431,000,000.

13 Fiscal year 2007:

14 (A) New budget authority,  
15 \$278,381,000,000.

16 (B) Outlays, \$275,660,000,000.

17 Fiscal year 2008:

18 (A) New budget authority,  
19 \$291,748,000,000.

20 (B) Outlays, \$292,763,000,000.

21 Fiscal year 2009:

22 (A) New budget authority,  
23 \$311,847,000,000.

24 (B) Outlays, \$310,255,000,000.

25 Fiscal year 2010:

1 (A) New budget authority,  
2 \$328,305,000,000.

3 (B) Outlays, \$328,074,000,000.

4 Fiscal year 2011:

5 (A) New budget authority,  
6 \$349,959,000,000.

7 (B) Outlays, \$348,526,000,000.

8 (12) Medicare (570):

9 Fiscal year 2006:

10 (A) New budget authority,  
11 \$336,887,000,000.

12 (B) Outlays, \$331,524,000,000.

13 Fiscal year 2007:

14 (A) New budget authority,  
15 \$382,068,000,000.

16 (B) Outlays, \$387,541,000,000.

17 Fiscal year 2008:

18 (A) New budget authority,  
19 \$411,150,000,000.

20 (B) Outlays, \$411,217,000,000.

21 Fiscal year 2009:

22 (A) New budget authority,  
23 \$440,764,000,000.

24 (B) Outlays, \$440,455,000,000.

25 Fiscal year 2010:

1 (A) New budget authority,  
2 \$470,247,000,000.

3 (B) Outlays, \$470,523,000,000.

4 Fiscal year 2011:

5 (A) New budget authority,  
6 \$520,312,000,000.

7 (B) Outlays, \$520,350,000,000.

8 (13) Income Security (600):

9 Fiscal year 2006:

10 (A) New budget authority,  
11 \$345,572,000,000.

12 (B) Outlays, \$356,189,000,000.

13 Fiscal year 2007:

14 (A) New budget authority,  
15 \$361,180,000,000.

16 (B) Outlays, \$365,178,000,000.

17 Fiscal year 2008:

18 (A) New budget authority,  
19 \$371,276,000,000.

20 (B) Outlays, \$375,086,000,000.

21 Fiscal year 2009:

22 (A) New budget authority,  
23 \$381,802,000,000.

24 (B) Outlays, \$384,194,000,000.

25 Fiscal year 2010:

1 (A) New budget authority,  
2 \$391,687,000,000.

3 (B) Outlays, \$393,080,000,000.

4 Fiscal year 2011:

5 (A) New budget authority,  
6 \$406,513,000,000.

7 (B) Outlays, \$406,810,000,000.

8 (14) Social Security (650):

9 Fiscal year 2006:

10 (A) New budget authority,  
11 \$14,820,000,000.

12 (B) Outlays, \$14,820,000,000.

13 Fiscal year 2007:

14 (A) New budget authority,  
15 \$17,022,000,000.

16 (B) Outlays, \$17,022,000,000.

17 Fiscal year 2008:

18 (A) New budget authority,  
19 \$18,914,000,000.

20 (B) Outlays, \$18,914,000,000.

21 Fiscal year 2009:

22 (A) New budget authority,  
23 \$20,794,000,000.

24 (B) Outlays, \$20,794,000,000.

25 Fiscal year 2010:

1 (A) New budget authority,  
2 \$22,966,000,000.

3 (B) Outlays, \$22,966,000,000.

4 Fiscal year 2011:

5 (A) New budget authority,  
6 \$26,580,000,000.

7 (B) Outlays, \$26,580,000,000.

8 (15) Veterans Benefits and Services (700):

9 Fiscal year 2006:

10 (A) New budget authority,  
11 \$72,041,000,000.

12 (B) Outlays, \$69,843,000,000.

13 Fiscal year 2007:

14 (A) New budget authority,  
15 \$74,817,000,000.

16 (B) Outlays, \$73,792,000,000.

17 Fiscal year 2008:

18 (A) New budget authority,  
19 \$76,984,000,000.

20 (B) Outlays, \$77,333,000,000.

21 Fiscal year 2009:

22 (A) New budget authority,  
23 \$77,907,000,000.

24 (B) Outlays, \$78,204,000,000.

25 Fiscal year 2010:

1 (A) New budget authority,  
2 \$78,360,000,000.

3 (B) Outlays, \$78,496,000,000.

4 Fiscal year 2011:

5 (A) New budget authority,  
6 \$82,561,000,000.

7 (B) Outlays, \$82,487,000,000.

8 (16) Administration of Justice (750):

9 Fiscal year 2006:

10 (A) New budget authority,  
11 \$40,707,000,000.

12 (B) Outlays, \$40,769,000,000.

13 Fiscal year 2007:

14 (A) New budget authority,  
15 \$49,988,250,000.

16 (B) Outlays, \$48,926,250,000.

17 Fiscal year 2008:

18 (A) New budget authority,  
19 \$41,977,000,000.

20 (B) Outlays, \$44,447,000,000.

21 Fiscal year 2009:

22 (A) New budget authority,  
23 \$42,523,000,000.

24 (B) Outlays, \$43,787,000,000.

25 Fiscal year 2010:

1 (A) New budget authority,  
2 \$42,885,000,000.

3 (B) Outlays, \$43,350,000,000.

4 Fiscal year 2011:

5 (A) New budget authority,  
6 \$43,930,000,000.

7 (B) Outlays, \$43,740,000,000.

8 (17) General Government (800):

9 Fiscal year 2006:

10 (A) New budget authority,  
11 \$18,831,000,000.

12 (B) Outlays, \$18,969,000,000.

13 Fiscal year 2007:

14 (A) New budget authority,  
15 \$20,357,000,000.

16 (B) Outlays, \$19,753,000,000.

17 Fiscal year 2008:

18 (A) New budget authority,  
19 \$18,536,000,000.

20 (B) Outlays, \$18,530,000,000.

21 Fiscal year 2009:

22 (A) New budget authority,  
23 \$20,878,000,000.

24 (B) Outlays, \$20,698,000,000.

25 Fiscal year 2010:

1 (A) New budget authority,  
2 \$18,049,000,000.

3 (B) Outlays, \$17,939,000,000.

4 Fiscal year 2011:

5 (A) New budget authority,  
6 \$18,679,000,000.

7 (B) Outlays, \$18,512,000,000.

8 (18) Net Interest (900):

9 Fiscal year 2006:

10 (A) New budget authority,  
11 \$317,020,000,000.

12 (B) Outlays, \$317,020,000,000.

13 Fiscal year 2007:

14 (A) New budget authority,  
15 \$354,399,000,000.

16 (B) Outlays, \$354,399,000,000.

17 Fiscal year 2008:

18 (A) New budget authority,  
19 \$384,507,000,000.

20 (B) Outlays, \$384,507,000,000.

21 Fiscal year 2009:

22 (A) New budget authority,  
23 \$407,197,000,000.

24 (B) Outlays, \$407,197,000,000.

25 Fiscal year 2010:

1 (A) New budget authority,  
2 \$429,151,000,000.

3 (B) Outlays, \$429,151,000,000.

4 Fiscal year 2011:

5 (A) New budget authority,  
6 \$451,390,000,000.

7 (B) Outlays, \$451,390,000,000.

8 (19) Allowances (920):

9 Fiscal year 2006:

10 (A) New budget authority, \$0.

11 (B) Outlays, \$0.

12 Fiscal year 2007:

13 (A) New budget authority,  
14  $-\$15,105,250,000$ .

15 (B) Outlays,  $-\$7,551,250,000$ .

16 Fiscal year 2008:

17 (A) New budget authority,  
18  $-\$2,132,000,000$ .

19 (B) Outlays,  $-\$4,628,300,000$ .

20 Fiscal year 2009:

21 (A) New budget authority,  
22  $-\$2,166,000,000$ .

23 (B) Outlays,  $-\$3,375,700,000$ .

24 Fiscal year 2010:

1 (A) New budget authority,  
2 –\$2,201,000,000.

3 (B) Outlays, –\$2,596,000,000.

4 Fiscal year 2011:

5 (A) New budget authority,  
6 –\$2,236,000,000.

7 (B) Outlays, –\$2,487,000,000.

8 (20) Undistributed Offsetting Receipts (950):

9 Fiscal year 2006:

10 (A) New budget authority,  
11 –\$57,140,000,000.

12 (B) Outlays, –\$57,140,000,000.

13 Fiscal year 2007:

14 (A) New budget authority,  
15 –\$68,598,000,000.

16 (B) Outlays, –\$69,440,000,000.

17 Fiscal year 2008:

18 (A) New budget authority,  
19 –\$68,737,000,000.

20 (B) Outlays, –\$68,409,000,000.

21 Fiscal year 2009:

22 (A) New budget authority,  
23 –\$79,489,000,000.

24 (B) Outlays, –\$79,208,000,000.

25 Fiscal year 2010:

1 (A) New budget authority,  
2 –\$66,787,000,000.

3 (B) Outlays, –\$66,600,000,000.

4 Fiscal year 2011:

5 (A) New budget authority,  
6 –\$70,297,000,000.

7 (B) Outlays, –\$70,260,000,000.

## 8 **TITLE II—RECONCILIATION**

### 9 **SEC. 201. RECONCILIATION IN THE SENATE.**

10 The Committee on Energy and Natural Resources  
11 shall report to the Senate a reconciliation bill not later  
12 than May 16, 2006, that consists of changes in laws within  
13 its jurisdiction sufficient to reduce budget authority and  
14 outlays by \$3,000,000,000 for the period of fiscal years  
15 2007 through 2011.

## 16 **TITLE III—RESERVE FUNDS**

### 17 **SEC. 301. RESERVE FUND FOR THE UNINSURED.**

18 If—

19 (1) the Committee on Finance or the Com-  
20 mittee on Health, Education, Labor, and Pensions  
21 of the Senate reports a bill or joint resolution, or if  
22 an amendment is offered thereto, or if a conference  
23 report is submitted thereon, that—

24 (A) addresses health care costs, coverage,  
25 or care for the uninsured;

1 (B) provides—

2 (i) safety net access to integrated and  
3 other health care services; or

4 (ii) increases the number of people  
5 with health insurance, provided that such  
6 increase is not obtained primarily as a re-  
7 sult of increasing premiums for the cur-  
8 rently insured;

9 (C) increases access to coverage through  
10 mechanisms that decrease the growth of health  
11 care costs, including tax measures (such as tax  
12 credits and deductibility) market-based meas-  
13 ures (such as regulatory reforms, consumer-di-  
14 rected initiatives) and other measures targeted  
15 to key segments of the uninsured, including in-  
16 dividuals without employer-sponsored coverage,  
17 college students, recent graduates, or chron-  
18 ically ill individuals); and

19 (D) improves the transparency of the cost  
20 and quality for medical care; and

21 (2) that committee is within its allocation as  
22 provided under section 302(a) of the Congressional  
23 Budget Act of 1974;

24 the chairman of the Committee on the Budget may make  
25 the appropriate adjustments in allocations and aggregates

1 to the extent that such legislation would not increase the  
2 deficit for fiscal year 2007 and for the period of fiscal  
3 years 2007 through 2011.

4 **SEC. 302. RESERVE FUND FOR HEALTH INFORMATION**  
5 **TECHNOLOGY.**

6 If—

7 (1) the Committee on Finance or the Com-  
8 mittee on Health, Education, Labor, and Pensions  
9 of the Senate reports a bill or joint resolution, or if  
10 an amendment is offered thereto or if a conference  
11 report is submitted thereon, that—

12 (A) provides incentives or other support for  
13 adoption of modern information technology to  
14 improve quality in health care; and

15 (B) provides for performance-based pay-  
16 ments, which are based on accepted clinical per-  
17 formance measures that improve the quality in  
18 health care; and

19 (2) that committee is within its allocation as  
20 provided under section 302(a) of the Congressional  
21 Budget Act of 1974;

22 the chairman of the Committee on the Budget may make  
23 the appropriate adjustments in allocations and aggregates  
24 to the extent that such legislation would not increase the

1 deficit for fiscal year 2007 and the period of fiscal years  
2 2007 through 2011.

3 **SEC. 303. RESERVE FUND FOR THE ASBESTOS INJURY**  
4 **TRUST FUND.**

5 If—

6 (1) the Committee on Judiciary reports legisla-  
7 tion, or if an amendment is offered thereto or if a  
8 conference report is submitted thereon, that—

9 (A) provides monetary compensation to im-  
10 paired victims of asbestos-related disease who  
11 can establish that asbestos exposure is a sub-  
12 stantial contributing factor in causing their  
13 condition;

14 (B) does not provide monetary compensa-  
15 tion to the unimpaired claimants or those suf-  
16 fering from a disease who cannot establish that  
17 asbestos exposure was a substantial contrib-  
18 uting factor in causing their condition; and

19 (C) is estimated to remain funded from  
20 nontaxpayer sources for the life of the fund;  
21 and

22 (2) that committee is within its allocation as  
23 provided under section 302(a) of the Congressional  
24 Budget Act of 1974;

1 the chairman of the Committee on the Budget may make  
2 the appropriate adjustments in allocations and aggregates  
3 to the extent that such legislation would not increase the  
4 deficit for the period of fiscal years 2007 through 2057.

5 **SEC. 304. RESERVE FUND FOR THE SAFE IMPORTATION OF**  
6 **PRESCRIPTION DRUGS.**

7 If—

8 (1) the Committee on Health, Education,  
9 Labor, and Pensions of the Senate reports a bill or  
10 joint resolution, or an amendment is offered thereto  
11 or a conference report is submitted thereon, that  
12 permits the safe importation of prescription drugs  
13 approved by the Food and Drug Administration  
14 from specified countries with strong safety laws; and

15 (2) that committee is within its allocation as  
16 provided under section 302(a) of the Congressional  
17 Budget Act of 1974;

18 the chairman of the Committee on the Budget may make  
19 the appropriate adjustments in allocations and aggregates  
20 to the extent that such legislation would not increase the  
21 deficit for fiscal year 2007 and for the period of fiscal  
22 years 2007 through 2011.

1 **SEC. 305. RESERVE FUND FOR SECURE RURAL SCHOOLS**  
2 **AND COMMUNITY SELF-DETERMINATION ACT**  
3 **REAUTHORIZATION.**

4 If—

5 (1) the Committee on Energy and Natural Re-  
6 sources of the Senate reports a bill or joint resolu-  
7 tion, or an amendment is offered thereto or a con-  
8 ference report is submitted thereon, that provides  
9 for reauthorization of the Secure Rural Schools and  
10 Community Self-Determination Act (Public Law  
11 106–393); and

12 (2) that committee is within its allocation as  
13 provided under section 302(a) of the Congressional  
14 Budget Act of 1974;

15 the chairman of the Committee on the Budget may make  
16 the appropriate adjustments in allocations and aggregates  
17 to the extent that such legislation would not increase the  
18 deficit for fiscal year 2007 and for the period of fiscal  
19 years 2007 through 2011.

20 **SEC. 306. RESERVE FUND FOR COMPREHENSIVE IMMIGRA-**  
21 **TION REFORM.**

22 If—

23 (1) the Committee on the Judiciary of the Sen-  
24 ate reports a bill or joint resolution, or an amend-  
25 ment is offered thereto or a conference report is sub-  
26 mitted thereon, that—

1 (A) provides for comprehensive immigra-  
2 tion reform;

3 (B) provides for increased interior enforce-  
4 ment including legal employment verification;  
5 and

6 (C) provides for increased border security  
7 and enhanced information technology systems;  
8 and

9 (2) that committee is within its allocation as  
10 provided under section 302(a) of the Congressional  
11 Budget Act of 1974;

12 the chairman of the Committee on the Budget may make  
13 the appropriate adjustments in allocations and aggregates  
14 to the extent that such legislation would not increase the  
15 deficit for the fiscal year 2007 and for the period of fiscal  
16 years 2007 through 2011.

17 **SEC. 307. RESERVE FUND FOR INDIAN CLAIM SETTLEMENT.**

18 If—

19 (1) the Select Committee on Indian Affairs of  
20 the Senate reports a bill or joint resolution, or an  
21 amendment is offered thereto or a conference report  
22 is submitted thereon, that—

23 (A) creates an Indian accounting claims  
24 settlement fund for trust accounting deficiencies  
25 related to Individual Indian Moneys accounts;

1           (B) extinguishes all claims arising before  
2           the date of enactment for losses resulting from  
3           accounting errors, mismanagement, or interest  
4           owed in connection with Individual Indian Mon-  
5           neys accounts; and

6           (C) provides for new accounting practices  
7           for the Individual Indian Moneys accounts; and

8           (2) that committee is within its allocation as  
9           provided under section 302(a) of the Congressional  
10          Budget Act of 1974;

11         the chairman of the Committee on the Budget may make  
12         the appropriate adjustments in allocations and aggregates  
13         to the extent that such legislation would not increase the  
14         deficit for fiscal year 2007 and for the period of fiscal  
15         years 2007 through 2011.

16         **SEC. 308. RESERVE FUND FOR THE NATIONAL FLOOD IN-**  
17                 **SURANCE PROGRAM.**

18         If—

19           (1) the Committee on Banking, Housing, and  
20           Urban Affairs reports a bill or joint resolution, or an  
21           amendment is offered thereto or a conference report  
22           is submitted thereon, that—

23           (A) establishes more actuarially sound  
24           rates on policies issued by the National Flood  
25           Insurance Program;

1           (B) phases out flood insurance subsidies  
2           on pre-FIRM structures not used as primary  
3           residences;

4           (C) denies flood insurance to repeatedly  
5           flooded properties not used as primary resi-  
6           dences and make such other program reforms  
7           that would mitigate flood insurance losses in fu-  
8           ture natural disasters; and

9           (D) takes action to forgive the debt that  
10          the National Flood Insurance Program owes to  
11          the Treasury and provides an appropriation,  
12          not borrowing authority, to pay outstanding  
13          flood insurance claims; and

14          (2) that committee is within its allocation as  
15          provided under section 302(a) of the Congressional  
16          Budget Act of 1974;

17          the chairman of the Committee on the Budget may make  
18          the appropriate adjustments in allocations and aggregates  
19          by the amount provided by that measure for the purpose  
20          of liquidating the National Flood Insurance Fund's re-  
21          maining contractual obligations resulting from claims  
22          made as a result of floods that occurred in 2005, but not  
23          to exceed \$5,600,000,000 in new budget authority for fis-  
24          cal year 2006 or 2007 for that purpose.

1 **SEC. 309. RESERVE FUND TO PROTECT AMERICA'S COM-**  
2 **PETITIVE EDGE.**

3 (a) HEALTH, EDUCATION, LABOR, AND PENSIONS.—

4 If—

5 (1) the Committee on Health, Education,  
6 Labor, and Pensions of the Senate reports a bill or  
7 joint resolution, or if an amendment is offered there-  
8 to, or if a conference report is submitted thereon,  
9 that—

10 (A) increases the number of students and  
11 graduates pursuing science, technology, engi-  
12 neering and math (STEM) or foreign language  
13 courses, degrees and occupations; or

14 (B) improves educational programs in  
15 these fields; and

16 (2) that committee is within its allocation as  
17 provided under section 302(a) of the Congressional  
18 Budget Act of 1974;

19 the chairman of the Committee on the Budget may make  
20 the appropriate adjustments in allocations and aggregates  
21 to the extent that such legislation would not increase the  
22 deficit for fiscal year 2007 and for the period of fiscal  
23 years 2007 through 2011.

24 (b) ENERGY AND NATURAL RESOURCES.—If—

25 (1) the Committee on Energy and Natural Re-  
26 sources of the Senate reports a bill or joint resolu-

1 tion, or if an amendment is offered thereto, or if a  
2 conference report is submitted thereon, that—

3 (A) increases investment in basic and ap-  
4 plied research at the Department of Energy; or

5 (B) improves educational opportunities in  
6 math, science, or engineering; and

7 (2) that committee is within its allocation as  
8 provided under section 302(a) of the Congressional  
9 Budget Act of 1974;

10 the chairman of the Committee on the Budget may make  
11 the appropriate adjustments in allocations and aggregates  
12 to the extent that such legislation would not increase the  
13 deficit for fiscal year 2007 and for the period of fiscal  
14 years 2007 through 2011.

15 (c) COMMERCE, SCIENCE, AND TRANSPORTATION.—  
16 If—

17 (1) the Committee on Commerce, Science, and  
18 Transportation of the Senate reports a bill or joint  
19 resolution, or if an amendment is offered thereto, or  
20 if a conference report is submitted thereon, that—

21 (A) increases investment in basic and ap-  
22 plied research at the National Aeronautics and  
23 Space Administration, the National Institute of  
24 Science and Technology, and the National  
25 Science Foundation; or

1 (B) improves quality, coordination, or sup-  
2 port for such research; and

3 (2) that committee is within its allocation as  
4 provided under section 302(a) of the Congressional  
5 Budget Act of 1974;

6 the chairman of the Committee on the Budget may make  
7 the appropriate adjustments in allocations and aggregates  
8 to the extent that such legislation would not increase the  
9 deficit for fiscal year 2007 and for the period of fiscal  
10 years 2007 through 2011.

11 (d) FINANCE.—If—

12 (1) the Committee on Finance of the Senate re-  
13 ports a bill or joint resolution, or if an amendment  
14 is offered thereto, or if a conference report is sub-  
15 mitted thereon, that—

16 (A) improves America’s trade competitive-  
17 ness or enforcement; or

18 (B) fosters health care information tech-  
19 nology or pay-for-performance; and

20 (2) that committee is within its allocation as  
21 provided under section 302(a) of the Congressional  
22 Budget Act of 1974;

23 the chairman of the Committee on the Budget may make  
24 the appropriate adjustments in allocations and aggregates  
25 to the extent that such legislation would not increase the

1 deficit for fiscal year 2007 and for the period of fiscal  
2 years 2007 through 2011.

3 **SEC. 310. RESERVE FUND FOR LAND AND WATER CON-**  
4 **SERVATION FUND.**

5 (a) ENERGY AND NATURAL RESOURCES.—If—

6 (1) the Committee on Energy and Natural Re-  
7 sources reports a bill or joint resolution, or an  
8 amendment is offered thereto, or a conference report  
9 is submitted thereon, that—

10 (A) permits exploration and production of  
11 oil in the 1002 Area of the Arctic National  
12 Wildlife Refuge; and

13 (B)(i) such measure is enacted; and

14 (ii) the reconciliation instruction set out in  
15 section 201 is met; and

16 (2) that committee is within its allocation as  
17 provided under section 302(a) of the Congressional  
18 Budget Act of 1974;

19 the chairman of the Committee on the Budget of the Sen-  
20 ate may make the adjustments described in subsections  
21 (b) and (c).

22 (b) ADJUSTMENT FOR IMPLEMENTATION OF ENERGY  
23 POLICY ACT OF 2005.—If the Committee on Appropria-  
24 tions of the Senate reports a bill or joint resolution, or  
25 if an amendment is offered thereto or a conference report

1 is submitted thereon that makes available a portion of the  
2 receipts resulting from enactment of the legislation de-  
3 scribed in subsection (a) for programs to implement the  
4 Energy Policy Act of 2005 (Public Law 109–58), the  
5 chairman of the Committee on the Budget may revise  
6 committee allocations for that committee and other appro-  
7 priate budgetary aggregates and allocations of new budget  
8 authority and outlays by the amount provided by that  
9 measure for that purpose, but the adjustment may not ex-  
10 ceed \$150,000,000 in new budget authority in each of fis-  
11 cal years 2009 through 2011.

12 (c) ADJUSTMENT FOR THE LAND AND WATER CON-  
13 SERVATION FUND PROGRAMS AND ADDITIONAL LAND  
14 CONSERVATION PROGRAMS.—If the Committee on Appro-  
15 priations of the Senate reports a bill or joint resolution,  
16 or if an amendment is offered thereto or a conference re-  
17 port is submitted thereon that—

18 (1) provides funding for the programs described  
19 in this subsection at least at the previous year’s lev-  
20 els, adjusted for inflation; and

21 (2) makes available a portion of the receipts re-  
22 sulting from enactment of the legislation described  
23 in subsection (a) for—

24 (A) the Land and Water Conservation  
25 Fund;

1 (B) the Federal Land Acquisition and  
2 Stateside Grant Programs;

3 (C) the Coastal and Estuarine Land Pro-  
4 tection Program; and

5 (D) the Forest Legacy Program;

6 the chairman of the Committee on the Budget may revise  
7 committee allocations for that committee and other appro-  
8 priate budgetary aggregates and allocations of new budget  
9 authority and outlays by the amount provided by that  
10 measure for that purpose, but the adjustment may not ex-  
11 ceed \$350,000,000 in new budget authority in each of fis-  
12 cal years 2009 through 2011.

13 **SEC. 311. DEFICIT-NEUTRAL RESERVE FUND FOR CHRONIC**  
14 **CARE CASE MANAGEMENT.**

15 If the Senate Committee on Finance reports a bill  
16 or joint resolution, or an amendment is offered thereto or  
17 a conference report is submitted thereon, that would pro-  
18 vide \$1,750,000,000 to the Centers for Medicare and Med-  
19 icaid Services (CMS) to create a demonstration project or  
20 program that assigns a case manager to coordinate the  
21 care of chronically-ill and other high-cost Medicare bene-  
22 ficiaries in traditional fee-for-service Medicare, the Chair-  
23 man of the Senate Committee on the Budget may revise  
24 the allocations, aggregates, and other appropriate levels  
25 and limits in this resolution by the amount provided in

1 such measure for that purpose, provided that such legisla-  
2 tion would not increase the deficit for the period of fiscal  
3 years 2007 through 2011.

4 **SEC. 312. RESERVE FUND FOR RECEIPTS FROM BONNE-**  
5 **VILLE POWER ADMINISTRATION.**

6 If—

7 (1) the Committee on Energy and Natural Re-  
8 sources of the Senate reports a bill or joint resolu-  
9 tion, or an amendment is offered thereto or a con-  
10 ference report is submitted thereon, that prohibits  
11 the Bonneville Power Administration from making  
12 early payments on its Federal Bond Debt to the  
13 United States Treasury; and

14 (2) that committee is within its allocation as  
15 provided under section 302(a) of the Congressional  
16 Budget Act of 1974;

17 the chairman of the Committee on the Budget may make  
18 the appropriate adjustments in allocations and aggregates  
19 to the extent that such legislation would not increase the  
20 deficit for the fiscal year 2007 and for the period of fiscal  
21 years 2007 through 2011.

1 **SEC. 313. RESERVE FUND FOR EXTENSION OF THE MEDI-**  
2 **CARE PART D ENROLLMENT PERIOD.**

3 If the Committee on Finance of the Senate reports  
4 a bill, or if an amendment is offered thereto, or if a con-  
5 ference report is submitted thereon, that—

6 (1) authorizes the Secretary of Health and  
7 Human Services to extend the initial open enroll-  
8 ment period under part D of title XVIII of the So-  
9 cial Security Act beyond May 15, 2006;

10 (2) provides funding to the Centers for Medi-  
11 care & Medicaid Services and the Social Security  
12 Administration for the purpose of conducting enroll-  
13 ment activities for the period of any extension of the  
14 initial open enrollment period;

15 (3) waives the application of the late enrollment  
16 penalty for the period of any extension of the initial  
17 open enrollment period; and

18 (4) permits beneficiaries to change their enroll-  
19 ment election in such part D once during the initial  
20 open enrollment period, including throughout any  
21 extension of the initial open enrollment period;

22 the Chairman of the Committee on the Budget of the Sen-  
23 ate may make the appropriate adjustments in allocations  
24 and aggregates to the extent that such legislation would  
25 not increase the deficit for fiscal year 2007 and for the  
26 period of fiscal years 2007 through 2011.

1 **SEC. 314. RESERVE FUND FOR THE NEGOTIATION OF THE**  
2 **BEST POSSIBLE PRICE FOR PRESCRIPTION**  
3 **DRUGS THROUGH MEDICARE PART D.**

4 The Chairman of the Committee on the Budget of  
5 the Senate may revise the aggregates, allocations, func-  
6 tional totals, and other appropriate levels and limits in this  
7 resolution upon enactment of legislation that allows the  
8 Secretary of Health and Human Services to use the collec-  
9 tive purchasing power of 40,000,000 Medicare bene-  
10 ficiaries to negotiate the best possible prices for prescrip-  
11 tion drugs provided through part D of title XVIII of the  
12 Social Security Act in fallback plans and, if asked, by pri-  
13 vate drug plans, and in other circumstances, but not per-  
14 mitting price setting or a uniform formulary, by the  
15 amount of savings in that legislation, to ensure that those  
16 savings are reserved for deficit reduction or to improve  
17 the Medicare part D drug benefit.

18 **SEC. 315. RESERVE FUND FOR PANDEMIC INFLUENZA PRE-**  
19 **PARADNESS PLANNING.**

20 If the Committee on Health, Education, Labor, and  
21 Pensions of the Senate reports a bill or joint resolution,  
22 or if an amendment is offered thereto, or if a conference  
23 report is submitted thereon, that—

24 (1) rebuilds the vaccine industry in the United  
25 States which has shrunk from over 25 to less than  
26 5 companies;

1           (2) improves the United States capacity to  
2 produce life-saving pandemic influenza vaccines and  
3 antivirals;

4           (3) ensures adequate funding for advanced de-  
5 velopment and acquisition of needed medical coun-  
6 termeasures for biodefense and pandemic influenza  
7 protection;

8           (4) enhances the Strategic National Stockpile of  
9 pandemic influenza vaccines, antivirals, and other  
10 medical products;

11           (5) strengthens the Federal, State, and local  
12 public health infrastructure to effectively respond to  
13 a pandemic influenza outbreak;

14           (6) increases the domestic and international  
15 surveillance and outbreak containment capabilities;  
16 and

17           (7) improves public awareness and education of  
18 pandemic influenza preparedness planning;

19 assuming that the Committee is within its allocation as  
20 provided under section 302 (a) of the Congressional Budg-  
21 et Act of 1974, the chairman of the Committee on the  
22 Budget may make the appropriate adjustments in alloca-  
23 tions and aggregates to the extent that such legislation  
24 would not increase the deficit for fiscal years 2007 and  
25 for the period of fiscal years 2007 through 2011.

1 **SEC. 316. RESERVE FUND TO PREVENT CATASTROPHIC**  
2 **LOSS.**

3 If—

4 (1) the Committee on Environment and Public  
5 Works of the Senate reports a bill or joint resolu-  
6 tion, or if an amendment is offered thereto, or if a  
7 conference report is submitted thereon, that in-  
8 creases investment in measures designed to prevent  
9 catastrophic flood and hurricane damage in coastal  
10 areas such that—

11 (A) the measures, when completed, will  
12 likely decrease future expenditures from the  
13 Disaster Relief Fund;

14 (B) the increases do not exceed  
15 \$10,000,000,000; and

16 (C) the measures are certified by the  
17 President as likely to prevent loss of life and  
18 property; and

19 (2) that Committee is within its allocation as  
20 provided under section 302(a) of the Congressional  
21 Budget Act of 1974 (2 U.S.C. 633(a));

22 the Chairperson of the Committee on Budget of the Sen-  
23 ate may make the appropriate adjustments in the alloca-  
24 tions and aggregates to the extent that such legislation  
25 would not increase the deficit for the fiscal year 2007 and  
26 for the period of fiscal years 2007 through 2011.

1 **SEC. 317. DEFICIT-NEUTRAL RESERVE FUND FOR ENERGY**  
2 **LEGISLATION.**

3 The Chairman of the Senate Committee on the Budget  
4 may revise the allocations, aggregates, and other appro-  
5 priate levels and limits in this resolution for a bill or joint  
6 resolution, or an amendment thereto or conference report  
7 thereon, that would reduce our Nation's dependence on  
8 foreign sources of energy, expand production and use of  
9 alternative fuels and alternative fuel vehicles, promote re-  
10 newable energy development, improve electricity trans-  
11 mission, encourage responsible development of domestic oil  
12 and natural gas resources, and reward conservation and  
13 efficiency, by the amounts provided in such legislation for  
14 that purpose, provided that such legislation would not in-  
15 crease the deficit in fiscal year 2007 or over the total of  
16 the period of fiscal years 2007 through 2011, and provided  
17 that the committee or committees of jurisdiction are with-  
18 in their 302(a) allocations.

19 **SEC. 318. UNITED STATES RESPONSE TO GLOBAL HIV/AIDS,**  
20 **TUBERCULOSIS, AND MALARIA.**

21 Congress makes the following findings:

22 (1) The HIV/AIDS pandemic has reached stag-  
23 gering proportions. Over 40,000,000 people are liv-  
24 ing with HIV/AIDS worldwide, and 5,000,000 more  
25 people become infected each year. HIV/AIDS is esti-

1 mated to kill 3,000,000 men, women, and children  
2 each year.

3 (2) The United States was the first, and re-  
4 mains the largest, contributor to the Global Fund to  
5 Fight AIDS, Tuberculosis and Malaria (referred to  
6 in this section as the “Global Fund”).

7 (3) The Presidential Administration of George  
8 W. Bush (referred to in this section as the “Admin-  
9 istration”) has supported legislative language that  
10 links United States contributions to the Global Fund  
11 to the contributions of other donors, permitting the  
12 United States to provide 33 percent of all donations,  
13 which would match contributions on a 1-to-2 basis.

14 (4) As of the date of the approval of this Reso-  
15 lution, Congress has provided  $\frac{1}{3}$  of all donations to  
16 the Global Fund since its inception.

17 (5) The Global Fund currently estimates that  
18 during fiscal year 2007, it will renew  
19 \$1,600,000,000 worth of effective programs that are  
20 already operating on the ground, and the Adminis-  
21 tration and Global Fund Board have said that re-  
22 newals of existing grants should receive priority  
23 funding.

1           (6) The Global Fund estimates that during fis-  
2 cal year 2007, it could award \$1,000,000,000 in  
3 funding to proposals submitted for Round 6.

4           (7) For fiscal year 2007, the President has re-  
5 quested \$300,000,000 for the United States con-  
6 tribution to the Global Fund.

7           (8) The Global Fund is an important compo-  
8 nent of the United States efforts to combat AIDS,  
9 tuberculosis, and malaria, and supports approxi-  
10 mately 350 projects in 130 countries.

11           (9) Through a mid-year review process, Con-  
12 gress and the Administration will assess contribu-  
13 tions to date and anticipated contributions to the  
14 Global Fund, and ensure that United States con-  
15 tributions, at year end, are at the appropriate 1-to-  
16 2 ratio.

17           (10) Congress and the Administration will mon-  
18 itor contributions to the Global Fund to ensure that  
19 United States contributions do not exceed  $\frac{1}{3}$  of the  
20 Global Fund's revenues.

21           (11) The United States will need to contribute  
22 \$566,000,000 more than the President's fiscal year  
23 2007 request for the Global Fund to—

24                   (A) fund  $\frac{1}{3}$  of renewals during fiscal year  
25                   2007;

1 (B) support at least 1 new round of pro-  
2 posals in fiscal year 2007; and

3 (C) maintain the 1-to-2 funding ratio.

4 **SEC. 319. RESERVE FUND FOR THE FIRE AND SAFER PRO-**  
5 **GRAMS.**

6 If a bill or joint resolution is offered, or an amend-  
7 ment is offered thereto, or a conference report is sub-  
8 mitted thereon, that provides firefighters and fire depart-  
9 ments with critical resources under the Assistance to Fire-  
10 fighters Grant and the Staffing for Adequate Fire and  
11 Emergency Response Firefighters Grant, the Chairman of  
12 the Committee on Budget shall adjust the revenue aggreg-  
13 gates and other appropriate aggregates, levels, and limits  
14 in their resolution to reflect such legislation to the extent  
15 that such legislation would not increase the deficit for fis-  
16 cal year 2007 and for the period of fiscal years 2007  
17 through 2011.

18 **SEC. 320. RESERVE FUND FOR PHYSICIAN PAYMENT IN-**  
19 **CREASE UNDER MEDICARE.**

20 If—

21 (1) the Committee on Finance reports a bill, or  
22 if an amendment is offered thereto, or if a con-  
23 ference report is submitted thereon, that has the ef-  
24 fect of increasing the reimbursement rate for physi-

1        cian services under section 1848(d) of the Social Se-  
2        curity Act; and

3            (2) that committee is within its allocation as  
4        provided under section 302(a) of the Congressional  
5        Budget Act of 1974;

6 the Chairman of the Committee on the Budget of the Sen-  
7 ate may make the appropriate adjustments in allocations  
8 and aggregates to the extent that such legislation would  
9 not increase the deficit for fiscal year 2007 and for the  
10 period of fiscal years 2007 through 2011.

11 **SEC. 321. RESERVE FUND A COMMISSION FOR ACCOUNT-**  
12                    **ABILITY AND REVIEW OF FEDERAL AGEN-**  
13                    **CIES.**

14        If—

15            (1) the Homeland Security and Governmental  
16        Affairs Committee of the Senate reports a bill or  
17        joint resolution, or an amendment is offered thereto  
18        or a conference report is submitted thereon, that  
19        creates a Commission for the review of the perform-  
20        ances of Federal agencies, with the purpose of rec-  
21        ommending legislation to realign or eliminate pro-  
22        grams or agencies that are wasteful, duplicative, in-  
23        efficient, outdated, irrelevant, or failed; and

1           (2) the committee is within its allocation as  
2       provided under section 302(a) of the Congressional  
3       Budget Act of 1974;  
4       the chairman of the Committee on Budget may make the  
5       appropriate adjustments in allocations and aggregates to  
6       the extent that such legislation would not increase the def-  
7       icit for fiscal year 2007 and for the period of fiscal years  
8       2007 through 2011.

9       **SEC. 322. DEFICIT-NEUTRAL RESERVE FUND FOR GULF**  
10                   **COAST PROTECTION, RECONSTRUCTION AND**  
11                   **RECOVERY FUND.**

12       If—

13           (1) the Committee on Commerce, Science, and  
14       Transportation of the Senate or the Committee on  
15       Energy and Natural Resources of the Senate, or  
16       both Committees, reports a bill or joint resolution,  
17       or if an amendment is offered thereto, or if a con-  
18       ference report is submitted thereon, that creates a  
19       Gulf Coast Protection, Reconstruction and Recovery  
20       Fund to provide assistance to coastal States for  
21       coastal conservation, mitigation and resource protec-  
22       tion activities, or other purposes, based on the allo-  
23       cation formula provided in section 31 of the Outer  
24       Continental Shelf Lands Act that is funded

1       \$10,000,000,000 from the following sources or any  
2       combination of funds thereof—

3               (A) Receipts deposited into the Digital Tel-  
4       evision Transition and Public Safety Fund that  
5       exceed estimates of the Congressional Budget  
6       Office for the Deficit Reduction Act of 2005 at  
7       the time of enactment;

8               (B) Receipts (including bonus bids, rents,  
9       royalties, and payments associated with royalti-  
10      ties in kind) from the Arctic National Wildlife  
11      Refuge, if the Committee on Energy and Nat-  
12      ural Resources of the Senate reports a bill, and  
13      such measure is enacted, to establish oil explo-  
14      ration and production in the Arctic National  
15      Wildlife Refuge;

16              (C) Receipts equal to the amount of re-  
17      ceipts received by the United States Govern-  
18      ment attributable to offshore energy production  
19      (including bonus bids, rents, royalties, and pay-  
20      ments associated with royalties in kind) for  
21      each year that exceed estimates of the Congres-  
22      sional Budget Office as of March 16, 2006; and

23              (2) that committee is within its allocation as  
24      provided under section 302(a) of the Congressional  
25      Budget Act of 1974;

1 the Chairman of the Committee on the Budget of the Sen-  
2 ate may make the appropriate adjustments in allocations  
3 and aggregates to the extent that such legislation would  
4 not increase the deficit for fiscal year 2007 and for the  
5 period of fiscal years 2007 through 2011.

## 6 **TITLE IV—ENFORCEMENT**

### 7 **SEC. 401. RESTRICTIONS ON ADVANCE APPROPRIATIONS.**

8 (a) POINT OF ORDER.—

9 (1) IN GENERAL.—Except as provided in para-  
10 graph (2), it shall not be in order in the Senate to  
11 consider any bill, joint resolution, motion, amend-  
12 ment, or conference report that would provide an ad-  
13 vance appropriation.

14 (2) ADVANCE APPROPRIATION.—An advance  
15 appropriation may be provided for the fiscal years  
16 2008 and 2009 for programs, projects, activities, or  
17 accounts identified in the joint explanatory state-  
18 ment of managers accompanying this resolution  
19 under the heading “ACCOUNTS IDENTIFIED FOR AD-  
20 VANCE APPROPRIATIONS” in an aggregate amount  
21 not to exceed \$30,158,000,000 in new budget au-  
22 thority in each year.

23 (3) OPERATION OF POINT OF ORDER.—It shall  
24 be in order for a Senator to raise a single point of  
25 order that several provisions of a bill, resolution,

1 amendment, motion, or conference report violate  
2 paragraph (1). The Presiding Officer may sustain  
3 the point of order as to some or all of the provisions  
4 against which the Senator raised the point of order.  
5 If the Presiding Officer so sustains the point of  
6 order as to some of the provisions (including provi-  
7 sions of an amendment, motion, or conference re-  
8 port), then only those provisions (including provi-  
9 sions of an amendment, motion, or conference re-  
10 port) shall be deemed stricken pursuant to this sub-  
11 section.

12 (4) WAIVER AND APPEAL.—Before the Pre-  
13 siding Officer rules on a point of order under para-  
14 graph (1), any Senator may move to waive such a  
15 point of order as it applies to some or all of the pro-  
16 visions against which the point of order was raised.  
17 Such a motion to waive is amendable in accordance  
18 with the rules and precedents of the Senate. Para-  
19 graph (1) may be waived or suspended in the Senate  
20 only by an affirmative vote of three-fifths of the  
21 Members, duly chosen and sworn. After the Pre-  
22 siding Officer rules on a point of order under para-  
23 graph (1), any Senator may appeal the ruling of the  
24 Presiding Officer as it applies to some or all of the  
25 provisions. An affirmative vote of three-fifths of the

1 Members of the Senate, duly chosen and sworn, shall  
2 be required to sustain an appeal of the ruling of the  
3 Chair on a point of order raised under paragraph  
4 (1).

5 (5) CONFERENCE REPORTS.—When the Senate  
6 is considering a conference report on, or an amend-  
7 ment between the Houses in relation to, a bill or a  
8 joint resolution, upon—

9 (A) a point of order being made under sub-  
10 section (a); and

11 (B) such a point of order being sustained,  
12 such material contained in such conference report or  
13 amendment shall be deemed stricken, and the Sen-  
14 ate shall proceed to consider whether the Senate  
15 shall recede from its amendment and concur with a  
16 further amendment, or concur in the House amend-  
17 ment with a further amendment, as the case may be,  
18 and the matter stricken may not be offered as an  
19 amendment from the floor.

20 (6) ADVANCE APPROPRIATION.—In this sub-  
21 section, the term “advance appropriation” means  
22 any new budget authority provided in a bill or joint  
23 resolution making general appropriations or con-  
24 tinuing appropriations for fiscal year 2007 that first  
25 becomes available for any fiscal year after 2007 or

1 any new budget authority provided in a bill or joint  
2 resolution making general appropriations or con-  
3 tinuing appropriations for fiscal year 2008, that first  
4 becomes available for any fiscal year after 2008.

5 **SEC. 402. EMERGENCY LEGISLATION.**

6 (a) BUDGETARY TREATMENT OF EMERGENCY LEG-  
7 ISLATION.—

8 (1) AUTHORITY TO DESIGNATE.—With respect  
9 to a provision of direct spending or receipts legisla-  
10 tion or appropriations for discretionary accounts  
11 that Congress designates as an emergency require-  
12 ment in a measure, the amounts of new budget au-  
13 thority, outlays, and receipts in all fiscal years re-  
14 sulting from that provision shall be treated as an  
15 emergency requirement for the purposes of this sub-  
16 section.

17 (2) EXEMPTION OF EMERGENCY PROVISIONS.—  
18 As limited in paragraph (3), any new budget author-  
19 ity, outlays, and receipts resulting from any provi-  
20 sion designated as an emergency requirement, pur-  
21 suant to this subsection, in any bill, joint resolution,  
22 amendment, or conference report shall not count for  
23 purposes of sections 302 and 311 of the Congres-  
24 sional Budget Act of 1974, section 403 of this reso-  
25 lution (relating to discretionary spending limits in

1 the Senate), section 406 of this resolution (relating  
2 to limits on direct spending), section 407 of the con-  
3 current resolution on the budget for Fiscal Year  
4 2006, H. Con. Res. 95 (relating to the long term di-  
5 rect spending), and section 505 of the Concurrent  
6 Resolution on the Budget for Fiscal Year 2004, H.  
7 Con. Res. 95 (relating to the paygo requirement in  
8 the Senate), until the adoption of a subsequent  
9 budget resolution.

10 (3) LIMITATION.—For fiscal year 2007 the  
11 total exemption under paragraph (2) for emergencies  
12 shall not exceed \$86,300,000,000 in new budget au-  
13 thority and outlays associated with the budget au-  
14 thority for the global war on terrorism and other  
15 emergencies, of which—

16 (A) \$50,000,000,000 in new budget au-  
17 thority (and outlays associated with the budget  
18 authority) may be available for the global war  
19 on terrorism; and

20 (B) \$2,000,000,000 in new budget author-  
21 ity (and outlays associated with the budget au-  
22 thority) may be made available for United  
23 States border security initiatives; and

24 (C) \$2,300,000,000 in new budget author-  
25 ity (and outlays associated with the budget au-

1           thority) may be available for pandemic influ-  
2           enza initiatives.

3           (4) POINT OF ORDER.—When the Senate is  
4           considering a bill, resolution, amendment, motion, or  
5           conference report, if a point of order is made by a  
6           Senator against an emergency designation in that  
7           measure, that provision making such a designation  
8           shall be stricken from the measure and may not be  
9           offered as an amendment from the floor.

10          (5) EXCEPTION FOR DEFENSE SPENDING.—  
11          Paragraph (4) shall not apply against an emergency  
12          designation for a provision making discretionary ap-  
13          propriations under the defense function (050), sub-  
14          ject to the limitation set forth in paragraph (3).

15          (6) OPERATION OF POINT OF ORDER.—It shall  
16          be in order for a Senator to raise a single point of  
17          order against several emergency designations in a  
18          bill, resolution, amendment, motion, or conference  
19          report. The language making the designations shall  
20          be stricken from the measure and may not be of-  
21          fered as amendments from the floor.

22          (7) WAIVER AND APPEAL.—Before the emer-  
23          gency designation or designations are stricken pur-  
24          suant to paragraph (4), any Senator may move to  
25          waive such a point of order as it applies to some or

1 all of the provisions against which the point of order  
2 was raised. Such a motion to waive is amendable in  
3 accordance with the rules and precedents of the Sen-  
4 ate. Paragraph (4) may be waived or suspended in  
5 the Senate only by an affirmative vote of three-fifths  
6 of the Members, duly chosen and sworn. After the  
7 Presiding Officer strikes the designation on such a  
8 point of order, any Senator may appeal the action  
9 of the Presiding Officer as it applies to some or all  
10 of the provisions. An affirmative vote of three-fifths  
11 of the Members of the Senate, duly chosen and  
12 sworn, shall be required to sustain an appeal of the  
13 ruling of the Chair on a point of order raised under  
14 paragraph (4).

15 (8) CONFERENCE REPORTS.—When the Senate  
16 is considering a conference report on, or an amend-  
17 ment between the Houses in relation to, a bill or a  
18 joint resolution, upon—

19 (A) a point of order being made in para-  
20 graph (4); and

21 (B) such a point of order being sustained,  
22 the emergency designation in such conference  
23 report or amendment shall be deemed stricken,  
24 and the Senate shall proceed to consider wheth-  
25 er the Senate shall recede from its amendment

1 and concur with a further amendment, or con-  
2 cur in the House amendment with a further  
3 amendment, as the case may be, and the matter  
4 stricken may not be offered as an amendment  
5 from the floor.

6 (b) DEFINITIONS AND CRITERIA.—

7 (1) DEFINITIONS.—

8 (A) IN GENERAL.—In this subsection, the  
9 terms “direct spending”, “receipts”, and “ap-  
10 propriations for discretionary accounts” means  
11 any provision of a bill, joint resolution, amend-  
12 ment, motion, or conference report that affects  
13 direct spending, receipts, or appropriations as  
14 those terms have been defined and interpreted  
15 for purposes of the Balanced Budget and  
16 Emergency Deficit Control Act of 1985.

17 (B) DESIGNATION.—Subject to the limita-  
18 tion in subsection (a)(3), for purposes of para-  
19 graph (4), a provision shall be considered an  
20 emergency designation if it designates any item  
21 as an emergency requirement pursuant to this  
22 subsection.

23 (2) DESIGNATIONS.—If a provision of legisla-  
24 tion is designated as an emergency requirement  
25 under this subsection, the committee report and any

1 statement of managers accompanying that legisla-  
2 tion shall include an explanation of the manner in  
3 which the provision meets the criteria in paragraph  
4 (3).

5 (3) CRITERIA.—

6 (A) IN GENERAL.—Subject to the limita-  
7 tion in subsection (a)(3), any provision may be  
8 designated as an emergency requirement if the  
9 situation addressed by such provision is—

10 (i) necessary, essential, or vital (not  
11 merely useful and beneficial);

12 (ii) sudden, quickly coming into being,  
13 and not building up over time;

14 (iii) an urgent, pressing, and compel-  
15 ling need requiring immediate action;

16 (iv) subject to subparagraph (B), un-  
17 foreseen, unpredictable, and unanticipated;  
18 and

19 (v) not permanent, temporary in na-  
20 ture.

21 (B) UNFORESEEN.—An emergency that is  
22 part of aggregate level of anticipated emer-  
23 gencies, particularly when normally estimated in  
24 advance, is not unforeseen.

1 **SEC. 403. DISCRETIONARY SPENDING LIMITS.**

2 (a) DISCRETIONARY SPENDING LIMITS.—As used in  
3 this section, the term “discretionary spending limit”  
4 means—

5 (1) for fiscal year 2006, \$900,927,000,000 in  
6 new budget authority and \$1,002,145,000,000 in  
7 outlays for the discretionary category;

8 (2) for fiscal year 2007, \$881,456,000,000 in  
9 new budget authority and \$970,789,000,000 in out-  
10 lays for the discretionary category;

11 (3) for fiscal year 2008, \$895,820,000,000 in  
12 new budget authority for the discretionary category;  
13 and

14 (4) for fiscal year 2009, \$919,215,000,000 in  
15 new budget authority for the discretionary category;  
16 as adjusted in conformance with the adjustment pro-  
17 cedures in subsection (d).

18 (b) DISCRETIONARY SPENDING POINT OF ORDER.—

19 (1) IN GENERAL.—Except as otherwise pro-  
20 vided in this subsection, it shall not be in order to  
21 consider any bill or joint resolution (or amendment,  
22 motion, or conference report on that bill or joint res-  
23 olution) that would cause the discretionary spending  
24 limits in this section to be exceeded.

25 (2) WAIVER AND APPEAL.—Before the Pre-  
26 siding Officer rules on a point of order under this

1 subsection, any Senator may move to waive such a  
2 point of order. Such a motion to waive is amendable  
3 in accordance with the rules and precedents of the  
4 Senate. The point of order may be waived or sus-  
5 pended in the Senate only by an affirmative vote of  
6 three-fifths of the Members, duly chosen and sworn.  
7 After the Presiding Officer rules on such a point of  
8 order, any Senator may appeal the ruling of the Pre-  
9 siding Officer. An affirmative vote of three-fifths of  
10 the Members of the Senate, duly chosen and sworn,  
11 shall be required to sustain an appeal of the ruling  
12 of the Chair on the point of order.

13 (c) PROCEDURE FOR ADJUSTMENTS.—

14 (1) IN GENERAL.—

15 (A) CHAIRMAN.—After the reporting of a  
16 bill or joint resolution, or the offering of an  
17 amendment thereto or the submission of a con-  
18 ference report thereon, the chairman of the  
19 Committee on the Budget may make the ad-  
20 justments set forth in subparagraph (B) for the  
21 amount of new budget authority and outlays in  
22 that measure (if that measure meets the re-  
23 quirements set forth in paragraph (2)) and the  
24 outlays flowing from that budget authority.

1 (B) MATTERS TO BE ADJUSTED.—The ad-  
2 justments referred to in subparagraph (A) are  
3 to be made to—

4 (i) the discretionary spending limits, if  
5 any, set forth in the appropriate concur-  
6 rent resolution on the budget; and

7 (ii) the allocations made pursuant to  
8 the concurrent resolution on the budget  
9 pursuant to section 302(a) of the Congres-  
10 sional Budget Act of 1974.

11 (2) AMOUNTS OF ADJUSTMENTS.—The adjust-  
12 ment referred to in paragraph (1) shall be an  
13 amount provided for fiscal year 2007 if a bill or  
14 joint resolution is reported making appropriations  
15 for fiscal year 2007 that appropriates  
16 \$6,824,000,000 to the Internal Revenue Service for  
17 enhanced tax enforcement to address the “Federal  
18 tax gap” and provides an additional appropriation of  
19 \$500,000,000 to the Internal Revenue Service for  
20 enhanced tax enforcement to address the “Federal  
21 tax gap” then the chairman of the Committee on the  
22 Budget of the Senate may make the adjustments in  
23 paragraph (c)(1)(B).

24 (3) REPORTING REVISED SUBALLOCATIONS.—  
25 Following any adjustment made under paragraph

1 (1), the Committee on Appropriations of the Senate  
2 shall report appropriately revised suballocations  
3 under section 302(b) of the Congressional Budget  
4 Act of 1974 to carry out this subsection.

5 **SEC. 404. APPLICATION AND EFFECT OF CHANGES IN ALLO-**  
6 **CATIONS AND AGGREGATES.**

7 (a) APPLICATION.—Any adjustments of allocations  
8 and aggregates made for any measure of legislation pursu-  
9 ant to this resolution shall—

10 (1) apply while that measure is under consider-  
11 ation;

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

14 (3) be printed in the Congressional Record as  
15 soon as practicable.

16 (b) EFFECT OF CHANGED ALLOCATIONS AND AG-  
17 GREGATES.—Revised allocations and aggregates resulting  
18 from these adjustments shall be considered for the pur-  
19 poses of the Congressional Budget Act of 1974 as alloca-  
20 tions and aggregates contained in this resolution.

21 (c) BUDGET COMMITTEE DETERMINATIONS.—For  
22 purposes of this resolution, the levels of new budget au-  
23 thority, outlays, direct spending, new entitlement author-  
24 ity, revenues, deficits, and surpluses for a fiscal year or  
25 period of fiscal years shall be determined on the basis of

1 estimates made by the chairman of the Committee on the  
2 Budget.

3 **SEC. 405. ADJUSTMENTS TO REFLECT CHANGES IN CON-**  
4 **CEPTS AND DEFINITIONS.**

5       Upon the enactment of a bill or joint resolution pro-  
6 viding for a change in concepts or definitions, the chair-  
7 man of the Committee on the Budget may make adjust-  
8 ments to the levels and allocations in this resolution in  
9 accordance with section 251(b) of the Balanced Budget  
10 and Emergency Deficit Control Act of 1985 (as in effect  
11 prior to September 30, 2002).

12 **SEC. 406. DIRECT SPENDING LIMITATION.**

13       (a) **MEDICARE FUNDING WARNING.**—The chairman  
14 of the Committee on the Budget may submit to the Senate  
15 a notification of a Medicare funding warning. Such warn-  
16 ing is defined as a projection that within 7 years General  
17 Fund contributions to Medicare funding expressed as a  
18 percentage of total Medicare outlays, exceed 45 percent.

19       (b) **POINT OF ORDER.**—It shall not be in order to  
20 consider any bill, joint resolution, amendment or con-  
21 ference report that would cause any increase in direct  
22 spending, net of proposals to change in direct spending,  
23 receipts, or revenues contained in the measure, if a Medi-  
24 care Funding warning has been submitted to the Senate

1 pursuant to subsection (a) for 2 consecutive calendar  
2 years.

3 (c) WAIVER.—This section may be waived or sus-  
4 pended only by an affirmative vote of three-fifths of the  
5 members, duly chosen and sworn.

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

10 (e) DETERMINATIONS.—For the purposes of this sec-  
11 tion, the determination of whether Medicare funding war-  
12 rants a funding warning and when it may be appropriate  
13 to withdraw such warning, as well as the levels of net di-  
14 rect spending as required under subsection (b), shall be  
15 provided by the chairman of the Committee on the Budg-  
16 et.

17 (f) CANCELLATION.—Should legislation be enacted to  
18 reduce the general fund contribution below 45 percent as  
19 determined by the chairman of the Committee on the  
20 Budget, the notification of a Medicare funding warning  
21 is withdrawn.

22 **SEC. 407. EXERCISE OF RULEMAKING POWERS.**

23 Congress adopts the provisions of this title—

24 (1) as an exercise of the rulemaking power of  
25 the Senate, respectively, and as such they shall be

1 considered as part of the rules of each House, or of  
2 the Senate and such rules shall supersede other  
3 rules only to the extent that they are inconsistent  
4 therewith; and

5 (2) with full recognition of the constitutional  
6 right of the Senate to change those rules (so far as  
7 they relate to that house) at any time, in the same  
8 manner, and to the same extent as is the case of any  
9 other rule of the Senate.

Passed the Senate March 16 (legislative day, March  
15), 2006.

Attest:

*Secretary.*

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

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**S. CON. RES. 83**

**CONCURRENT RESOLUTION**

Setting forth the congressional budget for the  
United States Government for fiscal year 2007  
and including the appropriate budgetary levels  
for fiscal years 2006 and 2008 through 2011.