

Calendar No. 371

109TH CONGRESS
2^D SESSION

S. CON. RES. 83

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.

IN THE SENATE OF THE UNITED STATES

MARCH 10, 2006

Mr. GREGG, from the Committee on the Budget, reported under authority of the order of the Senate of March 9, 2006, the following original concurrent resolution; which was placed on the calendar

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.

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

1 is hereby established and that the appropriate budgetary
 2 levels for fiscal years 2006 and 2008 through 2011 are
 3 set forth.

4 (b) TABLE OF CONTENTS.—The table of contents for
 5 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. Reserve fund for chronic care case management.

Sec. 312. Reserve fund for receipts from Bonneville Power Administration.

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:

10 Fiscal year 2006:

11 \$1,694,445,000,000.

12 Fiscal year 2007:

13 \$1,786,173,000,000.

14 Fiscal year 2008:

15 \$1,914,133,000,000.

16 Fiscal year 2009:

17 \$2,012,736,000,000.

18 Fiscal year 2010:

19 \$2,122,301,000,000.

20 Fiscal year 2011:

21 \$2,203,236,000,000.

22 (B) The amounts by which the aggregate
 23 levels of Federal revenues should be reduced are
 24 as follows:

25 Fiscal year 2006: —\$9,746,000,000.

1 Fiscal year 2007: —\$33,426,000,000.

2 Fiscal year 2008: —\$7,643,000,000.

3 Fiscal year 2009: —\$18,835,000,000.

4 Fiscal year 2010: —\$13,676,000,000.

5 Fiscal year 2011:

6 —\$153,835,000,000.

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

10 Fiscal year 2006:

11 \$2,279,715,000,000.

12 Fiscal year 2007:

13 \$2,317,893,000,000.

14 Fiscal year 2008:

15 \$2,339,415,000,000.

16 Fiscal year 2009:

17 \$2,429,717,000,000.

18 Fiscal year 2010:

19 \$2,532,787,000,000.

20 Fiscal year 2011:

21 \$2,655,164,000,000.

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

1	Fiscal	year	2006:
2	\$2,246,519,000,000.		
3	Fiscal	year	2007:
4	\$2,340,463,000,000.		
5	Fiscal	year	2008:
6	\$2,379,718,000,000.		
7	Fiscal	year	2009:
8	\$2,441,569,000,000.		
9	Fiscal	year	2010:
10	\$2,530,892,000,000.		
11	Fiscal	year	2011:
12	\$2,645,373,000,000.		

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

16	Fiscal	year	2006:
17	− \$552,064,000,000.		
18	Fiscal	year	2007:
19	− \$554,290,000,000.		
20	Fiscal	year	2008:
21	− \$465,585,000,000.		
22	Fiscal	year	2009:
23	− \$428,833,000,000.		
24	Fiscal	year	2010:
25	− \$408,591,000,000.		

1 Fiscal year 2011:
2 — \$442,137,000,000.

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

5 Fiscal year 2006:
6 \$8,526,578,000,000.

7 Fiscal year 2007:
8 \$9,190,311,000,000.

9 Fiscal year 2008:
10 \$9,766,883,000,000.

11 Fiscal year 2009:
12 \$10,302,957,000,000.

13 Fiscal year 2010:
14 \$10,815,812,000,000.

15 Fiscal year 2011:
16 \$11,355,281,000,000.

17 (6) DEBT HELD BY THE PUBLIC.—The appro-
18 priate levels of debt held by the public are as follows:

19 Fiscal year 2006:
20 \$4,966,840,000,000.

21 Fiscal year 2007:
22 \$5,336,498,000,000.

23 Fiscal year 2008:
24 \$5,599,634,000,000.

1 Fiscal year 2009:

2 \$5,809,201,000,000.

3 Fiscal year 2010:

4 \$5,980,485,000,000.

5 Fiscal year 2011:

6 \$6,169,011,000,000.

7 **SEC. 102. SOCIAL SECURITY.**

8 (a) SOCIAL SECURITY REVENUES.—The amounts of
9 revenues of the Federal Old-Age and Survivors Insurance
10 Trust Fund and the Federal Disability Insurance Trust
11 Fund are as follows:

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

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

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

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

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

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

18 (b) SOCIAL SECURITY OUTLAYS.—The amounts of
19 outlays of the Federal Old-Age and Survivors Insurance
20 Trust Fund and the Federal Disability Insurance Trust
21 Fund are as follows:

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

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

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

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

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

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

3 (c) SOCIAL SECURITY ADMINISTRATIVE EX-
4 PENSES.—In the Senate, the amounts of new budget au-
5 thority and budget outlays of the Federal Old-Age and
6 Survivors Insurance Trust Fund and the Federal Dis-
7 ability Insurance Trust Fund for administrative expenses
8 are as follows:

9 Fiscal year 2006:

10 (A) New budget authority,
11 \$4,568,000,000.

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

13 Fiscal year 2007:

14 (A) New budget authority,
15 \$4,721,000,000.

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

17 Fiscal year 2008:

18 (A) New budget authority,
19 \$4,862,000,000.

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

21 Fiscal year 2009:

22 (A) New budget authority,
23 \$5,009,000,000.

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

25 Fiscal year 2010:

1 (A) New budget authority,
2 \$5,159,000,000.

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

4 Fiscal year 2011:

5 (A) New budget authority,
6 \$5,314,000,000.

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

8 **SEC. 103. MAJOR FUNCTIONAL CATEGORIES.**

9 The Congress determines and declares that the ap-
10 propriate levels of new budget authority and outlays for
11 fiscal years 2006 through 2011 for each major functional
12 category are:

13 (1) National Defense (050):

14 Fiscal year 2006:

15 (A) New budget authority,
16 \$561,144,000,000.

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

18 Fiscal year 2007:

19 (A) New budget authority,
20 \$545,366,000,000.

21 (B) Outlays, \$550,497,000,000.

22 Fiscal year 2008:

23 (A) New budget authority,
24 \$481,696,000,000.

25 (B) Outlays, \$514,796,000,000.

1 Fiscal year 2009:
2 (A) New budget authority,
3 \$501,780,000,000.
4 (B) Outlays, \$508,078,000,000.
5 Fiscal year 2010:
6 (A) New budget authority,
7 \$511,863,000,000.
8 (B) Outlays, \$511,154,000,000.
9 Fiscal year 2011:
10 (A) New budget authority,
11 \$522,791,000,000.
12 (B) Outlays, \$521,870,000,000.
13 (2) International Affairs (150):
14 Fiscal year 2006:
15 (A) New budget authority,
16 \$31,936,000,000.
17 (B) Outlays, \$34,193,000,000.
18 Fiscal year 2007:
19 (A) New budget authority,
20 \$31,430,000,000.
21 (B) Outlays, \$34,266,000,000.
22 Fiscal year 2008:
23 (A) New budget authority,
24 \$34,420,000,000.
25 (B) Outlays, \$33,226,000,000.

1 Fiscal year 2009:

2 (A) New budget authority,

3 \$34,417,000,000.

4 (B) Outlays, \$33,202,000,000.

5 Fiscal year 2010:

6 (A) New budget authority,

7 \$34,138,000,000.

8 (B) Outlays, \$32,637,000,000.

9 Fiscal year 2011:

10 (A) New budget authority,

11 \$34,577,000,000.

12 (B) Outlays, \$32,361,000,000.

13 (3) General Science, Space, and Technology

14 (250):

15 Fiscal year 2006:

16 (A) New budget authority,

17 \$24,936,000,000.

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

19 Fiscal year 2007:

20 (A) New budget authority,

21 \$26,238,000,000.

22 (B) Outlays, \$25,159,000,000.

23 Fiscal year 2008:

24 (A) New budget authority,

25 \$27,446,000,000.

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

2 Fiscal year 2009:

3 (A) New budget authority,
4 \$28,493,000,000.

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

6 Fiscal year 2010:

7 (A) New budget authority,
8 \$29,710,000,000.

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

10 Fiscal year 2011:

11 (A) New budget authority,
12 \$30,989,000,000.

13 (B) Outlays, \$29,745,000,000.

14 (4) Energy (270):

15 Fiscal year 2006:

16 (A) New budget authority,
17 \$1,829,000,000.

18 (B) Outlays, \$2,030,000,000.

19 Fiscal year 2007:

20 (A) New budget authority,
21 \$2,212,000,000.

22 (B) Outlays, \$905,000,000.

23 Fiscal year 2008:

24 (A) New budget authority,
25 \$2,638,000,000.

1 (B) Outlays, \$673,000,000.

2 Fiscal year 2009:

3 (A) New budget authority,
4 \$2,267,000,000.

5 (B) Outlays, \$863,000,000.

6 Fiscal year 2010:

7 (A) New budget authority,
8 \$2,140,000,000.

9 (B) Outlays, \$817,000,000.

10 Fiscal year 2011:

11 (A) New budget authority,
12 \$2,044,000,000.

13 (B) Outlays, \$661,000,000.

14 (5) Natural Resources and Environment (300):

15 Fiscal year 2006:

16 (A) New budget authority,
17 \$35,188,000,000.

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

19 Fiscal year 2007:

20 (A) New budget authority,
21 \$29,637,000,000.

22 (B) Outlays, \$33,026,000,000.

23 Fiscal year 2008:

24 (A) New budget authority,
25 \$28,830,000,000.

1 (B) Outlays, \$30,770,000,000.

2 Fiscal year 2009:

3 (A) New budget authority,
4 \$29,585,000,000.

5 (B) Outlays, \$30,408,000,000.

6 Fiscal year 2010:

7 (A) New budget authority,
8 \$29,036,000,000.

9 (B) Outlays, \$29,958,000,000.

10 Fiscal year 2011:

11 (A) New budget authority,
12 \$28,937,000,000.

13 (B) Outlays, \$29,655,000,000.

14 (6) Agriculture (350):

15 Fiscal year 2006:

16 (A) New budget authority,
17 \$28,258,000,000.

18 (B) Outlays, \$26,489,000,000.

19 Fiscal year 2007:

20 (A) New budget authority,
21 \$27,362,000,000.

22 (B) Outlays, \$26,788,000,000.

23 Fiscal year 2008:

24 (A) New budget authority,
25 \$25,214,000,000.

1 (B) Outlays, \$24,573,000,000.

2 Fiscal year 2009:

3 (A) New budget authority,
4 \$24,524,000,000.

5 (B) Outlays, \$23,841,000,000.

6 Fiscal year 2010:

7 (A) New budget authority,
8 \$23,382,000,000.

9 (B) Outlays, \$22,572,000,000.

10 Fiscal year 2011:

11 (A) New budget authority,
12 \$23,023,000,000.

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

14 (7) Commerce and Housing Credit (370):

15 Fiscal year 2006:

16 (A) New budget authority,
17 \$14,536,000,000.

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

19 Fiscal year 2007:

20 (A) New budget authority,
21 \$16,516,000,000.

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

23 Fiscal year 2008:

24 (A) New budget authority,
25 \$13,175,000,000.

1 (B) Outlays, \$7,990,000,000.

2 Fiscal year 2009:

3 (A) New budget authority,
4 \$13,275,000,000.

5 (B) Outlays, \$7,983,000,000.

6 Fiscal year 2010:

7 (A) New budget authority,
8 \$17,057,000,000.

9 (B) Outlays, \$8,852,000,000.

10 Fiscal year 2011:

11 (A) New budget authority,
12 \$11,861,000,000.

13 (B) Outlays, \$5,385,000,000.

14 (8) Transportation (400):

15 Fiscal year 2006:

16 (A) New budget authority,
17 \$74,858,000,000.

18 (B) Outlays, \$70,889,000,000.

19 Fiscal year 2007:

20 (A) New budget authority,
21 \$78,268,000,000.

22 (B) Outlays, \$75,774,000,000.

23 Fiscal year 2008:

24 (A) New budget authority,
25 \$81,293,000,000.

1 (B) Outlays, \$78,562,000,000.

2 Fiscal year 2009:

3 (A) New budget authority,
4 \$72,888,000,000.

5 (B) Outlays, \$78,336,000,000.

6 Fiscal year 2010:

7 (A) New budget authority,
8 \$72,936,000,000.

9 (B) Outlays, \$77,837,000,000.

10 Fiscal year 2011:

11 (A) New budget authority,
12 \$73,487,000,000.

13 (B) Outlays, \$77,842,000,000.

14 (9) Community and Regional Development

15 (450):

16 Fiscal year 2006:

17 (A) New budget authority,
18 \$38,306,000,000.

19 (B) Outlays, \$59,547,000,000.

20 Fiscal year 2007:

21 (A) New budget authority,
22 \$14,657,000,000.

23 (B) Outlays, \$31,182,000,000.

24 Fiscal year 2008:

1 (A) New budget authority,
2 \$11,672,000,000.

3 (B) Outlays, \$25,111,000,000.

4 Fiscal year 2009:

5 (A) New budget authority,
6 \$11,766,000,000.

7 (B) Outlays, \$20,843,000,000.

8 Fiscal year 2010:

9 (A) New budget authority,
10 \$11,798,000,000.

11 (B) Outlays, \$16,945,000,000.

12 Fiscal year 2011:

13 (A) New budget authority,
14 \$12,053,000,000.

15 (B) Outlays, \$12,693,000,000.

16 (10) Education, Training, Employment, and
17 Social Services (500):

18 Fiscal year 2006:

19 (A) New budget authority,
20 \$112,611,000,000.

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

22 Fiscal year 2007:

23 (A) New budget authority,
24 \$86,899,000,000.

25 (B) Outlays, \$89,291,000,000.

1 Fiscal year 2008:
2 (A) New budget authority,
3 \$87,710,000,000.
4 (B) Outlays, \$85,968,000,000.

5 Fiscal year 2009:
6 (A) New budget authority,
7 \$87,579,000,000.
8 (B) Outlays, \$85,959,000,000.

9 Fiscal year 2010:
10 (A) New budget authority,
11 \$86,993,000,000.
12 (B) Outlays, \$86,082,000,000.

13 Fiscal year 2011:
14 (A) New budget authority,
15 \$86,958,000,000.
16 (B) Outlays, \$86,167,000,000.

17 (11) Health (550):

18 Fiscal year 2006:
19 (A) New budget authority,
20 \$267,375,000,000.
21 (B) Outlays, \$264,431,000,000.

22 Fiscal year 2007:
23 (A) New budget authority,
24 \$277,757,000,000.
25 (B) Outlays, \$275,319,000,000.

1 Fiscal year 2008:
2 (A) New budget authority,
3 \$291,712,000,000.
4 (B) Outlays, \$292,529,000,000.
5 Fiscal year 2009:
6 (A) New budget authority,
7 \$311,810,000,000.
8 (B) Outlays, \$310,164,000,000.
9 Fiscal year 2010:
10 (A) New budget authority,
11 \$328,268,000,000.
12 (B) Outlays, \$328,026,000,000.
13 Fiscal year 2011:
14 (A) New budget authority,
15 \$349,921,000,000.
16 (B) Outlays, \$348,486,000,000.
17 (12) Medicare (570):
18 Fiscal year 2006:
19 (A) New budget authority,
20 \$336,887,000,000.
21 (B) Outlays, \$331,524,000,000.
22 Fiscal year 2007:
23 (A) New budget authority,
24 \$382,068,000,000.
25 (B) Outlays, \$387,541,000,000.

1 Fiscal year 2008:
2 (A) New budget authority,
3 \$441,150,000,000.
4 (B) Outlays, \$411,217,000,000.
5 Fiscal year 2009:
6 (A) New budget authority,
7 \$440,764,000,000.
8 (B) Outlays, \$440,455,000,000.
9 Fiscal year 2010:
10 (A) New budget authority,
11 \$470,247,000,000.
12 (B) Outlays, \$470,523,000,000.
13 Fiscal year 2011:
14 (A) New budget authority,
15 \$520,312,000,000.
16 (B) Outlays, \$520,350,000,000.
17 (13) Income Security (600):
18 Fiscal year 2006:
19 (A) New budget authority,
20 \$345,572,000,000.
21 (B) Outlays, \$356,189,000,000.
22 Fiscal year 2007:
23 (A) New budget authority,
24 \$357,862,000,000.
25 (B) Outlays, \$362,689,000,000.

1 Fiscal year 2008:

2 (A) New budget authority,

3 \$371,276,000,000.

4 (B) Outlays, \$374,323,000,000.

5 Fiscal year 2009:

6 (A) New budget authority,

7 \$381,802,000,000.

8 (B) Outlays, \$384,128,000,000.

9 Fiscal year 2010:

10 (A) New budget authority,

11 \$391,687,000,000.

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

13 Fiscal year 2011:

14 (A) New budget authority,

15 \$406,513,000,000.

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

17 (14) Social Security (650):

18 Fiscal year 2006:

19 (A) New budget authority,

20 \$14,820,000,000.

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

22 Fiscal year 2007:

23 (A) New budget authority,

24 \$17,022,000,000.

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

1 Fiscal year 2008:

2 (A) New budget authority,

3 \$18,914,000,000.

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

5 Fiscal year 2009:

6 (A) New budget authority,

7 \$20,794,000,000.

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

9 Fiscal year 2010:

10 (A) New budget authority,

11 \$22,966,000,000.

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

13 Fiscal year 2011:

14 (A) New budget authority,

15 \$26,580,000,000.

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

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

18 Fiscal year 2006:

19 (A) New budget authority,

20 \$72,041,000,000.

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

22 Fiscal year 2007:

23 (A) New budget authority,

24 \$73,954,000,000.

25 (B) Outlays, \$73,054,000,000.

1 Fiscal year 2008:

2 (A) New budget authority,

3 \$76,130,000,000.

4 (B) Outlays, \$76,463,000,000.

5 Fiscal year 2009:

6 (A) New budget authority,

7 \$77,019,000,000.

8 (B) Outlays, \$77,318,000,000.

9 Fiscal year 2010:

10 (A) New budget authority,

11 \$77,437,000,000.

12 (B) Outlays, \$77,579,000,000.

13 Fiscal year 2011:

14 (A) New budget authority,

15 \$81,603,000,000.

16 (B) Outlays, \$81,537,000,000.

17 (16) Administration of Justice (750):

18 Fiscal year 2006:

19 (A) New budget authority,

20 \$40,707,000,000.

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

22 Fiscal year 2007:

23 (A) New budget authority,

24 \$45,891,000,000.

25 (B) Outlays, \$46,296,000,000.

1 Fiscal year 2008:

2 (A) New budget authority,

3 \$41,999,000,000.

4 (B) Outlays, \$43,907,000,000.

5 Fiscal year 2009:

6 (A) New budget authority,

7 \$42,545,000,000.

8 (B) Outlays, \$43,366,000,000.

9 Fiscal year 2010:

10 (A) New budget authority,

11 \$42,907,000,000.

12 (B) Outlays, \$43,136,000,000.

13 Fiscal year 2011:

14 (A) New budget authority,

15 \$43,952,000,000.

16 (B) Outlays, \$43,582,000,000.

17 (17) General Government (800):

18 Fiscal year 2006:

19 (A) New budget authority,

20 \$18,831,000,000.

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

22 Fiscal year 2007:

23 (A) New budget authority,

24 \$19,534,000,000.

25 (B) Outlays, \$19,252,000,000.

1 Fiscal year 2008:

2 (A) New budget authority,

3 \$18,536,000,000.

4 (B) Outlays, \$18,485,000,000.

5 Fiscal year 2009:

6 (A) New budget authority,

7 \$20,878,000,000.

8 (B) Outlays, \$20,624,000,000.

9 Fiscal year 2010:

10 (A) New budget authority,

11 \$18,049,000,000.

12 (B) Outlays, \$17,844,000,000.

13 Fiscal year 2011:

14 (A) New budget authority,

15 \$18,679,000,000.

16 (B) Outlays, \$18,435,000,000.

17 (18) Net Interest (900):

18 Fiscal year 2006:

19 (A) New budget authority,

20 \$317,020,000,000.

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

22 Fiscal year 2007:

23 (A) New budget authority,

24 \$354,318,000,000.

25 (B) Outlays, \$354,318,000,000.

1 Fiscal year 2008:

2 (A) New budget authority,

3 \$384,341,000,000.

4 (B) Outlays, \$384,341,000,000.

5 Fiscal year 2009:

6 (A) New budget authority,

7 \$407,021,000,000.

8 (B) Outlays, \$407,021,000,000.

9 Fiscal year 2010:

10 (A) New budget authority,

11 \$428,960,000,000.

12 (B) Outlays, \$428,960,000,000.

13 Fiscal year 2011:

14 (A) New budget authority,

15 \$451,181,000,000.

16 (B) Outlays, \$451,181,000,000.

17 (19) Allowances (920):

18 Fiscal year 2006:

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

20 (B) Outlays, \$0.

21 Fiscal year 2007:

22 (A) New budget authority,

23 – \$500,000,000.

24 (B) Outlays, – \$500,000,000.

25 Fiscal year 2008:

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

2 (B) Outlays, \$0.

3 Fiscal year 2009:

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

5 (B) Outlays, \$0.

6 Fiscal year 2010:

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

8 (B) Outlays, \$0.

9 Fiscal year 2011:

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

11 (B) Outlays, \$0.

12 (20) Undistributed Offsetting Receipts (950):

13 Fiscal year 2006:

14 (A) New budget authority,

15 –\$57,140,000.

16 (B) Outlays, –\$57,140,000.

17 Fiscal year 2007:

18 (A) New budget authority,

19 –\$68,598,000,000.

20 (B) Outlays, –\$69,440,000,000.

21 Fiscal year 2008:

22 (A) New budget authority,

23 –\$68,737,000,000.

24 (B) Outlays, –\$68,409,000,000.

25 Fiscal year 2009:

1 (A) New budget authority,
2 – \$79,489,000,000.

3 (B) Outlays, – \$79,208,000,000.

4 Fiscal year 2010:

5 (A) New budget authority,
6 – \$66,787,000,000.

7 (B) Outlays, – \$66,600,000,000.

8 Fiscal year 2011:

9 (A) New budget authority,
10 – \$70,297,000,000.

11 (B) Outlays, – \$70,260,000,000.

12 **TITLE II—RECONCILIATION**

13 **SEC. 201. RECONCILIATION IN THE SENATE.**

14 The Committee on Energy and Natural Resources
15 shall report to the Senate a reconciliation bill not later
16 than May 16, 2006, that consists of changes in laws within
17 its jurisdiction sufficient to reduce budget authority and
18 outlays by \$0 for fiscal year 2007 and by \$3,000,000,000
19 for the period of fiscal years 2007 through 2011.

20 **TITLE III—RESERVE FUNDS**

21 **SEC. 301. RESERVE FUND FOR THE UNINSURED.**

22 If—

23 (1) the Committee on Finance or the Com-
24 mittee on Health, Education, Labor, and Pensions
25 of the Senate reports a bill or joint resolution, or if

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

3 (A) addresses health care costs, coverage,
4 or care for the uninsured;

5 (B) provides—

6 (i) safety net access to integrated and
7 other health care services; or

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

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

23 (D) improves the transparency of the cost
24 and quality for medical care; and

1 (2) that 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 the Budget may make
5 the appropriate adjustments in allocations and aggregates
6 to the extent that such legislation would not increase the
7 deficit for fiscal year 2007 and for the period of fiscal
8 years 2007 through 2011.

9 **SEC. 302. RESERVE FUND FOR HEALTH INFORMATION**
10 **TECHNOLOGY.**

11 If—

12 (1) the Committee on Finance or the Com-
13 mittee on Health, Education, Labor, and Pensions
14 of the Senate reports a bill or joint resolution, or if
15 an amendment is offered thereto or if a conference
16 report is submitted thereon, that—

17 (A) provides incentives or other support for
18 adoption of modern information technology to
19 improve quality in health care; and

20 (B) provides for performance-based pay-
21 ments, which are based on accepted clinical per-
22 formance measures that improve the quality in
23 health care; and

1 (2) that 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 the Budget may make
5 the appropriate adjustments in allocations and aggregates
6 to the extent that such legislation would not increase the
7 deficit for fiscal year 2007 and the period of fiscal years
8 2007 through 2011.

9 **SEC. 303. RESERVE FUND FOR THE ASBESTOS INJURY**
10 **TRUST FUND.**

11 If—

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

15 (A) provides monetary compensation to im-
16 paired victims of asbestos-related disease who
17 can establish that asbestos exposure is a sub-
18 stantial contributing factor in causing their
19 condition;

20 (B) does not provide monetary compensa-
21 tion to the unimpaired claimants or those suf-
22 fering from a disease who cannot establish that
23 asbestos exposure was a substantial contrib-
24 uting factor in causing their condition; and

1 (C) is estimated to remain funded from
2 nontaxpayer sources for the life of the fund;
3 and

4 (2) that committee is within its allocation as
5 provided under section 302(a) of the Congressional
6 Budget Act of 1974;
7 the chairman of the Committee on the Budget may make
8 the appropriate adjustments in allocations and aggregates
9 to the extent that such legislation would not increase the
10 deficit for the period of fiscal years 2007 through 2057.

11 **SEC. 304. RESERVE FUND FOR THE SAFE IMPORTATION OF**
12 **PRESCRIPTION DRUGS.**

13 If—

14 (1) the Committee on Health, Education,
15 Labor, and Pensions of the Senate reports a bill or
16 joint resolution, or an amendment is offered thereto
17 or a conference report is submitted thereon, that
18 permits the safe importation of prescription drugs
19 approved by the Food and Drug Administration
20 from specified countries with strong safety laws; 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. 305. RESERVE FUND FOR SECURE RURAL SCHOOLS**
5 **AND COMMUNITY SELF-DETERMINATION ACT**
6 **REAUTHORIZATION.**

7 If—

8 (1) the Committee on Energy and Natural Re-
9 sources of the Senate reports a bill or joint resolu-
10 tion, or an amendment is offered thereto or a con-
11 ference report is submitted thereon, that provides
12 for reauthorization of the Secure Rural Schools and
13 Community Self-Determination Act (Public Law
14 106–393); 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.

23 **SEC. 306. RESERVE FUND FOR COMPREHENSIVE IMMIGRA-**
24 **TION REFORM.**

25 If—

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

5 (A) provides for comprehensive immigra-
6 tion reform;

7 (B) provides for increased interior enforce-
8 ment including legal employment verification;
9 and

10 (C) provides for increased border security
11 and enhanced information technology systems;
12 and

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

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

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

22 If—

23 (1) the Select Committee on Indian Affairs of
24 the Senate reports a bill or joint resolution, or an

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

3 (A) creates an Indian accounting claims
4 settlement fund for trust accounting deficiencies
5 related to Individual Indian Moneys accounts;

6 (B) extinguishes all claims arising before
7 the date of enactment for losses resulting from
8 accounting errors, mismanagement, or interest
9 owed in connection with Individual Indian Mon-
10 eys accounts; and

11 (C) provides for new accounting practices
12 for the Individual Indian Moneys accounts; and

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

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

21 **SEC. 308. RESERVE FUND FOR THE NATIONAL FLOOD IN-**
22 **SURANCE PROGRAM.**

23 If—

24 (1) the Committee on Banking, Housing, and
25 Urban Affairs reports a bill or joint resolution, or an

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

3 (A) establishes more actuarially sound
4 rates on policies issued by the National Flood
5 Insurance Program;

6 (B) phases out flood insurance subsidies
7 on pre-FIRM structures not used as primary
8 residences;

9 (C) denies flood insurance to repeatedly
10 flooded properties not used as primary resi-
11 dences and make such other program reforms
12 that would mitigate flood insurance losses in fu-
13 ture natural disasters; and

14 (D) takes action to forgive the debt that
15 the National Flood Insurance Program owes to
16 the Treasury and provides an appropriation,
17 not borrowing authority, to pay outstanding
18 flood insurance claims; 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 by the amount provided by that measure for the purpose
25 of liquidating the National Flood Insurance Fund's re-

1 maining contractual obligations resulting from claims
2 made as a result of floods that occurred in 2005, but not
3 to exceed \$5,600,000,000 in new budget authority for fis-
4 cal year 2006 or 2007 for that purpose.

5 **SEC. 309. RESERVE FUND TO PROTECT AMERICA'S COM-**
6 **PETITIVE EDGE.**

7 (a) HEALTH, EDUCATION, LABOR, AND PENSIONS.—
8 If—

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

14 (A) increases the number of students and
15 graduates pursuing science, technology, engi-
16 neering and math (STEM) or foreign language
17 courses, degrees and occupations; or

18 (B) improves educational programs in
19 these fields; 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 (b) ENERGY AND NATURAL RESOURCES.—If—

4 (1) the Committee on Energy and Natural Re-
5 sources 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—

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

10 (B) improves educational opportunities in
11 math, science, or engineering; 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 (c) COMMERCE, SCIENCE, AND TRANSPORTATION.—
21 If—

22 (1) the Committee on Commerce, Science, and
23 Transportation of the Senate reports a bill or joint
24 resolution, or if an amendment is offered thereto, or
25 if a conference report is submitted thereon, that—

1 (A) increases investment in basic and ap-
2 plied research at the National Aeronautics and
3 Space Administration, the National Institute of
4 Science and Technology, and the National
5 Science Foundation; or

6 (B) improves quality, coordination, or sup-
7 port for such research; 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. 310. RESERVE FUND FOR LAND AND WATER CON-**
17 **SERVATION FUND.**

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

19 (1) the Committee on Energy and Natural Re-
20 sources reports a bill or joint resolution, or an
21 amendment is offered thereto, or a conference report
22 is submitted thereon, that—

23 (A) permits exploration and production of
24 oil in the 1002 Area of the Arctic National
25 Wildlife Refuge; and

1 (B)(i) such measure is enacted; and
2 (ii) the reconciliation instruction set out in
3 section 201 is met; and

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

7 the chairman of the Committee on the Budget of the Sen-
8 ate may make the adjustments described in subsection (b).

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

15 (1) provides funding for the programs described
16 in this subsection at least at the previous year's lev-
17 els, adjusted for inflation; and

18 (2) makes available a portion of the receipts re-
19 sulting from enactment of the legislation described
20 in subsection (a) for—

21 (A) the Land and Water Conservation
22 Fund;

23 (B) the Federal Land Acquisition and
24 Stateside Grant Programs;

1 (C) the Coastal and Estuarine Land Pro-
2 tection Program; and

3 (D) the Forest Legacy Program;

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

11 **SEC. 311. RESERVE FUND FOR CHRONIC CARE CASE MAN-**
12 **AGEMENT.**

13 If—

14 (1) the Committee on Finance of the Senate re-
15 ports a bill or joint resolution, or an amendment is
16 offered thereto or a conference report is submitted
17 thereon, that would provide \$1,750,000,000 to the
18 Centers for Medicare and Medicaid Services (CMS)
19 to create a demonstration project or program that
20 assigns a case manager to coordinate the care of
21 chronically ill and other high-cost Medicare bene-
22 ficiaries in traditional fee-for-service Medicare; 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 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 2011.

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

7 If—

8 (1) the Committee on Energy and Natural Re-
 9 sources of the Senate reports a bill or joint resolu-
 10 tion, or an amendment is offered thereto or a con-
 11 ference report is submitted thereon, that prohibits
 12 the Bonneville Power Administration from making
 13 early payments on its Federal Bond Debt to the
 14 United States Treasury; 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 the fiscal year 2007 and for the period of fiscal
 22 years 2007 through 2011.

23 **TITLE IV—ENFORCEMENT**

24 **SEC. 401. RESTRICTIONS ON ADVANCE APPROPRIATIONS.**

25 (a) POINT OF ORDER.—

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

6 (2) ADVANCE APPROPRIATION.—An advance
7 appropriation may be provided for the fiscal years
8 2008 and 2009 for programs, projects, activities, or
9 accounts identified in the joint explanatory state-
10 ment of managers accompanying this resolution
11 under the heading “ACCOUNTS IDENTIFIED FOR AD-
12 VANCE APPROPRIATIONS” in an aggregate amount
13 not to exceed \$23,158,000,000 in new budget au-
14 thority in each year.

15 (3) OPERATION OF POINT OF ORDER.—It shall
16 be in order for a Senator to raise a single point of
17 order that several provisions of a bill, resolution,
18 amendment, motion, or conference report violate
19 paragraph (1). The Presiding Officer may sustain
20 the point of order as to some or all of the provisions
21 against which the Senator raised the point of order.
22 If the Presiding Officer so sustains the point of
23 order as to some of the provisions (including provi-
24 sions of an amendment, motion, or conference re-
25 port), then only those provisions (including provi-

1 sions of an amendment, motion, or conference re-
2 port) shall be deemed stricken pursuant to this sub-
3 section.

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

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

1 (A) a point of order being made under sub-
2 section (a); and

3 (B) such a point of order being sustained,
4 such material contained in such conference report or
5 amendment shall be deemed stricken, and the Sen-
6 ate shall proceed to consider whether the Senate
7 shall recede from its amendment and concur with a
8 further amendment, or concur in the House amend-
9 ment with a further amendment, as the case may be,
10 and the matter stricken may not be offered as an
11 amendment from the floor.

12 (6) **ADVANCE APPROPRIATION.**—In this sub-
13 section, the term “advance appropriation” means
14 any new budget authority provided in a bill or joint
15 resolution making general appropriations or con-
16 tinuing appropriations for fiscal year 2007 that first
17 becomes available for any fiscal year after 2007 or
18 any new budget authority provided in a bill or joint
19 resolution making general appropriations or con-
20 tinuing appropriations for fiscal year 2008, that first
21 becomes available for any fiscal year after 2008.

22 **SEC. 402. EMERGENCY LEGISLATION.**

23 (a) **BUDGETARY TREATMENT OF EMERGENCY LEG-**
24 **ISLATION.**—

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

10 (2) **EXEMPTION OF EMERGENCY PROVISIONS.**—
11 As limited in paragraph (3), any new budget author-
12 ity, outlays, and receipts resulting from any provi-
13 sion designated as an emergency requirement, pur-
14 suant to this subsection, in any bill, joint resolution,
15 amendment, or conference report shall not count for
16 purposes of sections 302 and 311 of the Congres-
17 sional Budget Act of 1974, section 403 of this reso-
18 lution (relating to discretionary spending limits in
19 the Senate), section 406 of this resolution (relating
20 to limits on direct spending), section 407 of the con-
21 current resolution on the budget for Fiscal Year
22 2006, H. Con. Res. 95 (relating to the long term di-
23 rect spending), and section 505 of the Concurrent
24 Resolution on the Budget for Fiscal Year 2004, H.
25 Con. Res. 95 (relating to the paygo requirement in

1 the Senate), until the adoption of a subsequent
2 budget resolution.

3 (3) LIMITATION.—For fiscal year 2007 the
4 total exemption under paragraph (2) for emergencies
5 shall not exceed \$90,000,000,000 in new budget au-
6 thority and outlays associated with the budget au-
7 thority for the global war on terrorism and other
8 emergencies, of which—

9 (A) \$50,000,000,000 in new budget au-
10 thority (and outlays associated with the budget
11 authority) may be available for the global war
12 on terrorism; and

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

17 (C) \$2,300,000,000 in new budget author-
18 ity (and outlays associated with the budget au-
19 thority) may be available for pandemic influ-
20 enza initiatives.

21 (4) POINT OF ORDER.—When the Senate is
22 considering a bill, resolution, amendment, motion, or
23 conference report, if a point of order is made by a
24 Senator against an emergency designation in that
25 measure, that provision making such a designation

1 shall be stricken from the measure and may not be
2 offered as an amendment from the floor.

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

8 (6) OPERATION OF POINT OF ORDER.—It shall
9 be in order for a Senator to raise a single point of
10 order against several emergency designations in a
11 bill, resolution, amendment, motion, or conference
12 report. The language making the designations shall
13 be stricken from the measure and may not be of-
14 fered as amendments from the floor.

15 (7) WAIVER AND APPEAL.—Before the emer-
16 gency designation or designations are stricken pur-
17 suant to paragraph (4), any Senator may move to
18 waive such a point of order as it applies to some or
19 all of the provisions against which the point of order
20 was raised. Such a motion to waive is amendable in
21 accordance with the rules and precedents of the Sen-
22 ate. Paragraph (4) may be waived or suspended in
23 the Senate only by an affirmative vote of three-fifths
24 of the Members, duly chosen and sworn. After the
25 Presiding Officer strikes the designation on such a

1 point of order, any Senator may appeal the action
2 of the Presiding Officer as it applies to some or all
3 of the provisions. An affirmative vote of three-fifths
4 of the Members of the Senate, duly chosen and
5 sworn, shall be required to sustain an appeal of the
6 ruling of the Chair on a point of order raised under
7 paragraph (4).

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

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

14 (B) such a point of order being sustained,
15 the emergency designation in such conference
16 report or amendment shall be deemed stricken,
17 and the Senate shall proceed to consider wheth-
18 er the Senate shall recede from its amendment
19 and concur with a further amendment, or con-
20 cur in the House amendment with a further
21 amendment, as the case may be, and the matter
22 stricken may not be offered as an amendment
23 from the floor.

24 (b) DEFINITIONS AND CRITERIA.—

25 (1) DEFINITIONS.—

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

10 (B) DESIGNATION.—Subject to the limita-
11 tion in subsection (a)(3), for purposes of para-
12 graph (4), a provision shall be considered an
13 emergency designation if it designates any item
14 as an emergency requirement pursuant to this
15 subsection.

16 (2) DESIGNATIONS.—If a provision of legisla-
17 tion is designated as an emergency requirement
18 under this subsection, the committee report and any
19 statement of managers accompanying that legisla-
20 tion shall include an explanation of the manner in
21 which the provision meets the criteria in paragraph
22 (3).

23 (3) CRITERIA.—

24 (A) IN GENERAL.—Subject to the limita-
25 tion in subsection (a)(3), any provision may be

1 designated as an emergency requirement if the
2 situation addressed by such provision is—

3 (i) necessary, essential, or vital (not
4 merely useful and beneficial);

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

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

9 (iv) subject to subparagraph (B), un-
10 foreseen, unpredictable, and unanticipated;
11 and

12 (v) not permanent, temporary in na-
13 ture.

14 (B) UNFORESEEN.—An emergency that is
15 part of aggregate level of anticipated emer-
16 gencies, particularly when normally estimated in
17 advance, is not unforeseen.

18 **SEC. 403. DISCRETIONARY SPENDING LIMITS.**

19 (a) DISCRETIONARY SPENDING LIMITS.—As used in
20 this section, the term “discretionary spending limit”
21 means—

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

1 (2) for fiscal year 2007, \$872,504,000,000 in
2 new budget authority and \$963,048,000,000 in out-
3 lays for the discretionary category;

4 (3) for fiscal year 2008, \$895,784,000,000 in
5 new budget authority for the discretionary category;
6 and

7 (4) for fiscal year 2009, \$919,178,000,000 in
8 new budget authority for the discretionary category;
9 as adjusted in conformance with the adjustment pro-
10 cedures in subsection (d).

11 (b) DISCRETIONARY SPENDING POINT OF ORDER.—

12 (1) IN GENERAL.—Except as otherwise pro-
13 vided in this subsection, it shall not be in order to
14 consider any bill or joint resolution (or amendment,
15 motion, or conference report on that bill or joint res-
16 olution) that would cause the discretionary spending
17 limits in this section to be exceeded.

18 (2) WAIVER AND APPEAL.—Before the Pre-
19 siding Officer rules on a point of order under this
20 subsection, any Senator may move to waive such a
21 point of order. Such a motion to waive is amendable
22 in accordance with the rules and precedents of the
23 Senate. The point of order may be waived or sus-
24 pended in the Senate only by an affirmative vote of
25 three-fifths of the Members, duly chosen and sworn.

1 After the Presiding Officer rules on such a point of
2 order, any Senator may appeal the ruling of the Pre-
3 siding Officer. An affirmative vote of three-fifths of
4 the Members of the Senate, duly chosen and sworn,
5 shall be required to sustain an appeal of the ruling
6 of the Chair on the point of order.

7 (c) PROCEDURE FOR ADJUSTMENTS.—

8 (1) IN GENERAL.—

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

19 (B) MATTERS TO BE ADJUSTED.—The ad-
20 justments referred to in subparagraph (A) are
21 to be made to—

22 (i) the discretionary spending limits, if
23 any, set forth in the appropriate concur-
24 rent resolution on the budget; and

1 (ii) the allocations made pursuant to
2 the concurrent resolution on the budget
3 pursuant to section 302(a) of the Congres-
4 sional Budget Act of 1974.

5 (2) AMOUNTS OF ADJUSTMENTS.—The adjust-
6 ment referred to in paragraph (1) shall be an
7 amount provided for fiscal year 2007 if a bill or
8 joint resolution is reported making appropriations
9 for fiscal year 2007 that appropriates
10 \$6,824,000,000 to the Internal Revenue Service for
11 enhanced tax enforcement to address the “Federal
12 tax gap” and provides an additional appropriation of
13 \$274,000,000 to the Internal Revenue Service for
14 enhanced tax enforcement to address the “Federal
15 tax gap” then the chairman of the Committee on the
16 Budget of the Senate may make the adjustments in
17 paragraph (c)(1)(B).

18 (3) REPORTING REVISED SUBALLOCATIONS.—
19 Following any adjustment made under paragraph
20 (1), the Committee on Appropriations of the Senate
21 shall report appropriately revised suballocations
22 under section 302(b) of the Congressional Budget
23 Act of 1974 to carry out this subsection.

1 **SEC. 404. APPLICATION AND EFFECT OF CHANGES IN ALLO-**
2 **CATIONS AND AGGREGATES.**

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

6 (1) apply while that measure is under consider-
7 ation;

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

10 (3) be printed in the Congressional Record as
11 soon as practicable.

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

17 (c) BUDGET COMMITTEE DETERMINATIONS.—For
18 purposes of this resolution, the levels of new budget au-
19 thority, outlays, direct spending, new entitlement author-
20 ity, revenues, deficits, and surpluses for a fiscal year or
21 period of fiscal years shall be determined on the basis of
22 estimates made by the chairman of the Committee on the
23 Budget.

1 **SEC. 405. ADJUSTMENTS TO REFLECT CHANGES IN CON-**
2 **CEPTS AND DEFINITIONS.**

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

10 **SEC. 406. DIRECT SPENDING LIMITATION.**

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

17 (b) **POINT OF ORDER.**—It shall not be in order to
18 consider any bill, joint resolution, amendment or con-
19 ference report that would cause any increase in direct
20 spending, net of proposals to change in direct spending,
21 receipts, or revenues contained in the measure, if a Medi-
22 care Funding warning has been submitted to the Senate
23 pursuant to subsection (a) for 2 consecutive calendar
24 years.

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

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

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

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

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

21 Congress adopts the provisions of this title—

22 (1) as an exercise of the rulemaking power of
23 the Senate, respectively, and as such they shall be
24 considered as part of the rules of each House, or of
25 the Senate and such rules shall supersede other

1 rules only to the extent that they are inconsistent
2 therewith; and

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

Calendar No. 371

109TH CONGRESS
2^D SESSION

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.

MARCH 10, 2006

Reported and placed on the calendar