

# One Hundred Eleventh Congress of the United States of America

## AT THE FIRST SESSION

*Begun and held at the City of Washington on Tuesday,  
the sixth day of January, two thousand and nine*

### Concurrent Resolution

Setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014.

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

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

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

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

Sec. 1. Concurrent resolution on the budget for fiscal year 2010.

##### TITLE I—RECOMMENDED LEVELS AND AMOUNTS

- Sec. 101. Recommended levels and amounts.
- Sec. 102. Social Security.
- Sec. 103. Postal Service discretionary administrative expenses.
- Sec. 104. Major functional categories.

##### TITLE II—RECONCILIATION

- Sec. 201. Reconciliation in the Senate.
- Sec. 202. Reconciliation in the House.

##### TITLE III—RESERVE FUNDS

###### Subtitle A—Senate Reserve Funds

- Sec. 301. Deficit-neutral reserve fund to transform and modernize America's health care system.
- Sec. 302. Deficit-neutral reserve fund to invest in clean energy and preserve the environment.
- Sec. 303. Deficit-neutral reserve fund for higher education.
- Sec. 304. Deficit-neutral reserve fund for child nutrition and WIC.
- Sec. 305. Deficit-neutral reserve fund for investments in America's infrastructure.
- Sec. 306. Deficit-neutral reserve fund to promote economic stabilization and growth.
- Sec. 307. Deficit-neutral reserve fund for America's veterans and wounded servicemembers.
- Sec. 308. Deficit-neutral reserve fund for judicial pay and judgeships, postal retiree assistance, and certain pension obligations.
- Sec. 309. Deficit-neutral reserve fund for defense acquisition and Federal contracting reform.
- Sec. 310. Deficit-neutral reserve fund for investments in our Nation's counties and schools.
- Sec. 311. Deficit-neutral reserve fund for the Food and Drug Administration.
- Sec. 312. Deficit-neutral reserve fund for a comprehensive investigation into the current financial crisis.
- Sec. 313. Deficit-neutral reserve fund for increased transparency at the Federal Reserve.

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- Sec. 314. Deficit-neutral reserve fund for 21st century community learning centers.
- Sec. 315. Deficit-neutral reserve fund for provision of critical resources to firefighters and fire departments.
- Sec. 316. Deficit-neutral reserve fund to promote tax equity for States without personal income taxes, and other selected tax relief policies.
- Sec. 317. Deficit-neutral reserve fund to promote individual savings and financial security.
- Sec. 318. Deficit-neutral reserve fund to increase FDIC and NCUA borrowing authority.
- Sec. 319. Deficit-neutral reserve fund for improving the well-being of children.
- Sec. 320. Deficit-neutral reserve fund for a 9/11 health program.

### Subtitle B—House Reserve Funds

- Sec. 321. Deficit-neutral reserve fund for health care reform.
- Sec. 322. Deficit-neutral reserve fund for college access, affordability, and completion.
- Sec. 323. Deficit-neutral reserve fund for increasing energy independence.
- Sec. 324. Deficit-neutral reserve fund for America's veterans and wounded servicemembers.
- Sec. 325. Deficit-neutral reserve fund for certain tax relief.
- Sec. 326. Deficit-neutral reserve fund for a 9/11 health program.
- Sec. 327. Deficit-neutral reserve fund for child nutrition.
- Sec. 328. Deficit-neutral reserve fund for structural unemployment insurance reforms.
- Sec. 329. Deficit-neutral reserve fund for child support.
- Sec. 330. Deficit-neutral reserve fund for the Affordable Housing Trust Fund.
- Sec. 331. Deficit-neutral reserve fund for home visiting.
- Sec. 332. Deficit-neutral reserve fund for low-income home energy assistance program trigger.
- Sec. 333. Deficit-neutral reserve fund for county payments legislation.
- Sec. 334. Reserve fund for the surface transportation reauthorization.

## TITLE IV—BUDGET PROCESS

### Subtitle A—Senate Provisions

#### PART I—BUDGET ENFORCEMENT

- Sec. 401. Discretionary spending limits, program integrity initiatives, and other adjustments.
- Sec. 402. Point of order against advance appropriations.
- Sec. 403. Emergency legislation.
- Sec. 404. Point of order against legislation increasing short-term deficit.
- Sec. 405. Point of order against certain legislation related to surface transportation funding.

#### PART II—OTHER PROVISIONS

- Sec. 411. Oversight of Government performance.
- Sec. 412. Budgetary treatment of certain discretionary administrative expenses.
- Sec. 413. Application and effect of changes in allocations and aggregates.
- Sec. 414. Adjustments to reflect changes in concepts and definitions.
- Sec. 415. Exercise of rulemaking powers.

### Subtitle B—House Enforcement Provisions

- Sec. 421. Adjustments for direct spending and revenues.
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- Sec. 426. Budgetary treatment of certain discretionary administrative expenses.
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- Sec. 429. Exercise of rulemaking powers.

## TITLE V—POLICY

- Sec. 501. Policy on middle-class tax relief and revenues.
- Sec. 502. Policy on defense priorities.

## TITLE VI—SENSE OF THE CONGRESS

- Sec. 601. Sense of the Congress on veterans' and servicemembers' health care.
- Sec. 602. Sense of the Congress on homeland security.
- Sec. 603. Sense of the Congress on promoting American innovation and economic competitiveness.

Sec. 604. Sense of the Congress regarding pay parity.  
Sec. 605. Sense of the Congress on college affordability and student loan reform.  
Sec. 606. Sense of the Congress on Great Lakes restoration.  
Sec. 607. Sense of the Congress regarding the importance of child support enforcement.

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

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

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

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

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

Fiscal year 2009: \$1,532,571,000,000.  
Fiscal year 2010: \$1,653,682,000,000.  
Fiscal year 2011: \$1,929,625,000,000.  
Fiscal year 2012: \$2,129,601,000,000.  
Fiscal year 2013: \$2,291,120,000,000.  
Fiscal year 2014: \$2,495,781,000,000.

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

Fiscal year 2009: \$0.  
Fiscal year 2010: -\$12,304,000,000.  
Fiscal year 2011: -\$159,006,000,000.  
Fiscal year 2012: -\$230,792,000,000.  
Fiscal year 2013: -\$224,217,000,000.  
Fiscal year 2014: -\$137,877,000,000.

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

Fiscal year 2009: \$3,675,927,000,000.  
Fiscal year 2010: \$2,888,691,000,000.  
Fiscal year 2011: \$2,844,910,000,000.  
Fiscal year 2012: \$2,848,117,000,000.  
Fiscal year 2013: \$3,012,193,000,000.  
Fiscal year 2014: \$3,188,847,000,000.

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

Fiscal year 2009: \$3,356,270,000,000.  
Fiscal year 2010: \$3,001,311,000,000.  
Fiscal year 2011: \$2,967,908,000,000.  
Fiscal year 2012: \$2,881,842,000,000.  
Fiscal year 2013: \$3,019,375,000,000.  
Fiscal year 2014: \$3,174,814,000,000.

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

Fiscal year 2009: \$1,823,699,000,000.  
Fiscal year 2010: \$1,347,629,000,000.  
Fiscal year 2011: \$1,038,283,000,000.  
Fiscal year 2012: \$752,241,000,000.  
Fiscal year 2013: \$728,255,000,000.  
Fiscal year 2014: \$679,033,000,000.

(5) DEBT SUBJECT TO LIMIT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2009: \$12,016,335,000,000.  
Fiscal year 2010: \$13,233,246,000,000.  
Fiscal year 2011: \$14,349,372,000,000.  
Fiscal year 2012: \$15,277,119,000,000.  
Fiscal year 2013: \$16,159,829,000,000.  
Fiscal year 2014: \$17,022,631,000,000.

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

Fiscal year 2009: \$7,728,718,000,000.  
Fiscal year 2010: \$8,778,081,000,000.  
Fiscal year 2011: \$9,683,425,000,000.  
Fiscal year 2012: \$10,345,343,000,000.  
Fiscal year 2013: \$10,930,977,000,000.  
Fiscal year 2014: \$11,499,230,000,000.

**SEC. 102. SOCIAL SECURITY.**

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

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

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

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

(c) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

Fiscal year 2009:  
(A) New budget authority, \$5,296,000,000.  
(B) Outlays, \$4,945,000,000.  
Fiscal year 2010:  
(A) New budget authority, \$6,072,000,000.  
(B) Outlays, \$5,934,000,000.  
Fiscal year 2011:  
(A) New budget authority, \$6,568,000,000.  
(B) Outlays, \$6,433,000,000.  
Fiscal year 2012:  
(A) New budget authority, \$6,895,000,000.

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(B) Outlays, \$6,809,000,000.  
Fiscal year 2013:  
(A) New budget authority, \$7,223,000,000.  
(B) Outlays, \$7,148,000,000.  
Fiscal year 2014:  
(A) New budget authority, \$7,599,000,000.  
(B) Outlays, \$7,517,000,000.

**SEC. 103. POSTAL SERVICE DISCRETIONARY ADMINISTRATIVE EXPENSES.**

In the Senate, the amounts of new budget authority and budget outlays of the Postal Service for discretionary administrative expenses are as follows:

Fiscal year 2009:  
(A) New budget authority, \$253,000,000.  
(B) Outlays, \$253,000,000.  
Fiscal year 2010:  
(A) New budget authority, \$262,000,000.  
(B) Outlays, \$262,000,000.  
Fiscal year 2011:  
(A) New budget authority, \$267,000,000.  
(B) Outlays, \$267,000,000.  
Fiscal year 2012:  
(A) New budget authority, \$272,000,000.  
(B) Outlays, \$272,000,000.  
Fiscal year 2013:  
(A) New budget authority, \$277,000,000.  
(B) Outlays, \$277,000,000.  
Fiscal year 2014:  
(A) New budget authority, \$283,000,000.  
(B) Outlays, \$283,000,000.

**SEC. 104. MAJOR FUNCTIONAL CATEGORIES.**

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

(1) National Defense (050):  
Fiscal year 2009:  
(A) New budget authority, \$618,057,000,000.  
(B) Outlays, \$646,810,000,000.  
Fiscal year 2010:  
(A) New budget authority, \$562,033,000,000.  
(B) Outlays, \$606,043,000,000.  
Fiscal year 2011:  
(A) New budget authority, \$570,107,000,000.  
(B) Outlays, \$587,945,000,000.  
Fiscal year 2012:  
(A) New budget authority, \$579,135,000,000.  
(B) Outlays, \$576,023,000,000.  
Fiscal year 2013:  
(A) New budget authority, \$589,895,000,000.  
(B) Outlays, \$584,670,000,000.  
Fiscal year 2014:  
(A) New budget authority, \$603,828,000,000.  
(B) Outlays, \$595,476,000,000.  
(2) International Affairs (150):  
Fiscal year 2009:  
(A) New budget authority, \$40,885,000,000.

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- (B) Outlays, \$37,797,000,000.
- Fiscal year 2010:
  - (A) New budget authority, \$47,866,000,000.
  - (B) Outlays, \$44,668,000,000.
- Fiscal year 2011:
  - (A) New budget authority, \$51,505,000,000.
  - (B) Outlays, \$50,423,000,000.
- Fiscal year 2012:
  - (A) New budget authority, \$52,205,000,000.
  - (B) Outlays, \$52,078,000,000.
- Fiscal year 2013:
  - (A) New budget authority, \$53,553,000,000.
  - (B) Outlays, \$52,899,000,000.
- Fiscal year 2014:
  - (A) New budget authority, \$54,928,000,000.
  - (B) Outlays, \$52,777,000,000.
- (3) General Science, Space, and Technology (250):
  - Fiscal year 2009:
    - (A) New budget authority, \$35,389,000,000.
    - (B) Outlays, \$30,973,000,000.
  - Fiscal year 2010:
    - (A) New budget authority, \$31,139,000,000.
    - (B) Outlays, \$32,467,000,000.
  - Fiscal year 2011:
    - (A) New budget authority, \$33,993,000,000.
    - (B) Outlays, \$34,532,000,000.
  - Fiscal year 2012:
    - (A) New budget authority, \$34,246,000,000.
    - (B) Outlays, \$33,532,000,000.
  - Fiscal year 2013:
    - (A) New budget authority, \$34,473,000,000.
    - (B) Outlays, \$33,823,000,000.
  - Fiscal year 2014:
    - (A) New budget authority, \$34,841,000,000.
    - (B) Outlays, \$34,141,000,000.
- (4) Energy (270):
  - Fiscal year 2009:
    - (A) New budget authority, \$43,919,000,000.
    - (B) Outlays, \$2,952,000,000.
  - Fiscal year 2010:
    - (A) New budget authority, \$4,989,000,000.
    - (B) Outlays, \$6,275,000,000.
  - Fiscal year 2011:
    - (A) New budget authority, \$5,037,000,000.
    - (B) Outlays, \$9,089,000,000.
  - Fiscal year 2012:
    - (A) New budget authority, \$4,995,000,000.
    - (B) Outlays, \$11,760,000,000.
  - Fiscal year 2013:
    - (A) New budget authority, \$5,272,000,000.
    - (B) Outlays, \$11,758,000,000.
  - Fiscal year 2014:
    - (A) New budget authority, \$5,280,000,000.
    - (B) Outlays, \$11,121,000,000.
- (5) Natural Resources and Environment (300):
  - Fiscal year 2009:
    - (A) New budget authority, \$56,009,000,000.

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- (B) Outlays, \$36,834,000,000.
- Fiscal year 2010:
  - (A) New budget authority, \$37,587,000,000.
  - (B) Outlays, \$40,557,000,000.
- Fiscal year 2011:
  - (A) New budget authority, \$37,859,000,000.
  - (B) Outlays, \$39,889,000,000.
- Fiscal year 2012:
  - (A) New budget authority, \$38,579,000,000.
  - (B) Outlays, \$39,535,000,000.
- Fiscal year 2013:
  - (A) New budget authority, \$38,718,000,000.
  - (B) Outlays, \$39,191,000,000.
- Fiscal year 2014:
  - (A) New budget authority, \$39,338,000,000.
  - (B) Outlays, \$39,322,000,000.
- (6) Agriculture (350):
  - Fiscal year 2009:
    - (A) New budget authority, \$24,974,000,000.
    - (B) Outlays, \$23,070,000,000.
  - Fiscal year 2010:
    - (A) New budget authority, \$23,690,000,000.
    - (B) Outlays, \$23,951,000,000.
  - Fiscal year 2011:
    - (A) New budget authority, \$24,726,000,000.
    - (B) Outlays, \$24,025,000,000.
  - Fiscal year 2012:
    - (A) New budget authority, \$21,640,000,000.
    - (B) Outlays, \$17,545,000,000.
  - Fiscal year 2013:
    - (A) New budget authority, \$22,449,000,000.
    - (B) Outlays, \$22,026,000,000.
  - Fiscal year 2014:
    - (A) New budget authority, \$23,116,000,000.
    - (B) Outlays, \$22,090,000,000.
- (7) Commerce and Housing Credit (370):
  - Fiscal year 2009:
    - (A) New budget authority, \$694,439,000,000.
    - (B) Outlays, \$665,437,000,000.
  - Fiscal year 2010:
    - (A) New budget authority, \$61,113,000,000.
    - (B) Outlays, \$85,750,000,000.
  - Fiscal year 2011:
    - (A) New budget authority, \$26,181,000,000.
    - (B) Outlays, \$38,016,000,000.
  - Fiscal year 2012:
    - (A) New budget authority, \$9,561,000,000.
    - (B) Outlays, \$8,649,000,000.
  - Fiscal year 2013:
    - (A) New budget authority, \$17,247,000,000.
    - (B) Outlays, \$5,585,000,000.
  - Fiscal year 2014:
    - (A) New budget authority, \$11,226,000,000.
    - (B) Outlays, -\$2,500,000,000.
- (8) Transportation (400):
  - Fiscal year 2009:
    - (A) New budget authority, \$122,457,000,000.

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- (B) Outlays, \$87,784,000,000.
- Fiscal year 2010:
  - (A) New budget authority, \$88,151,000,000.
  - (B) Outlays, \$95,695,000,000.
- Fiscal year 2011:
  - (A) New budget authority, \$89,071,000,000.
  - (B) Outlays, \$96,474,000,000.
- Fiscal year 2012:
  - (A) New budget authority, \$90,047,000,000.
  - (B) Outlays, \$95,851,000,000.
- Fiscal year 2013:
  - (A) New budget authority, \$90,866,000,000.
  - (B) Outlays, \$96,150,000,000.
- Fiscal year 2014:
  - (A) New budget authority, \$91,809,000,000.
  - (B) Outlays, \$96,793,000,000.
- (9) Community and Regional Development (450):
  - Fiscal year 2009:
    - (A) New budget authority, \$23,811,000,000.
    - (B) Outlays, \$29,983,000,000.
  - Fiscal year 2010:
    - (A) New budget authority, \$18,308,000,000.
    - (B) Outlays, \$29,303,000,000.
  - Fiscal year 2011:
    - (A) New budget authority, \$21,232,000,000.
    - (B) Outlays, \$27,530,000,000.
  - Fiscal year 2012:
    - (A) New budget authority, \$16,311,000,000.
    - (B) Outlays, \$24,767,000,000.
  - Fiscal year 2013:
    - (A) New budget authority, \$16,202,000,000.
    - (B) Outlays, \$21,945,000,000.
  - Fiscal year 2014:
    - (A) New budget authority, \$16,270,000,000.
    - (B) Outlays, \$19,147,000,000.
- (10) Education, Training, Employment, and Social Services (500):
  - Fiscal year 2009:
    - (A) New budget authority, \$164,276,000,000.
    - (B) Outlays, \$73,219,000,000.
  - Fiscal year 2010:
    - (A) New budget authority, \$94,430,000,000.
    - (B) Outlays, \$140,624,000,000.
  - Fiscal year 2011:
    - (A) New budget authority, \$107,858,000,000.
    - (B) Outlays, \$141,412,000,000.
  - Fiscal year 2012:
    - (A) New budget authority, \$117,121,000,000.
    - (B) Outlays, \$118,480,000,000.
  - Fiscal year 2013:
    - (A) New budget authority, \$115,931,000,000.
    - (B) Outlays, \$118,911,000,000.
  - Fiscal year 2014:
    - (A) New budget authority, \$125,788,000,000.
    - (B) Outlays, \$120,959,000,000.
- (11) Health (550):
  - Fiscal year 2009:

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- (A) New budget authority, \$380,158,000,000.
- (B) Outlays, \$354,397,000,000.
- Fiscal year 2010:
  - (A) New budget authority, \$384,309,000,000.
  - (B) Outlays, \$388,885,000,000.
- Fiscal year 2011:
  - (A) New budget authority, \$363,778,000,000.
  - (B) Outlays, \$367,412,000,000.
- Fiscal year 2012:
  - (A) New budget authority, \$367,840,000,000.
  - (B) Outlays, \$367,391,000,000.
- Fiscal year 2013:
  - (A) New budget authority, \$386,483,000,000.
  - (B) Outlays, \$382,172,000,000.
- Fiscal year 2014:
  - (A) New budget authority, \$395,248,000,000.
  - (B) Outlays, \$396,541,000,000.
- (12) Medicare (570):
  - Fiscal year 2009:
    - (A) New budget authority, \$427,076,000,000.
    - (B) Outlays, \$426,736,000,000.
  - Fiscal year 2010:
    - (A) New budget authority, \$449,668,000,000.
    - (B) Outlays, \$449,798,000,000.
  - Fiscal year 2011:
    - (A) New budget authority, \$504,895,000,000.
    - (B) Outlays, \$504,721,000,000.
  - Fiscal year 2012:
    - (A) New budget authority, \$505,686,000,000.
    - (B) Outlays, \$505,436,000,000.
  - Fiscal year 2013:
    - (A) New budget authority, \$540,017,000,000.
    - (B) Outlays, \$540,146,000,000.
  - Fiscal year 2014:
    - (A) New budget authority, \$593,421,000,000.
    - (B) Outlays, \$593,233,000,000.
- (13) Income Security (600):
  - Fiscal year 2009:
    - (A) New budget authority, \$520,123,000,000.
    - (B) Outlays, \$503,020,000,000.
  - Fiscal year 2010:
    - (A) New budget authority, \$536,740,000,000.
    - (B) Outlays, \$540,202,000,000.
  - Fiscal year 2011:
    - (A) New budget authority, \$509,101,000,000.
    - (B) Outlays, \$512,335,000,000.
  - Fiscal year 2012:
    - (A) New budget authority, \$451,472,000,000.
    - (B) Outlays, \$452,176,000,000.
  - Fiscal year 2013:
    - (A) New budget authority, \$455,310,000,000.
    - (B) Outlays, \$455,184,000,000.
  - Fiscal year 2014:
    - (A) New budget authority, \$455,984,000,000.
    - (B) Outlays, \$454,858,000,000.
- (14) Social Security (650):
  - Fiscal year 2009:

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- (A) New budget authority, \$31,820,000,000.
- (B) Outlays, \$31,264,000,000.
- Fiscal year 2010:
  - (A) New budget authority, \$20,255,000,000.
  - (B) Outlays, \$20,378,000,000.
- Fiscal year 2011:
  - (A) New budget authority, \$23,380,000,000.
  - (B) Outlays, \$23,513,000,000.
- Fiscal year 2012:
  - (A) New budget authority, \$26,478,000,000.
  - (B) Outlays, \$26,628,000,000.
- Fiscal year 2013:
  - (A) New budget authority, \$29,529,000,000.
  - (B) Outlays, \$29,679,000,000.
- Fiscal year 2014:
  - (A) New budget authority, \$32,728,000,000.
  - (B) Outlays, \$32,728,000,000.
- (15) Veterans Benefits and Services (700):
  - Fiscal year 2009:
    - (A) New budget authority, \$97,705,000,000.
    - (B) Outlays, \$94,831,000,000.
  - Fiscal year 2010:
    - (A) New budget authority, \$106,498,000,000.
    - (B) Outlays, \$105,578,000,000.
  - Fiscal year 2011:
    - (A) New budget authority, \$112,977,000,000.
    - (B) Outlays, \$112,520,000,000.
  - Fiscal year 2012:
    - (A) New budget authority, \$108,839,000,000.
    - (B) Outlays, \$108,242,000,000.
  - Fiscal year 2013:
    - (A) New budget authority, \$113,942,000,000.
    - (B) Outlays, \$113,293,000,000.
  - Fiscal year 2014:
    - (A) New budget authority, \$116,163,000,000.
    - (B) Outlays, \$115,624,000,000.
- (16) Administration of Justice (750):
  - Fiscal year 2009:
    - (A) New budget authority, \$55,783,000,000.
    - (B) Outlays, \$49,853,000,000.
  - Fiscal year 2010:
    - (A) New budget authority, \$53,400,000,000.
    - (B) Outlays, \$52,043,000,000.
  - Fiscal year 2011:
    - (A) New budget authority, \$53,892,000,000.
    - (B) Outlays, \$55,589,000,000.
  - Fiscal year 2012:
    - (A) New budget authority, \$53,738,000,000.
    - (B) Outlays, \$55,468,000,000.
  - Fiscal year 2013:
    - (A) New budget authority, \$53,569,000,000.
    - (B) Outlays, \$54,537,000,000.
  - Fiscal year 2014:
    - (A) New budget authority, \$54,247,000,000.
    - (B) Outlays, \$54,058,000,000.
- (17) General Government (800):
  - Fiscal year 2009:

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- (A) New budget authority, \$30,405,000,000.
- (B) Outlays, \$24,629,000,000.
- Fiscal year 2010:
  - (A) New budget authority, \$21,979,000,000.
  - (B) Outlays, \$22,757,000,000.
- Fiscal year 2011:
  - (A) New budget authority, \$22,264,000,000.
  - (B) Outlays, \$23,099,000,000.
- Fiscal year 2012:
  - (A) New budget authority, \$22,620,000,000.
  - (B) Outlays, \$23,689,000,000.
- Fiscal year 2013:
  - (A) New budget authority, \$22,396,000,000.
  - (B) Outlays, \$23,196,000,000.
- Fiscal year 2014:
  - (A) New budget authority, \$22,898,000,000.
  - (B) Outlays, \$23,167,000,000.
- (18) Net Interest (900):
  - Fiscal year 2009:
    - (A) New budget authority, \$288,952,000,000.
    - (B) Outlays, \$288,952,000,000.
  - Fiscal year 2010:
    - (A) New budget authority, \$284,153,000,000.
    - (B) Outlays, \$284,153,000,000.
  - Fiscal year 2011:
    - (A) New budget authority, \$323,325,000,000.
    - (B) Outlays, \$323,325,000,000.
  - Fiscal year 2012:
    - (A) New budget authority, \$387,488,000,000.
    - (B) Outlays, \$387,488,000,000.
  - Fiscal year 2013:
    - (A) New budget authority, \$470,412,000,000.
    - (B) Outlays, \$470,412,000,000.
  - Fiscal year 2014:
    - (A) New budget authority, \$558,265,000,000.
    - (B) Outlays, \$558,265,000,000.
- (19) Allowances (920):
  - Fiscal year 2009:
    - (A) New budget authority, \$7,150,000,000.
    - (B) Outlays, \$1,788,000,000.
  - Fiscal year 2010:
    - (A) New budget authority, \$1,157,000,000.
    - (B) Outlays, \$2,548,000,000.
  - Fiscal year 2011:
    - (A) New budget authority, -\$14,278,000,000.
    - (B) Outlays, -\$8,066,000,000.
  - Fiscal year 2012:
    - (A) New budget authority, -\$14,914,000,000.
    - (B) Outlays, -\$13,147,000,000.
  - Fiscal year 2013:
    - (A) New budget authority, -\$16,126,000,000.
    - (B) Outlays, -\$14,979,000,000.
  - Fiscal year 2014:
    - (A) New budget authority, -\$16,670,000,000.
    - (B) Outlays, -\$15,235,000,000.
- (20) Undistributed Offsetting Receipts (950):
  - Fiscal year 2009:

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- (A) New budget authority, −\$78,206,000,000.
- (B) Outlays, −\$78,206,000,000.
- Fiscal year 2010:
  - (A) New budget authority, −\$68,774,000,000.
  - (B) Outlays, −\$68,774,000,000.
- Fiscal year 2011:
  - (A) New budget authority, −\$71,993,000,000.
  - (B) Outlays, −\$71,993,000,000.
- Fiscal year 2012:
  - (A) New budget authority, −\$74,970,000,000.
  - (B) Outlays, −\$74,970,000,000.
- Fiscal year 2013:
  - (A) New budget authority, −\$77,945,000,000.
  - (B) Outlays, −\$77,945,000,000.
- Fiscal year 2014:
  - (A) New budget authority, −\$79,861,000,000.
  - (B) Outlays, −\$79,861,000,000.
- (21) Overseas Deployments and Other Activities (970):
  - Fiscal year 2009:
    - (A) New budget authority, \$90,745,000,000.
    - (B) Outlays, \$24,147,000,000.
  - Fiscal year 2010:
    - (A) New budget authority, \$130,000,000,000.
    - (B) Outlays, \$98,410,000,000.
  - Fiscal year 2011:
    - (A) New budget authority, \$50,000,000,000.
    - (B) Outlays, \$76,118,000,000.
  - Fiscal year 2012:
    - (A) New budget authority, \$50,000,000,000.
    - (B) Outlays, \$65,221,000,000.
  - Fiscal year 2013:
    - (A) New budget authority, \$50,000,000,000.
    - (B) Outlays, \$56,722,000,000.
  - Fiscal year 2014:
    - (A) New budget authority, \$50,000,000,000.
    - (B) Outlays, \$52,110,000,000.

## TITLE II—RECONCILIATION

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

(a) COMMITTEE ON FINANCE.—The Senate Committee on Finance shall report changes in laws within its jurisdiction to reduce the deficit by \$1,000,000,000 for the period of fiscal years 2009 through 2014.

(b) COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS.—The Senate Committee on Health, Education, Labor, and Pensions shall report changes in laws within its jurisdiction to reduce the deficit by \$1,000,000,000 for the period of fiscal years 2009 through 2014.

(c) SUBMISSIONS.—In the Senate, not later than October 15, 2009, the Senate committees named in subsections (a) and (b) shall submit their recommendations to the Senate Committee on the Budget. Upon receiving all such recommendations, the Senate Committee on the Budget shall report to the Senate a reconciliation bill carrying out all such recommendations without any substantive revision.

**SEC. 202. RECONCILIATION IN THE HOUSE.**

(a) **HEALTH CARE REFORM.**—

(1) The House Committee on Energy and Commerce shall report changes in laws to reduce the deficit by \$1,000,000,000 for the period of fiscal years 2009 through 2014.

(2) The House Committee on Ways and Means shall report changes in laws to reduce the deficit by \$1,000,000,000 for the period of fiscal years 2009 through 2014.

(3) The House Committee on Education and Labor shall report changes in laws to reduce the deficit by \$1,000,000,000 for the period of fiscal years 2009 through 2014.

(b) **INVESTING IN EDUCATION.**—The House Committee on Education and Labor shall report changes in laws to reduce the deficit by \$1,000,000,000 for the period of fiscal years 2009 through 2014.

(c) **SUBMISSIONS.**—In the House, not later than October 15, 2009, the House committees named in subsections (a) and (b) shall submit their recommendations to the House Committee on the Budget. Upon receiving all such recommendations, the House Committee on the Budget shall report to the House a reconciliation bill carrying out all such changes without any substantive revision.

## **TITLE III—RESERVE FUNDS**

### **Subtitle A—Senate Reserve Funds**

**SEC. 301. DEFICIT-NEUTRAL RESERVE FUND TO TRANSFORM AND MODERNIZE AMERICA'S HEALTH CARE SYSTEM.**

(a) **TRANSFORM AND MODERNIZE AMERICA'S HEALTH CARE SYSTEM.**—The chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution, and make adjustments to the pay-as-you-go ledger that are deficit-neutral over 11 years, for one or more bills, joint resolutions, amendments, motions, or conference reports that are deficit-neutral, reduce excess cost growth in health care spending and are fiscally sustainable over the long term, and—

(1) protect families' financial health including restraining the growth of health premiums and other health-related costs;

(2) make health coverage affordable to businesses (in particular to small business and individuals who are self-employed), households, and governments, including by reducing wasteful and inefficient spending in the health care system with periodic reports on savings achieved through these efforts, and by moving forward with improvements to the health care delivery system, including Medicare;

(3) aim for quality, affordable health care for all Americans;

(4) provide portability of coverage and assurance of coverage with appropriate consumer protections;

(5) guarantee choice of health plans and health care providers to Americans;

(6) invest in prevention and wellness and address issues of health disparities;

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

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

(b) OTHER REVISIONS.—The chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that—

(1) increase the reimbursement rate for physician services under section 1848(d) of the Social Security Act and that include financial incentives for physicians to improve the quality and efficiency of items and services furnished to Medicare beneficiaries through the use of consensus-based quality measures;

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

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

(4) promote payment policies that address the systemic inequities of Medicare and Medicaid reimbursement that lead to access problems in rural areas, including access to primary care and outpatient services, hospitals, and an adequate supply of providers in the workforce or that reward quality and efficient care and address geographic variations in spending in the Medicare program;

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

**SEC. 302. DEFICIT-NEUTRAL RESERVE FUND TO INVEST IN CLEAN ENERGY AND PRESERVE THE ENVIRONMENT.**

(a) INVESTING IN CLEAN ENERGY AND PRESERVING THE ENVIRONMENT.—The chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would—

(1) reduce our Nation's dependence on imported energy;

(2) produce green jobs;

(3) promote renewable energy development (including expediting research on the viability of using higher ethanol blends at the service station pump);

(4) authorize long-term contracts for procurement of alternative fuels from domestic sources, provided that such procurement is consistent with section 526 of the Energy Independence and Security Act of 2007 (Public Law 110-140);

(5) accelerate the research, development, demonstration, and deployment of advanced technologies to capture and store carbon dioxide emissions from coal-fired power plants and other

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industrial emission sources and to use coal in an environmentally acceptable manner;

- (6) strengthen and retool manufacturing supply chains;
- (7) create a clean energy investment fund;
- (8) improve electricity transmission;
- (9) encourage conservation and efficiency;
- (10) make improvements to the Low-Income Home Energy Assistance Program;
- (11) set aside additional funding from the Oil Spill Liability Trust Fund for Arctic oil spill research;
- (12) implement water settlements;
- (13) provide additional resources for wildland fire management activities (including the removal of the requirement for State matching funds); or
- (14) preserve or protect public lands, oceans or coastal areas;

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019. The legislation may include tax provisions.

(b) CLIMATE CHANGE LEGISLATION.—The chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would—

- (1) invest in clean energy technology initiatives;
- (2) decrease greenhouse gas emissions;
- (3) create new jobs in a clean technology economy;
- (4) strengthen the manufacturing competitiveness of the United States;
- (5) diversify the domestic clean energy supply to increase the energy security of the United States;
- (6) protect consumers (including policies that address regional differences);
- (7) provide incentives for cost-savings achieved through energy efficiencies;
- (8) provide voluntary opportunities for agriculture and forestry communities to contribute to reducing the levels of greenhouse gases in the atmosphere; and
- (9) help families, workers, communities, and businesses make the transition to a clean energy economy;

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

**SEC. 303. DEFICIT-NEUTRAL RESERVE FUND FOR HIGHER EDUCATION.**

The chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that make higher education more accessible and affordable while maintaining a competitive private sector role in the student loan program, which may include legislation to expand and strengthen student aid, such as Pell Grants, or increase college enrollment and completion rates for low-income students, by the

amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019. The legislation may include tax provisions.

**SEC. 304. DEFICIT-NEUTRAL RESERVE FUND FOR CHILD NUTRITION AND WIC.**

The chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would reauthorize child nutrition programs or the Special Supplemental Nutrition Program for Women, Infants, and Children (the WIC program), by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

**SEC. 305. DEFICIT-NEUTRAL RESERVE FUND FOR INVESTMENTS IN AMERICA'S INFRASTRUCTURE.**

(a) **INFRASTRUCTURE.**—The chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide for a robust Federal investment in America's infrastructure, which may include projects for public housing, energy, water, transportation, freight and passenger rail, or other infrastructure projects, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(b) **SURFACE TRANSPORTATION.**—The chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide new contract authority paid out of the Highway Trust Fund for surface transportation programs to the extent such new contract authority is offset by an increase in receipts to the Highway Trust Fund (excluding transfers from the general fund of the Treasury into the Highway Trust Fund not offset by a similar increase in receipts), provided further that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(c) **MULTIMODAL TRANSPORTATION PROJECTS.**—The chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would authorize multimodal transportation projects that—

- (1) provide a set of performance measures;
- (2) require a cost-benefit analysis be conducted to ensure accountability and overall project goals are met; and
- (3) provide flexibility for States, cities, and localities to create strategies that meet the needs of their communities;

by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(d) FLOOD CONTROL PROJECTS AND INSURANCE REFORM.—The chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide for levee modernization, maintenance, repair, and improvement, or provide for flood insurance reform and modernization, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

**SEC. 306. DEFICIT-NEUTRAL RESERVE FUND TO PROMOTE ECONOMIC STABILIZATION AND GROWTH.**

(a) MANUFACTURING.—The chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports, including tax legislation, that would revitalize and strengthen the United States domestic manufacturing sector by increasing Federal research and development, by expanding the scope and effectiveness of manufacturing programs across the Federal Government, by increasing efforts to train and retrain manufacturing workers, by enhancing workers' technical skills in the use of the new advanced manufacturing technologies to produce competitive energy efficient products, by increasing support for sector workforce training, by increasing support for the redevelopment of closed manufacturing plants, by increasing support for development of alternative fuels and leap-ahead automotive and energy technologies such as advanced batteries, or by establishing tax incentives to encourage the continued production in the United States of advanced technologies and the infrastructure to support such technologies, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(b) TAX RELIEF.—The chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution by the amounts provided by one or more bills, joint resolutions, amendments, motions, or conference reports that would provide tax relief, including but not limited to extensions of expiring and expired tax relief, or refundable tax relief, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(c) TAX REFORM.—The chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would reform the Internal Revenue Code to ensure

a sustainable revenue base that would lead to a fairer and more efficient tax system and to a more competitive business environment for United States enterprises, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(d) TRADE.—The chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to trade by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(e) HOUSING ASSISTANCE.—The chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to housing assistance, which may include low income rental assistance, or assistance provided through the Housing Trust Fund created under section 1131 of the Housing and Economic Recovery Act of 2008, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(f) UNEMPLOYMENT MITIGATION.—The chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that reduce the unemployment rate or provide assistance to the unemployed, particularly in the states and localities with the highest rates of unemployment, or improve the implementation of the unemployment compensation program, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

**SEC. 307. DEFICIT-NEUTRAL RESERVE FUND FOR AMERICA'S VETERANS AND WOUNDED SERVICEMEMBERS.**

The chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would—

- (1) expand the number of disabled military retirees who receive both disability compensation and retired pay;
- (2) accelerate the phase-in of concurrent receipt;
- (3) reduce or eliminate the offset between Survivor Benefit Plan annuities and Veterans' Dependency and Indemnity Compensation;
- (4) enhance or maintain the affordability of health care for military personnel, military retirees or veterans;

(5) improve disability benefits or evaluations for wounded or disabled military personnel or veterans (including measures to expedite the claims process);

(6) enhance servicemember education benefits for members of the National Guard and Reserve by ensuring those benefits keep pace with the national average cost of tuition; or

(7) expand veterans' benefits (including for veterans living in rural areas);

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

**SEC. 308. DEFICIT-NEUTRAL RESERVE FUND FOR JUDICIAL PAY AND JUDGESHIPS, POSTAL RETIREE ASSISTANCE, AND CERTAIN PENSION OBLIGATIONS.**

(a) **JUDICIAL PAY AND JUDGESHIPS.**—The chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would authorize salary adjustments for justices and judges of the United States, or increase the number of Federal judgeships, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(b) **POSTAL RETIREES.**—The chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to adjustments to funding for postal retiree health coverage, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(c) **PENSION OBLIGATIONS.**—The chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would authorize funding to cover the full cost of pension obligations for current and past employees of laboratories and environmental cleanup sites under the jurisdiction of the Department of Energy (including benefits paid to security personnel) in a manner that does not impact the missions of those laboratories and environmental cleanup sites, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

**SEC. 309. DEFICIT-NEUTRAL RESERVE FUND FOR DEFENSE ACQUISITION AND FEDERAL CONTRACTING REFORM.**

The chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one

or more bills, joint resolutions, amendments, motions, or conference reports that—

(1) provide funding to the Department of Defense for additional activities to reduce waste, fraud, abuse and overpayments in defense contracting;

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

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

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

(5) reduce the award of contracts to contractors with seriously delinquent tax debts;

(6) reduce the use of non-competitive contracts and the continuation of task orders for logistics support;

(7) reduce the use of contracts for acquisition, oversight, and management support services;

(8) enhance the capability of auditors and inspectors general to oversee Federal acquisition and procurement;

(9) reform the processes for payment of bonuses to contractors and government executives responsible for over-budget projects and programs that fail to meet basic performance requirements; or

(10) achieve savings by requiring that Federal departments and agencies eliminate improper payments and increase the use of recovery audits;

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

**SEC. 310. DEFICIT-NEUTRAL RESERVE FUND FOR INVESTMENTS IN OUR NATION'S COUNTIES AND SCHOOLS.**

The chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide for the reauthorization of the Secure Rural Schools and Community Self Determination Act of 2000 (Public Law 106-393) or make changes to the Payments in Lieu of Taxes Act of 1976 (Public Law 94-565), or both, by the amounts provided by that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

**SEC. 311. DEFICIT-NEUTRAL RESERVE FUND FOR THE FOOD AND DRUG ADMINISTRATION.**

(a) REGULATION.—The chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that authorize the Food and Drug Administration to regulate products and assess user fees on manufacturers and importers

of those products to cover the cost of the Food and Drug Administration's regulatory activities, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(b) DRUG IMPORTATION.—The chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that permit the safe importation of prescription drugs approved by the Food and Drug Administration from a specified list of countries, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(c) FOOD SAFETY.—The chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would improve the safety of the food supply in the United States, by the amounts provided in such legislation for these purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

**SEC. 312. DEFICIT-NEUTRAL RESERVE FUND FOR A COMPREHENSIVE INVESTIGATION INTO THE CURRENT FINANCIAL CRISIS.**

The chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide resources for a comprehensive investigation to determine the cause of the current financial crisis, hold those responsible accountable, and provide recommendations to prevent another financial crisis of this magnitude from occurring again by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

**SEC. 313. DEFICIT-NEUTRAL RESERVE FUND FOR INCREASED TRANSPARENCY AT THE FEDERAL RESERVE.**

The chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that increase transparency at the Federal Reserve System, including audits of the Board of Governors of the Federal Reserve System and the Federal reserve banks, to include—

- (1) an evaluation of the appropriate number and the associated costs of Federal reserve banks;
- (2) publication on its website, with respect to all lending and financial assistance facilities created by the Board to address the financial crisis, of—

(A) the nature and amounts of the collateral that the central bank is accepting on behalf of American taxpayers in the various lending programs, on no less than a monthly basis;

(B) the extent to which changes in valuation of credit extensions to various special purpose vehicles, such as Maiden Lane I, Maiden Lane II, and Maiden Lane III, are a result of losses on collateral which will not be recovered;

(C) the number of borrowers that participate in each of the lending programs and details of the credit extended, including the extent to which the credit is concentrated in one or more institutions; and

(D) information on the extent to which the central bank is contracting for services of private sector firms for the design, pricing, management, and accounting for the various lending programs and the terms and nature of such contracts and bidding processes; and

(3) including the identity of each entity to which the Board has provided all loans and other financial assistance since March 24, 2008, the value or amount of that financial assistance, and what that entity is doing with such financial assistance;

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

**SEC. 314. DEFICIT-NEUTRAL RESERVE FUND FOR 21ST CENTURY COMMUNITY LEARNING CENTERS.**

The chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would increase funding for the 21st Century Community Learning Centers program by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

**SEC. 315. DEFICIT-NEUTRAL RESERVE FUND FOR PROVISION OF CRITICAL RESOURCES TO FIREFIGHTERS AND FIRE DEPARTMENTS.**

The chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would provide firefighters and fire departments with critical resources under the Assistance to Firefighters Grant and the Staffing for Adequate Fire and Emergency Response Firefighters Grant of the Federal Emergency Management Agency, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

**SEC. 316. DEFICIT-NEUTRAL RESERVE FUND TO PROMOTE TAX EQUITY FOR STATES WITHOUT PERSONAL INCOME TAXES, AND OTHER SELECTED TAX RELIEF POLICIES.**

The chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would extend permanently the deduction for State and local sales taxes, extend incentives for enhanced charitable giving from individual retirement accounts, including life-income gifts, or enhance the employer-provided child care credit and the dependent care tax credit, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

**SEC. 317. DEFICIT-NEUTRAL RESERVE FUND TO PROMOTE INDIVIDUAL SAVINGS AND FINANCIAL SECURITY.**

The chairman of the Committee on the Budget of the Senate may revise the aggregates, allocations, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that promote financial security through financial literacy, retirement planning, and savings incentives, including individual development accounts and child savings accounts, provided that such legislation does not increase the deficit over either the period of the total fiscal years 2009 through 2014 or the period of the total fiscal years 2009 through 2019.

**SEC. 318. DEFICIT-NEUTRAL RESERVE FUND TO INCREASE FDIC AND NCUA BORROWING AUTHORITY.**

The chairman of the Committee on the Budget of the Senate may revise the aggregates, allocations, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports to increase the borrowing authority of the Federal Deposit Insurance Corporation and the National Credit Union Administration, provided that such legislation does not increase the deficit over either the period of the total fiscal years 2009 through 2014 or the period of the total fiscal years 2009 through 2019.

**SEC. 319. DEFICIT-NEUTRAL RESERVE FUND FOR IMPROVING THE WELL-BEING OF CHILDREN.**

The chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that—

- (1) make improvements to child welfare programs, including strengthening the recruitment and retention of foster families, or make improvements to the child support enforcement program;
- (2) improve the Federal foster care payment system to better support children, improve family support, family preservation, family reunification services, address the needs

of children prior to removal, during removal, and post placement or address the needs of children who have been abused or neglected; or

(3) provide funds to states for a program of home visits to low-income mothers-to-be and low-income families that will produce sizeable, sustained improvements in the health, well-being, or school readiness of children or their parents;

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

**SEC. 320. DEFICIT-NEUTRAL RESERVE FUND FOR A 9/11 HEALTH PROGRAM.**

The chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would establish a program, including medical monitoring and treatment, addressing the adverse health impacts linked to the September 11, 2001 attacks, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

## **Subtitle B—House Reserve Funds**

**SEC. 321. DEFICIT-NEUTRAL RESERVE FUND FOR HEALTH CARE REFORM.**

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that makes improvements to health care in America, which may include making affordable health coverage available for all, improving the quality of health care, reducing rising health care costs, building on and strengthening existing public and private insurance coverage, including employer-sponsored coverage, and preserving choice of provider and plan by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

**SEC. 322. DEFICIT-NEUTRAL RESERVE FUND FOR COLLEGE ACCESS, AFFORDABILITY, AND COMPLETION.**

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that makes college more affordable or accessible or that increases college enrollment and completion through reforms to the Higher Education Act of 1965 or other legislation, including increasing the maximum Pell grant award annually by an amount equal to one percentage point more than the Consumer Price Index, or student loan reform, by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI

of the Rules of the House of Representatives, and minimize disruption to schools, students, and the employees of the student loan originating and servicing industry.

**SEC. 323. DEFICIT-NEUTRAL RESERVE FUND FOR INCREASING ENERGY INDEPENDENCE.**

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that—

(1) provides tax incentives for or otherwise encourages the production of renewable energy or increased energy efficiency;

(2) encourages investment in emerging energy or vehicle technologies or carbon capture and sequestration;

(3) limits and provides for reductions in greenhouse gas emissions;

(4) assists businesses, industries, States, communities, the environment, workers, or households as the United States moves toward reducing and offsetting the impacts of greenhouse gas emissions; or

(5) facilitates the training of workers for these industries (“green collar jobs”);

by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

**SEC. 324. DEFICIT-NEUTRAL RESERVE FUND FOR AMERICA’S VETERANS AND WOUNDED SERVICEMEMBERS.**

The chairman of the House Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that would:

(1) expand the number of disabled military retirees who receive both disability compensation and retired pay (concurrent receipt);

(2) accelerate the phase-in of concurrent receipt;

(3) reduce or eliminate the offset between Survivor Benefit Plan annuities and Veterans’ Dependency and Indemnity Compensation;

(4) enhance or maintain the affordability of health care for military personnel, military retirees or veterans;

(5) improve disability benefits or evaluations for wounded or disabled military personnel or veterans (including measures to expedite the claims process);

(6) enhance servicemember education benefits for members of the National Guard and Reserve by ensuring those benefits keep pace with the national average cost of tuition; or

(7) expand veterans’ benefits (including for veterans living in rural areas);

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

**SEC. 325. DEFICIT-NEUTRAL RESERVE FUND FOR CERTAIN TAX RELIEF.**

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides for tax relief that supports working families (such as expanding the refundable child credit), businesses, States, or communities, by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

**SEC. 326. DEFICIT-NEUTRAL RESERVE FUND FOR A 9/11 HEALTH PROGRAM.**

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that would establish a program, including medical monitoring and treatment, addressing the adverse health impacts linked to the September 11, 2001, attacks by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

**SEC. 327. DEFICIT-NEUTRAL RESERVE FUND FOR CHILD NUTRITION.**

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that reauthorizes, expands, or improves child nutrition programs by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

**SEC. 328. DEFICIT-NEUTRAL RESERVE FUND FOR STRUCTURAL UNEMPLOYMENT INSURANCE REFORMS.**

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that makes structural reforms to make the unemployment insurance system respond better to serious economic downturns by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

**SEC. 329. DEFICIT-NEUTRAL RESERVE FUND FOR CHILD SUPPORT.**

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that increases parental support for children, particularly from non-custodial parents, including legislation that results in a greater share of collected child support reaching the child, by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

**SEC. 330. DEFICIT-NEUTRAL RESERVE FUND FOR THE AFFORDABLE HOUSING TRUST FUND.**

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that capitalizes the existing Affordable Housing Trust Fund by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

**SEC. 331. DEFICIT-NEUTRAL RESERVE FUND FOR HOME VISITING.**

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides funds to states for a program of home visits to low-income mothers-to-be and low-income families which will produce sizeable, sustained improvements in the health, well-being, or school readiness of children or their parents, by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

**SEC. 332. DEFICIT-NEUTRAL RESERVE FUND FOR LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM TRIGGER.**

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that makes the Low-Income Home Energy Assistance Program more responsive to energy price increases by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

**SEC. 333. DEFICIT-NEUTRAL RESERVE FUND FOR COUNTY PAYMENTS LEGISLATION.**

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides for the reauthorization of the Secure Rural Schools and Community Self Determination Act of 2000 (Public Law 106-393) or makes changes to the Payments in Lieu of Taxes Act of 1976 (Public Law 94-565) by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

**SEC. 334. RESERVE FUND FOR THE SURFACE TRANSPORTATION REAUTHORIZATION.**

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that reauthorizes surface transportation programs or that authorizes other transportation-related spending by providing new contract authority by the amounts provided in such measure if such measure establishes or maintains a solvent Highway Trust Fund over the period of fiscal years 2009 through 2015.

“Solvency” is defined as a positive cash balance. Such measure may include a transfer into the Highway Trust Fund from other Federal funds, as long as the transfer of Federal funds is fully offset.

## **TITLE IV—BUDGET PROCESS**

### **Subtitle A—Senate Provisions**

#### **PART I—BUDGET ENFORCEMENT**

##### **SEC. 401. DISCRETIONARY SPENDING LIMITS, PROGRAM INTEGRITY INITIATIVES, AND OTHER ADJUSTMENTS.**

(a) **SENATE POINT OF ORDER.**—

(1) **IN GENERAL.**—Except as otherwise provided in this section, it shall not be in order in the Senate to consider any bill or joint resolution (or amendment, motion, or conference report on that bill or joint resolution) that would cause the discretionary spending limits in this section to be exceeded.

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

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

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

(b) **SENATE DISCRETIONARY SPENDING LIMITS.**—In the Senate and as used in this section, the term “discretionary spending limit” means—

(1) for fiscal year 2009, \$1,391,471,000,000 in new budget authority and \$1,220,843,000,000 in outlays; and

(2) for fiscal year 2010, \$1,082,250,000,000 in new budget authority and \$1,269,471,000,000 in outlays;

as adjusted in conformance with the adjustment procedures in subsection (c).

(c) **ADJUSTMENTS IN THE SENATE.**—

(1) **IN GENERAL.**—After the reporting of a bill or joint resolution relating to any matter described in paragraph (2), or the offering of an amendment thereto or the submission of a conference report thereon—

(A) the chairman of the Senate Committee on the Budget may adjust the discretionary spending limits, budgetary aggregates, and allocations pursuant to section 302(a) of the Congressional Budget Act of 1974, by the amount of new budget authority in that measure for that purpose and the outlays flowing therefrom; and

(B) following any adjustment under subparagraph (A), the Senate Committee on Appropriations may report appropriately revised suballocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(2) MATTERS DESCRIBED.—Matters referred to in paragraph (1) are as follows:

(A) CONTINUING DISABILITY REVIEWS AND SSI REDETERMINATIONS.—

(i) IN GENERAL.—If a bill or joint resolution is reported making appropriations for fiscal year 2010 that appropriates \$273,000,000 for continuing disability reviews and Supplemental Security Income redeterminations for the Social Security Administration, and provides an additional appropriation of up to \$485,000,000 for continuing disability reviews and Supplemental Security Income redeterminations for the Social Security Administration, then the discretionary spending limits, allocation to the Senate Committee on Appropriations, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed \$485,000,000 in budget authority and outlays flowing therefrom for fiscal year 2010.

(ii) ASSET VERIFICATION.—The additional appropriation of \$485,000,000 may also provide that a portion of that amount, not to exceed \$34,000,000, instead may be used for asset verification for Supplemental Security Income recipients, but only if and to the extent that the Office of the Chief Actuary estimates that the initiative would be at least as cost effective as the redeterminations of eligibility described in subparagraph (i).

(B) INTERNAL REVENUE SERVICE TAX ENFORCEMENT.—

If a bill or joint resolution is reported making appropriations for fiscal year 2010 that appropriates \$7,100,000,000 for the Internal Revenue Service for enhanced tax enforcement to address the Federal tax gap (taxes owed but not paid) and provides an additional appropriation of up to \$890,000,000 for the Internal Revenue Service for enhanced tax enforcement to address the Federal tax gap, then the discretionary spending limits, allocation to the Senate Committee on Appropriations, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed \$890,000,000 in budget authority and outlays flowing therefrom for fiscal year 2010.

(C) HEALTH CARE FRAUD AND ABUSE CONTROL.—If a bill or joint resolution is reported making appropriations for fiscal year 2010 that appropriates up to \$311,000,000 to the Health Care Fraud and Abuse Control program at the Department of Health and Human Services, then the discretionary spending limits, allocation to the Senate Committee on Appropriations, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed \$311,000,000 in budget authority and outlays flowing therefrom for fiscal year 2010.

(D) UNEMPLOYMENT INSURANCE IMPROPER PAYMENT REVIEWS.—If a bill or joint resolution is reported making appropriations for fiscal year 2010 that appropriates \$10,000,000 for in-person reemployment and eligibility

assessments and unemployment insurance improper payment reviews, and provides an additional appropriation of up to \$50,000,000 for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews, then the discretionary spending limits, allocation to the Senate Committee on Appropriations, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed \$50,000,000 in budget authority and outlays flowing therefrom for fiscal year 2010.

(3) LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP).—If a bill or joint resolution is reported making appropriations for fiscal year 2010 that appropriates \$3,200,000,000 in funding for the Low-Income Home Energy Assistance Program and provides an additional appropriation of up to \$1,900,000,000 for that program, then the discretionary spending limits, allocation to the Senate Committee on Appropriations, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed \$1,900,000,000 in budget authority and outlays flowing therefrom for fiscal year 2010.

(4) ADJUSTMENTS TO SUPPORT ONGOING OVERSEAS DEPLOYMENTS AND OTHER ACTIVITIES.—The chairman of the Senate Committee on the Budget may adjust the discretionary spending limits, allocations to the Senate Committee on Appropriations, and aggregates for one or more—

(A) bills reported by the Senate Committee on Appropriations or passed by the House of Representatives;

(B) joint resolutions or amendments reported by the Senate Committee on Appropriations;

(C) amendments between the Houses received from the House of Representatives or Senate amendments offered by the authority of the Senate Committee on Appropriations; or

(D) conference reports;

making appropriations for fiscal years 2009 and 2010 for overseas deployments and other activities by the amounts provided in such legislation for those purposes (and so designated pursuant to this paragraph), up to the amounts of budget authority specified in section 104(21) for fiscal years 2009 and 2010 and the new outlays flowing therefrom.

(5) REVISED APPROPRIATIONS FOR FISCAL YEAR 2010.—

(A) IN GENERAL.—If after adoption of this resolution by the Congress, the President submits his budget pursuant to section 1105(a) of title 31, United States Code, and the Congressional Budget Office (CBO) re-estimates the budget, the chairman of the Senate Committee on the Budget may adjust the discretionary spending limits, budgetary aggregates, and allocations pursuant to section 302(a) of the Congressional Budget Act of 1974 by the aggregate difference for discretionary appropriations and related outlays between the CBO re-estimate and the President's Budget.

(B) SUBALLOCATIONS.—Following any adjustment under subparagraph (A), the Senate Committee on Appropriations may report appropriately revised suballocations

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pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this paragraph.

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

**SEC. 402. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.**

(a) IN GENERAL.—

(1) POINT OF ORDER.—Except as provided in subsection (b), it shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would provide an advance appropriation.

(2) DEFINITION.—In this section, the term “advance appropriation” means any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2010 that first becomes available for any fiscal year after 2010, or any new budget authority provided in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2011, that first becomes available for any fiscal year after 2011.

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

(1) for fiscal years 2011 and 2012 for programs, projects, activities, or accounts identified in the joint explanatory statement of managers accompanying this resolution under the heading “Accounts Identified for Advance Appropriations” in an aggregate amount not to exceed \$28,852,000,000 in new budget authority in each year;

(2) for the Corporation for Public Broadcasting; and

(3) for the Department of Veterans Affairs for the Medical Services, Medical Support and Compliance, and Medical Facilities accounts of the Veterans Health Administration.

(c) SUPERMAJORITY WAIVER AND APPEAL.—

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

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

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

(e) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference

report by operation of this subsection), no further amendment shall be in order.

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

**SEC. 403. EMERGENCY LEGISLATION.**

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

(b) EXEMPTION OF EMERGENCY PROVISIONS.—Any new budget authority, outlays, and receipts resulting from any provision designated as an emergency requirement, pursuant to this section, in any bill, joint resolution, amendment, or conference report shall not count for purposes of sections 302 and 311 of the Congressional Budget Act of 1974, section 201 of S. Con. Res. 21 (110th Congress) (relating to pay-as-you-go), section 311 of S. Con. Res. 70 (110th Congress) (relating to long-term deficits), and sections 401 and 404 of this resolution (relating to discretionary spending and short-term deficits). Designated emergency provisions shall not count for the purpose of revising allocations, aggregates, or other levels pursuant to procedures established under section 301(b)(7) of the Congressional Budget Act of 1974 for deficit-neutral reserve funds and revising discretionary spending limits set pursuant to section 301 of this resolution.

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

(d) DEFINITIONS.—In this section, the terms “direct spending”, “receipts”, and “appropriations for discretionary accounts” mean any provision of a bill, joint resolution, amendment, motion, or conference report that affects direct spending, receipts, or appropriations as those terms have been defined and interpreted for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

(e) POINT OF ORDER.—

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

(2) SUPERMAJORITY WAIVER AND APPEALS.—

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

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

of the ruling of the Chair on a point of order raised under this subsection.

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

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

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

(f) CRITERIA.—

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

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

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

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

(D) subject to paragraph (2), unforeseen, unpredictable, and unanticipated; and

(E) not permanent, temporary in nature.

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

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

**SEC. 404. POINT OF ORDER AGAINST LEGISLATION INCREASING SHORT-TERM DEFICIT.**

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

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

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

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

(c) **LIMITATION.**—The provisions of this section shall not apply to any bills, joint resolutions, amendments, motions, or conference reports for which the chairman of the Senate Committee on the Budget has made adjustments to the allocations, levels or limits contained in this resolution pursuant to Section 301(a) of this resolution.

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

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

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

**SEC. 405. POINT OF ORDER AGAINST CERTAIN LEGISLATION RELATED TO SURFACE TRANSPORTATION FUNDING.**

(a) **POINT OF ORDER.**—It shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report that extends the authority or reauthorizes surface transportation programs that appropriates budget authority from sources other than the Highway Trust Fund, including the Mass Transit Account of such fund.

(b) **SUPERMAJORITY WAIVER AND APPEALS IN THE SENATE.**—

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

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

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

**PART II—OTHER PROVISIONS**

**SEC. 411. OVERSIGHT OF GOVERNMENT PERFORMANCE.**

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

**SEC. 412. BUDGETARY TREATMENT OF CERTAIN DISCRETIONARY ADMINISTRATIVE EXPENSES.**

In the Senate, notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974, section 13301 of the Budget Enforcement Act of 1990, and section 2009a of title 39, United States Code, the joint explanatory statement accompanying the conference report

on any concurrent resolution on the budget shall include in its allocations under section 302(a) of the Congressional Budget Act of 1974 to the Senate Committee on Appropriation amounts for the discretionary administrative expenses of the Social Security Administration and of the Postal Service.

**SEC. 413. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.**

(a) APPLICATION.—In the Senate, any adjustments of allocations and aggregates made pursuant to this resolution shall—

- (1) apply while that measure is under consideration;
- (2) take effect upon the enactment of that measure; and
- (3) be published in the Congressional Record as soon as practicable.

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

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

(d) ADJUSTMENTS.—The chairman of the Senate Committee on the Budget may adjust the aggregates, allocations, and other levels and limits in this resolution for legislation which has received final Congressional approval in the same form by the House of Representatives and the Senate, but has yet to be presented to or signed by the President at the time of final consideration of this resolution.

**SEC. 414. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.**

Upon the enactment of a bill or joint resolution providing for a change in concepts or definitions, the chairman of the Senate Committee on the Budget may make adjustments to the levels and allocations in this resolution in accordance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002).

**SEC. 415. EXERCISE OF RULEMAKING POWERS.**

The Senate adopts the provisions of this subtitle—

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

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

## Subtitle B—House Enforcement Provisions

### SEC. 421. ADJUSTMENTS FOR DIRECT SPENDING AND REVENUES.

#### (a) ADJUSTMENTS FOR CURRENT POLICY.—

(1) IN GENERAL.—For the policies set forth in and not to exceed the amounts in paragraph (2), and subject to the condition specified in paragraph (3), when the chairman of the House Committee on the Budget evaluates the budgetary effects of any provision in a bill, joint resolution, amendment, or conference report for the purposes of the Congressional Budget Act of 1974, this concurrent resolution, or the Rules of the House of Representatives relative to baseline estimates consistent with section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985, he may exclude from his evaluation the budgetary effects of such provisions if such effects would have been reflected in a baseline adjusted for current policy.

(2) POLICIES AND AMOUNTS.—Paragraph (1) shall apply only to the following provisions:

(A) MEDICARE IMPROVEMENTS.—An increase in the deficit of not to exceed \$38,000,000,000 in fiscal years 2010 through 2014 and of not to exceed \$38,000,000,000 in fiscal years 2010 through 2019 by reforming the Medicare payment system for physicians to—

(i) change incentives to encourage efficiency and higher quality care in a way that supports fiscal sustainability;

(ii) improve payment accuracy to encourage efficient use of resources and ensure that primary care receives appropriate compensation;

(iii) improve coordination of care among all providers serving a patient in all appropriate settings; or

(iv) hold providers accountable for their utilization patterns and quality of care.

(B) MIDDLE CLASS TAX RELIEF.—A decrease in revenues (or increase in outlays, as appropriate) of an amount not to exceed \$512,165,000,000 in fiscal years 2010 through 2014 and of an amount not to exceed \$1,294,476,000,000 in fiscal years 2010 through 2019, resulting from extending certain provisions of the Economic Growth and Tax Relief Reconciliation Act of 2001 and the Jobs and Growth Tax Relief Reconciliation Act of 2003 for middle class tax relief, including—

(i) the 10 percent individual income tax bracket;

(ii) marriage penalty relief;

(iii) the child credit at \$1,000 and partial refundability of the credit;

(iv) education incentives;

(v) other incentives for middle class families and children;

(vi) other reductions to individual income tax brackets; and

(vii) small business tax relief.

(C) REFORM OF THE ALTERNATIVE MINIMUM TAX.—A decrease in revenues of an amount not to exceed

\$214,433,000,000 in fiscal years 2010 through 2014 and fiscal years 2010 through 2019 resulting from reform of the AMT so that tens of millions of working families will not become subject to it.

(D) REFORM OF THE ESTATE AND GIFT TAX.—A decrease in revenues of an amount not to exceed \$72,033,000,000 in fiscal years 2010 through 2014 and of an amount not to exceed \$256,244,000,000 in fiscal years 2010 through 2019 resulting from reform of the Estate and Gift Tax so that only a minute fraction of estates owe tax, by extending the law as in effect for 2009 for the Estate and Gift Tax.

(3) CONDITION.—Subsection (a) shall apply only if the House of Representatives has previously passed a bill to impose statutory pay-as-you-go requirements or the measure containing the provision being evaluated by the chairman of the House Committee on the Budget imposes such requirements and such bill is designated as providing statutory pay-as-you-go requirements under this subsection.

(4) REVISIONS.—The chairman of the House Committee on the Budget may revise or adjust the allocations, aggregates, and other appropriate levels in this resolution to reflect current policy adjustments made pursuant to this section.

(b) DEPOSIT INSURANCE.—When the chairman of the House Committee on the Budget evaluates the budgetary effects of a provision of a bill, joint resolution, amendment, or conference report for the purposes of the Congressional Budget Act of 1974, this resolution, or the Rules of the House of Representatives, the chairman shall exclude the budgetary effects of any provision that affects the full funding of the deposit insurance guarantee commitment in effect on the date of enactment of Public Law 110-343, the Emergency Economic Stabilization Act of 2008.

**SEC. 422. ADJUSTMENTS TO DISCRETIONARY SPENDING LIMITS.**

(a) PROGRAM INTEGRITY INITIATIVES.—

(1) SOCIAL SECURITY ADMINISTRATION PROGRAM INTEGRITY INITIATIVES.—

(A) IN GENERAL.—In the House, prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2010 that appropriates \$273,000,000 for continuing disability reviews and Supplemental Security Income redeterminations for the Social Security Administration and (except as provided in subparagraph (B)) provides an additional appropriation of up to \$485,000,000, and that amount is designated for continuing disability reviews and Supplemental Security Income redeterminations for the Social Security Administration, the allocation to the House Committee on Appropriations shall be increased by the amount of the additional budget authority and outlays resulting from that budget authority for fiscal year 2010.

(B) ASSET VERIFICATION.—The additional appropriation of \$485,000,000 may also provide that a portion of that amount, not to exceed \$34,000,000, instead may be used for asset verification for Supplemental Security Income recipients, but only if and to the extent that the Office of the Chief Actuary estimates that the initiative would

be at least as cost effective as the redeterminations of eligibility described in subparagraph (A).

(2) INTERNAL REVENUE SERVICE TAX COMPLIANCE.—In the House, prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2010 that appropriates \$4,904,000,000 to the Internal Revenue Service for Enforcement and provides an additional appropriation of up to \$600,000,000 for Enforcement to address the Federal tax gap, and provides that such sums as may be necessary shall be available from the Operations Support account in the Internal Revenue Service to fully support these Enforcement activities, the allocation to the House Committee on Appropriations shall be increased by the amount of the additional budget authority and outlays resulting from that budget authority for fiscal year 2010.

(3) HEALTH CARE FRAUD AND ABUSE CONTROL PROGRAM.—In the House, prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2010 that appropriates up to \$311,000,000, and the amount is designated to the health care fraud and abuse control program at the Department of Health and Human Services, the allocation to the House Committee on Appropriations shall be increased by the amount of additional budget authority and outlays resulting from that budget authority for fiscal year 2010.

(4) UNEMPLOYMENT INSURANCE PROGRAM INTEGRITY ACTIVITIES.—In the House, prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2010 that appropriates \$10,000,000 for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews for the Department of Labor and provides an additional appropriation of up to \$50,000,000, and the amount is designated for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews for the Department of Labor, the allocation to the House Committee on Appropriations shall be increased by the amount of additional budget authority and outlays resulting from that budget authority for fiscal year 2010.

(5) PROCEDURE FOR ADJUSTMENTS.—Prior to consideration of any bill, joint resolution, amendment, or conference report, the chairman of the House Committee on the Budget shall make the adjustments set forth in this subsection for the incremental new budget authority in that measure and the outlays resulting from that budget authority if that measure meets the requirements set forth in this subsection.

(b) LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP).—In the House, prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2010 that appropriates \$3,200,000,000 in funding for the Low-Income Home Energy Assistance Program and provides additional appropriations of up to \$1,900,000,000 for that program, if a mandatory trigger for LIHEAP is not enacted, the chairman of the House Committee on the Budget may allocate such additional budget authority and outlays resulting from that budget authority to the House Committee on Appropriations.

(c) REVISED APPROPRIATIONS FOR FISCAL YEAR 2010.—

(1) **IN GENERAL.**—If after adoption of this resolution by the Congress, the President submits his budget pursuant to section 1105(a) of title 31, United States Code, and the Congressional Budget Office (CBO) re-estimates the budget, the chairman of the House Committee on the Budget may adjust the discretionary spending limits, budgetary aggregates, and the allocation to the House Committee on Appropriations by the aggregate difference for discretionary appropriations and related outlays between the CBO re-estimate and the President's Budget.

(2) **SUBALLOCATIONS.**—Following any adjustment under subparagraph (A), the House Committee on Appropriations may report appropriately revised suballocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this paragraph.

**SEC. 423. COSTS OF OVERSEAS DEPLOYMENTS AND EMERGENCY NEEDS.**

(a) **OVERSEAS DEPLOYMENTS AND OTHER ACTIVITIES.**—

(1) In the House, if any bill, joint resolution, amendment, or conference report makes appropriations for fiscal year 2009 or fiscal year 2010 for overseas deployments and other activities and such amounts are so designated pursuant to this paragraph, then the allocation to the House Committee on Appropriations may be adjusted by the amounts provided in such legislation for that purpose up to the amounts of budget authority specified in section 104(21) for fiscal year 2009 or fiscal year 2010 and the new outlays resulting therefrom.

(2) In the House, if any bill, joint resolution, amendment, or conference report makes appropriations for fiscal year 2009 or fiscal year 2010 for overseas deployments and other activities above the amounts of budget authority and new outlays specified in paragraph (1) and such amounts are so designated pursuant to this paragraph, then new budget authority, outlays, or receipts resulting therefrom shall not count for the purposes of the Congressional Budget Act of 1974 or this resolution.

(b) **EMERGENCY NEEDS.**—If any bill, joint resolution, amendment, or conference report makes appropriations for discretionary amounts and such amounts are designated as necessary to meet emergency needs pursuant to this subsection, then new budget authority and outlays resulting therefrom shall not count for the purposes of the Congressional Budget Act of 1974 or this resolution.

**SEC. 424. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.**

(a) **IN GENERAL.**—In the House, except as provided in subsection (b), any bill, joint resolution, amendment, or conference report making a general appropriation or continuing appropriation may not provide for advance appropriations.

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

(1) for fiscal year 2011 for programs, projects, activities, or accounts identified in the joint explanatory statement of managers to accompany this resolution under the heading "Accounts Identified for Advance Appropriations" in an aggregate amount not to exceed \$28,852,000,000 in new budget authority, and for 2012, accounts separately identified under the same heading; and

(2) for the Department of Veterans Affairs for the Medical Services, Medical Support and Compliance, and Medical Facilities accounts of the Veterans Health Administration.

(c) DEFINITION.—In this section, the term “advance appropriation” means any new discretionary budget authority provided in a bill or joint resolution making general appropriations or any new discretionary budget authority provided in a bill or joint resolution making continuing appropriations for fiscal year 2010 that first becomes available for any fiscal year after 2010.

**SEC. 425. OVERSIGHT OF GOVERNMENT PERFORMANCE.**

In the House, all committees are directed to conduct rigorous oversight hearings to root out waste, fraud, and abuse in all aspects of Federal spending and Government operations, giving particular scrutiny to issues raised by the Federal Office of the Inspector General or the Comptroller General of the United States. Based upon these oversight efforts, the committees are directed to make recommendations to reduce wasteful Federal spending to promote deficit reduction and long-term fiscal responsibility. Such recommendations should be submitted to the House Committee on the Budget in the views and estimates reports prepared by committees as required under 301(d) of the Congressional Budget Act of 1974.

**SEC. 426. BUDGETARY TREATMENT OF CERTAIN DISCRETIONARY ADMINISTRATIVE EXPENSES.**

(a) IN GENERAL.—In the House, notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974, section 13301 of the Budget Enforcement Act of 1990, and section 4001 of the Omnibus Budget Reconciliation Act of 1989, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocation under section 302(a) of the Congressional Budget Act of 1974 to the House Committee on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration and of the Postal Service.

(b) SPECIAL RULE.—For purposes of applying section 302(f) of the Congressional Budget Act of 1974, estimates of the level of total new budget authority and total outlays provided by a measure shall include any off-budget discretionary amounts.

**SEC. 427. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.**

(a) APPLICATION.—In the House, any adjustments of allocations and aggregates made pursuant to this resolution shall—

- (1) apply while that measure is under consideration;
- (2) take effect upon the enactment of that measure; and
- (3) be published in the Congressional Record as soon as practicable.

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

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

on the basis of estimates made by the House Committee on the Budget.

(d) ADJUSTMENTS.—The chairman of the House Committee on the Budget may adjust the aggregates, allocations, and other levels in this resolution for legislation which has received final Congressional approval in the same form by the House of Representatives and the Senate, but has yet to be presented to or signed by the President at the time of final consideration of this resolution.

**SEC. 428. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.**

Upon the enactment of any bill or joint resolution providing for a change in budgetary concepts or definitions, the chairman of the House Committee on the Budget shall adjust any appropriate levels and allocations in this resolution accordingly.

**SEC. 429. EXERCISE OF RULEMAKING POWERS.**

The House adopts the provisions of this subtitle—

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

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

## **TITLE V—POLICY**

**SEC. 501. POLICY ON MIDDLE-CLASS TAX RELIEF AND REVENUES.**

It is the policy of this resolution to minimize fiscal burdens on working families and their children and grandchildren. It is the policy of this resolution to extend the following tax relief consistent with current policy—

(1) relief for the tens of millions of middle-income households who would otherwise be subject to the Alternative Minimum Tax (AMT) under current law;

(2) middle-class tax relief; and

(3) elimination of estate taxes on all but a minute fraction of estates.

In total, this resolution supports the extension of over \$1,750,000,000,000 in tax relief to individuals and families relative to current law. This resolution supports additional, deficit-neutral tax relief, including the extension of AMT relief, expanding the eligibility for the refundable child credit, the research and experimentation tax credit, the deduction for State and local sales taxes, the enactment of a tax credit for school construction bonds, and other tax relief for working families. The cost of enacting such policies may be offset by reforms within the Internal Revenue Code of 1986 that produce higher rates of tax compliance to close the “tax gap” and reduce taxpayer burdens through tax simplification. The President’s budget proposes a variety of other revenue offsets. Unless expressly provided, this resolution does not assume any of the specific revenue offset proposals provided for in the President’s budget. Decisions about specific revenue offsets are

made by the House Committee on Ways and Means and the Senate Committee on Finance, which are the tax-writing committees.

**SEC. 502. POLICY ON DEFENSE PRIORITIES.**

It is the policy of this resolution that—

(1) there is no higher priority than the defense of our Nation, and therefore the Administration and Congress will make the necessary investments and reforms to strengthen our military so that it can successfully meet the threats of the 21st century;

(2) acquisition reform is needed at the Department of Defense to end excessive cost growth in the development of new weapons systems and to ensure that weapons systems are delivered on time and in adequate quantities to equip our servicemen and servicewomen;

(3) the Department of Defense should review defense plans to ensure that weapons developed to counter Cold War-era threats are not redundant and are applicable to 21st century threats;

(4) sufficient resources should be provided for the Department of Defense to aggressively address the 758 unimplemented recommendations made by the Government Accountability Office (GAO) since 2001 to improve practices at the Department of Defense, which could save billions of dollars that could be applied to priorities identified in this section;

(5) the Department of Defense should review the role that contractors play in its operations, including the degree to which contractors are performing inherently governmental functions, to ensure it has the most effective mix of government and contracted personnel;

(6) the Department of Defense report to Congress on its assessment of Cold War-era weaponry, its progress on implementing GAO recommendations, and its review of contractors at the Department as outlined in paragraphs (3), (4), and (5) by a date to be determined by the appropriate committees;

(7) the GAO provide a report to the appropriate congressional committees by December 31, 2009, on the Department of Defense's progress in implementing its audit recommendations;

(8) ballistic missile defense technologies that are not proven to work through adequate testing and that are not operationally viable should not be deployed, and that no funding should be provided for the research or development of space-based interceptors;

(9) cooperative threat reduction and other nonproliferation programs (securing "loose nukes" and other materials used in weapons of mass destruction), which were highlighted as high priorities by the 9/11 Commission, need to be funded at a level that is commensurate with the evolving threat;

(10) readiness of our troops, particularly the National Guard and Reserves, is a high priority, and that continued emphasis is needed to ensure adequate equipment and training;

(11) improving military health care services and ensuring quality health care for returning combat veterans is a high priority;

(12) military pay and benefits should be enhanced to improve the quality of life for military personnel and their families;

(13) the Department of Defense should make every effort to investigate the national security benefits of energy independence, including those that may be associated with alternative energy sources and energy efficiency conversions;

(14) the Administration's budget requests should continue to comply with section 1008, Public Law 109-364, the John Warner National Defense Authorization Act for Fiscal Year 2007, and that to the extent practicable overseas military operations should no longer be funded through emergency supplemental appropriations; and

(15) when assessing security threats and reviewing the programs and funding needed to counter these threats, the Administration should do so in a comprehensive manner that includes all agencies involved in our national security.

## **TITLE VI—SENSE OF THE CONGRESS**

### **SEC. 601. SENSE OF THE CONGRESS ON VETERANS' AND SERVICEMEMBERS' HEALTH CARE.**

It is the sense of the Congress that—

(1) the Congress supports excellent health care for current and former members of the United States Armed Services—they have served well and honorably and have made significant sacrifices for this Nation;

(2) the President's budget will improve health care for veterans by increasing appropriations for VA by 10 percent more than the 2009 level, increasing VA's appropriated resources for every year after 2010, and restoring health care eligibility to additional nondisabled veterans with modest incomes;

(3) VA is not and should not be authorized to bill private insurance companies for treatment of health conditions that are related to veterans' military service;

(4) VA may find it difficult to realize the level of increase in medical care collections estimated in the President's budget for 2010 using existing authorities, and increases to veterans beneficiary travel reimbursement are important; therefore, this resolution provides \$673,000,000 more for Function 700 (Veterans Benefits and Services) than the President's budget to safeguard the provision of health care to veterans;

(5) it is important to continue providing sufficient and timely funding for veterans' and servicemembers' health care; and

(6) this resolution provides additional funding above the 2009 levels for VA to research and treat mental health, post-traumatic stress disorder, and traumatic brain injury.

### **SEC. 602. SENSE OF THE CONGRESS ON HOMELAND SECURITY.**

It is the sense of the Congress that because making the country safer and more secure is such a critical priority, the resolution therefore provides robust resources in the four budget functions—Function 400 (Transportation), Function 450 (Community and Regional Development), Function 550 (Health), and Function 750

(Administration of Justice)—that fund most nondefense homeland security activities that can be used to address our key security priorities, including—

- (1) safeguarding the Nation's transportation systems, including rail, mass transit, ports, and airports;
- (2) continuing with efforts to identify and to screen for threats bound for the United States;
- (3) strengthening border security;
- (4) enhancing emergency preparedness and training and equipping first responders;
- (5) helping to make critical infrastructure more secure and resilient against the threat of terrorism and natural disasters;
- (6) making the Nation's cyber infrastructure resistive to attack; and
- (7) increasing the preparedness of the public health system.

**SEC. 603. SENSE OF THE CONGRESS ON PROMOTING AMERICAN INNOVATION AND ECONOMIC COMPETITIVENESS.**

It is the sense of the Congress that—

- (1) the Congress should provide sufficient investments to enable our Nation to continue to be the world leader in education, innovation, and economic growth as envisioned in the goals of the America COMPETES Act;
- (2) this resolution builds on significant funding provided in the American Recovery and Reinvestment Act for scientific research and education in Function 250 (General Science, Space and Technology), Function 270 (Energy), Function 300 (Natural Resources and Environment), Function 500 (Education, Training, Employment, and Social Services), and Function 550 (Health);
- (3) the Congress also should pursue policies designed to ensure that American students, teachers, businesses, and workers are prepared to continue leading the world in innovation, research, and technology well into the future; and
- (4) this resolution recognizes the importance of the extension of investments and tax policies that promote research and development and encourage innovation and future technologies that will ensure American economic competitiveness.

**SEC. 604. SENSE OF THE CONGRESS REGARDING PAY PARITY.**

It is the sense of the Congress that rates of compensation for civilian employees of the United States should be adjusted at the same time, and in the same proportion, as are rates of compensation for members of the uniformed services.

**SEC. 605. SENSE OF THE CONGRESS ON COLLEGE AFFORDABILITY AND STUDENT LOAN REFORM.**

It is the Sense of the Congress that—

- (1) nothing in the resolution should be construed to reduce any assistance that makes college more affordable and accessible for students, including but not limited to student aid programs and services provided by nonprofit State agencies and private lenders;
- (2) private and non-profit lenders, originators, and loan servicers help students plan for, apply to, and pay for post-secondary education and training;

(3) any reform of the federal student loan programs to ensure that students have reliable and efficient access to federal loans should include some future role for the currently involved private and non-profit entities, including state non-profits with 100% FFEL lending in the State, and capitalize on the current infrastructure provided by private and non-profit entities, in order both to provide employment to many Americans during this time of economic distress and to maintain valuable services that make post-secondary education more accessible and attainable for many Americans; and

(4) therefore, pursuant to any changes to the student loan programs, loan processing, administration, and servicing should continue to be performed, as needed, by for-profit and non-profit entities.

**SEC. 606. SENSE OF THE CONGRESS ON GREAT LAKES RESTORATION.**

It is the sense of the Congress that this resolution recognizes the need to address significant and long-standing problems affecting the major large scale aquatic, estuarine, and coastal ecosystems nationwide. This resolution includes funding for a new interagency initiative to address such regional ecosystems. It also includes funding to work with Great Lakes States, tribes, local communities, and organizations to more effectively address issues prioritized in the Great Lakes Regional Collaborative. This initiative could address issues such as invasive species, habitat restoration and conservation, non-point source pollution, and contaminated sediment. The resolution also supports the President's proposal to use outcome-oriented performance goals and measures to target the most significant problems and track progress in addressing these ecosystems.

**SEC. 607. SENSE OF THE CONGRESS REGARDING THE IMPORTANCE OF CHILD SUPPORT ENFORCEMENT.**

It is the sense of the Congress that—

(1) additional legislative action is needed to ensure that States have the necessary resources to collect all child support that is owed to families and to allow them to pass 100 percent of support on to families without financial penalty; and

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(2) when 100 percent of child support payments are passed to the child, rather than administrative expenses, program integrity is improved and child support participation increases.

Attest:

*Secretary of the Senate.*

Attest:

*Clerk of the House of Representatives.*