

CONCURRENT RESOLUTION

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

3 **SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET**
4 **FOR FISCAL YEAR 2010.**

5 (a) DECLARATION.—Congress declares that this reso-
6 lution is the concurrent resolution on the budget for fiscal
7 year 2010 and that this resolution sets forth the appro-
8 priate budgetary levels for fiscal years 2009 and 2011
9 through 2014.

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

Sec. 1. Concurrent resolution on the budget for fiscal year 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—RESERVE FUNDS

Sec. 201. Deficit-neutral reserve fund to transform and modernize America's
health care system.

Sec. 202. Deficit-neutral reserve fund to invest in clean energy and preserve the
environment.

Sec. 203. Deficit-neutral reserve fund for higher education.

Sec. 204. Deficit-neutral reserve fund for child nutrition and WIC.

- Sec. 205. Deficit-neutral reserve fund for investments in America's infrastructure.
- Sec. 206. Deficit-neutral reserve fund to promote economic stabilization and growth.
- Sec. 207. Deficit-neutral reserve fund for America's veterans and wounded servicemembers.
- Sec. 208. Deficit-neutral reserve fund for judicial pay and judgeships and postal retiree assistance.
- Sec. 209. Deficit-neutral reserve fund for defense acquisition and contracting reform.
- Sec. 210. Deficit-neutral reserve fund for investments in our Nation's counties and schools.
- Sec. 211. Deficit-neutral reserve fund for the Food and Drug Administration.
- Sec. 212. Deficit-neutral reserve fund for bipartisan congressional sunset commission.
- Sec. 213. Deficit-neutral reserve fund to improve domestic fuels security.
- Sec. 214. Deficit-neutral reserve fund for a comprehensive investigation into the current financial crisis.
- Sec. 215. Deficit-neutral reserve fund for increased transparency at the Federal Reserve.
- Sec. 216. Deficit-Neutral reserve fund for improving child welfare.
- Sec. 217. Deficit-neutral reserve fund to fully fund the Long-Term Stability/Housing for Victims Program.
- Sec. 218. Deficit-neutral reserve fund for providing a nonrefundable Federal income tax credit for the purchase of a principal residence during a 1-year period.
- Sec. 219. Deficit-neutral reserve fund for monitoring of FHA-insured lending.
- Sec. 220. Deficit-neutral reserve fund to address the systemic inequities of Medicare and Medicaid reimbursement that lead to access problems in rural areas.
- Sec. 221. Deficit-neutral reserve fund to provide for accelerated carbon capture and storage and advanced clean coal power generation research, development, demonstration, and deployment.
- Sec. 222. Expenditure of remaining TARP funds.
- Sec. 223. Deficit-neutral reserve fund for prohibiting undeserved contracting performance bonuses.
- Sec. 224. Deficit-reduction reserve fund to ensure the pledge of President Obama to eliminate wasteful, inefficient, and duplicative programs.
- Sec. 225. Deficit-neutral reserve fund for the Violence Against Women Act (VAWA) and the Family Violence Prevention and Services Act (FVPSA), and other related programs.
- Sec. 226. Deficit-neutral reserve fund for ending abusive no-bid contracts.
- Sec. 227. Deficit-neutral reserve fund for home visitation programs.
- Sec. 228. Deficit-neutral reserve fund for 21st Century Community Learning Centers.
- Sec. 229. Deficit-neutral reserve fund to provide for the extension of the top individual tax rates for small businesses.
- Sec. 230. Deficit-neutral reserve fund for pension coverage for employees of Department of Energy laboratories and environmental cleanup sites.
- Sec. 231. Deficit-neutral reserve fund for provision of critical resources to firefighters and fire departments.
- Sec. 232. Deficit-reduction reserve fund for the elimination and recovery of improper payments.

- Sec. 233. Deficit-neutral reserve fund for the repeal of the 1993 increase in the income tax on social security benefits.
- Sec. 234. Deficit-neutral reserve fund for legislation to increase the amount of capital losses allowed to individuals.
- Sec. 235. Deficit-neutral reserve fund for foster care financing reform.
- Sec. 236. Deficit-neutral reserve fund for healthcare professionals for the Veterans Health Administration.
- Sec. 237. Deficit-neutral reserve fund to repeal deductions from mineral revenue payments to States.
- Sec. 238. Reserve fund to promote tax equity for States without personal income taxes.
- Sec. 239. Deficit-neutral reserve fund for setting performance standards to identify failing Government programs.
- Sec. 240. Deficit-neutral reserve fund to expedite research on viability of use of higher ethanol blends at service station pump.
- Sec. 241. Deficit-neutral reserve funds to enhance drug-control efforts within our communities and along our borders.
- Sec. 242. Deficit-neutral reserve fund to promote individual savings and financial security.
- Sec. 243. Deficit-neutral reserve fund for the National Health Service Corps.
- Sec. 244. Deficit-neutral reserve fund to improve animal health and disease program.
- Sec. 245. Deficit-neutral reserve fund for increase in the end strength for active duty personnel of the Army.
- Sec. 246. Deficit-neutral reserve fund for wildland fire management activities.
- Sec. 247. Deficit-neutral reserve fund for estate tax relief.
- Sec. 248. Point of order against legislation that provides additional relief for the estate tax beyond the levels assumed in this budget resolution unless an equal amount of additional tax relief is provided to middle-class taxpayers.
- Sec. 249. Deficit-neutral reserve fund increase FDIC and NCUA borrowing authority.
- Sec. 250. Deficit-neutral reserve fund for innovative loan guarantee program of the Department of Energy.
- Sec. 251. Deficit-neutral reserve fund for nuclear research and development.
- Sec. 252. Deficit-neutral reserve fund for the 2012 completion of Food and Drug Administration facilities.
- Sec. 253. Deficit-neutral reserve fund for Energy Star for Small Business Program.

TITLE III—BUDGET PROCESS

Subtitle A—Budget Enforcement

- Sec. 301. Discretionary spending limits, program integrity initiatives, and other adjustments.
- Sec. 302. Point of order against advance appropriations.
- Sec. 303. Emergency legislation.
- Sec. 304. Point of order against legislation increasing short-term deficit.
- Sec. 305. Point of order against provisions of appropriations legislation that constitute changes in mandatory programs affecting the Crime Victims Fund.
- Sec. 306. Point of order against legislation that raises taxes on middle-income taxpayers.
- Sec. 307. Point of order on legislation that raises income tax rates on Small Businesses.

- Sec. 308. Point of order against legislation that imposes a National energy tax on middle-income taxpayers.
- Sec. 309. Point of order on legislation that imposes a marriage tax penalty.
- Sec. 310. Point of order on legislation that increases revenue above the levels established in the budget resolution.
- Sec. 311. Point of order on legislation that increases taxes during any period when the unemployment rate is in excess of 5.8 percent.
- Sec. 312. Point of order against legislation that causes significant job loss.
- Sec. 313. Limitations on legislation that would permit the Secretary of Veterans Affairs to recover from a private health insurer of a disabled veteran amounts paid for treatment of such disability.
- Sec. 314. Point of order.
- Sec. 315. Restrictions on unfunded mandates on States and local governments.
- Sec. 316. Point of order on legislation that eliminates the ability of Americans to keep their health plan or their choice of doctor.

Subtitle B—Other Provisions

- Sec. 321. Oversight of government performance.
- Sec. 322. Budgetary treatment of certain discretionary administrative expenses.
- Sec. 323. Application and effect of changes in allocations and aggregates.
- Sec. 324. Adjustments to reflect changes in concepts and definitions.
- Sec. 325. Debt disclosure requirement.
- Sec. 326. Debt disclosures.
- Sec. 327. Exercise of rulemaking powers.

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

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

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

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

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

10 Fiscal year 2009: \$1,506,196,000,000.

11 Fiscal year 2010: \$1,620,072,000,000.

12 Fiscal year 2011: \$1,918,926,000,000.

13 Fiscal year 2012: \$2,123,586,000,000.

14 Fiscal year 2013: \$2,286,601,000,000.

1 Fiscal year 2014: \$2,489,829,000,000.

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

5 Fiscal year 2009: −\$26,374,000,000.

6 Fiscal year 2010: −\$45,914,000,000.

7 Fiscal year 2011: −\$169,705,000,000.

8 Fiscal year 2012: −\$236,806,000,000.

9 Fiscal year 2013: −\$228,736,000,000.

10 Fiscal year 2014: −\$143,829,000,000.

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

14 Fiscal year 2009: \$3,668,049,000,000.

15 Fiscal year 2010: \$2,853,966,000,000.

16 Fiscal year 2011: \$2,799,858,000,000.

17 Fiscal year 2012: \$2,812,313,000,000.

18 Fiscal year 2013: \$2,990,082,000,000.

19 Fiscal year 2014: \$3,164,644,000,000.

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

23 Fiscal year 2009: \$3,355,533,000,000.

24 Fiscal year 2010: \$2,981,026,000,000.

25 Fiscal year 2011: \$2,937,215,000,000.

1 Fiscal year 2012: \$2,856,956,000,000.

2 Fiscal year 2013: \$3,003,162,000,000.

3 Fiscal year 2014: \$3,152,972,000,000.

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

7 Fiscal year 2009: \$1,849,337,000,000.

8 Fiscal year 2010: \$1,360,954,000,000.

9 Fiscal year 2011: \$1,018,289,000,000.

10 Fiscal year 2012: \$733,370,000,000.

11 Fiscal year 2013: \$716,560,000,000.

12 Fiscal year 2014: \$663,142,000,000.

13 (5) PUBLIC DEBT.—Pursuant to section
14 301(a)(5) of the Congressional Budget Act of 1974,
15 the appropriate levels of the public debt are as fol-
16 lows:

17 Fiscal year 2009: \$12,067,919,000,000.

18 Fiscal year 2010: \$13,298,235,000,000.

19 Fiscal year 2011: \$14,394,517,000,000.

20 Fiscal year 2012: \$15,303,842,000,000.

21 Fiscal year 2013: \$16,175,508,000,000.

22 Fiscal year 2014: \$17,022,970,000,000.

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

25 Fiscal year 2009: \$7,754,355,000,000.

1 Fiscal year 2010: \$8,817,043,000,000.

2 Fiscal year 2011: \$9,702,393,000,000.

3 Fiscal year 2012: \$10,345,439,000,000.

4 Fiscal year 2013: \$10,919,379,000,000.

5 Fiscal year 2014: \$11,471,742,000,000.

6 **SEC. 102. SOCIAL SECURITY.**

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

13 Fiscal year 2009: \$653,117,000,000.

14 Fiscal year 2010: \$668,208,000,000.

15 Fiscal year 2011: \$694,864,000,000.

16 Fiscal year 2012: \$726,045,000,000.

17 Fiscal year 2013: \$766,065,000,000.

18 Fiscal year 2014: \$802,166,000,000.

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

25 Fiscal year 2009: \$513,029,000,000.

1 Fiscal year 2010: \$544,140,000,000.

2 Fiscal year 2011: \$564,523,000,000.

3 Fiscal year 2012: \$586,897,000,000.

4 Fiscal year 2013: \$612,017,000,000.

5 Fiscal year 2014: \$639,054,000,000.

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

12 Fiscal year 2009:

13 (A) New budget authority,
 14 \$5,296,000,000.

15 (B) Outlays, \$4,945,000,000.

16 Fiscal year 2010:

17 (A) New budget authority,
 18 \$6,072,000,000.

19 (B) Outlays, \$5,934,000,000.

20 Fiscal year 2011:

21 (A) New budget authority,
 22 \$6,568,000,000.

23 (B) Outlays, \$6,433,000,000.

24 Fiscal year 2012:

1 (A) New budget authority,
2 \$6,895,000,000.

3 (B) Outlays, \$6,809,000,000.

4 Fiscal year 2013:

5 (A) New budget authority,
6 \$7,223,000,000.

7 (B) Outlays, \$7,148,000,000.

8 Fiscal year 2014:

9 (A) New budget authority,
10 \$7,599,000,000.

11 (B) Outlays, \$7,517,000,000.

12 **SEC. 103. POSTAL SERVICE DISCRETIONARY ADMINISTRA-**
13 **TIVE EXPENSES.**

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

17 Fiscal year 2009:

18 (A) New budget authority, \$253,000,000.

19 (B) Outlays, \$253,000,000.

20 Fiscal year 2010:

21 (A) New budget authority, \$262,000,000.

22 (B) Outlays, \$262,000,000.

23 Fiscal year 2011:

24 (A) New budget authority, \$267,000,000.

25 (B) Outlays, \$267,000,000.

1 Fiscal year 2012:

2 (A) New budget authority, \$272,000,000.

3 (B) Outlays, \$272,000,000.

4 Fiscal year 2013:

5 (A) New budget authority, \$277,000,000.

6 (B) Outlays, \$277,000,000.

7 Fiscal year 2014:

8 (A) New budget authority, \$283,000,000.

9 (B) Outlays, \$283,000,000.

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

11 Congress determines and declares that the appro-
 12 priate levels of new budget authority and outlays for fiscal
 13 years 2009 through 2014 for each major functional cat-
 14 egory are:

15 (1) National Defense (050):

16 Fiscal year 2009:

17 (A) New budget authority,
 18 \$693,557,000,000.

19 (B) Outlays, \$671,725,000,000.

20 Fiscal year 2010:

21 (A) New budget authority,
 22 \$691,703,000,000.

23 (B) Outlays, \$695,628,000,000.

24 Fiscal year 2011:

1 (A) New budget authority,
2 \$619,767,000,000.

3 (B) Outlays, \$662,705,000,000.

4 Fiscal year 2012:

5 (A) New budget authority,
6 \$628,785,000,000.

7 (B) Outlays, \$642,223,000,000.

8 Fiscal year 2013:

9 (A) New budget authority,
10 \$639,535,000,000.

11 (B) Outlays, \$641,425,000,000.

12 Fiscal year 2014:

13 (A) New budget authority,
14 \$653,458,000,000.

15 (B) Outlays, \$646,834,000,000.

16 (2) International Affairs (150):

17 Fiscal year 2009:

18 (A) New budget authority,
19 \$55,333,000,000.

20 (B) Outlays, \$38,011,000,000.

21 Fiscal year 2010:

22 (A) New budget authority,
23 \$50,667,000,000.

24 (B) Outlays, \$48,853,000,000.

25 Fiscal year 2011:

1 (A) New budget authority,
 2 \$48,186,000,000.

3 (B) Outlays, \$51,034,000,000.

4 Fiscal year 2012:

5 (A) New budget authority,
 6 \$50,421,000,000.

7 (B) Outlays, \$51,649,000,000.

8 Fiscal year 2013:

9 (A) New budget authority,
 10 \$53,324,000,000.

11 (B) Outlays, \$52,556,000,000.

12 Fiscal year 2014:

13 (A) New budget authority,
 14 \$55,992,000,000.

15 (B) Outlays, \$53,223,000,000.

16 (3) General Science, Space, and Technology
 17 (250):

18 Fiscal year 2009:

19 (A) New budget authority,
 20 \$35,389,000,000.

21 (B) Outlays, \$30,973,000,000.

22 Fiscal year 2010:

23 (A) New budget authority,
 24 \$31,139,000,000.

25 (B) Outlays, \$32,467,000,000.

1 Fiscal year 2011:

2 (A) New budget authority,

3 \$33,993,000,000.

4 (B) Outlays, \$33,032,000,000.

5 Fiscal year 2012:

6 (A) New budget authority,

7 \$35,008,000,000.

8 (B) Outlays, \$33,749,000,000.

9 Fiscal year 2013:

10 (A) New budget authority,

11 \$35,557,000,000.

12 (B) Outlays, \$34,971,000,000.

13 Fiscal year 2014:

14 (A) New budget authority,

15 \$36,211,000,000.

16 (B) Outlays, \$36,066,000,000.

17 (4) Energy (270):

18 Fiscal year 2009:

19 (A) New budget authority,

20 \$43,919,000,000.

21 (B) Outlays, \$2,952,000,000.

22 Fiscal year 2010:

23 (A) New budget authority,

24 \$4,488,999,999.

25 (B) Outlays, \$6,209,999,999.

1 Fiscal year 2011:

2 (A) New budget authority,

3 \$4,404,000,000.

4 (B) Outlays, \$8,906,000,000.

5 Fiscal year 2012:

6 (A) New budget authority,

7 \$4,427,000,000.

8 (B) Outlays, \$10,341,000,000.

9 Fiscal year 2013:

10 (A) New budget authority,

11 \$4,619,000,000.

12 (B) Outlays, \$5,613,000,000.

13 Fiscal year 2014:

14 (A) New budget authority,

15 \$4,540,000,000.

16 (B) Outlays, \$484,000,000.

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

18 Fiscal year 2009:

19 (A) New budget authority,

20 \$56,009,000,000.

21 (B) Outlays, \$36,834,000,000.

22 Fiscal year 2010:

23 (A) New budget authority,

24 \$37,687,000,000.

25 (B) Outlays, \$40,690,000,000.

1 Fiscal year 2011:

2 (A) New budget authority,

3 \$37,914,000,000.

4 (B) Outlays, \$39,928,000,000.

5 Fiscal year 2012:

6 (A) New budget authority,

7 \$38,376,000,000.

8 (B) Outlays, \$39,419,000,000.

9 Fiscal year 2013:

10 (A) New budget authority,

11 \$38,256,000,000.

12 (B) Outlays, \$38,883,000,000.

13 Fiscal year 2014:

14 (A) New budget authority,

15 \$38,602,000,000.

16 (B) Outlays, \$38,788,000,000.

17 (6) Agriculture (350):

18 Fiscal year 2009:

19 (A) New budget authority,

20 \$24,974,000,000.

21 (B) Outlays, \$23,070,000,000.

22 Fiscal year 2010:

23 (A) New budget authority,

24 \$23,620,000,000.

25 (B) Outlays, \$23,881,000,000.

1 Fiscal year 2011:

2 (A) New budget authority,

3 \$24,602,000,000.

4 (B) Outlays, \$23,914,000,000.

5 Fiscal year 2012:

6 (A) New budget authority,

7 \$21,500,000,000.

8 (B) Outlays, \$17,410,000,000.

9 Fiscal year 2013:

10 (A) New budget authority,

11 \$22,295,000,000.

12 (B) Outlays, \$21,877,000,000.

13 Fiscal year 2014:

14 (A) New budget authority,

15 \$22,920,000,000.

16 (B) Outlays, \$21,906,000,000.

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

18 Fiscal year 2009:

19 (A) New budget authority,

20 \$694,439,000,000.

21 (B) Outlays, \$665,437,000,000.

22 Fiscal year 2010:

23 (A) New budget authority,

24 \$61,113,000,000.

25 (B) Outlays, \$85,818,000,000.

1 Fiscal year 2011:

2 (A) New budget authority,

3 \$25,931,000,000.

4 (B) Outlays, \$37,798,000,000.

5 Fiscal year 2012:

6 (A) New budget authority,

7 \$9,305,000,000.

8 (B) Outlays, \$8,400,000,000.

9 Fiscal year 2013:

10 (A) New budget authority,

11 \$16,985,000,000.

12 (B) Outlays, \$5,329,000,000.

13 Fiscal year 2014:

14 (A) New budget authority,

15 \$10,958,000,000.

16 (B) Outlays, -\$2,762,000,000.

17 (8) Transportation (400):

18 Fiscal year 2009:

19 (A) New budget authority,

20 \$122,457,000,000.

21 (B) Outlays, \$87,784,000,000.

22 Fiscal year 2010:

23 (A) New budget authority,

24 \$75,246,000,000.

25 (B) Outlays, \$95,695,000,000.

1 Fiscal year 2011:

2 (A) New budget authority,

3 \$75,301,000,000.

4 (B) Outlays, \$96,147,000,000.

5 Fiscal year 2012:

6 (A) New budget authority,

7 \$75,885,000,000.

8 (B) Outlays, \$95,184,000,000.

9 Fiscal year 2013:

10 (A) New budget authority,

11 \$75,758,000,000.

12 (B) Outlays, \$95,017,000,000.

13 Fiscal year 2014:

14 (A) New budget authority,

15 \$75,642,000,000.

16 (B) Outlays, \$94,972,000,000.

17 (9) Community and Regional Development

18 (450):

19 Fiscal year 2009:

20 (A) New budget authority,

21 \$23,811,000,000.

22 (B) Outlays, \$29,983,000,000.

23 Fiscal year 2010:

24 (A) New budget authority,

25 \$16,338,000,000.

1 (B) Outlays, \$28,924,000,000.

2 Fiscal year 2011:

3 (A) New budget authority,

4 \$16,152,000,000.

5 (B) Outlays, \$25,574,000,000.

6 Fiscal year 2012:

7 (A) New budget authority,

8 \$16,194,000,000.

9 (B) Outlays, \$22,263,000,000.

10 Fiscal year 2013:

11 (A) New budget authority,

12 \$16,043,000,000.

13 (B) Outlays, \$19,640,000,000.

14 Fiscal year 2014:

15 (A) New budget authority,

16 \$16,068,000,000.

17 (B) Outlays, \$17,870,000,000.

18 (10) Education, Training, Employment, and

19 Social Services (500):

20 Fiscal year 2009:

21 (A) New budget authority,

22 \$164,276,000,000.

23 (B) Outlays, \$73,219,000,000.

24 Fiscal year 2010:

1 (A) New budget authority,
2 \$94,430,000,000.

3 (B) Outlays, \$140,624,000,000.

4 Fiscal year 2011:

5 (A) New budget authority,
6 \$107,858,000,000.

7 (B) Outlays, \$141,412,000,000.

8 Fiscal year 2012:

9 (A) New budget authority,
10 \$117,121,000,000.

11 (B) Outlays, \$118,480,000,000.

12 Fiscal year 2013:

13 (A) New budget authority,
14 \$115,931,000,000.

15 (B) Outlays, \$118,911,000,000.

16 Fiscal year 2014:

17 (A) New budget authority,
18 \$125,788,000,000.

19 (B) Outlays, \$120,959,000,000.

20 (11) Health (550):

21 Fiscal year 2009:

22 (A) New budget authority,
23 \$380,158,000,000.

24 (B) Outlays, \$354,397,000,000.

25 Fiscal year 2010:

1 (A) New budget authority,
 2 \$385,447,000,000.

3 (B) Outlays, \$389,191,000,000.

4 Fiscal year 2011:

5 (A) New budget authority,
 6 \$363,906,000,000.

7 (B) Outlays, \$368,001,000,000.

8 Fiscal year 2012:

9 (A) New budget authority,
 10 \$368,156,000,000.

11 (B) Outlays, \$367,749,000,000.

12 Fiscal year 2013:

13 (A) New budget authority,
 14 \$387,170,000,000.

15 (B) Outlays, \$382,650,000,000.

16 Fiscal year 2014:

17 (A) New budget authority,
 18 \$396,523,000,000.

19 (B) Outlays, \$397,368,000,000.

20 (12) Medicare (570):

21 Fiscal year 2009:

22 (A) New budget authority,
 23 \$427,076,000,000.

24 (B) Outlays, \$426,736,000,000.

25 Fiscal year 2010:

1 (A) New budget authority,
2 \$442,828,000,000.

3 (B) Outlays, \$442,959,000,000.

4 Fiscal year 2011:

5 (A) New budget authority,
6 \$487,518,000,000.

7 (B) Outlays, \$487,336,000,000.

8 Fiscal year 2012:

9 (A) New budget authority,
10 \$491,854,000,000.

11 (B) Outlays, \$491,626,000,000.

12 Fiscal year 2013:

13 (A) New budget authority,
14 \$539,711,000,000.

15 (B) Outlays, \$539,862,000,000.

16 Fiscal year 2014:

17 (A) New budget authority,
18 \$592,893,000,000.

19 (B) Outlays, \$592,733,000,000.

20 (13) Income Security (600):

21 Fiscal year 2009:

22 (A) New budget authority,
23 \$520,123,000,000.

24 (B) Outlays, \$503,020,000,000.

25 Fiscal year 2010:

1 (A) New budget authority,
2 \$536,609,000,000.

3 (B) Outlays, \$539,949,200,000.

4 Fiscal year 2011:

5 (A) New budget authority,
6 \$507,502,000,000.

7 (B) Outlays, \$511,313,800,000.

8 Fiscal year 2012:

9 (A) New budget authority,
10 \$450,091,000,000.

11 (B) Outlays, \$450,856,400,000.

12 Fiscal year 2013:

13 (A) New budget authority,
14 \$454,160,000,000.

15 (B) Outlays, \$453,934,500,000.

16 Fiscal year 2014:

17 (A) New budget authority,
18 \$454,931,000,000.

19 (B) Outlays, \$453,726,100,000.

20 (14) Social Security (650):

21 Fiscal year 2009:

22 (A) New budget authority,
23 \$31,820,000,000.

24 (B) Outlays, \$31,264,000,000.

25 Fiscal year 2010:

1 (A) New budget authority,
2 \$20,255,000,000.

3 (B) Outlays, \$20,378,000,000.

4 Fiscal year 2011:

5 (A) New budget authority,
6 \$23,380,000,000.

7 (B) Outlays, \$23,513,000,000.

8 Fiscal year 2012:

9 (A) New budget authority,
10 \$26,478,000,000.

11 (B) Outlays, \$26,628,000,000.

12 Fiscal year 2013:

13 (A) New budget authority,
14 \$29,529,000,000.

15 (B) Outlays, \$29,679,000,000.

16 Fiscal year 2014:

17 (A) New budget authority,
18 \$32,728,000,000.

19 (B) Outlays, \$32,728,000,000.

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

21 Fiscal year 2009:

22 (A) New budget authority,
23 \$97,705,000,000.

24 (B) Outlays, \$94,831,000,000.

25 Fiscal year 2010:

1 (A) New budget authority,
2 \$106,490,000,000.

3 (B) Outlays, \$105,593,000,000.

4 Fiscal year 2011:

5 (A) New budget authority,
6 \$112,806,000,000.

7 (B) Outlays, \$112,355,000,000.

8 Fiscal year 2012:

9 (A) New budget authority,
10 \$108,643,000,000.

11 (B) Outlays, \$108,048,000,000.

12 Fiscal year 2013:

13 (A) New budget authority,
14 \$113,722,000,000.

15 (B) Outlays, \$113,071,000,000.

16 Fiscal year 2014:

17 (A) New budget authority,
18 \$115,929,000,000.

19 (B) Outlays, \$115,388,000,000.

20 (16) Administration of Justice (750):

21 Fiscal year 2009:

22 (A) New budget authority,
23 \$55,783,000,000.

24 (B) Outlays, \$49,853,000,000.

25 Fiscal year 2010:

1 (A) New budget authority,
2 \$53,499,000,000.

3 (B) Outlays, \$52,064,000,000.

4 Fiscal year 2011:

5 (A) New budget authority,
6 \$52,061,000,000.

7 (B) Outlays, \$54,204,000,000.

8 Fiscal year 2012:

9 (A) New budget authority,
10 \$51,866,000,000.

11 (B) Outlays, \$53,839,000,000.

12 Fiscal year 2013:

13 (A) New budget authority,
14 \$51,651,000,000.

15 (B) Outlays, \$52,679,000,000.

16 Fiscal year 2014:

17 (A) New budget authority,
18 \$51,488,000,000.

19 (B) Outlays, \$51,635,000,000.

20 (17) General Government (800):

21 Fiscal year 2009:

22 (A) New budget authority,
23 \$30,405,000,000.

24 (B) Outlays, \$24,629,000,000.

25 Fiscal year 2010:

1 (A) New budget authority,
 2 \$22,324,000,000.
 3 (B) Outlays, \$23,024,000,000.
 4 Fiscal year 2011:
 5 (A) New budget authority,
 6 \$22,483,000,000.
 7 (B) Outlays, \$23,328,000,000.
 8 Fiscal year 2012:
 9 (A) New budget authority,
 10 \$22,715,000,000.
 11 (B) Outlays, \$23,814,000,000.
 12 Fiscal year 2013:
 13 (A) New budget authority,
 14 \$22,445,000,000.
 15 (B) Outlays, \$23,260,000,000.
 16 Fiscal year 2014:
 17 (A) New budget authority,
 18 \$22,812,000,000.
 19 (B) Outlays, \$23,113,000,000.
 20 (18) Net Interest (900):
 21 Fiscal year 2009:
 22 (A) New budget authority,
 23 \$289,021,000,000.
 24 (B) Outlays, \$289,021,000,000.
 25 Fiscal year 2010:

1 (A) New budget authority,
2 \$284,558,000,000.

3 (B) Outlays, \$284,558,000,000.

4 Fiscal year 2011:

5 (A) New budget authority,
6 \$323,794,000,000.

7 (B) Outlays, \$323,794,000,000.

8 Fiscal year 2012:

9 (A) New budget authority,
10 \$387,620,000,000.

11 (B) Outlays, \$387,620,000,000.

12 Fiscal year 2013:

13 (A) New budget authority,
14 \$470,073,000,000.

15 (B) Outlays, \$470,073,000,000.

16 Fiscal year 2014:

17 (A) New budget authority,
18 \$557,326,000,000.

19 (B) Outlays, \$557,326,000,000.

20 (19) Allowances (920):

21 Fiscal year 2009:

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

23 (B) Outlays, \$0.

24 Fiscal year 2010:

1 (A) New budget authority,
2 -\$16,031,999,999.

3 (B) Outlays, -\$7,037,199,999.

4 Fiscal year 2011:

5 (A) New budget authority,
6 -\$16,046,000,000.

7 (B) Outlays, -\$15,266,800,000.

8 Fiscal year 2012:

9 (A) New budget authority,
10 -\$17,512,000,000.

11 (B) Outlays, -\$17,654,400,000.

12 Fiscal year 2013:

13 (A) New budget authority,
14 -\$19,097,000,000.

15 (B) Outlays, -\$18,658,500,000.

16 Fiscal year 2014:

17 (A) New budget authority,
18 -\$20,674,000,000.

19 (B) Outlays, -\$19,891,100,000.

20 (20) Undistributed Offsetting Receipts (950):

21 Fiscal year 2009:

22 (A) New budget authority,
23 -\$78,206,000,000.

24 (B) Outlays, -\$78,206,000,000.

25 Fiscal year 2010:

1 (A) New budget authority,
2 -\$68,444,000,000.

3 (B) Outlays, -\$68,444,000,000.

4 Fiscal year 2011:

5 (A) New budget authority,
6 -\$71,653,000,000.

7 (B) Outlays, -\$71,653,000,000.

8 Fiscal year 2012:

9 (A) New budget authority,
10 -\$74,620,000,000.

11 (B) Outlays, -\$74,620,000,000.

12 Fiscal year 2013:

13 (A) New budget authority,
14 -\$77,585,000,000.

15 (B) Outlays, -\$77,585,000,000.

16 Fiscal year 2014:

17 (A) New budget authority,
18 -\$79,491,000,000.

19 (B) Outlays, -\$79,491,000,000.

20 **TITLE II—RESERVE FUNDS**

21 **SEC. 201. DEFICIT-NEUTRAL RESERVE FUND TO TRANS-**
22 **FORM AND MODERNIZE AMERICA'S HEALTH**
23 **CARE SYSTEM.**

24 (a) TRANSFORM AND MODERNIZE AMERICA'S
25 HEALTH CARE SYSTEM.—The Chairman of the Senate

1 Committee on the Budget may revise the allocations of
2 a committee or committees, aggregates, and other appro-
3 priate levels and limits in this resolution, and make adjust-
4 ments to the pay-as-you-go ledger that are deficit-neutral
5 over 11 years, for one or more bills, joint resolutions,
6 amendments, motions, or conference reports that are def-
7 icit-neutral, reduce excess cost growth in health care
8 spending and are fiscally sustainable over the long term,
9 and—

10 (1) protect families’ financial health including
11 restraining the growth of health premiums and other
12 health-related costs;

13 (2) make health coverage affordable to busi-
14 nesses (in particular to small business and individ-
15 uals who are self-employed), households, and govern-
16 ments, including by reducing wasteful and inefficient
17 spending in the health care system with periodic re-
18 ports on savings achieved through these efforts, and
19 by moving forward with improvements to the health
20 care delivery system, including Medicare;

21 (3) aim for universality of health coverage;

22 (4) provide portability of coverage and assur-
23 ance of coverage with appropriate consumer protec-
24 tions;

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

3 (6) invest in prevention and wellness and ad-
4 dress issues of health disparities;

5 (7) improve patient safety and quality care, in-
6 cluding the appropriate use of health information
7 technology and health data, and promote trans-
8 parency in cost and quality information to Ameri-
9 cans; or

10 (8) maintain long-term fiscal sustainability and
11 pays for itself by reducing health care cost growth,
12 improving productivity, or dedicating additional
13 sources of revenue;

14 by the amounts provided in such legislation for those pur-
15 poses, provided that such legislation would not result in
16 diminishing a taxpayers' ability to deduct charitable con-
17 tributions as an offset to pay for such purposes, and pro-
18 vided that such legislation would not increase the deficit
19 over the period of the total of fiscal years 2009 through
20 2019.

21 (b) OTHER REVISIONS.—The Chairman of the Sen-
22 ate Committee on the Budget may revise the allocations
23 of a committee or committees, aggregates, and other ap-
24 propriate levels and limits in this resolution for one or

1 more bills, joint resolutions, amendments, motions, or con-
2 ference reports that—

3 (1) increase the reimbursement rate for physi-
4 cian services under section 1848(d) of the Social Se-
5 curity Act and that include financial incentives for
6 physicians to improve the quality and efficiency of
7 items and services furnished to Medicare bene-
8 ficiaries through the use of consensus-based quality
9 measures;

10 (2) include measures to encourage physicians to
11 train in primary care residencies and ensure an ade-
12 quate supply of residents and physicians;

13 (3) improve the Medicare program for bene-
14 ficiaries and protect access to outpatient therapy
15 services (including physical therapy, occupational
16 therapy, and speech-language pathology services)
17 through measures such as repealing the current out-
18 patient therapy caps while protecting beneficiaries
19 from associated premium increases;

20 (4) promote payment policies under the Medi-
21 care program that reward quality and efficient care
22 and address geographic variations in spending; or

23 (5) protect Medicare Advantage enrollees from
24 premium increases and benefit reductions in their
25 Medicare Advantage plans that would result from

1 the estimate of the national per capita Medicare Ad-
 2 vantage growth percentage contained in the Centers
 3 for Medicare & Medicaid Services' Advance Notice of
 4 Methodological Changes for Calender Year 2010, as
 5 proposed on February 20, 2009, that is made using
 6 the Medicare payment rates for physicians' services
 7 assumed in such Advance Notice rather than the
 8 Medicare payment rates for physicians' services as-
 9 sumed in the President's budget proposal for fiscal
 10 year 2010 (which accounts for additional expected
 11 Medicare payments for such services);
 12 by the amounts provided in such legislation for those pur-
 13 poses, provided that such legislation would not increase
 14 the deficit over either the period of the total of fiscal years
 15 2009 through 2014 or the period of the total of fiscal
 16 years 2009 through 2019.

17 **SEC. 202. DEFICIT-NEUTRAL RESERVE FUND TO INVEST IN**
 18 **CLEAN ENERGY AND PRESERVE THE ENVI-**
 19 **RONMENT.**

20 (a) INVESTING IN CLEAN ENERGY AND PRESERVING
 21 THE ENVIRONMENT.—The Chairman of the Senate Com-
 22 mittee on the Budget may revise the allocations of a com-
 23 mittee or committees, aggregates, and other appropriate
 24 levels and limits in this resolution for one or more bills,
 25 joint resolutions, amendments, motions, or conference re-

1 ports that would reduce our Nation's dependence on im-
2 ported energy including through expanded offshore oil and
3 gas production in the Outer Continental Shelf, produce
4 green jobs, promote renewable energy development,
5 strengthen and retool manufacturing supply chains, create
6 a clean energy investment fund, improve electricity trans-
7 mission, encourage conservation and efficiency (including
8 through industrial energy efficiency programs), make im-
9 provements to the Low Income Home Energy Assistance
10 Program, set aside additional funding from the Oil Spill
11 Liability Trust Fund for arctic oil spill research conducted
12 by the Oil Spill Recovery Institute, implement water set-
13 tlements, or preserve or protect public lands, oceans or
14 coastal areas, by the amounts provided in such legislation
15 for those purposes, provided that such legislation would
16 not increase the cost of producing energy from domestic
17 sources, including oil and gas from the Outer Continental
18 Shelf or other areas; would not increase the cost of energy
19 for American families; would not increase the cost of en-
20 ergy for domestic manufacturers, farmers, fishermen, or
21 other domestic industries; and would not enhance foreign
22 competitiveness against U.S. businesses; and would not in-
23 crease the deficit over either the period of the total of fis-
24 cal years 2009 through 2014 or the period of the total

1 of fiscal years 2009 through 2019. The legislation may
2 include tax provisions.

3 (b) CLIMATE CHANGE LEGISLATION.—The Chair-
4 man of the Senate Committee on the Budget may revise
5 the allocations of a committee or committees, aggregates,
6 and other appropriate levels and limits in this resolution
7 for one or more bills, joint resolutions, amendments, mo-
8 tions, or conference reports that would invest in clean en-
9 ergy technology initiatives, decrease greenhouse gas emis-
10 sions (without regulating carbon dioxide, nitrogen oxide,
11 water vapor, or methane emissions from biological proc-
12 esses associated with livestock production), create new
13 jobs in a clean technology economy, strengthen the manu-
14 facturing competitiveness of the United States, diversify
15 the domestic clean energy supply to increase the energy
16 security of the United States, protect consumers (includ-
17 ing policies that address regional differences), provide in-
18 centives for cost-savings achieved through energy effi-
19 ciencies, provide voluntary opportunities for agriculture
20 and forestry communities to contribute to reducing the
21 levels of greenhouse gases in the atmosphere, and help
22 families, workers, communities, and businesses make the
23 transition to a clean energy economy, without increasing
24 electricity or gasoline prices or increasing the overall bur-
25 den on consumers, through the use of revenues and poli-

1 cies provided in such legislation, without increasing elec-
 2 tricity or gasoline prices, by the amounts provided in such
 3 legislation for those purposes, provided that such legisla-
 4 tion would not increase the deficit over either the period
 5 of the total of fiscal years 2009 through 2014 or the pe-
 6 riod of the total of fiscal years 2009 through 2019.

7 (c) ALLOCATIONS.—The Chairman of the Senate
 8 Committee on the Budget shall not revise the allocations
 9 in this resolution if the legislation provided for in sub-
 10 sections (a) or (b) is reported from any committee pursu-
 11 ant to section 310 of the Congressional Budget Act of
 12 1974.

13 **SEC. 203. DEFICIT-NEUTRAL RESERVE FUND FOR HIGHER**
 14 **EDUCATION.**

15 The Chairman of the Senate Committee on the Budg-
 16 et may revise the allocations of a committee or commit-
 17 tees, aggregates, and other appropriate levels and limits
 18 in this resolution for one or more bills, joint resolutions,
 19 amendments, motions, or conference reports that make
 20 higher education more accessible and affordable while
 21 maintaining a competitive student loan program that pro-
 22 vides students and institutions of higher education with
 23 a comprehensive choice of loan products and services,
 24 which may include legislation to expand and strengthen
 25 student aid, such as Pell Grants, or increase college enroll-

1 ment and completion rates for low-income students, such
 2 as by investing in programs such as the programs under
 3 subpart 4 of part A of title IV of the Higher Education
 4 Act of 1965 (20 U.S.C. 1070c et seq.), such as by invest-
 5 ing in programs such as the programs under chapters 1
 6 and 2 of subpart 2 of part A of title IV of the Higher
 7 Education Act of 1965 (20 U.S.C. 1070a–11 et seq.,
 8 1070a–21 et seq.), by the amounts provided in such legis-
 9 lation for those purposes, provided that such legislation
 10 would not increase the deficit over either the period of the
 11 total of fiscal years 2009 through 2014 or the period of
 12 the total of fiscal years 2009 through 2019. The legisla-
 13 tion may include tax provisions.

14 **SEC. 204. DEFICIT-NEUTRAL RESERVE FUND FOR CHILD**
 15 **NUTRITION AND WIC.**

16 The Chairman of the Senate Committee on the Budg-
 17 et may revise the allocations of a committee or commit-
 18 tees, aggregates, and other appropriate levels and limits
 19 in this resolution for one or more bills, joint resolutions,
 20 amendments, motions, or conference reports that would
 21 reauthorize child nutrition programs or the Special Sup-
 22 plemental Nutrition Program for Women, Infants, and
 23 Children (the WIC program), by the amounts provided in
 24 such legislation for those purposes, provided that such leg-
 25 islation would not increase the deficit over either the pe-

1 riod of the total of fiscal years 2009 through 2014 or the
 2 period of the total of fiscal years 2009 through 2019.

3 **SEC. 205. DEFICIT-NEUTRAL RESERVE FUND FOR INVEST-**
 4 **MENTS IN AMERICA’S INFRASTRUCTURE.**

5 (a) INFRASTRUCTURE.—

6 (1) IN GENERAL.—The Chairman of the Senate
 7 Committee on the Budget may revise the allocations
 8 of a committee or committees, aggregates, and other
 9 appropriate levels and limits in this resolution for
 10 one or more bills, joint resolutions, amendments,
 11 motions, or conference reports that provide for a ro-
 12 bust Federal investment in America’s infrastructure,
 13 which may include projects for public housing, en-
 14 ergy, water, transportation, including freight and
 15 passenger rail, or other infrastructure projects, by
 16 the amounts provided in that legislation for those
 17 purposes, provided that such legislation would not
 18 increase the deficit over either the period of the total
 19 of fiscal years 2009 through 2014 or the period of
 20 the total of fiscal years 2009 through 2019.

21 (2) DENALI COMMISSION.—The Chairman of
 22 the Budget Committee may also revise the alloca-
 23 tions to allow funding for the Denali Commission es-
 24 tablished by section 303(a) of the Denali Commis-
 25 sion Act of 1998 (42 U.S.C. 3121 note; 112 Stat.

1 2681–637) for each applicable fiscal year at a level
2 equal to not less than the level of funding made
3 available for the Denali Commission during fiscal
4 year 2006.

5 (b) SURFACE TRANSPORTATION.—The Chairman of
6 the Senate Committee on the Budget may revise the allo-
7 cations of a committee or committees, aggregates, and
8 other appropriate levels and limits in this resolution for
9 one or more bills, joint resolutions, amendments, motions,
10 or conference reports that provide new budget authority
11 for surface transportation programs to the extent such
12 new budget authority is offset by an increase in receipts
13 to the Highway Trust Fund (excluding transfers from the
14 general fund of the Treasury into the Highway Trust
15 Fund not offset by a similar increase in receipts), provided
16 further that such legislation would not increase the deficit
17 over either the period of the total of fiscal years 2009
18 through 2014 or the period of the total of fiscal years
19 2009 through 2019.

20 (c) MULTIMODAL TRANSPORTATION PROJECTS.—
21 The Chairman of the Senate Committee on the Budget
22 may revise the allocations of a committee or committees,
23 aggregates, and other appropriate levels and limits in this
24 resolution for one or more bills, joint resolutions, amend-

1 ments, motions, or conference reports that would author-
2 ize multimodal transportation projects that—

3 (1) provide a set of performance measures;

4 (2) require a cost-benefit analysis be conducted
5 to ensure accountability and overall project goals are
6 met; and

7 (3) provide flexibility for States, cities, and lo-
8 calities to create strategies that meet the needs of
9 their communities,

10 by the amounts provided in that legislation for those pur-
11 poses, provided that such legislation would not increase
12 the deficit over either the period of the total of fiscal years
13 2009 through 2014 or the period of the total of fiscal
14 years 2009 through 2019.

15 (d) FLOOD CONTROL PROJECTS.—The Chairman of
16 the Senate Committee on the Budget may revise the allo-
17 cations of a committee or committees, aggregates, and
18 other appropriate levels and limits in this resolution for
19 one or more bills, joint resolutions, amendments, motions,
20 or conference reports that provide for levee modernization,
21 maintenance, repair, and improvement, by the amounts
22 provided in that legislation for those purposes, provided
23 that such legislation would not increase the deficit over
24 either the period of the total of fiscal years 2009 through

1 2014 or the period of the total of fiscal years 2009
2 through 2019.

3 (e) ALLOWING AMTRAK PASSENGERS TO SECURELY
4 TRANSPORT FIREARMS ON PASSENGER TRAINS.—None of
5 amounts made available in the reserve fund authorized
6 under this section may be used to provide financial assist-
7 ance for the National Railroad Passenger Corporation
8 (Amtrak) unless Amtrak passengers are allowed to se-
9 curely transport firearms in their checked baggage.

10 **SEC. 206. DEFICIT-NEUTRAL RESERVE FUND TO PROMOTE**
11 **ECONOMIC STABILIZATION AND GROWTH.**

12 (a) MANUFACTURING.—The Chairman of the Senate
13 Committee on the Budget may revise the allocations of
14 a committee or committees, aggregates, and other appro-
15 priate levels and limits in this resolution for one or more
16 bills, joint resolutions, amendments, motions, or con-
17 ference reports, including tax legislation, that would revi-
18 talize and strengthen the United States domestic manu-
19 facturing sector by increasing Federal research and devel-
20 opment, by expanding the scope and effectiveness of man-
21 ufacturing programs across the Federal Government, by
22 increasing efforts to train and retrain manufacturing
23 workers, by enhancing workers' technical skills in the use
24 of the new advanced manufacturing technologies to
25 produce competitive energy efficient products, by increas-

1 ing support for sector workforce training, by increasing
2 support for the redevelopment of closed manufacturing
3 plants, by increasing support for development of alter-
4 native fuels and leap-ahead automotive and energy tech-
5 nologies such as advanced batteries, or by establishing tax
6 incentives to encourage the continued production in the
7 United States of advanced technologies and the infrastruc-
8 ture to support such technologies, by the amounts pro-
9 vided in that legislation for those purposes, provided that
10 such legislation would not increase the deficit over either
11 the period of the total of fiscal years 2009 through 2014
12 or the period of the total of fiscal years 2009 through
13 2019.

14 (b) TAX RELIEF.—The Chairman of the Senate Com-
15 mittee on the Budget may revise the allocations of a com-
16 mittee or committees, aggregates, and other appropriate
17 levels in this resolution by the amounts provided by one
18 or more bills, joint resolutions, amendments, motions, or
19 conference reports that would provide tax relief, including
20 but not limited to extensions of expiring and expired tax
21 relief, such as enhanced charitable giving from individual
22 retirement accounts, including life-income gifts, or refund-
23 able tax relief and enhancement of the employer-provided
24 child care credit and enhancement of the dependent care
25 tax credit, by the amounts provided in that legislation for

1 those purposes, provided that such legislation would not
2 increase the deficit over either the period of the total of
3 fiscal years 2009 through 2014 or the period of the total
4 of fiscal years 2009 through 2019.

5 (c) TAX REFORM.—The Chairman of the Senate
6 Committee on the Budget may revise the allocations of
7 a committee or committees, aggregates, and other appro-
8 priate levels in this resolution for one or more bills, joint
9 resolutions, amendments, motions, or conference reports
10 that would reform the Internal Revenue Code to ensure
11 a sustainable revenue base that would lead to a fairer and
12 more efficient tax system and to a more competitive busi-
13 ness environment for United States enterprises, by the
14 amounts provided in such legislation for those purposes,
15 provided that such legislation would not increase the def-
16 icit over either the period of the total of fiscal years 2009
17 through 2014 or the period of the total of fiscal years
18 2009 through 2019.

19 (d) FLOOD INSURANCE REFORM.—The Chairman of
20 the Senate Committee on the Budget may revise the allo-
21 cations of a committee or committees, aggregates, and
22 other appropriate levels in this resolution for one or more
23 bills, joint resolutions, amendments, motions, or con-
24 ference reports that would provide for flood insurance re-
25 form and modernization, by the amounts provided in such

1 legislation for those purposes, provided that such legisla-
2 tion would not increase the deficit over either the period
3 of the total of fiscal years 2009 through 2014 or the pe-
4 riod of the total of fiscal years 2009 through 2019.

5 (e) TRADE.—The Chairman of the Senate Committee
6 on the Budget may revise the allocations of a committee
7 or committees, aggregates, and other appropriate levels in
8 this resolution for one or more bills, joint resolutions,
9 amendments, motions, or conference reports related to
10 trade by the amounts provided in such legislation for those
11 purposes, provided that such legislation would not increase
12 the deficit over either the period of the total of fiscal years
13 2009 through 2014 or the period of the total of fiscal
14 years 2009 through 2019.

15 (f) HOUSING ASSISTANCE.—The Chairman of the
16 Senate Committee on the Budget may revise the alloca-
17 tions of a committee or committees, aggregates, and other
18 appropriate levels and limits in this resolution for one or
19 more bills, joint resolutions, amendments, motions, or con-
20 ference reports related to housing assistance, which may
21 include low income rental assistance, assistance provided
22 through the Housing Trust Fund created under section
23 1131 of the Housing and Economic Recovery Act of 2008,
24 and legislation that allows for a temporary suspension of
25 the 10 percent tax penalty in order for struggling families

1 to make an early withdrawal from their qualified retire-
2 ment accounts to pay their monthly mortgage payments,
3 by the amounts provided in such legislation for those pur-
4 poses, provided that such legislation would not increase
5 the deficit over either the period of the total of fiscal years
6 2009 through 2014 or the period of the total of fiscal
7 years 2009 through 2019.

8 (g) UNEMPLOYMENT MITIGATION.—The Chairman
9 of the Senate Committee on the Budget may revise the
10 allocations of a committee or committees, aggregates, and
11 other appropriate levels in this resolution for one or more
12 bills, joint resolutions, amendments, motions, or con-
13 ference reports which reduce the unemployment rate or
14 provide assistance to the unemployed, particularly in the
15 states and localities with the highest rates of unemploy-
16 ment, or improve the implementation of the unemployment
17 compensation program, by the amounts provided in such
18 legislation for those purposes, provided that such legisla-
19 tion would not increase the deficit over either the period
20 of the total of fiscal years 2009 through 2014 or the pe-
21 riod of the total of fiscal years 2009 through 2019.

1 **SEC. 207. DEFICIT-NEUTRAL RESERVE FUND FOR AMER-**
2 **ICA'S VETERANS AND WOUNDED**
3 **SERVICEMEMBERS.**

4 The Chairman of the Senate Committee on the Budg-
5 et may revise the allocations of a committee or commit-
6 tees, aggregates, and other appropriate levels in this reso-
7 lution for one or more bills, joint resolutions, amendments,
8 motions, or conference reports that would expand the
9 number of disabled military retirees who receive both dis-
10 ability compensation and retired pay, accelerate the phase-
11 in of concurrent receipt, eliminate the offset between Sur-
12 vivor Benefit Plan annuities and Veterans' Dependency
13 and Indemnity Compensation, enhance servicemember
14 education benefits for members of the National Guard and
15 Reserve by ensuring those benefits keep pace with the na-
16 tional average cost of tuition, provide for the payment of
17 retired pay for members of the Alaska Territorial Guard
18 who served in the Alaska Territorial Guard during and
19 after World War II, or expand veterans' benefits (includ-
20 ing for veterans living in rural areas), by the amounts pro-
21 vided in such legislation for those purposes, provided that
22 such legislation would not increase the deficit over either
23 the period of the total of fiscal years 2009 through 2014
24 or the period of the total of fiscal years 2009 through
25 2019.

1 **SEC. 208. DEFICIT-NEUTRAL RESERVE FUND FOR JUDICIAL**
2 **PAY AND JUDGEShips AND POSTAL RETIREE**
3 **ASSISTANCE.**

4 (a) JUDICIAL PAY AND JUDGEShips.—The Chair-
5 man of the Senate Committee on the Budget may revise
6 the allocations of a committee or committees, aggregates,
7 and other appropriate levels and limits in this resolution
8 for one or more bills, joint resolutions, amendments, mo-
9 tions, or conference reports that would authorize salary
10 adjustments for justices and judges of the United States,
11 or increase the number of Federal judgeships, by the
12 amounts provided in such legislation for those purposes,
13 provided that such legislation would not increase the def-
14 icit over either the period of the total of fiscal years 2009
15 through 2014 or the period of the total of fiscal years
16 2009 through 2019.

17 (b) POSTAL RETIREES.—The Chairman of the Sen-
18 ate Committee on the Budget may revise the allocations
19 of a committee or committees, aggregates, and other ap-
20 propriate levels in this resolution for one or more bills,
21 joint resolutions, amendments, motions, or conference re-
22 ports relating to adjustments to funding for postal retiree
23 health coverage, by the amounts provided in such legisla-
24 tion for those purposes, provided that such legislation
25 would not increase the deficit over either the period of the

1 total of fiscal years 2009 through 2014 or the period of
2 the total of fiscal years 2009 through 2019.

3 **SEC. 209. DEFICIT-NEUTRAL RESERVE FUND FOR DEFENSE**
4 **ACQUISITION AND CONTRACTING REFORM.**

5 The Chairman of the Senate Committee on the Budg-
6 et may revise the allocations of a committee or commit-
7 tees, aggregates, and other appropriate levels and limits
8 in this resolution for one or more bills, joint resolutions,
9 amendments, motions, or conference reports that—

10 (1) enhance the capability of the Federal acqui-
11 sition or contracting workforce to achieve better
12 value for taxpayers;

13 (2) reduce the use of no-bid and cost-plus con-
14 tracts;

15 (3) reform Department of Defense processes for
16 acquiring weapons systems in order to reduce costs,
17 improve cost and schedule estimation, enhance devel-
18 opmental testing of weapons, or increase the rigor of
19 reviews of programs that experience critical cost
20 growth;

21 (4) reduce the award of contracts to contractors
22 with seriously delinquent tax debts;

23 (5) reduce the use of contracts, including the
24 continuation of task orders, awarded under the Lo-
25 gistics Civil Augmentation Program (LOGCAP) III;

1 (6) reform Department of Defense processes for
 2 acquiring services in order to reduce costs, improve
 3 costs and schedule estimation, enhance oversight, or
 4 increase the rigor of reviews of programs that expe-
 5 rience critical cost growth;

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

8 (8) enhance the capability of auditors and in-
 9 spectors general to oversee Federal acquisition and
 10 procurement;

11 by the amounts provided in such legislation for those pur-
 12 poses, provided that such legislation would not increase
 13 the deficit over either the period of the total of fiscal years
 14 2009 through 2014 or the period of the total of fiscal
 15 years 2009 through 2019.

16 **SEC. 210. DEFICIT-NEUTRAL RESERVE FUND FOR INVEST-**
 17 **MENTS IN OUR NATION'S COUNTIES AND**
 18 **SCHOOLS.**

19 The Chairman of the Senate Committee on the Budg-
 20 et may revise the allocations of a committee or commit-
 21 tees, aggregates, and other appropriate levels and limits
 22 in this resolution for one or more bills, joint resolutions,
 23 amendments, motions, or conference reports that provide
 24 for the reauthorization of the Secure Rural Schools and
 25 Community Self Determination Act of 2000 (Public Law

1 106–393) or make changes to the Payments in Lieu of
2 Taxes Act of 1976 (Public Law 94–565), or both, by the
3 amounts provided by that legislation for those purposes,
4 provided that such legislation would not increase the def-
5 icit over either the period of the total of fiscal years 2009
6 through 2014 or the period of the total of fiscal years
7 2009 through 2019.

8 **SEC. 211. DEFICIT-NEUTRAL RESERVE FUND FOR THE**
9 **FOOD AND DRUG ADMINISTRATION.**

10 (a) REGULATION.—The Chairman of the Senate
11 Committee on the Budget may revise the allocations of
12 a committee or committees, aggregates, and other appro-
13 priate levels in this resolution for one or more bills, joint
14 resolutions, amendments, motions, or conference reports
15 that authorize the Food and Drug Administration to regu-
16 late products and assess user fees on manufacturers and
17 importers of those products to cover the cost of the Food
18 and Drug Administration’s regulatory activities, by the
19 amounts provided in that legislation for those purposes,
20 provided that such legislation would not increase the def-
21 icit over either the period of the total of fiscal years 2009
22 through 2014 or the period of the total of fiscal years
23 2009 through 2019.

24 (b) DRUG IMPORTATION.—The Chairman of the Sen-
25 ate Committee on the Budget may revise the allocations

1 of a committee or committees, aggregates, and other ap-
2 propriate levels in this resolution for one or more bills,
3 joint resolutions, amendments, motions, or conference re-
4 ports that permit the safe importation of prescription
5 drugs approved by the Food and Drug Administration
6 from a specified list of countries, by the amounts provided
7 in such legislation for those purposes, provided that such
8 legislation would not increase the deficit over either the
9 period of the total of fiscal years 2009 through 2014 or
10 the period of the total of fiscal years 2009 through 2019.

11 (c) FOOD SAFETY.—The Chairman of the Senate
12 Committee on the Budget may revise the allocations of
13 a committee or committees, aggregates, and other appro-
14 priate levels and limits in this resolution for one or more
15 bills, joint resolutions, amendments, motions, or con-
16 ference reports that would improve the safety of the food
17 supply in the United States, by the amounts provided in
18 such legislation for these purposes, provided that such leg-
19 islation would not increase the deficit over either the pe-
20 riod of the total of fiscal years 2009 through 2014 or the
21 period of the total of fiscal years 2009 through 2019.

1 **SEC. 212. DEFICIT-NEUTRAL RESERVE FUND FOR BIPAR-**
2 **TISAN CONGRESSIONAL SUNSET COMMIS-**
3 **SION.**

4 The Chairman of the Senate Committee on the Budg-
5 et may revise the allocations of a committee or commit-
6 tees, aggregates, and other appropriate levels in this reso-
7 lution for one or more bills, joint resolutions, amendments,
8 motions, or conference reports that—

9 (1) provide for a bipartisan congressional sun-
10 set commission, that will review Federal programs,
11 focusing on unauthorized and nonperforming pro-
12 grams;

13 (2) provide for a process that will help abolish
14 obsolete and duplicative Federal programs;

15 (3) provide for improved government account-
16 ability and greater openness in Government decision-
17 making; and

18 (4) provide for a process that ensures that Con-
19 gress will consider the commission's reports and rec-
20 ommendations;

21 by the amounts provided in such legislation for those pur-
22 poses, provided that such legislation would not increase
23 the deficit over the period of the total of fiscal years 2009
24 through 2014 or the period of the total of fiscal years
25 2009 through 2019.

1 **SEC. 213. DEFICIT-NEUTRAL RESERVE FUND TO IMPROVE**
2 **DOMESTIC FUELS SECURITY.**

3 The Chairman of the Senate Committee on the Budg-
4 et may revise the allocations of a committee or commit-
5 tees, aggregates, and other appropriate levels and limits
6 in this resolution for one or more bills, joint resolutions,
7 amendments, motions, or conference reports to achieve do-
8 mestic fuels security by authorizing the Department of
9 Defense to procure alternative fuels from domestic sources
10 under contracts for up to 20 years, provided that such
11 procurement is consistent with section 526 of the Energy
12 Independence and Security Act of 2007 (Public Law 110–
13 140) and provided further that such legislation would not
14 increase the deficit over either the period of the total of
15 fiscal years 2009 through 2014 or the period of the total
16 of fiscal years 2009 through 2019.

17 **SEC. 214. DEFICIT-NEUTRAL RESERVE FUND FOR A COM-**
18 **PREHENSIVE INVESTIGATION INTO THE CUR-**
19 **RENT FINANCIAL CRISIS.**

20 The Chairman of the Senate Committee on the Budg-
21 et may revise the allocations of a committee or commit-
22 tees, aggregates, and other appropriate levels and limits
23 in this resolution for one or more bills, joint resolutions,
24 amendments, motions, or conference reports that provide
25 resources for a comprehensive investigation to determine
26 the cause of the current financial crisis, hold those respon-

1 sible accountable, and provide recommendations to prevent
 2 another financial crisis of this magnitude from occurring
 3 again by the amounts provided in such legislation for those
 4 purposes, provided that such legislation would not increase
 5 the deficit over either the period of the total of fiscal years
 6 2009 through 2014 or the period of the total of fiscal
 7 years 2009 through 2019.

8 **SEC. 215. DEFICIT-NEUTRAL RESERVE FUND FOR IN-**
 9 **CREASED TRANSPARENCY AT THE FEDERAL**
 10 **RESERVE.**

11 The Chairman of the Senate Committee on the Budg-
 12 et may revise the allocations of a committee or commit-
 13 tees, aggregates, and other appropriate levels and limits
 14 in this resolution for one or more bills, joint resolutions,
 15 amendments, motions, or conference reports that increase
 16 transparency at the Federal Reserve System, including au-
 17 dits of the Board of Governors of the Federal Reserve Sys-
 18 tem and the Federal reserve banks, to include—

19 (1) an evaluation of the appropriate number
 20 and the associated costs of Federal reserve banks;

21 (2) publication on its website, with respect to
 22 all lending and financial assistance facilities created
 23 by the Board to address the financial crisis, of—

24 (A) the nature and amounts of the collat-
 25 eral that the central bank is accepting on behalf

1 of American taxpayers in the various lending
2 programs, on no less than a monthly basis;

3 (B) the extent to which changes in valu-
4 ation of credit extensions to various special pur-
5 pose vehicles, such as Maiden Lane I, Maiden
6 Lane II, and Maiden Lane III, are a result of
7 losses on collateral which will not be recovered;

8 (C) the number of borrowers that partici-
9 pate in each of the lending programs and de-
10 tails of the credit extended, including the extent
11 to which the credit is concentrated in one or
12 more institutions; and

13 (D) information on the extent to which the
14 central bank is contracting for services of pri-
15 vate sector firms for the design, pricing, man-
16 agement, and accounting for the various lending
17 programs and the terms and nature of such
18 contracts and bidding processes; and

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

24 by the amounts provided in such legislation for those pur-
25 poses, provided that such legislation would not increase

1 the deficit over either the period of the total of fiscal years
2 2009 through 2014 or the period of the total of fiscal
3 years 2009 through 2019.

4 **SEC. 216. DEFICIT-NEUTRAL RESERVE FUND FOR IMPROV-**
5 **ING CHILD WELFARE.**

6 The Chairman of the Senate Committee on the Budg-
7 et may revise the allocations, aggregates, and other levels
8 in this resolution by the amounts provided by one or more
9 bills, joint resolutions, amendments, motions, or con-
10 ference reports that would make improvements to child
11 welfare programs, including strengthening the recruitment
12 and retention of foster families, or make improvements to
13 the child support enforcement program, by the amounts
14 provided in that legislation for that purpose, provided that
15 such legislation would not increase the deficit over either
16 the period of the total of fiscal years 2009 through 2014
17 or the period of the total of fiscal years 2009 through
18 2019.

19 **SEC. 217. DEFICIT-NEUTRAL RESERVE FUND TO FULLY**
20 **FUND THE LONG-TERM STABILITY/HOUSING**
21 **FOR VICTIMS PROGRAM.**

22 The Chairman of the Senate Committee on the Budg-
23 et may revise the allocations of a committee or commit-
24 tees, aggregates, and other levels and limits in this resolu-
25 tion for one or more bills, joint resolutions, amendments,

1 motions, or conference reports that would fully fund the
 2 Long-Term Stability/Housing for Victims Program under
 3 the Violence Against Women Act which builds collabora-
 4 tions between domestic violence service providers and
 5 housing providers and developers to leverage existing re-
 6 sources and create housing solutions that meet victims'
 7 need for long-term housing at the authorized level, by the
 8 amounts provided in that legislation for those purposes,
 9 provided that such legislation would not increase the def-
 10 icit over either the period of the total of fiscal years 2009
 11 through 2014 or the period of the total of fiscal years
 12 2009 through 2019.

13 **SEC. 218. DEFICIT-NEUTRAL RESERVE FUND FOR PRO-**
 14 **VIDING A NONREFUNDABLE FEDERAL IN-**
 15 **COME TAX CREDIT FOR THE PURCHASE OF A**
 16 **PRINCIPAL RESIDENCE DURING A 1-YEAR PE-**
 17 **RIOD.**

18 The Chairman of the Senate Committee on the Budg-
 19 et may revise the allocations, aggregates, and other levels
 20 in this resolution by the amounts provided by a bill, joint
 21 resolution, amendment, motion, or conference report that
 22 would provide a one-time nonrefundable Federal income
 23 tax credit for the purchase of a principal residence during
 24 a 1-year period in the amount of the lesser of \$15,000
 25 or 10 percent of the purchase price of such residence, ex-

1 clusive of any other credit available for the purchase of
2 a residence, provided that such legislation would not in-
3 crease the deficit over either the period of the total of fis-
4 cal years 2009 through 2014 or the period of the total
5 of fiscal years 2009 through 2019.

6 **SEC. 219. DEFICIT-NEUTRAL RESERVE FUND FOR MONI-**
7 **TORING OF FHA-INSURED LENDING.**

8 The Chairman of the Senate Committee on the Budg-
9 et may revise the allocations of a committee or commit-
10 tees, aggregates, and other appropriate levels and limits
11 in this resolution for one or more bills, joint resolutions,
12 amendments, motions, or conference reports that would
13 increase the capacity of the Inspector General of the De-
14 partment of Housing and Urban Development to inves-
15 tigate cases of mortgage fraud of Federal Housing Admin-
16 istration loans, by the amounts provided in such legisla-
17 tion for those purposes, provided that such legislation
18 would not increase the deficit over either the period of the
19 total of fiscal years 2009 through 2014 or the period of
20 the total of fiscal years 2009 through 2019.

1 **SEC. 220. DEFICIT-NEUTRAL RESERVE FUND TO ADDRESS**
2 **THE SYSTEMIC INEQUITIES OF MEDICARE**
3 **AND MEDICAID REIMBURSEMENT THAT LEAD**
4 **TO ACCESS PROBLEMS IN RURAL AREAS.**

5 The Chairman of the Senate Committee on the Budg-
6 et may revise the allocations of a committee or commit-
7 tees, aggregates, and other appropriate levels and limits
8 in this resolution for one or more bills, joint resolutions,
9 amendments, motions, or conference reports that would
10 address the systemic inequities of Medicare and Medicaid
11 reimbursement that lead to access problems in rural areas,
12 including access to primary care and outpatient services,
13 hospitals, and an adequate supply of providers in the
14 workforce, by the amounts provided in such legislation for
15 those purposes, provided that such legislation would not
16 increase the deficit over either the period of the total of
17 fiscal years 2009 through 2014 or the period of the total
18 of fiscal years 2009 through 2019.

19 **SEC. 221. DEFICIT NEUTRAL RESERVE FUND TO PROVIDE**
20 **FOR ACCELERATED CARBON CAPTURE AND**
21 **STORAGE AND ADVANCED CLEAN COAL**
22 **POWER GENERATION RESEARCH, DEVELOP-**
23 **MENT, DEMONSTRATION, AND DEPLOYMENT.**

24 (a) IN GENERAL.—Subject to subsection (b), the
25 Chairman of the Committee on the Budget of the Senate
26 may revise the allocations, aggregates, and other levels

1 and limits in this resolution by the amounts provided by
2 a bill, joint resolution, amendment, motion, or conference
3 report that would accelerate the research, development,
4 demonstration, and deployment of advanced technologies
5 to capture and store carbon dioxide emissions from coal-
6 fired power plants and other industrial emission sources
7 and to use coal in an environmentally acceptable manner.

8 (b) DEFICIT NEUTRALITY.—Subsection (a) applies
9 only if the legislation described in subsection (a) would
10 not increase the deficit over the period of the total of fiscal
11 years 2009 through 2014 or the period of the total of fis-
12 cal years 2009 through 2019.

13 **SEC. 222. EXPENDITURE OF REMAINING TARP FUNDS.**

14 The Chairman of the Senate Committee on the Budg-
15 et may revise the allocations of a committee or commit-
16 tees, aggregates, and other appropriate levels and limits
17 in this resolution for one or more bills, joint resolutions,
18 amendments, motions, or conference reports that reaffirm
19 that the remaining Troubled Asset Relief Program funds
20 shall be used to save homes, save small businesses, help
21 the municipal bond market, make credit more widely avail-
22 able, and provide additional resources for the Special In-
23 spector General for the Troubled Asset Relief Program,
24 the Congressional Oversight Panel, and the Government
25 Accountability Office for vigorous audit and evaluation of

1 all expenditures and commitments made under the Trou-
2 bled Asset Relief Program, by the amounts provided in
3 that legislation for those purposes, provided that such leg-
4 islation would not increase the deficit over either the pe-
5 riod of the total of fiscal years 2009 through 2014 or the
6 period of the total of fiscal years 2009 through 2019.

7 **SEC. 223. DEFICIT-NEUTRAL RESERVE FUND FOR PROHIB-**
8 **ITING UNDESERVED CONTRACTING PER-**
9 **FORMANCE BONUSES.**

10 The Chairman of the Senate Committee on the Budg-
11 et may revise the allocations of a committee or commit-
12 tees, aggregates, and other appropriate levels and limits
13 in this resolution for one or more bills, joint resolutions,
14 amendments, motions, or conference reports that would
15 prohibit federally funded bonuses awarded to contractors
16 and government executives responsible for over budget
17 projects and programs that fail to meet basic performance
18 requirements, by the amounts provided in that legislation
19 for that purpose, provided that such legislation would not
20 increase the deficit over either the period of the total of
21 fiscal years 2009 through 2014 or the period of the total
22 of fiscal years 2010 through 2019.

1 **SEC. 224. DEFICIT-REDUCTION RESERVE FUND TO ENSURE**
2 **THE PLEDGE OF PRESIDENT OBAMA TO**
3 **ELIMINATE WASTEFUL, INEFFICIENT, AND**
4 **DUPLICATIVE PROGRAMS.**

5 The Chairman of the Senate Committee on the Budg-
6 et may revise the allocations of a committee or commit-
7 tees, aggregates, and other appropriate levels and limits
8 in this resolution for one or more bills, joint resolutions,
9 amendments, motions, or conference reports that achieves
10 savings by going through the Federal Budget line by line,
11 as President Obama has called for, to eliminate wasteful,
12 inefficient, and duplicative spending by requiring—

13 (1) the head of every department and agency to
14 provide a report to Congress within 90 days after
15 the date of enactment of this resolution on programs
16 that are duplicative, inefficient, or failing, with rec-
17 ommendations for elimination and consolidation of
18 these programs,

19 (2) the Office of Management and Budget to
20 provide a report to Congress within 90 days after
21 the date of enactment of this resolution on programs
22 that are duplicative government-wide, with rec-
23 ommendations for elimination or consolidation of
24 these programs, and

25 (3) every standing committee of the Senate to
26 conduct at least one oversight hearing each fiscal

1 year in order to identify wasteful, inefficient, out-
2 dated, and duplicative programs that could be elimi-
3 nated and consolidated,
4 by the amounts provided in such legislation for those pur-
5 poses, provided that such legislation would not increase
6 the deficit over either the period of the total of fiscal years
7 2009 through 2014 or the period of the total of fiscal
8 years 2009 through 2019.

9 **SEC. 225. DEFICIT-NEUTRAL RESERVE FUND FOR THE VIO-**
10 **LENCE AGAINST WOMEN ACT (VAWA) AND**
11 **THE FAMILY VIOLENCE PREVENTION AND**
12 **SERVICES ACT (FVPSA), AND OTHER RE-**
13 **LATED PROGRAMS.**

14 The Chairman of the Senate Committee on the Budg-
15 et may revise the allocations of a committee or commit-
16 tees, aggregates, and other appropriate levels and limits
17 in this resolution for one or more bills, joint resolutions,
18 amendments, motions, or conference reports that provide
19 resources for programs administered through the Violence
20 Against Women Act and the Family Violence Prevention
21 and Services Act, and other related programs, by the
22 amounts provided in such legislation for those purposes,
23 provided that such legislation would not increase the def-
24 icit over either the period of the total of fiscal years 2009

1 through 2014 or the period of the total of fiscal years
2 2009 through 2019.

3 **SEC. 226. DEFICIT-NEUTRAL RESERVE FUND FOR ENDING**
4 **ABUSIVE NO-BID CONTRACTS.**

5 The Chairman of the Senate Committee on the Budg-
6 et may revise the allocations of a committee or commit-
7 tees, aggregates, and other appropriate levels and limits
8 in this resolution for one or more bills, joint resolutions,
9 amendments, motions, or conference reports that would
10 end abusive no-bid contracts by requiring all Federal con-
11 tracts over \$25,000 to be competitively bid, by the
12 amounts provided in that legislation for that purpose, pro-
13 vided that such legislation would not increase the deficit
14 over either the period of the total of fiscal years 2009
15 through 2014 or the period of the total of fiscal years
16 2010 through 2019.

17 **SEC. 227. DEFICIT-NEUTRAL RESERVE FUND FOR HOME**
18 **VISITATION PROGRAMS.**

19 The Chairman of the Senate Committee on the Budg-
20 et may revise the allocations, aggregates, and other levels
21 in this resolution for one or more bills, joint resolutions,
22 amendments, motions, or conference reports that provide
23 funds to States to establish or expand quality programs
24 of early childhood home visitation that increase school
25 readiness, child abuse and neglect prevention, and early

1 identification of developmental and health delays, includ-
2 ing potential mental health concerns, and that—

3 (1) serve pregnant women, or parent's or other
4 primary caregivers and their children under the age
5 of entry into kindergarten through quality programs
6 of early childhood home visitation;

7 (2) are delivered by nurses, social workers, child
8 development specialists, or other well-trained and
9 competent staff, as demonstrated by education or
10 training and the provision of ongoing specific train-
11 ing and supervision in the model of service being de-
12 livered;

13 (3) have outcomes and research standards
14 that—

15 (A) demonstrate ongoing positive outcomes
16 for children, parents and other primary care-
17 givers that enhance child health and develop-
18 ment;

19 (B) conform to a clear consistent home vis-
20 itation model that has been in existence for at
21 least 3 years and that—

22 (i) is research-based, grounded in rel-
23 evant empirically-based knowledge;

24 (ii) is linked to program determined
25 outcomes;

1 (iii) is associated with a national orga-
 2 nization or institution of higher education
 3 that has comprehensive home visitation
 4 program standards that ensure high qual-
 5 ity service delivery and continuous pro-
 6 gram quality improvement; and

7 (iv) has demonstrated significant posi-
 8 tive outcomes when evaluated using well-
 9 designed and rigorous randomized con-
 10 trolled or well-designed and rigorous quasi-
 11 experimental research designs, and the
 12 evaluation results have been published in a
 13 peer-reviewed journal; and

14 (4) show, establish, or propose linkages to high
 15 quality early learning opportunities;

16 provided that such legislation would not increase the def-
 17 icit over either the period of the total of fiscal years 2009
 18 through 2014 or the period of the total of fiscal years
 19 2009 through 2019.

20 **SEC. 228. DEFICIT-NEUTRAL RESERVE FUND FOR 21ST CEN-**
 21 **TURY COMMUNITY LEARNING CENTERS.**

22 The Chairman of the Senate Committee on the Budg-
 23 et may revise the allocations of a committee or commit-
 24 tees, aggregates, and other levels and limits in this resolu-
 25 tion for one or more bills, joint resolutions, amendments,

1 motions, or conference reports that would increase funding
2 for the 21st Century Community Learning Centers pro-
3 gram by the amounts provided in such legislation for such
4 purpose, provided that such legislation would not increase
5 the deficit over either the period of the total of fiscal years
6 2009 through 2014 or the period of the total of fiscal
7 years 2009 through 2019.

8 **SEC. 229. DEFICIT-NEUTRAL RESERVE FUND TO PROVIDE**
9 **FOR THE EXTENSION OF THE TOP INDIVIDUAL TAX RATES FOR SMALL BUSINESSES.**
10

11 The Chairman of the Senate Committee on the Budget
12 may revise the allocations of a committee or committees,
13 aggregates, and other appropriate levels and limits
14 in this resolution for one or more bills, joint resolutions,
15 amendments, motions, or conference reports that main-
16 tains the rates of tax under section 1 of the Internal Revenue
17 Code of 1986 for the highest two rate brackets at
18 33 percent and 35 percent, respectively, for individuals
19 who receive more than 50 percent of income from a small
20 business concern (as defined under section 3 of the Small
21 Business Act), by the amounts provided by that legislation
22 for those purposes, provided that such legislation would
23 not increase the deficit over either the period of the total
24 of fiscal years 2009 through 2014 or the period of the
25 total of fiscal years 2009 through 2019.

1 **SEC. 230. DEFICIT-NEUTRAL RESERVE FUND FOR PENSION**
2 **COVERAGE FOR EMPLOYEES OF DEPART-**
3 **MENT OF ENERGY LABORATORIES AND ENVI-**
4 **RONMENTAL CLEANUP SITES.**

5 (a) IN GENERAL.—Subject to subsection (b), the
6 Chairman of the Committee on the Budget of the Senate
7 may revise the allocations, aggregates, and other levels in
8 this resolution by the amounts provided by a bill, joint
9 resolution, amendment, motion, or conference report that
10 would authorize funding to cover the full cost of pension
11 obligations for current and past employees of laboratories
12 and environmental cleanup sites under the jurisdiction of
13 the Department of Energy (including benefits paid to se-
14 curity personnel) in a manner that does not impact the
15 missions of those laboratories and environmental cleanup
16 sites.

17 (b) DEFICIT NEUTRALITY.—Subsection (a) applies
18 only if the legislation described in subsection (a) would
19 not increase the deficit over the period of the total of fiscal
20 years 2009 through 2014 or the period of the total of fis-
21 cal years 2009 through 2019.

22 **SEC. 231. DEFICIT-NEUTRAL RESERVE FUND FOR PROVI-**
23 **SION OF CRITICAL RESOURCES TO FIRE-**
24 **FIGHTERS AND FIRE DEPARTMENTS.**

25 The Chairman of the Senate Committee on the Budg-
26 et may revise the allocations of a committee or commit-

1 tees, aggregates, and other levels and limits in this resolu-
2 tion for one or more bills, joint resolutions, amendments,
3 motions, or conference reports that would provide fire-
4 fighters and fire departments with critical resources under
5 the Assistance to Firefighters Grant and the Staffing for
6 Adequate Fire and Emergency Response Firefighters
7 Grant of the Federal Emergency Management Agency, by
8 the amounts provided in such legislation for such purpose,
9 provided that such legislation would not increase the def-
10 icit over either the period of the total of fiscal years 2009
11 through 2014 or the period of the total of fiscal years
12 2009 through 2019.

13 **SEC. 232. DEFICIT-REDUCTION RESERVE FUND FOR THE**
14 **ELIMINATION AND RECOVERY OF IMPROPER**
15 **PAYMENTS.**

16 The Chairman of the Senate Committee on the Budg-
17 et may revise the aggregates, allocations, functional totals,
18 and other appropriate levels and limits in this resolution
19 upon enactment of legislation that achieves savings by re-
20 quiring that Federal departments and agencies eliminate
21 improper payments and increase the use of the recovery
22 audits and uses such savings to reduce the deficit, by the
23 amount of such savings, provided that such legislation
24 would decrease the deficit.

1 **SEC. 233. DEFICIT-NEUTRAL RESERVE FUND FOR THE RE-**
2 **PEAL OF THE 1993 INCREASE IN THE INCOME**
3 **TAX ON SOCIAL SECURITY BENEFITS.**

4 The Chairman of the Senate Committee on the Budg-
5 et may revise the allocations, aggregates, and other levels
6 in this resolution by the amounts provided by a bill, joint
7 resolution, amendment, motion, or conference report that
8 would repeal the 1993 increase in the income tax on social
9 security benefits, provided that such legislation would not
10 increase the deficit over either the period of the total of
11 fiscal years 2009 through 2014 or the period of the total
12 of fiscal years 2009 through 2019.

13 **SEC. 234. DEFICIT-NEUTRAL RESERVE FUND FOR LEGISLA-**
14 **TION TO INCREASE THE AMOUNT OF CAPITAL**
15 **LOSSES ALLOWED TO INDIVIDUALS.**

16 The Chairman of the Senate Committee on the Budg-
17 et may revise the allocations of a committee or commit-
18 tees, aggregates, and other appropriate levels and limits
19 in this resolution for one or more bills, joint resolutions,
20 amendments, motions, or conference reports that increases
21 the amount by which a capital loss of an individual is al-
22 lowed, by the amounts provided by that legislation for
23 those purposes, provided that such legislation would not
24 increase the deficit over either the period of the total of
25 fiscal years 2009 through 2014 or the period of the total
26 of fiscal years 2009 through 2019.

1 **SEC. 235. DEFICIT-NEUTRAL RESERVE FUND FOR FOSTER**
2 **CARE FINANCING REFORM.**

3 The Chairman of the Senate Committee on the Budg-
4 et may revise the allocations of a committee or commit-
5 tees, aggregates, and other appropriate levels and limits
6 in this resolution for one or more bills, joint resolutions,
7 amendments, motions, or conference reports that would—

8 (1) change the Federal foster care payment sys-
9 tem from a system that supports programs to one
10 that supports children, whatever their best place-
11 ment may be, and one that promotes permanency for
12 children;

13 (2) when it is determined to be in the best in-
14 terests of the child, promote and improve family
15 support, family preservation, including residential
16 family treatment for families suffering from sub-
17 stance abuse and addiction, and time-limited family
18 reunification services;

19 (3) provide for subsidies and support programs
20 that are available to support the needs of the chil-
21 dren prior to removal, during removal, and post
22 placement, whether through reunification, adoption,
23 kinship adoption, or guardianship;

24 (4) promote innovation and best practice at the
25 State level; and

1 (5) guarantee that public funds are used to ef-
 2 fectively meet the needs of children who have been
 3 abused or neglected;
 4 by the amounts provided in such legislation for those pur-
 5 poses, provided that such legislation would not increase
 6 the deficit over either the period of the total of fiscal years
 7 2009 through 2014 or the period of the total of fiscal
 8 years 2009 through 2019.

9 **SEC. 236. DEFICIT-NEUTRAL RESERVE FUND FOR**
 10 **HEALTHCARE PROFESSIONALS FOR THE VET-**
 11 **ERANS HEALTH ADMINISTRATION.**

12 The Chairman of the Senate Committee on the Budg-
 13 et may revise the allocations of a committee or commit-
 14 tees, aggregates, and other appropriate levels and limits
 15 in this resolution for one or more bills, joint resolutions,
 16 amendments, motions, or conference reports that would—

17 (1) increase the number of healthcare profes-
 18 sionals in the Veterans Health Administration to
 19 meet the needs of the expanding number of veterans
 20 and to fill healthcare professional positions in the
 21 Veterans Health Administration that are currently
 22 vacant; and

23 (2) provide enhanced incentives for healthcare
 24 professionals of the Veterans Health Administration
 25 who serve in rural areas;

1 by the amounts provided in that legislation for that pur-
 2 pose, provided that such legislation would not increase the
 3 deficit over either the total of the period of fiscal years
 4 2009 through 2014 or the period of the total of fiscal
 5 years of 2009 through 2019.

6 **SEC. 237. DEFICIT-NEUTRAL RESERVE FUND TO REPEAL**
 7 **DEDUCTIONS FROM MINERAL REVENUE PAY-**
 8 **MENTS TO STATES.**

9 (a) IN GENERAL.—Subject to subsection (b), the
 10 Chairman of the Committee on the Budget of the Senate
 11 may revise the allocations, aggregates, and other levels in
 12 this resolution by the amounts provided by a bill, joint
 13 resolution, amendment, motion, or conference report that
 14 would repeal the requirement to deduct certain amounts
 15 from mineral revenues payable to States under the head-
 16 ing “ADMINISTRATIVE PROVISIONS” under the heading
 17 “MINERALS MANAGEMENT SERVICE” under the heading
 18 “DEPARTMENT OF THE INTERIOR” of title I of the
 19 Department of the Interior, Environment, and Related
 20 Agencies Appropriations Act, 2009 (Public Law 111–8).

21 (b) DEFICIT NEUTRALITY.—Subsection (a) applies
 22 only if the legislation described in subsection (a) would
 23 not increase the deficit over the period of the total of fiscal
 24 years 2009 through 2014 or the period of the total of fis-
 25 cal years 2009 through 2019.

1 **SEC. 238. RESERVE FUND TO PROMOTE TAX EQUITY FOR**
2 **STATES WITHOUT PERSONAL INCOME TAXES.**

3 The Chairman of the Senate Committee on the Budget
4 et may revise the aggregates, allocations, and other appropriate
5 levels in this resolution for one or more bills, joint
6 resolutions, amendments, motions, or conference reports
7 that would provide for the permanent extension of the de-
8 duction for state and local sales taxes, by the amounts
9 provided in such legislation for those purposes, provided
10 that such legislation would not increase the deficit over
11 either the period of the total of fiscal years 2009 through
12 2014 or the period of the total of fiscal years 2009
13 through 2019.

14 **SEC. 239. DEFICIT-NEUTRAL RESERVE FUND FOR SETTING**
15 **PERFORMANCE STANDARDS TO IDENTIFY**
16 **FAILING GOVERNMENT PROGRAMS.**

17 The Chairman of the Senate Committee on the Budget
18 et may revise the allocations of a committee or committees,
19 aggregates, and other appropriate levels and limits
20 in this resolution for one or more bills, joint resolutions,
21 amendments, motions, or conference reports that would
22 develop performance measures for each program receiving
23 Federal assistance under their jurisdiction, by the
24 amounts provided in that legislation for that purpose, provided
25 that such legislation would not increase the deficit
26 over either the period of the total of fiscal years 2009

1 through 2014 or the period of the total of fiscal years
 2 2010 through 2019.

3 **SEC. 240. DEFICIT-NEUTRAL RESERVE FUND TO EXPEDITE**
 4 **RESEARCH ON VIABILITY OF USE OF HIGHER**
 5 **ETHANOL BLENDS AT SERVICE STATION**
 6 **PUMP.**

7 (a) IN GENERAL.—Subject to subsection (b), the
 8 Chairman of the Committee on the Budget of the Senate
 9 may revise the allocations, aggregates, and other levels in
 10 this resolution by the amounts provided by a bill, joint
 11 resolution, amendment, motion, or conference report that
 12 would expedite research at the Department of Energy and
 13 the Environmental Protection Agency on the viability of
 14 the use of higher ethanol blends at the service station
 15 pump.

16 (b) DEFICIT NEUTRALITY.—Subsection (a) applies
 17 only if the legislation described in subsection (a) would
 18 not increase the deficit over the period of the total of fiscal
 19 years 2009 through 2014 or the period of the total of fis-
 20 cal years 2009 through 2019.

21 **SEC. 241. DEFICIT-NEUTRAL RESERVE FUNDS TO ENHANCE**
 22 **DRUG-CONTROL EFFORTS WITHIN OUR COM-**
 23 **MUNITIES AND ALONG OUR BORDERS.**

24 (a) HIDTA.—The Chairman of the Senate Com-
 25 mittee on the Budget may revise the allocations of a com-

1 mittee or committees, aggregates, and other appropriate
2 levels and limits in this resolution for one or more bills,
3 joint resolutions, amendments, motions, or conference re-
4 ports that increase the number of counties designated as
5 High Intensity Drug Trafficking Areas to provide coordi-
6 nation, equipment, technology, and additional resources to
7 combat drug trafficking and its harmful consequences in
8 critical regions of the United States by the amounts pro-
9 vided in such legislation for those purposes, provided that
10 such legislation would not increase the deficit over either
11 the period of the total of fiscal years 2009 through 2014
12 or the period of the total of fiscal years 2009 through
13 2019.

14 (b) DRUG SMUGGLING.—The Chairman of the Senate
15 Committee on the Budget may revise the allocations of
16 a committee or committees, aggregates, and other appro-
17 priate levels and limits in this resolution for one or more
18 bills, joint resolutions, amendments, motions, or con-
19 ference reports that increase drug interdiction funding at
20 the Department of Homeland Security to combat drug
21 smuggling across international borders by the amounts
22 provided in such legislation for those purposes, provided
23 that such legislation would not increase the deficit over
24 either the period of the total of fiscal years 2009 through

1 2014 or the period of the total of fiscal years 2009
2 through 2019.

3 **SEC. 242. DEFICIT-NEUTRAL RESERVE FUND TO PROMOTE**
4 **INDIVIDUAL SAVINGS AND FINANCIAL SECUR-**
5 **ITY.**

6 The Chairman of the Committee on the Budget of
7 the Senate may revise the aggregates, allocations, and
8 other appropriate levels in this resolution for one or more
9 bills, joint resolutions, amendments, motions, or con-
10 ference reports that promote financial security through fi-
11 nancial literacy, retirement planning, and savings incen-
12 tives, including individual development accounts and child
13 savings accounts, provided that such legislation does not
14 increase the deficit over either the period of the total fiscal
15 years 2009 through 2014 or the period of the total fiscal
16 years 2009 through 2019.

17 **SEC. 243. DEFICIT-NEUTRAL RESERVE FUND FOR THE NA-**
18 **TIONAL HEALTH SERVICE CORPS.**

19 The Chairman of the Senate Committee on the Budg-
20 et may revise the allocations of a committee or commit-
21 tees, aggregates, and other appropriate levels and limits
22 in this resolution for one or more bills, joint resolutions,
23 amendments, motions or conference reports that provide
24 the National Health Service Corps with \$235,000,000 for
25 fiscal year 2010, by the amount provided in that legisla-

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

**SEC. 244. DEFICIT-NEUTRAL RESERVE FUND TO IMPROVE
ANIMAL HEALTH AND DISEASE PROGRAM.**

(a) IN GENERAL.—Subject to subsection (b), the Chairman of the Committee on the Budget of the Senate may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would ensure that the animal health and disease program established under section 1433 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3195) is fully funded.

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in subsection (a) would not increase the deficit over the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

**SEC. 245. DEFICIT-NEUTRAL RESERVE FUND FOR IN-
CREASE IN THE END STRENGTH FOR ACTIVE
DUTY PERSONNEL OF THE ARMY.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or commit-

tees, aggregates, and other levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would reduce the strain on the United States Armed Forces by authorizing an increase in the end strength for active duty personnel of the Army to a level not less than 577,400 persons, 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. 246. DEFICIT-NEUTRAL RESERVE FUND FOR WILDLAND FIRE MANAGEMENT ACTIVITIES.

(a) IN GENERAL.—Subject to subsection (b), the Chairman of the Committee on the Budget of the Senate may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would—

(1) allow wildland fire management funds for hazardous fuels reduction and hazard mitigation activities in areas at high risk of catastrophic wildfire to be distributed to areas demonstrating highest priority needs, as determined by the Chief of the Forest Service; and

1 (2) provide that no State matching funds are
 2 required for the conduct of activities described in
 3 paragraph (1).

4 (b) DEFICIT NEUTRALITY.—Subsection (a) applies
 5 only if the legislation described in subsection (a) would
 6 not increase the deficit over the period of the total of fiscal
 7 years 2009 through 2014 or the period of the total of fis-
 8 cal years 2009 through 2019.

9 **SEC. 247. DEFICIT-NEUTRAL RESERVE FUND FOR ESTATE**
 10 **TAX RELIEF.**

11 The Chairman of the Senate Committee on the Budg-
 12 et may revise the allocations of a committee or commit-
 13 tees, aggregates, and other appropriate levels and limits
 14 in this resolution for one or more bills, joint resolutions,
 15 amendments, motions, or conference reports that would
 16 provide for estate tax reform legislation establishing—

17 (1) an estate tax exemption level of \$5,000,000,
 18 indexed for inflation,

19 (2) a maximum estate tax rate of 35 percent,

20 (3) a reunification of the estate and gift credits,

21 and

22 (4) portability of exemption between spouses,

23 and

24 provided that such legislation would not increase the def-
 25 icit over either the period of the total of fiscal years 2009

1 through 2014 or the period of the total of fiscal years
 2 2009 through 2019.

3 **SEC. 248. POINT OF ORDER AGAINST LEGISLATION THAT**
 4 **PROVIDES ADDITIONAL RELIEF FOR THE ES-**
 5 **TATE TAX BEYOND THE LEVELS ASSUMED IN**
 6 **THIS BUDGET RESOLUTION UNLESS AN**
 7 **EQUAL AMOUNT OF ADDITIONAL TAX RELIEF**
 8 **IS PROVIDED TO MIDDLE-CLASS TAXPAYERS.**

9 (a) IN GENERAL.—In the Senate, it shall not be in
 10 order to consider any bill, joint resolution, amendment,
 11 motion, or conference report that would provide estate tax
 12 relief beyond \$3,500,000 per person (\$7,000,000 per mar-
 13 ried couple) and a graduated rate ending at less than 45
 14 percent unless an equal amount of tax relief is provided
 15 to Americans earning less than \$100,000 per year and
 16 that such relief is in addition to the amounts assumed in
 17 this budget resolution.

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

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

1 **SEC. 249. DEFICIT-NEUTRAL RESERVE FUND INCREASE**
 2 **FDIC AND NCUA BORROWING AUTHORITY.**

3 The Chairman of the Committee on the Budget of
 4 the Senate may revise the aggregates, allocations, and
 5 other appropriate levels in this resolution for one or more
 6 bills, joint resolutions, amendments, motions, or con-
 7 ference reports to increase the borrowing authority of the
 8 Federal Deposit Insurance Corporation and the National
 9 Credit Union Administration, provided that such legisla-
 10 tion does not increase the deficit over the period of the
 11 total of fiscal years 2009 through 2019.

12 **SEC. 250. DEFICIT-NEUTRAL RESERVE FUND FOR INNOVA-**
 13 **TIVE LOAN GUARANTEE PROGRAM OF THE**
 14 **DEPARTMENT OF ENERGY.**

15 (a) IN GENERAL.—Subject to subsection (b), the
 16 Chairman of the Committee on the Budget of the Senate
 17 may revise the allocations, aggregates, and other levels in
 18 this resolution by the amounts provided by a bill, joint
 19 resolution, amendment, motion, or conference report that
 20 authorizes an additional \$50,000,000,000 for use to pro-
 21 vide loan guarantees for eligible projects under title XVII
 22 of the Energy Policy Act of 2005 (42 U.S.C. 16511 et
 23 seq.).

24 (b) DEFICIT NEUTRALITY.—Subsection (a) applies
 25 only if the legislation described in subsection (a) would
 26 not increase the deficit over the period of the total of fiscal

1 years 2009 through 2014 or the period of the total of fis-
2 cal years 2009 through 2019.

3 **SEC. 251. DEFICIT-NEUTRAL RESERVE FUND FOR NUCLEAR**
4 **RESEARCH AND DEVELOPMENT.**

5 (a) IN GENERAL.—Subject to subsection (b), the
6 Chairman of the Committee on the Budget of the Senate
7 may revise the allocations, aggregates, and other levels in
8 this resolution by the amounts provided by a bill, joint
9 resolution, amendment, motion, or conference report that
10 authorizes nuclear research and development activities, in-
11 cluding the Generation IV program, the Advanced Fuel
12 Cycle Initiative, and the Light Water Reactor Sustain-
13 ability program.

14 (b) DEFICIT NEUTRALITY.—Subsection (a) applies
15 only if the legislation described in subsection (a) would
16 not increase the deficit over the period of the total of fiscal
17 years 2009 through 2014 or the period of the total of fis-
18 cal years 2009 through 2019.

19 **SEC. 252. DEFICIT-NEUTRAL RESERVE FUND FOR THE 2012**
20 **COMPLETION OF FOOD AND DRUG ADMINIS-**
21 **TRATION FACILITIES.**

22 The Chairman of the Senate Committee on the Budg-
23 et may revise the allocations of a committee or commit-
24 tees, aggregates, and other appropriate levels and limits
25 in this resolution for one or more bills, joint resolutions,

1 amendments, motions, or conference reports in order to
2 provide sufficient funding for the General Services Admin-
3 istration to complete construction of the Food and Drug
4 Administration White Oak Campus in Silver Spring,
5 Maryland by 2012, by the amounts provided in such legis-
6 lation for those purposes, provided that such legislation
7 would not increase the deficit over either the period of the
8 total of fiscal years 2009 through 2014 or the period of
9 the total of fiscal years 2009 through 2019.

10 **SEC. 253. DEFICIT-NEUTRAL RESERVE FUND FOR ENERGY**
11 **STAR FOR SMALL BUSINESS PROGRAM.**

12 (a) IN GENERAL.—Subject to subsection (b), the
13 Chairman of the Committee on the Budget of the Senate
14 may revise the allocations, aggregates, and other levels in
15 this resolution by the amounts provided by a bill, joint
16 resolution, amendment, motion, or conference report that
17 would set aside, from amounts made available for the En-
18 ergy Star Program of the Environmental Protection Agen-
19 cy, at least 2 percent for the Energy Star for Small Busi-
20 ness Program.

21 (b) DEFICIT NEUTRALITY.—Subsection (a) applies
22 only if the legislation described in that subsection would
23 not increase the deficit over the period of the total of fiscal
24 years 2009 through 2014 or the period of the total of fis-
25 cal years 2009 through 2019.

1 **TITLE III—BUDGET PROCESS**
 2 **Subtitle A—Budget Enforcement**

3 **SEC. 301. DISCRETIONARY SPENDING LIMITS, PROGRAM IN-**
 4 **TEGRITY INITIATIVES, AND OTHER ADJUST-**
 5 **MENTS.**

6 (a) SENATE POINT OF ORDER.—

7 (1) IN GENERAL.—Except as otherwise pro-
 8 vided in this section, it shall not be in order in the
 9 Senate to consider any bill or joint resolution (or
 10 amendment, motion, or conference report on that bill
 11 or joint resolution) that would cause the discre-
 12 tionary spending limits in this section to be exceed-
 13 ed.

14 (2) SUPERMAJORITY WAIVER AND APPEALS.—

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

19 (B) APPEALS.—Appeals in the Senate
 20 from the decisions of the Chair relating to any
 21 provision of this subsection shall be limited to
 22 1 hour, to be equally divided between, and con-
 23 trolled by, the appellant and the manager of the
 24 bill or joint resolution. An affirmative vote of
 25 three-fifths of the Members of the Senate, duly

1 chosen and sworn, shall be required to sustain
 2 an appeal of the ruling of the Chair on a point
 3 of order raised under this subsection.

4 (b) SENATE DISCRETIONARY SPENDING LIMITS.—In
 5 the Senate and as used in this section, the term “discre-
 6 tionary spending limit” means—

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

10 (2) for fiscal year 2010, \$1,079,050,000,000 in
 11 new budget authority and \$1,268,104,000,000 in
 12 outlays;

13 as adjusted in conformance with the adjustment proce-
 14 dures in subsection (c).

15 (c) ADJUSTMENTS IN THE SENATE.—

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

21 (A) the Chairman of the Senate Committee
 22 on the Budget may adjust the discretionary
 23 spending limits, budgetary aggregates, and allo-
 24 cations pursuant to section 302(a) of the Con-
 25 gressional Budget Act of 1974, by the amount

1 of new budget authority in that measure for
2 that purpose and the outlays flowing therefrom;
3 and

4 (B) following any adjustment under sub-
5 paragraph (A), the Senate Committee on Ap-
6 propriations may report appropriately revised
7 suballocations pursuant to section 302(b) of the
8 Congressional Budget Act of 1974 to carry out
9 this subsection.

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

12 (A) CONTINUING DISABILITY REVIEWS
13 AND SSI REDETERMINATIONS.—If a bill or joint
14 resolution is reported making appropriations for
15 fiscal year 2010 that appropriates
16 \$273,000,000 for continuing disability reviews
17 and Supplemental Security Income redeter-
18 minations for the Social Security Administra-
19 tion, and provides an additional appropriation
20 of up to \$485,000,000 for continuing disability
21 reviews and Supplemental Security Income re-
22 determinations for the Social Security Adminis-
23 tration, then the discretionary spending limits,
24 allocation to the Senate Committee on Appro-
25 priations, and aggregates may be adjusted by

1 the amounts provided in such legislation for
2 that purpose, but not to exceed \$485,000,000
3 in budget authority and outlays flowing there-
4 from for fiscal year 2010.

5 (B) INTERNAL REVENUE SERVICE TAX EN-
6 FORCEMENT.—If a bill or joint resolution is re-
7 ported making appropriations for fiscal year
8 2010 that appropriates \$7,100,000,000 for the
9 Internal Revenue Service for enhanced tax en-
10 forcement to address the Federal tax gap (taxes
11 owed but not paid) and provides an additional
12 appropriation of up to \$890,000,000 for the In-
13 ternal Revenue Service for enhanced tax en-
14 forcement to address the Federal tax gap, then
15 the discretionary spending limits, allocation to
16 the Senate Committee on Appropriations, and
17 aggregates may be adjusted by the amounts
18 provided in such legislation for that purpose,
19 but not to exceed \$890,000,000 in budget au-
20 thority and outlays flowing therefrom for fiscal
21 year 2010.

22 (C) HEALTH CARE FRAUD AND ABUSE
23 CONTROL.—If a bill or joint resolution is re-
24 ported making appropriations for fiscal year
25 2010 that appropriates up to \$311,000,000 to

1 the Health Care Fraud and Abuse Control pro-
2 gram at the Department of Health and Human
3 Services, then the discretionary spending limits,
4 allocation to the Senate Committee on Appro-
5 priations, and aggregates may be adjusted by
6 the amounts provided in such legislation for
7 that purpose, but not to exceed \$311,000,000
8 in budget authority and outlays flowing there-
9 from for fiscal year 2010.

10 (D) UNEMPLOYMENT INSURANCE IM-
11 PROPER PAYMENT REVIEWS.—If a bill or joint
12 resolution is reported making appropriations for
13 fiscal year 2010 that appropriates \$10,000,000
14 for in-person reemployment and eligibility as-
15 sessments and unemployment insurance im-
16 proper payment reviews, and provides an addi-
17 tional appropriation of up to \$50,000,000 for
18 in-person reemployment and eligibility assess-
19 ments and unemployment insurance improper
20 payment reviews, then the discretionary spend-
21 ing limits, allocation to the Senate Committee
22 on Appropriations, and aggregates may be ad-
23 justed by the amounts provided in such legisla-
24 tion for that purpose, but not to exceed

1 \$50,000,000 in budget authority and outlays
2 flowing therefrom for fiscal year 2010.

3 (E) REDUCING WASTE IN DEFENSE CON-
4 TRACTING.—If a bill or joint resolution is re-
5 ported making appropriations for fiscal year
6 2010 that appropriates up to \$100,000,000 to
7 the Department of Defense for additional activi-
8 ties to reduce waste, fraud, abuse, and overpay-
9 ments in defense contracting or to enhance the
10 capability of the defense acquisition or con-
11 tracting workforce to save taxpayer resources,
12 then the discretionary spending limits, alloca-
13 tion to the Senate Committee on Appropria-
14 tions, and aggregates may be adjusted by the
15 amounts provided in such legislation for that
16 purpose, but not to exceed \$100,000,000 in
17 budget authority and outlays flowing therefrom
18 for fiscal year 2010.

19 (3) ADJUSTMENTS TO SUPPORT ONGOING
20 OVERSEAS CONTINGENCY OPERATIONS.—The Chair-
21 man of the Senate Committee on the Budget may
22 adjust the discretionary spending limits, allocations
23 to the Senate Committee on Appropriations, and ag-
24 gregates for one or more—

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

4 (B) joint resolutions or amendments re-
 5 ported by the Senate Committee on Appropria-
 6 tions;

7 (C) amendments between the Houses re-
 8 ceived from the House of Representatives or
 9 Senate amendments offered by the authority of
 10 the Senate Committee on Appropriations; or

11 (D) conference reports;
 12 making appropriations for fiscal year 2010 for over-
 13 seas contingency operations by the amounts provided
 14 in such legislation for those purposes (and so des-
 15 ignated pursuant to this paragraph), up to
 16 \$130,000,000,000 in budget authority for fiscal year
 17 2010 and the new outlays flowing therefrom.

18 (4) REVISED APPROPRIATIONS FOR FISCAL
 19 YEAR 2010.—

20 (A) IN GENERAL.—If after adoption of this
 21 resolution by the Congress, the Congressional
 22 Budget Office (CBO) re-estimates the Presi-
 23 dent's request for discretionary spending in fis-
 24 cal year 2010 at an aggregate level different
 25 from the CBO preliminary estimate dated

1 March 20, 2009, the Chairman of the Senate
 2 Committee on the Budget may adjust the dis-
 3 cretionary spending limits, budgetary aggre-
 4 gates, and allocations pursuant to section
 5 302(a) of the Congressional Budget Act of
 6 1974 by the amount of budget authority and
 7 outlays flowing therefrom, to reflect the dif-
 8 ference between such re-estimate and the CBO
 9 preliminary estimate dated March 20, 2009.

10 (B) SUBALLOCATIONS.—Following any ad-
 11 justment under subparagraph (A), the Senate
 12 Committee on Appropriations may report ap-
 13 propriately revised suballocations pursuant to
 14 section 302(b) of the Congressional Budget Act
 15 of 1974 to carry out this paragraph.

16 (d) INAPPLICABILITY.—In the Senate, subsections
 17 (a), (b), (c), and (d) of section 312 of S. Con. Res. 70
 18 (110th Congress) shall no longer apply.

19 **SEC. 302. POINT OF ORDER AGAINST ADVANCE APPROPRIA-**
 20 **TIONS.**

21 (a) IN GENERAL.—

22 (1) POINT OF ORDER.—Except as provided in
 23 subsection (b), it shall not be in order in the Senate
 24 to consider any bill, joint resolution, motion, amend-

1 ment, or conference report that would provide an ad-
2 vance appropriation.

3 (2) DEFINITION.—In this section, the term
4 “advance appropriation” means any new budget au-
5 thority provided in a bill or joint resolution making
6 appropriations for fiscal year 2010 that first be-
7 comes available for any fiscal year after 2010, or
8 any new budget authority provided in a bill or joint
9 resolution making general appropriations or con-
10 tinuing appropriations for fiscal year 2011, that first
11 becomes available for any fiscal year after 2011.

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

14 (1) for fiscal years 2011 and 2012 for pro-
15 grams, projects, activities, or accounts identified in
16 the joint explanatory statement of managers accom-
17 panying this resolution under the heading “Accounts
18 Identified for Advance Appropriations” in an aggre-
19 gate amount not to exceed \$28,852,000,000 in new
20 budget authority in each year;

21 (2) for the Corporation for Public Broad-
22 casting; and

23 (3) for the Department of Veterans Affairs for
24 the Medical Services, Medical Administration, Med-

1 ical Facilities, and Medical and Prosthetic Research
2 accounts of the Veterans Health Administration.

3 (c) SUPERMAJORITY WAIVER AND APPEAL.—

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

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

13 (d) FORM OF POINT OF ORDER.—A point of order
14 under subsection (a) may be raised by a Senator as pro-
15 vided in section 313(e) of the Congressional Budget Act
16 of 1974.

17 (e) CONFERENCE REPORTS.—When the Senate is
18 considering a conference report on, or an amendment be-
19 tween the Houses in relation to, a bill, upon a point of
20 order being made by any Senator pursuant to this section,
21 and such point of order being sustained, such material
22 contained in such conference report shall be deemed
23 stricken, and the Senate shall proceed to consider the
24 question of whether the Senate shall recede from its
25 amendment and concur with a further amendment, or con-

1 cur in the House amendment with a further amendment,
2 as the case may be, which further amendment shall consist
3 of only that portion of the conference report or House
4 amendment, as the case may be, not so stricken. Any such
5 motion in the Senate shall be debatable. In any case in
6 which such point of order is sustained against a conference
7 report (or Senate amendment derived from such con-
8 ference report by operation of this subsection), no further
9 amendment shall be in order.

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

12 **SEC. 303. EMERGENCY LEGISLATION.**

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

21 (b) EXEMPTION OF EMERGENCY PROVISIONS.—Any
22 new budget authority, outlays, and receipts resulting from
23 any provision designated as an emergency requirement,
24 pursuant to this section, in any bill, joint resolution,
25 amendment, or conference report shall not count for pur-

1 poses of sections 302 and 311 of the Congressional Budg-
2 et Act of 1974, section 201 of S. Con. Res. 21 (110th
3 Congress) (relating to pay-as-you-go), section 311 of S.
4 Con. Res. 70 (110th Congress) (relating to long-term defi-
5 cits), and sections 301 and 304 of this resolution (relating
6 to discretionary spending and short-term deficits). Des-
7 ignated emergency provisions shall not count for the pur-
8 pose of revising allocations, aggregates, or other levels
9 pursuant to procedures established under section
10 301(b)(7) of the Congressional Budget Act of 1974 for
11 deficit-neutral reserve funds and revising discretionary
12 spending limits set pursuant to section 301 of this resolu-
13 tion.

14 (c) DESIGNATIONS.—If a provision of legislation is
15 designated as an emergency requirement under this sec-
16 tion, the committee report and any statement of managers
17 accompanying that legislation shall include an explanation
18 of the manner in which the provision meets the criteria
19 in subsection (f).

20 (d) DEFINITIONS.—In this section, the terms “direct
21 spending”, “receipts”, and “appropriations for discre-
22 tionary accounts” mean any provision of a bill, joint reso-
23 lution, amendment, motion, or conference report that af-
24 fects direct spending, receipts, or appropriations as those
25 terms have been defined and interpreted for purposes of

1 the Balanced Budget and Emergency Deficit Control Act
2 of 1985.

3 (e) POINT OF ORDER.—

4 (1) IN GENERAL.—When the Senate is consid-
5 ering a bill, resolution, amendment, motion, or con-
6 ference report, if a point of order is made by a Sen-
7 ator against an emergency designation in that meas-
8 ure, that provision making such a designation shall
9 be stricken from the measure and may not be of-
10 fered as an amendment from the floor.

11 (2) SUPERMAJORITY WAIVER AND APPEALS.—

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

16 (B) APPEALS.—Appeals in the Senate
17 from the decisions of the Chair relating to any
18 provision of this subsection shall be limited to
19 1 hour, to be equally divided between, and con-
20 trolled by, the appellant and the manager of the
21 bill or joint resolution, as the case may be. An
22 affirmative vote of three-fifths of the Members
23 of the Senate, duly chosen and sworn, shall be
24 required to sustain an appeal of the ruling of

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

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

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

12 (5) CONFERENCE REPORTS.—When the Senate
13 is considering a conference report on, or an amend-
14 ment between the Houses in relation to, a bill, upon
15 a point of order being made by any Senator pursu-
16 ant to this section, and such point of order being
17 sustained, such material contained in such con-
18 ference report shall be deemed stricken, and the
19 Senate shall proceed to consider the question of
20 whether the Senate shall recede from its amendment
21 and concur with a further amendment, or concur in
22 the House amendment with a further amendment,
23 as the case may be, which further amendment shall
24 consist of only that portion of the conference report
25 or House amendment, as the case may be, not so

1 stricken. Any such motion in the Senate shall be de-
2 batable. In any case in which such point of order is
3 sustained against a conference report (or Senate
4 amendment derived from such conference report by
5 operation of this subsection), no further amendment
6 shall be in order.

7 (f) CRITERIA.—

8 (1) IN GENERAL.—For purposes of this section,
9 any provision is an emergency requirement if the sit-
10 uation addressed by such provision is—

11 (A) necessary, essential, or vital (not mere-
12 ly useful or beneficial);

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

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

17 (D) subject to subparagraph (B), unfore-
18 seen, unpredictable, and unanticipated; and

19 (E) not permanent, temporary in nature.

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

24 (g) INAPPLICABILITY.—In the Senate, section 204(a)
25 of S. Con. Res. 21 (110th Congress), the concurrent reso-

1 lution on the budget for fiscal year 2008, shall no longer
2 apply.

3 **SEC. 304. POINT OF ORDER AGAINST LEGISLATION IN-**
4 **CREASING SHORT-TERM DEFICIT.**

5 (a) POINT OF ORDER.—It shall not be in order in
6 the Senate to consider any bill, joint resolution, amend-
7 ment, motion, or conference report (except measures with-
8 in the jurisdiction of the Committee on Appropriations)
9 that would cause a net increase in the deficit in excess
10 of \$10,000,000,000 in any fiscal year provided for in the
11 most recently adopted concurrent resolution on the budget
12 unless it is fully offset over the period of all fiscal years
13 provided for in the most recently adopted concurrent reso-
14 lution on the budget.

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

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

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

24 (c) DETERMINATIONS OF BUDGET LEVELS.—For
25 purposes of this section, the levels shall be determined on

1 the basis of estimates provided by the Senate Committee
 2 on the Budget.

3 (d) SUNSET.—This section shall expire on September
 4 30, 2018.

5 (e) INAPPLICABILITY.—In the Senate, section 315 of
 6 S. Con. Res. 70 (110th Congress), the concurrent resolu-
 7 tion in the budget for fiscal year 2009, shall no longer
 8 apply.

9 **SEC. 305. POINT OF ORDER AGAINST PROVISIONS OF AP-**
 10 **PROPRIATIONS LEGISLATION THAT CON-**
 11 **STITUTE CHANGES IN MANDATORY PRO-**
 12 **GRAMS AFFECTING THE CRIME VICTIMS**
 13 **FUND.**

14 (a) IN GENERAL.—In the Senate, it shall not be in
 15 order to consider any appropriations legislation, including
 16 any amendment thereto, motion in relation thereto, or
 17 conference report thereon, that includes any provision or
 18 provisions affecting the Crime Victims Fund, as defined
 19 by section 1402 of the Victims of Crime Act of 1984 (42
 20 U.S.C. 10601), which constitutes a change in a mandatory
 21 program that would have been estimated as affecting di-
 22 rect spending or receipts under section 252 of the Bal-
 23 anced Budget and Emergency Deficit Control Act of 1985
 24 (as in effect prior to September 30, 2002) were they in-
 25 cluded in legislation other than appropriations legislation.

1 A point of order pursuant to this section shall be raised
2 against such provision or provisions as described in sub-
3 sections (d) and (e).

4 (b) DETERMINATION.—The determination of whether
5 a provision is subject to a point of order pursuant to this
6 section shall be made by the Committee on the Budget
7 of the Senate.

8 (c) SUPERMAJORITY WAIVER AND APPEAL.—This
9 section may be waived or suspended in the Senate only
10 by an affirmative vote of three-fifths of the Members, duly
11 chosen and sworn. An affirmative vote of three-fifths of
12 the Members of the Senate, duly chosen and sworn, shall
13 be required to sustain an appeal of the ruling of the Chair
14 on a point of order raised under this section.

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

1 motion, or conference report) against which the Presiding
2 Officer sustains the point of order shall be deemed stricken
3 pursuant to this section. Before the Presiding Officer
4 rules on such a point of order, any Senator may move to
5 waive such a point of order as it applies to some or all
6 of the provisions against which the point of order was
7 raised. Such a motion to waive is amendable in accordance
8 with rules and precedents of the Senate. After the Pre-
9 siding Officer rules on such a point of order, any Senator
10 may appeal the ruling of the Presiding Officer on such
11 a point of order as it applies to some or all of the provi-
12 sions on which the Presiding Officer ruled.

13 (e) FORM OF THE POINT OF ORDER.—When the
14 Senate is considering a conference report on, or an amend-
15 ment between the Houses in relation to, a bill, upon a
16 point of order being made by any Senator pursuant to this
17 section, and such point of order being sustained, such ma-
18 terial contained in such conference report or amendment
19 shall be deemed stricken, and the Senate shall proceed to
20 consider the question of whether the Senate shall recede
21 from its amendment and concur with a further amend-
22 ment, or concur in the House amendment with a further
23 amendment, as the case may be, which further amendment
24 shall consist of only that portion of the conference report
25 or House amendment, as the case may be, not so stricken.

1 Any such motion shall be debatable. In any case in which
 2 such point of order is sustained against a conference re-
 3 port (or Senate amendment derived from such conference
 4 report by operation of this subsection), no further amend-
 5 ment shall be in order.

6 **SEC. 306. POINT OF ORDER AGAINST LEGISLATION THAT**
 7 **RAISES TAXES ON MIDDLE-INCOME TAX-**
 8 **PAYERS.**

9 (a) IN GENERAL.—After a concurrent resolution on
 10 the budget is agreed to, it shall not be in order in the
 11 Senate to consider any bill, resolution, amendment be-
 12 tween Houses, motion, or conference report that—

13 (1) would cause revenues to be more than the
 14 level of revenues set forth for that first fiscal year
 15 or for the total of that fiscal year and the ensuing
 16 fiscal years in the applicable resolution for which al-
 17 locations are provided under section 302(a) of the
 18 Congressional Budget Act of 1974, and

19 (2) includes a Federal tax increase which would
 20 have widespread applicability on middle-income tax-
 21 payers.

22 (b) DEFINITIONS.—In this subsection:

23 (1) MIDDLE-INCOME TAXPAYERS.—The term
 24 “middle-income taxpayers” means single individuals
 25 with \$200,000 or less in adjusted gross income (as

defined in section 62 of the Internal Revenue Code of 1986) and married couples filing jointly with \$250,000 or less in adjusted gross income (as so defined).

(2) WIDESPREAD APPLICABILITY.—The term “widespread applicability” includes the definition with respect to individual income taxpayers in section 4022 (b)(1) of the Internal Revenue Service Restructuring and Reform Act of 1998.

(3) FEDERAL TAX INCREASE.—The term “Federal tax increase” means—

(A) any amendment to the Internal Revenue Code of 1986 that, directly or indirectly, increases the amount of Federal tax; or

(B) any legislation that the Congressional Budget Office would score as an increase in Federal revenues.

(c) SUPERMAJORITY WAIVER AND APPEAL.—

(1) WAIVER.—This section may be waived or suspended in the Senate 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, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the

1 ruling of the Chair on a point of order raised under
2 this section.

3 **SEC. 307. POINT OF ORDER ON LEGISLATION THAT RAISES**
4 **INCOME TAX RATES ON SMALL BUSINESSES.**

5 (a) IN GENERAL.—In the Senate, it shall not be in
6 order, to consider any bill, joint resolution, amendment,
7 motion, or conference report that includes any provision
8 which increases Federal income tax rates.

9 (b) DEFINITION.—In this section, the term “Federal
10 income tax rates” means any rate of tax imposed under
11 subsection (a), (b), (c), (d), or (e) of section 1, 11(b), or
12 55(b) of the Internal Revenue Code of 1986.

13 (c) WAIVER.—This section may be waived or sus-
14 pended in the Senate only by an affirmative vote of three-
15 fifths of the Members, duly chosen and sworn.

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

20 **SEC. 308. POINT OF ORDER AGAINST LEGISLATION THAT**
21 **IMPOSES A NATIONAL ENERGY TAX ON MID-**
22 **DLE-INCOME TAXPAYERS.**

23 (a) IN GENERAL.—After a concurrent resolution on
24 the budget is agreed to, it shall not be in order in the
25 Senate to consider any bill, resolution, amendment be-

1 tween Houses, motion, or conference report that includes
 2 a National energy tax increase which would have wide-
 3 spread applicability on middle-income taxpayers.

4 (b) DEFINITIONS.—In this subsection:

5 (1) MIDDLE INCOME TAXPAYERS.—The term
 6 “middle-income” taxpayers means single individuals
 7 with \$200,000 or less in adjusted gross income (as
 8 defined in section 62 of the Internal Revenue Code
 9 of 1986) and married couples filing jointly with
 10 \$250,000 or less in adjusted gross income (as so de-
 11 fined).

12 (2) WIDESPREAD APPLICABILITY.—The term
 13 “widespread applicability” includes the definition
 14 with respect to individual income taxpayers in sec-
 15 tion 4022(b)(1) of the Internal Revenue Service Re-
 16 structuring and Reform Act of 1998.

17 (3) NATIONAL ENERGY TAX INCREASE.—The
 18 term “National energy tax increase” means any leg-
 19 islation that the Congressional Budget Office would
 20 score as leading to an increase in the costs of pro-
 21 ducing, generating or consuming energy.

22 **SEC. 309. POINT OF ORDER ON LEGISLATION THAT IM-**
 23 **POSES A MARRIAGE TAX PENALTY.**

24 (a) IN GENERAL.—In the Senate, it shall not be in
 25 order, to consider any bill, joint resolution, amendment,

1 motion, or conference report that includes any provision
2 which imposes or increases a marriage tax penalty.

3 (b) DEFINITION.—In this section, the term “mar-
4 riage penalty” means any provision under which the Fed-
5 eral income tax liability of taxpayers filing a joint return
6 under section 6013 of the Internal Revenue Code of 1986
7 is greater than such tax liability of such taxpayers if such
8 taxpayers were unmarried and had filed individual tax re-
9 turns under section 1(c) of such Code.

10 (c) WAIVER.—This section may be waived or sus-
11 pended only by an affirmative vote of three-fifths of the
12 Members, duly chosen and sworn.

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

17 **SEC. 310. POINT OF ORDER ON LEGISLATION THAT IN-**
18 **CREASES REVENUE ABOVE THE LEVELS ES-**
19 **TABLISHED IN THE BUDGET RESOLUTION.**

20 (a) IN GENERAL.—After a concurrent resolution on
21 the budget is agreed to, it shall not be in order in the
22 Senate to consider any bill, resolution, amendment be-
23 tween Houses, motion, or conference report that would
24 cause revenues to be more than the level of the revenues
25 set forth, prior to any adjustment made pursuant under

1 any reserve fund, for that first fiscal year or for the total
 2 of that fiscal year and the ensuing fiscal years in the appli-
 3 cable resolution for which allocations are provided under
 4 section 302(a) of the Congressional Budget Act of 1974.

5 (b) SUPERMAJORITY WAIVER AND APPEAL.—

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

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

15 **SEC. 311. POINT OF ORDER ON LEGISLATION THAT IN-**
 16 **CREASES TAXES DURING ANY PERIOD WHEN**
 17 **THE UNEMPLOYMENT RATE IS IN EXCESS OF**
 18 **5.8 PERCENT.**

19 (a) IN GENERAL.—In the Senate, it shall not be in
 20 order, to consider any bill, joint resolution, amendment,
 21 motion, or conference report during any period in which
 22 the unemployment rate in the United States (as measured
 23 by the most recent Bureau of Labor Statistics' Current
 24 Population Survey and based on the national seasonally
 25 adjusted rate for persons age 16 and over) exceeds 5.8

1 percent if such bill, joint resolution, amendment, motion,
2 or conference report increases taxes.

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

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

10 **SEC. 312. POINT OF ORDER AGAINST LEGISLATION THAT**
11 **CAUSES SIGNIFICANT JOB LOSS.**

12 (a) IN GENERAL.—After a concurrent resolution on
13 the budget is agreed to, it shall not be in order in the
14 Senate to consider any bill, resolution, amendment be-
15 tween Houses, motion, or conference report that—

16 (1) would cause revenues to be more than the
17 level of revenues set forth for that first fiscal year
18 or for the total of that fiscal year and the ensuing
19 fiscal years in the applicable resolution for which al-
20 locations are provided under section 302(a) of the
21 Congressional Budget Act of 1974, and

22 (2) would cause significant job loss in
23 manufacturing- or coal-dependent regions of the
24 United States such as the Midwest, Great Plains or
25 South.

1 (b) SUPERMAJORITY WAIVER AND APPEAL.—

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

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

11 **SEC. 313. LIMITATIONS ON LEGISLATION THAT WOULD**
12 **PERMIT THE SECRETARY OF VETERANS AF-**
13 **FAIRS TO RECOVER FROM A PRIVATE**
14 **HEALTH INSURER OF A DISABLED VETERAN**
15 **AMOUNTS PAID FOR TREATMENT OF SUCH**
16 **DISABILITY.**

17 (a) POINT OF ORDER.—If the Senate is considering
18 legislation, upon a point of order being made by any Sen-
19 ator against the legislation, or any part of the legislation,
20 that the legislation, if enacted, would result in providing
21 authority to the Secretary of Veterans Affairs to recover
22 from a private health insurer of a veteran with a service-
23 connected disability amounts paid by the Secretary for the
24 furnishing of care or treatment for such disability, and

1 the point of order is sustained by the Presiding Officer,
2 the Senate shall cease consideration of the legislation.

3 (b) WAIVERS AND APPEALS.—

4 (1) WAIVERS.—

5 (A) IN GENERAL.—Before the Presiding
6 Officer rules on a point of order described in
7 subsection (a), any Senator may move to waive
8 the point of order and the motion to waive shall
9 not be subject to amendment.

10 (B) VOTE.—A point of order described in
11 subsection (a) is waived only by the affirmative
12 vote of 60 Members of the Senate, duly chosen
13 and sworn.

14 (2) APPEALS.—

15 (A) IN GENERAL.—After the Presiding Of-
16 ficer rules on a point of order described in sub-
17 section (a), any Senator may appeal the ruling
18 of the Presiding Officer on the point of order
19 as it applies to some or all of the provisions on
20 which the Presiding Officer ruled.

21 (B) VOTE.—A ruling of the Presiding Offi-
22 cer on a point of order described in subsection
23 (a) is sustained unless 60 Members of the Sen-
24 ate, duly chosen and sworn, vote not to sustain
25 the ruling.

1 (3) DEBATE.—

2 (A) IN GENERAL.—Debate on the motion
3 to waive under paragraph (1) or on an appeal
4 of the ruling of the Presiding Officer under
5 paragraph (2) shall be limited to 1 hour.

6 (B) DIVISION.—The time shall be equally
7 divided between, and controlled by, the Majority
8 leader and the Minority Leader of the Senate,
9 or their designees.

10 (c) LEGISLATION DEFINED.—In this section, the
11 term “legislation” means a bill, joint resolution, amend-
12 ment, motion, or conference report.

13 (d) TERMINATION.—The provisions of this section
14 shall terminate on December 31, 2012.

15 **SEC. 314. POINT OF ORDER.**

16 (a) IN GENERAL.—After a concurrent resolution on
17 the budget is agreed to, it shall not be in order in the
18 Senate to consider any bill, resolution, amendment be-
19 tween Houses, motion, or conference report that—

20 (1) weakens any authorized anti-terrorism tool
21 or investigative method provided by the USA Patriot
22 Act of 2001 (PL 107–56), the Intelligence Reform
23 and Terrorism Prevention Act of 2004 (PL 108–
24 458), the USA Patriot Improvement and Reauthor-

6 (b) SUPERMAJORITY WAIVER AND APPEALS.—

(2) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of subsection (a) 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 subsection (a).

21 SEC. 315. RESTRICTIONS ON UNFUNDED MANDATES ON
22 STATES AND LOCAL GOVERNMENTS.

23 (a) POINT OF ORDER.—It shall not be in order in
24 the Senate to consider any bill, joint resolution, motion,
25 amendment, or conference report that would increase the

1 direct costs of one or more States or local governments
 2 by an amount that exceeds the threshold provided under
 3 section 424(a)(1) of the Congressional Budget Act of
 4 1974 (2 U.S.C. 658c(a)(1)).

5 (b) WAIVER AND APPEAL.—Subsection (a) may be
 6 waived or suspended in the Senate only by an affirmative
 7 vote of three-fifths of the Members, duly chosen and
 8 sworn. An affirmative vote of three-fifths of the Members
 9 of the Senate, duly chosen and sworn, shall be required
 10 to sustain an appeal of the ruling of the Chair on a point
 11 of order raised under subsection (a).

12 **SEC. 316. POINT OF ORDER ON LEGISLATION THAT ELIMI-**
 13 **NATES THE ABILITY OF AMERICANS TO KEEP**
 14 **THEIR HEALTH PLAN OR THEIR CHOICE OF**
 15 **DOCTOR.**

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

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

24 (c) APPEALS.—An affirmative vote of three-fifths of
 25 the Members of the Senate, duly chosen and sworn, shall

1 be required to sustain an appeal of the ruling of the Chair
2 on a point of order raised under this section.

3 **Subtitle B—Other Provisions**

4 **SEC. 321. OVERSIGHT OF GOVERNMENT PERFORMANCE.**

5 In the Senate, all committees are directed to review
6 programs within their jurisdiction to root out waste, fraud,
7 and abuse in program spending, giving particular scrutiny
8 to issues raised by Government Accountability Office re-
9 ports. Based on these oversight efforts and committee per-
10 formance reviews of programs within their jurisdiction,
11 committees are directed to include recommendations for
12 improved governmental performance in their annual views
13 and estimates reports required under section 301(d) of the
14 Congressional Budget Act of 1974 to the Committees on
15 the Budget.

16 **SEC. 322. BUDGETARY TREATMENT OF CERTAIN DISCRE-** 17 **TIONARY ADMINISTRATIVE EXPENSES.**

18 In the Senate, notwithstanding section 302(a)(1) of
19 the Congressional Budget Act of 1974, section 13301 of
20 the Budget Enforcement Act of 1990, and section 2009a
21 of title 39, United States Code, the joint explanatory
22 statement accompanying the conference report on any con-
23 current resolution on the budget shall include in its alloca-
24 tions under section 302(a) of the Congressional Budget
25 Act of 1974 to the Committees on Appropriations amounts

1 for the discretionary administrative expenses of the Social
2 Security Administration and of the Postal Service.

3 **SEC. 323. APPLICATION AND EFFECT OF CHANGES IN ALLO-**
4 **CATIONS AND AGGREGATES.**

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

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

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

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

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

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

1 **SEC. 324. ADJUSTMENTS TO REFLECT CHANGES IN CON-**
 2 **CEPTS AND DEFINITIONS.**

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

10 **SEC. 325. DEBT DISCLOSURE REQUIREMENT.**

11 (a) IN GENERAL.—It shall not be in order to consider
 12 a budget resolution in the Senate unless it contains a debt
 13 disclosure section including all, and only, the following dis-
 14 closures regarding debt:

15 **“SEC. ____ . DEBT DISCLOSURES.**

16 “(a) IN GENERAL.—The levels assumed in this budg-
 17 et resolution allow the gross Federal debt of the nation
 18 to rise/fall by \$_____ from the current year, fiscal
 19 year 20____, to the fifth year of the budget window, fiscal
 20 year 20_____.

21 “(b) PER PERSON.—The levels assumed in this
 22 budget resolution allow the gross Federal debt of the na-
 23 tion to rise/fall by \$_____ on every United States cit-
 24 izen from the current year, fiscal year 20____ to the fifth
 25 year of the budget window, fiscal year 20_____.

1 “(c) SOCIAL SECURITY.—The levels assumed in this
2 budget resolution project that \$_____ of the Social Se-
3 curity surplus will be spent over the 5-year budget window,
4 fiscal years 20____ through 20____, on things other than
5 Social Security.”.

6 (b) SOCIAL SECURITY.—If any portion of the Social
7 Security surplus is projected to be spent in any year or
8 the gross Federal debt in the fifth year of the budget win-
9 dow is greater than the gross debt projected for the cur-
10 rent year, as described in section 101(5) of this resolution,
11 the report, print, or statement of managers accompanying
12 the budget resolution shall contain a section that—

13 (1) details the circumstances making it in the
14 national interest to allow Federal debt to increase
15 rather than taking steps to reduce the debt; and

16 (2) provides a justification for allowing the sur-
17 pluses in the Social Security Trust Fund to be spent
18 on other functions of Government even as the baby
19 boom generation retires, program costs are projected
20 to rise dramatically, the debt owed to Social Security
21 is about to come due, and the Trust Fund is pro-
22 jected to go insolvent.

23 (c) DEFINITIONS.—In this section, the term “gross
24 Federal debt” means the nominal levels of (or changes in
25 the levels of) gross Federal debt (debt subject to limit as

1 set forth in section 101(5) of this resolution) measured
2 at the end of each fiscal year during the period of the
3 budget, not debt as a percentage of gross domestic prod-
4 uct, and not levels relative to baseline projections.

5 **SEC. 326. DEBT DISCLOSURES.**

6 (a) IN GENERAL.—The levels assumed in this budget
7 resolution allow the gross Federal debt of the nation to
8 rise by \$4,960,000,000,000 from the current year, fiscal
9 year 2009, to the fifth year of the budget window, fiscal
10 year 2014.

11 (b) PER PERSON.—The levels assumed in this budget
12 resolution allow the gross Federal debt of the nation to
13 rise by \$16,200 on every United States citizen from the
14 current year, fiscal year 2009, to the fifth year of the
15 budget window, fiscal year 2014.

16 (c) SOCIAL SECURITY.—The levels assumed in this
17 budget resolution project that \$700,000,000,000 of the
18 Social Security surplus will be spent over the 5-year budg-
19 et window, fiscal years 2010 through 2014, on things
20 other than Social Security.

21 **SEC. 327. EXERCISE OF RULEMAKING POWERS.**

22 Congress adopts the provisions of this title—

23 (1) as an exercise of the rulemaking power of
24 the Senate, and as such they shall be considered as
25 part of the rules of the Senate and such rules shall

1 supersede other rules only to the extent that they
2 are inconsistent with such other rules; and

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

Passed the Senate April 2, 2009.

Attest:

Secretary.

11TH CONGRESS
1ST Session

S. CON. RES. 13

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.