

## Calendar No. 51

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. CON. RES. 18

Setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010.

---

IN THE SENATE OF THE UNITED STATES

MARCH 11, 2005

Mr. GREGG, from the Committee on the Budget, reported the following original concurrent resolution; which was placed on the calendar

---

## CONCURRENT RESOLUTION

Setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010.

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

3       **SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET**  
4       **FOR FISCAL YEAR 2006.**

5       (a) DECLARATION.—Congress declares that this reso-  
6       lution is the concurrent resolution on the budget for fiscal  
7       year 2006 including the appropriate budgetary levels for

1 fiscal years 2005 and 2007 through 2010 as authorized  
 2 by section 301 of the Congressional Budget Act of 1974  
 3 (2 U.S.C. 632).

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

Sec. 1. Concurrent resolution on the budget for fiscal year 2006.

#### TITLE I—LEVELS AND AMOUNTS

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

#### TITLE II—RECONCILIATION

Sec. 201. Reconciliation in the Senate.

#### TITLE III—RESERVE FUNDS

Sec. 301. Reserve fund for health information technology and pay-for-performance.  
 Sec. 302. Reserve fund for Asbestos Injury Trust Fund.  
 Sec. 303. Reserve fund for the uninsured.  
 Sec. 304. Reserve fund for Land and Water Conservation Fund.  
 Sec. 305. Reserve fund for the Federal Pell Grant Program.  
 Sec. 306. Reserve fund for Higher Education.  
 Sec. 307. Reserve fund for energy legislation.  
 Sec. 308. Reserve fund for the safe importation of prescription drugs.  
 Sec. 309. Adjustment for surface transportation.

#### TITLE IV—BUDGET ENFORCEMENT

Sec. 401. Restrictions on advance appropriations.  
 Sec. 402. Emergency legislation.  
 Sec. 403. Supermajority enforcement.  
 Sec. 404. Discretionary spending limits in the Senate.  
 Sec. 405. Application and effect of changes in allocations and aggregates.  
 Sec. 406. Adjustments to reflect changes in concepts and definitions.  
 Sec. 407. Limitation on long-term spending proposals.  
 Sec. 408. Exercise of rulemaking powers.

#### TITLE V—SENSE OF THE SENATE

Sec. 501. Sense of the Senate regarding unauthorized appropriations.  
 Sec. 502. Sense of the Senate regarding a commission to review the performance of programs.  
 Sec. 503. Sense of the Senate regarding Tricare.  
 Sec. 504. Sense of the Senate regarding restraining Medicaid growth.  
 Sec. 505. Sense of the Senate regarding tribal colleges and universities.

Sec. 506. Sense of the Senate regarding support for the President's request to concentrate Federal funds for State and local homeland security assistance programs on the highest threats, vulnerabilities, and needs.

Sec. 507. Sense of the Senate rejecting proposed elimination of per diem reimbursement to State nursing homes in the President's budget.

Sec. 508. Sense of the Senate regarding Impact Aid.

Sec. 509. Sense of the Senate regarding mandatory agricultural programs.

## 1 **TITLE I—LEVELS AND AMOUNTS**

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

3 The following budgetary levels are appropriate for the  
4 fiscal years 2005 through 2010:

5 (1) FEDERAL REVENUES.—For purposes of the en-  
6 forcement of this resolution—

7 (A) The recommended levels of Federal reve-  
8 nues are as follows:

9 Fiscal year 2005: \$1,483,908,000,000.

10 Fiscal year 2006: \$1,592,723,000,000.

11 Fiscal year 2007: \$1,714,387,000,000.

12 Fiscal year 2008: \$1,824,619,000,000.

13 Fiscal year 2009: \$1,932,613,000,000.

14 Fiscal year 2010: \$2,051,205,000,000.

15 (B) The amounts by which the aggregate levels  
16 of Federal revenues should be changed are as fol-  
17 lows:

18 Fiscal year 2005: —\$116,000,000.

19 Fiscal year 2006: —\$14,939,000,000.

20 Fiscal year 2007: —\$4,884,000,000.

21 Fiscal year 2008: —\$11,566,000,000.

1 Fiscal year 2009: — \$23,602,000,000.

2 Fiscal year 2010: — \$15,163,000,000.

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

6 Fiscal year 2005: \$2,074,959,000,000.

7 Fiscal year 2006: \$2,134,484,000,000.

8 Fiscal year 2007: \$2,207,426,000,000.

9 Fiscal year 2008: \$2,324,416,000,000.

10 Fiscal year 2009: \$2,446,869,000,000.

11 Fiscal year 2010: \$2,543,608,000,000.

12 (3) BUDGET OUTLAYS.—For purposes of the enforce-  
13 ment of this resolution, the appropriate levels of total  
14 budget outlays are as follows:

15 Fiscal year 2005: \$2,055,994,000,000.

16 Fiscal year 2006: \$2,143,040,000,000.

17 Fiscal year 2007: \$2,222,311,000,000.

18 Fiscal year 2008: \$2,310,069,000,000.

19 Fiscal year 2009: \$2,412,389,000,000.

20 Fiscal year 2010: \$2,518,768,000,000.

21 (4) DEFICITS.—For purposes of the enforcement of  
22 this resolution, the amounts of the deficits are as follows:

23 Fiscal year 2005: — \$572,086,000,000.

24 Fiscal year 2006: — \$550,317,000,000.

25 Fiscal year 2007: — \$507,924,000,000.

1 Fiscal year 2008: — \$485,450,000,000.

2 Fiscal year 2009: — \$479,776,000,000.

3 Fiscal year 2010: — \$467,563,000,000.

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

6 Fiscal year 2005: \$7,961,738,000,000.

7 Fiscal year 2006: \$8,630,464,000,000.

8 Fiscal year 2007: \$9,266,253,000,000.

9 Fiscal year 2008: \$9,890,194,000,000.

10 Fiscal year 2009: \$10,511,998,000,000.

11 Fiscal year 2010: \$11,122,769,000,000.

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

14 Fiscal year 2005: \$4,688,918,000,000.

15 Fiscal year 2006: \$5,060,681,000,000.

16 Fiscal year 2007: \$5,372,906,000,000.

17 Fiscal year 2008: \$5,644,888,000,000.

18 Fiscal year 2009: \$5,892,763,000,000.

19 Fiscal year 2010: \$6,111,689,000,000.

20 **SEC. 102. SOCIAL SECURITY.**

21 (a) SOCIAL SECURITY REVENUES.—For purposes of  
22 Senate enforcement under sections 302 and 311 of the  
23 Congressional Budget Act of 1974, the amounts of reve-  
24 nues of the Federal Old-Age and Survivors Insurance

1 Trust Fund and the Federal Disability Insurance Trust  
2 Fund are as follows:

3 Fiscal year 2005: \$573,475,000,000.

4 Fiscal year 2006: \$604,777,000,000.

5 Fiscal year 2007: \$637,792,000,000.

6 Fiscal year 2008: \$671,688,000,000.

7 Fiscal year 2009: \$705,849,000,000.

8 Fiscal year 2010: \$740,343,000,000.

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

15 Fiscal year 2005: \$398,088,000,000.

16 Fiscal year 2006: \$415,993,000,000.

17 Fiscal year 2007: \$429,254,000,000.

18 Fiscal year 2008: \$443,235,000,000.

19 Fiscal year 2009: \$460,443,000,000.

20 Fiscal year 2010: \$479,412,000,000.

21 (c) SOCIAL SECURITY ADMINISTRATIVE EX-  
22 PENSES.—In the Senate, the amounts of new budget au-  
23 thority and budget outlays of the Federal Old-Age and  
24 Survivors Insurance Trust Fund and the Federal Dis-

1 ability Insurance Trust Fund for administrative expenses  
2 are as follows:

3 Fiscal year 2005:

4 (A) New budget authority,  
5 \$4,426,000,000.

6 (B) Outlays, \$4,405,000,000.

7 Fiscal year 2006:

8 (A) New budget authority,  
9 \$4,576,000,000.

10 (B) Outlays, \$4,587,000,000.

11 Fiscal year 2007:

12 (A) New budget authority,  
13 \$4,710,000,000.

14 (B) Outlays, \$4,785,000,000.

15 Fiscal year 2008:

16 (A) New budget authority,  
17 \$4,853,000,000.

18 (B) Outlays, \$4,849,000,000.

19 Fiscal year 2009:

20 (A) New budget authority,  
21 \$5,001,000,000.

22 (B) Outlays, \$4,974,000,000.

23 Fiscal year 2010:

24 (A) New budget authority,  
25 \$5,152,000,000.

1 (B) Outlays, \$5,124,000,000.

2 **SEC. 103. MAJOR FUNCTIONAL CATEGORIES.**

3 Congress determines and declares that the appro-  
 4 priate levels of new budget authority and budget outlays  
 5 for fiscal years 2005 through 2010 for each major func-  
 6 tional category are:

7 (1) National Defense (050):

8 Fiscal year 2005:

9 (A) New budget authority,  
 10 \$498,761,000,000.

11 (B) Outlays, \$496,928,000,000.

12 Fiscal year 2006:

13 (A) New budget authority,  
 14 \$491,526,000,000.

15 (B) Outlays, \$496,117,000,000.

16 Fiscal year 2007:

17 (A) New budget authority,  
 18 \$465,260,000,000.

19 (B) Outlays, \$479,984,000,000.

20 Fiscal year 2008:

21 (A) New budget authority,  
 22 \$483,730,000,000.

23 (B) Outlays, \$479,730,000,000.

24 Fiscal year 2009:



1 (A) New budget authority,  
2 \$503,763,000,000.

3 (B) Outlays, \$489,146,000,000.

4 Fiscal year 2010:

5 (A) New budget authority,  
6 \$513,904,000,000.

7 (B) Outlays, \$505,872,000,000.

8 (2) International Affairs (150):

9 Fiscal year 2005:

10 (A) New budget authority,  
11 \$34,707,000,000.

12 (B) Outlays, \$32,425,000,000.

13 Fiscal year 2006:

14 (A) New budget authority,  
15 \$33,295,000,000.

16 (B) Outlays, \$35,737,000,000.

17 Fiscal year 2007:

18 (A) New budget authority,  
19 \$36,580,000,000.

20 (B) Outlays, \$34,629,000,000.

21 Fiscal year 2008:

22 (A) New budget authority,  
23 \$37,131,000,000.

24 (B) Outlays, \$33,994,000,000.

25 Fiscal year 2009:

1 (A) New budget authority,  
2 \$37,171,000,000.

3 (B) Outlays, \$33,842,000,000.

4 Fiscal year 2010:

5 (A) New budget authority,  
6 \$36,862,000,000.

7 (B) Outlays, \$33,433,000,000.

8 (3) General Science, Space, and Technology (250):

9 Fiscal year 2005:

10 (A) New budget authority,  
11 \$24,413,000,000.

12 (B) Outlays, \$23,594,000,000.

13 Fiscal year 2006:

14 (A) New budget authority,  
15 \$24,735,000,000.

16 (B) Outlays, \$23,894,000,000.

17 Fiscal year 2007:

18 (A) New budget authority,  
19 \$25,294,000,000.

20 (B) Outlays, \$24,672,000,000.

21 Fiscal year 2008:

22 (A) New budget authority,  
23 \$25,796,000,000.

24 (B) Outlays, \$25,095,000,000.

25 Fiscal year 2009:

1 (A) New budget authority,  
2 \$26,102,000,000.

3 (B) Outlays, \$25,472,000,000.

4 Fiscal year 2010:

5 (A) New budget authority,  
6 \$26,413,000,000.

7 (B) Outlays, \$25,808,000,000.

8 (4) Energy (270):

9 Fiscal year 2005:

10 (A) New budget authority,  
11 \$2,564,000,000.

12 (B) Outlays, \$794,000,000.

13 Fiscal year 2006:

14 (A) New budget authority,  
15 \$3,247,000,000.

16 (B) Outlays, \$2,127,000,000.

17 Fiscal year 2007:

18 (A) New budget authority,  
19 \$2,859,000,000.

20 (B) Outlays, \$1,698,000,000.

21 Fiscal year 2008:

22 (A) New budget authority,  
23 \$2,923,000,000.

24 (B) Outlays, \$1,035,000,000.

25 Fiscal year 2009:

1 (A) New budget authority,  
2 \$2,534,000,000.

3 (B) Outlays, \$1,132,000,000.

4 Fiscal year 2010:

5 (A) New budget authority,  
6 \$2,232,000,000.

7 (B) Outlays, \$1,022,000,000.

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

9 Fiscal year 2005:

10 (A) New budget authority,  
11 \$32,527,000,000.

12 (B) Outlays, \$31,168,000,000.

13 Fiscal year 2006:

14 (A) New budget authority,  
15 \$29,875,000,000.

16 (B) Outlays, \$31,882,000,000.

17 Fiscal year 2007:

18 (A) New budget authority,  
19 \$30,243,000,000.

20 (B) Outlays, \$31,426,000,000.

21 Fiscal year 2008:

22 (A) New budget authority,  
23 \$30,316,000,000.

24 (B) Outlays, \$31,716,000,000.

25 Fiscal year 2009:

1 (A) New budget authority,  
2 \$30,985,000,000.

3 (B) Outlays, \$31,921,000,000.

4 Fiscal year 2010:

5 (A) New budget authority,  
6 \$30,479,000,000.

7 (B) Outlays, \$31,474,000,000.

8 (6) Agriculture (350):

9 Fiscal year 2005:

10 (A) New budget authority,  
11 \$30,151,000,000.

12 (B) Outlays, \$28,550,000,000.

13 Fiscal year 2006:

14 (A) New budget authority,  
15 \$29,087,000,000.

16 (B) Outlays, \$28,143,000,000.

17 Fiscal year 2007:

18 (A) New budget authority,  
19 \$26,245,000,000.

20 (B) Outlays, \$25,057,000,000.

21 Fiscal year 2008:

22 (A) New budget authority,  
23 \$24,492,000,000.

24 (B) Outlays, \$23,434,000,000.

25 Fiscal year 2009:

1 (A) New budget authority,  
2 \$24,845,000,000.  
3 (B) Outlays, \$23,950,000,000.  
4 Fiscal year 2010:  
5 (A) New budget authority,  
6 \$24,584,000,000.  
7 (B) Outlays, \$23,854,000,000.  
8 (7) Commerce and Housing Credit (370):  
9 Fiscal year 2005:  
10 (A) New budget authority,  
11 \$16,804,000,000.  
12 (B) Outlays, \$11,302,000,000.  
13 Fiscal year 2006:  
14 (A) New budget authority,  
15 \$10,285,000,000.  
16 (B) Outlays, \$5,057,000,000.  
17 Fiscal year 2007:  
18 (A) New budget authority,  
19 \$9,866,000,000.  
20 (B) Outlays, \$4,751,000,000.  
21 Fiscal year 2008:  
22 (A) New budget authority,  
23 \$9,815,000,000.  
24 (B) Outlays, \$4,039,000,000.  
25 Fiscal year 2009:

1 (A) New budget authority,  
2 \$10,413,000,000.

3 (B) Outlays, \$4,121,000,000.

4 Fiscal year 2010:

5 (A) New budget authority,  
6 \$14,270,000,000.

7 (B) Outlays, \$6,399,000,000.

8 (8) Transportation (400):

9 Fiscal year 2005:

10 (A) New budget authority,  
11 \$72,506,000,000.

12 (B) Outlays, \$67,663,000,000.

13 Fiscal year 2006:

14 (A) New budget authority,  
15 \$69,683,000,000.

16 (B) Outlays, \$69,789,000,000.

17 Fiscal year 2007:

18 (A) New budget authority,  
19 \$71,030,000,000.

20 (B) Outlays, \$71,013,000,000.

21 Fiscal year 2008:

22 (A) New budget authority,  
23 \$74,489,000,000.

24 (B) Outlays, \$72,755,000,000.

25 Fiscal year 2009:

1 (A) New budget authority,  
2 \$81,524,000,000.

3 (B) Outlays, \$75,693,000,000.

4 Fiscal year 2010:

5 (A) New budget authority,  
6 \$82,867,000,000.

7 (B) Outlays, \$79,335,000,000.

8 (9) Community and Regional Development (450):

9 Fiscal year 2005:

10 (A) New budget authority,  
11 \$23,007,000,000.

12 (B) Outlays, \$20,756,000,000.

13 Fiscal year 2006:

14 (A) New budget authority,  
15 \$13,039,000,000.

16 (B) Outlays, \$18,294,000,000.

17 Fiscal year 2007:

18 (A) New budget authority,  
19 \$13,118,000,000.

20 (B) Outlays, \$16,697,000,000.

21 Fiscal year 2008:

22 (A) New budget authority,  
23 \$13,272,000,000.

24 (B) Outlays, \$14,715,000,000.

25 Fiscal year 2009:



1 (A) New budget authority,  
2 \$13,410,000,000.

3 (B) Outlays, \$13,473,000,000.

4 Fiscal year 2010:

5 (A) New budget authority,  
6 \$13,430,000,000.

7 (B) Outlays, \$13,125,000,000.

8 (10) Education, Training, Employment, and Social  
9 Services (500):

10 Fiscal year 2005:

11 (A) New budget authority,  
12 \$94,026,000,000.

13 (B) Outlays, \$92,805,000,000.

14 Fiscal year 2006:

15 (A) New budget authority,  
16 \$91,850,000,000.

17 (B) Outlays, \$86,913,000,000.

18 Fiscal year 2007:

19 (A) New budget authority,  
20 \$89,904,000,000.

21 (B) Outlays, \$90,016,000,000.

22 Fiscal year 2008:

23 (A) New budget authority,  
24 \$90,585,000,000.

25 (B) Outlays, \$89,230,000,000.

1 Fiscal year 2009:  
2 (A) New budget authority,  
3 \$90,737,000,000.  
4 (B) Outlays, \$88,938,000,000.  
5 Fiscal year 2010:  
6 (A) New budget authority,  
7 \$90,329,000,000.  
8 (B) Outlays, \$88,624,000,000.  
9 (11) Health (550):  
10 Fiscal year 2005:  
11 (A) New budget authority,  
12 \$257,498,000,000.  
13 (B) Outlays, \$252,799,000,000.  
14 Fiscal year 2006:  
15 (A) New budget authority,  
16 \$260,542,000,000.  
17 (B) Outlays, \$260,904,000,000.  
18 Fiscal year 2007:  
19 (A) New budget authority,  
20 \$273,232,000,000.  
21 (B) Outlays, \$272,660,000,000.  
22 Fiscal year 2008:  
23 (A) New budget authority,  
24 \$292,063,000,000.  
25 (B) Outlays, \$290,672,000,000.

1 Fiscal year 2009:  
2 (A) New budget authority,  
3 \$313,844,000,000.  
4 (B) Outlays, \$310,304,000,000.  
5 Fiscal year 2010:  
6 (A) New budget authority,  
7 \$332,926,000,000.  
8 (B) Outlays, \$331,961,000,000.  
9 (12) Medicare (570):  
10 Fiscal year 2005:  
11 (A) New budget authority,  
12 \$292,587,000,000.  
13 (B) Outlays, \$293,587,000,000.  
14 Fiscal year 2006:  
15 (A) New budget authority,  
16 \$331,240,000,000.  
17 (B) Outlays, \$331,003,000,000.  
18 Fiscal year 2007:  
19 (A) New budget authority,  
20 \$371,899,000,000.  
21 (B) Outlays, \$372,186,000,000.  
22 Fiscal year 2008:  
23 (A) New budget authority,  
24 \$395,362,000,000.  
25 (B) Outlays, \$395,408,000,000.

1 Fiscal year 2009:

2 (A) New budget authority,

3 \$420,284,000,000.

4 (B) Outlays, \$419,877,000,000.

5 Fiscal year 2010:

6 (A) New budget authority,

7 \$448,161,000,000.

8 (B) Outlays, \$448,492,000,000.

9 (13) Income Security (600):

10 Fiscal year 2005:

11 (A) New budget authority,

12 \$339,651,000,000.

13 (B) Outlays, \$347,850,000,000.

14 Fiscal year 2006:

15 (A) New budget authority,

16 \$347,395,000,000.

17 (B) Outlays, \$353,429,000,000.

18 Fiscal year 2007:

19 (A) New budget authority,

20 \$352,633,000,000.

21 (B) Outlays, \$358,674,000,000.

22 Fiscal year 2008:

23 (A) New budget authority,

24 \$365,775,000,000.

25 (B) Outlays, \$370,107,000,000.

1 Fiscal year 2009:

2 (A) New budget authority,

3 \$374,946,000,000.

4 (B) Outlays, \$377,951,000,000.

5 Fiscal year 2010:

6 (A) New budget authority,

7 \$384,137,000,000.

8 (B) Outlays, \$386,269,000,000.

9 (14) Social Security (650):

10 Fiscal year 2005:

11 (A) New budget authority,

12 \$15,849,000,000.

13 (B) Outlays, \$15,849,000,000.

14 Fiscal year 2006:

15 (A) New budget authority,

16 \$15,991,000,000.

17 (B) Outlays, \$15,991,000,000.

18 Fiscal year 2007:

19 (A) New budget authority,

20 \$17,804,000,000.

21 (B) Outlays, \$17,804,000,000.

22 Fiscal year 2008:

23 (A) New budget authority,

24 \$19,868,000,000.

25 (B) Outlays, \$19,868,000,000.

1 Fiscal year 2009:  
2 (A) New budget authority,  
3 \$21,843,000,000.  
4 (B) Outlays, \$21,843,000,000.

5 Fiscal year 2010:  
6 (A) New budget authority,  
7 \$24,129,000,000.  
8 (B) Outlays, \$24,129,000,000.

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

10 Fiscal year 2005:  
11 (A) New budget authority,  
12 \$69,448,000,000.  
13 (B) Outlays, \$68,873,000,000.

14 Fiscal year 2006:  
15 (A) New budget authority,  
16 \$68,584,000,000.  
17 (B) Outlays, \$67,996,000,000.

18 Fiscal year 2007:  
19 (A) New budget authority,  
20 \$66,181,000,000.  
21 (B) Outlays, \$65,894,000,000.

22 Fiscal year 2008:  
23 (A) New budget authority,  
24 \$69,458,000,000.  
25 (B) Outlays, \$69,255,000,000.

1 Fiscal year 2009:  
2 (A) New budget authority,  
3 \$69,971,000,000.  
4 (B) Outlays, \$69,680,000,000.  
5 Fiscal year 2010:  
6 (A) New budget authority,  
7 \$70,069,000,000.  
8 (B) Outlays, \$69,794,000,000.  
9 (16) Administration of Justice (750):  
10 Fiscal year 2005:  
11 (A) New budget authority,  
12 \$39,819,000,000.  
13 (B) Outlays, \$39,502,000,000.  
14 Fiscal year 2006:  
15 (A) New budget authority,  
16 \$40,975,000,000.  
17 (B) Outlays, \$42,390,000,000.  
18 Fiscal year 2007:  
19 (A) New budget authority,  
20 \$41,719,000,000.  
21 (B) Outlays, \$42,742,000,000.  
22 Fiscal year 2008:  
23 (A) New budget authority,  
24 \$42,575,000,000.  
25 (B) Outlays, \$43,122,000,000.

1 Fiscal year 2009:  
2 (A) New budget authority,  
3 \$43,146,000,000.  
4 (B) Outlays, \$43,297,000,000.  
5 Fiscal year 2010:  
6 (A) New budget authority,  
7 \$43,404,000,000.  
8 (B) Outlays, \$43,338,000,000.  
9 (17) General Government (800):  
10 Fiscal year 2005:  
11 (A) New budget authority,  
12 \$16,765,000,000.  
13 (B) Outlays, \$17,673,000,000.  
14 Fiscal year 2006:  
15 (A) New budget authority,  
16 \$18,154,000,000.  
17 (B) Outlays, \$18,429,000,000.  
18 Fiscal year 2007:  
19 (A) New budget authority,  
20 \$18,204,000,000.  
21 (B) Outlays, \$18,178,000,000.  
22 Fiscal year 2008:  
23 (A) New budget authority,  
24 \$19,883,000,000.  
25 (B) Outlays, \$19,823,000,000.



1 Fiscal year 2009:

2 (A) New budget authority,

3 \$17,902,000,000.

4 (B) Outlays, \$17,675,000,000.

5 Fiscal year 2010:

6 (A) New budget authority,

7 \$18,222,000,000.

8 (B) Outlays, \$18,024,000,000.

9 (18) Net Interest (900):

10 Fiscal year 2005:

11 (A) New budget authority,

12 \$267,980,000,000.

13 (B) Outlays, \$267,980,000,000.

14 Fiscal year 2006:

15 (A) New budget authority,

16 \$310,307,000,000.

17 (B) Outlays, \$310,307,000,000.

18 Fiscal year 2007:

19 (A) New budget authority,

20 \$359,168,000,000.

21 (B) Outlays, \$359,168,000,000.

22 Fiscal year 2008:

23 (A) New budget authority,

24 \$396,713,000,000.

25 (B) Outlays, \$396,713,000,000.

1 Fiscal year 2009:  
2 (A) New budget authority,  
3 \$426,107,000,000.  
4 (B) Outlays, \$426,107,000,000.  
5 Fiscal year 2010:  
6 (A) New budget authority,  
7 \$453,387,000,000.  
8 (B) Outlays, \$453,387,000,000.  
9 (19) Allowances (920):  
10 Fiscal year 2005:  
11 (A) New budget authority, \$0  
12 (B) Outlays, \$0  
13 Fiscal year 2006:  
14 (A) New budget authority, \$0  
15 (B) Outlays, \$0  
16 Fiscal year 2007:  
17 (A) New budget authority, \$0  
18 (B) Outlays, \$0  
19 Fiscal year 2008:  
20 (A) New budget authority, \$0  
21 (B) Outlays, \$0  
22 Fiscal year 2009:  
23 (A) New budget authority, \$0  
24 (B) Outlays, \$0  
25 Fiscal year 2010:

1 (A) New budget authority, \$0

2 (B) Outlays, \$0

3 (20) Undistributed Offsetting Receipts (950):

4 Fiscal year 2005:

5 (A) New budget authority,

6 – \$54,104,000,000.

7 (B) Outlays, – \$54,104,000,000.

8 Fiscal year 2006:

9 (A) New budget authority,

10 – \$55,362,000,000.

11 (B) Outlays, – \$55,362,000,000.

12 Fiscal year 2007:

13 (A) New budget authority,

14 – \$63,813,000,000.

15 (B) Outlays, – \$64,938,000,000.

16 Fiscal year 2008:

17 (A) New budget authority,

18 – \$69,830,000,000.

19 (B) Outlays, – \$70,642,000,000.

20 Fiscal year 2009:

21 (A) New budget authority,

22 – \$62,658,000,000.

23 (B) Outlays, – \$62,033,000,000.

24 Fiscal year 2010:

1 (A) New budget authority,  
2 –\$66,197,000,000.

3 (B) Outlays, –\$65,572,000,000.

## 4 **TITLE II—RECONCILIATION**

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

6 (a) SPENDING RECONCILIATION INSTRUCTIONS.—In  
7 the Senate, by June 6, 2005, the committees named in  
8 this section shall submit their recommendations to the  
9 Committee on the Budget of the Senate. After receiving  
10 those recommendations, the Committee on the Budget  
11 shall report to the Senate a reconciliation bill carrying out  
12 all such recommendations without any substantive revi-  
13 sion.

14 (1) COMMITTEE ON AGRICULTURE, NUTRITION,  
15 AND FORESTRY.—The Senate Committee on Agri-  
16 culture, Nutrition, and Forestry shall report changes  
17 in laws within its jurisdiction sufficient to reduce  
18 outlays by \$171,000,000 in fiscal year 2006, and  
19 \$2,814,000,000 for the period of fiscal years 2006  
20 through 2010.

21 (2) COMMITTEE ON BANKING, HOUSING, AND  
22 URBAN AFFAIRS.—The Senate Committee on Bank-  
23 ing, Housing, and Urban Affairs shall report  
24 changes in laws within its jurisdiction sufficient to  
25 reduce outlays by \$30,000,000 in fiscal year 2006,

1 and \$270,000,000 for the period of fiscal years 2006  
2 through 2010.

3 (3) COMMITTEE ON COMMERCE, SCIENCE, AND  
4 TRANSPORTATION.—The Senate Committee on Com-  
5 merce, Science, and Transportation shall report  
6 changes in laws within its jurisdiction sufficient to  
7 reduce outlays by \$8,000,000 in fiscal year 2006,  
8 and \$2,576,000,000 for the period of fiscal years  
9 2006 through 2010.

10 (4) COMMITTEE ON ENERGY AND NATURAL RE-  
11 SOURCES.—The Senate Committee on Energy and  
12 Natural Resources shall report changes in laws with-  
13 in its jurisdiction sufficient to reduce outlays by  
14 \$33,000,000 in fiscal year 2006, and  
15 \$2,658,000,000 for the period of fiscal years 2006  
16 through 2010.

17 (5) COMMITTEE ON ENVIRONMENT AND PUBLIC  
18 WORKS.—The Senate Committee on Environment  
19 and Public Works shall report changes in laws with-  
20 in its jurisdiction sufficient to reduce outlays by  
21 \$14,000,000 in fiscal year 2006, and \$112,000,000  
22 for the period of fiscal years 2006 through 2010.

23 (6) COMMITTEE ON FINANCE.—The Senate  
24 Committee on Finance shall report changes in laws  
25 within its jurisdiction sufficient to reduce outlays by

1       \$1,784,000,000 in fiscal year 2006, and  
2       \$15,036,000,000 for the period of fiscal years 2006  
3       through 2010.

4           (7) COMMITTEE ON HEALTH, EDUCATION,  
5       LABOR, AND PENSIONS.—The Senate Committee on  
6       Health, Education, Labor, and Pensions shall report  
7       changes in laws within its jurisdiction sufficient to  
8       reduce outlays by \$2,204,000,000 in fiscal years  
9       2005 and 2006, and \$8,576,000,000 for the period  
10      of fiscal years 2005 through 2010.

11          (b) REVENUE RECONCILIATION INSTRUCTIONS.—  
12      The Senate Committee on Finance shall report to the Sen-  
13      ate a reconciliation bill not later than September 7, 2005  
14      that consists of changes in laws within its jurisdiction suf-  
15      ficient to reduce the total level of revenues by not more  
16      than: \$14,939,000,000 for fiscal year 2006, and  
17      \$70,154,000 for the period of fiscal years 2006 through  
18      2010.

19          (c) INCREASE IN STATUTORY DEBT LIMIT.—The  
20      Committee on Finance shall report to the Senate a rec-  
21      onciliation bill not later than September 16, 2005, that  
22      consists solely of changes in laws within its jurisdiction  
23      to increase the statutory debt limit by \$446,464,000,000.

1       **TITLE III—RESERVE FUNDS**

2       **SEC. 301. RESERVE FUND FOR HEALTH INFORMATION**  
3                       **TECHNOLOGY AND PAY-FOR-PERFORMANCE.**

4       In the Senate, if the Committee on Finance or the  
5       Committee on Health, Education, Labor, and Pensions re-  
6       ports a bill or joint resolution, if an amendment is offered  
7       thereto, or if a conference report is submitted thereon,  
8       that—

9               (1) provides incentives or other support for  
10       adoption of modern information technology to im-  
11       prove quality in health care; and

12              (2) provides for performance-based payments  
13       that are based on accepted clinical performance  
14       measures that improve the quality in healthcare,

15       provided that the committee is within its allocation as pro-  
16       vided under section 302(a) of the Congressional Budget  
17       Act of 1974, the chairman of the Committee on the Budg-  
18       et may revise allocations of new budget authority and out-  
19       lays, the revenue aggregates, and other appropriate meas-  
20       ures to reflect such legislation provided that such legisla-  
21       tion would not increase the deficit for the period of fiscal  
22       years 2006 through 2010.

1 **SEC. 302. RESERVE FUND FOR ASBESTOS INJURY TRUST**  
2 **FUND.**

3 In the Senate, if the Committee on the Judiciary re-  
4 ports legislation, if an amendment is offered thereto, or  
5 if a conference report is submitted thereon, that—

6 (1) compensates injured victims of asbestos-re-  
7 lated disease;

8 (2) does not compensate uninjured claimants or  
9 those suffering from a disease not shown to be as-  
10 bestos-related disease;

11 (3) requires strict medical criteria; and

12 (4) is reasonably expected to remain funded  
13 from non-Federal sources for the 50-year life of the  
14 fund,

15 provided that the committee is within its allocation as pro-  
16 vided under section 302(a) of the Congressional Budget  
17 Act of 1974, the chairman of the Budget Committee may  
18 make the appropriate adjustments in allocations and ag-  
19 gregates to the extent that such legislation would not in-  
20 crease the deficit for the period of fiscal years 2006  
21 through 2056.

22 **SEC. 303. RESERVE FUND FOR THE UNINSURED.**

23 In the Senate, if the Committee on Finance or the  
24 Committee on Health, Education, Labor, and Pensions of  
25 the Senate reports a bill or joint resolution, if an amend-



1 ment is offered thereto, or if a conference report is sub-  
2 mitted thereon, that—

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

5 (2)(A) provides safety net access to integrated  
6 and other health care services; or

7 (B) increases the number of people with health  
8 insurance, provided that such increase is not ob-  
9 tained primarily as a result of increasing premiums  
10 for the currently insured; and

11 (3) increases access to coverage through mecha-  
12 nisms that decrease the growth of health care costs,  
13 and may include tax- and market-based measures  
14 (such as tax credits, deductibility, regulatory re-  
15 forms, consumer-directed initiatives, and other meas-  
16 ures targeted to key segments of the uninsured, such  
17 as individuals without employer-sponsored coverage  
18 and college students and recent graduates),

19 provided that the committee is within its allocation as pro-  
20 vided under section 302(a) of the Congressional Budget  
21 Act of 1974, the chairman of the Committee on the Budg-  
22 et may revise allocations of new budget authority and out-  
23 lays, the revenue aggregates, and other appropriate aggre-  
24 gates to reflect such legislation, to the extent that such  
25 legislation would not increase the deficit for fiscal year

1 2006 and for the period of fiscal years 2006 through  
2 2010.

3 **SEC. 304. RESERVE FUND FOR LAND AND WATER CON-**  
4 **SERVATION FUND.**

5 (a) IN THE SENATE.—If—

6 (1) the Committee on Energy and Natural Re-  
7 sources reports a bill or joint resolution, or an  
8 amendment is offered thereto, or a conference report  
9 is submitted thereon, that permits exploration and  
10 production of oil in the 1002 Area of the Arctic Na-  
11 tional Wildlife Refuge, and such measure is enacted;  
12 and

13 (2) the reconciliation instruction set out in sec-  
14 tion 201(a)(4) is met,  
15 provided that the committee is within its allocation as pro-  
16 vided under section 302(a) of the Congressional Budget  
17 Act of 1974, the chairman of the Committee on the Budg-  
18 et of the Senate may make the adjustments described in  
19 subsection (b).

20 (b) ADJUSTMENT FOR THE LAND AND WATER CON-  
21 SERVATION FUND PROGRAMS AND ADDITIONAL LAND  
22 CONSERVATION PROGRAMS.—If the Committee on Appro-  
23 priations of the Senate reports a bill or joint resolution,  
24 or if an amendment is offered thereto or a conference re-  
25 port is submitted thereon that provides funding for the

1 programs described in this subsection at least at the pre-  
2 vious year's levels, adjusted for inflation, and makes avail-  
3 able a portion of the receipts resulting from enactment  
4 of the legislation described in subsection (a) for the Land  
5 and Water Conservation Fund, Federal Land Acquisition  
6 and Stateside Grant Programs, and for the Coastal and  
7 Estuarine Land Protection Program, and for the Forest  
8 Legacy Program, the chairman of the Committee on the  
9 Budget may revise committee allocations for that com-  
10 mittee and other appropriate budgetary aggregates and al-  
11 locations of new budget authority and outlays by the  
12 amount provided by that measure for that purpose, but  
13 the adjustment may not exceed \$350,000,000 in new  
14 budget authority in each of fiscal years 2008 through  
15 2010.

16 **SEC. 305. RESERVE FUND FOR THE FEDERAL PELL GRANT**  
17 **PROGRAM.**

18 In the Senate, if the Committee on Health, Edu-  
19 cation, Labor, and Pensions reports a bill or joint resolu-  
20 tion, or an amendment is offered thereto or a conference  
21 report is submitted thereon, that provides a provision that  
22 eliminates the accumulated shortfall of budget authority  
23 resulting from insufficient appropriations of discretionary  
24 new budget authority previously enacted for the Federal  
25 Pell Grant Program for awards made through the award

1 year 2005–2006, provided that the committee is within its  
2 allocation as provided under section 302(a) of the Con-  
3 gressional Budget Act of 1974, the chairman of the Com-  
4 mittee on the Budget may revise the committee allocation  
5 and other appropriate budgetary aggregates by the  
6 amount provided by that measure for that purpose, but  
7 not to exceed \$4,300,000,000 in new budget authority for  
8 the fiscal year 2006.

9 **SEC. 306. RESERVE FUND FOR HIGHER EDUCATION.**

10 In the Senate, if the Committee on Health, Edu-  
11 cation, Labor, and Pensions reports a bill or joint resolu-  
12 tion, or an amendment is offered thereto or a conference  
13 report is submitted thereon, that reauthorizes the Higher  
14 Education Act of 1965, provided that the committee is  
15 within its allocation as provided under section 302(a) of  
16 the Congressional Budget Act of 1974, the chairman of  
17 the Committee on the Budget may revise committee allo-  
18 cations for that committee and other appropriate budg-  
19 etary aggregates and allocations of new budget authority  
20 and outlays by the amount provided by that measure for  
21 that purpose, but not to exceed \$740,000,000 in new  
22 budget authority and \$676,000,000 in outlays for fiscal  
23 year 2006, and \$5,510,000,000 in new budget authority  
24 and \$5,006,000,000 in outlays for the period of fiscal  
25 years 2006 through 2010.

1 **SEC. 307. RESERVE FUND FOR ENERGY LEGISLATION.**

2 In the Senate, if a bill or joint resolution, or an  
3 amendment is offered thereto or a conference report is  
4 submitted thereon, within the jurisdiction of the Com-  
5 mittee on Energy and Natural Resources, that—

6 (1) provides for a national energy policy; and

7 (2) in conjunction with revenue legislation that  
8 does not reduce net revenues by more than  
9 \$803,000,000 in 2006 and \$4,557,000,000 for the  
10 period of fiscal years 2006 through 2010,

11 provided that the committee is within its allocation as pro-  
12 vided under section 302(a) of the Congressional Budget  
13 Act of 1974, the chairman of the Committee on the Budg-  
14 et may revise committee allocations for that committee  
15 and other appropriate budgetary aggregates and alloca-  
16 tions of new budget authority and outlays by the amount  
17 provided by that measure for that purpose, but not to ex-  
18 ceed \$100,000,000 in new budget authority for fiscal year  
19 2006 and the outlays flowing from that budget authority  
20 and \$2,000,000,000 in new budget authority for the pe-  
21 riod of fiscal years 2006 through 2010 and the outlays  
22 flowing from that budget authority.

23 **SEC. 308. RESERVE FUND FOR THE SAFE IMPORTATION OF**  
24 **PRESCRIPTION DRUGS.**

25 In the Senate, if the Committee on Health, Edu-  
26 cation, Labor, and Pensions reports a bill or joint resolu-

1 tion or an amendment is offered thereto or a conference  
2 report is submitted thereon, that permits the safe importa-  
3 tion of prescription drugs approved by the Food and Drug  
4 Administration from specified countries with strong safety  
5 laws, and provided that the committee is within its alloca-  
6 tion as provided under section 302(a) of the Congressional  
7 Budget Act of 1974, the chairman of the Committee on  
8 the Budget may revise allocations of new budget authority  
9 and outlays, revenue aggregates, and other appropriate  
10 measures to reflect such legislation if any such measure  
11 would not increase the deficit for fiscal year 2006 and for  
12 the period of fiscal years 2006 through 2010.

13 **SEC. 309. ADJUSTMENT FOR SURFACE TRANSPORTATION.**

14 (a) IN GENERAL.—In the Senate, if the Committee  
15 on Environment and Public Works, the Committee on  
16 Banking, Housing, and Urban Affairs, or the Committee  
17 on Commerce, Science, and Transportation reports a bill  
18 or joint resolution, or an amendment is offered thereto or  
19 a conference report is submitted thereon that provides new  
20 budget authority for the budget accounts or portions  
21 thereof, for programs, projects, and activities for high-  
22 ways, highway safety, and transit, in excess of—

23 (1) for fiscal year 2005, \$42,606,000,000; or

24 (2) for fiscal year 2006, \$43,131,000,000; or

1           (3) for fiscal years 2005 through 2009,  
2           \$231,088,000,000;  
3 the chairman of the Committee on the Budget may make  
4 the appropriate adjustments in allocations and aggre-  
5 gates) and increase the allocation of new budget authority  
6 to such committees for fiscal year 2005 and 2006 and for  
7 the period of fiscal years 2005 through 2009 to the extent  
8 such adjustment is offset by an increase in net new user-  
9 fee receipts related to the purposes of the highway trust  
10 fund that are appropriated to such fund for the applicable  
11 fiscal year caused by such legislation. In the Senate, any  
12 increase in receipts shall be reported by the Committee  
13 on Finance.

14           (b) ADJUSTMENT FOR OUTLAYS.—In the Senate, for  
15 fiscal year 2006, and, as necessary, in subsequent fiscal  
16 years, if a bill or joint resolution is reported, or if an  
17 amendment is offered thereto or a conference report is  
18 submitted thereon that changes obligation limitations such  
19 that the total limitations are in excess of \$42,686,000,000  
20 for fiscal year 2006, for programs, projects, and activities  
21 for highways, highway safety, and transit, and if legisla-  
22 tion has been enacted that satisfies the conditions set  
23 forth in subsection (a) for such fiscal year, the chairman  
24 of the Committee on the Budget may increase the alloca-  
25 tion of outlays and appropriate aggregates for such fiscal

1 year, and, as necessary, in subsequent fiscal years, for the  
 2 committees reporting such measures, by the amount of  
 3 outlays that corresponds to such excess obligation limita-  
 4 tions, but not to exceed the amount of such excess that  
 5 was offset in 2006 pursuant to subsection (a). After the  
 6 adjustment has been made, the Senate Committee on Ap-  
 7 propriations shall report new section 302(b) allocations  
 8 consistent with this section.

## 9 **TITLE IV—BUDGET**

### 10 **ENFORCEMENT**

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

12 (a) IN GENERAL.—Except as provided in subsection  
 13 (b), it shall not be in order in the Senate to consider any  
 14 bill, joint resolution, motion, amendment, or conference re-  
 15 port that would provide an advance appropriation.

16 (b) EXCEPTIONS.—An advance appropriation may be  
 17 provided for the fiscal years 2007 and 2008 for programs,  
 18 projects, activities, or accounts identified in the joint ex-  
 19 planatory statement of managers accompanying this reso-  
 20 lution under the heading “Accounts Identified for Advance  
 21 Appropriations” in an aggregate amount not to exceed  
 22 \$23,393,000,000 in new budget authority in each year.

23 (c) DISPOSITION.—

24 (1) IN GENERAL.—In the Senate, subsection (a)  
 25 may be waived or suspended only by an affirmative



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

7 (2) PROCEDURE.—A point of order under sub-  
8 section (a) may be raised by a Senator as provided  
9 in section 313(e) of the Congressional Budget Act of  
10 1974.

11 (3) DISPOSITION.—If a point of order is sus-  
12 tained under subsection (a) against a conference re-  
13 port in the Senate, the report shall be disposed of  
14 as provided in section 313(d) of the Congressional  
15 Budget Act of 1974.

16 (d) DEFINITION.—In this section, the term “advance  
17 appropriation” means any discretionary new budget au-  
18 thority, or any changes in mandatory programs that count  
19 against discretionary spending limits, in a bill or joint res-  
20 olution making general appropriations or continuing ap-  
21 propriations for fiscal year 2006 that first becomes avail-  
22 able for any fiscal year after 2006, or making general ap-  
23 propriations or continuing appropriations for fiscal year  
24 2007 that first becomes available for any fiscal year after  
25 2007.

1 **SEC. 402. EMERGENCY LEGISLATION.**

2 (a) PURPOSE.—It is the purpose of this section, in  
3 the absence of an extension of the discretionary spending  
4 limits and paygo requirements under the Balanced Budget  
5 and Emergency Deficit Control Act of 1985, to enable  
6 Congress to designate provisions of legislation as an emer-  
7 gency in order to exempt such measures from enforcement  
8 of this resolution with respect to the new budget authority,  
9 outlays, and receipts resulting from such provisions.

10 (b) IN THE SENATE.—

11 (1) AUTHORITY TO DESIGNATE.—With respect  
12 to a provision of direct spending or receipts legisla-  
13 tion or appropriations for discretionary accounts  
14 that the President designates as an emergency re-  
15 quirement and that Congress so designates in such  
16 measure, the amounts of new budget authority, out-  
17 lays, and receipts in all fiscal years resulting from  
18 that provision shall be treated as an emergency re-  
19 quirement for the purpose of this section.

20 (2) EXEMPTION OF EMERGENCY PROVISIONS.—  
21 Any new budget authority, outlays, and receipts re-  
22 sulting from any provision designated as an emer-  
23 gency requirement, pursuant to this section, in any  
24 bill, joint resolution, amendment, or conference re-  
25 port shall not count for purposes of sections 302,  
26 303, 311, and 401 of the Congressional Budget Act

1 of 1974 and section 404 of this resolution (relating  
2 to discretionary spending limits in the Senate) and  
3 section 505 of the Concurrent Resolution on the  
4 Budget for Fiscal Year 2004 H. Con. Res. 95 (relat-  
5 ing to the paygo requirement in the Senate).

6 (3) DESIGNATIONS.—

7 (A) GUIDANCE.—If a provision of legisla-  
8 tion is designated as an emergency requirement  
9 under this section, the committee report and  
10 any statement of managers accompanying that  
11 legislation shall include an explanation of the  
12 manner in which the provision meets the cri-  
13 teria in subparagraph (B).

14 (B) CRITERIA.—

15 (i) IN GENERAL.—Any such provision  
16 is an emergency requirement if the situa-  
17 tion addressed by such provision is—

18 (I) necessary, essential, or vital  
19 (not merely useful or beneficial);

20 (II) sudden, quickly coming into  
21 being, and not building up over time;

22 (III) an urgent, pressing, and  
23 compelling need requiring immediate  
24 action;

1 (IV) subject to clause (ii), un-  
2 foreseen, unpredictable, and unantici-  
3 pated; and

4 (V) not permanent, temporary in  
5 nature.

6 (ii) UNFORESEEN.—An emergency  
7 that is part of an aggregate level of antici-  
8 pated emergencies, particularly when nor-  
9 mally estimated in advance, is not unfore-  
10 seen.

11 (4) DEFINITIONS.—In this subsection, the  
12 terms “direct spending”, “receipts”, and “appropria-  
13 tions for discretionary accounts” means any provi-  
14 sion of a bill, joint resolution, amendment, motion,  
15 or conference report that affects direct spending, re-  
16 ceipts, or appropriations as those terms have been  
17 defined and interpreted for purposes of the Balanced  
18 Budget and Emergency Deficit Control Act of 1985.

19 (5) POINT OF ORDER.—When the Senate is  
20 considering a bill, resolution, amendment, motion, or  
21 conference report, if a point of order is made by a  
22 Senator against an emergency designation in that  
23 measure, that provision making such a designation  
24 shall be stricken from the measure and may not be  
25 offered as an amendment from the floor.

1           (6) WAIVER AND APPEAL.—Paragraph (5) may  
2 be waived or suspended in the Senate only by an af-  
3 firmative vote of three-fifths of the Members, duly  
4 chosen and sworn. Appeals in the Senate from the  
5 decisions of the Chair relating to any provision of  
6 this subsection shall be limited to 1 hour, to be  
7 equally divided between, and controlled by, the ap-  
8 pellant and the manager of the bill or joint resolu-  
9 tion, as the case may be. An affirmative vote of  
10 three-fifths of the Members of the Senate, duly cho-  
11 sen and sworn, shall be required to sustain an ap-  
12 peal of the ruling of the Chair on a point of order  
13 raised under this section.

14           (7) DEFINITION OF AN EMERGENCY DESIGNA-  
15 TION.—For purposes of paragraph (5), a provision  
16 shall be considered an emergency designation if it  
17 designates any item as an emergency requirement  
18 pursuant to this section.

19           (8) FORM OF THE POINT OF ORDER.—A point  
20 of order under paragraph (5) may be raised by a  
21 Senator as provided in section 313(e) of the Con-  
22 gressional Budget Act of 1974.

23           (9) CONFERENCE REPORTS.—If a point of  
24 order is sustained under paragraph (5) against a  
25 conference report, the report shall be disposed of as

1 provided in section 313(d) of the Congressional  
2 Budget Act of 1974.

3 (10) EXCEPTION FOR DEFENSE SPENDING.—  
4 Paragraph (5) shall not apply against an emergency  
5 designation for a provision making discretionary ap-  
6 propriations under the defense function (050).

7 (c) EXEMPTION OF OVERSEAS CONTINGENT OPER-  
8 ATIONS.—

9 (1) IN GENERAL.—In the Senate, if a bill, joint  
10 resolution, amendment, or a conference report  
11 makes supplemental appropriations for fiscal year  
12 2006 for overseas contingency operations related to  
13 the global war on terrorism, then the new budget  
14 authority, new entitlement authority, and outlays re-  
15 sulting from the provisions of such measure that are  
16 designated pursuant to this section as making ap-  
17 propriations for such contingency operations—

18 (A) shall not count for purposes of sections  
19 302, 303, and 401 of the Congressional Budget  
20 Act of 1974; and

21 (B) shall not count for the purpose of sec-  
22 tion 404 of this resolution (relating to discre-  
23 tionary spending limits in the Senate) and sec-  
24 tion 505 of the Concurrent Resolution on the

1           Budget for Fiscal Year 2004 H. Con. Res. 95  
2           (relating to the pay-go requirement).

3           (2) **LIMITATION.**—The amounts that are not  
4           counted for purposes of this section shall not exceed  
5           \$50,000,000,000 in new budget authority and out-  
6           lays associated with the budget authority.

7 **SEC. 403. SUPERMAJORITY ENFORCEMENT.**

8           (a) **EXTENSION.**—Notwithstanding any provision of  
9           the Congressional Budget Act of 1974, subsections (c)(2)  
10          and (d)(3) of section 904 of the Congressional Budget Act  
11          of 1974 shall remain in effect for purposes of Senate en-  
12          forcement through September 30, 2010.

13          (b) **UNFUNDED MANDATES.**—

14               (1) **IN GENERAL.**—Section 425(a) (1) and (2)  
15               of the Congressional Budget Act of 1974 shall be  
16               subject to the waiver and appeal requirements of  
17               subsection (c)(2) and (d)(3) of section 904 of the  
18               Congressional Budget Act of 1974.

19               (2) **EFFECTIVE DATE.**—This subsection shall  
20               remain in effect for purposes of Senate enforcement  
21               through September 30, 2010.

1 **SEC. 404. DISCRETIONARY SPENDING LIMITS IN THE SEN-**  
2 **ATE.**

3 (a) DISCRETIONARY SPENDING LIMITS.—In the Sen-  
4 ate and as used in this section, the term “discretionary  
5 spending limit” means—

6 (1) for fiscal year 2006, \$842,682,000,000 in  
7 new budget authority and \$915,690,000,000 in out-  
8 lays for the discretionary category;

9 (2) for fiscal year 2007, \$868,473,000,000 in  
10 new budget authority for the discretionary category;  
11 and

12 (3) for fiscal year 2008, \$891,445,000,000 in  
13 new budget authority for the discretionary category;  
14 as adjusted in conformance with the adjustment proce-  
15 dures in subsection (d).

16 (b) ADJUSTMENTS TO DISCRETIONARY SPENDING  
17 LIMITS.—

18 (1) CONTINUING DISABILITY REVIEWS.—If a  
19 bill or joint resolution is reported making appropria-  
20 tions for fiscal year 2006 that appropriates  
21 \$412,000,000 for continuing disability reviews for  
22 the Social Security Administration, and provides an  
23 additional appropriation of \$189,000,000 for con-  
24 tinuing disability reviews for the Social Security Ad-  
25 ministration, then the allocation to the Senate Com-  
26 mittee on Appropriations shall be increased by



1       \$189,000,000 in budget authority and outlays flow-  
2       ing from the budget authority for fiscal year 2006.

3           (2) INTERNAL REVENUE SERVICE TAX EN-  
4       FORCEMENT.—If a bill or joint resolution is reported  
5       making appropriations for fiscal year 2006 that ap-  
6       propriates \$6,447,000,000 for enhanced tax enforce-  
7       ment to address the “Federal tax gap” for the Inter-  
8       nal Revenue Service, and provides an additional ap-  
9       propriation of \$446,000,000 for enhanced tax en-  
10      forcement to address the “Federal tax gap” for the  
11      Internal Revenue Service, then the allocation to the  
12      Senate Committee on Appropriations shall be in-  
13      creased by \$446,000,000 in budget authority and  
14      outlays flowing from the budget authority for fiscal  
15      year 2006.

16           (3) HEALTH CARE FRAUD AND ABUSE CONTROL  
17      PROGRAM.—If a bill or joint resolution is reported  
18      making appropriations for fiscal year 2006 that ap-  
19      propriates \$80,000,000 to the health care fraud and  
20      abuse control program at the Department of Health  
21      and Human Services, then the allocation to the Sen-  
22      ate Committee on Appropriations shall be increased  
23      by \$80,000,000 in budget authority and outlays  
24      flowing from the budget authority for fiscal year  
25      2006.

1           (4) UNEMPLOYMENT INSURANCE IMPROPER  
2 PAYMENTS.—If a bill or joint resolution is reported  
3 making appropriations for fiscal year 2006 that ap-  
4 propriates \$10,000,000 for unemployment insurance  
5 improper payments reviews for the Department of  
6 Labor, and provides an additional appropriation of  
7 \$40,000,000 for unemployment insurance improper  
8 payments reviews for the Department of Labor, then  
9 the allocation to the Senate Committee on Appro-  
10 priations shall be increased by \$40,000,000 in budg-  
11 et authority and outlays flowing from the budget au-  
12 thority for fiscal year 2006.

13           (c) DISCRETIONARY SPENDING POINT OF ORDER IN  
14 THE SENATE.—

15           (1) IN GENERAL.—Except as otherwise pro-  
16 vided in this subsection, it shall not be in order in  
17 the Senate to consider any bill or joint resolution (or  
18 amendment, motion, or conference report on that bill  
19 or joint resolution) that would cause the discre-  
20 tionary spending limits in this section to be exceed-  
21 ed.

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

1           (3) APPEALS.—Appeals in the Senate from the  
2 decisions of the Chair relating to any provision of  
3 this subsection shall be limited to 1 hour, to be  
4 equally divided between, and controlled by, the ap-  
5 pellant and the manager of the bill or joint resolu-  
6 tion, as the case may be. An affirmative vote of  
7 three-fifths of the Members of the Senate, duly cho-  
8 sen and sworn, shall be required to sustain an ap-  
9 peal of the ruling of the Chair on a point of order  
10 raised under this subsection.

11       (d) PROCEDURE FOR ADJUSTMENTS.—

12           (1) IN GENERAL.—

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

23           (B) MATTERS TO BE ADJUSTED.—The ad-  
24 justments referred to in subparagraph (A) are  
25 to be made to—

1 (i) the discretionary spending limits, if  
2 any, set forth in the appropriate concu-  
3 rent resolution on the budget;

4 (ii) the allocations made pursuant to  
5 the appropriate concurrent resolution on  
6 the budget pursuant to section 302(a) of  
7 the Congressional Budget Act of 1974; and

8 (iii) the budgetary aggregates as set  
9 forth in the appropriate concurrent resolu-  
10 tion on the budget.

11 (2) AMOUNTS OF ADJUSTMENTS.—The adjust-  
12 ment referred to in paragraph (1) shall be an  
13 amount provided for the fiscal year 2006 pursuant  
14 to subsection (b).

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

21 **SEC. 405. APPLICATION AND EFFECT OF CHANGES IN ALLO-**  
22 **CATIONS AND AGGREGATES.**

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

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

3           (2) take effect upon the enactment of that  
4           measure; and

5           (3) be published in the Congressional Record as  
6           soon as practicable.

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

12          (c) BUDGET COMMITTEE DETERMINATIONS.—For  
13          purposes of this resolution—

14           (1) the levels of new budget authority, outlays,  
15           direct spending, new entitlement authority, revenues,  
16           deficits, and surpluses for a fiscal year or period of  
17           fiscal years shall be determined on the basis of esti-  
18           mates made by the appropriate Committee on the  
19           Budget; and

20           (2) such chairman may make any other nec-  
21           essary adjustments to such levels to carry out this  
22           resolution.

1 **SEC. 406. ADJUSTMENTS TO REFLECT CHANGES IN CON-**  
2 **CEPTS AND DEFINITIONS.**

3 (a) **IN GENERAL.**—In the Senate, upon the enact-  
4 ment of a bill or joint resolution providing for a change  
5 in concepts or definitions, the appropriate chairman of the  
6 Committee on the Budget shall make adjustments to the  
7 levels and allocations in this resolution in accordance with  
8 section 251(b) of the Balanced Budget and Emergency  
9 Deficit Control Act of 1985 (as in effect prior to Sep-  
10 tember 30, 2002).

11 (b) **PELL GRANTS.**—

12 (1) **BUDGET AUTHORITY.**—In the Senate, if ap-  
13 propriations of discretionary new budget authority  
14 enacted for the Federal Pell Grant Program are in-  
15 sufficient to cover the full cost of Pell Grants in the  
16 upcoming award year, adjusted for any cumulative  
17 funding surplus or shortfall from prior years, the  
18 budget authority counted against the bill for the Pell  
19 Grant Program shall be equal to the adjusted full  
20 cost.

21 (2) **APPLICATION.**—This subsection shall apply  
22 only to new Pell Grant awards approved in legisla-  
23 tion for award year 2006–2007 and subsequent  
24 award years and shall not apply to the cumulative  
25 shortfall through award year 2005–2006.



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

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

8 (e) DETERMINATIONS OF BUDGET LEVELS.—For  
9 purposes of this section, the levels of net direct spending  
10 shall be determined on the basis of estimates provided by  
11 the Committee on the Budget of the Senate.

12 (f) SUNSET.—This section shall expire on September  
13 30, 2010.

14 **SEC. 408. EXERCISE OF RULEMAKING POWERS.**

15 Congress adopts the provisions of this title—

16 (1) as an exercise of the rulemaking power of  
17 the Senate and the House, respectively, and as such  
18 they shall be considered as part of the rules of each  
19 House, or of that House to which they specifically  
20 apply, and such rules shall supersede other rules  
21 only to the extent that they are inconsistent there-  
22 with; and

23 (2) with full recognition of the constitutional  
24 right of either House to change those rules (so far  
25 as they relate to that house) at any time, in the



1 same manner, and to the same extent as in the case  
2 of any other rule of that House.

### 3 **TITLE V—SENSE OF THE SENATE**

#### 4 **SEC. 501. SENSE OF THE SENATE REGARDING UNAUTHOR-** 5 **IZED APPROPRIATIONS.**

6 It is the sense of the Senate that Congress should—

7 (1) preclude consideration of any bill, joint res-  
8 olution, motion, amendment, or conference report  
9 that would provide an appropriation, in whole or in  
10 part, for programs not specifically authorized by law  
11 or Treaty stipulation, or the amount of which ex-  
12 ceeds the amount specifically authorized by law or  
13 Treaty stipulation, or that would provide a limited  
14 tax benefit as defined by the Line Item Veto Act of  
15 1996 (Public Law 104–130), and

16 (2) determine a method for effectively con-  
17 taining the extraordinary growth in unauthorized  
18 earmarks.

#### 19 **SEC. 502. SENSE OF THE SENATE REGARDING A COMMIS-** 20 **SION TO REVIEW THE PERFORMANCE OF** 21 **PROGRAMS.**

22 It is the sense of the Senate that a commission should  
23 be established to review Federal agencies, and programs  
24 within such agencies, with the express purpose of pro-  
25 viding Congress with recommendations, and legislation to

1 implement those recommendations, to realign or eliminate  
2 Government agencies and programs that are wasteful, du-  
3 plicative, inefficient, outdated, irrelevant, or have failed to  
4 accomplish their intended purpose.

5 **SEC. 503. SENSE OF THE SENATE REGARDING TRICARE.**

6 It is the sense of the Senate that Congress should  
7 provide sufficient funding to the Department of Defense  
8 to offer members of the Reserve Component continuous  
9 access to TRICARE, for a premium, regardless of their  
10 activation status.

11 **SEC. 504. SENSE OF THE SENATE REGARDING RESTRAIN-**  
12 **ING MEDICAID GROWTH.**

13 (a) FINDINGS.—The Senate makes the following  
14 findings:

15 (1) The Medicaid program provides essential  
16 health care and long-term care services to more than  
17 50,000,000 low-income children, pregnant women,  
18 parents, individuals with disabilities, and senior citi-  
19 zens. It is a Federal guarantee that ensures the  
20 most vulnerable will have access to needed medical  
21 services.

22 (2) Medicaid provides critical access to long-  
23 term care and other services for the elderly and indi-  
24 viduals living with disabilities, and is the single larg-  
25 est provider of long-term care services. Medicaid also

1       pays for personal care and other supportive services  
2       that are typically not provided by private health in-  
3       surance or Medicare, but are necessary to enable in-  
4       dividuals with spinal cord injuries, developmental  
5       disabilities, neurological degenerative diseases, seri-  
6       ous and persistent mental illnesses, HIV/AIDS, and  
7       other chronic conditions to remain in the commu-  
8       nity, to work, and to maintain independence.

9               (3) Medicaid supplements the Medicare pro-  
10       gram for more than 6,000,000 low-income elderly or  
11       disabled Medicare beneficiaries, assisting them with  
12       their Medicare premiums and co-insurance, wrap-  
13       around benefits, and the costs of nursing home care  
14       that Medicare does not cover. The Medicaid program  
15       spent nearly \$40,000,000,000 on uncovered Medi-  
16       care services in 2002.

17              (4) Medicaid provides health insurance for more  
18       than  $\frac{1}{4}$  of America's children and is the largest pur-  
19       chaser of maternity care, paying for more than  $\frac{1}{3}$   
20       of all the births in the United States each year.  
21       Medicaid also provides critical access to care for  
22       children with disabilities, covering more than 70 per-  
23       cent of poor children with disabilities.

24              (5) More than 16,000,000 women depend on  
25       Medicaid for their health care. Women comprise the

1 majority of seniors (71 percent) on Medicaid. Half  
2 of nonelderly women with permanent mental or  
3 physical disabilities have health coverage through  
4 Medicaid. Medicaid provides treatment for low-in-  
5 come women diagnosed with breast or cervical can-  
6 cer in every State.

7 (6) Medicaid is the Nation's largest source of  
8 payment for mental health services, HIV/AIDS care,  
9 and care for children with special needs. Much of  
10 this care is either not covered by private insurance  
11 or limited in scope or duration. Medicaid is also a  
12 critical source of funding for health care for children  
13 in foster care and for health services in schools.

14 (7) Medicaid funds help ensure access to care  
15 for all Americans. Medicaid is the single largest  
16 source of revenue for the Nation's safety net hos-  
17 pitals, health centers, and nursing homes, and is  
18 critical to the ability of these providers to adequately  
19 serve all Americans.

20 (8) Medicaid serves a major role in ensuring  
21 that the number of Americans without health insur-  
22 ance, approximately 45,000,000 in 2003, is not sub-  
23 stantially higher. The system of Federal matching  
24 for State Medicaid expenditures ensures that Fed-  
25 eral funds will grow as State spending increases in

1 response to unmet needs, enabling Medicaid to help  
2 buffer the drop in private coverage during recessions.  
3 More than 4,800,000 Americans lost employer-sponsored  
4 coverage between 2000 and 2003, during which time Medicaid  
5 enrolled an additional 8,400,000 Americans.  
6

7 (b) SENSE OF THE SENATE.—It is the sense of the  
8 Senate that the Finance Committee shall not report a reconciliation  
9 bill that achieves spending reductions that  
10 would—

11 (1) undermine the role the Medicaid program  
12 plays as a critical component of the health care system  
13 of the United States;

14 (2) cap Federal Medicaid spending, or otherwise  
15 shift Medicaid cost burdens to State or local  
16 governments and their taxpayers and health providers,  
17 forcing a reduction in access to essential health services  
18 for low-income elderly individuals, individuals with disabilities,  
19 and children and families;  
20 or

21 (3) undermine the Federal guarantee of health insurance  
22 coverage Medicaid provides, which would threaten not only  
23 the health care safety net of the United States, but the entire  
24 health care system.

1 **SEC. 505. SENSE OF THE SENATE REGARDING TRIBAL COL-**  
2 **LEGES AND UNIVERSITIES.**

3 (a) FINDINGS.—The Senate finds the following:

4 (1) American Indians from over 250 federally  
5 recognized tribes nationwide attend tribal college  
6 and universities, a majority of whom are first-gen-  
7 eration college students.

8 (2) Tribal colleges and universities are located  
9 in some of the most isolated and impoverished areas  
10 in the Nation and are the Nation’s most poorly  
11 funded institutions of higher education. While the  
12 Tribally Controlled College or University Assistance  
13 Act, or “Tribal College Act” provides funding based  
14 solely on Indian students, the colleges have open en-  
15 rollment policies providing access to postsecondary  
16 education opportunities to all interested students,  
17 about 20 percent of whom are non-Indian. With rare  
18 exception, tribal colleges and universities do not re-  
19 ceive operating funds from their respective States  
20 for these non-Indian State resident students. Yet, if  
21 these same students attended any other public insti-  
22 tutions in their States, the State would provide basic  
23 operating funds to the institution.

24 (b) SENSE OF THE SENATE.—It is the sense of the  
25 Senate that—

1           (1) this resolution recognizes the funding chal-  
2           lenges faced by tribal colleges, and universities and  
3           assumes that equitable consideration will be provided  
4           to them through funding of the Tribally Controlled  
5           College or University Assistance Act, the Equity in  
6           Educational Land Grant Status Act, title III of the  
7           Higher Education Act of 1965, and the National  
8           Science Foundation, Department of Defense, and  
9           Housing and Urban Development Tribal College and  
10          University Programs; and

11          (2) such equitable consideration reflects Con-  
12          gress intent to continue to work toward statutory  
13          Federal funding authorization goals for tribal col-  
14          leges and universities.

15 **SEC. 506. SENSE OF THE SENATE REGARDING SUPPORT**  
16                   **FOR THE PRESIDENT’S REQUEST TO CON-**  
17                   **CENTRATE FEDERAL FUNDS FOR STATE AND**  
18                   **LOCAL HOMELAND SECURITY ASSISTANCE**  
19                   **PROGRAMS ON THE HIGHEST THREATS,**  
20                   **VULNERABILITIES, AND NEEDS.**

21          It is the sense of the Senate that Congress supports  
22          the President’s request to “Concentrat[e] Federal funds  
23          for State and local homeland security assistance programs  
24          on the highest threats, vulnerabilities, and needs.”.

1 **SEC. 507. SENSE OF THE SENATE REJECTING PROPOSED**  
2 **ELIMINATION OF PER DIEM REIMBURSE-**  
3 **MENT TO STATE NURSING HOMES IN THE**  
4 **PRESIDENT'S BUDGET.**

5 It is the sense of the Senate that Congress should  
6 reject the President's proposal to eliminate per diem pay-  
7 ments to State Veterans Homes for the vast majority of  
8 patients that reside in these homes.

9 **SEC. 508. SENSE OF THE SENATE REGARDING IMPACT AID.**

10 It is the sense of the Senate that funding for Impact  
11 Aid (Title VIII of Public Law 107–110) should be suffi-  
12 cient to insure that all federally connected school districts  
13 are provided a payment under sections 8002 and 8003 of  
14 that Act that will allow them to address the increase in  
15 program costs in recent years, as this is critical for school  
16 districts addressing the emotional and family needs of chil-  
17 dren of military families who have a parent or parents en-  
18 gaged in conflict in Iraq or Afghanistan.

19 **SEC. 509. SENSE OF THE SENATE REGARDING MANDATORY**  
20 **AGRICULTURAL PROGRAMS.**

21 (a) FINDINGS.—The Senate finds the following:

22 (1) The mandatory farm programs adminis-  
23 tered by United States Department of Agriculture  
24 under the Food Security and Rural Development Act  
25 of 2002 provide an economic safety net, ensure the  
26 availability of Federal crop insurance, fund con-



1       servation priorities, and enhance agriculture export  
2       market opportunities for United States farmers and  
3       ranchers.

4               (2) The actual budget outlays for farm bill pro-  
5       grams for fiscal years 2002–2004 have been about  
6       \$16,700,000,000 less than projected by the Congres-  
7       sional Budget Office in August 2002, shortly after  
8       the farm bill was passed.

9               (3) Over 72 percent of farm program payments  
10      are currently received by only 10 percent of our Na-  
11      tion’s program crop producers.

12              (4) Any agricultural policy modifications should  
13      address the disproportionate share of farm program  
14      payments received by the largest farming operations.

15              (5) If commodity prices decline, as projected by  
16      the Congressional Budget Office over the next sev-  
17      eral years, agricultural programs will be even more  
18      important to the economic future of small- and me-  
19      dium-sized family farms.

20              (b) SENSE OF THE SENATE.—It is the sense of the  
21      Senate that any reconciled mandatory agriculture savings  
22      required under this resolution should be primarily  
23      achieved through modifications to the payment limitation  
24      provisions of the Food Security and Rural Investment Act  
25      of 2002.

Calendar No. 51

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**S. CON. RES. 18**

---

**CONCURRENT RESOLUTION**

---

Setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010.

---

MARCH 11, 2005

Placed on the calendar